

Minutes of the Town Council Meeting held on Wednesday 19 May 2010 at 7.30pm in the Sportsman Meeting Room, Birchwood Leisure Centre, Longmead, Hatfield.

PRESENT: Councillor C. Juggins – Town Mayor
Councillor L. Clark – Deputy Town Mayor
Councillor M. Alder Councillor K. Langley
Councillor S. Atkinson Councillor S. Laver-Walton
Councillor D. Berry Councillor H. Morgan
Councillor M. Clark Councillor R. Wheeler
Councillor D. Kay Councillor M. White
Councillor G. Wiltshire

OFFICERS: C. A. Lloyd (Town Clerk)

67. APOLOGIES

Apologies for absence were received from Councillor H. Berry and Councillor R. Smith.

68. COMMUNICATIONS

The Mayor advised that a visit to Pearce Recycling St Albans had been organised for 26 May at 11am

Councillors Ron Wheeler, Mike Alder and Geoff Wiltshire are listed to attend at present. If any other Councillor wished to attend they should contact the Clerk.

69. QUESTION TIME

There were no questions.

70. MINUTES

The minutes of the Council meetings held on 10th March 2010 were approved and signed by the Mayor.

71. DECLARATIONS OF INTERESTS

There were no declarations of interest.

72. QUESTIONS

There were no questions pursuant to Standing Order No. 24.

73. REPORTS OF COMMITTEES

a) **Leisure Committee – 17th March 2010**

The Minutes of the above Committee were submitted.

RESOLVED that the Minutes of the meeting held on 17th March 2010 be received and any recommendations therein be approved.

b) **Planning Committee – 7th April 2010**

The Minutes of the above Committee were submitted.

RESOLVED that the Minutes of the meeting held on 7th April 2010 be received and any recommendations therein be approved.

c) **Resources and Policy Committee – 21st April 2010**

The Minutes of the above Committee were submitted.

RESOLVED that the Minutes of the meeting held on 21st April 2010 be received and any recommendations therein be approved.

d) **Planning Committee – 12th May 2010**

The Minutes of the above Committee were submitted.

RESOLVED that the Minutes of the meeting held on 12th May 2010 be received and any recommendations therein be approved.

74. AUDIT 2008/09

Members noted the recommendations of the District.

The Council accepted the recommendations and advised the following;

- The situation regarding Birchwood land came to this Council's attention in June 2009 after the 2008/09 accounts had closed.
- Once the full implications had been outlined by the Council's solicitor the auditor was advised of the situation after the audit on the 2008/09 accounts should have been completed.
- Due to the lateness of the District Audit in completing the 2008/09 accounts, the Council are not in a position to carry out the recommended work for the 2009/10 accounts which it is understood will lead to another qualified audit.

- This Council is seeking further legal opinion before approaching the Charity Commission with a possible solution and a brief is being drawn up at present.
- Until the Charity Commission's position is clear the Council cannot carry out the recommendations as it is not known as to what assets and land will form part of the Charity.
- The Leader and Deputy Leader of the Council are kept advised at all times, Members of the Council are updated by regular report to Committee.
- In carrying out historical research for the Council's solicitor it has emerged that in 1990 the Town Clerk sought advice from the National Association of Local Councils, Hawkins Russell Jones solicitors as well as the New Towns Commission regarding a new build on Birchwood land. The District Auditor also investigated following a complaint from a local resident but found no action was necessary.
- There is also a letter dated 18 July 1990 which gives permission from the New Towns Commission for the building of Birchwood Leisure Centre but not the bowling alley. To afford the cost of building the Leisure Centre the Town Clerk had tried in 1990 to obtain planning permission to build some housing then a bowling alley on a small parcel of Birchwood land. This correspondence also refers to removal of the restrictive covenant by the New Towns Commission on the land where the housing/bowling alley was to be built.
- Members are very concerned that in future years the Council is not seen to have been slow in responding to this legal problem which should be reflected in the public notice submitted to the External Auditor for approval.

RESOLVED that the points detailed above be sent to the External Auditor together with a draft Press Notice detailing the points above following consultation with, and agreement by, the Leader of the Council.

75. DATE OF NEXT MEETING

Members noted that the date of the Council meeting would be 14th July 2010.

Closure: 19:49

Mayor