

# Widford Parish Council

Minutes of the Widford Ordinary Parish Council Meeting  
Tuesday 7<sup>th</sup> September 2021 at 7.30pm at Widford Village Hall



**PRESENT:** Cllr Mike Allen (MA); Cllr Ian Collins (IC); Cllr Babs Edwards (BE);  
Cllr Mark Rome (MPR)

Four members of the public

Clerk: Colin Marks, Clerk to the Parish Council

The Chairman welcomed everyone and opened the meeting at 7.30pm

**ACTION**

**21.079 To receive and approve apologies for absence**

1. Councillors: Cllr Michael Ripsher (personal): Approved
2. Others: Cllr Buckmaster that he would be arriving late due to EHC business.

**21.080 Declarations of Interest and requests for dispensations**

**1. Interests**

As noted on the agenda: Cllr Babs Edwards: an interest and a dispensation in respect of Playing Field matters, her husband being Treasurer of the PFMC. Cllr Mike Allen has an interest and a dispensation in re Playing Field matters, being a trustee.

**2. Dispensation requests: None**

**21.081 Approval of Minutes**

**RESOLVED: that the Minutes of the Ordinary Parish Council Meeting held on 6<sup>th</sup> July 2021 were a true and accurate record.** The Chairman signed the Minutes.

**21.082 Police report**

The Chairman read the following report from PCSO Leon De Bruyn:

*August has been fairly low on criminal activity across East Herts rural areas, however we have been increasing our road side speed checks in Much Hadham, Albury and Stocking Pelham, as these areas have been highlighted through ECHO by local residents.*

*Pc Wenham, Pc Culverhouse and I have also been conducting high visible rural off-road patrols using the quad bikes and the ATV with no offences reported. This has been extremely well received from farmers and landowners during their busy harvesting period.*

*There is No crime report for Widford.*

**21.083 Chairman's announcements**

The Chairman said that he was pleased to attend this, his first live Meeting, since the end of lockdown. He thanked those who attended the picnic the previous weekend, which was a great success. He said he will be raising the problem that will arise as the Gilston development gets under way that will inevitably make Widford a rat run.

**21.084 Reports by County and District Councillor Eric Buckmaster**

Deferred until Cllr Buckmaster's anticipated arrival later.

**21.085 Planning**

**1. New Applications:**

**3/21/2068/FUL To rear of The Green Man.** Change of use, outbuilding to residential.

**RESOLVED: No comments**

**Clerk**

**2. Decision Notices.** For information only, the following were noted:

**3/21/0354/VAR Land off Ware Rd, Abbots Lane:** Variation to 3/18/1957/FUL **GRANTED**

**3/21/1720/HH 4 Nether Street:** Outbuilding to rear.

*Decision awaited*

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**3/21/1841/HH & 1842/LBC Abbotts Farm:** Demolish porch and rear extension; build single storey front and rear extension to annexe. *Decision awaited*

**3/21/0982/HH Linwood:** Front and rear extensions. RECONSULTATION *Decision awaited*

**3/21/1667/HH 29 Benningfield Road:** Demolish conservatory; build extension. *Awaited*

**3/21/1384/LBC 2 Elia Cottages:** Install skylights on rear extension. *Decision awaited*

**3/21/1180/HH & 1181/LBC Chestnut Tree Cottage:** Erection of garden room *Awaited*

**3/21/0858/HH 3A Benningfield Road:** Side, rear and front extensions. *Decision awaited*

**3/20/2616/HH & 2617/LBC The Old Rectory:** Replacement extension. *Decision awaited*

### 3. Other planning matters, including items received too late for the agenda

#### 1. Other planning matters

1. Late planning applications: None
2. EHC Housing Strategy 2021-2026: Consultation 9 August to 5 September: Noted
3. EHC Town & Parish Planning Zoom meeting, 30<sup>th</sup> Sept: The Clerk said he will attend. It was left for members to attend if they are available.

Clerk

### 21.086 Finance

#### 1. Report of the Council's accounts to 31st August 2021

##### Finance Summary

	£
<b>Opening cashbook balance 1 July</b>	<b>36,447.88</b>
Plus: income to 31 August	316.68
Minus: expenditure to 31 August	<u>1,756.49</u>
<b>Balance available to Council at 31 August (cashbook balance)</b>	<b>35,008.07</b>
Plus unrepresented cheques/payments Chq 300006	<u>49.99</u>
<b>Bank balance: reconciled with bank statement at 31 August</b>	<b><u>35,058.06</u></b>

**RESOLVED: that the Accounts Statement to 31<sup>st</sup> August 2021 be approved.**

#### 2. Bank reconciliation

Copies of the bank statement were presented. **RESOLVED: to agree the bank reconciliation as presented.**

#### 3. Performance vs budget for the first quarter to 31<sup>st</sup> August 2021

The Clerk's detailed report on the financial performance vs budget to 31<sup>st</sup> August was received. There were no untoward transactions to note.

**RESOLVED: that the financial performance report to 31<sup>st</sup> August 2021 be accepted as presented.**

#### 4. List of payments.

**RESOLVED: to approve the list of payments as presented by the Clerk**

Clerk

*All expenditure made under the General Power of Competence.*

23/8	Jo English	Litterpicking August 5 of 12	125.00	
31/8	Clerk	Salary August	400.37	
31/8	HMRC	PAYE August	100.00	
1/8	Caroline Parrott	Closed churchyard 3 of 4	310.00	
1/8	Jim Turner	Benningfield Green cut 3 of 3	100.00	
	Clerk	Expenses August-September	17.75	
	PKF Littlejohn	Agar External audit 2020/21	240.00	40.00
	Jo English	Litterpicking September 6 of 12	125.00	
	Clerk	Salary September	400.17	
	HMRC	PAYE September	100.20	
<b>Recoverable VAT included</b>				<b>40.00</b>

The Clerk said the annual Microsoft 365 licence has to be renewed soon. It is possible that the cost (£79.99) could be defrayed among his other councils. It was agreed that the Clerk would pursue that possibility. Also, it was noted that more printer ink needs to be ordered.

Clerk

# UNAPPROVED DRAFT<sup>1</sup>

**AGAR 2020/21:** The Clerk reported that the Annual Governance and Accountability Return (AGAR) has been approved by the external auditor, PKF Littlejohn, and the Report and Certificate of Conclusion has been issued with no matters arising. This has been posted on the website and noticeboards.

Clerk  
BE

## 5. New churchyard maintenance grant

Mrs Dinah Findlay, Secretary to the Parochial Church Council (PCC), presented an appeal for a grant to support the upkeep of the churchyard. In summary, the basis of the appeal was as follows:

### ***The PCC appeal***

*The church and the new churchyard are important community assets not just to church-goers, but to Widford as a whole for many different reasons. With falling congregation numbers, the PCC's challenge to pay rising costs for both these community assets is becoming increasingly difficult, and we would like to seek village help. Perhaps the new churchyard is more important than the church in one sense, as few people actually come to church services, but the churchyard is seen as being automatically available to Widford residents who wish for loved ones to be buried there. Even if there is no link or connection to the church, anybody who lives in Widford or has an association with the village, can be buried in the new churchyard. Families are not required to give any further financial assistance to the upkeep of the grave or churchyard, and instead this falls to the responsibility of the PCC.*

*We would therefore like to request financial assistance from the Parish Council for the new churchyard upkeep, whether through the Precept or an annual grant, to reflect its importance to Widford as a village asset.*

In response to the request, the Clerk advised the Council as follows:

### ***The Clerk's response***

Grant funding maintenance of the open churchyard: a brief explanation of the legal position:

It is the Clerk's duty to ensure that the Parish Council acts only within what the law permits. There are two (at least) conflicting pieces of legislation regarding this particular issue. To cite the oldest Act (which dates back to the creation of parish councils in the 1890's and refers to State Church property), and the most recent Act:

**Local Government Act 1894.8 (1) (i):** [ parish councils have the] power to execute works **NOT** being property relating to the affairs of the [state] church...

**Localism Act 2011 section 1(1):** General Power of Competence allows local authorities in England "... to do anything an individual can do, **unless prohibited by other legislation...**"

Since these two Acts are in opposition to each other, I have sought legal advice through HAPTC and NALC in order to understand which piece of legislation currently has precedent. You may not be surprised to know that the question has not been decided in law and there are differences of opinion. There are no plans to repeal LGA 1894. However, the Ministry of Housing, Communities & Local Government's advice issued in April 2019 is that

***"...the parish council should seek to ensure that any such contribution would both serve the best interests of the local community and would not be likely to result in an increase in the precept..."***

My judgement as Clerk to the Council is that if the PC can satisfy the MHCLG criteria when making its decision, then I would have no problem in the Parish Council considering making a grant if one is applied for. The argument being that the new churchyard (cemetery) potentially benefits the whole community because it is open to be used by all parishioners, not just members of the church.

The caveat to this advice is that it is made on the basis of the Parish Council currently having the General Power of Competence, a qualification that will remain until the next election in May 2023. At that time the PC will have to determine, among other things, whether it

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meets the GPC criteria\* and whether the GPC is awarded for another term.

Upon the advice of the Clerk, recognising that the budgetary implications of the grant cannot be met through the precept, understanding that the grant request is for £850, that the subject must be taken into account when setting the annual budget, and that the grant possibility must be reassessed following the 2023 election, it was **RESOLVED to grant £850 to the PCC towards the upkeep of the new churchyard.**

Clerk

The Clerk agreed to send Dinah Findlay a copy of his advice given to the Parish Council.

Clerk

*\* The General Power of Competence criteria requires the Clerk to be qualified (CiLCA or equivalent) and for at least two thirds of members to be elected at the time the GPC is awarded; the qualification remains until the end of the electoral term.*

**21.087 Correspondence:** The list of correspondence was noted as it appeared on the Agenda:

- Parishioner: Fallen tree at Lilley Bridge, FP18 (21.089.1.2)
- EHC: The new East Herts Council Housing Strategy 2021 to 2026 (21.085.3.2)
- EHC Monitoring Officer: Re adoption of new Code of Conduct (21.091)
- EHC: Notice of EH Town & Parish Planning Zoom Meeting, 30<sup>th</sup> September (21.085.3.3)
- HCC: Re possible Wareside school closure
- Rev Mark Dunstan: Litter picking initiative information and map request
- Rev Mark Dunstan: request to update the Council's website link to the Church website
- RVT: Note Evensong Service of Remembrance at St. Albans Cathedral - Saturday, 16th October at 4.00pm

**21.088 Village Reports**

## 1. Village Hall and archive.

### Archive

In the wake of the Covid restriction being lifted, the best way to open up the archive is being considered. The Chairman reported that Mr Christopher Taylor-Young has purchased a new scanner and has said that he will fund and create space for the archive, possibly within the curtilage of the Village Hall. It was agreed for Cllr Ian Collins and Cllr Mark Rome to arrange a site meeting with Mr Taylor-Young to look at possible options. The Chairman to give Mr Taylor-Young's contact details to Cllrs Collins and Rome.

IC/MPR  
MA

**Village Hall:** No report

## 2. Playing Field

**1. Report:** As mentioned by the Chairman in his opening announcements, the September 4<sup>th</sup> Summer Picnic was a great success and one that it is hoped will become an annual event. Other autumn events are in the pipeline, the next one being the car boot sale on 18<sup>th</sup> September. New goal posts are now up and the EH lottery is providing around £100 a month. The Biffa grant has hit a wall, the stumbling block being the ownership of the land being in the name of the Parish Council (as custodian trustees) rather than the PFMC trustees who cannot hold the title deed. This should be possible to overcome and the Clerk said he would get advice to help resolve it.

Clerk

**2. Dog bin request:** The Clerk said he is still following up this (and other options) with East Herts as to whether a new dog bin can be added to the schedule at this time and serviced at the location, and whether it can be independent of the Parish Council.

Clerk

**3. Incident involving falling tree branch:** It was noted that a recent incident at the playing field has been dealt with accordingly, with trees being cut to make safe.

## 3. Allotments

Cllr Babs Edwards reported:

BE

- The water system continues to work well and tenants are looking after it. The Chairman said he will write a report for the Magazine.

MA

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4. Closed Churchyard. Nothing to report.

Clerk

**21.089 Highways, Public Rights of Way, and other Parish matters**

**1. Footpaths and PRoW.**

1. FP1: it was noted that Nicholas Maddex is getting a quote for replacing the stile with a suitable bollard.

2. FP18: Fallen tree at Lilley Bridge. The tree is being removed. Nicholas Maddex reported that the foundations of the bridge are in poor condition. He is getting it surveyed and will report in due course.

**2. Highways and footways**

1. Verges, gutters and overgrown footways: The Clerk said the collapsed man-hole cover in the footway near the church has been reported against HCC Fault Notification reference 4010022 – 16778. It is believed it will turn out to be the responsibility of BT.

Clerk

**3. Other parish matters and concerns**

1. QEII 2022 Platinum Jubilee initiative: Queen's Green Canopy. **RESOLVED: That Cllr Ian Collins said he will take this forward with the idea of utilising the vacant scrub land at the back of the allotments.**

IC/BE

2. Concerns about the safety of the barn door at Priory Farm: This issue has been resolved by the owner.

**21.090 Benningfield Green**

It was noted that the parking issues have improved.

**21.091 Code of Conduct**

**RESOLVED: To adopt the EHDC model Code of Conduct to align with government policy.**

The Clerk to inform the Monitoring Officer.

Clerk

**21.092 Neighbourhood Plan**

No update. It was agreed to see if the village has an appetite to pursue this. The Chairman to put a piece in the Magazine under the Parish Council entry asking for comments and expressions of interest to be directed to Cllr Ian Collins.

MA

IC

**21.093 Urgent matters** received too late for inclusion on this agenda: None raised.

*Suspension of Meeting for Public Comments: No comments made.*

**21.094 Items for future agendas:** None raised.

**21.095 Date of next Parish Council meeting**

**Tuesday 2<sup>nd</sup> November 2021 at 7.30pm:** Village Hall venue to be confirmed subject to prevailing Covid-19 legislation.

Clerk/MA

There being no further business, the Chairman thanked everyone for attending and closed the meeting at 9.04pm.

Signed.....Dated.....