

Local Government Act 1972



Local Government for Langton Green, Speldhurst, Ashurst and Old Groombridge

Minutes of the Full Council Meeting

Held at 7.30pm on Monday 8th January 2024 in the Committee Room, Speldhurst Village Hall

MEMBERS PRESENT

Councillors Curry (Chair), Lyle (Vice-Chair), Dooley (7.38pm), Ellery, Leach, Muress, Norton, Rowe and Turner.

OFFICERS PRESENT

K Neve, Clerk and K Harman, Assistant Clerk (KH) (minutes).

IN ATTENDANCE

Borough Cllr Sankey was in attendance.

MEMBERS OF THE PUBLIC

There were 12 members of the public present.

24/01 To enquire if anyone intends to record the meeting

The meeting was recorded by the Clerk for the accuracy of the minutes. The recording would be deleted in line with our data protection policy providing the meeting minutes are signed off at the next Full Council meeting.

24/02 To accept and approve apologies and reasons for absence.

Apologies had been received from Cllrs Tarricone - holiday, Cleaver - weather and Leach - prior engagement.

24/03 Disclosure of Interests

Councillors' ongoing disclosures were noted:

Cllr Lyle is a Speldhurst Parish Council (SPC) Trustee of Langton Green Community Sports Association (LGCSA).
Cllrs Rowe and Ellery and the Assistant Clerk (KH) all have shares in the original Speldhurst shop and post office.

24/04 Declarations of Lobbying

Cllrs Curry and Rowe had been lobbied regarding the Langton Pavilion and Speldhurst Chapel.

24/05 Minutes of the Full Council Meeting held on 4th December 2023

RESOLVED that the minutes of the 4th December 2023 Full Council meeting, previously forwarded to members, were a correct record and signed by the Chair.

24/06 Public Open Session

No one wished to speak.

24/07 Borough and County Councillors' Reports

Borough Cllr Sankey said that there was very little to report following the Christmas break however he did advise that Tunbridge Wells Borough Council (TWBC) had managed to close the budget deficit.

24/08 Chair's Report

There was nothing to report that was not covered in other items on the agenda.

24/09 Clerk's Report

- Rialtas Year End: She had registered for the Gold Scheme for Rialtas' Year End Accountancy Closedown Service which was a 3-year contract on the recommendation of the Chair and Responsible Financial Officer.
- Funding: The Assistant Clerk (CB) had attended a training session run by the National Association of Local Councils (NALC) on funding applications from organisations like the National Lottery which could be utilised for future projects.
- Cloudy IT: They would be implementing a 20% price increase. Cllr Ellery queried whether this rise was in line with increases by Microsoft. The Chair would investigate and feedback.
- Staff Appraisals: Councillors would be contacted for feedback on staff for the upcoming appraisals.

24/10 General Matters – Actionable tasks which do not fall to a committee.

Ongoing				
	Summary	Owner	Created	Status
76/23	Notify HMRC of dissolution of SPC Pavilion Ltd, and request zero rates from the rateable authority.	RFO/Clerk/Cllr Lyle	07/08	Complete
95/23	Purchase new tables and chairs for Pavilion and allocate £5,000 in accounting system for this.	Clerk/RFO	04/09/23	TBA/ complete
101/23	Seek quotations for works to path, step and fence at LGRG for Amenities Cttee to consider.	Asst Clerk (KH)	04/09/23	Complete
117/23	Confirm with HMRC and Companies House no further action following dissolution of SPC Pavilion Ltd.	Clerk/RFO	06/11/23	In progress
118/23	Apply to TWBC for 0% rateable value on Pavilion.	Clerk/RFO	06/11/23	In progress
120/23	Look into costs of broadband for Pavilion.	Chair	06/11/23	In progress
New – Items arising since last Full Council Meeting				
	Summary	Owner	Created	Status
122/23	Amend minutes of 6 th November 23 for Chair to sign.	Clerk	04/12/23	Complete
123/23	Add item on January FC for consideration of the Community Hub proposal.	Clerk	04/12/23	Complete
124/23	Update Finance Committee Terms of Reference on website.	Clerk	04/12/23	Complete
125/23	Add Financial Regulations to January FC agenda.	Clerk	04/12/23	Complete
126/23	Add item on January FC agenda to consider delegating authority to the WG for the appointment of solicitors for the Speldhurst Chapel Project.	Clerk	04/12/23	Complete
127/23	Circulate valuation documents for Speldhurst Chapel to councillors.	Clerk	04/12/23	Complete
128/23	Submit nominations for KALC Community Awards Scheme to Clerk.	All Cllrs	04/12/23	TBA
129/23	Add Standing Orders to January FC agenda.	Clerk	04/12/23	Complete
01/24	Look into Cloudy IT/Microsoft 365 price increase and report back to Cllrs Curry and Ellery.	Clerk	08/01/24	
02/24	Notify TWBC of agreed precept.	Clerk	08/01/24	
03/24	Email prospective solicitors to ask what they would be prepared to cap their costs at for the Chapel Project and make appointment.	Clerk/Cllr Lyle	08/01/24	

04/24	Confirm minute authorisation for the PWLB to Parish Borrowing.	Clerk	08/01/24	
05/24	Re-advertise for councillor vacancy.	Clerk	08/01/23	
06/24	Set up meeting to consider nominations for KALC award and submit nomination.	Clerk/Cllrs Curry and Turner	08/01/24	
07/24	Set up meeting to discuss ongoing relationship with LGCSA.	Cllrs Davies, Muress, Chris Allen and James Bowdidge	08/01/24	
08/24	Confirm with TWBC the transfer of small business rate relief from office to Pavilion.	Clerk	08/01/24	
09/24	Set up Broadband for Pavilion up to £30 pm.	Clerk/Chair	08/01/24	
10/24	Find out from KALC what it would mean for SPC if KCC becomes bankrupt.	Clerk	08/01/24	
11/24	Check the EWG Terms of Reference regarding the length of time for the Chair.	Clerk	08/01/24	
12/24	Update Policy for Use of Council Land on website.	Clerk/Asst Clerk (KH)	08/01/24	
13/24	Renew Landscape Services Contract and ask them to confirm the reduced mowing at Groombridge Green.	Clerk	08/01/24	
14/24	Accept quotation from Living Forest and confirm tree works at Roopers, Speldhurst.	Asst Clerk (KH)	08/01/24	
15/24	Confirm contract for quarterly inspections of playgrounds with Capel Groundcare.	Asst Clerk (KH)	08/01/24	
16/24	Confirm contract for 6 monthly service and inspection of zipwire with Capel Groundcare.	Asst Clerk (KH)	08/01/24	

24/11 Finance Committee

Report by the Chair, Cllr Ellery: There had not been a meeting.

- a) Budget Virements: There were no new budget virements to report.
- b) Interim Payments:
 - Unity Trust Bank: £885.60 Lectern for Pocket Park; £105.06 to bring balance to zero; £144.00 Speldhurst Village Website; £0.47 Pavilion Water; £34.50 Bank Charges.
 - Unity Trust Mastercard: £9.00 Bank Charges; £301.40 Volunteers Thank You Reception; £322.50 Vehicle Tax for Van; £350.66 Van Service and MOT.
- c) To note decisions made under delegated authority: There were none.

24/12 Accounts for Payment

It was **RESOLVED** that the invoices as listed below and checked by Cllr Muress, be paid.

Date Paid	Payee Name	Reference	Amount Paid	Detail
09/01/2024	m:power accounting	MT2605	54.00	Payroll
09/01/2024	Kate Harman	MT2606	85.30	Expenses
09/01/2024	Fuzion	MT2607	194.34	Pavilion Door Alarm Call Out
09/01/2024	LGVH	MT2608	32.38	Room Hire
09/01/2024	CWCS	MT2609	150.00	Domain Renewal
09/01/2024	Katie Neve	MT2610	28.35	Mileage Claim
09/01/2024	JLM Pest Control	MT2611	230.00	Quarterly Pest Control
09/01/2024	ALCC	MT2604	50.00	Membership - K Harman
09/01/2024	Cloudy IT	MT2614	355.92	IT Support
09/01/2024	Viking Direct	MT2615	142.75	Stationery

09/01/2024	M R Lawrence	MT2616	450.00	Tidying Pocket Park
10/01/2024	BT PLC	DD	24.96	Office Mobile
19/01/2024	HMRC	MT2612	1,285.63	Tax and NI
19/01/2024	Employees	MT2613	5,097.95	Salaries
19/01/2024	N.E.S.T. Pension Scheme	DD	623.02	Pensions
19/01/2024	Castle Water	DD	34.91	Pavilion Water
22/01/2024	EDF Energy	DD	667.00	Pavilion Energy
28/01/2024	Veolia	DD	220.27	Waste Collection

24/13 Precept 2024/25

At the December Full Council meeting an increase of 8.9% had been recommended by the Finance Committee; however, since then TWBC had advised the Clerk that the tax base for the parish had increased which means that an increase in the precept to £195,00 would now equate to 7.4%. After much discussion it was **RESOLVED** that the precept request would be £195,000 based on a Band D equivalent increase of £7.4%. The Public Works Loan Board will increase the precept by £30,680 (based on current interest rates) which, added to £195,000 is £225,680 which gives an overall increase of 24.3%. A Band D resident's payment will increase by £1.50pm or £18.00pa.

24/14 Speldhurst Chapel Project

An update was provided by Cllr Rowe:

- Pledges had been received from residents by the Chapel working group of £171,000. Elba Charity Foundation had agreed to make up the difference to £400,000 which met Speldhurst Parish Council's (SPC) requirements. On that basis, an application had been submitted to the Department of Levelling Up, Housing and Communities (DLHC). The Chapel Working Group had obtained pre-planning advice and were in consultation with builders.
- **Expenditure to date:** There was no new expenditure to report.
- **To consider the appointment of solicitors:** Two quotations had been received for between £13-14,000 for conveyancing and lease negotiations. The Clerk would ask both solicitors for a figure they would be prepared to cap their fees at which would help decide which to appoint. It was **RESOLVED** to delegate the appointment of a solicitor to the Clerk and Cllr Lyle.
- **To confirm formal authorisation:** By a show of hands indicating unanimous formal authorisation, it was **RESOLVED** to seek the approval of the Secretary of State for Levelling Up, Housing and Communities to apply for a Public Works Loan Board (PWLb) loan of £325,000 over the borrowing term of 25 years to purchase Speldhurst Chapel. The annual loan repayments will come to around £30,680. It is also intended to increase the council tax precept for the purpose of the loan repayments by 19.9% which is the equivalent of an additional £30,680 a year. This has been the subject of a precept increase consultation.

24/15 Annual Parish Meeting (APM) 2024

There was nothing new to report.

24/16 Vacancy on Council

In the absence of any suitable candidates, the vacancy would be re-advertised.

24/17 Kent Association of Local Councils (KALC) Community Awards Scheme 2024

It was **RESOLVED** to delegate a final decision on the successful candidate to a working group consisting of the Chair, Cllr Turner and the Clerk.

24/18 Planning Committee

Cllr Rowe, Planning Chair, reported that there had been a meeting of the Planning Committee on 11th December 2023 which had been chaired by Cllr Tarricone (Vice-Chair), the draft minutes of which had previously been circulated. During this meeting, 7 applications had been considered and SPC had remained neutral on all of them.

24/19 Langton Green Recreation Ground (LGRG) – to receive an update on the Pavilion Review.

- **To note expenditure to date for the legal review:** There was no new expenditure to report.
- **To consider the proposal by Langton Green Village Society for a Community Hub at the Pavilion:** The following points were noted:
 - The agreement was for 12-months to commence on 15th January 2024.
 - Langton Green Community Sports' Association (LGCSA) had indicated their support for the Community Hub and stated they would be happy with a 5-month agreement, as the Booking System previously agreed only ran to 6 months. After confirming the booking system could run for one year, their Chair, Mr Guy Lambert, confirmed that they would be equally happy with a 12-month agreement.
 - Legal advice had been received confirming that a 12-month hire agreement would not form a tenancy.
 - SPC did not wish to prevent LGCSA's access to the facilities in any way.

It was then **RESOLVED** to accept the framework hire agreement between SPC and Langton Pavilion Community Hub for a period of 12 months with effect from 15th January 2024.

- **To consider a proposal for the ongoing partnership with LGCSA with respect to the recreation ground:**

Cllr Curry, Chair, then read a recap of recent events all leading to this meeting:

 - The old Management Agreement was deemed to be lapsed by SPC and its Legal Counsel. LGCSA had previously confirmed this via their Chair both by email and verbally but had since advised this was merely their Chair's personal view and that they believe the agreement is still enforceable. This is understandable as the rights outlined in the lapsed Management Agreement are all LGCSA have in terms of defined priority or access to the pavilion.
 - He believes that LGCSA deserve assurances to secure their appropriate access to the Pavilion which was the basis of his recent letter to the LGCSA Trustees.
 - He suggested three options to explore to take the relationship between SPC and LGCSA forward:
 1. Agree with LGCSA to operate under the Management Agreement. Councillors agreed this was not acceptable.
 2. Agree the Management Agreement has lapsed and issue LGCSA's bookings solely at SPC's discretion with the option to charge. This was unacceptable to LGCSA.
 3. Something new – enhance and replace the old Management Agreement and work collaboratively with new representatives from all parties involved to create a new agreement. To this end, Cllr Curry had worked together with Mr Chris Allen of LGCSA to write the outline of a new proposal for consideration and agreement in principle. This proposal had not been written or approved by either SPC or LGCSA but merely put together by two individuals who understand the existing problems and wish to move the conversation forward.
 - The Chair expressed disappointment in LGCSA's public statement and subsequent press outreach regarding the future of the Pavilion, highlighting inaccuracies and confirming no party involved had approved the release.
 - The Chair had had productive and collaborative conversations with Mr Chris Allen in proposing a new agreement which gives hope that the existing problems are resolvable with a change in representation from both parties.
 - The Chair gave an outline of the new proposal and asked councillors for their feedback.
 - Cllr Ellery said that LGCSA should in future contribute towards their energy use and that it should not be subsidised by the parish.
 - Cllr Muress supported the proposal, agreeing that a change in personnel and dialogue was needed.
 - Cllr Rowe agreed it was important to reach an Agreement over LGCSA's access to the Pavilion but he did not support the draft proposal for a new Operational Agreement circulated to the meeting as he felt it conceded too much to LGCSA for little in return and did not provide value for money for parishioners who pay the precept.
 - Cllr Lyle said that she agreed the old Management Agreement is defunct and supports a concept of an operational agreement being written by a change of personalities. She suggested a delegated working group is put together with new representatives from all three parties to write a new operating agreement. Mr Guy Lambert advised that he would be delighted to step aside from discussions regarding a new agreement and supported Chris Allen representing LGCSA in the negotiations.

It was then **RESOLVED** that the Chair and Chris Allen work together on a best-faith proposal which would be deferred to a working group consisting of Cllrs Muress and Davies, Chris Allen, James Bowdidge (Langton Green Village Society (LGVs) Chair) and the Clerk.

- Cllr Muress then paid tribute to the hard endeavours and determination put in by all those concerned to date.
- It was agreed that there was no rush to get the new agreement in place and that it could be beneficial to wait until the Hub had been running for a few months first.
- A monthly update would go on future agendas under LGRG.
- **To receive an update about the rates situation for the Pavilion:**
The Chair provided an update on the rates for the Pavilion: Agreement had been obtained from Tunbridge Wells Rateable Authority to swap SPC's primary address to the Pavilion so that any rates relief could be obtained on this address, rather than the smaller parish office. This could be reversed at any time. It was **RESOLVED** to instruct the TW Rateable Authority to change SPC's primary rateable address to the Pavilion.
- **To consider the broadband for the Pavilion:**
It was **RESOLVED** to take out a contract with TalkTalk Business Broadband for the Pavilion at a cost of up to £30pcm.

24/20 Committees and Working Groups (WG) and other Reports: to include any meetings held since the last Full Council meeting, the draft minutes having previously been forwarded to all Members

- a) **Governance Committee** – There was nothing to report.
- b) **Highways Committee** – Cllr Norton gave a brief update. He was in persistent liaison with KCC chasing remedial actions following on from the recent traffic counts which had highlighted speeding in the parish.
 - **Footpaths Co-Ordinator Update** – There was nothing to report.
- c) **Amenities Committee** –
 - **RESOLVED** to adopt the Policy for Use of Council Land as amended, on the recommendation of the Amenities Committee.
 - **RESOLVED** to renew the Landscape Services Contract which incorporates a 7% increase.
 - **RESOLVED** to carry out maintenance works to trees in Roopers adjacent to no's 12, 14 and 16 at a cost of £420.
 - **RESOLVED** to instruct Capel Groundcare to carry out quarterly inspections of the Langton Green playgrounds at a cost of £60 per inspection.
 - **RESOLVED** to instruct Capel Groundcare to carry out a six-monthly service and inspection of the zipwire on the Langton Green recreation ground at a cost of £126 per inspection.
- d) **Air Traffic Committee** – A meeting would be held in the near future with an update to February's Full Council meeting.
- e) **Environment WG (EWG)** – An update to the Terms of Reference were queried which the Clerk would confirm with the Assistant Clerk (CB).
- f) **KALC** – The Chair said that he had been asked if SPC were considering a Neighbourhood Plan, being one of the few remaining parishes in the borough without one. The substantial workload involved with a plan was noted and he asked councillors with any interest in the matter to contact the Clerk.

24/21 Diary Dates – The following dates were noted:

15th January 2024 – Planning Committee (Gallery Room, LGVH)
23rd January – Environment Working Group (via teams)
29th January 2024 – Governance Committee (SPC Office)
5th February 2024 – Full Council (Palmer Room, LGVH)
12th February 2024 – Planning Committee
19th February 2024 – Amenities Committee
27th February – Highways Committee

24/22 Items for Information:

- The Chair said that he had suffered considerable stress and interruption to his personal life whilst being the primary SPC negotiator for the Pavilion review and had therefore made the decision to step back from future discussions. Councillors praised and thanked the Chair for all the hard work and dedication he had tirelessly put into the Pavilion review to date and credited him in being primarily instrumental in the successful agreement for the Hub and the strong possibility of an agreement being put in place with LGCSA.

- Cllr Lyle reported that representatives from LGCSA had lobbied the Headmaster of Langton Green Primary School regarding their proposal for a 4G pitch. The school had decided not to support the application.

There being nothing further to discuss, the meeting closed at 9.38pm, councillors having agreed to an extension to the two-hour meeting limit.

Chair