

HORMEAD PARISH COUNCIL

Minutes of the Parish Council Meeting held on Thursday 20 September 2012 in the Meads Pavilion, 8pm

PRESENT: Cllr Robb Denham (RED), Chairman; Cllr David Ginn (DEG), Vice-Chairman; Cllr Elaine Harding (EH); Cllr John Kilby (JK)

Clerk: Colin Marks

District Cllr Rose Cheswright and 18 other members of the public.

ACTION

The Chairman opened the meeting by thanking so many parishioners for attending and welcomed everyone, especially those for whom it was their first Parish Council meeting.

12.136 Apologies for absence

1. **Councillors:** Cllr Dave Baseley (holiday)
2. **Other Councillor absences:** None
3. **Others:** PCSO Amanda Higham (on leave)

12.137 Declarations of Interest

Non-pecuniary interests were declared in respect of the Village Hall by Cllr Ginn, Cllr Harding and Cllr Kilby (without details of the nature of the interest); Cllr Denham: declared non-pecuniary interests in respect of Jayne Denham's co-option application (his wife) and the school (Governor).

12.138 To consider and agree new Standing Orders

Cllr Kilby said he had not received the amended draft as stated on the Agenda. Cllr Ginn said he had not seen it. The Chairman said he had made a small number of amendments to the draft circulated on 10 August (mainly the deletion of items not relevant to HPC). The Clerk confirmed it had been emailed to members on Sunday 16 September. However, because it had not been seen by councillors, it was agreed to defer the decision until the next meeting. The Clerk said he would ensure the revised draft was circulated to all members after the meeting.

ALL

Clerk

12.139 Casual vacancies

Councillors considered the applications for co-option that had been received from Hazel Morgan and Jayne Denham to fill the two casual vacancies:

1. Hazel Morgan. Cllr Kilby asked Ms Morgan what interests she had in Hormead since she lived in Buntingford? She replied that it was a neighbouring village and Hormead planning decisions affect Hare Street Road, where she lives. Ms Morgan asked if councillors knew that houses were going to be built behind the school? No response was made to the question.

After more questions, Cllr Kilby finally asked Ms Morgan if she had any connections to any parish councillors, to which she emphatically replied that she did not.

Cllr Ginn remarked that it was a shame no one from the Parish had come forward to apply to fill the vacancy.

Following a vote, it was **RESOLVED by 2:1 with 1 abstention that Hazel Morgan be accepted as a member of the Parish Council.**

2. Jayne Denham. Cllr Kilby said it was inappropriate for Mrs Denham, the wife of the Chairman, to stand. The Chairman said he would abstain from the vote.

Following a vote, it was **RESOLVED by 2:1 with 1 abstention that Jayne Denham be accepted as a member of the Parish Council.**

Hazel Morgan and Jayne Denham then signed their Declaration of Acceptance of Office, witnessed by the Clerk. The Clerk gave them each a Disclosable Pecuniary Interests Register to complete within 28 days, and a copy of the Parish Council's Code of Conduct. They were

Clerk

then both welcomed as members of the Council and took their places for the remainder of the meeting.

12.140 Minutes of the Extraordinary Parish Council Meeting, 10 August 2012

Cllr Kilby said he did not accept the Minutes because they did not contain all the comments made by the Clerk explaining the reasons he had been denied access to VHMC correspondence. The Clerk said that at the meeting he had read an extract from their email correspondence and that was what the Minutes recorded. Following a vote, it was **RESOLVED that the Minutes of 10 August 2012 be accepted as a true and accurate record.** The Chairman signed the Minutes.

The Chairman then proposed that Agenda item 12.150 be moved up for discussion, and it was **RESOLVED that 12.150 be discussed at this point on the Agenda.**

12.150 Parish Meeting, 12 September 2012

Brought forward to this point Cllr Kilby requested a vote on the following item: 'Following the parish meeting held on 12th September where a vote of "no confidence in the parish council" was passed, I propose that all councillors should stand down and that an election be called for the 15th November, a date that has been set aside for the election of a police commissioner'.

The Chairman said the motion was not valid and could not be voted upon, and that councillors were elected for a 4-year term of office that the Parish Council could not overturn. The Clerk explained that the motion had no enforcement value by the Council as it is for individual councillors to decide what to do. Also, the Parish Council could not vote on calling an election on a specific election date or on calling one with the police commissioner elections, which are entirely East Herts decisions.

The Chairman asked Cllr Kilby if he was prepared to step down, to which Cllr Kilby replied that he would if everyone else did too. Cllr Harding said she would not step down, as did Cllr Ginn, saying that although the parish meeting voted 55 in favour of the motion and 15 against, it could be considered that the 35 or so who abstained were not sufficiently persuaded to vote for the motion.

12.141 PCSO Report: PCSO Higham was on leave and did not send a report.

12.142 Chairman's Announcements: None

Adjournment for public comments

Following discussion, it was **RESOLVED that the meeting be suspended to allow public comments.**

- Mr Crick asked what the procedure was following a vote of no confidence. The Chairman explained councillors held office for 4 years unless they individually chose to resign. Mr Crick then asked how complaints against the Council were handled and the Chairman replied that under the new Localism Act, very little could be done to resolve complaints apart from writing to our Monitoring Officer at East Herts, and there were no effective sanctions.

- Mandy Irons said parishioners wanted councillors who were for the parish.

- Marty Kilby said that, given the strength of feelings of some people at the parish meeting, wouldn't it be prudent or wise for the Parish Council to improve their communications. The Chairman agreed that communication was of paramount importance, but pointed out that the communication of opposing views had gone wildly astray. He said that there particularly needed to be trust in the people publishing for the community so that everyone knew the facts.

The meeting was resumed.

12.143 PLANNING

1. Applications

3/12/1132/FP Meadowlands, The Street, Little Hornead

Raise roof ridge with dormer windows, 2-storey rear extension and replacement garage

No objections

The Chairman noted that Meadowlands did not appear on the 2011 Electoral Roll.

Clerk

3/12/1238/FP The Chapel, Horseshoe Hill

Withdrawn incomplete

2. Decision Notices

3/12/0830/FP Great Hornead Hall, Hall Lane

New build: 3-bedroomed house

Application withdrawn

3/12/0722/FP Milburns, Conduit Lane

Variation request to 0/03/0835/FP: new garage, boundary wall and access alteration

PERMISSION APPROVED SUBJECT TO CONDITIONS

3/12/1000/FP The Beehive

2-storey rear extension

PERMISSION APPROVED SUBJECT TO CONDITIONS

3/12/1087/FP Glebe Cottage, Little Hornead

Single-storey rear extension and fenestration alterations

PERMISSION APPROVED SUBJECT TO CONDITIONS

3/12/1170/LB; 1171/FP; 1172/LB The Thatched Cottage, Conduit Lane

Extensive internal alterations and new window

PERMISSION APPROVED SUBJECT TO CONDITIONS

3. Other Planning matters: Matters arising since Agenda issued

The Clerk said he had received that afternoon an email from a parishioner questioning the wall built at the Three Jolly Butchers, for which it was thought permission had not been granted. The Clerk had not been able to check, but from memory said he thought permission was given if the height of the wall was reduced to improve sight lines. Councillors agreed the new wall was an improvement to the street scene. The Clerk would check the Planning position and contact the parishioner.

Clerk

12.144 FINANCE

1. The report of the Council's finances for the period 1 July to 31 August 2012 was received (Appendix A).

Finance Summary:

Opening available balance 30/6/12:

£
9,691.17

Plus income to 31/8/12:

1,595.00

Less expenditure to 31/8/12:

4,071.09

Available to Council:

7,215.08

(Reconciled with bank statement to 30 August):

Cllr Kilby asked for an explanation of the high cost of replacing the pavilion locks, which he considered excessive. The Chairman and the Clerk explained that the lock completely jammed at the end of June (*Tuesday 26 June*) and Stephen Ruff could not gain access to clean. Others tried to free the lock without success. An emergency locksmith was found who replaced both the front door and changing room locks. The euro deadlocks provide excellent security and the keys cannot be duplicated. A number of additional keys had been provided for HHFC (*subsequently returned*).

Cllr Kilby commented that the new locks cost more than the value of the pavilion's contents. Cllr Ginn asked whether there would be any reduction in the insurance premiums because of the additional security.

It was **RESOLVED that the Accounts Statement be accepted.**

2. The list of orders for payment was presented for authorisation to be signed (Appendices B1, B2 and B3).

It was **RESOLVED to approve the invoices presented for payment.**

It was agreed to defer the signing of cheques to the end of the meeting.

Clerk

3. The Accounts at 31 March and the audit fees: Cllr Kilby asked for an explanation because the workbook originally submitted was not intelligible, and questioned why it was only the income/expenditure sheet that was now provided. The Chairman replied that was the only sheet that had not printed out properly when originally submitted to the Council for approval. A pdf version had been sent recently to all councillors. The Clerk confirmed that the external auditor, BDO, had approved the Parish Council's accounts with no adverse comments, queries or extra charges.

12.145 Correspondence

The list of correspondence was attached as an appendix to the Agenda. Cllr Kilby asked the Clerk to go through the list explaining each item. A number of items were discussed in connection with other matters on the agenda. Concerning the correspondence from two other football organisations looking at possible use of the Meads, the Clerk said that there was interest, but the timing of the HHFC departure made it too close to the start of the new season for teams to consider a new venue.

12.146 Special Interest Groups Reports

1. **Village Hall.** Cllr Ginn said he still had not been accepted as the PC representative. Mrs Kilby (interrupting) said that in Charity law it was within the VHMC's powers to not accept a representative nominated by another organisation. The Chairman disputed this claim due to written advice from the Charity Commission, of which Mrs Kilby had a copy.

DEG

2. **Highways.** The Clerk reported no progress from Herts Highways regarding a new 'Welcome to Gt Horstead' sign. Cllr Morgan asked whether Cllr Jane Pitman had been contacted directly. The Clerk said he would follow up that suggestion.

Clerk

It was noted that salt for footpaths would again be available from Herts Highways. Cllr Ginn said he would check with Mr Wyld how much was left over from last year's supply.

DEG

3. **Footpaths and Byways.** No report. The Chairman observed that the parish update from Dawn Grocock (HCC Rights of Way Service) has not got very far.

JK

4. **Website.** Nothing to report

Clerk

5. **School.** Nothing to report

RED

12.147 Meads: The following matters were considered:

1. The Meads and the departure of HHFC. Cllr Kilby asked how the Parish Council managed to lose HHFC. He said the Chairman never backed down on a proposed £5,100 fee (£425 per month), and the reduction of hours on Saturdays. The Chairman replied that finances had never been included in the discussions he had held with Peter Worby, and that HHFC had refused to sign a contract for the past 3 years.

Cllr Kilby asserted that the fee increase was the reason the club left and the PC had now lost that income. The chairman reiterated that every point of the draft licence had been satisfactorily completed except that the financial side had not been discussed at all so far. Cllr Harding said that the bills go up every year, and that the PC had never had a meeting with the Hares to talk about it. She questioned whether HHFC already had other plans before they left.

Cllr Kilby then asked why it had taken so long to provide a draft licence. The Chairman answered that, following an update from the solicitor, he began working on a revised draft in May, which he gave to all councillors in June, asking for their comments. However, no councillor, including Cllr Kilby, responded to his request.

Cllr Kilby then pointed out that the previous Chairman, Geoff Abbey, had given HHFC a year's notice in June 2011. The Chairman confirmed that was in line with the requirements of the licence, but that the Parish Council had not enforced the notice period that had expired on 1 July 2012.

The Chairman further explained that he had discussed and agreed most areas of contention with Peter Worby, with the exception of the fee, and he gave a timeline of events leading up to the HHFC's abrupt departure on 31 July. He reiterated that HHFC were not forced to leave and that the door for them to return was still open.

Following further strong disagreement among councillors, the Chairman adjourned the meeting at 9.18pm until order was restored.

The meeting was reconvened at 9.30pm

2. Disabled Access to pavilion. The Clerk said he had no further cost figures for upgrading the ramp, except that a similar situation in a nearby parish was going to cost about £400 more than HPC had been quoted. However, with the departure of HHFC, who requested the ramp, the Clerk was asked to further investigate the legal safety requirements.

Clerk

3. Warning and Disclaimer Signs. The Clerk provided costs and suggested wording for signs for the river and for the Play area. The Chairman said warning signs by the river were important because of risks to the public. No decision was taken.

RED/Clerk

4. Contract renewals: The Clerk reported that the PHS contract was in for renewal but, because of the HHFC departure, it had not been done. It was noted that the PHS contract would not be renewed.

Clerk

5. Revised Pavilion cleaning contract: Stephen Ruff proposed a reduced cleaning programme because no footballers would be using the facility this winter. He suggested 1 hour a week maximum to keep the pavilion clean, check for leaks etc, and also proposed cleaning the windows every 4 months. It was **RESOLVED that Stephen Ruff be engaged to clean and check the pavilion for 1 hour a week and clean the windows every 4 months.**

Clerk

Stephen Ruff also offered to clean the telephone boxes and glass every 4 months for £10 per box.

It was agreed to bring forward Agenda item 12.152.2 for discussion since that also concerned this matter.

12.152
point 2
brought
forward
to this
point

2. Little Hornead telephone box. Cllr Kilby reported that Little Hornead parishioner Geoff Robertson, having painted the phone box, was now offering to convert it into a notice board for Little Hornead. He also proposed making a proper access path and to maintain it. He said the existing notice board is too small and very poorly placed, being at the top of a high bank that is virtually inaccessible and potentially dangerous in wet weather. Although it was suggested the existing board be removed, it was considered better to retain it with a prominent notice referring to the adjacent phone box. It was agreed that Geoff Robertson be permitted to convert the Little Hornead phone box, but to retain the existing notice board for the time being.

Clerk

Since the maintenance would be free of charge, there was a suggestion that an advertisement be placed in the Newsletter for a volunteer to clean the Council's other phone box.

RED/Clerk

It was therefore agreed to put Stephen Ruff's phone box cleaning proposal on hold for the time being.

Clerk

12.147

6. iNtrol mole control contract: The renewal of the mole control contract for the Meads from September 2012 to 2015 was discussed and it was **RESOLVED to renew the iNtrol contract for 3 years on the same basis as before, reviewable annually.**

Clerk

7. Annual Playground report. The annual RPII report had been circulated to members and the Clerk pointed out that every item of equipment was classified either low or very low risk. This was very gratifying considering the considerable expense incurred last year in making the

- equipment compliant. It was noted that an end cap was missing from the rocker, which the Clerk said he would get replaced. Clerk
- The Clerk also noted that, following the reported accident in the summer of a child getting her leg caught under the roundabout, the inspection identified that the roundabout complied with safety regulations. Broadmead Leisure had provided a quote for replacing the existing matting under the roundabout with wetpour, the cost being over £2,700. It was agreed unnecessary to pursue that at this time.
- 12.148 Queen's Diamond Jubilee recognition:** It was agreed that the Clerk circulate to members the proposal by Fields in Trust to grant the QEII Field Award to the Meads for discussion at the next meeting. Clerk
- 12.149 Village Hall**
- 1. The Parish Council Representative on the VHMC:** The Chairman invited Mrs Marty Kilby to join in, and asked Cllr Ginn to open the discussion. Cllr Ginn said that since being voted on as the PC representative, Cllr Kilby, in his capacity as VHMC Chairman, had persistently refused to accept his appointment. The previous PC rep, Elizabeth Collery, had resigned from the Council, and Brian Stone before her had resigned because of verbal abuse received at a VHMC meeting
- Cllr Kilby agreed Cllr Ginn was not accepted. He said the Parish Council was one of six parish organisations that can nominate a representative, but in the Council's case, it need not necessarily be a councillor. He pointed out that Elizabeth Collery was nominated previously, but removed after two months in favour of Cllr Ginn. He continued that someone couldn't be de-selected because there is no procedure within the Charity Commission regulations for removing a nominee. Mrs Kilby reaffirmed that there is no such procedure. She cited the CC letter of 16 June in support of this.
- The Chairman said Cllr Ginn was voted to be the Parish Council representative to the VHMC at the January 2012 Council meeting in place of Elizabeth Collery because she already represented two other parish organisations on the Trust Committee. He also asked Mrs Kilby to provide evidence of her assertion regarding the CC position, which she agreed to do after the meeting, although she said it had been emailed to the Clerk.
- Cllr Kilby stated that Cllr Ginn does not support the Village Hall, to which Cllr Ginn replied that he wished to publicly state that he supports the Village Hall but not the current rebuilding plan, about which he has serious concerns.
- The Chairman said he proposed to convene an Extraordinary Meeting as soon as possible to discuss with the VHMC the next two agenda items and any other Village Hall issues. RED
- 2. Discussion to agree a meeting date with the VHMC Trustees:** to be deferred to the Extraordinary Meeting
- 3. Report on enquiries into the legal title and costs:** discussion to be deferred to the Extraordinary Meeting
- 12.150 Agenda item 12.150 was discussed following 12.140 above**
- 12.151 Neighbourhood Plan**
- The Chairman reported that, apart from Mrs Fremantle and a parishioner who has sadly died, no one has come forward to form a committee. He appealed for the names of parishioners who are interested, or prepared to be involved, to contact him so that the project can be started. RED
- 12.152 Additional Parish matters**
- 1. Distribution of anonymous flyer:** *Not discussed*
- 2. Little Hornead telephone box:** *This was discussed following 12.147.5 above*

12.153 Items for future agendas

1. Councillor Training: The Chairman reminded members that EHC would be conducting training sessions on the new code of conduct in October and he urged all councillors to take up the offer.
2. Other items for consideration: *No other items were suggested.*

Clerk/ALL

12.154 Date of next Parish Council meeting

Thursday 18 October at 8pm in the Meads Pavilion.

There being no further business, the meeting closed at 10.15pm.

Signed **Dated**