

CHORLEYWOOD PARISH COUNCIL

**MINUTES of the meeting of the PARISH COUNCIL held in the Council Chamber,
South Lodge, Rickmansworth Road, Chorleywood, on Tuesday 23rd June 2009.**

MEMBERSHIP & ATTENDANCE

Chairman:	* Mrs J Worrall	
Councillors:	* A Barton	*P Kemp
	* R Booth	*R Kipps
	Dr N O Eve	*G Liley
	* Mrs B Green	*K Morris
	*M. Green	*Mrs P Mytom-Hart
	* Mrs M Hampton	Mrs L Smith
	* Mrs A Hayward	* Mrs S Stibbs
	* Mrs M Jarrett	*S Watkins

*Denotes Member present.

09/13 PUBLIC FORUM

Mr Alan Haynes, representing the Chorleywood Business Association, addressed members of the Council regarding the Christmas Lights in Lower Road, Chorleywood. He advised that whilst the Business Association has been able to collect the money to pay for last years lights, due to the current economic situation there would be no funds available for fund lights for this year. It was acknowledged that both the District and Parish Councils had made financial contributions in the past that money had been spent on the infrastructure and not on the actual lights.

When questioned Mr Haynes advised that he hoped that in his role as Chairman of the CBA to organise the association to ensure that funds would be available towards the lights in the future, however it was not felt that they could raise funds for the whole project, as due to new legislation the costs of putting up the lights and the checks required would now have to be carried out by professional qualified personnel.

The Chairman thanked Mr Haynes. The discussion and decision of the council is detailed in minute number 09/23

09/14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Eve and Mrs Smith.

09/15 DECLARATIONS OF INTEREST

There were no declarations of interest.

09/16 APPROVAL OF MINUTES

The Council
RESOLVED
To approve the minutes of the meeting dated 5th May 2009

The Chairman duly signed the minutes.
The Council
RESOLVED
To note the minutes of the Annual Meeting and the Annual Parish Meeting of the 12th May

09/17 MATTERS ARISING FROM THE MINUTES

There were no matters arising

09/18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that she had not attended any social functions since taking office; however she had chaired the meeting of the Joint Parish Councils. She had found this a useful meeting and had obtained information from the other parishes within Three Rivers regarding the processes they used to elect and chairman and also what they all did regarding Christmas lights, both pieces of information were included in the reports for discussion.

The Chairman also advised that Cllr Sara Bedford, leader of Abbots Langley Parish Council drew member's attention to the changes in Planning Legislation which were of some concern. The Chairman reminded members that two Planning Officers would be attending the Planning meeting the following week and urged members to attend.

The Chairman advised that she would be attending the Youth Club AGM on the 25th June.

09/19 QUESTIONS UNDER STANDING ORDER 9

There were no questions under Standing Order 9.

09/20 COMMITTEE REPORTS

Open Spaces meeting 2nd June 2009

08/83 – Chorleywood Golf Club Request for works:

The Clerk confirmed that this was now in hand and a meeting had been arranged with the Countryside Management Service and the Tree Preservation Officer from TRDC to look at the area.

09/07 – Occupation of the Allotments

Cllr Mrs Worrall met with the residents adjoining Warings Field and they advised they had no objection in principal to the Parish Council looking at trying to obtain the land in view of creating additional allotment space. It was anticipated that discussions should now take place with TRDC to consider the parcel of land which would adjoin Warings Field and Copmans Wick Allotment. The Chairman suggested that a further meeting with Cllrs Mrs Green and Barton be arranged to discuss the proposals further.

09/09 – Re-introduction of grazing on the Common

Cllr Liley had concerns regarding the bequest, stating that he thought the bequest had been made available for the grazing scheme; however in recent documentation it suggested that the bequest was reliant on a positive response to the questionnaire. He felt that this was a misrepresentation to the public as the Parish Council had stated that there was to be no cost. Cllr Jarrett explained that grant funding had been obtained for the majority of the project so far. Any shortfalls had been taken out of the Open Spaces revenue budget. There were no additional costs to the parishioner. The precept had not been increased to pay for the trial.

Policy & Resources meeting 16th June 2009

Recommendation 1. To suggest an amendment to Standing Orders.

The Chairman advised that this item had been discussed at P&R in full and whilst she was happy to hear people's views she did not want an unnecessary protracted debate. She advised that the Recommendation still stood however there were an additional two views to consider. The first based on the TRDC model and the second proposal from Cllr Eve.

Members considered the need for a Vice Chair, and the

Council

RESOLVED

That the Council should continue to have a Vice Chairman to deputise for the Chairman as per Standing Orders

This was proposed by Cllr Mrs Jarrett, seconded by Cllr Green and carried 13 in favour and 2 against.

Members then considered the three proposals as to who should nominate the next vice chairman and set a ruling to be put in standing orders for the future.

The Council

RESOLVED

That should the Vice Chairman not be able to become Chairman for any reason, or the Chairman was unable to complete his or her year that the new Vice Chairman would automatically become Chairman and the Ward next on the list would elect the new Vice Chairman.

This was proposed by Cllr Barton, seconded by Cllr Mrs Green and carried 11 in favour with 4 abstentions.

Taking this ruling the Members of Chorleywood West were asked to nominate a Vice Chairman.

Cllr Kipps was nominated and agreed to take up the position of Vice Chairman for the remainder of the 2009/10 municipal year.

The Council

RESOLVED

To approve the nomination of Cllr Kipps as Vice Chairman for the 2009/10 municipal year.

09/21 ACCOUNTS FOR PAYMENT

The Council

RESOLVED

To authorise the schedule of payments.

	£
Parish Council Accounts	94,489.32
Village Halls Trust	9,748.57
Co-Op Bank Credit Card	62.66

09/22 REPORT FROM THE CRICKET CLUB ADVISORY COMMITTEE

The Clerk confirmed that copies of the minutes had been circulated to all those attending the meeting. The Chairman drew Members attention to the final paragraph which stated that following the site meeting that has been held with representatives from all sides that the Cricket Club would report back to the Council. However the Clerk confirmed that no such communication had been received. The Chairman felt that the Council should write to the Cricket Club asking them for an update.

The Council

RESOLVED

That the report be noted

That the Chairman writes to the Cricket Club asking for an update.

09/23 CHRISTMAS LIGHTS

This item was brought forward within the agenda as was discussed at the beginning of the meeting. Members debated the value of the Christmas lights. Various views were offered suggesting that the lights made the village vibrant and a valuable focus for the village. It was suggested that the Parish Council should be supporting the Business Community at a time of economic difficulty. Some Councillors however took the view that the Christmas lights were only put up for commercial reasons.

Members had already heard from the Chairman of the Chorleywood Business Association and Cllr Watkins proposed that the Council agree to pay 75% of the cost to put up the lights this year; however this proposal was not seconded.

Cllr Barton proposed that the Parish Council pay for the Christmas lights for 2009, but advise the Business Association that this was not guaranteed for future years. This was seconded by Cllr Booth.

Cllr Mrs Green asked for an amendment to the proposal as follows:-

That the Parish Council pays for the Christmas lights for 2009, but review revenue funding for a years time, in partnership with the Business Association. This was seconded by Cllr Jarrett.

The Council voted on the amendment this was carried 13 in favour with 2 abstentions.

The Council

RESOLVED

To the proposal as amended

That the Parish Council pays for the Christmas lights to the value of £5150 for 2009 and review revenue funding in a years time in partnership with the Business Association.

That the money be taken from reserves under the

Parish Councils Act 1957 s.3

Highways Act 1980 s301

09/24 COMMUNICATION WITH THE DISTRICT AND COUNTY COUNCILLORS

The Chairman advised that this issue had arisen from the Peer Mentoring. The report outlined the issued and therefore the Cllr Mrs Worrall proposed from the Chair that in future there be an item on the Full Council agenda where members of the District Council and County Council could make representation if they wished.

The Council

RESOLVED

That a new item be put on the Full Council Agenda 'Representations from the District and County Councillors'

09/25 TO FILL THE VACANCIES ON THE PLANNING COMMITTEE

The Clerk advised that she had received two nominations to fill the vacancies in the Planning Committee, she advised that Cllr Booth and Cllr Mrs Mytom-Hart. As there were no further nominations

The Council

RESOLVED

That Cllr Booth and Cllr Mrs Mytom-Hart become members of the Planning Committee.

09/26 RE-INTRODUCTION OF GRAZING QUESTIONNAIRE

The Chairman explained that whilst this was a costly exercise it was necessary to complete the grazing trial. The Clerk confirmed that she was waiting for the licence number for the reply envelopes.

The Council

RESOLVED

That the Clerk pursues the mail out option.

This was proposed by Cllr Booth, seconded by Cllr Hampton and unanimously approved.

At the request of the Chairman the meeting went into Confidential Business

EXCLUSION OF PRESS AND PUBLIC

The Committee

RESOLVED

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest, that the press and public be temporarily excluded and they are instructed to withdraw.

CLOSURE

There being no further business the meeting having commenced at 8.00pm closed at 9.50 pm.

These minutes have been checked by the Chairman.

Signed Dated.....

These minutes have been agreed at Full Council and signed by the Chairman.

Signed Dated.....

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CONFIDENTIAL BUSINESS

09/27 ILLEGAL ACTIVITIES ON THE COMMON

The Clerk advised that a company called BodyCoach were operating fitness classes on the common on a Saturday morning and a Thursday evening. On the 25th April the Clerk had spoken to the operator a Mr Justin Corcoran, and advised that he could not operate a commercial activity on the common without the permission of the council. The Clerk advised him what had to be done to obtain permission and give him her card with the council's contact numbers on. Mr Corcoran operated a fitness program, charging between £10 and £12.00 per session.

Mr Corcoran did not contact the Council however both Cllr Watkins and the PCSO Tanya Stabler witnessed him continue to operate on the common. Cllr Watkins also obtained photographic evidence. The Clerk obtained advice from the Council's legal advisor Mr Jonathan Wragg who produced a letter which was sent by recorded delivery on 12th June 2009, giving the legal reasons why he could not operate his business from the common without the consent of the council.

Mr Corcoran acknowledged the letter advising he would get legal advice but continued to operate on the common. Further advice was obtained from the legal advisor. His response is detailed below

The legal position is that the Council has every right to resolve to commence proceedings for an injunction against Mr Corcoran pursuant to Section 222 of the LGA 1972. The Council, would need to satisfy itself that commencing proceedings would be expedient for the promotion or protection of the interests of the inhabitants of Chorleywood. I think the Council would have good prospects of success.

A slightly different issue is whether proceedings against him would be politically acceptable. Obviously, that's not a matter for me but I would have thought that his blatant disregard for (i) the law and (ii) the Council's rights is a matter and (iii) the correspondence sent to him is of grave concern which calls for action to be taken.

The Clerk did explain that may users of the common now had licences it meant the Council had control of the land that they owned. By asking that operators had risk assessments, public liability insurance, plans of where they wished to operate meant that certain areas were not over used or could be stopped for environmental reasons if necessary. There was a legal precedent to consider.

The Clerk asked the Council what they wanted her to do.

Members discussed at length what should be done. Cllr Watkins felt that the Council should take immediate action, as this situation had been going on since April and Mr Corcoran had had plenty of opportunity to apply for a licence. However Cllr Mrs Green proposed that before the Council take the expensive legal route the Council should offer a 14 day period for him to come in and discuss the issues with the Chairman and the Clerk. This was seconded by Cllr Mrs Hampton

The Council
RESOLVED

That the Clerk write to Mr Corcoran giving him the opportunity to come in and discuss the issues with Chairman of the Council and the Clerk and wait 14 days from the date of the communication for a response.

This proposal was carried 9 in favour, 6 against with 1 abstention.