

# COLNEY HEATH PARISH COUNCIL

Address: Highfield Park Visitor Centre, Hill End Lane AL4 0RA  
 Telephone: (01727) 825 314  
 Website: <https://colneyheathparishcouncil.gov.uk>  
 E-mail: [clerk@colneyheathparishcouncil.gov.uk](mailto:clerk@colneyheathparishcouncil.gov.uk)



## MINUTES OF EXTRAORDINARY COLNEY HEATH PARISH COUNCIL MEETING HELD AT HIGHFIELD PARK TRUST VISITOR CENTRE ATRIUM ON MONDAY 6 FEBRUARY 2023, 7.30pm

### Members in attendance

|                                         |                                      |
|-----------------------------------------|--------------------------------------|
| Cllr K Barnes (Highfield Ward)          | Cllr J Mulroney (Highfield Ward)     |
| Cllr H Brazier (Hill End Ward)          | Cllr G Shaw (Colney Heath Ward)      |
| Cllr T Burns (Colney Heath Ward)        | Cllr K Slaughter (Colney Heath Ward) |
| Cllr P Cook (Chairman) (Highfield Ward) | Cllr R Solts (Highfield Ward)        |
| Cllr j Llewellyn (Colney Heath Ward)    | Clerk of the Council, Mrs L Peters   |

### Other attendees

27 members of the public

### 22/23-93 APOLOGIES & ANNOUNCEMENTS

Apologies were noted from County Cllr Hale, District Cllr Rowlands and District Cllr Day. It was noted two councillors and one member of the public was audio recording the meeting. The Chair announced that a meeting with St Albans District Council and the Parish Council Chair, Vice Chair and Finance & Governance Chair on Wednesday evening.

### 22/23-94 DECLARATIONS OF INTEREST

- Cllr Shaw confirmed his interest in item 97 and confirmed an interest since being a member of the Gloucester Park Action Group since 9 January 2023. There was a challenge to the type of interest that Cllr Shaw had in the item, after advice there was no further action and Cllr Shaw opted to remain in the meeting.
- All councillors in attendance individually and verbally confirmed that their published declarations were correct and up to date.
- No dispensations received in advance.
- No dispensation requests verbally requested.

### 22/23-95 QUESTIONS FROM THE PUBLIC

*7.34pm Standing Orders were suspended so members of the public could have the opportunity to ask questions/make statements to the Council.*

- There was an objection made regarding the auction of land with reference to the sale being in two consecutive weeks of the local paper.
- There was a further statement made in objection to the auction of the land.

The Chair thanked the members of the public and noted the comments and objections.  
*7.39pm Standing Orders were resumed.*

### 22/23-96 MINUTES OF THE PREVIOUS MEETING OF THE PARISH COUNCIL

Minutes of the Parish Council Meeting held 26<sup>th</sup> January 2023 were noted as circulated and taken as read. Cllr Shaw proposed a motion to remove 'trustee of the village hall' from item 92. The motion was duly proposed, seconded and **RESOLVED** by a majority vote. **Motion carried.** The amendment was made to the minutes by hand by the Chair. The Chair asked for any further comments as to their accuracy. There were no other comments regarding accuracy. Cllr Solts requested recorded votes from this point onwards.

The minutes were duly proposed by Cllr Solts, seconded by Cllr Brazier, and **RESOLVED** by a majority vote to be a true and accurate record of the meeting.

- For – Cllr Solts, Cook, Mulroney, Brazier, Slaughter, Llewellyn, Burns and Barnes.
- Against – Cllr Shaw

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|          | <p><b>Motion carried.</b></p> <p>The minutes were signed by Chair Councillor Cook for publication on the website.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 22/23-97 | <p><b>COMMUNITY GOVERNANCE ORDER</b></p> <p>a) The contents of the order were noted as circulated. It was commented that the bus shelters had been omitted and this would now be subject to a supplementary document or addendum to correct the order.</p> <p>b) There was surprise from some councillors as to the lack of detail and the content of the order. It was felt that there was no 'meat on the bone' and that more explanation would have been useful. Further questions had been sent to St Albans District Council by the Clerk and these included matters relating to the Parish Office lease and also the Public Works Loan Board on the land up for auction. Responses had not yet been received.</p> <p>c) The legal advice on employment matters was read by the Chair. The Clerk was instructed to include the statement read to the minutes of this meeting. The advice was that the Chair of Council should contact the outsourced legal services team at DAS Legal to discuss minimising the damage already done. A motion to delegate authority was duly proposed by Cllr Solts, seconded by Cllr Mulroney and unanimously <b>RESOLVED</b> by a vote.</p> <p>➤ For – Cllr Solts, Cook, Mulroney, Brazier, Slaughter, Llewellyn, Burns, Barnes and Shaw</p> <p><b>Motion carried.</b></p> <p>d) To discuss Gloucester Park</p> <p>i. It was confirmed that the auction procedure continued with the legal pack being drafted and potential issue tomorrow (Tuesday 7<sup>th</sup> February 2023).</p> <p>ii. The papers noting the process for listing an Asset of Community Value (ACV) issued by St Albans District Council was noted as circulated. It was noted that the auction process would proceed as no listing decision had been made, it was expected that a decision would be made by 10<sup>th</sup> February but in the event this was not made or that the asset was not listed the auction would proceed. There was debate on the action Council should take if the land was listed as an ACV on Friday and after debate a motion was duly proposed by Cllr Cook, seconded by Cllr Mulroney that as landowners the Parish Council challenge the decision to list.</p> <p>➤ For – Cllr Solts, Cook, Mulroney, Slaughter, Llewellyn, and Barnes.</p> <p>➤ Against – Cllrs Shaw, Burns and Brazier</p> <p><b>Motion carried.</b></p> <p>The Clerk confirmed that Cllr Shaw was taking part and voting despite his raised interest and Cllr Shaw confirmed his intention to remain, debate and vote.</p> <p>iii. It was felt that the Gloucester Park Action Group had been working behind the scenes and not in conjunction with the Parish Council. There had been no contact with the Parish Council from any representative of the group. The Clerk commented that if the group had stepped forward with a proposal then officer advice to the Parish Council would have been to work with the group for a solution.</p> <p>iv. The lack of engagement from the four District Councillors with regards to the Community Governance review was and remains disappointing. There had been no engagement by the District Councillors at all with the Parish Council</p> |

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|          | <p>during the review or since the recommendations were published. It was also noted that the District Councillors had failed to attend any Parish Council meeting in the past 12 months. A press release from District Councillor Day and District Councillor Rowlands was read to Council and the Clerk was instructed to attach the statement to the minutes of this meeting.</p> <p>v. The current costs from the auction including staff time was in the region of £2,000 to date.</p> <p>The Chair asked if there were any further questions on this item, there were none raised. It was noted that a letter had been received from the S151 Officer of St Albans District Council referencing that the Precept from the Parish Council had not been received. The Precept figure was required by 22<sup>nd</sup> February 2023 and as the Parish Council meeting was on 23<sup>rd</sup> February 2023 it would mean that the District Council would, under legislation, set the Precept for the Parish Council. It was decided that the Finance &amp; Governance meeting scheduled for 15<sup>th</sup> February 2023 be cancelled and a Full Council meeting called on Thursday 16<sup>th</sup> February 2023 so that the Precept could be decided and passed to the District Council prior to their deadline, the Full Council meeting would be at the Colney Heath JMI School at 7.30pm.</p> |
| 22/23-98 | <p><b>QUESTIONS FROM THE PUBLIC</b></p> <p>8.33pm <i>Standing Orders were suspended so members of the public could have the opportunity to ask questions/make statements to the Council.</i></p> <ul style="list-style-type: none"><li>• Disappointment shared by a resident at the lack of chairs for attendees.</li><li>• The expression of interest exercise from 2020 was noted as reference to engagement on the land</li><li>• The issuing of the auction legal pack was noted and reconfirmed</li><li>• A question on development and to any public rights of way across the land was noted, the Chair confirmed that the land was being sold as a public open space</li><li>• Community survey was raised, the Chair confirmed that at the time the survey was issued the recommendations were not known and no questions on the potential Community Governance Review were included.</li><li>• The ACV process was again questioned and it was confirmed that the only correspondence received by the Parish Council on submission of the ACV was a letter confirming an application had been received.</li></ul> <p>8.40pm <i>Standing Orders were resumed.</i></p> <p>The Chairman thanked all for their attendance and closed the meeting at 8.40pm</p>                                                                                                                                   |

## Meeting closed at 8.40pm

L Peters LCGI PSLCC CPFA CILCA  
Clerk to the Council  
Drafted 09/02/2023

Signed by  
Councillor Peter Cook  
Chair

Approved by Council 16<sup>th</sup> February 2023



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## **Statement read at Item 97c**

### **CHPC Insurance legal advice on Employment matters**

The Parish Council received verbal advice on a confidential basis, without liability to the insurer.

The Parish Council, as the corporate body, will be covered in the event of a claim for any employment tribunals etc.

As long as the Parish Council is the insured party any legal action brought against the Council in which they are named party and have to defend themselves is covered by the current policy.

In the scenario action is brought against the Council and if a serving councillor has contributed or been in an organisation which has published an article against staff or to reduce staff such as the publication example sent to the insurance company the likelihood of the Council defending a successful claim is poor.

If a councillor has been warned against their actions and this is minuted and in the public domain, there is serious risk of loss to the claim

If a formal written opinion is required Zurich's advice is to contact the outsourced legal expenses team at DAS Legal to discuss how the corporate body will be able to minimise the damage already caused.

From previous experience it will be necessary to gather full and detailed information for formal advice to be obtained.

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## **Press Statement read at Item 97d iv**

### **District Councillor Press statement on Gloucester Park**

Gloucester Park, located between Drakes Drive and Hill End Lane within the Hill End Ward, was originally owned by the NHS as part of the Cell Barnes and Hill End hospital sites that were redeveloped from the mid-1990s to form the Highfield Estate. Colney Heath Parish Council (CHPC) had leased the Park from the NHS for some years, cut the grass, and installed play equipment on it.

The NHS decided to sell the site in 2007 as it was surplus to requirements with the hospitals gone. The CHPC at the time agreed to buy the Park to preserve it for community use and prevent it being bought for speculative development. The purchase was achieved with the help of a Public Works Board loan.

We were surprised to learn that the current CHPC intended to sell Gloucester Park, as this ignores the reason it was bought in the first place.

Furthermore, the Parish Council carried out a resident survey in 2022 which showed a majority of residents wanted to retain the Park in public ownership (49% in favour; 19% wanting to sell; 27% Don't Know and 5% suggesting a different option).

We question why CHPC wants to sell this asset against residents wishes.

We believe it is in a hurry to divest the asset ahead of the redrawing of the Parish Council boundary from April 1st this year (as recommended by the Community Governance Review and ratified by the District Council) as after that date the Highfield Estate will no longer be part of CHPC, and Gloucester Park will revert to St Albans District Council's ownership.

Selling by auction removes any control over the choice of potential buyer and would increase the likelihood of a developer acquiring the site so it could be lost for community use.

For all these reasons, we support the application to make Gloucester Park an Asset of Community Value (ACV).

Any proposed sale as an ACV would need a full consultation with residents. It would also give local residents the option of putting in an offer themselves to preserve the green space adjacent to their properties.

Cllr Jamie Day, Hill End Ward, St Albans District Council  
Cllr Anthony Rowlands, Hill End Ward, St Albans District Council