



HERTINGFORDBURY PARISH COUNCIL

Minutes of the meeting of Hertingfordbury Parish Council held on Wednesday 14th March 2012 at 7.30pm in Hertingfordbury Cowper JMI School, Birch Green

PRESENT: Cllrs C Edwards, P Rochford, G O'Leary, T Brennan, B Jones, E Bradbury, K Barden, S Edgell, R Morris

In attendance: 4 electors and the Clerk: Tom Brindley. District Councillor L Haysey joined at 8.10 pm.

In the absence of the chairman, Cllr C Edwards, vice-chairman of the council, took the chair.

132. APPOINTMENT OF CHAIRMAN

132.1 Following the resignation of Cllr Lester the council considered the appointment of chairman for the rest of the civic year.

132.2 Having been duly nominated, Cllr Edwards was elected unanimously as the Chairman of Hertingfordbury Parish Council

133. ACCEPTANCE OF OFFICE

Cllr Edwards agreed to sign the acceptance of office at the first opportunity.

133. APOLOGIES FOR ABSENCE

District Cllr L Haysey advised she would be late.

134. CHAIRMAN'S ANNOUNCEMENTS

134.1 The chairman proposed and it was RESOLVED to record a vote of thanks to Cllr Robert Lester for his service to the council since being co-opted in November 1997 and since being elected chairman in May 2003.

134.2 The chairman proposed and it was RESOLVED to suspend standing order 29J to allow members to speak more than once in debate.

134.3 The chairman advised that an application for a donation to the Greens Residents Action Group had been received and that this would be considered under item Agenda item x Finance.

135. DECLARATIONS OF INTEREST

135.1 Cllr O'Leary declared a prejudicial interest in the planning application as he was the applicant.

135.2 Cllr O'Leary was asked if he would be declaring an interest in the request for a donation to the Greens Residents Action Group as he appeared to be a controlling member of the fund. The clerk advised that it was probable that Cllr O'Leary did have a personal interest and that the interest was likely to be seen as prejudicial by a member of the public. Cllr O'Leary asked for the exact wording in the code of conduct which covered this. The clerk read out the paragraph from the code of conduct and advised that it was for an individual councillor to make the declaration and that the clerk could only offer basic advice.

135.3 Cllr O'Leary declared a personal interest, as he had personally donated to the fund, but declined to declare a prejudicial interest and stated he would remain in the room and participate in the debate.

135.4 Cllr Edgell also declared personal interest on the grounds that she had made a donation to the fund, but had concluded that this interest was not of a prejudicial nature and that she would remain in the room and participate in the debate.

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136. PUBLIC PARTICIPATION

- 136.1 Members of the public were invited to ask questions and make suggestions regarding the business of the meeting.
- 136.2 Ms Haidy Blake again asked that individual councillors write to the planning inspectorate.
- 136.3 Mrs J O'Leary complemented the council's contractors, Custom Cutters on the tree work.
- 136.4 Mrs Dawn Clarke asked about cones being placed alongside the school and at the bus stop and suggested they were a visual eyesore.
- 136.5 Ms Haidy Blake raised the problem of litter along the highway.

137. MINUTES OF MEETING 8th FEBRUARY 2012

Accepted as a true record and signed by the chairman.

138. MATTERS ARISING

- 138.1 All other actions had been completed or were covered by agenda items.

139. ANNUAL PARISH MEETING

- 139.1 Members agreed that the minimal format used in previous years should be followed.
- 139.2 Cllr Lester had drafted a year report which the new chairman would amend as necessary

140. INSURANCE

- 140.1 The clerk presented a review of current insurance provision. A saving of £220 could be achieved by switching to Zurich which had quoted for identical cover as Aviva.
- 140.2 It was **RESOLVED** to award the contract for the council's insurance for the period June 1st 2012 to 31st May 2013 to Zurich.
- 140.3 It was **RESOLVED** to hold a review of the council's insurance requirements including insured and uninsured risks during 2012.

141. TRESPASSER PROTOCOL

- 141.1 The clerk presented a briefing paper on options and laws available for dealing with trespassers and illegal campers including travellers.
- 141.2 The council **NOTED** the briefing paper.
- 141.3 The clerk was asked to consult with the district and county councils to ensure the advice in the paper was accurate and to share the paper with other parish councils.

142. JUBILEE TREE

- 142.1 Cllr Edwards had suggested the planting of a tree to mark the Diamond Jubilee.
- 142.2 Various options were discussed and it was **RESOLVED** to plant an oak tree at Cole Green.
- 142.3 Cllr Rochford advised that he could source an oak from Sherwood Forest stock.
- 142.4 The provision of a plaque was discussed but members felt it was likely to be damaged and decided not to pursue a plaque.
- 142.5 A sum of £25 was allocated to cost of the tree.
- 142.6 It was agreed that a ceremony would be held on the Jubilee weekend (2nd-5th June 2012)



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and that a local person be asked to preside at the planting. Cllr O'Leary suggested the oldest resident of the parish.

143. FINANCE

- 143.1 The financial statement was received and noted.(attached)
- 143.2 It was **RESOLVED** that following payments be authorised:
- The clerk for expenses incurred: £94.97
 - Coopers for grass cutting: £730.80
 - The clerk two month's salary: £577.91
 - Custom Cutters for tree work: £4002.00
- 143.3 Application for a donation to the Greens Residents Action Group.
- 143.4 The clerk explained that he had received an application for an unspecified donation and that this request had been circulated along with the following advice:
- *The council does not have a grants policy.*
 - *There is no budget for grants.*
 - *The council must not favour one group of residents against another. The land at Old Coach Rd is in private ownership. The landowner, by virtue of owning or leasing land in the parish, is entitled to representation and so parish councillors who are elected to represent ALL residents, landowners and employees in the parish may find it difficult to support one group against another. The parish council did make representation against the planning application, however to fund an external group may not be within its powers.*
- 143.5 The clerk confirmed that Section 137 of the LGA 1972 did make provision for a donation where the council felt it was to the benefit of some or all of the community and that the law allowed for up to £6.44 per elector to be spent.
- 143.6 The clerk advised that an amount of £50 had been included in the 2011/12 budget for S137 spend and that £20 had been used to buy a wreath.
- 143.7 Cllr O'Leary proposed a donation of £1000; Cllr Edgell seconded the motion.
- 143.8 The clerk advised that paragraph 3.2 of the council's adopted Financial Regulations stated:
- 3.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate.*
- 143.9 Cllr Rochford asked what the group required the money for and how much was the target figure. Cllr O'Leary advised that the group had been granted an audience at the planning and enforcement enquiry into land adjacent to the Old Coach Rd. (scheduled for May 2012) and wanted to pay for professional legal representation with an estimated cost of £17,000.
- 143.10 It was proposed to defer discussion until the April meeting during which time the clerk would seek further advice from the internal auditor.
- 143.11 Cllr O'Leary withdrew his resolution.

144. PLANNING APPLICATIONS

- 144.1 Cllr O'Leary having declared a prejudicial interest in application 3/12/0324 left the room.
- 144.2 The council considered application and **RESOLVED** it had no objections.

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144.3 Cllr O’Leary rejoined the meeting.

144.4 The council discussed 3/12/0207 and RESOLVED it had no objections.

145. Compulsory Purchase Order, land at Old Coach Road, Birch Green.

145.1 At the February meeting it had been agreed to discuss this topic at this meeting but it had been omitted from the agenda. The chairman used her discretion to allow debate on this item.

145.2 The chairman reminded members of the need to declare an interest according to the adopted code of conduct. No member declared a personal or prejudicial interest.

145.3 The clerk reminded members of the discussion held in part 2 of the meeting held on 14th December where the council had considered this matter. As this was now a public matter, the clerk read the minute which noted how the council had decided not to proceed.

145.4 Cllr O’Leary had met with East Herts Council and taking legal advice that a CPO could be obtained for the land currently subject to planning appeal for use as a Traveller site.

145.5 District Councillor Haysey was invited to comment and she advised that there was a recognized shortage of football pitches in the area and that this use could be considered.

145.6 It was RESOLVED to set up a working party to consider CPO of land adjacent to the Old Coach Road, Birch Green.

145.7 Cllrs O’Leary, Edwards, Morris and Edgell, together with the clerk, would serve on the working party.

146. REPORTS

146.1 Crossings and Greens:

Nothing new to report

146.2 Highways and Byways:

146.2.1 Cllr Brennan reported on the meeting he attended, with the clerk and Hertfordshire Highways. Minutes had been circulated.

146.2.2 The clerk was asked to approach Cllr Hammond to see if his highways locality budget could be used towards Traffic regulation orders to avoid the need for cones.

146.2.3 The clerk was asked to write to the district council regarding litter along the Old Coach Road.

146.3 Play areas:

The clerk was asked to arrange repairs as advised in the play area inspection.

146.4 Water Hall Quarry

Next meeting scheduled for 27th March, Cllr Rochford to attend.

146.5 Walter Wallinger’s Charity

Nothing to report.

146.6 Panshanger Quarry:

Nothing to report.

146.7 Car parking in Birch Green



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Cllr O'Leary met with the head teacher and chair of governors. They expressed a desire to work with the council to resolve issues. A further meeting to be arranged with Cllrs O'Leary and Jones.

147. CORRESPONDENCE

The clerk had received a model Major Incident Plan and it was agreed to discuss this at a future meeting.

Cllr Morris gave the clerk a letter received from Cater Allen.

148. MATTERS TO NOTE OR FOR FURTHER DISCUSSION

None

The chairman closed the meeting at 9.40 pm

Signed

Dated

Hertingfordbury Parish Council

Financial Statement as at 29 Feb 2012

Balance at 1/4/2011 36,789.66

xcheck 0.0

Total receipts **11,792.55**

<u>Payments:</u>		<u>Orig Budget:</u>	<u>Rev Budget</u>
Admin	2,602.63	2,200	2,200
Open spcs & maint.	6,076.00	6,100	5,500
Greens protection	950.00	6,300	8,050
Staff salary	2,377.78	3,300	3,000
Staff expenses	463.45	500	600
War memorial	0.00	0	0
S.137	20.00	50	50
VAT	1,673.65		
Total Payments	<u>14,163.51</u>	<u>18,450.00</u>	<u>19,400.00</u>

Unpaid cq 0.00

Unbanked receipts 0.00

Current Balance **34,418.70**

Bank a/c:

Cater Allen 34,418.70

Reserves:

War mem 8,122

Insurance 5,000

Op spaces 5,000

CROW 7,000

Legal 2,500

Available **6,796.70**

Movements since last report

Receipts since last report

<u>Net</u>	<u>VAT</u>	<u>Gross</u>
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Reconcile

B Fwd 34,564.10

Movements 785.40

Unpaid cq 0.00

Unbanked receipts 0.00

Balance 34,418.70

Totals

<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
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Payments since last report

<u>Payee</u>	<u>CQ</u>	<u>Net</u>	<u>VAT</u>
T H Brindley *	96	52.06	2.54
F Cooper	97	609.00	121.80

Gross

54.60

730.80

OK

OK

OK

OK

OK

OK

OK

OK

OK

* = approved at Feb meeting

<u>Totals</u>	<u>661.06</u>	<u>124.34</u>	<u>785.40</u>
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Total movement

785.40

Payments for approval at meeting on 14 Mar 2012

Payments since last meeting

F Cooper	97	609.00	121.80	730.80	OK
Totals	609.00	121.80	730.80		OK

Payments due

<u>Payee</u>	<u>Description</u>	<u>CQ</u>	<u>Net</u>	<u>VAT</u>	<u>Gross</u>
T Brindley	Expenses	98	87.17	7.80	94.97
D Tonks	Payroll	DD	11.70	2.34	14.04
T Brindley	Salary	DD	517.91	0.00	517.91
Custom Cutters	Tree pruning	99	3,335.00	667.00	4002.00
Totals			3,951.78	677.14	4,628.92

OK

OK

Powers:

Grass cutting: Open Spaces Act 1906 s.10

Play area/Glebe land: LG (Misc Provisions) Act 1976 s.19

HAPTC membership: LGA 1972 s.143

Audit, Insurance, Training: LGA 1972 s.111

Salary/expenses: LGA 1972 s.112(2)