

Markyate Parish Council

MINUTES OF MARKYATE PARISH COUNCIL MEETING HELD ON TUESDAY 6 OCTOBER 2009 AT 7.30PM IN THE JONES ROOM, MARKYATE VILLAGE HALL, MARKYATE

Present: Councillor: E King, Chairman, Cllr C Bennett, Cllr I Crawford, Cllr S Deacon, Cllr C Dullea, Cllr S Pilkinton,
Mrs J Bissmire (Clerk)
In attendance: 2 members of public

As Cllr E King declared a prejudicial interest in item 188/09 and due to the absence of the vice chairman, it was proposed Cllr I Crawford took the chair for item 188/09.

The chairman proposed moving item 205/09 on the agenda to between item 173/09 and 174/09 as members of public were in attendance regarding this item.

169/09 APOLOGIES FOR ABSENCE

Apologies were received from Cllr P Bunyan due to personal commitments, B/Cllr H Chapman due to business commitments, Cllr J Gower due to sickness and Cllr R Peterson due to personal commitments.

170/09 DECLARATIONS OF INTEREST

Cllr S Pilkinton declared a personal interest in item 175/09 Planning Application 4/01403/09/FHA due to being friends of the applicant.

Cllr E King declared a personal interest in item 187/09 removal of one Ash tree in Peggy's Field, due to living in close proximity although this particular tree is at the far end of the field.

Cllr E King declared a prejudicial interest in 188/09 due to living in very close proximity to this tree in Peggy's Field and will leave the room after making a short report.

171/09 MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the Meeting of the Council held on 1 September 2009, as circulated, were a correct record and was signed by the Chairman. This was proposed by Cllr S Pilkinton and seconded by Cllr C Dullea.

172/09 MINUTES OF THE HALLS COMMITTEE MEETING

It was **RESOLVED** that the minutes of the Halls Committee Meeting held on 14 July 2009, as circulated, be received and adopted.

173/09 PUBLIC COMMENTS AND QUESTIONS IN ACCORDANCE WITH STANDING ORDER 68

It was **RESOLVED** that Standing Orders be suspended in accordance with the provisions of Standing Order 68 so that members of the public might speak.

Representatives of the Parochial Church Council (PCC) for St Johns the Baptist expressed their concerns over the proposed development at Manor Farm relating to the burial ground in Markyate. (Agenda item 205/09).

They stated they had never been formally consulted but have made contact with DBC, the land owner, the developer and the Parish Council and find that the application includes designated ground adjacent to the housing development, as a cemetery extension. DBC have said this will be transferred to the PCC. We have never been consulted. We would like to know the position of the Parish Council. This may be contrary to our own interest and we find the whole situation extremely unsatisfactory.

The comments submitted on behalf of the PCC were then read to the Parish Council and are attached to these minutes.

The chairman said the developers were asked to liaise with the PCC regarding the footpath. The plans show a gate through to the cemetery.

Mr Thring said it may be referred to as an extension but it is not. The latest plans do not show access from the existing cemetery into the new cemetery.

Mrs Mead said if the new cemetery comes in to being, the existing cemetery will be closed to new burials but existing half filled plots will remain open. The financial obligation will be great. The PCC is not in a position to carry that financial burden.

I would be grateful for any comments from the Parish Council so I can clarify the situation with all parties. '

Standing Orders were reinstated.

The following agenda item was moved forward:

205/09 OWNERSHIP OF BURIAL GROUND EXTENSION IN MARKYATE

The chairman read the email from the Planning Officer at DBC which stated:

'Ahead of the hearing on Manor Farm a s106 agreement is being drafted. As it is a unilateral agreement it is proposed to give the land for the extension to DBC. We do not wish to have this land and wish to pass it on to the PCC as soon as possible but it has become apparent that they appear not to want the land either, hoping that the Parish Council will take it. This is made more onerous as the plans show parking and turning areas, as well as a cycle route and a PROW crossing it. There would appear to be no monies associated with this offer.

The chairman stated this Council can not take on this responsibility without funding.
The following was suggested:-

- The church should manage the new cemetery as they do the old cemetery
- The Parish Council do not expect the PCC to be responsible for this cost.
- A Management Committee (PCC) should take on administration for burial
- There should be voluntary working parties
- Both cemeteries should be funded by DBC
- If the land is offered free it must be accepted
- Markyate does need a new cemetery

Member of public arrived at 7.55pm

In conclusion it was

RESOLVED

- To write to DBC asking them to fund this
- The PCC to manage/administer the day to day running
- To confirm the Parish Council does not wish to accept this responsibility.

Action: Clerk

It was **RESOLVED** that Standing Orders be suspended in accordance with the provisions of Standing Order 68 so that members of the public might speak.

Mrs Mead stated the following:-

- The PCC to organise burials in order to adhere to the strict rules, i.e.
- No photographs
- No artificial flowers
- No teddy bears or vases
- A lot of headstones have had to be laid down for H&S reasons

Mr Thring said the Environmental Agency must be involved with burials, they can not be placed anywhere.

The Parish Council suggested if a Management Committee were involved, the PCC and Parish Council together with other churches may be able to run this, similar to the management of Aley Green Cemetery which is run jointly by Markyate PC, Slip End PC and Caddington PC.

The Parish Council thanked the representatives for attending the meeting.

A member of public raised the following concerns:-

- The debris on the layby on the A5 is still the same although M Penning MP is involved. In response the chairman reported a meeting had been held on site with M Penning MP and representatives from Carillion, Herts Highways and the Parish Council. It is proposed to close and clean this layby but it will take time.
- Regarding the wall to the rear of food premises in Hicks Road, the member of public had spoken with DBC who had confirmed as requested by the Parish Council a notice had been issued and a summons will follow if necessary. It was **agreed** some activity had been observed.
- Parking at the top of Long Meadow is causing an obstruction, yellow lines are requested. Cllr Deacon said he had spoken with a Traffic Warden who confirmed they will enforce yellow lines.
- The Ivy in the alleyway off Long Meadow remains the same. Cllr King reported a meeting was held with herself, B/Cllr Chapman and Hertfordshire Highways who stated because this is not a public footpath, this is the responsibility of Hertfordshire Highways and they have written to the owner.
- The member of public said he has spoken with Hertfordshire Highways regarding the debris along Luton Road, he noted the stretch of road in the Bedfordshire was perfect.

174/09 PLANNING DECISIONS

1. 4/01062/09/FHA, 23 Pickford Road, Single storey rear extension. Granted
2. 4/00895/09/FHA, Hollybush Lodge, Roe End Lane.. Granted.
3. 4/00895/09/FHA, Hollybush Lodge, Roe End Lane, Two storey side extension. Granted.

175/09 PLANNING APPLICATIONS

1. 4/01403/09/FHA, 1 Park View Drive, Two storey side and first floor extension with dormer window to existing garage. No objection

176/09 CLERKS REPORT

The following was reported:-

- All councillors are invited to a fund raising event being held on 23 October 2009 at the Methodist Hall to raise additional funds towards the Poppy Appeal.
- Notice has been received of the proposed development of 40 dwellings at Manor Farm to be dealt with by Hearing on 29 October 2009.
- The PCSO for this area is on sick leave

177/09 CRICKET CLUB

It was reported this is progressing with respective solicitors and we await their report. On going.

Action: HC

178/09 EXTERNAL AUDIT

The chairman reported documents will be presented at the 3 November 2009 meeting.

It was noted following a request from the external auditor a report was prepared by Pictons solicitors at a cost of £257.60 including VAT in order for this matter to be concluded.

No action. On going

179/09 ACCOUNTS FOR PAYMENT

To approve the schedule for payment as attached.

It was proposed by Cllr C Dullea and seconded by Cllr I Crawford and **agreed** unanimously to approve the schedule for payment.

RESOLVED: that the schedule of payment be signed as circulated

The schedule of accounts listed the balances of the Parish Councils accounts as at today's date as follows:

MPC Current Account	£ 1,623.28
MPC Savings	£ 33,177.78
MPC Investment	£ 50,028.51
Petty Cash	£ 15.62
Luncheon Club	£ 334.99
TOTAL	£ 85,180.18

180/09 SECOND QUARTER SPEND AGAINST BUDGET

MPC	£ 11,102.00
Village Hall	£ 17,521.00
Village Warden	£ 8668.00

181/09 NOTICE OF CONCLUSION OF EXTERNAL AUDIT FOR YEAR ENDED 31 MARCH 2005

The External Auditor's report from Lubbock Fine had been received on 28 September 2009 and the Notice of Conclusion of Audit had been displayed publicly for 14 days, the legal requirement being fulfilled on 30 September 2009. The report has been circulated with the agenda.

The report states:

In our report dated 20 March 2009, we explained that the audit could not be formally concluded on that date until consideration of matters brought to our attention by a local authority elector had been completed. These matters have now been dealt with and we have made recommendations under section 11(3) of the Audit Commission Act 1998 in relation to one of the issues brought to our attention. No other matters have come to our attention since that date that would have a material impact on the Annual Return on which we gave a qualified opinion as set out.

The issues noted are as minute 357/09 and have been acted upon.

It was proposed by Cllr S Pilkinton and seconded by Cllr E King and

RESOLVED

That the External Auditor's report for year ended 31 March 2005 be received.

182/09 NOTICE OF CONCLUSION OF EXTERNAL AUDIT FOR YEAR ENDED 31 MARCH 2006

The External Auditor's report from Lubbock Fine had been received on 28 September 2009 and the Notice of Conclusion of Audit had been displayed publicly for 14 days, the legal requirement being fulfilled on 30 September 2009. The report has been circulated with the agenda.

The report states:

In our report dated 20 March 2009, we explained that the audit could not be formally concluded on that date until consideration of matters brought to our attention by a local authority elector had been completed. These matters have now been dealt with and we have made recommendations under section 11(3) of the Audit Commission Act 1998 in relation to one of the issues brought to our attention. No other matters have come to our attention since that

date that would have a material impact on the Annual Return on which we gave a qualified opinion as set out. The issues noted are as minute 358/09 and have been acted upon. It was proposed by Cllr E King and seconded by Cllr C Bennett and

RESOLVED

That the External Auditor's report for year ended 31 March 2006 be received.

183/09 NOTICE OF CONCLUSION OF EXTERNAL AUDIT FOR YEAR ENDED 31 MARCH 2007

The External Auditor's report from Lubbock Fine had been received on 28 September 2009 and the Notice of Conclusion of Audit had been displayed publicly for 14 days, the legal requirement being fulfilled on 30 September 2009. The report has been circulated with the agenda.

The report states:

In our report dated 20 March 2009, we explained that the audit could not be formally concluded on that date until consideration of matters brought to our attention by a local authority elector had been completed. These matters have now been dealt with. No other matters have come to our attention since that date that would have a material impact on the Annual Return on which we gave a qualified opinion as set out.

The issues noted are as minute 359/09 and have been acted upon.

It was proposed by Cllr C Bennett and seconded by Cllr E King and

RESOLVED

That the External Auditor's report for year ended 31 March 2007 be received.

184/09 RESTATE ANNUAL RETURN FOR YEAR ENDED 31 MARCH 2008

The Clerk advised that the external auditor BDO Stoy Hayward had asked for the transfer between accounts of £3600 which was included as income and expenditure during the set up of the new accounting package, to be reduced as this was an internal transaction. The Annual Return for year ended 31 March 2008 was restated, a copy of which was circulated to all members prior to the meeting.

It was

RESOLVED

That Section 1 Statement of Accounts after amendment were correct and signed by the Chairman and Clerk for submission to the external auditor, BDO Stoy Hayward.

Action: Clerk/FO

185/09 RESTATE ANNUAL RETURN FOR YEAR ENDED 31 MARCH 2009

Due to the adjustment of £3600 on the 2008 Annual Return, the comparative column on the 2009 Annual Return was adjusted accordingly. The Annual Return for year ended 31 March 2009 was restated, a copy of which was circulated to all members prior to the meeting.

It was

RESOLVED

That Section 1 Statement of Accounts after amendment were correct and signed by the Chairman and Clerk for submission to the external auditor BDO Stoy Hayward.

Action: Clerk/FO

186/09 NOTIFICATION FROM BDO STOY HAYWARD LLP FOR ACCOUNTS FOR YEAR ENDED 31 MARCH 2009

The Accounts and Audit Regulations require that in the event that an audit has not been concluded and no audit opinion has been issued prior to 30 September 2009, in respect of the accounts for the year ended 31 March 2009, the Parish Council must publish its unaudited statement of accounts together with a declaration and explanation of the fact that no audit opinion has been issued by the statutory publication date of before 30 September 2009.

It was confirmed this notice has been placed on notice boards for display for 14 days the legal requirement being fulfilled from 30 September 2009, with a copy of the Annual Return marked 'subject to audit'.

187/09 REMOVAL OF ONE ASH TREE IN PEGGY'S FIELD

Four quotations had been requested from specialists for the removal of one Ash Tree in Peggy's Field following concerns raised by parishioners. One specialist declined to present a quote due to pressure of work therefore 3 quotations were presented to the meeting.

The Parish Council

RESOLVED

To accept the quotation from G M Frazer Tree Surgery

For the sum of £350.00

As this was the most competitive quotation received.

Action: Clerk

188/09 REPORT ON ONE TREE IN PEGGY'S FIELD

As Cllr King declared a prejudicial interest in this item, she left the meeting after giving a brief report as follows:

The Village Warden had removed the lower branches of the tree to the rear of 11 Pickford Road so it did not hang over their garden shed. The resident said this has now improved the situation allowing daylight etc but if one branch

on the tree next door was removed, this would improve the matter even more.

Cllr King left the meeting at 8.50pm and Cllr I Crawford took the chair

It was reported the branches removed must be recut as the original cut was not clean and could lead to disease.

Cllr Crawford proposed two options:-

- Take a few branches off the tree
- Remove the tree completely

The Parish Council

RESOLVED

To remove a few branches.

No work to any trees in Peggy's Field to be carried out without agreement by the Parish Council.

It was **agreed** Cllr Deacon would be present when G M Frazer Tree Surgery remove the Ash Tree to ask them if they would be prepared to remove these branches free of charge and also when the Village Warden carries out further work to the trees.

Action: SD/Clerk

Cllr King returned to the meeting at 8.58pm and took the chair

189/09 CORRESPONDENCE FOR INFORMATION ONLY

The Clerk circulated the list of general correspondence which was duly noted

190/09 REGISTRATION OF PEGGY'S FIELD AS A VILLAGE GREEN

It was reported Hertfordshire County Council have contacted the Department of Environment Food and Rural Affairs as the current regulations and guidance provided by central government are unclear as to the process required for voluntary registration. Hertfordshire are a pilot authority for implementation of The Commons Act 2006 and this is the first time a village green registration has been processed by them.

They also ask in section 6 where Markyate Village has been identified as the Locality or neighbourhood within a locality, by identifying Markyate village as a locality we are effectively only dedicating use of the village green for those people residing within the village. For this reason they request confirmation Peggy's Field is to be used by the public in general and not only by residents of the village, as advised by their solicitor.

In order to move this along this was **agreed**.

On going.

191/09 FUNDING THROUGH THE COUNTY COUNCIL LOCALITY BUDGET

It was reported the Locality Budget consisted of £10,000 of which Markyate could be allocated £2,000. The following proposals were put forward:-

- Computer displaying real time bus information to be installed at The Red Lion and The Happy Shopper, projected costs £2,000 - £5,000.
- New bins in the village with lids

It was

RESOLVED

1. To propose new black bins with lids up to the value of £2,000
2. Bus information to be considered for later funding when more information is available

Action: HC/Clerk

192/09 NEWSLETTER

A draft copy of the Autumn newsletter was presented to all members and it was **agreed** this is presented at the next meeting for approval.

Action: ALL

193/09 CHRISTINA OF MARKYATE MOSAIC

Due to non receipt of any further quotations, this item is deferred to the Budget & Finance Meeting being held on 20 October 2009

Action: RP

194/09 BUNCEFIELD REDEVELOPMENT

Information on brief details of Total's proposal to submit a planning application for the redevelopment of part of the Buncefield complex was forwarded to all members prior to the meeting.

It was

RESOLVED

No comments to be submitted by the Parish Council but members to respond individually if required.

195/09 ALBERT STREET/WESLEY ROAD

The illegal parking was discussed and it was suggested the bollards around the green area are too far apart, if 2 or 3 more bollards were installed this may improve the situation.

It was

RESOLVED

DBC to be contacted to ascertain if they installed the bollards.
Who owns the dead tree as this should be removed due to H&S issues
Action: Clerk/VW

196/09 POPPY WREATH

It was proposed by Cllr E King and seconded by Cllr S Pilkinton and

RESOLVED:

The Parish Council to lay a Poppy Wreath and £100 to be donated to The Royal British Legion. Mrs J Brierley will organise this for the Parish Council.

It was also **agreed** to contact Mr Kitsell for the hire of the PA system. Mr G Bottrill to liaise with Mr Kitsell.

Action: Clerk

The British Legion were commended for their dedication to sufferers of injuries received during conflict with training, aftercare for 10/20 years, interest free loans, tax advice and building houses specifically for injured soldiers.

197/09 REPORTS

Finance Committee. Next meeting 20 October 2009

HAPTC. The following was reported:-

- Youth connexions Hertfordshire Topic Group Meeting on 5 October 2009
- A meeting is being held with Judith Watson on Rural Policies
- Rural Business Rates, trying to ascertain if help is available for small businesses in Markyate
- NALC QPS seminar being held on 30 October 2009, no charges apply
- Chilterns Leaders meeting being held on 6 November 2009
- CPRE AGM
- Funding event being held on 14 November 2009
- All above documents have been circulated to all members and comments/attendance is welcome.

School Governors. It was reported an Extraordinary meeting was held to discuss the future of the BizzieBees

Youth Management. This item is on going in order to close this account.

Action: PB

Watling Neighbourhood Action. No meeting

198/09 AGENDA ITEMS FOR NEXT MEETING

- Newsletter
- Hertfordshire Highways
- Policy
- Parish Plan
- Interpretation Boards

199/09 ITEMS FOR MARKYATE MONTHLY

- Remembrance Sunday
- PCSO Sick leave
- Police Choir Concert

200/09 INTERPRETATION BOARDS

A GRP board of the artwork for the Interpretations has been received from Fitzpatrick Woolmer which had inadvertently been made by this company. A CD disc should have been sent to the manufacturer in Devon for them to produce the artwork on the board. For this reason a GRP board is now surplus to requirements.

Total price for artwork (minute F17/08)	£2733.00 ex VAT
Interpretation Boards from Devon (minute 129/06)	£2068.90 ex VAT
Delivery	£ 235.00
TOTAL:	£5036.90

We have received funding for this from HertsCC under P3 as follows:-

	05.10.06	-	£1000.00
	16.10.06	-	£1429.00
	26.08.08	-	£2733.00
The Don Millar Fund	14.06.07	-	£ 115.00
	TOTAL:		£5277.00

The £115.00 from the Don Millar Fund was to place the boards in the ground which due to the length of time the company no longer exists and is out of date.

One Board is to be placed outside the Village Hall and one outside the Fire Station.

It was confirmed the Fire Station **agreed** they had no objection to this board being placed provided it does not obstruct the vehicles.

Delivery of the completed two boards is confirmed for Thursday 15 October 2009.

It was **agreed** consideration to be given to the position of the GRP board.

Action: ALL

201/09 LUNCHEON CLUB

It was reported the Cabinet meeting being held on 22 September 2009 to reach a decision on the future provision of meals to Lunch Clubs and Day Centres is deferred to the 20 October 2009. It was confirmed in the meantime the service will continue as normal and there is unlikely to be any change before March 2010.

202/09 SPEEDING ON THE BYPASS AND HIGH STREET

Concern was expressed regarding speeding of motorbikes along the A5 and High Street, bad behaviour, no consideration and no giving way by vehicles.

It was recommended Carillion are contacted to raise these concerns and ask if anything can be done to alleviate this problem.

It was suggested mobile cameras should be considered.

It was

RESOLVED

To accept the above recommendations with the following actions:

- Present problems
- Possible solutions
- Notes to be discussed
- Agenda item for December 2009 meeting

Action: CB/Clerk

203/09 REPORT FROM PLANNING BRIEFING AND CONFERENCE MEETING

Cllr Bennett attended this meeting and made the following report:

- The guidance on planning is open to interpretation and thereby we get wide variances in planning decision, i.e. Manor Farm.
- No real guidance on how to make decisions locally
- Inappropriate development was not considered a definitive term and quite vague
- Not much discussion about the planning process
- The planning portal was quite interesting but does not help with planning decisions.

Cllr Bennett was thanked for attending on behalf of the Parish Council

204/09 LETS TIDY DACORUM TOGETHER ROADSHOW CAMPAIGN

It was suggested the Lets Tidy Dacorum Together Roadshow is brought to Markyate.

Action: HC

205/09 OWNERSHIP OF BURIAL GROUND EXTENSION

This item moved forward

There being no other business the meeting closed at 9.50pm

Next meeting: 3 November 2009

Signed: _____

Date: _____