



KINGS LANGLEY PARISH COUNCIL

MINUTES of the Extraordinary Meeting of the Council held at 8pm on Wednesday 19th February 2020 at the Council Hall, Charter Court, Vicarage Lane, Kings Langley.

Present: Cllrs Anderson, Button (Chair), Angiolini (Vice-Chair), Johnson, Hubberstey, McLean and Morrish.

Also Present: Mr Paul Dunham, Clerk to the Council; 13 members of the public.

The Chair opened the meeting to emphasise that the reason for it was to consider the offer by Angle Property Ltd of community land at Rectory Farm and its implications.

1. Apologies for Absence.

1.1 Cllrs Collins and De Silva.

2. Declarations of Interest.

2.1 Cllr Johnson declared a Personal Interest in all the items on the agenda as he lived opposite the proposed development and with other Members had met with the applicant

3. Public Participation.

3.1 Mr John Ingleby, of Waterside, representing the “Food for Kings” group, expressed his concerns regarding the handling of the relocation of the group’s allotments at Rectory Farm, which had been detailed in an email to the Council, and sought assurances that the Council would do all it could to safeguard its interests.

3.1.1 The Chair asked Cllr Morrish to respond, to which he stated that he was working very hard with Angle Property to obtain the best transitional and final arrangements for the group and towards this he and other representatives of the group are having a meeting with Angle property on the 28th February. The Chair added that the group’s best interests had been under consideration from the outset of the process and would continue to be so.

3.2 Ms Belinda Phipps, of Gypsy Lane (in the parish of Abbots Langley), representing the local Transition groups, asked what the Council was doing to reduce carbon emissions particularly regarding new developments like Rectory Farm. The Chair responded that as leader of the environmental parish plan group, he would be seeking the best practicable outcomes on all new developments.

3.3 Ms Phipps also asked what steps the Council was taking to address the gender imbalance on the Council, to which the Chair responded that the Council was very open but that female candidates did not come forward.

3.4 Mr Chris Pichon of The Courtyard, Shendish, who is working with Members of the Council on the Parish and Neighbourhood Plans, believed that the Council should try to do more to open up and improve accessibility to countryside spaces in Kings Langley and he had offered to assist in this, in particular to improve Kings Langley woods in line with Chipperfield’s. He urged the Council to accept Angle Property’s offer.

3.5 Mr Ansell of Belham Road and representing the Kings Langley and District Residents asked if this offer of land had influenced the Council’s decision the previous evening



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to note the planning application for this land, to which the Chair responded “absolutely not”, adding that he was quite offended by the question.

- 3.6 Cllr Hubberstey added that the Parish Plan leisure group was also looking at ways to improve accessibility for public spaces.

4. Rectory Farm – Offer of Community Land

4.1 Members had a copy of the letter from Angle Property Ltd before them.

4.1.1 Cllr Anderson introduced the item, which he felt presented one of, if not the most important and significant decisions for this Council to date. He proposed that the Council accepted the offer. This was seconded by the Chair, who added that he felt it was a great opportunity.

4.1.1.1 Cllr Rogers felt that the Council should reject the offer as he believed it would be a liability rather than a benefit given some of the risks, for example, of flooding, and questioned whether the Council would be able to manage such an undertaking.

4.1.1.2 Cllr Johnson supported acceptance of the offer but had some reservations, for example, regarding public liability.

4.1.1.3 Cllr Hubberstey had similar concerns as Cllr Rogers, particularly regarding maintenance.

4.1.1.4 Cllr Button responded that all of this would have to be funded accordingly.

4.1.1.5 Cllr Anderson responded further that the Council would clearly need additional help in managing the site and its maintenance, but that it would receive an addition to its precept of up to £9,000. He felt that it was very much in the villagers’ interest as it would secure covenants over the rest of the site.

4.1.1.6 Cllr Anderson’s proposal (see 4.1.1) was put to the vote and carried by a majority of 7 votes to 1, and, therefore RESOLVED that the Council accepts the offer of community land at Rectory Farm made by Angle Property Ltd.

4.1.2 Timing of transfer of ownership /other matters

4.1.2.1 After a brief debate, it was

Proposed, seconded and RESOLVED that the transfer of ownership should take place as soon as possible.

4.1.2.2 Covenant restrictions

Cllr Anderson introduced this item.

Cllr Rogers questioned whether covenants such as those being suggested were enforceable because the legal advice that he had received was that they were not.

Cllr Anderson responded that the legal advice that he had received was that they would be enforceable whilst any parties to the agreement still existed, and that it was reasonable to expect the Parish Council to be in existence for the foreseeable future.

After a further brief debate, it was

Proposed, seconded and RESOLVED that the restrictive covenants contained in the agreement with Angle Property Ltd should be:

- a) Total number of units - 190
- b) Maximum height of units – 10 metres.



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4.1.2.3 The S106 Agreement - negotiations and terms.

Cllr Morrish proposed that this should be managed by a sub-committee / working party containing three Members plus the Clerk, under the auspices of the Chair, which would then report back to Council in due course. Cllr McLean seconded this idea and offered his services.

Cllr Rogers asked about CIL (Community Infrastructure Levy) payments from the Borough, to which Cllr Anderson responded that all CIL were automatically allocated to the various recipients at the regulation rates, although this can be reduced where a S106 agreement is also in place.

Having been proposed and seconded, above, it was RESOLVED that:

The Council should set up a working party to manage the S106 Agreement negotiations and terms, comprising of Three Members with Cllr Button as its Chair plus the Clerk.

4.1.2.4 The implications of ownership & maintenance of the canal bank.

It was noted that the canal bank had been breached in the past. However, the Chair read out a statement from Angle Property that they would be “undertaking an inspection of the canal bank in conjunction with Canal & Rivers Trust to establish its condition and any identified repair works will be undertaken at the cost of Angle Property prior to hand over of the freehold”.

It was agreed immediately that this item would need to be included in the S106 agreement, because it needed very careful consideration, that responsibilities were made very clear and especially to ensure that there was appropriate insurance.

Cllr Hubberstey was concerned that there were many grey areas that would need to be covered by lawyers.

5. Exclusion of the Public.

5.1 It was proposed, seconded and resolved:

That, in accordance with KLPC Standing Order 17q, in view of the nature of the business to be transacted in Part II of the agenda, the public be excluded as it was likely there would be a disclosure to them of information about the determination of a matter that may affect the Council or may be of a confidential nature.

PART II

6. To consider the procurement of legal advice.

6.1 Cllr Anderson introduced this item explaining that he had had difficulty finding legal advice. He had found that expertise in this area was rarer than expected. However, having gone through The Hertfordshire Association of Parish and Town Councils initially, he received a recommendation from a senior officer at Dacorum Borough Council for specialists in this field, who had proved extremely useful and had already given a lot of free advice. In view of this, and to expedite proceedings, he asked Members whether they would be prepared to suspend Standing Orders regarding procurement and employ this company, subject to cost, bearing in mind that Angle Property had undertaken to meet “reasonable” legal costs.



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6.1.1 Whilst Members fully accepted that the Council should obtain legal advice, Cllr Anderson's proposal was not seconded. It was agreed that the Council should seek three quotes in accordance with Standing Orders. Firstly though, the Council needed to specify the requirements of the legal advice and it was suggested that this might be obtainable locally from e.g. consultant, Peter Faulkner, who the Clerk and the Chair undertook to contact, or from Dacorum Borough Council.

7. Any other questions and considerations

7.1 Members were pleased to note and supported the proposed involvement of Sunnyside Rural Trust as a partner in this venture which Angle Property intended to include this in the S106 agreement.

Meeting closed at 9.05pm.