
PLAY AREA IN CHORLEYWOOD ADVISORY COMMITTEE – 2nd JULY 2015

MEMBERSHIP & ATTENDANCE

Chairman: * Cllr Barbara Green

Members: * Cllr Alison Preedy
* Cllr Martin Trevett
Cllr Steve Watkins (Vice Chairman)
* Substitute Cllr Tony Edwards
* Michael Hyde - Friends of the Common
* Maria Larkin – Chorleywood Residents Association
* David Walker - Friends of the Chorleywood House Estate
Cllr Chris Lloyd - TRDC
* Substitute Cllr Chris Whately-Smith - TRDC
* Simone Tyson Chorleywood Mums
* David Hiddleston – Friends of Grovewood

*Denotes members present

Officers in Attendance: Clerk to the Council Yonne Merritt
Deputy Clerk Claire James

Also in attendance: Alison Rubens, Bob Sutherland.

The Chairman welcomed David Hiddleston representing Friends of Grovewood, explaining his inclusion on the Advisory Committee and asked everyone to introduce themselves.

Secretaries Note: Due to the nature of the meeting, these notes are more of a verbatim report than is usual for minutes of a committee meeting. It has been done this way to properly record all the views expressed and statements made and to give all Councillors the background to the debate and how decisions were reached.

15/01 APOLOGIES FOR ABSENCE

There were apologies for absence from Cllr Steve Watkins (substitute Cllr Tony Edwards present) and Chris Lloyd (substitute Chris Whately-Smith present).

15/02 MATTERS ARISING

The minutes were approved as a true and correct record.

15/03 CONFIDENTIALITY AND DISCUSSION OF REPORTS

Two of the three commissioned reports had been made available to members of the Committee prior to the meeting with the request that they be treated as confidential. This generated considerable discussion with some members advising that they had chosen not to share the reports with their representative committees or groups as only 2 of the 3 reports were available at this point in time. The view was expressed that time would be needed for the sharing of the reports with the wider audience of the committees and groups that the members present represented.

At 7.35 Maria Larkin joined the meeting

The Chairman advised that she had been very torn as to whether to release two reports ahead of the third being available. The reason she had released them was that she felt that the group could do some work on analysing data but there would be a need to qualify this when the third report (from CMS) became available. David Walker suggested that sharing the information with the representative committees and groups may not be appropriate in some instances, for example Kay Fitzgerald from TRDC was a representative on Friends of Chorleywood House Estate Committee. Friends of Chorleywood Common had held back from discussing the report with the FOCC Committee but felt that Friends of Grovewood were a step ahead with the comprehensive report they had produced and circulated.

At 7.46 Cllr Alison Preedy joined the meeting

Simone Tyson stated that the CMS report was a key part and did not see the point of going through the analysis without a key part of the jigsaw. David Walker suggested that the CMS report could blow everything out of the water. Simone Tyson felt that with the third factual and independent report it would allow the group to make informed decisions, without it decisions would be speculative.

The Chairman Barbara Green advised that the reason for the meeting was to go through the process for analyzing the data, not necessarily the fine details of the reports available. She was conscious of the need to be able to justify decisions and for these to be quantifiable. Simone Tyson stated that whatever decision the Steering Group came up with to recommend to Full Council, it would come under close scrutiny and therefore the how and why of the decision making process needed to be clear.

Barbara Green raised the additional supplementary report from Officers of the Parish Council that had been received with the two commissioned reports. Some members had been taken back at receiving this in advance with the main concern being that the Officers had obviously had the opportunity to see the reports from the Group. Barbara Green stated that she took full responsibility for this, she had done the wrong thing in allowing this supplementary report to go out. Any independent person out there could present a report to the Advisory committee but the reports cannot be seen to be independent. Maria Larkin advised that the Chorleywood Residents Association were not prepared to look at the report as it was biased towards the Common, muddying the water, moving goal posts. Barbara Green stated that coming from the Parish Ranger, he has expertise that he wanted to share.

The timing was wrong and she admitted this. Maria Larkin stated that the committee could have been asked. It was felt that the supplementary report was a vested interest report.

The Clerk Yvonne Merritt defended the production of the report advising that in 2011, when anomalies were found in a report, the Council had discussed these in a Part 11 meeting, excluding press and public. This had been heavily criticised by FOCC and CRA therefore this time the report had been produced. As Officers, they are not here to make the decision but are here to make sure that the

process is followed. Officers are impartial, it was the view of the group that it is biased when it is actually factual and she totally endorsed the report. She further stated that it is the job of the Officers to ensure that Councillors have all the necessary information available to them in order to make decisions. Maria Larkin said that it was the timing of the report that was the issue. Barbara Green stated that it was not an independent report, it as from someone with a vested interest in the Common. Simone Tyson stated that she did not want to dwell on it, part was very factual, part was commenting on other reports and she wanted to move on. Martin Trevett stated that a lot of it was subjective, did not want to dwell on it but would have been happier to see a balanced report and would have been better if it had looked at all sites. David Walker stated that it was a vested interest report.

Tony Edwards stated that he considered one of the reports, the TRDC report, to be anything but an independent report and stated a number of inconsistencies of facts in the TRDC report across the four sites. An example given was the Local Nature Reserve (LNR) status of both the Chorleywood House Estate and the Common, yet this only appeared in the title of the House estate site specifics. David Walker interjected that only part of Chorleywood House is a LNR. Tony Edwards also reminded the group that when the House Estate site location had changed and TRDC Officers had been advised, the response back was that no changes were necessary to the report. He felt that there were many imbalances in the report, it was therefore not a balanced report and could not be called independent. Martin Trevett said that it was either accepted as a report or not. Tony Edwards re-iterated that the report was not factual.

Michael Hyde added that reports may come up and he would not like them to be regarded in any lesser light and should be treated in the same way as others. "Vested" interest report downplays it from the start and there is a lot of merit to be given to these reports.

Simone Tyson said that all reports are valid. Collectively as a group members came with a lot of different views with fundamental areas where groups were not going to agree. The group needed to be mindful that members would disagree but need to resolve these disagreements to reach a conclusion. Without this the group will fail the children of Chorleywood who want more opportunity to play.

Chris Whately-Smith stated that this was the most sensible thing he had heard so far. He had been involved in a number of play areas in the Three Rivers District. Views are expressed both for and against them but once in place most enjoyed them. The most important thing was that they work, reducing anti-social behavior, children socializing, families enjoy the play areas. He stated that all he was hearing was "I don't want it". The Group was missing out on the opportunity to provide

something for the Community. He stated he was getting very angry listening to the negative comments and had nearly walked out of the meeting. Play areas in his view were for the whole family and the ownership of mothers and the children for such areas was enormous. He said that Simone Tyson had been the first to say "we want it".

Barbara Green stated that there was a substantial voice in Chorleywood that says it does not want one. This was not her view as she does want one. She did not think however that the group will ever agree on one site and therefore will need to go with an either or, ie 2 sites. If only one site was put forward they could end up with no play site at all. Martin Trevett disagreed with this. The Advisory Group was charged with making a recommendation to Full Council and then to TRDC. Grovewood had come up at the last minute. He asked why a year had been wasted to come up with two sites when this could have

been done last year and stated that he felt very strongly that the Group should make one recommendation.

Barbara Green gave her reasoning for suggesting that two sites needed to be put forward to Full Council. There would have been a full and extensive research into four sites from the ten initial sites. It may that a choice cannot be made, if it can OK but likely to be back to the previous position. She stated that she wanted a playground somewhere. Further views on ranking of the sites were aired.

Alison Preedy raised The Swillett Play area and the view that £100K did not go very far. Martin Trevett stated that children in Chorleywood are disadvantaged (in terms of play area provision) and suggested that the Swillett was a red herring. The TRDC money was for a new playground. Simone Tyson stated that she would strongly object to money being put to upgrade the Swillett even if this is the one she uses and will continue to use. Chris Whately-Smith confirmed that TRDC were putting the money in for new and the Swillett could not be part of the process, further stating that he knew which two sites he preferred.

Martin Trevett stated that Cllr Keith Williams had made it clear that this was stage one, even with 2 playgrounds, Chorleywood would still be under provided.

Simone Tyson focused the group back on the subject of whether the Group was to recommend one site or two and suggested that ranking may be useful. A year had been lost but it had been useful, far more information was now available. Ranking may therefore stop the same thing happening again.

Barbara Green stated that ranking all four sites may allow Full council to vote on all four sites which she did not want. David Walker expressed his view that ranking was the only way forward.

Martin Trevett stated that it needed to be based on facts and not the easy option. From reports received thus far, Grovewood was currently number one but this was not his preference.

David Hiddleston expressed the view that the statistics in the report are flawed and provided evidence based on use of the geographical areas, census data and crime statistics to support his views. Simone Tyson stated that most things can be proved with statistics. David Hiddleston stated that if it was to be used as the basis of decisions it has to be accurate and it is not. Barbara Green asked whether the

group felt it was necessary to go back to the TRDC officer to clarify the data. Simone Tyson agreed but asked what other data they had and whether there were any other data sources that could be used.

Chris Whately-Smith said that it was a point of fact that people gravitate towards the Common, people love walking and it would be an asset on the Common. Good natural supervision works well. Mums would ensure that it would be used. He used the example of Southway which everyone had objected to but the moment it went in it was used. He further stated that the Government was cutting back finances to Local Authorities, TRDC was struggling therefore this was a one-time chance to get a second play area.

Tony Edwards asked if TRDC were to ignore the ecology of the area. TRDC had refused a second football pitch due to ecology reasons. Chris Whately-Smith responded that CMS have yet to come back with their report and he advised that TRDC would not bulldoze something through if there were reasons against it, suggesting that the group wait to see what CMS report.

Martin Trevett summarized that the group had two reports but were missing the one that could be the balance. The group needed to think about weighting and needed to think about the ecology.

Maria Larkin asked if there was anyone on the Group with experience of weighting and ranking. David Walker responded that anything can be proved with weighting and ranking. In his view there was a fixation with catchment areas. Some people will walk some will drive, in his view if there was more car parking people will go there.

Maria Larkin stated there was a ticking time bomb, there was a huge problem with children being inside too much. In her view a play area on the Common would incentivise people to go to the Common and learn about nature and look after the Common.

David Walker advised the group that he had never said the play area should or should not be on the Common, pointing out that Henry Goldberg had said at a recent CRA meeting that the Chairman of Chorleywood House Estate preferred the Common. He re-iterated that the Chairman had never said that.

Martin Trevett suggested that the group move on, stating that at the end of the day they could have any number of expert reports. The Parish Council had to recommend to TRDC bearing in mind all the expert reports. He also advised that he had taken Chris Whately-Smith to the two sites on the Common which CWS was not familiar with. It had struck him that the Common was a massive resource, at 7pm in the evening there was no-one anywhere.

Barbara Green refocused the discussion to the way in which the group can progress with the reports, suggesting that members go away and think how to approach the issue. She had gone through the TRDC report and pulled out key issues to consider:

- Fit and enhance the area
- Where children naturally play
- Accessible to able and less able bodied
- Natural surveillance
- Near residential area
- Near to some parking
- Ground conditions
- Natural features

She suggested that these could be broad-brush criteria used as a starting point to consider against each site.

David Walker came in with two points:

- 1 It was a valid point about clarifying statistics
- 2 He felt the group were being very negative, at least half of the people had very strong views. If the group is to look at the negative could the group also look at mitigation on how to overcome the negative.

Simone Tyson made a request. One of the key things she had taken was the mistrust between the District and Parish. She stated that this money was for the Community, the District and Parish should work together for the Community, trusting each other to get a positive outcome for the Community. Maria Larkin agreed with this.

Michael Hyde raised that at the meeting of Full Council the previous Tuesday, a member of the public had said that site 13 was within the 200m exclusion zone for newts and asked that the position be clarified. Chris Whately-Smith stated that this and grassland issues would surely come out the CMS report and there are mitigations e.g. replanting. Martin Trevett suggested that it would not have gone this far if it was within the newt zones. Barbara Green stated that as far as she understood site 13 was not within the newt zone, sites 13 and 13A last time were not within newt zones and that the final word on the newt zones would come from CMS.

Simone Tyson asked whether it was worth sending any questions and queries so far to the report authors. Barbara Green was happy to receive these, get them collated and copy everyone in.

Chris Whately-Smith asked when the CMS report was due. Barbara Green advised that she had been hassling CMS to get it done by Mid July. She asked if the Clerk knew whether they had been out to site yet, the Clerk replied she had no idea. CMS needed to get the species lists and various other records from Herts Ecological Records Centre and it would therefore be mid-August at least before the report was ready. In response to a question re the timing of this with the next Full Council meeting, Barbara Green suggested that an extra Ordinary meeting of Full Council would have to be called. To allow members of the public to attend this would have to be at the War Memorial Hall. She stated she was therefore working towards the end of September.

Simone Tyson asked that given the play area was such a big issues could it be ensured that all 17 Councillors are present. The Clerk advised that legally each Parish Councillor is summoned to attend Council meetings held on Tuesday. Such a meeting was unlikely to be held on a Tuesday and therefore Councillors may have other responsibilities on other days. She further stated that although they should attend, the Clerk cannot force them to. It was suggested by members of the group that they might find it politically best to attend but it was also noted that some people may be frightened to. It was questioned whether votes could be made on paper which the Clerk advised not, explaining it had to be by a show of hands. She further advised that although a Councillor could ask for a secret ballot this would not be seen as being transparent. She further asked that people bear in mind how hard it was going to be for the Councillors, they are volunteers, they are not paid. Alison Preedy suggested that she would like to go knocking on doors to find out what people want and was advised that she could do this.

David Hiddleston suggested that if the group does its job properly and presents a factual report the Councilors could vote on this. Chris Whately-Smith suggested that listening to the views round the table there would not be unanimity therefore it would be a majority based report. The extra information from CMS was needed.

Barbara Green asked if the group had made a decision on how many sites were to be put forward, in her view it was two, others wanted the sites ranked. It was suggested that to be able to come up with two they would first have to be ranked, others suggested that depending on how votes were cast it

could end up with a hung parliament. Further suggestions were to put one site forward with one reserve, another suggestion was to go back to the Terms of Reference of the group, although the Chairman did not think this would help. Further debate covered the need to bite the bullet and make a decision. In response to a question from Maria Larkin asking what was to stop TRDC applying to DEFRA for planning permission, the Clerk advised it was quite a costly process due to the required consultation which was achieved through adverts, officer time and the first question anyway was "have you got the land owners permission" which at this stage clearly TRDC did not have for three of the sites. Simone Tyson asked whether the new process locally for pre planning guidance applied to DEFRA which the Clerk confirmed it did not.

Further discussion on experience of weighting within the group led to a suggestion from Chris Whately-Smith that it may be worth getting the expertise in. He further advised that he would not say what his preference was as when it came to Planning at TRDC he needed to be independent. He further stated that he had never seen such a painful process. When it was pointed out that another site within TRDC had been difficult, Chris Whately-Smith stated that it had taken a year, not 11 years.

The meeting refocused to the idea of submitting queries on the existing reports. It was felt that at least something would have been done. It was agreed that any questions or queries relating to the reports be sent to Barbara Green by the 16th July.

Further discussion then ensued on the question of how many sites were to be put forward to Full Council with the Chairman adamant that she wanted to achieve a play area in Chorleywood. It was suggested that this was not within the power of the Council. The Clerk clarified that it was within the power of the Council to make a recommendation to TRDC and a number of scenarios for this recommendation were then explored. Cllr Martin Trevett stated that the final decision rested with TRDC and if they did not like what the Parish Council recommended they could withdraw the funding.

The process for arriving at the recommendation by the group was further debated with the suggestion that members of the group go away and consider this further.

It was agreed that the CMS report would be circulated as soon as it comes in. The Clerk advised that as it should also be considered confidential (i.e. part 2) it could not be emailed and would need to be picked up from the office when it became available.

15/04 TIME AND DATE OF NEXT MEETING

The next meeting was agreed for the 17th September at 7.30pm at the Parish Offices. Whether it was to be a decision making meeting or not depended on a number of different factors. It was felt that the CMS report was needed at least three weeks prior to any decision making meeting. The Clerk clarified that everyone would need to discuss the reports with their relevant committees and Groups under Part two conditions and bring the results of their debate to that meeting

15/05 CLOSURE

The Meeting, having commenced at 7.30 pm closed at 9.26pm

These minutes have **NOT** been checked and signed by the Chairman

Signed Date

These minutes were agreed as a true and correct record at the Advisory Committee meeting and signed by the Chairman.

Signed..... Date.....