

**MINUTES OF THE MEETING OF THE
LEISURE FACILITIES & OPEN SPACES COMMITTEE**
held on **TUESDAY 10th FEBRUARY 2009**
in the **WHITE HILL CENTRE**
this commenced at **7.30 PM**

PRESENT: Chairman, Cllr. M. Benson and Councillors J. Blackburn and L. McLusky.

IN ATTENDANCE: R. Findlay (Clerk), Chris Wright (Chairman, Welwyn Allotment Association) and one member of the public.

APOLOGIES: Councillors S. Butler and I. Colpitts (*Both attended a Borough Council meeting*).

The Chairman welcomed everyone and opened the meeting at 7.30pm

2009/009 DECLARATION OF INTERESTS.
None

2009/010 MINUTES OF THE MEETING HELD ON 13th JANUARY 2009
It was **RESOLVED** that the Minutes are a true and accurate record and duly signed by the Chairman.

2009/011 MATTERS ARISING FROM THE MINUTES OF 13th JANUARY 2009
War Graves: The Clerk reported that the War Graves at the Cemetery had been found and inspected.

Old Cemetery West:

Breen: Generally in a good condition but headstones needs re-whitening.

Perrin: Generally in a good condition but headstones needs re-whitening.

Smith: This grave could not be found and it is thought that it is an unmarked grave.

RESOLVED, that the graves were not neglected and therefore the War Commission need not be informed to be asked to adopt them.

2009/012 ALLOTMENTS.

ASSOCIATION MATTERS:

Chris Wright , Chairman, Welwyn Allotment Association, was invited to address the Committee. He again welcomed the opportunity.

Membership: He mentioned that the membership was doing well and they were still hoping for more people to join and they did not have to be allotment plot holders. The cost was only £5 per annum.

The Clerk suggested that the Council would help by putting some information on their website.

RESOLVED, Mr. Wright would submit a report to the Clerk for publication.

Skips: Mr. Wright asked if the Council would be ordering the same number of skips; as in previous years, for the allotments.

RESOLVED, The association would submit the dates for delivery of the skip to the allotments for 2009/10

Division of plots: A misunderstanding had arisen, the association thought that they would be consulted on the division of allotment plots. The Chairman explained that there was no policy in place for the association to be consulted on council matters relating to the allotments. Policy matters relating to the allotments are for the Council to decide, but the association is informed on issues as a matter of courtesy.

RESOLVED, the Clerk would continue to liaise with Chris and keep him informed on allotment matters as a matter of courtesy.

White Horse Public House Trees: Mr. Wright asked if there was any progress on the issue of the trees at the White Horse public house which encroached over the allotments.

The Clerk reported she had arranged a meeting with the Publican on Friday 13th February. She would be discussing the substantial cutting down of the 'Leylandi' and repairs to the fencing on the Orchard Road allotment site. She hoped they would come to an amicable agreement.

Association AGM: Mr. Wright thanked Councillors who were to attend the AGM on Friday 20th February. He reported that someone from the Police would be attending to give a presentation.

Vandalism: It was reported that there had been some minor vandalism on the allotments and that the Police were aware and are keeping a close eye on the facilities.

Council Allotment Inspection: It was reported that the next inspection would take place on Sunday 5th April at 11am.

RESOLVED, Mr. John Wardley will be invited to attend on behalf of the association.

PARISH COUNCIL MATTERS:

The Clerk reported that she had received correspondence from a member of the public, (*who is not a plot holder but has joined the waiting list*), who has enquired if poultry could be kept on the allotments. The Clerk reminded the committee of the Council's regulation Clause 5(p) prohibition of live stock on the allotments.

The Clerk reported that the Allotment Act 1950 (*an Act to amend the law in relation allotments and to abolish restrictions on the keeping of hens and rabbits*), superseded any regulations for the prohibition in Council regulations. Therefore, it is the Clerks understanding that only if the Council has a bye-law can this be enforced or ¹ "If the provision does not authorise any hens or rabbits to be kept in such a place or in such a manner as to be prejudicial to health or a nuisance, or affect the operation of any enactment."

She also reported that she is consulting with SLCC, HAPTC and NALC on the legal issue and is waiting for responses. The Clerk has also initiated a survey asking all the current plot holders what their views are on the Council allowing live stock onto the allotments at Welwyn. This she will collate and report back to the Committee at their next meeting.

Mr. Wright said he would also bring the matter to the attention of Welwyn Allotment Association.

RESOLVED, this matter is deferred to the next meeting at which the Committee should have more information to make an informed decision.

OAK TREE ON THE ALLOTMENTS WITH TPO:

The Clerk reported that a request had been made for the overhanging branches to be cut back from the back of a property on Orchard Road by the tenant. Due to the tree having a TPO a Planning application was submitted by the Clerk asking for permission for the lower limbs to be reduced by 20% and the over hanging branches by 10%. The tenant at the property was informed of this. This was then granted by the Borough Council a few weeks later.

During this time, the Housing Association, who are landlords of the property; without permission and informing the Parish Council, instructed a tree surgeon to cut down the branches of the tree. The Council's tree surgeon who was asked to quote for the work to be done reported that the cutting had not been done to a good standard.

¹ The Law of Allotments (5th Edition) Paul Claydon MA (Oxon.) Solicitor.

The Clerk has been in contact with the relevant Housing Association who has admitted they ordered the work to be done and would investigate internally how it has happened without contacting the Parish Council and having the relevant planning permission.

The Clerk asked how the Committee would like her to proceed with the matter.

RESOLVED, the Clerk to inform the Housing Association that the work is inspected by a qualified arboriculturalist and the work carried out properly by a qualified tree surgeon with confirmation to the Parish Council.

The Committee and Mr. Wright agreed that this was a successful meeting The Chairman thanked Mr. Wright for attending.

2009/013 OTTWAY WALK.

Extra Lighting along Ottway Walk. The Clerk reported she is still making enquiries in the possibility and costs.

RESOLVED, that the Clerk contacts the County Council to ask if they maintain the path along Ottway Walk for use by pedestrians.

2009/014 ST. MARY'S CHURCHYARD.

Tree Works:

RESOLVED, to defer this to the next meeting. The Cemetery tree plan and the Churchyard tree plan are discussed together and a rolling program for tree maintenance be put together.

2009/015 WELWYN CEMETERY.

The Unused Building at the Cemetery (Waiting Room): The Clerk reported that the roof of the building was intact and it contained asbestos. After discussion it was,

RESOLVED, the Clerk investigates the possibilities of opening one side of the building and the renovation so the building can again be used as a waiting room.

2009/016 DRAFT BUSINESS PLAN – CIVIC CENTRE.

The Committee had previously been circulated the draft document which had been put forward by former Councillor J. Roper. The Clerk had also previously circulated her report on the document.

The Clerk was congratulated by the Committee for her extremely helpful report in breaking down the draft document and suggesting a way forward.

RESOLVED, THE Committee recommends to full Council that the Clerk be instructed to arrange a full survey of the Civic Centre be completed as soon as possible. *(Once this has been completed the Council will have a body of evidence and be able to move forward in relation to decisions to be made in relation to the lease which comes to an end in 2014).*

2009/017 WELWYN TENNIS CLUB.

Correspondence received from the Tennis Club in response to the Clerks letter regarding traffic on Ottway Walk.²

RESOLVED, the Clerk looks at possibility of extra road signs for Ottway Walk. (Note: At item 2009/013 the Clerk has been instructed to inform the County Council in regard to maintaining the footpath.

2009/018 VILLAGE OF THE YEAR COMPETITION 2009

After discussion it was agreed that this would take a lot of time, hard work and would need the support of the community.

² Note the letter from the Clerk was sent to the Tennis, Bowls and Sports and Social Clubs asking that they remind their members to slow down and give priority to pedestrians.

RESOLVED, Councillors read the documentation supplied by the Clerk and the item will be deferred to the next meeting for a decision.

EXEMPT BUSINESS

Under Section 100A(4) of the Local Government Act 1972 for the following item on the Agenda, the Chairman as this point will exclude the public and accredited representatives of newspapers on the grounds that it involved the likely disclosure of exempt information as defined in Part 1 of the Act by virtue of the paragraph specified against the items.

2009/019 GRASS CUTTING TENDERS.

The Committee thanked the Clerk for the professional way she prepared of the revised specification for the grass cutting tender document.

The Clerk confirmed that all companies invited to tender for the contract had all received the same information. She also confirmed that she had received four tender documents by stated deadline for submissions.

One other company had submitted their tender via email to the Clerk which was received by the Clerk on the day of the deadline. The Clerk informed the company that this had made their application invalid as it was not submitted in the approved manner.

No tender documents have been received since the deadline. The Clerk then proceeded to open the documents in the order they had been received. The following companies who submitted tenders are as follows:

1. Harte Landscapes and Garden Maintenance.
2. FT Gearings Landscape Services Ltd.
3. Grassroots Landscape. Design. Construction. Maintenance.
4. The Garden Company Ltd.

The tender documents are held in the confidential file.

After discussion and consideration it was **UNANIMOUSLY RESOLVED**, the Grass cutting contract for 2009/2010 is awarded to **FT Gearing Landscape Services Ltd.**

2009/020 CLOSE OF MEETING.

The Chairman thanked everyone for attending and closed the meeting at 9.12pm

Signed:.....

Chairman of the Leisure Facilities and Open Spaces Committee.

Date: