

HORMEAD PARISH COUNCIL

Minutes of the Council Meeting held on Thursday 13 October 2011 in Hormead Village Hall at 8pm

PRESENT: Cllr Robert Denham (RED), Chairman; Cllr David Ginn (DEG), Vice-Chairman; Cllr Geoff Abbey (GA); Cllr Elaine Harding (EH), Cllr J Kilby (JK), Cllr Brian Stone (BS); Cllr Elizabeth Collery (EC) following her co-option

Clerk: Colin Marks

Mrs Marty Kilby, resident and member of the Village Hall Management Committee (VHMC)

ACTION

11.223 Apologies for absence

1. Councillors: None

2. Other Councillor absences: None

3. Others: District Cllr Rose Cheswright; Reverend Carol Kimberley; PCSO Amanda Higham

11.224 Casual Vacancy

One application for the position had been received, from Mrs Elizabeth Collery. This was discussed and her co-option unanimously agreed.

Resolved: That Mrs Elizabeth Collery be co-opted to the Parish Council

Cllr Collery signed the Declaration of Acceptance of Office and the Register of Members' Interests and was then welcomed to the Council.

11.225 Declarations of Interest

Cllr Harding, Cllr Ginn and Cllr Kilby each declared a personal interest in respect of Hormead Village Hall.

Cllr Denham declared a personal interest in the Village School, being a governor.

Cllr Collery declared personal interests in matters relating to the Toddler Group, which she runs, and Leapfrogs pre-school, being a committee member. She declared a prejudicial interest in Planning Application 3/11/1430/FP Little Hormeadbury Farm, which is adjacent to her property.

11.226 Minutes of Parish Council Meeting 8 September 2011

Two amendments to the Draft Minutes were made:

11.204: Cllr Abbey, Cllr Ginn and Cllr Harding requested the words "*they all live very close to the Village Hall site*" be deleted.

11.213.6, para 2: Cllr Ginn requested the words "*needed to be trimmed*" be removed.

Cllr Kilby asked to make a comment on the appended report by Cllr Stone; the Chairman said he should put it on the next agenda.

RESOLVED: That the Minutes of 8 September 2011 as amended be agreed and accepted as a true and accurate record of the meeting. 5 agreed, 2 abstained

11.227 Chairman's Announcements

The Chairman reported that Carina Helm of HAPTC had offered to run a councillor training course one evening for as many councillors as are willing to attend. He encouraged as many as possible to get involved. It was agreed that it is a very helpful course and five said they would attend. The Clerk to contact Carina to suggest some dates.

Clerk

11.228 PCSO Report

PCSO Amanda Higham has returned to the rural beat and replaced Adam Frame. As she was unable to attend she sent a report that was read by the Clerk. There were no crimes recorded for Great Hormead between 1 August and 11 October, although 11 were reported in surrounding villages. Speed enforcement on the B1368 continues. There is a beat surgery in Great Hormead on 27 November, 10-10.45am. She said she would attend the next Parish council meeting.

Adjournment for public comments

There followed a discussion on the adjournment of the meeting for public comments. The Clerk explained that this is not an agenda item as such, and that he had placed it early in the meeting because Cllr Harding had requested consideration of that three times. Councils differ as to if and where to place it within the proceedings. However it is for Council to vote each meeting whether to suspend standing orders to allow members of the public to make comments, and at which point for that to happen.

RESOLVED: That the meeting be suspended to allow public comments.

No comments were made.

11.229 Internal Administration

1. Standing Orders.

The Chairman said that he had been working through the new model standing orders with a view to updating the existing. He is about halfway through and hopes to complete by the end of the month, at which time he suggested the Working Party review them in closed session.

RED

2. Communications.

The Chairman said that confusion is arising due to the subject being changed within email threads. He asked that if Councillors raise a different topic it is emailed as a new item, and he also requested that the email subject is specific rather than vague or ambiguous.

ALL

11.230 Planning

1. Planning Applications

3/11/1430/FP Little Hormeadbury Farm

Change of land use, stables, tennis court etc

Before considering this Application, in respect of which Cllr Collery had declared a prejudicial interest, she said she wished to make a statement to the Council regarding her objections to the application. Having done so, Cllr Collery left the room.

Following discussion, the majority of members raised no comments.

No objection

Clerk

3/11/1546/FP Great Hormead Bury

Detached car port

No Objection

Clerk

3/11/1629/FP Lilac Cottage, Hare Street

New garage/parking & study, and 1.8m chain link fence to front

There were no objections to the application in general except for the 1.8m chain link fence to the front, which it was felt was totally out of keeping with the street scene in the area

RESOLVED: *that an objection to be raised in respect of the chain link fence.*

Clerk

2. Decision Notices

3/11/1157/FP & 3/11/1158/LB Old Swan Cottage, Hare Street

Solar panels to outbuilding etc (retrospective)

PERMISSION GRANTED SUBJECT TO CONDITIONS

3. Other Planning matters

SLAA Meetings: The Clerk produced a report on the recent Strategic Land Availability Assessment (SLAA) meeting he had attended concerning land availability within the Parish.

Of the dozen or so attendees (excluding EHC staff), only three represented councils; the remainder were developers, land agents etc. Hormead retains some potential interest as a location for small-scale rural development, primarily for larger houses, the principal market being families moving up from London and commuting back there to work. Therefore local job opportunities are not a feature. Four sites remain on the SLAA radar for possible development over the next 20 years, of which one is designated for leisure only.

The four sites are:

1. The field behind the school, up to the Village Hall plot: 3.57 ha

The proposal was not for the whole field to be developed, but for about 10 houses and possibly a new village hall, with access to the site somewhere between the school and the present village hall.

2. The Village Hall plot: 0.76 ha

This could be a small development of maybe 4 houses.

3. Land behind Jubilee Cottages (top of Horseshoe Hill): 1.26 ha

No developer/agent spoke on behalf of this site, but EHC said it could possibly be a small residential development.

4. The field to the east of the Meads, identified as field 2769: 1.0 ha

EHC said this site was only seen as potential development for a leisure facility, not residential, due to flood risk.

The official minutes/notes of the meeting would be available in due course. A full list of the SLAA Partnership members and developers is available.

It was also reported that there is considerable unease and even anger amongst the parish and town Councils of East Herts regarding the manner in which this Assessment has been conducted, not least of all because invitations to attend were only extended to parish clerks and not to elected councillors, thereby preventing democratic representation. EHC have recognised this mistake, but it has left a lot of bad feeling. There was a consensus that senior East Herts Councillors and Planners have to date not provided adequate responses to questions raised.

It was agreed that the Clerk write a letter of complaint to EHC regarding the way the Assessment had been conducted.

11.231 FINANCE

1. The report of the Council's finances for the period 31 August to 30 September 2011 were received (Appendices A(1) and A(2)).

There was a discussion on the number of additional hours the Clerk had recorded and whether they could be justified. Concerns were raised by one Councillor that the Council would not be able to sustain that level of cost and it had been hoped by him that the new Clerk would be able to reduce previous clerk's additional costs or even reduce the basic hours contracted. The issue was highlighted because the Clerk had, on his own initiative, produced a daily activity log, which was appreciated at the last meeting. However, the consensus was that the basic time was fair and had not been an issue previously. It was accepted there had been a lot of extra work covered recently. A view was expressed that the Meads representative should sort out minor repair work there rather than pay the clerk to do it. It was agreed to monitor the situation and review in November.

ALL

Finance Summary:	£
Opening available balance 31/08/11:	11,414.50
Plus income to 30/09/11:	550.00
Less expenditure to 30/09/11:	<u>3,044.36</u>
Available to Council:	8,920.14
Plus unrepresented September cheque	<u>30.00</u>
(Reconciled to bank statement 309):	<u>8,950.14</u>

RESOLVED: That the Accounts Statement be accepted.

2. The Chairman reported that he had not completed the Expenditure against Budget report.

3. The list of orders for payment was presented. Concerns were raised about contract invoices that were not being submitted on a strictly monthly basis, eg for Meads maintenance and pitch preparation. This created cash flow issues.

RESOLVED: To monitor cash flow issues created by irregular bill patterns.

Clerk

The invoices presented were authorised and it was agreed to defer the signing of cheques to the end of the meeting (Appendices C, C1 and C2).

RESOLVED: To approve all invoices presented for payment.

Clerk

4. The BDO Audit Annual Return was submitted for approval.

RESOLVED: To accept and approve the Annual Return.

Clerk

The Clerk to display the requisite information on one Parish notice board for a minimum of 14 days.

- 5.** To receive items for possible inclusion in the budget for 2012/13. The Chairman suggested the precept remain at £15,000 as for the current year, in which there has been more income than budgeted, being boosted by additional users. Only income from HHFC was included in the 2011/12 budget. The Queen's Jubilee was suggested; discussed later on the Agenda (11.239). **Clerk ALL**
- The 2012/13 precept to be discussed at the November meeting.
- 6.** Approval of a cash float for Clerk. Following discussion it was agreed to provide a cash float of £50 for the Clerk for small running-cost items. To be topped up each month upon presentation of receipts. **Clerk**
- 7.** Following a discussion it was agreed to send a letter to Barclays requesting that the signatories and the Clerk be authorised to view the Parish Council's bank statements online in order to keep up to date with bank activity. The Clerk had drafted a letter; all signatories and the Clerk to sign. It was noted that the previous clerk, Caroline Jones, had reported still having access to view the Council's bank activity. **Clerk**
- RESOLVED: *That the signatories and Clerk sign a letter asking Barclays to authorise them to view statements on line.*** **Clerk**
- 11.232** The list of correspondence was received as provided by the Clerk (Appendix E). The Clerk drew attention to a Queen's Diamond Jubilee Beacons brochure giving ideas for celebrating the event. The brochure was passed round for discussion later on the Agenda (11.239).
- 11.233 Special Interest Groups Reports**
- 1. Village Hall.** Cllr Kilby announced that the latest planning application has been approved by EHC, and that the VHMC were now proceeding with fund raising. The next planned event was a Quiz Night on 28 October.
- 2. Highways.** Cllr Abbey: Nothing to report
- 3. Footpaths and Byways.** Cllr Kilby: Nothing to report.
- 4. Website.** Cllr Kilby had nothing to report. The Clerk said he had received an email from Style Cymru that afternoon apologising for the software update delay that would enable him to take control of the website. It was hoped this would be completed soon. **Clerk**
- 5. School.** Chairman Cllr Denham reported that a barbeque has been organised to celebrate the Queen's Diamond Jubilee. More information to follow.
- 6. Meads.** Cllr Ginn had nothing to report, but in view of the time constraints imposed by his work, he was happy to stand down as the Meads Representative if someone else was prepared to take over the responsibility. It was agreed for this to be discussed on the next agenda. **Clerk ALL**
- 11.234 Play Area**
- 1. Safety Inspection.** The Clerk had circulated the RPII report which identified a number of items of varying levels of safety risk that need attention, but it was noted that none were identified as high risk. Since the company do not undertake repairs, the Clerk presented an itemised estimate from Broadmead Leisure. He reported that estimates on file from other companies last year varied greatly, which could indicate either a different specification or different solution. Cllr Collery said her children

	<p>used the play area regularly and they had never had an accident resulting from any of the defects highlighted in the report.</p> <p>Following discussion, it was agreed for the Clerk to obtain two further estimates against the same specification.</p> <p><i>Standing orders were suspended to allow Mrs Kilby to comment:</i></p> <p>She said that there are two sets of swing seats and chains in the pavilion cupboard that could replace those currently in use.</p> <p><i>Standing Orders were reinstated.</i></p> <p>2. Refurbishment. The Clerk reported that Kompan's offer of a £1200+ discount on their August quote for a Supernova has been extended to the end of October. However, it was agreed that new play equipment could not be considered until the safety issues had been addressed.</p> <p>3. Grant availability. The grant is open until 10 February 2012 and it is believed this applies to repairs or new equipment.</p>	Clerk
11.235	<p>Hormead Hares Football Club</p> <p>1. Working Party: The Chairman reported that dates for a meeting are still awaited from HHFC. He will contact HHFC to progress. There are various issues, like the Annual Licence, that need to be resolved. The Chairman asked Councillors to indicate who would like to be involved in the discussions, and Cllr Kilby said he would like to attend.</p> <p>2. Expanding the WP mandate:</p> <p>3. Meeting date for WP: To be agreed</p>	<p>RED</p> <p>W/Party</p> <p>W/Party</p>
11.236	<p>Meads</p> <p>1. Reconstitution of Meads Working Party: It was considered that all councillors be members of the Working Party and that all Meads issues be within its remit, for example the suggested pathway round the perimeter, clearing undergrowth etc.</p> <p>2. Queen Elizabeth II Fields Challenge: The Chairman to investigate further to see what benefits would result from this project.</p> <p><i>Note from Clerk: This should be under the Golden Jubilee umbrella</i></p>	<p>ALL</p> <p>RED</p>
11.237	<p>Insurance</p> <p>1. Insurance Review: The insurance cover should to be reviewed to ensure that it is adequate, and the Chairman will progress looking into this. Insurance documents are available to all Councillors should they wish to consider the present cover. The Chairman reminded the meeting that there is a claim in progress concerning an alleged accident at the play area.</p> <p>2. Upgrade pavilion locks: Consideration was to be given to upgrading or changing all the locks at the Meads.</p>	RED
11.238	<p>Keys and keyholders</p> <p>Update: The complete list of keyholders is not known. This matter to be discussed with HHFC at the forthcoming meeting.</p> <p>The Clerk reported he did not hold a padlock key for the large barred access gate and it was thought possible Neil Gardner had the only one. It was also questioned whether the gate is actually locked. There needs to be a duplicate key.</p>	Clerk

11.239 Queen's Golden Jubilee recognition

1. Update: The Chairman considered the Parish Council should take a lead in this. The Queen's Beacon event raised earlier in the meeting (11.231.5 and 11.232) was discussed and thought to be an excellent idea. It could possibly incorporate a hog roast. Cllr Ginn said he could supply the wood and offered to discuss with others what could be organised.

RED

DEG

11.240 East Herts Association of Parish and Town Councils (EHAPTC)

A written report on the inaugural meeting was received from the Clerk in which the objectives of this newly formed association were outlined. There is no formal membership and it has been created with HAPTC to represent all parish and town councils in East Herts on any subject of common concern. The intention is to enable a corporate view to be presented to EHC that will be more effective in getting issues addressed than when councils act alone. Two immediate issues are being tackled, one being the withdrawal of hard copies of planning applications in favour of online, and the other the dissatisfaction over the conducting of the recent SLAA meetings (as reported in 11.230.3).

11.241 Items for future agendas

Community projects had been previously identified for exploration. The Clerk said he had seen an idea used by a Yorkshire parish of several villages to generate community interest and involvement. It was agreed that he get more detailed information for consideration.

Clerk

11.242 Clerk's report on the Village Hall land registration

The Clerk read a report for information on the background to the registration of Great Hornead Village Hall by members of the VHMC. In the light of a conveyance and deed that indicated the land was properly owned by the Parish Council, he had taken advice from HAPTC and written to Land Registry asking them to explain the registration, and to provide copies of all documents they held. Their response revealed a error which the Chairman took up with John and Marty Kilby in their VHMC capacity on the afternoon of the meeting.

This concluded the Clerk's report, and the Chairman then gave the following report of his dealings that afternoon:

As Colin has reported, Land Registry has now given us positive advice, positive for the Council that is. Further to receiving this, I had a meeting this afternoon with John and Marty.

The issues surrounding the title were discussed at length with references to the widely differing advice given by Peterborough and Leicester Land Registry Offices. Peterborough, through a solicitor there, Brendan Kelly, advised Marty to register the land exactly as she has done, down to picking the Trustees named. I have absolutely no doubt that this advice was wrong and I spoke to him, in light of the advice given by Leicester to us, and he repeated what he thought. He had however completely discounted the fact that the Deeds had appointed a Custodial Trustee, Hornead Parish Council, and that the land on all three conveyances of Deed of Gift were in fact for the benefit of Hornead Council and the Community it served.

He did in the end acknowledge the error in his advice and advised both Marty and me to follow the new advice from the Leicester Office, ie register the land in the name of the Hormead Parish Council.

I believe this is the end of the matter – it was a mistake based on erroneous advice, which is now being corrected. John and Marty feel extremely let down by the Land Registry advice, and are fully in accord with the change to be made.

It was agreed that upon receipt of the originals of three documents (1962, 1963 and 1966) from Marty, the Clerk immediately make arrangements to re-register the land in the name of Hormead Parish Council.

Clerk

11.243 Date of next meeting

Thursday 10 November at 8pm (or 7.30pm if a significant number of planning applications have been received)

The VHMC to be advised of future meeting dates for their bookings diary.

Clerk

Due to the confidential nature of the business to be transacted under the next Agenda item, it was agreed that the public be excluded.

11.244 Clerk's Contract of Employment

The Clerk left the room and the Contract was discussed at some length. A motion to allow the Chairman to sign the Contract on behalf of the Council was proposed, seconded and passed. The Clerk returned and the Contract was duly signed by both parties.

The meeting closed at 11 pm.

Signed **Dated**

**APPENDIX A to Hormead Parish Council Minutes 8 September 2011
To be appended to the Minutes for 13 October 2011**

Village Hall report, by Cllr Brian Stone

This is the report that I presented to the Parish Council Meeting on 28th July, 2011.

"I attended the Village Hall Management Committee meeting on 20th July as the Parish Council representative.

I did not expect a warm welcome, indeed I was made to feel distinctly unwelcome. I experienced a tirade of abuse from the Chairman throughout the meeting, doubting my word and questioning my integrity. Specifically a hurtful, personal and potentially slanderous accusation was made against me and my wife.

Such conduct is hardly becoming at a formal village meeting.

There has been a history of such behaviour at parish council meetings and I would hope that this will not be tolerated in future.

The significant matters to report are:

1. I received a copy of the draft village hall accounts for the year ended 31st March, 2011 which show a surplus for the year of £2238 and net assets of £60674.
2. Regarding the planning application, the section 106 agreement is now in place and a further planning application is to be submitted forthwith and approval is expected to be a formality.
3. Because of changes to the method of construction it is now considered that the new hall can be built with the proceeds from the sale of the plot and no fund raising will be required.

End of report"

Cllr Brian Stone