



COLNEY HEATH PARISH COUNCIL

Highfield Park Office
Hill End Lane
St Albans
Hertfordshire AL4 0RA

Colney Heath Village Office
83 High Street
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Appendix 2 - CHPC FOI Horseshoe Field

MINUTES AUDIT TRAIL

Date of CHPC Meeting	Minute extract
14/05/2009	3.10 Oaklands Lane-Land being used for grazing The council continue to watch his land possibly occupied without traceable owners or permission to use. Rita Burhouse is a nearby neighbour and all in the vicinity share the concern of the occupation. It is proving difficult to trace landowner according to Cllr Brazier, might be within the pub trade such as Benskins but still not confirmed although he has made some progress. Land registry has not produced any firm owner.
11/06/2009	3.9 Oaklands Lane-Area of Land being used for grazing An overview by Cllr Brazier-where two ownerships are possible on land within this parish, we continue to watch the land- possibly occupied without traceable owners or permission to use. Neighbours in the also vicinity share concern over the current use. The matter is ongoing and without resolve so far, deferred into to planning matters next agenda. Clerk requested by Cllr Brazier to meet resident at earliest opportunity.
02/07/2009	3.9 Oaklands Lane-Area of Land being used for grazing Cllr Brazier and the Clerk met with resident Rita Burhouse, several issues remain unresolved. The Clerk said he needs to visit Land Registry along with other issues and has some ideas to research.Cllr Brazier is to find out more about Horse Passports. Smallford Residents Association Residents concerns about horses in field at Oaklands noted investigations continue into land ownership and other related matters.



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Date of CHPC Meeting	Minute extract
10/09/2009	3.9 Oaklands Lane-Area of Land being used for grazing The Clerk reported on his visit to land registry and confirmed the land is untitled. If council wish to pursue title a resolution needs approval for a cost budget. It will involve further work & investigation including legal. It is likely to be contested.
01/10/2009	3.9 Oaklands Lane-Area of Land being used for grazing If council wish to pursue title a resolution needs approval for a cost budget. It will involve further work & investigation including legal. Members agreed that whilst the Clerk can look into matters without cost at this stage that was the preferred option.
12/11/2009	3.8 Oaklands Lane-Area of Land being used for grazing Having been kept informed of various new matters connected with this site the most recent being the additional siting of a Luton Van body previously left abandoned in BML. The Clerk supported by Cllr Brazier has complained to SCADC enforcement about these considered "illegal structures" and unsightly ramshackle sheds. It will be difficult to ascertain the correct person to serve any notice upon as title is vague. In Debate Cllr Day suggested Hatfield Estate managed by Gascoigne might know the owner, viz Lord Salisbury- Clerk will send an enquiry. This is a progressing issue.
10/12/2009	3.8 Oaklands Lane-Area of Land being used for unauthorised grazing A representative from Smallford residents association had since looked into the land ownership on Google tracking back to the original Brewery Company. It seems the plot might be passed over for community use. However there is more work to do.



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Date of CHPC Meeting	Minute extract
14/01/2010	3.8 Oaklands Lane-Area of Land being used for grazing (Horse Field) The Clerk reported the latest news, a resident has contacted Ind Coope Ltd and its subsequent owners of various beverage brands who have the land parcel identified. There may be other outcomes from this contact and negotiation. Meanwhile the Clerk has written to Hatfield Estates for help or information to identify proper ownership. The SADC Enforcement team have been notified by the Clerk Cllr Brazier and also several residents about the structures. The residents association remains concerned.
04/02/2010	3.8 Oaklands Lane-Area of Land being used for grazing Smallford Residents have uncovered some new evidence in communication with the past owners. The Clerk has received a reply from Hatfield Estates. Members copied with e-mails to District Council enforcement team, residents putting questions. The Clerk has e-mailed Smallford Residents asking for a meeting to examine the any documents to try and move forward. CHPC authorised Clerk council will pay LR fee..
04/03/2010	3.9 Oaklands Lane-Area of Land being used for grazing Cllr Brazier reported the residents association obtaining the details of ownership.
13/05/2010	3.9 Oaklands Lane-Area of Land being used for grazing The residents association (SRA) is resolved in obtaining more details of ownership. Council final decision but generally are in agreement on helping with limited funds.



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Date of CHPC Meeting	Minute extract
10/06/2010	3.8 Oaklands Lane-Area of Land being used for grazing The Clerk, Cllr Brazier and Cllr Crump met residents association (SRA) on 9th June at St Davids to discuss the above issue of adverse possession. Letters have already been sent from Debenham Ottaways the parish council and County Cllr Brazier, requests for the council join with SRA to seek more legal advice and send a letter to L/Reg. Members agreed to limited finance to appeal asking LR for more time to contest or seek action against claimant in a land tribunal.
01/07/2010	3.8 Oaklands Lane-Area of Land being used for grazing Cllr Brazier informed about the latest details and investigations into ownership of the land, all correspondence & e-mails are being distributed to members. A meeting is to be convened on 14th July with SRA and other interested parties the legal letters sent by Debenhams Ottaway are suggesting LR intervention or appeal. The land search by residents also forging ahead to define original ownership, believed a Plc-corporate.
09/09/2010	3.9 Oaklands Lane-Area of Land being used for grazing The Chair said we have received a note of thanks from Jeff Lewis SRA over our help with the legal issues. The latest news was given by Cllr Brazier to members spoke about the help from CHPC to SRA in legal guidance and L/Registry applications. The applicant has until September 28th to file papers to the Authorities in support of his claim for Adverse Possession. The Parish Council along with SRA are seeking to disprove and try to reach the original ownership for a release of title. Plans for a POS might feature as a future plan to secure this for public recreation or open space.



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Date of CHPC Meeting	Minute extract
07/10/2010	3.9 Oaklands Lane-Area of Land being used for grazing Cllr Crump and Cllr Brazier both reported on the outcome of the SRA AGM held on 29th September at Harvesters Ground. There was little more to add other than thanks from the residents over our help with the legal issues. The person has now withdrawn the adverse possession claim. The Clerk added we need to get security of the land by a lease or title, enquiring can this be done? SRA need to help further on this.
04/11/2010	3.3 Legal Issues Cllr Brazier mentioned the ongoing issues adding it was now best to group 3.3 and 3.4 together. The matter at Oaklands noted in LR document with Elias Smith withdrawal. We will address the issue of costs with the solicitors next time we meet with them. On the Nuckies Farm the hearing has been set for 11th January 2011 at Council Chambers. We now have a change of Barrister Ms Saira Kabir QC as Jeremy Pike QC is on another case. Cllr Brazier said the Clerk has researched her qualifications at the chambers, a very experienced lawyer at many levels within various local authorities planning issues, injunctions, but adding it is all down to the inspector on the day. The Clerk explained we have obtained two lengthy files from Herts archives to which Jo James is researching old papers. Cllr Reeves mentioned the past RDC Minutes; he might go to read them when he has time. Other land issues are work in progress to examine parish documents for title papers, probably no move on this until new year.



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Date of CHPC Meeting	Minute extract
	3.5 Oaklands Lane Open Land Used for Grazing Adverse Possession Order cancelled Solicitor invoice for £550.00 for advice to 24th August we now have copy of Legal Order signed by Adjudicator HM Land Registry. It was generally agreed the way forward is to try and secure the land by way of a lease or purchase. The Clerk suggested agricultural value could be a way through with some provision to hand back and get revenue to CHPC if developed by PT in future. He said Mr Musk had called into the office suggesting we write to the owners and is to e-mail some content. The Clerk said it might be wise to pass this by Deb/Ottaway first; he and Cllr Brazier have a legal meeting next Tuesday. Action by LR confirming the dismissal of adverse possession, any eviction rests with the owner. Bailiff fees and court orders can be costly, securing site after that process will be challenging.
02/12/2010	3.5 Oaklands Lane Open Land Used for Grazing Cllr Brazier and Clerk attended a meeting with the Solicitor to review the options on the land now adverse possession has gone away. The options that are open to CHPC are purchase, lease or open as Village Green status with the land a public open space. Members made a unanimous decision to send a letter from Debenhams Ottaway before the holiday to this effect. The Clerk briefly explained the costs issues.
13/01/2011	3.5 Oaklands Lane Open Land Used for Grazing Cllr Brazier said the owners were willing to sell and we have requested confirmation of title made a fair offer subject to conditions. Not much more could be said here.



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Date of CHPC Meeting	Minute extract
03/02/2011	3.6 Oaklands Lane Open Land Used for Grazing Cllr Brazier said the owners of the field are willing to sell and we have now requested confirmation of title and made a fair offer based on Agricultural land values subject to conditions. We await the outcome before deciding on the next move.
03/03/2011	3.6 Oaklands Lane Open Land Used for Grazing A sale seems possible PT are willing to sell we have made an offer waiting response.
09/06/2011	145 OAKLANDS FIELD Cllr Brazier gave a report on the current position, CHPC are waiting for the owners to accept an offer. He disclosed the figure to the meeting and how the legal proposal was structured. Further reports indicated another building has been put up on the land. Future use of the land was open to suggestions- if we are successful in a deal, various ideas are allotments, village green, rare species orchard, general open space.
07/07/2011	193 OAKLANDS FIELD Cllr Brazier sought approval for CHPC to engage legal expertise from Debenham-Ottaway regarding the purchase legal and conveyance fees. Clerk suggested a sum that might be a fair estimation. The approval was given and Resolved-letter to go. <i>Proposed-Cllr W Huckle</i> <i>Seconded-Cllr C Brazier</i>



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Date of CHPC Meeting	Minute extract
18/09/2011	233 OAKLANDS FIELD In the absence of Cllr Brazier the Clerk gave a brief overview of the position and engagement of the legal process. Cllr Brazier had already made it clear a title paper must be produced from the vendors before we agree to any purchase. However whilst on the subject and in light of village greens consultation the Clerk sought members opinion in order to respond to OSS & DEFRA consultation.
06/10/2011	285 OAKLANDS FIELD The issues were debated briefly with Cllr Brazier informing members of the current position with the legal advisors. A resolution was sought by the Clerk to agree a sum of £250.00 plus vat for Debenhams Ottaway to process a title document.
03/11/2011	333 OAKLANDS FIELD Cllr Brazier spoke briefly of the current position on the legal process, a sum of £250 had been agreed for some additional title documents, and the payment was available when required. The Clerk added some information on the expected legal costs overall.
01/12/2011	368 OAKLANDS FIELD Cllr Brazier gave an update, it is very much in the hands of the legal and title issues, several members suggested asking for it to be speeded up, but subsequently erred on the side of caution and advice not wishing to add any more to the overall legal costs.
12/01/2012	406 OAKLANDS FIELD Cllr Brazier had nothing further to report- the matter was still at a legal stage for title.



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Date of CHPC Meeting	Minute extract
02/02/2012	455 OAKLANDS FIELD Cllr Brazier had nothing further to report- the matter was still at a legal stage for the title to be produced to enable the acquisition to move ahead.
01/03/2012	495 OAKLANDS FIELD Cllr Brazier reported the latest issues to the meeting, legal applications are pending for LR registration but a document search with the vendors has produced a stumbling block, legal is involved with more searches which will add to limited budget costs. Reference was made to SRA e-mail suggesting a way forward and taking out a risk or fidelity insurance against a potential claimant, this will be put to the Solicitor. The council recognise the note of dissatisfaction in the process down to legal delays.
10/05/2012	541 OAKLANDS FIELD Cllr Brazier reported about the latest issues to the meeting, as before council are aware several LR and delicate legal applications are pending. Council recognise the delay in the process which is clearly down to legal points. This will then move on to contracts after due diligence and searches are done. Members should note Clerk has reserved 2011-12 monies from year end carry forward for final purchase; this will be noted on the 2011-12 CHPC balance sheet as being held over.
05/07/2012	631 OAKLANDS FIELD Keeping within the limits of confidentiality, Cllr Brazier gave an update on the legal issues faced by council, able only to disclose the few legal issues not subject to Part II restrictions. The Clerk explained the progress of our achieving the legal LR results so far but further legal action, more expenditure is likely before the matter is concluded.



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06/09/2012	678 OAKLANDS FIELD Land registry is progressing but somewhat slow due to considerable work in proving of past documentation to LR authorities. Our legal advisors are doing their best in the relationship and exchanges with them to encourage acceptance of the current papers.
01/10/2012	726 OAKLANDS FIELD The Clerk outlined two particular points that require our clarification to help affirming LR directly with the central office. Both questions were read out to the meeting, one point requires some further help from a witness statement or knowledge. A resident has offered to help with this task. Issue ongoing, frustratingly protracted in legalese.
08/11/2012	774 OAKLANDS FIELD As pointed out in the agenda notes, the Clerk has dealt with a couple of legal requests separately and Mrs Falk has supplied a statement which should prove helpful going forward to LR. Legal have the facts to procure the conclusion of the deal. They have also been advised of our previously agreed purchase price which council had delegated.
06/12/2012	815 OAKLANDS FIELD The Clerk reported he dealt with a couple of legal issues and topped up our client account relative to costs incurred so far and in line with the budget allowed. A brief explanation was given to the meeting on the progress and completion plans in hand and going forward.



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10/01/2013	860 OAKLANDS FIELD The Clerk gave a brief explanation on the legal progress and completion plans in hand. The issues of lost or missing past records and other matters was as much as he was prepared to mention outside of a Part II on this matter. Oaklands Lane land purchase is at final stage of LR approval and will conclude very soon.
07/02/2013	898 OAKLANDS FIELD & OTHER LEGAL MATTERS With completion of registration almost done a recent conversation by Clerk with lawyers confirmed that this matter is near the end. The Clerk reported details of the last discussion which posed several queries which council will need to address on taking possession on a date yet to be qualified once the documentation has been reviewed. These were outlined to members with the ultimate being legal opinion and possible an extraction from the site together with property. The Clerk disclosed as much as he was able outside of a Part II requesting members contact the office for more information which would be disclosed.
07/03/2013	935 OAKLANDS FIELD & OTHER LEGAL MATTERS The Clerk reported there was little change from the last meeting in the way council have opted for a low cost legal process on this item but progress is being made. The members were advised of the likely procedure towards the conclusion. Also matters past disclosed in the meetings- was almost a Part II nature from the legal perspective and non disclosure.
09/05/2013	973 LEGAL MATTERS INCLUDING OAKLANDS FIELD The Clerk gave a brief overview of the two legal issues within the constraints of a Part II issue.



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12/09/2013	1115 LEGAL MATTERS The Clerk gave all members attending a synopsis of the current issues at Oaklands Field adding he had given the instructions to the legal team to try for possessory title and transfer to CHPC by 1st November. The Blue Paper report summed up the current issues.
12/06/2014	1385 OTHER FINANCIAL MATTERS-PURCHASE OF LAND AS A PARISH ASSET A late matter arriving at short notice with legal documents requiring immediate attention. A resolution and agreement from members in a vote the Chair was then able to sign along With the Clerk, the initial contract for purchase of land at Oaklands Lane, a parcel of land council has been negotiating over for some while. More details will be made available once legal title, registration takes place in the forthcoming weeks, and the final papers are with council to enable the title to be recorded as a parish asset.
04/12/2014	Clerk Report-legal issue. Members informed of a legal action on land acquired by the council to serve a notice as checked by our lawyers, this is being displayed on Friday 5th December 2014.
10/09/2015	1805 COMMON LAND, RECREATION & PUBLIC OPEN SPACES The Council decided to ask Jeff Lewis to liaise with the lead member on the Environment Committee, Cllr Crump, to see what Oaklands College can offer for the Horseshoes site. Cllr Barnes also agreed to attend a meeting with Oaklands to look at plans, which members hoped would be grant aided and also not incur a high maintenance cost. It was suggested that the site should contain a memorial of some sort for the late John Dean. <u>ACTION for JL, DC & KB</u>



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11/11/2015	1871 COMMON LAND RECREATION AREAS & PUBLIC OPEN SPACES Horseshoes Field Smallford future management – Oaklands College have confirmed their commitment where possible to get involved in the development with opportunities for students to gain work experience around a long-term sustainable project and development of a community asset. The scope of the College's involvement could be (1) Horticulture: Design Competition; (2) Construction & Carpentry: Furniture Design and Creation; (3) Landmark: Maintenance. Members RESOLVED to approve the first step, the Design Competition, to develop a plan for future use of the site. The Environment Committee will progress discussions with Oaklands College. <i>Action DC/KB</i>
03/12/2015	1905 COMMON LAND RECREATION AREAS & PUBLIC OPEN SPACES Horseshoes Field Smallford future management – Oaklands College to fix meeting with Horticulture Coordinator re: Design Competition. <i>Action DC/KB</i>
21/01/2016	<u>ENVIRONMENT PUBLIC OPEN SPACES; ALLOTMENTS & BUILDINGS</u> 1938 COMMON LAND, RECREATION AND PUBLIC OPEN SPACES Horseshoe Field Smallford future management – Oaklands College Design Competition ongoing



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11/02/2016	ENVIRONMENT PUBLIC OPEN SPACES; ALLOTMENTS & BUILDINGS 1971 COMMON LAND, RECREATION AND PUBLIC OPEN SPACES Horseshoe Field Smallford future management – Oaklands College have offered to plough the field in Spring/Oaklands College Design Competition to be organised in Autumn. Need map of boundary. Action DC
09/03/2016	ENVIRONMENT PUBLIC OPEN SPACES; ALLOTMENTS & BUILDINGS 2004 COMMON LAND, RECREATION AND PUBLIC OPEN SPACES Horseshoe Field Smallford/Oaklands College – Use O/S website/mapping data to have the land properly mapped. RESOLVED to approve mapping survey. Oaklands College have offered to plough/level the field – check whether Oaklands Insurance covers them to work on PC owned land. Check gate key/access. Cllr Crump to fix meeting with Sean Scully Action PC/DC
07/07/2016	<u>ENVIRONMENT PUBLIC OPEN SPACES; ALLOTMENTS & BUILDINGS</u> 87/2016 COMMON LAND, RECREATION AND PUBLIC OPEN SPACES Horseshoe Field Smallford - future management/Oaklands College – Cllr Crump reported that Jeff Lewis has written to Oaklands reminding them of the project.
12/01/2017	<u>ENVIRONMENT, PUBLIC OPEN SPACES; ALLOTMENTS & BUILDINGS</u> 17/11 ENVIRONMENT WORKING PARTY UPDATE Horseshoe Field - meeting with Oaklands College staff and students and local residents held 14 December; Crump and Barnes attended. Separate report provided to Council. Awaiting design proposal/s from students.



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07/09/2017	176/17	<u>ENVIRONMENT, PUBLIC OPEN SPACES & BUILDINGS</u> a) ENVIRONMENT WORKING PARTY An update on the Four Horsehoes field is due and the grass is very long and requires cutting. The college has been notified and emailed on a number of occasions. The Clerk is disappointed that she is not being copied email routinely and has raised this with both the Chairman of the Council, the Smallford Residents Association and Oaklands College. Cllr Cook raised the issue of the widening of the road and junction at the site and that Council should write to Highways at the County Council offering to assist with the junction improvements.



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11/01/2018	08/18 <u>ENVIRONMENT, PUBLIC OPEN SPACES & BUILDINGS</u> <u>ENVIRONMENT WORKING PARTY</u> The action points from the meeting held 8th January were noted. The following resolutions were made, discussed and unanimously RESOLVED • To spend £25,000 from the EMR 325 Youth Projects on the Roestock Park MUGA and associated works. • To install of up to 45 bollards at Roestock Park from EMR at a cost of no more than £6k • Subject to retrospective approval on the purchase of the land the Council shall spend £5,000 from the EMR 325 Youth Projects on the Horseshoe Field Development Project subject to approval of final and detailed plans. It was agreed a meeting between Oaklands and Cllrs Cook, Crump and Nash be arranged to discuss initial plans. • To install a site gate and fencing to secure site Horseshoe Field from EMR up to a value of £5k subject to quotes. • Council to approve £250 expenditure of the sustainable St Albans event to focus on the Common. Funds to come from Community Events/323 EMR Community Development Fund.