

COLNEY HEATH PARISH COUNCIL

✉ Postal 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



CHPC MOTIONS LOG

No.	From	Date Rec'd	Proposed Motion or Item	Action	Mtg Date	Comments/Outcome
1	Cllr Devi	n/a	HR Matters to be reviewed	Included	30/11/17 222/17.6	Included at Chairmans discretion although raised incorrectly and was an invalid motion as no notice given. Despite the legality of the motion a vote was held and recorded as 1 Councillor in favour and 7 against, therefore the motion was defeated.
2	Cllr Devi	08/02/2019	To cancel the motion on CCTV installation made in July 2018 and raise a new motion	Rejected	n/a	The motion in July 2018 has been superseded by the proposal of Cllr Crump and seconded by Cllr Grant in February 2019 to defer any decision on CCTV installation and selection of contractor to after election of new Council in May 2019 and The motion should be written in full the wording of this proposed motion is unclear in meaning.
3	Cllr Solts	02/03/2021	Land at Tyttenhanger Accessway to playing fields to the north east of Charles Morris Hall	Included	11/03/21 EGM Item 122	Motion received duly proposed and seconded. EGM called for the following proposal: 1. LETTER BEFORE ACTION – FINAL WARNING 2. CLERK BE GIVEN DELEGATED AUTHORITY TO ISSUE A HIGH COURT INJUNCTION IF THE agreement non-compliance CONTINUES 3. ALL COSTS IN THE CAUSE ARE CLAIMED AGAINST LAND OWNER 4. CHPC EXPEDITE HEIGHT BARRIER OR

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						similar arrangement to ensure the adjacent landowner complies with the agreement at all times
4	Cllr Shaw	01/10/2021	To resume the negotiations with the Scouts on the Heads of Terms agreement for a short-term agreement to occupy the Roestock Hut until such time as it is required to build a new facility on the site, or to meet any other agreed plans that arise from the Public Consultation. To engage an independent third-party facilitator to enable agreement on the necessary works that are required to be carried out before the building is occupied again, and how to implement such works.	Included	21/10/21 Item 62b	No motion was put forward. The item was deferred until after the results of the community consultation were received and reviewed.

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5	Cllr Cook	11/07/2022	To suggest in the consultation response the creation an urban Parish Council As a result of the boundary change recommended by the St Albans District Council Community Governance Review to request the District Council create a Parish Council to represent the urban area of the Parish so the electorate' are not subject to a democratic deficit	Included	28/07/22 Item 33a	Motion received and duly proposed and seconded. The following was resolved by majority vote to request the District Council create a Parish Council to represent the urban area of the Parish so the electorate' are not subject to a democratic deficit when submitting the response to the St Albans District Council Community Governance Review.
6	Cllr Cook	17/10/2022	To instruct the Clerk to commence work on the feasibility of Roestock Hut as provision of a Parish Office from September 2023 including how to make the building compliant as a corporate landlord and investigate the possibility of use by community groups including Scouts and Guides - taking note of comments made in the Community Survey 2022	Included	27/10/22 Item 56b	Motion received and duly proposed and seconded. The motion was resolved by a majority vote which was requested and noted to be recorded.

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7	Cllr Cook	23/11/2022	That a budget of £750 be allocated from ear marked reserves to promote the petition and formation of Highfield Parish Council.	Included	01/12/22 Item 76a	Motion received and duly proposed and seconded. Motion was resolved unanimously.
8	Cllr Cook	23/11/2022	To sell Gloucester Park by auction with the net proceeds, after the redemption of the Public Works Loan Board and auction fees, to be split 50% to be placed in earmarked reserves for Colney Heath Recreation Ground play area and 50% to be allocated to the Highfield Park Trust pathways project as both projects will benefit parishioners who have contributed to the purchase and maintenance of the land.	Included	01/12/22 Item 76b	Motion received and duly proposed and seconded. At the meeting there was a counter motion offered by Cllr Burns Cllr Burns proposed an amendment to the motion in which he wanted to remove the requirement to share 50% of the proceeds from the sale to the new Colney Heath Recreation Ground play area, this motion received no seconder and was not progressed to a vote. The motion was resolved by a majority vote which was requested and noted to be recorded.

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9	Cllr Solts	23/11/2022	Due to the continual questioning of the Clerk's integrity and professionalism, Council to instruct the Clerk to place the CHPC insurance company on notice of potential employment claims against this Council. And subsequently to obtain confirmation from the insurance company that if any action is brought that personal indemnity for councillors now or in the future will be covered.	Included	01/12/22 Item 77	Motion received and duly proposed and seconded. The motion was resolved by a majority vote which was requested and noted to be recorded.
10	Cllr Cook	07/02/2023	To instruct the Clerk to market the property with immediate effect allowing the successful ACV nominee 6 weeks to make their bid as advised by SADC officers on Wednesday 6th February 2023 and as set out in the legislation	Included	16/02/23 Item 105b	Motion received and duly proposed and seconded. The instruction to the Clerk was resolved by a majority vote which was requested and noted to be recorded.

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11	Cllr Cook	09/03/2023	To install a bench in Highfield Park in recognition of two long standing councillors who have served their area for a combined 26 years. Funding for the bench to be allocated from the £1125 remaining in the budget for community grants 2022/23	Included	16/03/23 Item 115e	Motion received and duly proposed and seconded. The following was resolved by majority vote that a bench was purchased for Highfield Park Trust, the funds would come from the remaining Parish Council grant allocation of £1125.
12	Cllr Shaw	14/11/2023	Council resolves that, upon request: a) the real name and valid address of FOI requestors shall be disclosed, in a confidential manner, to all Council members, who in turn will keep this information confidential, and b) where the requestor refuses disclosure to all Council members, the Council will not consider the request	Rejected	n/a	The motion was rejected under CHPC Standing Order 9e for the following reasons: 1. There is no legal reason why the name and address would need to be shared with all councillors, this would be contrary to the Data Protection Act 2018 as it would be disclosing personal information to people (councillors) who have no lawful basis for processing it. 2. The Council cannot set its own rules or parameters on whether to answer Freedom of Information requests as this is set out in legislation.

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						3. A valid request received under the Freedom of Information Act 2000 must be answered as there is a legal obligation by the Parish Council as the corporate body to do so. 4. The wording of the motion cannot be placed before Council as the potential resolution would break the law. The Parish Council cannot change or amend the law but must comply with it.
13	Cllr Shaw	04/12/2023	Council resolves that, upon request: Council resolves that, upon request, the real name and valid address of FOI requestors shall be disclosed to the Chair of the Council, so that they can independently determine whether the request should be considered as vexatious. The request will be considered to be vexatious if either the Clerk or the Chair deem it to be so.	Rejected	n/a	The motion was rejected under CHPC Standing Order 9e for the following reasons: 1. There is no legal reason why the name and address would need to be shared with any councillor or the Chair of Council, this would be contrary to the Data Protection Act 2018 as it would be disclosing personal information to people (councillors or Chair of Council) who have no lawful basis for processing it. 2. The Chair of Council has no power to make decisions so therefore cannot make independent determinations. 3. The wording of the motion cannot be placed before Council as the potential resolution would be ultra vires giving decision-making authority to a single

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						Parish Councillor outside of the corporate body.
14	Cllr Clemow	18/09/2024	To resolve to obtain costs for solicitors' advice on whether the conveyance of land from Captain Sanders to the Parish Council dated May 1935 means the Council holds the land in trust as trustee.	Included	26/09/2024 Item 40d	<u>Motion</u> - to obtain costs for solicitors' advice on whether the conveyance of land from Captain Sanders to the Parish Council dated May 1935 means the Council holds the land in trust as trustee, budget allocation to be determined and confirmed by Council resolution.
15	Cllr Clemow	18/09/2024	To resolve to appoint, and appoint, three Councillors to form the Trust Committee to act in accordance with Charities Act where the Parish Council is a trustee.	Rejected	n/a	The motion was rejected due to the solicitor advice and response received from the Charity Commission