

**MINUTES OF THE COUNCIL MEETING OF COTTERED PARISH COUNCIL HELD IN COTTERED VILLAGE HALL ON MONDAY 3 SEPTEMBER 2012 AT 7.30 PM**

Present Bryan Pitman (Chair) Terry McGrath  
David Charles Brian Murchie  
John Harwood-Bee Francis Ridley

Officer attending Marty Kilby  
Present: 12 members of the public.

Before the meeting commenced, the Chairman reminded Councillors and the public that the meeting was being audio recorded.

**APOLOGIES**

12.80 None

**DECLARATIONS OF INTEREST**

12.81 None

**MINUTES OF MEETING**

12.82 The minutes of the meeting held on 19 June 2012 were before the meeting. After amending the penultimate paragraph of 12.79 to read 'Clerk was asked to contact the RICS to ascertain probable costs of such an action and communicate these costs to all councillors. This was resolved unanimously.' the minutes were signed as a correct record.

**CHAIRMAN'S REPORT**

**12.83 21<sup>st</sup> June**

Chairman attended a course at EHDC aimed at giving councillors a better understanding of recent planning law changes, Localism and National Planning Policy framework. The EHDC Local Plan is being totally revisited. The national prescriptive guidelines are now going and nothing yet has been finally agreed to replace them.

**28<sup>th</sup> June**

Chairman attended a course to enable councillors to develop chairmanship skills and give them general advice for conducting parish council meetings.

**29<sup>th</sup> June**

Chairman and his wife attended a civic reception in Buntingford to meet the new Buntingford Mayor.

**14<sup>th</sup> July**

Chairman and his wife, at the invitation of CC Jane Pitman, attended a garden party at County Hall as part of the Olympic celebrations.

**19<sup>th</sup> July**

Cllr Harwood-Bee and the Chairman attended a public meeting of Buntingford Town Council aimed at listening to the concerns of the public regarding the proposed development of the old Sainsburys' site. Further to this meeting Cottered Parish Council objected to the development giving the same reasons as those of the Buntingford Council.

**26<sup>th</sup> July**

Chairman joined other members of the public in the EHDC chamber to listen to the full East Herts Council being informed and subsequently approving the outline policies to be used to form the Local District Plan. This document, together with others, will be the legal documentation controlling future development in the EHDC area.

**FINANCE**

**12.84 Finance Report and Payments Authorised**

The finance report was before the meeting, together with a budget comparison updated. The authorised payments were:

|     |         |         |                                     |
|-----|---------|---------|-------------------------------------|
| 637 | BDO LLB | £144    | External audit fee                  |
| 638 | HAPTC   | £30     | Chairman course training            |
| 639 | M Kilby | £525.89 | Clerk invoice and expenses 3 months |

**12.85 External Audit Report**

The external auditors had approved the accounts for year ending 31 March 2012. There were no issues arising.

**PLANNING**

**12.86 Planning Schedule**

The updated planning schedule is an appendix to these minutes.

**12.87 Mayville, Cottered**

Noted that the owners of Mayville have been advised to cease residential occupation of this building.

**HIGHWAYS****12.88 Cottered Road, Throcking**

Clerk to ask Highways again about the provision of kerbs along the verges outside 1-6 Cottered Road.

**RECREATION GROUND****12.89 Annual Playground Inspection**

The annual playground inspection had been received, with 12 low risk items and 7 very low risk comments. Clerk to obtain quotations for remedial action where recommended by the inspector including replacement bins and to bring quotations to the next Council meeting. Councillors are to inspect playing equipment and assess and evaluate risks.

**12.90 Queen Elizabeth II Field**

Agreed to apply for the Recreation Ground to become a QEII field.

**NEW STANDARDS REGIME****12.91 Guide for Councillors**

A guide for councillors relating to personal and disclosable pecuniary interests has been issued by the Government and a copy was given to each councillor.

**12.92 Charity Trustees**

As all parish council members automatically become trustees of the Parish Recreation Ground Trust on assuming their role as parish councillors, it was agreed the Clerk should request a dispensation from the Monitoring Officer relating to their personal interests in the Trust.

**12.93 Standing Orders**

Clerk to send all councillors a copy of the current standing orders for comment and possible future amendment.

**RIGHTS OF WAY****12.94 Footpath 45**

Clerk to ask the HCC Definitive Map Team Leader for a date so that Cllrs Francis Ridley and Brian Murchie can meet her to discuss footpath 45.

**12.95 P3 Grant application form**

The grant application form for the year 2013-2014 had been received. Clerk to send to Dr Roger Gomm for his attention.

**CLERK'S REPORT**

**12.96** The Clerk's report was before the Council and the correspondence noted. The report is an appendix to the minutes.

Risk assessments needed to be completed and Cllr Harwood-Bee offered to amend the risk assessments used by the Cottered Appreciation Society which had been based on a template provided by Mrs Jenny Thompson.

**OTHER BUSINESS**

**12.97** Cllr Terry McGrath had trimmed round the recreation ground for many years. He was thanked very much for all his hard work given freely over the years. Agreed that Cllr Harwood-Bee to arrange for volunteers to take over this task, which would be done monthly.

**12.98 Village Greens - Course**

The HAPATC are holding an all day training course on Village Greens and the associated management and legal responsibilities of controlling councils. It is recommended that Clerks and Chairmen should attend. Concern was expressed as to the fee of £50. The Clerk is to investigate sharing her fee with other councils and the Chairman is willing to pay half his fee. Cllr Harwood-Bee expressed interest and will check his availability for 26<sup>th</sup> September.

**PUBLIC SESSION**

(To be a regular agenda item at the end of all Parish Council meetings)

Commenced at 8.45 pm

Concern was expressed by owners of livestock about people walking their dogs on the footpaths and letting them off the lead or not controlling them, and so allowing them to interfere with cattle. If the dog owner then refused to give their names there was little a landowner could effectively do. It was agreed to put a bit in the parish magazine asking walkers to keep their dogs on a lead when walking on footpaths through land being grazed by livestock.

Clerk asked to ascertain whether fireworks are allowed to be let off outside of 5th November.

The tree next to the old water pump shelter on the green triangle had a large amount of growth at the bottom of the trunk. The Parish Trust meeting to discuss.

Agreed that clerk would ask for an additional salt bin along Brook End Lane, about halfway down.  
Closed at 9.00 pm

There was no proposal to close the meeting before the next item was discussed. The Chairman reminded the meeting that the public were not allowed to speak unless invited

#### **RECREATION GROUND BOUNDARY WITH 1 HOME CLOSE**

12.99 Three options had been offered by the RICS surveyor:

1. Appoint an Single Joint Expert (SJE) who will carry out an impartial technical examination to court standards, because his final arbiter is a Court Judgement. This is likely to cost each party £5,000 - £10,000.
2. With the previous agreement of both sides, appoint Templars to carry out an impartial technical examination including scrutinising all documents, visiting the site, measuring, and preparing a report which both parties agree will be regarded as final. This is likely to cost each party £500 (a total of £1,000).
3. Invite Templars to mediate at a meeting between both parties at a cost of £100 per hour - likely total fee £300. It would be up to the two parties to decide whether the outcome would be approved by both.

Mr and Mrs Lawton would accept the second option provided any agreement was appropriate and the conditions not to onerous.

Council were reminded that option 2 was not totally legally binding and could be challenged in the courts at any later date. After further discussion it was agreed:

**Resolved:** To postpone any decision until Land Registry had indicated their willingness to register the Recreation Ground. Clerk to contact the solicitors to ensure that this was done as soon as possible. As soon as this information was available, Clerk to arrange a special Council meeting on a date when all councillors were available, in order to finalise the decision.

This resolution was carried unanimously.

#### **DATE OF NEXT MEETING**

12.99 The next meeting to be at 7.30 pm on Tuesday 13 November 2012.

The meeting closed at 9.45 pm

Signed \_\_\_\_\_

Date \_\_\_\_\_