

Abbots Langley Parish Council

Council Offices
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8th September 2023.

To Members of the Parish Council

The next meeting of the Parish Council will be held at Council Chambers, Abbots Langley Parish Council, Council Office, Langley Road, Abbots Langley, WD5 0EJ on Wednesday 13th September 2023 at 7:30 pm when your presence is summoned for the purpose of transacting the business outlined below.

The press and public are welcome to attend the meeting. Individuals wishing to speak at a Parish Council meeting must sign in prior to the meeting. For further details on public speaking arrangements at a Parish Council meeting, please visit <https://www.abbotslangley-pc.gov.uk/parish-council/public-speaking-arrangements/>.

Isabel Montesdeoca
Chief Officer & Clerk to the Council

AGENDA

1. Apologies for Absence
To receive and accept apologies for absence.
2. Declarations of Interest
To receive declarations of interest in items on the agenda.
3. Public Participation
To note if any members of the public have requested to speak at this meeting, in accordance with the Parish Council's Public Speaking Arrangements.
4. Election of Review Panel
(Parish Council 17 May 2023 min 9)
To confirm the membership of the Review Panel for the municipal year 2023-2024.
5. Election of Review Panel Chair
(Parish Council 17 May 2023 min 10)
To confirm the Chair of the Review Panel for the municipal year 2023-2024.
6. To confirm the Minutes of the Meeting held on
12th July 2023 (Enclosed)
7. Minutes for adoption
To adopt the following minutes and approve publication on the Parish Council's website. (Enclosed)
 - i. *Planning & Highways Committee* - 2nd, 9th, and 30th August 2023
 - ii. *Finance & Administration Committee* - 26th July 2023
 - iii. *Leisure Committee* - 23rd August 2023
 - iv. *Staffing Committee* - 6th September 2023
8. Chairman's Report
To consider the Chairman's report.
9. Hertfordshire Police
To receive a report from the Police.

10. Final Internal Audit Report 2022-2023

(Finance & Administration Committee 26 July 2023 min 104)

Members are asked to formally note the above and that the one recommendation raised by the internal auditors has been addressed. (Report circulated for the F&A meeting 26th July 2023)

11. Roman Gardens

To consider a request to purchase land owned by the Council in Roman Gardens. (Chief Officer & Clerk's report item 1 and Email correspondence enclosed)

12. Bedmond Sports Pavilion

To consider an update on the potential works required at the above property. (Chief Officer & Clerk's report item 2 and Bedmond Works List enclosed)

13. Abbots Langley Neighbourhood Plan

To note the Neighbourhood Plan Report from the Chairman of the Steering Group. (ALNP Progress Report Forty-Five September 2023 enclosed)

14. District and County Council Member's Reports

To consider any reports submitted by members of the above authorities.

15. Small Grant Awards

To note the award of a small grant for £250 to Abbots Langley, Watford and Bushey Community First Responders East of England Ambulance Service NHS Trust to help cover the cost of a new kit for the CFR responder based in Abbots Langley.

16. Monthly Statement of Accounts

To consider the monthly statement of accounts for June, July 2023 and approve their publication on the Parish Council's website. (Monthly Accounts enclosed)

17. Exclusion of the Press and Public (Part II)

As the following item will consider early stages of legal, contractual, and planning matters into which the Parish Council may be entering a resolution to exclude the press and public may be required, under the Public Bodies (Admission to Meetings) Act 1960 and the LGA 1972, s100 & 102.

18. Manor Lodge

To consider lease renewal for the above property (Draft Lease enclosed).

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Chief Officer & Clerk's Report - September 2023

1. Roman Gardens

a. Request to Purchase Land

A local resident of Roman Gardens has approached the Council with a request to purchase a small parcel of land adjacent to his property with the intention solely to annex the parcel of land onto the property's rear garden. Please refer to the email correspondence and plan the resident has provided for further details.

I have also provided members with a copy of the land registry plan for the land owned by the Council in Roman Gardens so members can see the full extent of the land we maintain there and the legal constraints on it. To my knowledge, the land is not held in trust, however, there are charges on the land that restrict the Council from erecting any buildings, trees or shrubs over the gas pipes, sewer drains, watercourses, wires, cables, pipes, mains and other services laid there. It also grants full and free right and liberty to the relevant companies to enter the land to access, maintain, repair and renew these services and any structures associated with these services.

b. Considerations, Procedure, and Decision Criteria when Considering Sale of Land

The Council does not have an official procedure outlining how requests to purchase land are managed, therefore I am providing the following guidance to members for reference when considering these types of requests. *(NB: This guidance is an extract taken from relevant policies from other Parish Councils)*

Considerations

"Considerations that should be taken into account when the Council is considering the sale of land:

1. That Government legislation is understood and used as a basis for decision-making (see Legislation section below).
2. To consider best value for the public purse.
3. To consider how the Council will demonstrate that maximum consideration has been given to the disposal or sale of land.
4. To consider that land cannot be disposed of for less than it is worth without the consent of the Secretary of State so knowing the value of the land is important to establish in the first instance.
5. To consider an open and transparent bidding process where required and certainly when there is more than one party interested in the disposal.
6. To consider how and when the Council will advertise the disposal or sale.
7. To consider what the land is currently appropriated for.
8. To consider if the land falls within the exceptional reappropriations and disposals guidance.
9. To consider if such a disposal promotes economic, social or environmental wellbeing, with a limit of £2million between the unrestricted value and the disposal value? If not, the parish council could not dispose of the land without the permission of the Secretary of State and in any case would need to know the value of the land prior to considering any disposal, if for no other reason than to formally confirm the council are not breaching the £2million limit. The council would need to contact either the District Valuer or a Land Consultant/Agent for a valuation.
10. To consider on a case by case basis the valuation of the land - the council could instruct and pay for the District Valuer or a Land Consultant/Agent to value the land.
11. To consider on a case by case basis and ask the proposed purchaser to pay for the valuation as this may demonstrate a commitment. The prospective purchaser would need to be fully informed however, that the final decision to dispose or sale of land would rest with the council as the Corporate Body, so in paying for the evaluation there is no guarantee a disposal of land for example by sale or swap would take place.
12. To consider if the land has recently been valued and proper advice already taken."

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Procedure

"The procedure that would be followed if the Council were inclined to consider the sale of land would include:

1. The request/proposal will be added to the next available Parish Council agenda by the clerk.
2. The clerk will produce a report to council setting out the proposal, what the land is currently appropriated for and what proper advice is recommended that the council should consider for example a valuation of the land and/or instructing a Land Agent.
3. If in the first instance a valuation of the land is required, the clerk will request a resolution from the council to that effect and will then arrange for the land to be valued as soon as possible.
4. Once the clerk received the valuation a report will be completed to council for their next parish council meeting. This will detail the proposal to dispose, the intended use once disposed and the price of the land. The clerk will ask the council for an indication as to whether the council still wishes to proceed to the next stage, i.e. to establish by resolution the council's intention to dispose of the land by way of a sale as set out in the report.
5. If the council do not wish to continue with a sale at this stage the process will stop, and the prospective buyer will be informed that the parish council does not wish to proceed with the sale of the land.
6. If the council still wish to sell the land, there is a need at this stage to choose and employ a Land Agent, the clerk will ask the council for a resolution to contact a Land Agent to deal with the sale of the land.
7. The council will then formally decide at the meeting whether it wishes to confirm its intention to sell the land based on the valuation, the nature of the proposed use of the land, any objections received and any other factors the council considers relevant.
8. Once the formal resolution is made that the land is to be sold, the council would determine which different method / strategy to use to achieve the highest price and best value for the community. One of these options is to work with a Land Agent and rely upon professional advice. Generally, a Parish Council will prefer to sell by way of informal tender unless advised to use another sale process."

Decision Criteria

"The Decision criteria recommended when the Council is considering the sale of land are as follows:

Pros:

1. The financial advantage for the parish meets the financial tests described above.
2. The council's current or future liability for maintenance and repair outweighs the current or future amenity the land provides for residents.
3. Disposal facilitates broader projects which the council deems to be for the benefit of residents.
4. Disposal allows other recognised charitable or not for profit organisations to consolidate landholding for the public good. e.g. Woodlands Trust, Canals and Waterways, National Trust etc.
5. The parish land provides no current discernible amenity to residents nor uncommon environmental advantage for flora or fauna.
6. The value of the land is unlikely to increase beyond inflation, taking into account current market forces, foreseeable additional local developments and national initiatives.
7. Disposal will contribute to the vision of the council, goals of the agreed Neighbourhood Plan and the councils' medium-term planning objectives.

Cons:

1. The land's location and current condition add visual amenity.
2. The land has potential to provide opportunity for sport, leisure, or recreation activities

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3. The land contributes to the environmental distinctiveness of the area.
4. The land or and its current condition adds to the cultural and heritage dimension of the landscape.
5. The land currently provides useful access routes to residents.
6. Acquisition of the land by a third party is likely to facilitate land use which conflicts with the principles established in the Council's Vision Statement, Neighbourhood Plan or Lichfield District Council Local Plan

c. Legislation

- Ordinary Appropriation: Land acquired for a purpose is said to be appropriated to that purpose, and can be used for no other purpose, unless the Law permits it, but with certain exceptions a local council, with the Secretary of State's consent, may reappropriate any land not required for the purpose for which it was acquired or appropriated to some other purpose, subject, to the rights of other persons over the land. Appropriation and reappropriation must be made by resolution and are, in their nature, meant to be long lasting. There are no special restraints on the reappropriation of compulsory purchased land as such. Local Government Act 1972 s126 (1)-(3)
- Ordinary Disposal of Land: Under Local Government Act 1972 ss127 (1) and 131 (3), provides that a parish council may dispose of land held by them in any manner they wish, but they must secure the best consideration that they can. (The same provisions in relation to the disposal of land by principal councils are contained in s 123.)
If the land is not held in charitable trust and the disposal is less than the land is worth. The Secretary of State's consent is needed, unless either the disposal is by way of short tenancy, that is a term not exceeding seven years or the assignment of a term with no more than seven years still to run Local Government Act 1972 s127 (2) and (5) Local Government Act (Miscellaneous Provisions) Act 1976. The Secretary of State has given a general consent for the disposal of land at less than full value where:
 - The council considers that the purpose for which the land is to be disposed is likely to contribute to the achievements of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area:
 - the promotion or improvement of economic well-being
 - the promotion and improvement of social well-being
 - the promotion or improvement of environmental well-being; and
 - The difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 Local Government Act 1972 s127 (2) and (5); Department of communities and Local Government Circular 06/03; Local Government act 1972; General disposal consent (England) 2003; disposal of land for less than the best consideration that can reasonably be obtained.
- Exceptional reappropriations and disposals: In some cases (apart from special covenants) a council owes a duty to the public that land in its possession shall be used for the purpose for which it was acquired. Reappropriation and disposal can threaten that purpose and therefore special formalities must be observed before they can take place.
- Open Space: A council cannot reappropriate or, save by way of short tenancy, dispose of any open space or part of it without first advertising its intention for two consecutive weeks in a local newspaper and considering any objections. Such a disposal or reappropriation frees the land from any trust arising solely from its being held in trust for the enjoyment of the public under the Public Health Act 1875, s164, or Open Space Act 1906 s10
- Commons and Allotments: A council wishing to reappropriate land forming part of common or field garden allotments must first advertise its intention for two consecutive weeks in a local newspaper and consider objections. The council then makes the reappropriation by order which has to be confirmed by the Secretary of State, unless the area to be appropriated does not exceed 250 square yards. Town and County Planning Act 1971 s121, amended by the Local Government Act 1972 s126 (4).
- Cycle and car parks: A council may, with the Secretary of State's consent, appropriate for the purpose of a cycle or car park any part of a recreation ground, open space or

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land acquired under repealed Physical Training and Recreation Act 1937 s 4, or its successor, the Local Government (Miscellaneous Provisions) Act 1976 s19, provided that the land does not exceed the lesser of one-eighth of the total area or 800 square feet. Road Traffic Regulations Act 1984 s51.

Parking spaces may be let for periods not exceeding seven days, but without prejudice to the council's right to let the land, of which they form a part, for a longer period. RTRA 1984 s57 (7)

2. Bedmond Sports Pavilion

a. Works Required

Council Officers have been working with a number of contractors and the Council's surveyor to obtain a clear understanding of the recommended works and the estimated cost of the works required. The current list of works has been provided to members for reference, however, please note that additional input on the cost of the building works, fire alarms, and plumbing are expected w/c 11/9.

Once the list of works has been finalised, three quotes will be obtained for the full works, as required by the Council's Financial Regulations. We will invite quotes both from a consortium of independent contractors and from larger contractors who manage end-to-end projects for district councils.

b. Expenditure

Current estimate for the total cost of works is £80-£90K. Officers are investigating ways in which this cost can be reduced but the full bill is likely to remain in the neighbourhood of £70-£80K. The Council can choose to fund these unexpected works in the following ways:

- Community Infrastructure Levy Funds - circa £64K in CIL funds due to expire in April & October 2024
- Earmarked Reserves - £67.5K added to Property Repairs & Maintenance Earmarked Reserve in 2023-2024 budget
- Grant Funding - Application submitted to National Lottery. Feedback from National Lottery takes 12 weeks so not likely before December therefore choosing this route would delay start of the works.

c. Future Tenancy

Given the time it is taking to confirm the list of works, it would be prudent for the Council to consider opening up a process for expressions of interest from organisations interested in leasing the pavilion once it is available. Starting this process now could also help identify if prospective tenants are interested in undertaking any building work of their own.

If the Council is in agreement, I would recommend creating a simple form and questionnaire which would be placed on the Council website. The form would need to be completed in full to register an interest in leasing the property. If requested, site visits could also be arranged, dependent on works.

d. Bedmond Youth FC

The Facilities Manager, Works Manager, Community Warden and Manor House Caretakers all pitched in to clean up and repair the away changing room in order to make it available to the Bedmond Youth Girls FC. The showers are not available, however, the club has said they do not require these. A huge thanks go to all the ALPC Staff that made this possible.

Isabel Montesdeoca

Chief Officer & Clerk to the Council
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