

CHILHAM PARISH COUNCIL
Minutes (for approval) of the Meeting held at
Old Wives Lees Village Hall on
11th June, 2015 at 7.30pm

Present: Cllrs Gretton, Lulham, Marriott and Schofield

Apologies: Boro Cllr Dehnel

In Attendance: Mr G Dear (Clerk), 8 members of the public

Prior to the meeting, the clerk outlined the events following the May elections that resulted in 4 councillors elected unopposed and 5 vacancies, the options now available to the council for filling these vacancies and the reasons for a restricted agenda.

6/1 Apologies

Boro Cllr S Dehnel had advised the clerk he would not be attending the meeting due to another public engagement.

6/2 Election of Chairman

Cllr Lulham was elected unopposed.

6/3 Closure of Annual General Meeting

The annual general meeting closed at 7:35pm.

6/4 Declarations of Interest

None.

6/5 Parish Council Vacancies

The clerk reported that 3 parishioners had put their names forward for co-option and the council expressed its appreciation of the interest shown by these candidates.

The meeting agreed to hold interviews on Thursday 18th June before making a decision on filling vacancies.

The clerk was asked to book Old Wives Lees village hall and inform the candidates.

6/6 Parish Clerk Briefing for New Council.

A briefing note had been circulated to cllrs prior to the meeting (see Annex A) and its contents were explained by the clerk before council considered its next steps.

The meeting agreed to defer any consideration of next steps until the July meeting after it had made a decision on filling vacancies.

6/7 Election of Vice-chairman

Cllr Marriott was elected unopposed.

6/8 Election of Committees and Representatives

A list of committees, teams and representatives relating to the previous council had been circulated to cllrs prior to the meeting together with a briefing note from the retiring council summarising roles, responsibilities and outstanding issues.

The meeting agreed to defer any consideration of this matter until the July meeting after it had made a decision on filling vacancies.

The clerk was asked to contact those parishioners currently on the list, thank them for their contribution in the past, and establish whether they were willing to continue in their voluntary roles on behalf of the council.

6/9 Minutes of the meeting held on 30th April 2015

The minutes were signed as a true record.

6/10 Matters arising from the Minutes

(4/20) KALC - Learning & Development - Template Training Policy and Plan:

The clerk was asked to hold this for consideration by the new council elected in May.

The clerk will include this on the agenda of a future meeting.

(4/20) A McLean – Hawkins Rough – request to look into application for Lawful Development Certificate:

Cllr Glancy had advised ABC of local concerns.

The clerk was asked to contact ABC and request an update on enforcement action being taken

(4/20) Community Broadband

The meeting expressed concern that cllr Millar was one of only two cllrs who had not responded. The clerk was asked to write a letter to remind cllr Millar of the need to provide copies of all correspondence held in respect of this matter in the interest of a clean handover to the new council in May. Cllr Millar advised that he had forwarded correspondence to KCC but would not be disclosing this information to the current council.

The clerk was asked to contact KCC and establish whether the correspondence had been received.

(4/20) Issues raised with Kent Highways:

Cllrs Ralph and Kennett were asked to provide a spreadsheet listing priority issues raised with Kent Highways and for each issue provide a brief description, current status, outstanding work required and Kent Highways contact details. A paper including a schedule of priority issues had been circulated to cllrs with the meeting papers.

Cllr Lulham expressed disappointment at the response from Kent Highways on these issues.

The clerk was asked to arrange a meeting with the engineer involved.

(4/23) Section 106 Developers Contributions:

Cllr Lincoln reported that advice on considering the allocation of s106 developer contributions in respect of the Sawmills development could be obtained by the new council from Kingsnorth, Great Chart and Singleton parish councils. The clerk was asked to bring this advice to the attention of the new council.

This information had been included in the Clerks briefing note.

(4/24) Dog bin for Felborough Close:

Cllr Lincoln advised that ABC would empty a replacement dog bin in Felborough Close provided it was within 10m of the original location. The clerk was asked to obtain costs to purchase and install a new dogbin. It was noted that expenditure of £220 to cover costs had been already approved.

The clerk will provide an update at the July meeting.

(4/24) Councillors Expenses:

It was noted that the parish council had agreed to fund a councillor's expenses budget with effect from 2015/16 financial year. After consideration, it was recommended that the new council should :-

- 1) formally adopt a policy based upon the details in the paper.
- 2) request that the Resources Committee draft a policy for consideration.

The clerk was asked to bring this recommendation to the attention of the new council.

The clerk will include this on the agenda of the July meeting.

(4/24) Reserving Calculations for 2014/15:

A paper from the clerk setting out the reserving calculations had been circulated to cllrs prior to the meeting. After consideration, it was decided to approve the calculations and instruct the clerk to make the required transfers from general fund to the appropriate ring fenced funds.

This had been done.

(4/25) KALC - NALC's direction of travel – request for views:

Deadline for response is 17th June.

The clerk was asked to forward to cllrs.

(4/27) Taylors Hill Toilets:

A paper from the Resources Committee explaining regarding risk assessments had been circulated to cllrs prior to the meeting. After consideration, the parish council approved these risk assessments and asked the clerk to advise its insurers of their existence.

The clerk has advised the insurers who had commented that the risk assessments were “very comprehensive.”

(4/28) Emergency Plan:

It was agreed that the draft plan should be handed over to the new council to finalise.

The clerk will include this on the agenda of the July meeting.

(4/29) Team Summaries:

A paper containing handover summaries for the R&T and Filming teams together with notes for CTRG, KALC Ashford Area Committee and Parish Forum representatives had been circulated to cllrs prior to the meeting. In addition a summary from the Asset Maintenance team and CFDB representatives had also been circulated.

The clerk had combined these into a single handover document for the new council.

(4/30) Old Wives Lees Car Park - Provision of salt bin:

A paper from cllr Lincoln had been circulated to cllrs prior to the meeting. After consideration, the meeting agreed to provide a salt bin, in line with recent policy, at the OWL Village Hall car park. Funding was to be provided from the Recycling Fund in the sum of c£250. The clerk was asked to arrange for the purchase and installation of the salt bin.

The clerk will provide an update at the July meeting.

(4/30) Old Wives Lees Car Park - Tidy up of overgrowth:

A paper from cllr Lincoln had been circulated to cllrs prior to the meeting. After consideration, the meeting agreed to fund a one-off tidy up of the area referred to above. It did so without accepting responsibility or setting a precedent but in the interests of our community and its interest as the lessee of the village hall. A cost estimate of £120 (ex VAT) had been quoted by our village green hedging contractor. The clerk was asked to arrange for the work to be carried out by our village green contractor as soon as possible.

This work has now been completed.

(4/31) Chilham Youth Group - Transfer of funds following dissolution:

A paper from cllr Lincoln had been circulated to cllrs prior to the meeting. After consideration, the meeting agreed that:-

- 1) CPC would set up a ring fenced fund specifically identified for the benefit of young people in and around Chilham, Old Wives Lees and Shottenden area. All funds received from Chilham Youth Group (estimated at £7114) would be credited to that fund.
- 2) Any equipment in the ownership of Chilham Youth Group, which is passed to CPC shall be allocated to Old Wives Lees Village Hall committee as requested by the youth group. The hall committee shall determine the future of that equipment.

The clerk was asked to set up the ring fenced fund with the cheque provided by the Youth Group committee.

This had been done.

(4/32) Provision of Minutes:

A paper from cllr Lincoln had been circulated to cllrs prior to the meeting. After consideration, the meeting agreed that CPC should display copies of minutes on its noticeboards located at Old Wives Lees and Felborough Close in Chilham. The clerk was asked to implement this policy with immediate effect.

This had been done.

(4/33) Parish Council Elections:

The clerk reported that a date of 18th June had been agreed for the further election to fill the 7 remaining positions on the council and that ABC would be providing a notice for display on 13th May. The clerk was asked to publicise these new dates via local press, parish contacts and noticeboards encouraging parishioners to stand and offer support from existing councillors to explain the role and what it entails.

This had been done.

(4/33) Authorisation of Payments:

The clerk explained that there would be a period between the end of the current council on 11th May and the first meeting of the new council during which payments needed to be made. The following motion, regarding which no adverse comments had been received from CPC insurers or CPC independent internal auditor (IIA), was therefore agreed:-

For any expenditure during this period in respect of Utility bills; Payments under contract; Grounds maintenance; Asset maintenance; Toilet supplies; Office supplies; Salaries and wages; Any other matter that requires urgent attention; the clerk is given authority to examine, verify and certify each payment and arrange for 2 of the existing councillors to sign the cheques so the payments can be made with the proviso that a schedule of these payments is presented for full council approval at the earliest opportunity.

The clerk had advised CPC insurers, CPC IIA and ABC monitoring officer of this decision.

(4/34) Community Governance Review of Ashford Borough:

Correspondence from KALC on this subject had been circulated to cllrs prior to the meeting. It was agreed that any representations on this review should come from the new council. The clerk was asked to bring this review to the attention of the new council at its first meeting.

The clerk was asked to forward to cllrs noting the deadline for submissions had passed.

6/11 Planning.

Decisions received from ABC

15/00290/AS - The Bungalow, North Court Farm, Lower Lees Road, Old Wives Lees - The creation of a new driveway and access – PERMIT

15/00235/AS - Hawkins Rough, Long Hill, Old Wives Lees - An Application for Lawful Development Certificate - Existing - for the use of the land for "holidays and weekends, some weekends, mid-week and overnight stays [on 299 days each year]" - EXISTING USE/DEVELOPMENT IS NOT LAWFUL

Applications Considered

15/00687/AS - Outbuilding east of The Small Holding, Long Hill, Old Wives Lees - Alterations and conversion of existing building to a single dwelling house

NO OBJECTION but concern regarding sustainability due to location and remoteness from facilities.

6/12 Finance

Accounts for 2015/16:

Payments:

The following payments had been made in accordance with minute (4/33) and were formally approved:

From the General Fund:

1947	G Dear	May salary	539.60
1946	G Dear - Expenses	May expenses	37.99
1948	K Jeffery	May toilet cleaning	220.54
1949	AR Groombridge	OWL Grass Cutting	331.20
1950	PHS Group	THT Materials	132.19
1951	Staples	Office Supplies	29.98
1952	PHS Group	THT Maintenance	40.88
1954	Hart Lee Tree Surgery	THT Maintenance	228.00

From Ringfenced Funds:

1953	Hart Lee Tree Surgery	OWL Green	148.00
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Total Payments 1,708.38

6/13 Correspondence

(6.1) KALC Event Announcements: New Councillor Inductions, 25 June, 21 July & 30 July

The meeting agreed to defer a decision on places to book until the July meeting after it had made a decision on filling vacancies.

The clerk was asked to contact KALC and reserve places if possible.

(6.2) KCC – Electoral Review of Kent: Draft Recommendations – deadline for comments 6th July
The clerk was asked to circulate to cllrs so that consideration could be given to commenting at the July meeting.

The meeting closed at 8:25 pm.

6/14 Date of next meeting

2nd July 2015 in Chilham Village Hall

715pm for 730pm

The clerk was asked to contact Molash Parish Council and explore options for preventing concurrent meetings which made it difficult from the Ward Member to attend.

PLEASE NOTE: All updates reported under Matters Arising are recorded in *black italics*. All agreed actions are recorded in *red italics*.

ANNEX A : PARISH CLERK BRIEFING FOR NEW COUNCIL

INTRODUCTION

The purpose of this briefing is to provide an overview of the responsibilities of a member of Chilham Parish Council (CPC) and to highlight priorities that need to be addressed by the new council.

THE PARISH COUNCIL

Statutory Powers:

A parish council is a local government body that has been given statutory powers to make decisions on behalf of its electorate.

For CPC the most commonly used powers are:-

- a) the right to be consulted on planning matters
- b) the power to provide public conveniences
- c) the power to acquire and maintain land for public recreation
- d) the power to provide and maintain bus shelters
- e) the power to maintain repair and protect war memorials
- f) the power to spend money on community transport schemes
- g) the power to provide information or newsletters relating to matters affecting local government
- h) the power to have its own website
- i) the power to accept gifts

Decision Making:

Parish Council decisions should be based upon the view that councillors would expect a reasonable parishioner to hold if in possession of the same information. CPC makes its decisions at monthly council meetings.

Corporate Body:

A parish council is a corporate body. Its decisions are the responsibility of the whole body, not the individual councillors.

There is no obligation to give reasons for council decisions, only evidence that the matter has been properly considered. As all council decisions are made on the basis of a majority vote, it may not be possible to give a 'corporate' reason for a decision. Individual councillors are therefore under no obligation to explain afterwards why they voted in a particular way.

Councillors should note that in many cases there will be no 'right' decision regarding the matter being considered. The sole test is whether the council can show that the matter was properly considered and a democratic vote taken (ie. it has followed the legislation in good faith in reaching a sensible informed decision using the correct process).

Council Meetings:

The agenda for a council meeting sets out the business to be considered about which decisions may be made. Agendas should be issued at least 3 clear working days before the meeting to parish councillors and published on noticeboards and the parish council website to inform parishioners of the business to be transacted. CPC minutes are a legal record of the decisions that it takes at its meetings.

Openness and Transparency:

Agendas that clearly set out the business to be transacted and minutes that clearly set out the decisions taken are the key requirements for achieving openness and transparency.

For this reason, decisions should not be made concerning business not included on the agenda.

Standing Orders:

Standing Orders includes rules and procedures laid down in legislation together with additional regulations chosen by council.

Standing Orders help council operate smoothly and include topics such as rules of debate and council policies.

Financial Regulations:

Financial regulations sets out how council manages its finances and ensures value for money.

CPC financial regulations are based upon a model provided by NALC (National Association of Local Councils).

They describe an overall system of internal control appropriate to CPC expenditure and activity.

Code of Conduct:

Each parish council must adopt and publicise a code of conduct that is in line with the Nolan principles that apply to the conduct of people in public life.

CPC has adopted the Kent Code provided by Ashford Borough Council.

Each councillor will be provided with a copy of the code so that they can ensure they are aware of their responsibilities and any personal disclosure requirements.

Parish councillors must abide by rules that apply to disclosure of business and financial interests. These are called Disclosable Pecuniary Interests (DPIs).

DPIs include employment, ownership of land and business interests in your parish.
Other interests are usually non-pecuniary or personal interests.

Community Consultation:

The job of the council is to represent the interests of the whole community.

As a parish councillor you have a responsibility to be well informed especially about diverse local views.

You cannot assume you can represent the interests of all your parishioners without consulting them.

Surveys and questionnaires give residents an opportunity to express their views about where they live.

Community conferences or workshops provide more opportunity for bringing people together to talk about the future of the parish.

The results of community consultation help you to speak on behalf of your community with greater confidence, provide services and facilities, support community action and work in partnership with community groups.

The Parish Clerk:

The clerk is the proper officer for the council and has delegated powers as set out in Standing Orders. In this council, the clerk is also the Responsible Financial Officer (RFO) with responsibilities set out in Financial Regulations.

The clerk is contracted to work 50hrs per calendar month with an additional 5hours allocated to website maintenance and other communication tasks.

EXAMPLES OF MAJOR ISSUES DURING A 4 YEAR TERM

Transfer of Toilets:

In March 2012, the parish council agreed to the transfer of responsibility of the toilets (including the freehold) from Ashford Borough Council (ABC) following the mandate it received from the local community in a leaflet consultation, ie that Chilham Parish Council should keep the toilets open and accept that Band D council tax in the parish of Chilham could increase by £12 per annum per household for the 2013/14 tax year. (A Band D increase of £12 would mean increases ranging from around £8 for Band A up to around £24 for Band H).

Ashford Local Plan to 2030:

In June 2013, ABC wrote to landowners and developers requesting to be notified of any land available for development. A number of sites were submitted in the parish of Chilham. At that stage, ABC has not made any assessment of the information received. ABC wanted communities to be fully engaged in this assessment process and had discussions with the parish council to determine a suitable method of local consultation. The result was a leaflet and questionnaire delivered to all households in the parish which coupled with an open meeting in St Marys Church and a later workshop in Chilham village hall enabled the parish council to respond on behalf of its parishioners.

Sawmills Development:

In February 2012, ABC received planning applications for the Sawmills site and Station Approach and notified the parish council. An open meeting to collect local comments was arranged in Chilham Village Hall. In March 2012, following an invitation to all in the parish, a working group was set up to consider a response to the applications. Two working group meetings were held and a traffic survey conducted around Bagham Junction to provide current evidence of traffic volumes. As a result a proposed response to ABC was drawn up raising a number of important questions to address parishioners concerns. The parish council endorsed this response and it was submitted to ABC requesting answers to the questions raised before the applications are considered by the ABC planning committee.

PRIORITIES TO BE ADDRESSED

Independent Review Actions:

There were 13 recommendations, 11 of which were intended for consideration by the new council.

Template Training Plan:

The retiring council have suggested that the KALC template training plan and policy should be considered by the new council in regard to review recommendation 7.

Local Council Award Scheme – The Foundation Award:

The retiring council have suggested that this scheme should be considered by the new council in regard to review recommendation 12.

Emergency Plan:

The retiring council has drawn up a draft Emergency Plan for the parish for the new council to review and finalise.

Councillors Expenses Policy:

The retiring council has recommended that the new council should :-

- 1) formally adopt a policy based upon a paper it has produced.
- 2) request that its Resources Committee draft a policy for consideration.

Sawmills Development s106 Developers Contribution:

The retiring council have established that advice on considering the allocation of s106 developer contributions in respect of the Sawmills development could be obtained by the new council from Kingsnorth, Great Chart and Singleton parish councils.

FURTHER READING

The Good Councillors Guide (4th edition)

Local Councils Explained

Handover Notes provided by the retiring council