

**MINUTES OF THE MEETING OF THE  
AMENITIES AND OPEN SPACES COMMITTEE  
HELD ON 26<sup>th</sup> JANUARY 2010 AT 7.30 p.m. AT HARTLEY LIBRARY, ASH ROAD**

**Present:** Cllr A Barnett (Chairman)  
Cllr J Gaywood  
Cllr D Graeme  
Cllr S Granger  
Cllr Mrs A Oxtoby

**In Attendance:** Mrs J Hoad (Clerk)  
Guy Flint – Hartley De Sales FC  
2 members of the public

**1. Apologies for absence**

Apologies for absence had been received from Cllr Mrs P Cole.

**2. Declaration of Interests**

Cllr Mrs A Oxtoby declared a personal and prejudicial interest under minute items 8 (a) “Meter cupboard” at Manor Field as one of the contractor’s quoting for the work was related to her and withdrew from the meeting during discussion and voting on the matter.

Cllr A Barnett declared a personal and prejudicial interest under minute items 14 (a), 14 (b) and 14 (c) in respect of the allotments as he was an allotment holder, and withdrew from the meeting during discussion and voting on the matter.

**3. Minutes of previous meetings**

RESOLVED: That, the minutes of the meeting of the Amenities and Open Spaces Committee held on 3<sup>rd</sup> December 2009 be approved and signed by the Chairman as a correct record.

**4. Football at Manor Field**

Hartley De Sales FC reported that a number of fixtures had been lost due to the recent snow and ice, and enquired about the date of the start of the cricket season.

RESOLVED: That, report be noted and Hartley De Sales FC be advised of the start of the cricket season.

*Mr G Flint left the meeting.*

**5. Financial Report**

The Committee considered a financial report indicating the net position of the allotments, open spaces and Manor Field Pavilion as at 19<sup>th</sup> January 2010.

RESOLVED: That, the financial report, attached as appendix 1 to these minutes, be noted.

## 6. Use of the Pavilion

The Committee considered whether the Council should undertake works to clear snow and ice from areas of land over which it has responsibilities. The Committee considered it should not be necessary to clear snow or ice from any of its open spaces, as to do so would be impracticable. The Committee felt that the only area where it could reasonably consider the clearance of snow and ice would be from the surface of the path leading from the Manor Field car park to the Pavilion.

The Committee considered advice received from the Council's insurers, Society of Local Council Clerks (SLCC) legal advisor and Kent Highway Services.

The Council's insurers confirmed that it would be acceptable to salt and grit areas over which it had responsibilities, provided that any regime adopted was maintained and a system of check was in place to ensure that the work was carried out. This would be required to minimise the risk of being held negligent for omitting to salt or grit. Furthermore all checks must be logged and recorded.

The Committee noted advice from the SLCC legal advisor relating to the clearing of ice and snow from Council land, not classed as highway land. The advice stated that councils have a duty to take reasonable care to ensure employees and visitors coming onto its land were safe and this could necessitate the removal of ice from a slippery path. Failure to do so could result in claims for negligence and nuisance.

The Committee considered that it did not have the resources to introduce and maintain a regime of snow and ice clearance from land or property over which the Council had responsibilities, and that in the event of severe weather conditions such as snow and ice, the Pavilion should be closed to hirers. The Committee felt that the conditions of hire of the Pavilion should be reviewed to make it clear to hirers that they would be held responsible for assessing the risks involved in accessing the Pavilion during such periods of severe weather.

RECOMMENDED: That,

- (1) the Pavilion be closed to hirers during periods of severe weather,
- (2) the conditions of hire of the Pavilion be reviewed at the next meeting of the Amenities and Open Spaces Committee; and
- (3) the Council's insurers be advised that it does not intend to clear any areas of snow or ice from land or property over which the Council has responsibilities, as it does not have the resources to introduce and maintain a clearance regime.

## 7. Pavilion

(a) At the meeting of the Council held on 14<sup>th</sup> December 2009 the recommendation relating to the hire of the Pavilion by the Longfield and Hartley Scout Group, as contained in the minutes of the meeting of the Amenities and Open Spaces Committee held on 3<sup>rd</sup> December 2009, (page 2, minute item 6(b)), was withdrawn. The Council had requested clarification from the Longfield and Hartley Scout Group over whether it was able to recover those costs relating to the hire of the Pavilion from its insurers.

It was reported that no response had been received from the Longfield and Hartley Scout Group.

RESOLVED: That, the matter be deferred.

(b) The Committee considered a letter dated 20<sup>th</sup> November 2009 from Calor Gas Limited confirming that the underground metallic pipework at the Pavilion had not been classified amongst the 10% most at risk. The pipework would be reassessed every year. The Health and Safety Executive had been advised of the position. Calor Gas Ltd advised that the inspection and maintenance of the pipework was the Council's responsibility and that eventually it would require replacement.

RESOLVED: That, the letter dated 20<sup>th</sup> November 2009 from Calor Gas be noted.

## 8. Manor Field

*Cllr Mrs A Oxtoby withdrew from the meeting.*

### (a) Meter cupboard

The Committee considered a report on progress to relocate the electricity meter serving the Pavilion from land owned by Messrs H F & J H Glover onto land owned by Hartley Parish Council in Hartley Burial Ground.

The Committee examined quotations in respect of the building works and electrical works required to relocate the meter cupboard, including the quotation from EDF Energy for the sum of £664.00 plus VAT .

### Builders work

Contractor	Net cost	VAT	Gross
R Malpas - Hartley Electrician	£894.00	-	£894.00
The Sixpence Company Ltd	£1,496.61 (excl cabinet)	-	£1,496.61
All Wiring Matters	£1,275.00	-	£1,275.00
TLS Building Services	£1,874.24	-	£1,874.24
D S Carpentry	No quotation returned		

### Electrical work

Contractor	Net cost	VAT	Gross
All Wiring Matters	£425.00	-	£425.00
J & S Electrical (SE) Ltd	£550.00	£96.25	£646.25
R Malpas – Hartley Electrician	£140.00	-	£140.00

RECOMMENDED: That,

(1) the quotation for the total sum of £894.00 from the Hartley Electrician to undertake building works in respect of the provision of a service cabinet, base and associated ducting be accepted;

(2) the quotation for the total sum of £140.00 from the Hartley Electrician to undertake electrical work in respect of the relocation of the electricity meter and switchgear from the existing plywood enclosure to a new service cabinet on land owned by the Council in Hartley Burial Ground be accepted;

(3) the quotation for the sum of £664.00 plus VAT from EDF Energy to straight joint existing main with 35H2c run in consumer's duct to kiosk and terminate at 100a be accepted;

(4) the letter dated 12<sup>th</sup> January 2010 from solicitors acting on behalf of Messrs H F & J H Glover be received and noted; and

(5) the Clerk's action in response to the letter of 12<sup>th</sup> January from solicitors acting on behalf of Messrs H F & J H Glover be confirmed.

*Cllr Mrs A Oxtoby returned to the meeting.*

(b) Oak trees

The Committee considered a quotation for the sum of £60 plus VAT from Austin Treework to lift the canopy of an Oak tree at Manor Field to a height of 2 metres.

RESOLVED: That, the quotation for the sum of £60 plus VAT from Austin Treework to lift the canopy of an Oak tree at Manor Field to a height of 2 metres be accepted.

(c) Moss control

The Committee considered advice from a contractor on the eradication of moss on Manor Field. The Committee felt that a combined fertilizer and moss killer should be applied when ground and weather conditions were suitable, i.e. April or May.

RESOLVED: That, quotations be invited for a combined application of fertilizer and moss killer at Manor Field.

**9. Woodland Avenue**

The Committee was advised of the presence of a spindle plant on the recreation ground at Woodland Avenue. The Committee was informed of advice relating to spindle plants. The plant produces a pink/red berry which splits open to reveal orange seeds. The Committee was informed of advice which suggests that the leaves and fruits from spindle plants are harmful if eaten and because the fruits are colourful they are likely to be attractive to children so it is not a good choice of plant in a recreation ground.

RESOLVED: That, a site meeting be arranged to inspect the plant and the matter be deferred to the next meeting of the Committee.

## 10. Rectory Meadow

The Committee was advised that the Council's 25 free trees under the Kent Free Tree Scheme had been received and required planting. The Committee agreed to the location of the planting of the free trees on the bank immediately to the right inside the entrance gate off Banckside.

RESOLVED: That, the expenditure upto a sum of £100 be authorised for the planting of the 25 free trees at Rectory Meadow.

## 11. Order of business

RESOLVED: That, pursuant to Standing Order 26 (d) the order of business be altered so that agenda item 11, "Quantified Tree Risk Assessments", be considered at the end of meeting.

## 12. Grass cutting contracts 2010 – 2012

The Committee examined quotations received from contractors in respect of the grass cutting contracts at the Council's open spaces for 2010 – 2012, as set out below. The Committee was reminded of Financial Regulation 11.1 (i) which states that the Council is not bound to accept the lowest or any other quotation or tender.

<b>Contractor</b>	<b>Contract 2</b>	<b>Contract 3</b>
	<b>Grass cutting at the Council's open spaces once every 2 weeks</b>	<b>Grass cutting at Longfield Hill &amp; Manor Field</b>
	<b>Total per annum</b>	<b>Total per annum</b>
Green Acre	£4,200.00	£2,815.00
KCC Landscape Services	£5,856.00*	£3,149.40
Westcut Mowing	£4,208.00	£2,810.00
T D Munday	No quotation returned	No quotation returned
Sencio	No quotation returned	No quotation returned
KCCS	No quotation returned	No quotation returned

\* Arithmetic error on quotation form. Total per annum should be £7,578.08

RECOMMENDED: That,

(1) the quotation for the sum of £4,208.00 from Westcut Mowing to cut the grass at the Council's open spaces once every two weeks be accepted; and

(2) the quotation for the sum of £2,810.00 from Westcut Mowing on the Council's recreation grounds at Longfield Hill and Manor Field be accepted.

## 13. Playgrounds

The Committee examined the quarterly operational report for the Council's three playgrounds undertaken by Maria Cook on 8<sup>th</sup> December 2009. The Committee was advised that T D Munday had been asked to undertake minor repair works to the equipment and surrounding areas, as identified in the December report. Furthermore Sevenoaks District Council had been asked to include the youth shelter on the waiting list for graffiti removal.

RESOLVED: That, the quarterly operational report undertaken on 8<sup>th</sup> December 2009 by Maria Cook be noted and the Clerk's actions to instigate minor repairs and other works be confirmed.

#### 14. Allotments

*Cllr A Barnett withdrew from the meeting.*

(a) The Committee considered a quotation to reduce the height and trim the sides of the trees at the rear of the recycling centre in Woodland Avenue which in their current state were shading an allotment plot.

RESOLVED: That, the quotation for the sum of £180 plus VAT from Austin Treework to reduce the height of the trees to previous cuts and trim the sides of the trees at the rear of the recycling centre in Woodland Avenue be accepted.

(b) The Committee reviewed the rules relating to the allotments following concerns expressed at the last meeting about the use of sprinklers.

RECOMMENDED: That, the rules relating to the allotments be amended as set out in appendix 2 attached to these minutes and that the amended rules be implemented immediately.

(c) The Committee was advised that a notice to quit had been served on the allotment holder of plot 1A and 1B and that the allotment plot had now been vacated. The allotment plot 1A and 1B had been offered to the first person on the waiting list, but he had declined to take it over. As a result the allotment had been offered to the next person on the waiting list, who stated she would be interested in taking it over, provided the Council agreed to clear the plot.

RESOLVED: That, the Council decline the request to clear the allotment plot 1A and 1B and that the said allotment plot be offered to the first person on the waiting list who would be willing to take on allotment plot 1A and 1B in its current condition.

*Cllr A Barnett returned to the meeting.*

#### 15. Recycling Centre

The Committee was advised of Sevenoaks District Council decision to remove the plastic bins from the recycling centre following vandalism in October/November 2009 and that Sevenoaks District Council had no intention to reinstate the bins. Sevenoaks District Council has advised that it would be willing to consider other suitable sites in the parish.

The Committee felt that there were no other sites in the parish that would be suitable for a recycling centre and expressed some concern that Sevenoaks District Council had withdrawn the facility. The Committee was advised of a number of complaints expressed by residents about the lack of recycling facilities in the parish.

RECOMMENDED: That, Sevenoaks District Council be (1) advised of the complaints received from residents about the lack of recycling facilities in the parish, (2) informed that no other suitable sites exist in the parish for a

recycling centre, other than the site at Woodlands Avenue and (3) asked for the recycling facility to be reinstated at Woodland Avenue.

#### **16. Exclusion of the public**

RESOLVED: That, under the Public Bodies (Admissions to Meetings) Act 1960 the public be excluded from the meeting during consideration of minute item 17 in respect of the quantified tree risk assessments by reason of the confidential nature of the business to be transacted. The business to be transacted related to the quotations received so far in respect of the quantified tree risk assessments and any disclosure of information relating to the quotation sums would prejudice those quotations received.

*The public left the meeting.*

#### **17. Quantified Tree Risk Assessments**

The Committee was advised of quotations received to date in respect of quantified tree risk assessments of trees located on land owned and/or managed by the Council. The Committee was advised that Sevenoaks District Council inspect the trees annually on all its ex-housing estates and carries out safety works as necessary. In addition Sevenoaks District Council has management plans for its woodland, such as Farningham Woods and has carried out quantified tree risk assessments of all trees on Common land that it manages.

RESOLVED: That,

(1) a third quotation be invited from a suitably qualified consultant in respect of a quantified tree risk assessment of trees located on land owned and/or managed by the Council, on the same terms as that previously invited from other consultants,

(2) advice be sought from the consultants on the frequency of undertaking quantified tree risk assessments and guidance on how other authorities manage trees over which they have responsibilities; and

(3) advice be sought from the Council's insurers on the management of trees on land owned and/or managed by the Council.

#### **18. Date of the next meeting**

Thursday 4<sup>th</sup> March 2010 at 7.30 p.m. in Hartley Library.

The meeting closed at 9.30 p.m.

Signed:..... Date:.....  
Chairman of the Amenities and Open Spaces Committee

**Hartley Parish Council**  
**Summary of Receipts and Payments**  
Amenities and Open Spaces

Cost Centre	Receipts		Payments		Net Position Underspend (+) /Overspend (-)
	Estimated	Actual	Estimated	Actual	
5 Allotments	450.00	562.04	725.00	640.19	196.85
6 Open Spaces	2,590.00	3,909.50	26,050.00	22,244.31	5,125.19
7 Manor Field Pavilion	2,000.00	2,069.50	8,900.00	5,445.71	3,523.79
<b>NET TOTAL</b>	<b>5,040.00</b>	<b>6,541.04</b>	<b>35,675.00</b>	<b>28,330.21</b>	<b>8,845.83</b>
Total for ALL Cost Centres		117,977.92		101,771.68	
V.A.T.		3585.28		4,089.90	
<b>GROSS TOTAL</b>		<b>121,563.20</b>		<b>105,861.58</b>	

**HARTLEY PARISH COUNCIL**

AGREEMENT between the above Council and .....  
whereby the Council agrees to let, and the above Tenant agrees to hire, allotment garden no.....  
on the Plan, as a yearly tenant from ..... at a yearly rent of..... payable in  
advance on 1st October.

Both the Parish Council and the Tenant shall give 12 months notice if this agreement is terminated.

**This Agreement is subject to the following rules which any Tenant is expected to keep:**

1. The allotment garden shall be kept clean and in a reasonable state of cultivation and any pathway included therein or abutting thereon shall be kept reasonably free from weeds, by the allotment holder.

Failure to do so will result in one months notice being given to put the plot in order or relinquish the tenancy;

2. No nuisance or annoyance shall be caused to any occupier of another allotment garden; Any burning on site shall be strictly limited and shall not be left unattended.

3. No part of the allotment can be sub-let to another person;

4. No building shall be erected, or trees planted without the consent of the Council;

5. No fence shall be erected.

6. Allotment holders shall be responsible for the safe and secure storage of hazardous equipment or chemicals. Chemicals are to be stored and used strictly in accordance with the manufacturer's instructions.

7. Allotment holders are not permitted to lay bait for the control of rodents. Rodent infestation should be reported to the Council immediately.

8. No animals or livestock are to be kept on the allotment garden without the prior consent, in writing, of the Council.

9. **Hoses shall not be left unattended and the use of sprinklers is not permitted.**

**The Council reserves the right to terminate the Tenancy in the event of these Rules not being observed.**

**SIGNED..... Tenant**

**SIGNED..... Clerk to the Parish Council**

**DATE.....**