



HERTINGFORDBURY PARISH COUNCIL

Minutes of the meeting of Hertingfordbury Parish Council held on **Wednesday 12th November 2014** at 7.30 pm in Hertingfordbury Cowper JMI School, Birch Green

PRESENT: Cllrs C Edwards (Chairman), H Blake, T Brennan, B Jones, R Morris, E Bradbury
In attendance: Mr M Pendock (Lafarge), three electors and the clerk, Tom Brindley

74. APOLOGIES FOR ABSENCE

Apologies were accepted from Cllrs. G O'Leary (Business), B Simkins (illness), and S Edgell. Cllr P Rochford advised he would be late (Business).

75. PUBLIC PARTICIPATION

75.1. Mrs Goddard of 22 Letty Green addressed the council regarding vehicular access to her property.

75.1.1. Mr and Mrs Goddard had lived in Letty Green for 20 years. They had recently purchased a strip of land that could be used for parking vehicles if they could obtain a 1 m crossing of the green.

75.1.2. The chairman explained that even such a short distance was still contrary to the law and that following advice from counsel, the council understood it could not grant such permission even for such a short distance.

75.1.3. Mrs Goddard asked the council if it would take action should they attempt to cross the green.

75.1.4. The clerk advised council that it did not need to answer this question, but that there was no duty to take enforcement action and noted that no action was being taken against parking infringements in Birch Green for cars near the pond and outside the shop.

75.1.5. This led to a wider discussion on the ongoing issues of greens crossings.

75.1.6. The chairman read out the correspondence read from Mr N Hunt asking why the council was not taking action against parking in Letty Green.

75.1.7. The chairman advised that she had spoken with Mr Grover of 30 Letty Green who had advised that he was now occupying the property. Mr Grover advised that the major construction work was due for completion within 4 weeks. Mr Grover had found it necessary to park his lorry on the premises (which necessitated driving across the green) as it had been vandalised when parked on the highway.

75.1.8. The chairman advised she had spoken with Mr Ellis, xx Letty Green, who had acknowledged that he could not park on the green but that all vehicles crossing the green would be parked on his own property.

75.1.9. The clerk advised the council that:

- a. following advice from counsel, it was neither necessary nor advisable for the council to adopt a policy on greens parking. Each case should be considered individually. The council could not grant permission nor did it have a duty to take action against infringements.
- b. counsel had further advised that as litigation was expensive it should be avoided. Should a party wish to challenge the council, it would be for that party to bring and fund an action.
- c. should the public be dissatisfied with the council's actions, the remedy is in the ballot box.

75.2. Mr Howard Flowers of The Old Coach Road, Cole Green addressed the council regarding broadband.

75.2.1. Mr Flowers was concerned that plans for fibre to the cabinet (FTTC) had been dropped.

75.2.2. The chairman advised that she had spoken with BT Open Reach / Connected Counties and had been advised that residents would have to raise £25,000 to get fibre laid.

75.2.3. The chairman agreed to send Mr Flowers the results of a survey of residents.

75.2.4. Mr Flowers was advised to lobby Cllr Crofton as rural broadband was now a county matter.

76. CHAIRMAN'S ANNOUNCEMENTS

76.1. The chairman thanked those who had assisted in the Remembrance service and asked that in future more volunteers came forward.

76.2. In particular, Mr Ken Hood was complimented on the scout's parade.

76.3. Members were reminded that declarations of interest should be made immediately prior to an item



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being debated.

77. MINUTES OF MEETING 8TH OCTOBER 2014

The minutes were agreed as a true record the chairman was authorised to sign.

Cllr Rochford arrived t 8.15 p.m.

78. MATTERS ARISING

- 78.1. (33.2.a) Footway between Cole Green and Birch Green. District Cllr Haysey is pursuing.
- 78.2. (33.2.c) Low bridge warning signs. Cllr Crofton had advised that there was no budget for this work and that in order for it to proceed it would have to be funded by the parish council.
- 78.3. The hedge along The Old Coach Rd, Birch Green, has now been trimmed by highways department.

79. PRESENTATION BY LAFARGE

- 79.1. Mr M Pendock, representing Lafarge, present the latest plans for Chisel Shelf, which were expected to be submitted as a planning application later in November. Lafarge wishes to restore two low lying areas back to the original level by depositing inert waste. A new access road Panshanger Lane, adjacent to the A414 would be used and the existing access point used for Panshanger Park. The area of land just north of The Old Coach Road, in Birch Green, would no longer be used for mineral extraction and the extant planning permission would be rescinded.
- 79.2. The council noted the update and thanked My Pendock for the presentation.

80. CLERK VACANCY

- 80.1. The Employment Committee had interviewed two applicants. Council **RESOLVED** to accept following Employment committee recommendations, That:
 - i. Mrs Nina Villa be appointed as Clerk and assumes the roles of Proper Officer (PO) and Responsible Financial Officer (RFO),
 - ii. the chairman, in conjunction with Cllr Nunn of Little Berkhamsted Parish Council, negotiates a contract of employment based on the new NALC model contract,
 - iii. Mrs Villa commences employment on 1st December,
 - iv. the current clerk, Tom Brindley, ceases to be RFO and PO from 31st October but stays employed until 10th December, to facilitate an orderly handover,
 - v. the chairman write to the unsuccessful candidate thanking her for her interest.

81. WORK PROGRAMME

- 81.1. War memorial.
 - 81.1.1. The clerk had been in protracted negotiations with EHDC and Burgess Memorials over the materials to be used in restoration work. It had been agreed that only lime mortar (NHL) and sifted sand were permissible and that no cement or sharp sand could be used.
 - 81.1.2. The exact schedules of works had not been established.
 - 81.1.3. Members **RESOLVED** to commission a survey in order to establish the required works including repairs and re-lettering. Subject to this survey, a new round of tenders would be performed.
- 81.2. Pin Kerbing. Cllr Simkins had asked for more time to discuss with the local residents.
- 81.3. Notice boards: The new notice board had been delivered to Cllr Rochford. The clerk was asked to arrange for installation.



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82. FINANCE

- 82.1. The financial report to 31st October 2014 was **APPROVED**.
- 82.2. Three payments due were **APPROVED** – see list attached.
- 82.3. Cllr Brennan queried the difference in interest reported this month v the September report. The clerk agreed to investigate and report back at a later date.
- 82.4. The clerk presented a draft budget for 2015/16 budget. Based on the assumptions of a continuation of New Homes Bonus from EHDC, the clerk advised that the amount to be raised from precept and Council Tax Reduction Scheme (CTRS) grant could remain the same. However, as the expected contribution from CTRS was £0.00, the precept would need to rise by 2.8% to maintain the budget.
- 82.5. Members were asked to study the draft budget with a view to modifying it for December 2014 in order to adopting a budget in January 2015.

83. PLANNING

- 83.1. No new decisions had been made.
- 83.2. Application (3/14/1740/FP) 48 Chapel Rd. Members were concerned at the loss of light to the neighbouring property.
- 83.3. Application (3/14/1901/FP) replacement canopy to swimming pool, Hertingfordbury Cowper School. Member were concerned that the material proposed for the west elevation (white poly-carbonate) would be unsightly and that a green hue would be more in keeping with the surroundings.

84. DOG TRAINING SCHOOL, EAST END GREEN.

- 84.1. Members were concerned at the unlicensed activities at East End Green where a dog training school was being run. The clerk was instructed to ask EHDC to investigate and consider enforcement action.

85. EAST HERTS DISTRICT PLAN

- 85.1. Cllr Brennan had attended a meeting at EHDC. He had been advised that contrary to reports, the requirement for additional Gypsy and Traveller sites was for 12 pitches not 12 sites. A typical site contains between 6 and 15 pitches.

86. REPORTS

86.1. Crossing and Greens:

- 86.1.1. *(see also 75.1.6)*
- 86.1.2. The owner of 26 Birch Green had asked that branches be pruned.

86.2. Highways, Footpaths and Byways:

- 86.2.1. Cllr Brennan reported that Raj Goutam, (county Highways dept.) had advised that gully clearing at Letty Green would take place in April

86.3. Play Area: Nothing to report

86.4. Water Hall: Nothing to report

86.5. .Walter Wallinger: Charity: Nothing to report.

86.6. Panshanger Quarry and Country Park: Nothing to report

86.7. Car Parking at Birch Green: Members felt the new parking restrictions were working well and the bus was finding it much easier to pass through.



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87. CORRESPONDENCE

- 87.1. East Herts Council Housing Need Survey
- 87.2. All other correspondence received had been circulated.

88. MATTERS TO NOTE OR FOR FURTHER DISCUSSION

- 88.1. Key for Hall. The school governors had declined to allow the council to hold a permanent key. A key would need to be collected each month. Cllr Brennan volunteered to collect and return the key.
- 88.2. It was reported that tree branches (on private land) were interfering with telephone wires.
- 88.3. Cllr Bradbury reported that smoke had been seen in Birch Green on a Saturday in late October and was concerned that waste burning may have recommenced at New England Nurseries. Cllr Brennan who lives close by had not noticed any smoke.

The meeting closed at 9.55 p.m.

Signed: _____ Date: _____



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Payments Approved

<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>CQ</u>	<u>Net</u>	<u>VAT</u>	<u>Gross</u>
12/11/2014	Coopers	Grass	400090	885.00	177.00	1,062.00
12/11/2014	Greenbarnes	Notice board	400091	1217.16	243.44	1,460.60
12/11/2014	T Brindley	Expenses	400092	30.91	6.11	37.02
12/11/2014	ICO	Data Controller	400093	35.00	0.00	35.00
Totals				2,168.07	426.55	2,594.62