

Local Government Act 1972



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

Minutes of the Extraordinary Full Council Meeting

Held on Thursday 15th June 2023 at 7.30pm in the Pavilion, Langton Green

MEMBERS PRESENT

Councillors Curry (Chair), Lyle (Vice-Chair), Cleaver, Dooley, Ellery, Rowe.

OFFICERS PRESENT

K Neve, Clerk.

IN ATTENDANCE

Apologies had been received from County Cllr McNroy and Borough Cllr Sankey. Borough Cllr Sankey subsequently arrived at 8.45pm.

MEMBERS OF THE PUBLIC

There were 10 members of the public present, including Emma and Matthew Howden, Lynn Jeffreys, Martin Russell, Jeremy Stirling, Rev Lyn and Dr Nick Trainor and David Whittaker.

23/141 To enquire if anyone intends to record the meeting

The meeting was recorded by the Clerk for accuracy of the minutes. The recording would be deleted once the meeting minutes are signed off at the next Full Council meeting.

23/142 To accept and approve apologies and reasons for absence.

Apologies had been received from Cllrs Leach (unavailable), Muress (Training Course), Norton, Scarbrough and Turner (holiday) and Tarricone (unwell).

23/143 Disclosure of Interests

Cllr Lyle declared that she was the Speldhurst Parish Council (SPC) appointee on the Board of Trustees for Langton Green Community Sports Association (LGCSA).

23/144 Declarations of Lobbying

Cllrs Curry and Lyle had been lobbied extensively on the Langton Green Pavilion.

23/145 Public Open Session

Several members of the 10 public in attendance spoke and raised the following points:

- The community want to see the restoration of the Pavilion Café.
- The community want SPC to hear their support and to stand up to any duress by LGCSA.
- It was suggested that LGCSA's actions should be reported to the Charity Commission for not adhering to their Articles.
- The Café is extremely well supported and visited by approximately 200 people a day.
- They wish to see a 12-month hire agreement to protect livelihoods.
- Does LGCSA have an ulterior motive, eg building an Academy?
- The Café provides support to the community at a time when mental health is at its worst. It offers parenting support, child support and support to the elderly and provides general wellbeing for the community and is extremely important.

23/146 Langton Green Recreation Ground (LGRG)

- a) To receive an update on the Langton Green Pavilion.
- b) To resolve a strategy for the future management of the Langton Green Pavilion.
- c) To consider a hire agreement for Emma Howden, Proprietor of the Langton Pavilion Café.

The Chair read out SPC's latest communication to LGCSA Trustees and their subsequent response. After much discussion it was **RESOLVED**:

- 1) To approve version 6 of the heads of terms, subject to the following amendments:
 - a. The carving out of 3 weeks for LGCSA sporting camps when access for café bookings is not available, being the football fiesta week in the May half term and two further weeks in the August summer holidays, further or different weeks to be by mutual agreement between LGCSA and the proprietor of the café;
 - b. That SPC undertakes to commence an independent legal review to establish the parties' respective rights relating to the management and use of the pavilion building, with a lawyer mutually agreed with LGCSA and costs to be shared 50:50.
- 2) Should LGCSA decline to agree and sign the heads of terms as set out above, to adopt them as a unilateral statement of intent on the part of Speldhurst Parish Council;
- 3) To grant the following authorisations to the Chair, with the authorisation of Cllrs Lyle, Rowe, and the Clerk, until the September Full Council meeting when the authorisations would expire:
 - a. To sign the Heads of Terms, as approved at 1) above,
 - b. To sign the Interim Hire Agreement, as it currently stands;
- 4) To delegate to the Chair, Cllrs Lyle and Rowe and the Clerk, the drawing up of instructions with explanation and evidence to lawyers:
 - a. To establish the parties' respective rights in relation to the management and use of the pavilion building, and to select which lawyers to engage in agreement with LGCSA, costs of the review to be shared equally between SPC and LGCSA; and
 - b. To review the proposed longer term Hire Agreement between the Council and the café proprietor to ensure that the Council is not breaching any of its legal obligations and that the hirer is not entitled to any protected rights in the property

- 5) To authorise the Chair, Cllrs Lyle and Rowe and the Clerk to enter into such agreements as the authorised councillors, together with the Clerk, consider necessary to protect SPC's position and interests in the Pavilion.

The authorisations and delegations at 4) and 5) are effective until the meeting of the full council on 4 September 2023, when they shall expire unless renewed at that meeting.

It was further **RESOLVED** to authorise the purchase and installation of a new dishwasher for general hirer use up to the value of £600 from the Pavilion RRIM (Repair, Renewal, Improvement and Management) account.

There being nothing further to discuss, the meeting closed at 8.56pm.

Chair