

Local Government Act 1972



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

Minutes of the Annual Statutory Meeting of Speldhurst Parish Council
Held on Tuesday 9th May 2023 at 7.30pm in the Palmer Room, Langton Green Village Hall

MEMBERS PRESENT

Councillors Curry (Chair), Dooley (to 8.40pm), Ellery (7.55pm), Lyle, Norton, Rowe and Scarbrough.
All members present signed the Declaration of Office which was then counter-signed by the Proper Officer.

OFFICERS PRESENT

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

IN ATTENDANCE

Apologies had been received from Borough Cllr Matthew Sankey who had a prior work commitment.

MEMBERS OF THE PUBLIC

There were approximately 16 members of the public present.

23/93 Election of Chair

It was **RESOLVED** to elect Cllr Curry as Chair of the Parish Council. He signed the Declaration of Office which was then counter-signed by the Proper Officer.

23/94 Election of Vice-Chair

It was **RESOLVED** to elect Cllr Lyle as Vice-Chair of the Parish Council. She signed the declaration of office which was then counter-signed by the Proper Officer.

23/95 Covid Compliance

Those in attendance were free to decide whether to wear a mask according to their own wishes.

23/96 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.

23/97 To accept and approve apologies and reasons for absence.

Apologies had been received from Cllr Turner (Covid-related) and Cllr Tarricone due to illness. Cllr Ellery arrived at 7.55pm due to a previous commitment and Cllr Dooley left the meeting at 8.40pm due to family illness.

23/98 Disclosure of Interests

Cllrs Ellery, Rowe and K Harman declared an interest in item 14 as a shareholders of the Speldhurst Community Shop Ltd.

23/99 Declarations of Lobbying

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

23/100 Minutes of the Full Council Meeting held on 3rd April 2023

RESOLVED that the minutes, previously forwarded to members were confirmed as a correct record and signed by the Chair.

23/ 101 Public Open Session

There were approximately 16 Members of the Public present, including James Bowdidge, Nikki King, Emma Pye, Lucy Doyle, Rosa Gonzalez, Simon McNair, Nick Trainor, Guy Lambert (Chairman of the Langton Green Charitable Sports Association (LGCSA), Steve Alldis, Tom Franks, Edward Pinnell, Rebecca Leach, Hugh Cleaver and Ian Muress.

The Chair read a statement from Borough Cllr Sankey who was undertaking the mediation process between Speldhurst Parish Council (SPC), Emma Pye (existing café licence holder) and LGCSA. This was an interim publishing of the issues where parties are not aligned. He was now in receipt of all three parties' responses to his suggestions and would prepare and publish his final report which would contain his recommendation for a resolution.

James Bowdidge then spoke asking SPC to extend the existing licence to give Emma Pye and her workforce some stability and keep the valued community facility, supported by 2,000 residents.

Cllr Rowe advised the meeting that SPC agreed to support an extension to the existing licence however all three parties should be in agreement to do this and currently only SPC and Emma Pye were.

Guy Lambert said that LGCSA were happy to facilitate a new occupational licence before the existing licence expires however, they were not prepared to let the negotiations overrun.

The Chair reconfirmed that all three parties involved had to sign a new extension to the licence and that SPC were happy to do so. Emma Pye said that every time she and SPC got close to signing a new licence, LGCSA were not happy with it which wasted everyone's time.

Guy Lambert said that he would send SPC a briefing document exposing SPC's financial commitment to the pavilion. The Chair advised the meeting that LGCSA had threatened SPC with legal action should they attempt to extend or renew the existing licence without LGCSA's agreement.

Members of the public voiced support for the café and the valuable service it offered the community.

Cllr Lyle reminded everyone that LGCSA had raised the funds to build the pavilion in the first place and therefore have a right to use the facility. It was also important to recognise the value the café brings to the community in the form of wellbeing and community events. The current whole financial risk is on SPC and they believe the building is a community asset which is not intended to be profit making but should cover its own costs.

Item 23 Langton Green Recreation Ground (LGRG)

a) Update on the Pavilion Review:

The Chair agreed to bring Item 23 on the agenda forward and then read SPC's statement in response to Borough Cllr Sankey's mediation report.

Cllr Ellery asked if a sentence could be added to the statement stressing the importance of all parties discussing the report in person to get to a swift resolution. This was agreed.

It was **RESOLVED** to ratify the draft statement with the addition of a sentence regarding an in-person meeting of all three parties.

It was agreed to wait until Borough Cllr Sankey's final report was received before any further action was taken. An extraordinary general meeting could be called if necessary.

b) Rates Review:

A letter had formally been submitted to Tunbridge Wells Borough Council (TWBC) and a response had been received confirming that SPC had no rates liability or obligation on the pavilion to date.

c) **SPC Pavilion Ltd:**

SPC had indicated to TWBC that they wished to dissolve SPC Ltd and TWBC had indicated that under these circumstances, discretionary rate relief would most likely be available.

Continuation of 23/101 Public Open Session

Mr Edward Pinnell and Mr Tom Franks were attending the meeting to discuss the Speldhurst Chapel Project (SCP) and the Chair agreed to bring forward item 21 on the agenda to this point in the meeting.

Cllr Rowe said that a productive meeting had been held with the SCP working group where SPC had raised several questions. There would be some costs to SPC in the first year when the loan repayments would need to be paid before the increase in precept had been received as well as legal and surveyor's fees. It was anticipated that these would come to no more than £10K. The next steps would be a call with the Trustees of the chapel site on 17th May to confirm that they would agree to selling the chapel to SPC and the price and terms. Subject to agreement with the vendors, SPC would then move on to consulting the community.

23/102 Borough and County Councillor's Reports

There were none.

23/103 Chair's Report

The Chair had nothing to report that wasn't already being discussed during the meeting.

23/104 Clerk's Report

- Thank you letters had been received for grants awarded by the parish council to St Mary's Church, Speldhurst, Citizens Advice Bureau, Hospice in the Weald and St John's Church, Groombridge.

23/105 General Matters – Actionable tasks which do not fall to a committee.

Ongoing				
	Summary	Owner	Created	Status
89/22	Confirm appointment of Pavilion Building Manager.	Pav Man Cttee	04/11/22	On hold
3/23	Replace heating system at Pavilion.	Cllrs Curry/Lyle	09/01/23	Complete
9/23	Trial weed control April-Sept without use of glyphosate.	Env WG	09/01/23	In progress
17/23	Instruct Kestrel Mechanical Services Ltd to carry out the work on the Pavilion boiler.	Cllr Lyle	06/03/23	Complete
21/23	Submit nomination papers for May elections by 4/4/23.	All Cllrs	06/03/23	Complete
26/23	Update following policies on website where applicable: Budget Virement, Grants, Internal Financial Control System, Investment Policy, and Data Protection.	Clerk	03/04/23	Complete
27/23	Set up Cllr Ellery as a bank signatory.	RFO	03/04/23	In progress
28/23	Confirm and pay grant awarded to Speldhurst Recreation Ground.	Clerk/RFO	03/04/23	Complete
29/23	Confirm and pay grants awarded to Speldhurst Recreation Ground and Langton Green Village Hall, subject to further details.	Clerk/RFO	03/04/23	Complete
30/23	Organise Speldhurst Chapel Project WG meeting with Cllrs Clerk Lyle, Rowe, Tarricone and Curry.		03/04/23	Complete
31/23	Send rates letter to TWBC and request formal response.	Clerk/Chair	03/04/23	Complete
32/23	Dissolve SPC Pavilion Ltd.	Cllr Lyle	03/04/23	In progress
33/23	Update and publish Spring Newsletter.	Asst Clerk (CB)	03/04/23	In progress

34/23	Update Internal Audit and Highways Terms of Reference on website.	Clerk	03/04/23	Complete
35/23	Pay printing costs of Slow Down for Horses Sign.	Clerk/RFO	03/04/23	Complete
36/23	Accept quotation and pay for fencing work at The Green, Groombridge.	Clerk/RFO	03/04/23	Complete
37/23	Cllr Tarricone to take over chairship of Air Traffic Cttee with handover from Cllr Barrington-Johnson.	Cllrs Tarricone and Barrington-Johnson	03/04/23	Complete
38/23	EV Charging WG to meet to discuss EV charging contract.	Cllrs Turner, Curry, Lyle, Barrington-Johnson	03/04/23	In progress

New – Items arising since last Full Council Meeting

	Summary	Owner	Created	Status
39/23	Add co-option to next Full Council agenda.	Clerk	09/05/23	
40/23	Notify Ashurst McDermott Hall Trust that Cllr Tarricone will replace Cllr Soyke as the SPC representative.	Clerk	09/05/23	
41/23	Send AGAR to External Auditors.	Clerk/RFO	09/05/23	
42/23	Advertise public inspection period of Annual Return.	Clerk/RFO	09/05/23	
43/23	Pay LGVS a grant of £1,000 towards the TW Fringe Festival explaining that it does not set a precedent.	Clerk/RFO	09/05/23	
44/23	Present KALC Community Award at APM.	Chair/Clerk	09/05/23	
45/23	Commence process for PWLB in liaison with KALC.	Clerk/RFO/Chair	09/05/23	
46/23	Send Matthew Sankey SPC's formal response to mediation, as amended.	Clerk/Chair	09/05/23	
47/23	Display Statement of Internal Control on website and noticeboards.	Clerk	09/05/23	
48/23	Notify Internal Auditor of reappointment.	Clerk	09/05/23	
49/23	Accept 12-month contract with Cloudy IT.	Clerk	09/05/23	
40/23	Update website with EWG Terms of Reference.	Clerk	09/05/23	

23/106 Vacancies

The Clerk reported that, following the submission of nomination papers, 9 out of 13 councillor spaces had been filled meaning no election was necessary in May. There are two interested parties who have had informal discussions with members of the co-option working party councillors and there has been an appeal on social media for people to come forward. Kent Association for Local Councils (KALC) had advised that co-option take place at the June Full Council meeting therefore the two interested parties had been invited to attend that meeting for co-option onto the parish council.

23/107 Appointment of Committees including KALC representative

- It was **agreed to bring this matter forward to the June meeting when more councillors were in place.**
- It was **RESOLVED** that the Chair is to be the KALC representative and the Vice-Chair is Deputy.
- It was **RESOLVED** that Cllr Tarricone replace Julia Soyke as the new representative on the Ashurst McDermott Hall Trust.

23/108 Annual Return

- a) **Risk Assessments** – It was **RESOLVED** to accept the Risk Assessment document which had been reviewed and updated by the Governance Committee.

- b) **2022/23 Internal Audit Report** It was **RESOLVED** to accept the Internal Audit Report which had been reviewed by the Governance Working Group.
- c) **Annual Return** – It was **RESOLVED** that the Annual Governance and Accountability Return (AGAR) be signed by the Chair on behalf of the parish council, on the recommendation of the Governance Committee.
- d) **Accounting Statements** – It was **RESOLVED** that the Accounting Statement be signed by the Chair on behalf of the parish council, on the recommendation of the Governance Committee.
- e) **Public Inspection period of the Annual Return:** It was **RESOLVED** that the public inspection period would run from 5th June 2023 to 14th July 2023.

23/109 The General Power of Competence

The Chairman explained how the Council qualified and the benefits of the power and it was **RESOLVED** to re-adopt the General Power of Competence (LA2011 S1(1)) for the next term of office.

23/110 Finance Committee – Report by Cllr Ellery

- a) There had not been a meeting since the last Full Council meeting.
- b) There had been no budget virements.
- c) Interim payments made since the last meeting:
Unity Acct: £48 KALC - training; £336 The Living Forest - tree works; £7.05* K Harman - postage; £145.76* Viking Direct - toilet roll and paper; £7012.80 Commercial Services Trading - path installation.
Mastercard: £3.49* Toolstation - spade tape connector.
- d) Decisions made under delegated authority are starred above.
- e) Grant request from Langton Green Village Society for the TW Fringe Festival – **RESOLVED** to grant £1,000 towards the cost of public toilets for the TW Fringe Festival.

23/111 Accounts for Payment

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

Date	Payee Name	Reference	Amount £	Detail
02/05/2023	BT PLC	DD	29.65	Mobile Phone
03/05/2023	Npower	DD	29.61	Street Lighting
10/05/2023	JS Facilities Management	MT2455	168.00	Pavilion Cleaning
10/05/2023	M R Lawrence	MT2456	200.00	Mowing at Langton Green
10/05/2023	MR Lawrence	MT2457	150.00	Mowing at Roopers
10/05/2023	Kate Harman	MT2458	28.80	Mileage Expenses
10/05/2023	April Skies	MT2459	366.75	Audit
10/05/2023	Langton Green Charitable Trust	MT2460	50.00	Underlease Payment
10/05/2023	UK Deb Management	DD	2,468.49	PWLB Payment
10/05/2023	Langton Life	MT2462	375.00	Advertisement
10/05/2023	RBS Software Solutions	MT2463	841.85	Annual Subscription
10/05/2023	Cloudy IT	MT2464	272.82	IT Support
10/05/2023	Ashurst McDermott Hall	MT2465	54.00	Room Hire
10/05/2023	Knockout Print	MT2466	180.00	Annual Meeting Signs
10/05/2023	Streetlights	MT2467	27.84	Streetlights
10/05/2023	KALC	MT2468	2,034.00	Annual Subscription
10/05/2023	Tivoli	MT2469	600.00	Dog Waste Emptying Nov-Mar
10/05/2023	KALC	MT2470	48.00	Training for New Clerk Finance

10/05/2023	HMRC	MT2471	1,181.21	National Insurance
10/05/2023	M:power accounting	MT2473	54.00	Payroll
12/05/2023	N.E.S.T. Pension Scheme	DD	476.35	N.E.S.T. Pension Scheme
19/05/2023	Employees	MT2472	4,756.92	Salaries
20/05/2023	EDF Energy	DD	2,222.00	Pavilion Energy
28/05/23	Castle Water	DD	50.63	Pavilion Water
	TOTAL PAYMENTS		£16,665.92	

23/112 KALC Community Awards Scheme 2023

The Clerk reported that the 2023 KALC Community Award would be presented at the Annual Parish Open Meeting on Thursday 18th May 2023.

23/113 Speldhurst Chapel Project

Discussed under Public Open Session above item 23/101.

23/114 Planning Committee

A meeting had been held on 17th April. It was the last meeting to be attended by retiring councillors Barrington-Johnson, Rajah and Soyke, losing the Chair and Vice-Chair at the same time. Cllrs Rowe and Tarricone had agreed to take on the Chair and Vice-Chair roles respectively and would be elected at the next meeting on 15th May. 12 applications had been considered most of which the committee had remained neutral and additional requests/considerations for the planning officer had been included.

An objection had been made to an application at the Beacon Hotel for various accommodation they are proposing and it was made clear that SPC are not happy with their lack of a planning application for the existing amphitheatre and 'temporary' marquees and general lack of consultation with their neighbours.

There was a rare 'support' for new fencing and a gate at Manor Court Farmhouse in Ashurst.

The developer of Burrswood was being chased for an update that could be shared with residents.

The TWBC Conservation Officer was being contacted to request action regarding the removal of the trees planted around The Green explaining the residents have a right to a view as detailed in the Local Plan.

23/115 Langton Green Recreation Ground (LGRG)

Discussed under Public Open Session above item 23/101.

23/116 Annual Parish Meeting 2023 – The Chair reported that there was one final meeting this week and a technical run-through the day before and everything was in hand.

23/117 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 WG** – Cllr Lyle reported that there had been a meeting on 24th April.

- It was **RESOLVED** to approve the Statement of Internal Control.
- It was **RESOLVED** to accept the Internal Audit Report.
- It was **RESOLVED** to approve the expenditure of £400 (currently) for the year-end and AGAR preparation to be checked by Rialtas.

- It was **RESOLVED** to reappoint Mike Platten of April Skies Accounting as the Internal Auditor (IA) for 2023/24.
 - It was **RESOLVED** to appoint the Clerk as Data Protection Officer (DPO).
 - It was **RESOLVED** to confirm that the Fixed Asset Register is correct.
 - It was **RESOLVED** to approve the 12-month contract of Microsoft products with Cloudy IT.
- b) **Highways WG** – There had been no meeting.
- c) **Amenities WG (AWG)** – There had been no meeting.
- d) **Air Traffic WG** – There had been no meeting.
- e) **Environment WG (EWG)** – There had been a meeting on 25th April.
- It was **RESOLVED** to approve the EWG Terms of Reference.
- f) **KALC** – There was nothing to report.

23/118 Diary Dates – The following dates were noted:

15th May – Planning Committee

18th May – Annual Open Parish Meeting

22nd May – Amenities Committee

5th June – Full Council

23/119 Items for Information:

The Chair reminded councillors that their attendance was expected at the Annual Parish Open Meeting on Thursday 18th May.

There being nothing further to discuss, the meeting closed at 9.22pm.

Chair