

COUNCIL

5 July 2016

Present: Councillor D Walford (Chairman)
Councillor J Dhindsa (Vice-Chair)
Councillors D Thornhill, D Barks, S Bashir, N Bell, S Bolton,
S Cavinder, K Collett, J Connal, A Dychton, J Fahmy, A Grimston,
K Hastrick, M Hofman, J Johnson, S Johnson, A Joynes, P Kent,
Ahsan Khan (for minute numbers 22 to 31), Asif Khan, R Laird,
J Maestas, R Martins, B Mauthoor, M Mills, A Rindl, D Scudder,
N Shah, I Sharpe, N Steele, P Taylor, M Turmaine, M Watkin and
T Williams

Also present: Mavis Tyrwhitt and Norman Tyrwhitt

Officers: Managing Director
Legal and Democratic Section Head
Corporate and External Communications Section Head
Democratic Services Manager
Mayor's Political Assistant
Member Development and Civic Officer
Committee and Scrutiny Support Officer
Committee and Scrutiny Officer

19 **Apologies for Absence**

Apologies for absence were received from Councillors Crout and Saffery.

20 **Disclosure of Interests**

There were no disclosures of interest.

21 **Minutes**

The minutes of the meeting held on 24 May 2016 were submitted and signed.

Official Announcements

Jo Cox MP

The Chairman stated that everyone had been shocked and saddened at the death of Jo Cox MP. He asked all those present to stand and observe a minute's silence as a tribute to her memory.

Audentior Awards

The Chairman informed Council that the nomination period for the Audentior Awards had opened. He reminded members that it would close on 7 July. All members had been given a link to the nomination form; it was also available through the council's website.

Queen's 90th birthday

The Chairman advised that on 12 June he had attended an event at Victoria House Day Centre to celebrate the Queen's 90th birthday.

Armed Forces Day

The Chairman reported that he had raised a flag outside the Town Hall on Monday 20 June to promote Armed Forces Day.

Big Events

The Chairman informed Council that the Big Screen on the Beach would start on 30 July and would continue until 29 August. Films and the Olympics would be shown on the giant screen at the Parade Beach.

Mayor's Report

A report of the Mayor had been circulated with the agenda.

The Chairman invited Members to indicate whether they wished to ask a question of the Mayor. Councillors Asif Khan, Bolton, Mills, Bell, Barks, Joynes, Bashir, Turmaine, Hofman, Dhindsa and Connal indicated that they wished to ask questions.

- a) Councillor Asif Khan referred to an article in The Guardian newspaper which had reported that an EU resident had been refused access to a Watford nightclub. In addition residents had contacted him feeling fear as a consequence of the referendum result. He asked the Mayor if she agreed

with him that racism, prejudice and abuse had no place in Watford. It was one town and one people.

The Mayor said the simple answer was 'yes' she did agree with him. She had not been aware of the Guardian article and there had not been a Google alert. Following the result of the referendum her immediate thoughts had been of the residents. She referred to a conversation with Councillor Rindl and her personal feelings. She described an incident during the mayoral election period and a conversation with the UKIP candidate. It had been no surprise the same thing had started following the result of the referendum.

The Mayor informed members that one of the first things she did was to contact the Police and had been reassured that there had not been a rise in racist incidents when compared to last year. However if he was hearing about incidents they were not being reported, as she had been reassured the figures were about the same. There appeared to be an issue about people not reporting incidents. To that end she had written to every place of worship and other groups and told them to report any incidents and to not be afraid to report problems. It was important to report incidents to ensure the relevant people and organisations knew what was happening in the town. She had received some nice responses from some of the different faith groups; thanking her for sharing her concerns. The Police had contacted the Polish community and no concerns had been raised. She had attended the local synagogue and had asked that her comments were read out at Friday prayers.

The Mayor stated that she hoped that between them, they had reassured the various communities. It was important that everyone encouraged people to report incidents and not be afraid to challenge people.

The Mayor acknowledged that not all 'Leave' voters were racist. It was necessary to move forward and work constructively with the result. She had envisaged that Watford's result would be a high percentage voting to leave. However, it had been one of the closest results in the country. Watford was often a microcosm of the rest of country, the MP came from the majority party and the result of the referendum was close reflecting the overall result of the country.

The Mayor finished by saying that she knew all councillors would challenge racist behaviour, encourage people to report incidents and show solidarity. The first occasion this could happen was at the Eid event next Saturday at Holywell. She understood that people from both parties would be

attending and that Councillor Dhindsa would be representing the council as Vice Chairman. Unfortunately she would not be able to attend.

- b) Councillor Bolton asked if the Mayor was aware of the announcement that day regarding Southern rail stopping the service from Milton Keynes to Clapham Junction, which went through Watford. Many people used this service. He asked whether she would be taking this matter up with the MP and the company.

The Mayor had wanted this question raised and had hoped that the press would be present. It had not been picked up as a Watford story, but when standing on the platform it was possible to see the number of people who used the service. This would be a significant loss to the town. She was unsure whether this was a reaction to the staff action. She had hoped to contact ex-councillor Mick Cash and ask for some information about whether it was a reprisal or something more significant. She felt that members should undertake a collective campaign as it would be a significant loss of service to Watford.

- c) Councillor Mills asked the Mayor why she was unwilling at Cabinet to grant a public consultation on the changes to the Harwoods and Harebreaks adventure playgrounds.

The Mayor said that she would argue that a play review had been carried out followed by a borough-wide survey. She said that she would never consult on something when she knew what people were going to say to the council. It had been no surprise that people who used both adventure playgrounds would want it to remain. A consultation implied that the council was not sure what it wanted to do and there was an option. The administration was very clear and very sure what it wanted to do. The Mayor recognised that Councillor Mills may not agree with the decision, but the Liberal Democrat administration was entitled to shape play in its vision. The current administration had inherited the previous Labour administration's vision from a long time ago. Lots of boroughs and cities had moved on with their play facilities. Lots of Labour administrations had stopped providing the service years ago and had done something different and moved on. The Mayor said she wanted Watford to move on.

The Mayor reminded council that this was not a statutory service and it did not have to be provided. Some places did not do it. Cabinet had made a political decision that it did not want to continue to provide play in the same way that it had been set up by the Labour administration. It was a decision Cabinet was entitled to make. Cabinet was aware of people's feelings and had had long and hard deliberations over the matter. In the

end it was felt that play should be about families spending time together; transformed play areas were better. All play areas were better and these two play areas would be the 'icing on the cake'. They would be for everyone in the borough and would be seen to be for everyone, which was not the case at the moment. They would be transformed and used differently.

- d) Councillor Bell said that he wished to follow on from Councillor Mills' question. He commented that this was a controversial decision and would affect many families in West and North Watford. They had attended the meeting and were fairly peaceful. This controversial decision only had 12 days from when it was published until the meeting; when parents and staff were told about the decision. This did not give people a lot of time to get together and discuss it. He asked whether it would have been possible to give more time, for example for the staff to have been informed at least a week or two before. He had also raised this matter with the Head of Community and Customer Services. He asked the Mayor whether she now agreed it would have been better to make the announcement a couple of weeks before.

The Mayor responded that it would not have made any difference as whenever the announcement had been made it would have been a challenging and emotional thing and have been difficult. People had until the end of October. If the administration was as heartless as it had been made out to be, it could have decided to delay the report until Cabinet in September and then closed the sites at the end of September. However by taking the decision now there had been three months' notice. There was little point in making people think there may be a change in the decision. This would have given false hope and played with the emotion of the public and the council's staff. It was felt important to be clear from the start. All the correct human resources procedures would be followed, including redeployment if that was possible.

The Mayor said that the information had been in the budget proposals in January and she had been surprised that it had been missed. It had been clear that the revenue support for the playgrounds was stopping and the capital spend was going up. The Labour group chaired Budget Panel and no one had spotted it. In many ways it had been in the public domain for a long time. Staff were well aware that something could or would be happening. There had to be a start date and an end date, which had now been given.

- e) Councillor Barks advised that Councillor Khan had asked a similar question to the one he had wished to pose and would therefore no longer put his question to the Mayor.
- f) Councillor Joynes commented that her question followed on from Councillor Khan's earlier question. She asked the Mayor whether she had heard of the safety pin campaign. She suggested all councillors should do it and encourage those they met to take part, including council staff. It was similar to the scheme in Australia following an incident in Sydney. She asked the Mayor if she would endorse the scheme.

The Mayor said that she had noticed one of her colleagues in the House of Lords wearing a safety pin. She had asked him about it as she had not heard of the campaign. Councillors Collett and Watkin were leading the way in her group. She commented that symbols were very powerful, for example the red poppy. She said that it was possibly remiss of her not to have followed Councillor Joynes example and perhaps everyone should. Recognising people's efforts helped to show solidarity with them.

- g) Councillor Bashir referred to the Mayor's report and the government's decision about Farm Terrace Allotment site. He said that it had been a lengthy saga and there had been significant costs incurred in regard to court cases. He asked the Mayor whether she was able to give an approximate cost the Council and Watford taxpayers had incurred as a result of the ongoing saga. In addition he enquired whether the Mayor agreed with him that the whole thing could have been addressed differently as far as the council was concerned.

The Mayor said that the situation with regard to the allotments was the same as for the adventure playground. It was difficult to meet someone half way if they wanted something completely different. When people were diametrically opposed to the final outcome it was necessary to go through the process. At no time had she spoken out against the campaigners. She had in fact praised them and was proud of them. It had reminded her of when she had been a councillor and fought against the cuts to the play bus service. She did not want to make a guess at the overall costs and suggested that if the Managing Director was not aware of the figures then they would be circulated to all councillors after the meeting.

The Managing Director advised that a question had been received about this matter during the previous year. He would check the figures and update them as necessary. The information would then be circulated to all councillors.

The Mayor then referred to the judicial review, which had put the process under question. She reminded members that the judicial review had not been about the proposal. The judicial review had been about how the Secretary of State had made his decision. It was a complex matter. The Farm Terrace Allotment campaigners were not concerned about the cost to the Watford taxpayers. The campaign would not change the council's decision.

- h) Councillor Turmaine said that he wished to pose a question about Digital Watford. It was good that people could use a free Wi-Fi service. He would like to know more information about the company providing the service and the data being recorded. There were two main drivers; firstly security and then secondly what data reported back that could be taken advantage of by the council.

The Mayor thanked Councillor Turmaine for his question. She did not have the information and neither did Councillor Watkin the relevant portfolio holder. She would ensure that the information was provided.

- i) Councillor Hofman commented that the Mayor may have heard about proposed business deals that had been cancelled or postponed due to the uncertainty caused by the EU referendum result ('Brexit'). He asked the Mayor what measures she had taken to support businesses distressed by the result. In addition he enquired whether she would lobby the Department for Business Innovation and Skills for a 'Brexit' compensation fund on behalf of the 3,500 Watford businesses and 57,000 local jobs affected by last month's vote.

The Mayor thanked Councillor Hofman for his question and noted his work in Europe and his concerns in this area. She hoped members were pleased that she was not trying to rescue 3,500 businesses on behalf of the taxpayers. She did not feel she would be thanked. She said that it was however important to recognise that consequences were already happening. She explained about a meeting with a local builder who had told her how the cost of the bricks he purchased from Spain had already increased in price, due to the fall of the pound. He had said that if this continued to happen he would have to start reducing staff numbers. She commented that if there were a genuine proposal to compensate people, all members would want to lobby their political parties.

- j) Councillor Dhindsa commented on the Milton Keynes to Clapham service, which he said was a very vital link to Gatwick Airport.

Councillor Dhindsa said that his question followed the Mayor's response to Councillor Mills' question about the adventure playgrounds. He noted the Mayor had said that it was similar to the allotments, which had been about the process followed by the Secretary of State. There had been a scenario at Watford about the taxi delimitation. The drivers took the council to court and won; he said that it had cost the council nearly £500,000. He asked the Mayor whether residents could take the council to court and win because the consultation had not been done properly.

The Mayor responded that it would probably depend on whether there was a legal requirement. With the taxi service there would be a legal requirement to consult which was set out in law. The council was not legally required to provide the service. The matter had been discussed with the Head of Democracy and Governance and she could not see an obvious reason to apply for judicial review. She reminded members that a judicial review was about the process and not the decision. If people had the resources and energy and wished to fight for something then that was their democratic right.

- k) Councillor Connal referred to the Mayor's report and the reference to 'single, healthy men' in the temporary accommodation section. She questioned whether there were healthy women and that the statement should apply to all sexes.

The Mayor explained that within the town there was a group of people that stood out and these were the rough sleepers. These were mainly men and possibly two women; therefore there was an obvious group missing out. It was a reflection of what was considered a priority need for homelessness. A priority need was about health, mental health and whether there were any dependent children. Those that usually did not meet this threshold were healthy males.

The Mayor informed council that there may be government legislation, through the new Housing and Planning Bill, which could be introduced to widen the definition of priority need. In part she could understand the changes. However, during the passage of the bill, the Mayor said that she had pointed out that this would put an incredible burden on local councils. She added that women often met other criteria set out for priority need. She had put the phrase in her report as illustrative.

25 **Questions by Members of the Public under Council Procedure Rule 11.0**

Council was informed that questions had been received from Andrew Moore and Sara Jane Trebar Moore. Mr Moore and Ms Trebar were not present at the meeting. A copy of the written response was circulated round the Council Chamber and would be sent to Mr Moore and Ms Trebar.

The questions and answers are attached to the minutes as Appendix 1.

26 **Petitions presented under Council Procedure Rule 12.0**

No petitions had been received.

27 **Business especially brought forward by the Chairman or the Head of Paid Service which in the opinion of the Chairman should be considered as a matter of urgency.**

There was no urgent business.

28 **Motions submitted under Council Procedure Rule 13.0**

No motions had been submitted.

29 **Watford Borough Council's reviewed vision, priorities and values and the Corporate Plan 2016-2020**

Council received a report that had been considered at Cabinet on 6 June 2016. The Cabinet report and minutes of the meeting were provided to Council. Following Cabinet's decision to approve the final recommendations for the council's new vision, values and priorities, Council was asked to approve the Corporate Plan 2016-2020.

RESOLVED –

that the Corporate Plan 2016-2020 be approved.

30 **Changes to the constitution**

Council received a report of the Democratic Services Manager which provided details of changes recommended by Constitution Working Party following its meeting on 24 June 2016.

RESOLVED –

1. that the terms of reference for the Major Projects Board are amended (as shown in Appendix A to the report) to extend its remit to review the Property Investment Board strategy to diversify the investment portfolio.
2. that incidents of poor behaviour by councillors at a full council meeting be dealt with between meetings of Managing Director, Monitoring Officer, Chairman and Group Leaders.
3. that the following text be added to the Constitution (Article 5)

“The Chairman and Vice Chairman when undertaking their civic and ceremonial roles should not:

- Bring the Council into disrepute through abuse of office
- Attend any function or otherwise give support to any organisation or person, whose objectives are contrary to law and / or council policy
- Solicit engagements or visits at home or abroad or otherwise procure favours by virtue of office
- Overspend their budget
- Use their position for party political purposes, including seeking their won re-election and avoid controversial political roles such as chairing major committees, standing for parliamentary and mayoral elections in Watford.”

4. that the order of business on a full council agenda be changed to move the motions to after the substantive business.

31 **Neighbourhood Forum Annual Report 2015/16**

Council received a report of the Committee and Scrutiny Support Officer including the annual reports for each of the 12 wards within the borough. Each report outlined how the ward had spent its allocated budget.

RESOLVED –

that the annual reports (provided as Appendix 2 to the report) be noted.

Chair

The Meeting started at 7.30 pm
and finished at 8.55 pm

Questions by Members of the Public under Procedure Rule 11.0
Council – 5 July 2016

Question from Mr Andrew Moore
Received on 23 June 2016

1. “At a West Hertfordshire Hospital Trust (WHHT) Meeting Board meeting in July 2015 the statement below is made on page 4. Can the council confirm when the additional 2m loan to the Trust was made and is the loan now recorded as a long term liability for its future accounts taking into account that the notes state that there was currently no structure to repayments. Additionally, will the council be forward funding the further maximum liability of 3.7M? I note that there is reference to the health campus link road funding at page 100 of the council’s 2014/15 audited accounts.

“Under the Camus Agreement and overarching Business Plan the Trust is obliged to pay up to £9M towards the cost of the project infrastructure including the construction of the new link / access road and associated services. To date the Trust has already paid £7M, with the remaining £2 due, in full or part, if the total cost for the Infrastructure Business Plan exceeds £16.613M. The current estimate for the work exceeds £18.6M. On this basis the full £2M would be required from the Trust.

Under the Agreement this money will be forward funded by Watford Borough Council, who will subsequently be reimbursed by the Trust through lump payments linked to the completion of clinical buildings built over the first 12 years of the project, or through annual instalments (timing and number not defined). Under the overarching Business Plan the Trust has a further maximum liability, capped at £3.7M, to support the remainder of the Business Plans included within the Agreement”.

Answer

The additional loan to the Trust was made on 5 April 2016 and paid to the LABV on the same day. It is not correct that there is no structure for repayments. The repayment schedule and conditions are set out in the Campus Agreement of June 2013. In reference to the Trust’s further maximum liability of £3.7m this will not be forward funded by the Council.

Question from Ms Sara Jane Trebar

Received on: 23 June 2016

1. “The Watford Allotments Promotion Programme updated in June 2015 states at item 17 that Watford Council and Veolia would “Outreach to community groups where lower take up of allotments were identified” with one of the measures of success taken from an increased uptake amongst targeted groups.

Can the council provide a list of the targeted groups that it approached, what it and Veolia exactly did, the results from the measurement of success after the delivery date stated in the programme of the end of Summer 2015 and any further subsequent actions. The assumption would be that the council approached a number of community groups located within Vicarage Ward taking into account that approximately 50% of the total population are from an ethnic background”.

Answer

The council quite rightly acknowledges within its Allotments Strategy that 95% of its tenants were from a White British background and the objective is to improve diversity.

However we currently have over 90% occupancy on our council managed, active allotment site. In total 176 plots were taken in 2015, up on the number let in 2014.

This is a result of our extensive promotion programme across the community and an active campaign to encourage more of our residents to become allotment holders.

The campaign included:

- bus shelter posters, particularly in areas where we identified lower community take up
- articles in About Watford
- updated website information
- regular social media messages (Facebook and Twitter)
- a new allotment leaflet - this was sent out across the community, including to a wide range of local community groups and organisations

We have also engaged face to face through our Allotment Stakeholder Panel and encouraged our site supervisors to promote allotments as part of their role. This weekend (9 July) we are holding our first Watford BC / Veolia Allotment Forum. Invitations have been sent to community groups and organisations directly but there has also been general information to the community via our website, twitter and Facebook.

Later this year, we Veolia will be carrying out an allotment survey with tenants, which will be an opportunity to find out more about the demographics of our current tenants. This will provide up-to-date data on whether the groups identified through the last survey are still under represented and will provide direction for future promotion work.

