



MINUTES OF the 298<sup>th</sup> MONTHLY MEETING OF THE COUNCIL  
HELD IN THE COUNCIL CHAMBER  
ON THURSDAY 25 SEPTEMBER 2014 at 8.00PM

Present: Cllr Mitchell in the Chair David Allison – Clerk to the Council

Cllrs Baldwin, Bennett, Brading, Brand, Dann, Edmunds, Getkahn, Isard-Brown, Martin, Ridley, Seeley and Shafe.

Voting Members: 13

Members of the Public: 1

CC1384/14 Apologies for Absence

Apologies had been received from Cllrs Jordan and Wynne-Jones.

Not Present: Cllr Vane.

CC1385/14 Declarations of Interest by Members

There were no declarations to note.

CC1386/14 Representations from the Public

There were no representations made.

CC1387/14 Minutes

**Resolved:**

- That the Minutes of the 297<sup>th</sup> monthly meeting of the Council held on Thursday 31 July 2014 be approved and signed by the Chairman.

CC1388/14 Matters Arising

CC1375/14 & CC1377/14 Supporting Papers and legislation and Consideration of a future Agenda item of 'Notice of Other Business'. Cllr Ridley asked why these items were on the Agenda for the current meeting as he had tried to submit two other papers for the September meeting but was unable to do so. The Clerk pointed out, as the Cllr would have seen from the Minutes of the last meeting, that as he was not present at that meeting to propose his papers, Council agreed to defer the papers to the September meeting. The Clerk also reminded him that it had been agreed previously that Cllrs may only submit a maximum of two motions, or proposals or discussion topics at any one meeting. The Clerk added that this had been set out in a letter he had sent to Cllr Ridley when the current Agenda was distributed.

CC1369.2/14 Any Matters Arising, EA1048/14 Dog Fouling. A Cllr stated that he had undertaken a Freedom of Information Request from TRDC about whether any prosecutions had been made for dog fouling and had been advised that there had been none. It was pointed out that the comment that had been made was one of recollection by the Cllr and that if he had been mistaken he apologised for that.

CC1389/14 Committee Reports

CC1389.1/14 Environment and Amenity Committee held on Tuesday 1 July 2014

**Resolved:**

- That the Minutes of the Environment and Amenity Committee held on Tuesday 1 July be adopted as a report of the meeting.

CC1389.2/14 Any Matters Arising

There were no matters arising.

CC1389.3/14 Planning and Development Committee held on Wednesday 2 July and 6 August 2014

**Resolved:**

- That the Minutes of the Planning and Development Committee held on Wednesday 2 July and Wednesday 6 August 2014 be adopted as a report of the meetings.

CC1389.4/14 Any matters arising

PD2345/14 Recent Decisions (Planning). A Cllr asked for clarity regarding the proposed development at 23A New Road. It was pointed out as the Minute states that TRDC had now approved the development following the Appeal that had been made in regard to the proposed development.

CC1389.5/14 Finance and Administration Committee held on 10 July 2014 and to note that the meeting scheduled for 12 June 2014 was cancelled

**Resolved:**

- That the Minutes of the Finance and Administration Committee held on Thursday 12 June 2014 be adopted as a report of the meeting. It was noted that the meeting scheduled for 12 June was cancelled.

CC1389.6/14 Any matters arising

A Cllr asked why there was a delay in posting the Minutes of the Finance and Administration Committee for 10 July on the Parish Council's web site as the September minutes had been posted before those of the 10 July. The Clerk was unable to explain why this had occurred as usually the minutes of meetings are posted as soon after the meeting as possible. The Clerk added that it is necessary to update the 'priority' listing of web postings (the order in which items appear on the site), and that perhaps that may not have been done at the time of the July posting but when done with the September posting the 10 July Minutes then appeared in the correct place in the list.

CC1390/14 Projects updates 2014 – 15

The Chairman introduced this item and asked for an update on each item:

<b>Project</b>	<b>Budget £</b>	<b>Proposer / Supporter</b>
<b>Neighbourhood and community plan</b>	2000	Cllr Jordan, Cllr Mitchell
<p>Report: The Chairman advised that the Council had been successful in obtaining a Grant of £5,800 awarded by the Supporting Communities in Neighbourhood Planning Programme led by Locality in association with Royal Town Planning Institute/Planning Aid England, Community Development Foundation and partners which was available through the My Community Rights website. The Chairman said that the grant had been applied for to obtain external professional expertise in planning to assist in developing the Neighbourhood Plan which is very planning orientated and any policy framework would have to be set out in planning terminology. The Chairman continued that to this end the Council has retained the services of Peter Goodwin of Chambers, Goodwin and Partners who had assisted the Council with its village centre project.</p> <p>Cllr Shafe added that a meeting had been held with TRDC earlier in the day which had been very productive and TRDC would provide any necessary information if</p>		

they have it available to assist with the plan. A further meeting will be held with them in approximately 6 weeks time.

A Cllr enquired as to the overall likely costs of producing the Neighbourhood Plan to which it was stated that it may be in the order of £10-15,000. It was pointed out that volunteers will be used where possible to gather information and it was also commented that the Community Plan questionnaire had already captured a significant amount of information which had already been funded by the Council.

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<b>Village centre project</b>	2500	Cllr Mitchell, Cllr Jordan
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Report: The Chairman stated that a meeting has been arranged with HCC library service to discuss the future of the library area.

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<b>Cycle Hire</b>	500	Cllr Bennett
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Report: Cllr Bennett advised that there was nothing to report at this stage.

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<b>Producers market</b>	250	Cllr Mitchell
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Report: The Chairman advised that he was in contact with another Council who had been successful in setting up a market and he would be discussing further details with them in the near future.

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<b>Stones Orchard</b>	1000	Cllr Edmunds
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Report: Cllr Dann advised that the Report and Management Plan which had been prepared and funded by the Council has now been adopted by Council and which had been accepted by TRDC.

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<b>Dog Show</b>	250	Cllr Edmunds
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Report: Cllr Edmunds reported that all arrangements had been completed and the Dog Show is being held on Sunday 28 September.

It was commented that there appeared to be a lack of advertising for the event in Rickmansworth but it was pointed out that the event had been promoted in My Croxley News, posters, flyers and on the Council's web site. It was stated that the scale of advertising was appropriate for the size of the event and to ensure that the event was manageable in numbers.

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<b>Wassail</b>	250	Cllr Edmunds
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Report: Cllr Edmunds reported that there was nothing to report at this stage.

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<b>Local Travel map</b>	1000	Cllr Brading
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Report: Cllr Brading advised that he would need to seek a possible base map upon which the new one could be based. The Clerk advised that it may be possible to use the OS street view that he can create from the Council's on-line digital mapping software.

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<b>Bird boxes</b>	150	Cllr Wynne Jones
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Report: Cllr Wynne-Jones was not at the meeting.

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<b>Pond Survey</b>	1000	E&A committee
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Report: Cllr Edmunds asked the Clerk to provide an update. The Clerk reminded Members that Council had delegated an S137 Grant application from the Little Green Lane Residents Association to the E&A Committee to consider and agree to as appropriate so this could be considered in conjunction with the £1,000 budget item. The Clerk continued that the E&A agreed to the S137 Grant of £1,000 and the Committee also agreed to put the budgeted £1,000 towards the Little Green Lane pond restoration as well. The Clerk continued

that the Little Green Lane Residents association have been informed of the available funding but they have indicated that it is unlikely that any works will be progressed until early next year.

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<b>Seaside outing</b>	1200	Cllr Seeley
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Report: Cllr Seeley reported that the trip has now taken place and was a great success.

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<b>Curbing parking on the Green</b>	2500	Cllr Mitchell
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Report: The Clerk reported that as a result of Cllr Getkarn taking the matter up at TRDC a site meeting was to be arranged with TRDC to discuss signage and any other actions necessary to curb unauthorised parking on the Green.

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<b>Match funding for volunteer works on towpath</b>	1500	Cllr Mitchell
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Report: Cllr Mitchell advised that the Senior Ranger was in the course of organising a 'Canal Volunteer Day' which was hoped to be in November.

*[POST MEETING NOTE: the date of the 'Canal Volunteer Day' is scheduled for Sunday 16 November].*

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<b>Play area development</b>	7000	Cllr Martin/ Cllr Shafe
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Report: Cllr Martin advised that together with Cllr Shafe they were looking at a number of different companies and equipment in relation to what the children would like to see installed.

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<b>Plaques for two trees</b>	2000	Cllr Martin
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Report: The Clerk advised that the plaque for the Jubilee Oak Tree had now been installed and that he was working on a form of words for the plaque for the Dawn Redwood (*Metasequia glyptostrobides*) outside the Council office.

#### CC1391/14 Supporting Papers and legislation

The Chairman introduced this item and asked Cllr Ridley to elaborate. Cllr Ridley stated that a matter which the Council had dealt with a little while ago appeared not to have made all information available to Councillors and that a piece of legislation had been quoted at the meeting which had not been in the supporting paper for the item.

The Clerk advised that in the Supporting Paper for the matter the Council discussed it was very clearly and specifically stated that if Councillors wished to know the names of the volunteers they should contact the office. The Clerk added that only one Councillor contacted the office.

The Clerk added that as far as legislation is concerned some confusion was being created between the terminology used in the Council's budget item of 'Chairman's Allowance' which had historically been in the Council's budget for many, many years versus the legal section in the Local Government Act 1972 section 15(5) which allows the Chairman to be paid an allowance. The Clerk stated that in order to minimise that confusion it was appropriate to make it plan that the general provision of section 111 of the Act should be used as this is the section under which practically all the Council's expenditure is authorised by, unless there is other prevailing sections more appropriate to the type of expenditure being incurred. The Clerk added there was nothing wrong with using section 15(5) but to eradicate the terminology confusion section 111 was more appropriate.

Cllrs pointed out that they were not legal specialists nor would they wish to seek out legislation or ask the Clerk to seek out legislation when they wished to put forward a motion for discussion. It was considered that Cllrs use their best efforts when preparing a motion or proposal(s) for debate and it would be unrealistic that a motion would become void if legislation was not quoted in any proposal.

The recommendations set out in Cllr Ridley's paper were reread to the meeting and put to the vote. A recorded vote was requested. For the motions was Cllr Ridley, those against were Cllr Baldwin, Bennett, Brading, Dann, Edmunds, Getkahn, Isard-Brown, Martin, Mitchell, Seeley and Shafe. Cllr Brand abstained.

**Resolved:**

- That all pertinent information is included on all supporting papers for consideration on all part one motions otherwise the motion becomes void was not agreed.
- That any legislation included in support of a motion is included in the motion three clear days prior to Council debating the motion otherwise the motion becomes void was not agreed.

CC1392/14

Consideration of a future Agenda item of 'Notice of Other Business'

The Chairman introduced this item and asked Cllr Ridley to elaborate. Cllr Ridley stated that Three Rivers District Council (TRDC) have such an item on all their meeting Agendas and that a item of 'Notice of Other Business' should be on the Council's agenda to allow Cllrs and members of the public to raise items for inclusion on the Agenda at the meeting.

It was pointed out that TRDC do have an item like this on agendas but it is only to consider a matter which of sufficient urgency to warrant its inclusion on the Agenda.

The Clerk pointed out by way of background Cllr Ridley raised a similar matter in September 2011 but he withdrew his proposal. The Clerk added that the matter of 'Any Other Business' was also raised at the Annual Parish Meeting when it was made clear that such a type of Agenda item would probably be unlawful.

The Clerk stated that as far as the Supporting Paper for the proposal being put forward is concerned, it appears not to have been fully researched nor was it accurate in fact. The Clerk continued it was not for him to comment on another authority's modus operandi but that said the 'Notice of Other Business' is not on all TRDC Agendas. It only appears on Committee Agendas and not Council Agendas. The Clerk continued that Rule 31 which was cited in the Supporting Paper refers to 'Quorum of Committees' which would not appear to have relevance to the matter under discussion nor was there any reference to legislation. The Clerk referred to the proposers' previous agenda item in regard to these matters.

The Clerk advised that the relevant legislation is the Local Government Act 1972 section 100B(4) which states that:

"An item of business may not be considered at a meeting of a principal council unless either—

(a) a copy of the agenda including the item (or a copy of the item) is open to inspection by members of the public in pursuance of subsection (1) above for at least three clear days [*the Clerk said he would return to this aspect*] before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

(b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered at

the meeting as a matter of urgency.”

The Clerk emphasised that this section of the Act applies to principal council's.

The Clerk added that under the Local Authorities (Access to Meetings and Documents)(Period of Notice)(England) Order 2002, the three clear days for principal council's has changed from 3 clear days to 5 clear days.

The Clerk then gave a practical example in respect of an Agenda issued by TRDC for a Policy and Resources Committee meeting scheduled for 7 July 2014. On that Agenda there was a Part 2 item regarding “Update of Land Acquisition Requests”. This was a Part 2 item and therefore the press and the public would be excluded from the meeting and would not have access to any supporting paper or report. The Parish Council is particularly interested in land acquisition and would have liked to have seen the report and been at the meeting to make representations under the TRDC rules for doing so. There may also have been members of the public who may also have been interested in this particular matter. The Clerk continued that at the meeting held on 7 July, under “Notice of Other Business”, the Part 2 item of Land Acquisition was moved from a Part 2 matter to the public part of the meeting whereupon decisions were made by the Committee. The Clerk added that this demonstrated the potential danger of such an Agenda item as members of the public and indeed Parish Cllrs would not have gone to the meeting given it was initially a Part 2 matter on the Agenda but the decision to change it to the public session was made at the meeting. Accordingly, members of the public and others interested in this matter were not at the meeting to hear the discussion and reasoning for the decisions made at the meeting.

A discussion ensued whereupon Cllr Ridley stated he wished to withdraw the proposal. However, another Cllr stated that he wished the proposal to remain so that this matter can be voted upon.

The recommendations set out in Cllr Ridley's paper were reread to the meeting and put to the vote. A recorded vote was requested. For the motions was Cllr Ridley, those against were Cllr Baldwin, Bennett, Brading, Dann, Edmunds, Getkahn, Isard-Brown, Martin, Mitchell, Seeley and Shafe. Cllr Brand abstained.

**Resolved:**

- That the proposal to have an Agenda item of “Notice of Other Business” was not agreed.

CC1393/14

WW1 Commemoration

The Chairman introduced this item and asked Cllr Brand to elaborate. Cllr Brand stated that the Brass Band had been booked and that he had contacted local schools to take part but this, so far, had been unsuccessful.

Cllr Brand continued that the Royal British Legion in Croxley had been contacted and they were very willing to take part as were the Boy Scouts and Sea Cadets who could be helping on the day. Cllr Brand added that there will also be refreshments available.

Cllr Brand then went through his recommended programme of music which he had submitted to the Band for them to consider.

A general discussion took place about publicity and promoting the event.

The Clerk reminded Cllr Brand that he was waiting to receive details of the Band in order to provide a confirmation order and enter details into the Council's accounts system.

It was asked whether there was any progress in regard to having a 'spot light' focused on the War Memorial but this had not been pursued. A Cllr volunteered to see whether something along the lines suggested could be implemented.

CC1394/14

Verbal update regarding forthcoming meeting with HCC Library Service regarding Croxley Green library and application for Community asset

The Chairman introduced this item and advised that he had recently been to a meeting at TRDC which was organised by HCC regarding the future of libraries within the county. The Chairman continued that HCC are having to make very large savings and the library service would be having to contribute to those savings.

The Chairman added that a meeting was scheduled for Monday 29 September with the library service to which Members may attend if they so wish to discuss future uses and options given their new strategy for Hertfordshire libraries upon which they will be undertaking public consultation.

A Cllr commented that he had attended a conference at HCC where it was stated that the HCC estimated funding gap in 2017/18 would be £148m and that as far as libraries were concerned it was commented that libraries were generally under utilised and they should be used in an imaginary way and multi-functional.

The Clerk added that the Council had now submitted its nomination for the library and Red Cross Centre site as an Asset of Community Value which had been accepted by TRDC as a valid nomination and that we would hear the outcome by 27 October 2014.

Cllrs Ridley and Brand left the meeting at this point (9.18pm) reducing voting numbers from 13 to 11.

CC1395/14

Electoral Review of Hertfordshire County Council

The Chairman introduced this item and referred to the papers circulated with the Agenda.

It was pointed out that a number of changes were being proposed within the Three Rivers District but as far as Croxley Green was concerned this remained intact without being split although there was an enlargement of the County Councillor area to include part of Chorleywood.

Members noted the proposals.

CC1396/14

Croxley Common Moor proposed 10 year fencing of specific areas

The Chairman introduced this item and referred to the papers circulated with the Agenda.

This matter had been brought to the Council's attention by CPRE (the Council is a member of CPRE). It was noted with concern and disappointment that the proposals had emanated from Three Rivers District Council and that the Parish Council had not been approached directly by TRDC about the matter.

It was pointed out that the proposal by TRDC to fence sections of Common Moor to protect the Petty Whin moth was a sensible idea but there was a need to establish how the population of the moth will be monitored to ensure its protection and safeguard its stability into the future.

**Resolved:**

- The Clerk would write to CPRE along the lines discussed to let them know of the Council's view.

CC1397/14

PART 2

If so resolved, to approve that, having regard to the nature of the business to be transacted, the Press and Public be excluded from the next item(s) on the agenda.

**Resolved:**

- That the meeting moves to a Part 2 session and that the press and public

be excluded from the meeting.

The member of the press duly left the room.

CC1397/14.1 Habitual and Vexatious Complainant – Cllr Robert Ridley

The Chairman introduced this item and referred to the Supporting Paper circulated to Councillors only with the Agenda.

Members accepted that Cllr Ridley's behaviour in endeavouring to bring the Council, Councillors and staff into disrepute was continuing unabated despite his actions being contrary to the Code of Practice for Councillors and breaching Council's policies, procedures and protocols.

Members enquired about the recommendation that external legal advice be sought to which the Clerk advised that a firm of Solicitors who are familiar with local government administration had been sourced.

Resolved:

- That Cllr Robert Ridley remains a Habitual and Vexatious Complainant under the Council's Policy for such complainants;
- That the existing sanctions continue until after the elections in May 2015;
- That external legal advice be sought from a firm of Solicitors to protect council, staff and members from defamation and libel.

CC1398/14 Closure

There being no further business the Chairman closed the meeting at 9.32pm.