

**Present: Councillors:**

Anne Barker, Tracy Chapman, Jane Dodson, Katy Feldman, Charlie Groves, Paul Hill, Mark Light,  
Also present Sue Hake, Clerk  
County Councillor, Ken Crofton  
13 members of public

**To move that under Section 100(A)(4) of the local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 2461c, 2461d and 2461e of the agenda, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of schedule 12A of the said Act of the following description: in that it provides details of confidential Legal Matters**

**Resolved:** Cllr Dodson proposed To move that under Section 100(A)(4) of the local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 2461c, 2461d and 2461e of the agenda, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of schedule 12A of the said Act of the following description: in that it provides details of confidential Legal Matters, seconded Cllr Hill

Item #	Item Description	Action
2452	<b>1. To receive and accept apologies for absence</b> Apologies received from Cllr Stowe and Garrod with Cllr Hill to arrive in 5 minutes	
2453 2453a  2453b  2453c	<b>2. Interests</b> a) To receive declarations of interests from Councillors on items on the agenda <b>Resolved:</b> Cllr Groves declared he will be speaking as a councillor under AOS Leisure plots b) To receive written requests for dispensations for declarable interests None c) To grant any requests for dispensations as appropriate None	
2454	<b>3. Minutes - To approve the Minutes of:-</b> a. Full Council Meeting on 21 <sup>st</sup> March 2023 <b>Resolved:</b> Cllr Dodson proposed approval of the minutes with the agreed amendment to the Datchworth Village Hall item under the public participation, seconded Cllr Groves <b>Agreed</b> by those attending <span style="float: right;"><b>Motion Carried</b></span>	
2455	<b>4. Outstanding Actions Update</b> To be forwarded to the Clerk for updating Noted	
2456	<b>5. Public open session – up to 15 minutes where the public can ask questions of the Council</b> No questions were submitted in advance of the meeting A member of the public requested a breakdown of the Legal costs Invoice listed for payment. <b>Action:</b> Clerk to circulate and share the breakdown details of the legal costs The same member of the public questioned the subject matters for the 3 items relating to be discussed under PPE Cllr Dodson responded: <i>Village Hall</i> relates to the recent legal letters received from solicitors on behalf of Datchworth Village Hall requesting various documents. Datchworth Parish Council need to confirm their legal position and agree any legal costs.	Clerk

*Land Adjacent to 10 Datchworth Green* relates to the solicitor's letters on behalf of the donor requesting the return of the donation plus interest and to confirm the Parish Council's legal position and potential public statement. Further communication has been exchanged with the aim to move discussions forward.

Cllr Chapman confirmed legal letters have been received relating to Land at Coltsfoot Lane and so legal advice needs to be sought initially.

Cllr Dodson explained that some items require confidentiality relating to legal or HR matters where information needs to be discussed by Councillors initially before the public domain. The aim is to make everything open and transparent as it appears a number of issues this Council have come across have not been dealt with previously in this manner. Cllr Dodson confirmed assurance that appropriate advice sought is from East Herts Legal Department and is ongoing Business as usual.

One member of public asked the Parish Council do not sign off payments they do not have to until the new council have been voted in.

The Clerk confirmed no new items are being signed off at this meeting during the current period prior to elections and only business as usual items are continuing to be actioned

One member of the public enquired if the Parish Council are seeking to change the legal status to sole trustee for the Datchworth Village Hall.

Cllr Dodson reconfirmed the Parish Council has no intention of taking over the Running of the Village Hall as sole trustee or otherwise and incorrect information seems to have been circulated in the village.

Has action being taken following the legal letters on behalf of the Village Hall been debated and discussed with all councillors.

Cllr Dodson confirmed this will be an item to be discussed at the meeting and that some of the information relates to the legal position of the Council during the PPE session.

Clarification was requested for the status of the minutes for the PPE sessions and any Points and resolutions made

Cllr Dodson confirmed two sets of minutes relating to the PPE sessions are released with Confidential minutes go to councillors and public minutes that give an overview and summary that go to the public

It was noted that minutes can be requested as FOI but these can be declined where there is a conflict with the legal matter

A member of the Village Hall committee asked why it has taken so long for the Parish Council who are Custodian Trustees to decide to seek legal advice subsequent to the request for access to documents relating to the Village Hall.

Cllr Chapman explained the letter from the solicitor was received after the issue of the agenda for the previous months meetings and so could not be discussed during the meeting

Member of the public suggested item could be discussed under any other business.

The Clerk confirmed it is not permitted to discuss and make decisions under Any Other Business' at Parish Council meetings.

Cllr Dodson confirmed a large amount of emails and data has been researched on the matter. The Parish Council needs to ensure that they are acting legally following the request received from the Chair of Village Hall

Committee to ensure the Parish Council will not be in breach of various items.

Cllr Dodson was asked if as a councillor and Chair she has declared an interest for discussions relating to the Village Hall as a member of the Management committee

	<p>and a trustee. Cllr Dodson confirmed she has made it clear to the Chair of the Village Hall Committee on a number of occasions that she was not happy to be a trustee. The presentation by the Village Hall Chair made to the Parish Council on 21 March 23 stated that all Datchworth Village Hall committee members must be trustees and that group reps who are not trustees ie. Cllr Jane Dodson at DPC and the rep from Pre-school.... Etc. Therefore, the question relating to declarations of interest re the VH is completely void and contradictory to what had previously been stated. Also, although a reason of being busy was mentioned in the statement it was in fact the Cllr Dodson was not comfortable due to some of the actions or lack of actions being taken by the Village Hall Committee which she has previously tried to raise.</p> <p>The member of the Village Hall committee stated that item point 7 states all Committee Members are also required to be trustees. Cllr Dodson confirmed she is hopeful the PC are able to work collaboratively with the Village Hall committee.</p> <p>A member of the public explained the delays relating to resolving the Village Hall Easement were due to a delay in trying to identify the owner of the property concerned to pursue the matter.</p> <p>A member of the public raised the issue that Acronyms do not clearly identify the full name and that these should be recorded at least once on the document The Clerk confirmed the omission on the agenda and confirmed this will be corrected</p> <p>Cllr Hill has been requested to speak on behalf of the Elderberries to incorporate the Group into the activities being run under the Health and Wellbeing sessions remaining funds to the Parish Council.</p>	
2457 2457a	<p><b>6. Finance (Cllrs. Dodson, Feldman, Garrod, Groves, Stowe)</b></p> <p>a. To agree Monthly finance report – April payments A member of the public enquired what the Earth Anchors payment is for the fixings for the benches and planters, and the legal costs breakdown will be circulated <b>Resolved:</b> Cllr Groves propose agreement for the Monthly finance report and April payments, seconded Cllr Hill Agreed, 6, against 1: <b>Motion Carried</b></p>	
2457b	<p>b. To confirm Quarterly/Year End bank reconciliation check (Cllr Stowe) <b>Resolved:</b> Cllr Dodson propose confirmation for the quarterly/Year end bank reconciliation, seconded Cllr Hill <b>Agreed</b> <b>Motion Carried</b></p>	
2457c	<p>c. To review Year End budget summary 2022/23 (Scribe) Noted</p>	
2457d	<p>d. AGAR update The Annual Governance Return(AGAR) is in progress with the RFO (Responsible Finance Officer)</p>	
2457e	<p>e. To review 2023/24 Budget and approve £1,100 to be used from the Capital Project reserves from the Bury Lane Easement to go towards the £4,053 EH legal work 2023/24 Budget <b>Resolved:</b> Cllr Feldman proposed approval of £1,100 to be used from the Capital Project reserves from the Bury Lane Easement to go towards the £4,053 to go towards the East Herts Legal work 2023/24 budget, seconded Cllr Chapman <b>Agreed, 6 against 1</b> <b>Motion Carried</b></p>	
2457f	<p>f. To confirm acceptance of the Donation offer from Elderberries Agreed to defer to new council meeting</p>	

2457g	g. To note Leisure Plot and Leased Land invoices have been issued Noted	
2457h	h. To note the VAT return has been submitted Noted	
2448	<b>7. Planning (Cllrs. Chapman, Dodson &amp; Groves)</b> To consider planning applications received ( <b>available to view on-line</b> ) No further comments	
2459	<b>8. Burnham Green Joint Management Committee (Cllrs Barker, Chapman, Dodson &amp; Feldman)</b> Update from BGJMC Cllrs Barker and Feldman updated the council on the meeting held on 19 April 23 Three-part notice board has have been agreed to be jointly purchased by Datchworth & Welwyn PC and The Village Hall Committee and erected in Burnham Green Risk Assessment for the festival was approved Notices have been applied to East Herts and Welwyn/Hatfield District Council's Owner of existing two memorial benches installed without permission will be written to about the upkeep and explanation they can be used for public use Letter to be written to the owner of the former Belmont pub relating to existing post on the Green It was noted Datchworth PC are clerking the meeting for the next term.	
2460 2460a	<b>9. Communications (Cllrs. Chapman, Dodson, Feldman, Garrod &amp; Light)</b> a. To discuss and reconfirm the Annual Parish Meeting date <b>Resolved:</b> Cllr Dodson proposed the change of date for the Parish Meeting to be held from Thursday 25 May to Thursday 18 May at the Village Hall subject to confirmation, seconded Cllr Feldman <b>Agreed 6, against 1</b> <b>Motion Carried</b>	All Cllrs
2460b	b. Update for Nominations for Citizens awards Nominations were received for Chris Hill, Bala, Tony Charles and Jo Sampson	
2460c	c. Feedback on the Report a problem page, a duplicate on the graphics and a link not working <b>Action: Councillors to forward report a problem page amendments to the Clerk</b>	
2460d	d. Expressions of interest for 3-4 members of the community to join the Community Focus group to work with allocated members from the new Council Deferred to next meeting	
2461 2461a 2461b	<b>10. CLIP Group (Compliance, Legal Issues, Insurance and Policies) (Cllrs, Barker, Chapman, Dodson, Hill and Stowe)</b> a. Update on policy outlining protocol for attending external meetings (item 2447a, Deferred to next meeting b. Feedback from members of Levelling up Funding working group (TC, JG, CG) To consider and agree the options for match funding Application submitted for nearly £54k. Datchworth Parish Council will need to match fund 30%. The funding will include a £10k roundabout already budgeted for in 2023-24, resurface the Turkey Farm carpark and fence around the edge, new fencing for leisure plots, provide an accessible path to the Bowls Club and upgrade signage. It the Council provide the full £17k the Council will receive £37k. Looking to use the £7k easement funding from Bury Lane and so not use taxpayers funded money. It is aimed further funding can be obtained. The detail <b>Resolved:</b> Cllr Chapman proposes using the £10k fund from the 2023-24 budget and £7k from the easement general reserve, seconded Cllr Hill <b>Agreed:</b> 6, abstained 1 <b>Motion Carried</b>	
2461c	c. Update on Datchworth Village Hall (PPE) To vote to agree an amount for legal advice for an amount up to £1500	

<p>2461d</p> <p>2461e</p> <p>2461f</p> <p>2461g</p>	<p><b>Resolved:</b> Cllr Dodson proposed agreement for an amount of legal advice up to an amount of £1500 from the budget. seconded Cllr Feldman  <b>Agreed:</b> 6, against 1 <span style="float: right;"><b>Motion Carried</b></span></p> <p>d. To receive any update on the land adjacent to 10 Datchworth Green (PPE)  A meeting request has been declined as it was not convenient and it is hoped a suitable date will be identified</p> <p>e. Land at Coltsfoot Lane- the way forward (PPE)  to be discussed as PPE</p> <p>f. Land adj to 68 Datchworth Green – there is no claim on the area being  Land registry request relating to request for ownership to be taken over by this property and it has been confirmed the Parish Council have no claim on the land  <b>Action: Clerk to write a letter to confirm the Parish Council has no claim on the land adjacent to 68 Datchworth Green</b></p> <p>g. Request to be sent to Fete Committee re provision of Risk Assessment for Fete  <b>Action: Cllr Light to forward a copy of the Datchworth Fete risk assessment being sent to the insurance company to the clerk for the fete being held on the second Saturday in June</b></p> <p>Cllr Dodson confirmed the Clerk has been in touch with East Herts DC to ascertain that Howe Chippy are in the process of submitting a new application to licensing</p>	<p>Clerk</p> <p>Cllr Light</p>
<p>2462</p>	<p><b>11. Health &amp; Wellbeing (Cllrs Barker, Feldman, Hill and Light)</b>  Feedback on Health &amp; Wellbeing initiatives inc Health &amp; Wellbeing Trail  Cllr Barker confirmed just under £2k has been received from Sport England to continue Strength and Balance Class to the end of September  CDS are applying for £5k for Datchworth Parish Council to support continuing of Digital inclusion classes and enable the purchase of two devices to be used by individuals who do not have any and should hear by the end of May, early June  13 learners attended the digital inclusion session today and positive feedback</p> <p>Cllr Hill circulated the quotes three quotations.  <b>Resolved:</b> Cllr Hill proposes company 2 to supply the trail which is £172 over the grant funded from East Herts DC £3468, seconded Cllr Barker  <b>Agreed</b> <span style="float: right;"><b>Motion Carried</b></span>  The artwork is to be presented to the Council.  It was noted the trail is aimed to be linked to the website with QR codes, pictures, sounds etc.</p>	
<p>2463</p>	<p><b>12. AOS (Amenities and Outdoor Spaces) (Cllrs Chapman, Dodson, Garrod and Groves)</b>  Update  Cllr Groves reported some of the posts have been replaced on the Leisure Plots but require a further 14 as a matter of urgency for health and safety reasons  Cllr Groves confirmed the lowest quote is £143.00 to purchase the posts  <b>Resolved:</b> Cllr Groves proposed agreement of expenditure up to £170 to acquire 14 posts for the Leisure plots, seconded Cllr Hill  <b>Agreed</b> <span style="float: right;"><b>Motion Carried</b></span>  It is considered to be a health and safety issue.  A complaint has been received about the Tyres that have been dumped in the car park and to request they are removed  Cllr Chapman confirmed meeting with a resident following receipt of a complaint of tyre fly tipping, weeds, bin catches and bin emptying  Cllrs Chapman and Garrod are aware a delivery of the tyres was made twice and so they will request the resident arrange for the tyres to be retrieved from the car park  Action Clips to write a letter to the member of the public believed to be responsible  A member of the public has offered to cover the cost of weeding the car park area.  There is a new system in place where East Herts are now emptying bins and so this will need to be monitored by the Community Ranger.</p>	

	<p>Cllr Chapman has spoken to Reformed Plastics who manufactured the bins who has agreed to replace the catches and internal liners.</p> <p>Cllr Groves raised concerns about used syringe needles in the car park area</p> <p><b>Action:</b> Clips to obtain 3 quotes for the cost of weeding.</p> <p>Cllr Groves confirmed the Paper bin that is planned to be removed from Turkey Farm by East Herts has been delayed and is expected to be removed in the next month</p>	CLIPS
2464	<p><b>13. Trees (Cllrs Chapman, Dodson, Garrod, Groves, Light)</b></p> <p>Update</p> <p>Work on the north side of Datchworth Green and the remaining works will be added to the survey and so quotes need to be obtained for a decision to be made in May</p> <p>For a suitably qualified contractor to complete the works</p> <p>An assessment needs to come back and a request be made for What three words is included as part of the assessment</p> <p><b>Action:</b> Three Tree survey quotes to be obtained to include what three words to identify specific trees needs to be obtained and brought back to the Council</p> <p>Cllr Groves confirmed starting to prune some of the fruit trees, however this has now stopped due to the blossom now on the fruit trees</p>	Clerk
2465	<p><b>14. HR (Cllrs Barker, Dodson and Stowe)</b></p> <p>Resignation of the Clerk and recruitment process</p> <p>The Chair thanked the Clerk for the work so far.</p> <p>The Clerk has chosen to resign to spend time with her family and progress with her property refurbishment.</p> <p>The Clerk recruitment process will commence as soon as possible</p> <p>The RFO has confirmed she is happy to continue in the role of RFO</p> <p>The Clerk confirmed her contract requires one months' notice and so this would go to 15 May but the Clerk will ensure the 16 May meeting will be covered to ensure the appropriate documents are completed for the new council</p>	
2466	<p><b>15. Clerks Report</b></p> <p>a. Communication/correspondence</p> <p>The Clerk confirmed a response is to be issued to the solicitor letter confirming it was not possible to attend a meeting that week.</p> <p>Also, a response to the ICO letter received requesting confirmation for the Village Hall to have access to letter sent to them</p> <p>A complaint has been received about the tidiness of an area that is outside of the Parish</p> <p>County Councillor Ken Crofton asked to give his thanks to all Councillors for the fantastic work they have done voluntarily beyond the two problem areas, for the extra work fund raising to progress with projects, all problems are resolvable when everyone works together.</p> <p><b>Resolved:</b> Cllr Dodson proposed To move that under Section 100(A)(4) of the local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 2461c, 2461d and 2461e of the agenda, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of schedule 12A of the said Act of the following description: in that it provides details of confidential Legal Matters, seconded Cllr Hill</p> <p><b>Agreed, 6, against 1</b> <span style="float: right;"><b>Motion Carried</b></span></p> <p>The meeting closed at 9pm</p>	
2461	<p><b>10. Cntd PPE</b></p> <p><b>Resolved:</b> Cllr Dodson proposed extending the meeting ¾ hour to 9.45pm, seconded Cllr Groves</p> <p><b>Agreed, 6, Against 1</b> <span style="float: right;"><b>Motion Carried</b></span></p>	
2461c	<p>Update on Datchworth Village Hall (PPE)</p>	

2461d	<p>The Parish Council aim to seek documented legal advice to confirm they will not be acting illegally by confirming agreement to relinquish the Custodian trusteeship and handing over all documentation, in reference to the wording identified in the transfer documents and to ensure the Parish Council are not putting public money at risk. HAPTC may be able to provide preferential cost for this type of specific advice</p> <p>To receive an update on the land adjacent to 10 Datchworth Green (PPE)</p> <p>Correspondence has been received the previous day following the issue of a letter for a date to attend a without prejudice meeting put forward to the donor via the solicitor and has been declined and they are happy for this to be deferred.</p> <p>A vote has been made by the Parish Council to sell the land and agreement made to have a without prejudice meeting between the donor and two councillors.</p> <p>If the meeting is to take place post new Council it is believed to be wise to circulate a factual statement to ensure the public are kept informed and everything is transparent.</p> <p><b>Action: Clerk to forward communication to solicitor and donor of land adj to 10 Datchworth Green to request a selection of dates as to when a meeting may be convenient to meet with two councillors.</b></p>	Clerk
2461e	<p>Land at Coltsfoot Lane- the way forward (PPE)</p> <p>A resident has contacted the Parish Council through a solicitor to enquire about obtaining an easement.</p> <p>The Council are happy to enter into discussion but will require the resident to obtain three valuation quotes for the Council to choose a valuer at the cost of the resident.</p> <p>The resident will be required to go to Defra and Highways to seek approval for the access.</p> <p><b>Resolved:</b> Cllr Chapman proposes writing to the resident to state the Parish Council will enter into discussion and for Datchworth Parish Council to obtain three quotes for a valuation to be paid for by the resident, Seconded, Cllr Groves</p> <p><b>Agreed</b> <span style="float: right;"><b>Motion Carried</b></span></p> <p><b>Action: Cllr Chapman to draft a letter to be sent to the resident at Coltsfoot Lane</b></p> <p>The PPE session closed at 9.44pm</p>	Cllr Chapman

#### Summary of Actions from the meeting held on 25 April 2023

- 2456 Action: Clerk to circulate and share the breakdown details of the legal costs
- 2460 c Action: Councillors to forward report a problem page amendments to the Clerk
- 2461 f Action: Clerk to write a letter to confirm the Parish Council has no claim on the land adjacent to 68 Datchworth Green
- 2461g Action: Cllr Light to forward a copy of the Datchworth Fete risk assessment being sent to the insurance company to the clerk for the fete being held on the second Saturday in June
- 2464 Action: Three Tree survey quotes to be obtained to include what three words to identify specific trees needs to be obtained and brought back to the Council by the Clerk
- 2461d Action: Clerk to forward communication to solicitor and donor of land adj to 10 Datchworth Green to request a selection of dates as to when a meeting may be convenient to meet with two councillors.
- 2461e Action: Cllr Chapman to draft a letter to be sent to the resident at Coltsfoot Lane

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