

Minutes

of the Parish Council meeting held on

Wednesday 05 July 2023, at 7pm, in the Parish Room.

Present: Councillors Chris Button, Nikki da Costa, Ian Duffy, Vinny Hall, Martin Hoffman, Graham Lee (Chair), Norton Mahy (Vice Chair) and David Sims.

Also in attendance: Deputy Clerk (Sarah Mitchell), three members of the public were present and one joined on Zoom.

Following a request from a parishioner the meeting was recorded.

31 Apologies for absence

To receive and accept apologies for absence.

None.

32 Declaration of Interests

Norton Mahy declared an interest in items:

35.2 on the basis of an existing outstanding complaint against him.

43.3 on the basis that he is a member director of the CLT and he considered that the impetus for the Housing Need survey initially came from a meeting associated with the CLT.

He advised he would not participate in either of these items and would leave the room when these items were discussed.

Graham Lee declared an interest in item:

35.2 on the basis of existing complaints against him. He advised he would leave the room when these items were discussed.

Graham Lee noted that he was unclear on his position on item 43.3 in the agenda, because NHC had advised that Housing Needs surveys are usually undertaken by parish councils and he felt he could be impartial regardless of his position with the CLT.

33 Minutes

33.1 To confirm the minutes of Ashwell Parish Council meeting on 7 June 2023 as an accurate record of proceedings. Minutes in appendix A.

It was **resolved** that the minutes of this meeting be approved and signed. Norton Mahy did not vote to confirm the minutes on the basis that he was not present at the meeting on 7 June 2023.

Action: Deputy Clerk and Graham Lee.

34 Public Issues and Public Participation

34.1 Members of the public and councillors can raise matters of concern and ask questions.

Graham Lee stated that under standing orders, the time limit for public participation was a total of 15 minutes, with 3 minutes per parishioner.

Nikki da Costa raised a motion under standing order 10a10 to extend the time limit, on the basis that there were two items within the public participation section relating to one parishioner.

There was a discussion relating to this motion.

Norton Mahy stated he would now leave the room as the discussion on time limits related to item 35.2.

Norton Mahy left the room.

It was agreed that the issue of time limits would be considered by the councillor chairing item 35.2.

A parishioner stated that the only time he could recall time limits being imposed on members of the public speaking was the last time he had raised a complaint.

A parishioner stated that she did not see reference to the CLT or its progress on the agenda and asked if this could be a regular item on the agenda. There was a debate about whether the CLT could be a regular item on the agenda or whether it should be handled as a separate entity to the parish council. It was agreed that this was a question that could not be answered at the meeting and that further work would be done to establish this.

34.2 To discuss governance concerns received by e mail from a parishioner in relation to the following areas:

34.2.1 Code of Conduct

34.2.2 Declarations of interest

Graham Lee left the room.

It was agreed that Chris Button would chair item 34.2.

It was suggested and agreed that the time limit of 3 minutes for a parishioner to speak under Standing Orders would be extended as there were a number of items relating to the parishioner to be discussed.

The Deputy Clerk explained that guidance had been received from the Monitoring Officer at NHC, which had been shared with councillors. The guidance was that the resolution at May 17 council meeting to amend the Code of Conduct (to allow a dispensation for councillors to remain in the room in the event of a declaration of interest) was outside the spirit and purpose of the Code of Conduct and should be revoked.

There was a discussion on the process for revoking the decision.

The parishioner who had raised the concerns explained his concerns in relation to governance matters and decision the council had taken to amend the Code of Conduct.

Chris Button stated that it had been helpful to have the representations from the parishioner and that it had shone a light on issues and that it would enable the council to adopt a position more in line with the spirit of the Code of Conduct.

Nikki da Costa agreed with the words of Chris Button.

34.2.3 Complaints

The parishioner outlined his concerns relating to his experience of submitting a complaint to the council.

Ian Duffy stated that he understood the concerns the acknowledged that the council would need to improve.

Chris Button stated that he felt the council was now in a better standpoint having listened to the parishioner's views.

- 34.3 To consider the discussion paper produced by a parishioner in relation to influencing NHC policy on affordable housing triggers and allocations (minute 27.2.2 June 2023 Council meeting). Discussion paper in appendix B.

Norton Mahy and Graham Lee re-entered the room. Graham Lee resumed the position of Chair.

Norton Mahy made a statement that 'as most of you are aware there have been complaints made against me by the parishioner, however these have gone through the appropriate channels and are separate to the matter before us which I shall determine with an open mind'.

There was a discussion about the potential to undertake this workstream and a debate on whether this item was or should be linked to item 43.3 (Housing Need survey). It was agreed that a working group would be established to look at the potential to undertake this as a workstream. It was agreed that Chris Button would chair this working group. It was agreed that Chris Button would liaise with the parishioner in between the July council meeting and the August council meeting to consider draft terms of reference for the working group.

Action: Chris Button

35 Council Documents

35.1 Complaints procedure

To consider the updated draft complaints procedure for adoption (minute 24, 7 June 2023 Council meeting). Previously adopted procedure, revised draft procedure and commentary on revised draft in appendix C,

It was agreed that this item would be deferred until the next council meeting to allow a revised draft of the procedure to be produced, based on feedback received since the agenda and draft documents were issued.

Action: Deputy Clerk

35.2 Terms of reference for new committees

35.2.1 HR committee

To review and agree proposed terms of reference for HR committee. Draft in appendix D.

It was suggested and agreed that an amendment was needed to point 9 and that a revised draft incorporating this change would be at item for approval at the August council meeting.

Action: Deputy Clerk

35.2.2 S106 committee

To discuss potential terms of reference for s106 committee and agree timescales for production of draft for adoption.

It was agreed that Nikki da Costa would be the chair of the s106 committee. It was agreed that the item would be considered further at the August council meeting.

36 Planning

Summary of new and existing applications in Appendix E.

Enter NHC reference number into the planning search box for full application details:

<https://pa2.north-herts.gov.uk/online-applications/>

36.1 To agree responses to new consultations received from North Herts Council.

36.1.1 23/01201/FPH, Valentine House, Partridge Hill – variation of planning permission granted on 02.05.23.

Norton Mahy made a statement as minuted at 34.3.

Graham Lee stated that he would like to make a similar statement to Norton Mahy.

It was **resolved** that a response of no objection should be submitted to the relevant planning officer.

Action: Deputy Clerk

36.1.2 22/00741/FP, Land west of Ashwell Road, Bygrave – amendments to application previously submitted.

Nikki da Costa and Graham Lee noted that they had attended the recent webinar from the applicant relating to the amendments to this application.

It was agreed a Planning committee meeting would be organised to confirm the council's response on the amendments. It was agreed that in the meantime, Nikki da Costa and Norton Mahy would produce a factual assessment of the amendments to application.

Action: Deputy Clerk, Nikki da Costa, Norton Mahy

36.1.3 20/03070/FP, Development off Station Road, Ashwell – variation to condition 13 (bus stops), permission granted on 22.03.2022.

36.1.4 It was **resolved** that a response of no objection should be submitted to the relevant planning officer.

Action: Deputy Clerk

36.2 Tree consultations (Conservation Area and TPO) received from NHC.

36.2.1 To note the situation relating to the application at 40 Gardiners Lane. (Minute 29.2.1 7 June 2023 Council meeting).

It was noted that the parish council had been notified by the owners of 40 Gardiners Lane that they had not submitted this application. The application had been considered at the June council meeting. The owners of 40 Gardiners Lane had since notified the parish council that following liaison with NHC, the application had been withdrawn by the party who had submitted it.

It was noted that: 1) this was an unusual case, 2) NHC is the deciding body for tree application and the parish council had requested to be a consultee, 3) where an application is received to fell a tree, the parish council undertakes due diligence and discussions with the applicants, but the parish council does not do the same in relation to pruning works. It was agreed that the council's existing processes are acceptable and no changes to process are needed.

- 36.3 To agree a representative to speak at the NHC committee meeting relating to application reference 23/00666/FP Dixie's Meadow. Committee date not yet set.

It was noted that a parishioner with much experience had offered to represent the council at the committee meeting for this application. It was agreed that this parishioner would be asked to represent the council at the committee meeting.

Action: Deputy Clerk

- 36.4 To consider priorities and process for making a s106 request for application reference 22.03094/FP, land between Ashwell House and Hunts Ridge.

Nikki da Costa stated that in light of feedback from parishioners at the annual village meeting on whether money should be spent on the pavilion or the skate park, perhaps it was time to relook at s106 priorities that had been agreed by the council in the past. Chris Button agreed with this.

The Deputy Clerk explained that NHC had advised the time to submit a s106 application for this revised planning application was now.

Norton Mahy and Chris Button offered to review the information on s106 that had been provided by the case officer.

Action: Norton Mahy and Chris Button

37 Reports from Working Parties and Committees

37.1 Sports Day

To receive feedback from the Sports Day working group on Ashwell Sports Day (minute 27.5.2, 7 June 2023 Council meeting).

Graham Lee provided an update on the village sports day, based on an e mail received from Guy Reed.

Chris Button requested permission to leave the meeting.

37.2 Trees and hedges

To receive feedback from David Sims on the free survey of condition of hedge at the recreation ground (minute 27.5.1, 7 June 2023 Council meeting).

David Sims noted that he was due to meet a representative from Aborcare at the recreation ground tomorrow.

Action: David Sims

38 Reports from parish councillors on premises and other responsibilities

38.1 The Springs

To receive an update from Martin Hoffman on the proposal from a parishioner for Ashwell Springs Festival

Martin Hoffman explained that he had received a revised proposal from a parishioner for the Ashwell Springs Festival the morning of 5 July. He noted that this was disappointing and challenging given he had been waiting for the proposal for 3 months and the date of the proposal had now been made as 23 July, with just over 2 weeks to go.

Martin Hoffman explained that he felt there were still issues to resolve in relation to overcrowding and safety.

A number of councillors agreed that they had concerns over the time to resolve outstanding safety concerns before 23 July.

It was agreed that Martin Hoffman would liaise with the parishioner to see if these concerns could be resolved and if not, the parishioner would be asked to submit an alternative later date for the festival.

Action: Martin Hoffman

38.2 St Mary's Churchyard

38.2.1 To receive a verbal report from Martin Hoffman and Vinny Hall on two holm oak trees and a large sycamore within the churchyard and agree next steps.

Vinny Hall and Martin Hoffman explained that:

- On 19 June the parish council had been alerted of potential damage to a property at the rear of Swan Street associated with a tree in the church yard.
- The Deputy Clerk and Vinny Hall visited the site to assess the situation.
- Vinny Hall had reviewed the parish council's latest tree survey from November 2022, which recommended the reported tree, together with an adjacent holm oak and an acer in another location in the churchyard for pruning works in May 2023.
- The Deputy Clerk and Vinny Hall had attended a site meeting with the company that had produced the tree survey to discuss the recommended works and to ask for a cost for undertaking the works.
- A cost of £1,045 excluding VAT had been provided by the tree company after the site visit, assuming all works were undertaken on the same visit.
- It was noted that next steps were: 1) to discuss the potential works with St Mary's Church, to ensure that the works were deemed as pruning, rather than significant works. It was noted that St Mary's had advised that significant works

would require permission from the diocese in St Albans. 2) subject to it being confirmed that St Mary's does not deem the works to be significant, to bring the item to the August council for approval of expenditure from the allocated reserves for tree works at St Mary's

Action: Vinny Hall, Martin Hoffman and Deputy Clerk

- 38.2.2 To receive a verbal report from Vinny Hall on concerns received in relation to St Mary's churchyard hedging obstructing the footpath adjacent to Hodwell and to agree any actions.

Vinny Hall and the Deputy Clerk noted that they had both received concerns from parishioners and from St Mary's church office that the church hedge along the Hodwell pavement and the shingle church path was causing problems for pedestrians, especially pushchair users.

The Deputy Clerk advised that due the bird nesting season, it was not possible for the grounds maintenance contractor to undertake its twice yearly cut of the hedge until the end of August. However, she advised that the parish council's environmental cleansing officer could be asked to carefully cut back the overhanging branches to provide better access without affecting any nesting birds. She advised that this could be done within the existing contracted hours for the staff member and would therefore have no cost impact.

It was agreed that this was a suitable course of action.

Action: Deputy Clerk

38.3 Ashwell Cemetery

To receive a verbal report from the Deputy Clerk on grounds maintenance conditions in areas of Ashwell Cemetery and to consider potential actions.

The Deputy Clerk advised that she had received concerns relating to a parishioner's ability to access a family member's grave, due to an overgrowing holly bush and overhanging branches from a large tree. The Deputy Clerk had visited the grave and confirmed that access to the grave was being hindered.

It was agreed that the Deputy Clerk would ask the council's environmental cleansing operative to undertake a cut back of the hedge branches that were limiting access to the grave and any of the smaller overhanging tree branches that could be safely reached.

It was agreed that if more major tree works were needed after this initial work, a tree surgeon would be needed to undertake these works and a quote would need to be provided for council approval.

Action: Deputy Clerk

39 Reports to the Council

To receive reports from representatives from outside bodies, local authorities and agencies

- 39.1 To receive a written report from County Councillor Steve Jarvis on updates since 7 June 2023 council meeting. Report in appendix F.

Graham Lee read the written report provided by County Councillor Steve Jarvis.

Graham Lee noted that he and Vinny Hall had had a meeting in Hodwell last week regarding curbing works.

There was a discussion about the question raised by Steve Jarvis as to whether the parish council would consider undertaking the maintenance of planters proposed to be installed at the war memorial junction. Norton Mahy offered to speak with a representative from the Royal British Legion to see if they would be able to offer any assistance to the parish council with maintenance.

Action: Norton Mahy

- 39.2 To note that District Councillor Tom Tyson is not providing a verbal report this month due to holiday.

It was noted that Tom Tyson was not at the meeting due to holiday. Graham Lee noted that Tom Tyson had advised him that the Ashwell Conservation Area review had concluded. It was noted that the recommendations made by the parish council to NHC on the Ashwell Conservation Area review had been rejected by NHC. It was agreed that communication via the usual channels of the website and e mail sign ups would be issued to confirm that the conservation area review had now concluded, so that residents could see any changes.

Action: Deputy Clerk

40 Appointments to other bodies and representatives to other bodies

- 40.1 Ashwell Village Trust (charity no. 294673)

To appoint a parish councillor to fill the vacant parish councillor trustee position (minute 26.1, 7 June 2023 Council).

Vinny Hall offered to fill the vacant parish councillor trustee position.

41 Village Matters

Items on general village matters from parish councillors.

- 41.1 North of Baldock extension:

- 41.1.1 To note any feedback on the exhibition by Urban and Civic on July 4 in the parish room.

It was noted that the exhibition was well attended.

Graham Lee noted that he had asked Urban and Civic if the parish council could be automatically updated on the outcome of meetings relating to the extension.

It was noted that the issue of road access was raised with Urban and Civic at the exhibition.

- 41.1.2 To note Urban and Civic's response to Ashwell Parish Council's request for a representative to attend community forum sessions (minute 27.1.3, 7 June Council) and to agree the Parish Council's representative.

Graham Lee explained that he had asked Urban and Civic if the parish council could supply names of two parish councillors to be contacted in relation to forum sessions, to ensure a representative could attend.

Ian Duffy offered to volunteer as the council's representative. Graham Lee suggested that he would ask all parish councillors to confirm if they would like to be the representative. Norton Mahy and Graham Lee also stated an interest in being the council's representative. No decision was taken.

- 41.2 To note any feedback received from NHC Enforcement Officer on dog fouling concerns (minute 27.1.6 June 2023 Council).

It was noted that the Enforcement Officer at NHC had offered to put up signs in the areas of concerns, if the parish council could supply a map showing the areas where concerns had been raised.

Action: Deputy Clerk

- 41.3 To note the survey received in relation to Hertfordshire County Council's draft Rural Estate Strategic Plan and to agree a process for responding.

It was noted that the parish council had received the survey and that the Deputy Clerk had requested a map of any land in the rural estate near to Ashwell to be supplied to the parish council. The Deputy Clerk noted it would be helpful for councillors to read the draft plan in advance of the next meeting to enable agreement on a process for responding.

Action: all councillors

- 41.4 To note the Order to add a bridleway near Gravelpit Hill has been confirmed and the Notice and Order Plan are on display on the parish notice board until 3rd August 2023.

The Order was noted.

- 41.5 To consider a request from HCC Highways for the parish council to maintain new planters to be installed at the junction of Lucas Lane and Station Road.

It was noted that this had been discussed under item 39.1

- 41.6 To note feedback from NHC's officer on road name suggestion for Station Road development and to agree alternative suggestions.

It was noted that the officer at NHC had rejected the previous suggestion made by the council. It was agreed that an alternative name suggestion of Field Maple Close would be put forward for consideration. Additional suggestions of Millenium Wood Close, Ash Close and Silver Birch Close were also agreed to be put forward.

Action: Deputy Clerk

42 Finance and Governance

- 42.1 Budget tracking and the monthly summary of accounts. Proposal for acceptance May and June 2023. June 2023 financial information is not available at the date of issue of the agenda, as the month end has not yet occurred.

It was **resolved** that the proposal be accepted.

- 42.2 To receive a proposal from Graham Lee to authorise expenditure of £450 on electricity bill received from Ashwell Housing Association for electricity use associated with the parish council office between November 2022 and May 2023.

It was agreed that Graham Lee would provide additional information to support this proposal and that it would be reconsidered at the next meeting.

Action: Graham Lee

- 42.3 To receive a proposal from Graham Lee to request a Housing Needs Survey and to authorise expenditure of £1,500 for the survey.

It was agreed that this item would not be discussed.

- 42.4 To exclude members of the public and press on the grounds that the next item of business involves the likely disclosure of exempt information.

It was suggested that this item would be discussed at a subsequent meeting.

- 42.5 To consider options relating to employment of Deputy Clerk and Clerk.

This item was not discussed.

Meeting closed: 9.50pm

APPENDIX A: Summary of consultations on recent planning and listed building applications received from NHC up to 28 June 2023.

Summary of consultations on recent planning and listed building applications received from NHC up to 28 June 2023				
To view all the documents relating to an application put the NHC reference number into the planning search box https://pa2.north-herts.gov.uk/online-applications/				
Address	Application ref. Number	Brief description	Ashwell PC response to NHC consultation (see also minute reference)	North Herts Decision
Land west of Ashwell Road, Bygrave	22/00741/FP	Amendments to application previously considered	Planning committee meeting to be held.	
Development off Station Road, A	20/03070/FP	variation to condition 13 (bus stops), permission granted on 22.03.2022.	No objection. July Council 36.1.4	
Valentine House, Partridge Hill	23.01201/FPH	Erection of detached garage with ancillary storage with usable roof space (as a variation of planning permission 23/00548/FPH granted 02.05.23)	No objection. July Council 36.1.1	
42 Silver Street	23/00967/FPH	Retention of installation of raised wooden decking around swimming pool.	No objection. June Council 29.1.1	Permission granted 13/06
128 Ashwell Street	23/01159/FP	Erection of a two storey five-bed dwelling with a single storey 1-bed attached annexe to front elevation and detached garage following demolition of existing bungalow	No objection, subject to defined planning conditions: obscured glass on all east and west elevation windows which overlook neighbouring properties, garage not to be converted to double storey or habitable accommodation, construction working hours 9am-5pm Monday-Friday, retain existing side hedge, mixed native hedging to be established on front boundary to height of 8-10 ft, construction traffic to access village via Claybush Road or Slip End Road. Jule 19 Planning Committee.	Pending
40 Kingsland Way	23/00894/FPH	Erection of detached double garage	No objection May Council 19.1.1	Pending
16 Springhead	23/00811/FPH	Erection of detached home office and gym following demolition of existing garden shed.	No objection May Council 19.1.2	Permission granted 19/06
Bluegates Dairy, Dick Smiths Walk	23/00840/PRAP	Installation of roof mounted solar panels	No objection May Council 19.1.3	Pending
18 Springhead	23/00959/FPH	Single storey rear and single storey side extension, as resubmission of application ref 23/00138/FPH	No objection May Council 19.1.4	Permission granted 13/06
Dixies Meadow High Street	23/00666/FP	Erection of 12 dwellings with associated hard and soft landscaping, creation of vehicular access, public open space and children's play area.	Objection. See minutes Planning C'ttee 08 Apr. Also April Council 87.1	Pending
Land to the east of 5, Ashwell Street	23/00718/FP	Erection of one detached 3-bedroom dwelling with associated garage/carport including landscaping and creation of vehicular access off Ashwell Street	No objection. April Council meeting 89.1.6	Pending
Land Between Hunts Ridge And Ashwell House no 5, High Street (known as Hunts Close)	22/03094/FP	Erection of 14 dwellings including creation of access from Ashwell Street, footpath link to Lucas Lane, associated infrastructure, public open space and landscaping	Objection. See January Council meeting 69.1.1 AND Planning Committee meeting (Sat 07 at 10am)	Pending
Land West of Ashwell Road, Bygrave SG7 5EB	22/00741/FP	<u>New consultation on amendments</u> Full Planning Permission: Ground mounted solar photovoltaic (PV) farm including battery energy storage; continued agricultural use, ancillary infrastructure, security fencing, landscaping provision, ecological enhancements and associated works.	Objection. January Council meeting 69.1.1 <i>Previous response to NHC: Objection</i> See June Council 2022, 18.1.4	Pending
5 Swan Street	22/02966/FPH and 22/02967/LBC	Erection of front entrance canopy and side elevation porch to include conversion of existing shed into habitable accommodation following demolition of front brick wall. Additional for Listed Building Consent: Internal alterations consisting of replacing existing attic staircase and re-tank the basement.	December Council 62.1.6 No objection. Lack of off-street parking noted.	Pending

