



COLNEY HEATH PARISH COUNCIL

Highfield Park Office
Hill End Lane
St Albans
Hertfordshire AL4 0RA
Tel: 01727 825314
Email: clerk@colneyheathparishcouncil.gov.uk

Colney Heath Village Office
83 High Street
Colney Heath
Hertfordshire AL4 0NS

24th July 2020

RE: Freedom of Information Act 2000
Colney Heath Parish Council – Parish Council Expenditure on planning applications relating to Nuckies Farm, Coursers Road.

I am replying to you in response to your email received 28th May 2020 which was treated as a Freedom of Information request. Please accept my apologies for the delay in responding but with over 20 years of papers to locate and review it the extra days to complete this request.

Your request: *'a rough estimate of how much Parish money was used to fight the Nuckies Farm appeal, over all the years'*

Our response:

The challenge to the Council has been the lack of historical evidence which would assist in pinpointing the expenditure in this case. The CHPC minutes first refer to an incursion on common land at Coursers Road in September 2005 so there has been an attempt to link the information contained within the minutes with the expenditure and payment report.

There are some tables attached as follows:

Appendix A is populated from information held in official CHPC minutes.

Appendix B is the evidence contained within bank statements and some payment information held for some of the years noted.

Appendix C is information taken from the Annual Governance and Accountability Return information sent to the External Auditor.

It is not therefore possible to give an exact figure for the costs in this case but on behalf of the Council the sum that was spent is estimated to be more than £90,000.

This takes in to account of the proven expenditure of	£44,076.81
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Adding the retained awarded sum from the Secretary of State & donations	£12,150
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Adding the figure noted by the previous Clerk, Mr Dean, who states in a letter dated July 2005 instructing solicitors that the costs are already	£35,000.
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Errors and omissions are accepted as I was not the Clerk or Responsible Financial Officer, so the validity of the information provided is relied on from documents held that remain part of the Parish Council legal minutes and archives.

I hope this information is helpful. If you have any further queries, then please send them to me at clerk@colneyheathparishcouncil.gov.uk

Yours sincerely,

Lisa Chaplin LCGI PSLCC CPFA CiLCA
Clerk to the Council
For and on behalf of
Colney Heath Parish Council



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Appendix A

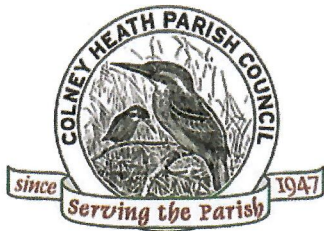
Freedom of Information Act 2000 Response 24/07/2020

Colney Heath Parish Council – Parish Council Expenditure on planning applications relating to Nuckies Farm, Coursers Road.

CHPC Legal Minute References in relation to the case noting costs

Date	Amount	Amount max	Reference
09/06/2005	£1,000	£1,000	Bill for removal of mobile home by crane
08/09/2005	£1,405	£1,405	Litigation costs so far
06/10/2005	£5,000	£7,000	Estimated removal costs so far
03/11/2005	£7,000	£8,000	Costs so far (legal action instruction to begin land charge to recover costs)
09/03/2006	£12,000	£12,000	Costs noted up to 24/02/2006
05/10/2006	£3,600	£3,600	Final bill from FMS for caravan removal, storage & destruction
10/01/2008	£21,500	£21,500	Costs to date SADC noted to have spent £60k
06/03/2008	£7,000	£7,000	Legal costs so far (£2k in donations received)
07/04/2008	£10,000	£10,000	Legal costs so far
08/05/2008	£455.90	£455.90	Noted expenditure on Nuckies Farm
15/01/2009	£5,000	£5,000	Council noted in advance payment for the QC attend High Court for the hearing
05/03/2009	£1,743	£1,743	Legal invoice was noted and £10,000 would be claimed back from Secretary of State
15/04/2010	£19,000	£19,000	Likely costs were noted action not clear
07/10/2010	£7,000	£9,000	Likely costs were noted action not clear

Minutes were checked from 2002 – 2018 and the only references were those listed above. Final expenditure on this case was not noted in totality and some figures referred to in minutes are not able to be verified from receipts or payment references



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Appendix B

RE: Freedom of Information Act 2000 Response 24/07/2020
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Confirmed payments made by CHPC in this case

Year	Net Amount	Reference
2004	£622.75	Invoice Solicitors Fees
2005	£3,496.45	8 solicitor invoices and 1 bailiff fees
2006	£11,640.08	7 solicitor invoices, 5 bailiff fee invoices and 1 plant hire invoice
2007	£0.00	No payments made
2008	£8,297.05	5 solicitor invoices
2009	£15,677.02	1 solicitor invoice and 2 invoices regarding High Court fees
2010	£4,343.46	4 solicitor invoices
No further costs noted in this case after an invoice presented in June 2010		
	£44,076.81	Total payment expenditure

Payment records from 2003 – 2016 were reviewed using payment and receipt cashbooks



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Appendix C

RE: Freedom of Information Act 2000 Response 24/07/2020
CHPC Total reported Legal Costs taken from yearly AGAR (Annual Governance and Accountability Return)

Year End	Total Legal Cost Expenditure
31 March 2003	£0.00
31 March 2004	£0.00
31 March 2005	£0.00
31 March 2006	£12,748.90
31 March 2007	-£561.00
31 March 2008	£0.00
31 March 2009	£0.00
31 March 2010	£0.00
31 March 2011	£15,157.83
31 March 2012	£10,063.65
31 March 2013	£6,233.79
31 March 2014	£7,114.79
31 March 2015	£20,129.34
31 March 2016	£10,222.00
31 March 2017	£11,697.00
31 March 2018	£18,213.00
31 March 2019	£5,395.00

All income and expenditure returns sent to the External Auditors with the Annual Governance Returns for 2002 – 2019 were reviewed and figures legal fees and trespass are quoted as reported