

MINUTES OF AN ORDINARY MEETING OF BENENDEN PARISH COUNCIL HELD ON MONDAY 18 FEBRUARY 2013 AT 8.00 P.M. IN THE IDEN GREEN PAVILION

PRESENT: Cllrs. K. Barker, Mrs. J. Beattie, Mrs. L. Butler-Graham, Eleanor North & G. Reynolds

ALSO PRESENT: Mrs K Bell (Clerk), District Commander Ms N Faulconbridge, Community Warden & 10 residents.

APOLOGIES: Sean Holden (Borough Councillor for Cranbrook and Benenden)

032/013 Cllr. Reynolds opened the meeting and welcomed all present.

033/013 **Declarations of Interests or lobbying:** There were none.

034/013 **Urgent Items:** There were none

035/013 **Invited Guests**

035/013.1 **District Commander Nicola Faulconbridge:** District Commander Nicole Faulconbridge was welcomed to the meeting; she drew attention to the following:

- She outlined her role as District Commander
- She was very familiar with the rural locality and was focussed on rural policing and making everyone feel safer within their communities.
- She encouraged both the PC and residents to contact her and her policing team with any areas of concern.

035/013.2 **Mr Mark Osborne: Kent Highways Steward:** Mr Osborne had been unable to attend but would be attending the Planning Meeting on 07 March 2013.

036/013 **Minutes:** The minutes of the meeting held on 22 January 2013 were **APPROVED** and signed by the Chairman as a true record of the proceedings.

037/013 **Matters Arising from the minutes**

121/012.2 **Mr T Moore:** Expression of thanks and appreciation had been received for the Christmas Gift

038/013 **Correspondence from Residents:** A letter had been received from a resident expressing concern that Cllr. Butler-Graham was collating email addresses from those wanting to receive PC email alerts. The resident had also questioned the status of Cllr Mrs Butler-Graham as an elected member. The Clerk confirmed that the matter had been referred to KALC who had advised that there was no problem in Cllr. Mrs Butler-Graham continuing to send email alerts provided that the rules relating to DPI with whom the PC was registered were followed. It was further noted that Cllr. Butler-Graham having stood for election was correctly nominated in law and was an elected member regardless of whether or not the election was contested.

039/013 **Questions from Residents:** The meeting adjourned in order to take questions from residents.

040/013 **Planning**

040/013.1 **Planning:** Actions under delegated powers during the period 23 January 2013 to 15 February 2013 were **APPROVED**.

040/013.2 **Planning Applications for Consideration:** There were none.

Signed: **Date:**

- 041/013 Parish Council Election:** The election had been uncontested with only two successful nominations being received. Eleanor North and Graham Walden had therefore been elected. Welcome letters had been sent to the successful candidates, together with forthcoming meeting dates, Standing Orders, Declaration of Acceptance of Office and the Code of Conduct. TWBC had advised that because an election had been requested by ten or more residents that a new election would have to be arranged to fill the remaining three vacancies.
- 042/013 Parish Council Website:** Cllrs. Mrs. Butler-Graham reported that two quotations had been obtained, one of whom was Vision ICT who had quoted £925 another from a local person who had quoted £750.00. Following a discussion, it was:
RESOLVED: That an additional quotation would be obtained and the matter would be considered at the next meeting.
- 043/013 2013 Annual Assembly:** Attention was drawn to the following:
- No response had been received from the office of Ann Barnes, Kent Police Commissioner in response to the PC's request for her to be the guest speaker. If Ms Barnes was unable to attend the Annual Assembly, the PC would consider an alternative speaker at the next meeting
 - The 2013 APM would be held on 29 April 2013.
- 044/013 Parish Plan:** An Open Meeting would be held on 23.02.13 at 11.00 a.m. in the Village Hall. It was noted that 1,000 flyers & 150 invitations had been printed and distributed village wide.
- 045/013 Kent Lane Rental Scheme (KLRS):** In accordance with Section 74A of the New Roads and Street Works Act 1991 the SoS for Transport had approved KCC's application to make an order to introduce KLRS's. KCC had advised that the KLRS would come into effect on 04 March 2013 and that charges would apply from 28 May 2013.
- 046/013 Completion of Water Main replacements in Great Ninevah, Benenden**
- SE Water had completed a £160,000 scheme to replace 1.3km of old water main
 - Southern Water had confirmed that the main construction works bringing improvements to the sewage treatment systems in the local area had been completed.
- 047/013 Insurance:** The Clerk had recently met with the insurers; attention was drawn to the following:
- All was in order with regard to the insurance cover in respect of the buildings & contents.
 - A question arose regarding additional insurance in respect of the VH and the Clerk had liaised with BVHMC in this respect who had confirmed the existence of no other insurance. The PC's insurers had been asked to advise.
 - An issue was raised over the non-exclusive use of the Community office by the PC especially in view of the fact that the PC had no control over access whilst not in use by the PC. The insurers had advised that should an insurable event take place then there was a risk that the insurance company would not meet the insurance claim as they would have mitigating circumstances not to honour a claim. The insurers were of the opinion that in order to minimise risk the PC needed to retain a greater degree of control and that that there needed to be a formal agreement to this effect between the PC and BVHMC.
- 048/013 BVHMC - Rent for Community Office:** A payment demand had been received in order of £100.00 per month. Following a discussion, it was:
RESOLVED: That the matter would be discussed with the BVHMC.
- 049/013 Local Bus Service:** Information had been received with regard to changes to the local bus service. It was noted that in the majority of instances the changes were minor in nature and without any significant impact on passengers.

Signed: **Date:**

050/013

2013 Provisional Meeting Dates: The following provisional dates were NOTED:

Date	Venue
25 March 2013	Iden Green Pavilion
29 April 2013 (Annual Parish Meeting)	Village Hall
28 May 2013 (Annual Meeting of the PC)	Memorial Hall
24 June 2013	Iden Green Pavilion
29 July 2013	Memorial Hall
August	No meeting
30 September 2013	Memorial Hall
28 October 2013	Iden Green Pavilion
18 November 2013	Memorial Hall
16 December 2013	Iden Green Pavilion

Following a discussion, it was:

RESOLVED: That members would advise the Clerk of any dates that they would be unable to attend meetings and a revised schedule would be prepared for member's consideration and approval.

051/013

TWBC: Non Performing Property and Land Assets: It was reported that during 2013/2014 TWBC would be continuing to review and dispose of non-performing land and property assets and that the following had been identified within Benenden Parish:

- Land and Garages, Leybourne Dell, Benenden
- Land at Cherryfields, Benenden

The PC had been invited to submit viable alternative proposals which would be considered by cabinet and at this stage TWBC was simply seeking an indication by 28 February 2013 of the PC's viewpoint following which the PC would be invited to submit formal proposals for consideration by Cabinet. Members were advised that TWBC had been asked to clarify the proposals for the land and to provide mapping information. Following a discussion, it was:

RESOLVED: That TWBC would be advised that there was an interest in the Parish Council taking on the maintenance of the Land at Cherryfields and/or the possible acquisition of the land. TWBC would be asked to consult with the residents of both sites.

052/013

Groups & Organisations: Representatives who attended any meeting on behalf of the parish council were invited to give a brief summary; attention was drawn to the following:

052/013.1 TWBC KALC Area Committee: Cllr. Mrs Beattie advised members that hoped to be able to attend the next meeting on 27 February 2013.

053/013

Finance

053/013.1 **Bank Reconciliation as at 31 January 2013:** The information which had been prepared by the Clerk and copied to members was **APPROVED**. It was noted that the bank balances as at 31 January 2013 were current account £500.00 and Reserve account £27,520.38. The bank statements were signed by Cllr. Reynolds.

053/013.2 **Financial Transactions:** The following transactions were **APPROVED**

Receipts

HMT	SO — Clerk January 2013 salary	£100.00
TMWB	Public Toilets	£600.00
TOTAL		£700.00

EXPENDITURE

719	Benenden Village Hall - (Hall Hire)	£46.00
DD	Waitrose Broadband (January 2013)	£18.99

Signed: Date:

720	Mrs K Bell	- Clerks Salary	£606.48
		- Postage/admin expenses	£55.59
			£662.07
721	Mrs E Butler-Graham	- Parish Plan Expenses	£42.48
722	Benenden Village Hall	- Hall Hire	£16.00
723	The Bull at Benenden	- Retirement Gift (PC Jan 2013)	£100.00
724	IG Pavilion Trust	- Hall Hire	£11.00
725	BT	- Parish Office telecommunications	£71.13
726	KCC	- Stationery & Public Toilets cleaning supplies	£81.37
727	TMBC	- Printing Parish Plan	£60.48
DD	Waitrose	Broadband (February 2013)	£18.99
728	Mr R Payne	(Public Toilets – Cleaning)	£245.00
729	EDF	- Energy Public Toilets	£70.00
730	Arnold Cole Trust	- Gybbon & Ginder Charity	£402.50
	TOTAL		£1,738.54

053/013.3 Request for Financial Assistance: It was reported that a request for funding had been received from the Samaritans. Following a discussion, it was:

RESOLVED: That the matter would be considered in the next financial year.

053/013.4 Bank Mandate: Confirmation had been received that the PC's bankers had updated the new mandate instructions. It was noted that the previous mandate had not been updated for some considerable time and had included the details of a Councillor who had resigned in 2008.

054/013 Correspondence: The following items had been received during the period 12 January 2013 and 05 February 2013 and were available for member's inspection in the Parish Office.

- a. E-watch.co (Bulletins January/February 2013)
- b. Action Planning (email bulletins January/February 2013)
- c. TWBC
 - (i) Funding Secured for new scheme to cut energy bills
 - (ii) Neighbourhood Development Plans
 - (iii) Licensing Tracker updates (January/February 2013)
 - (iv) Agendas in respect of the following meetings:
 - Eastern Area Planning Committee – 28.01.13
 - Planning & Transportation Cabinet Advisory Board – 23.01.13
 - Finance & Governance Cabinet Advisory Board – 24.01.13
 - Licensing Sub Committee – 31.01.13
 - Cabinet – 17.01.13 & 07.02.13
 - Joint Transportation Board – 14.01.13
 - (v) Consultation Issues:
 - Transport Strategy
 - Borough Car Parks
 - Merger of the two Area Planning Committees
 - (vi) Notice of intent to make key decisions – 23.01.13 & 04.02.13
 - (vii) Winter Snow Emergency: Information regarding recent emergency
 - (viii) Rural Burglary: Community Safety Unit Newsletter
 - (ix) Decision Sheet for Cabinet – 17.01.13
 - (x) West Kent Clinical Commissioning Group – Vacancy for Lay Member
 - (xi) Workshop for the Site Allocations DPD Consultation April 2013
 - (xii) Notice of Intent (Forward Plan)

Signed: **Date:**

- (xiii) Press Releases:
 - Fighting for Kent, Freezing Council Tax again
 - Kent Cracks down on Bogus Charities

- (xiv) Minutes in respect of the following meetings:
 - Public Transport Forum Meeting – 28.11.12
 - General Purposes Committee – 16.01.13
 - Full Council – 12.12.12
 - Planning & Transportation Cabinet Advisory Board – 23.01.13
 - Finance & Governance Cabinet Advisory Board – 24.01.13
 - Cabinet – 17.01.13
 - Licensing Sub-Committee – 22.01.13 & 24.01.13

- d. Goods and service information received from the following: Rural Services Network, Kent Link News, Public Sector Sales Support (Interest Rates), Kent in Brief (Newsletter), Came & Company (Winter Warning Newsletter from PC's insurers & Members website area), Kent Can (Kent in Brief), Paxton Charities (Charities Accounting), Business Media (New Charity Commission Safeguarding Strategy – 10 minute briefing), Hospice in the Weald (Hospice News (Winter 2012/2013), Logic (Salt Spreaders), Play & Leisure (Play Equipment), Fields in Trust, Action Planning, News in Kent (Publication from Kent Police for Parish Councils), Kent Police (Speedwatch Newsletter), Recycle ICT (Wanted Redundant ICT items), High Weald AONB (News – January 2023), Cuspian (Smart boards and Projectors), DSC (E-News), Local Government Pension Scheme 2014, News In Kent (Edition 1 – a publication from Kent Police for Parish Councils)

- e. Benenden Parish Magazine (February 2013)

- f. Clerks & Councils Direct
 - (i) Commemorative Jubilee Mugs for sale
 - (ii) Councils & Suppliers Guide Yearbook 2013
 - (iii) January 2013 issue

- g. KALC
 - (i) Examining Speed Limits for HGV's over 7.5 tonnes on single carriageway roads
 - (ii) Community Infrastructure Levy and Neighbourhood Planning: News releases
 - (iii) Neighbourhood Planning Bulletin Edition 3
 - (iv) Fire Hydrants: Clarification from KFRS Water Services Manager
 - (v) Legal & Finance Conference – 02.02.13
 - (vi) Sustainable Communities Act 2007 – Call for Evidence
 - (vii) Parish News (January 2013)
 - (viii) LGA/NALC Publication: Modelling Devolution – working Together to Deliver Local Services (Copied to members via email)
 - (ix) DCLG Neighbourhood Planning Bulletin Edition 3

- h. Benenden Website: Temporary unavailability information

- i. Paddock Wood Town Council: Open Meeting regarding development of 500 dwellings 22.02.13

- j. ACRK: Rural News (issue 125, 24.01.13)

- k. KCC
 - (i) Winter Emergency Information
 - (ii) Explore Kent (January 2013)

Signed: **Date:**

- 055/013 **Matters for Information**
- 055/013.1 **Clarification of position with regard to the unauthorised legal advice obtained by former Parish Councillors.**
 KALC had advised that provided the former Parish Councillors had acted in good faith there was no obvious liability that could be attributed to them. However if the PC wished to pursue the matter it could seek to recover the costs but this action was likely to be divisive and expensive and could lead to legal action but as the PC was the body that had been put upon it would certainly prevail.
- 055/013.2 **Invitation from Ann Barnes, Kent Police and Crime Commissioner**
 Members had been invited to attend the first Meet Your Commissioner event which would be held on 20 February 2013 at the Oakwood Hotel, Maidstone.
- 055/013.3 **Neighbourhood Planning**
 An invitation had been received from Hawkhurst PC for a PC representative to attend an informal meeting to discuss the possibility of forming a group to proceed with a Neighbourhood Development Plan. It was agreed that an expression of interest would be registered with Hawkhurst PC in the meantime BPC would press ahead with the Parish Plan.
- 055/013.4 **KCC Start of Works Notice: Babbs Lane, Benenden**
 During the period 18 February 2013 to 22 February 2013, work would be taking place in order to repair potholes and repair cracking to the highway
- 055/013.5 **Invitation from Weald of Kent Protection Society**
 It was reported that WKPS was founded in 1960 and has a long history of vigorous campaigning. WKPS is an environment pressure group whose aim is to protect and enhance the character of the towns, villages and countryside of the Weald of Kent. A BPC representative had been invited to attend a meeting which would be held on Wednesday 13 March 2013 at 6.00 p.m. in The Bull at Benenden. Cllrs. Barker and Reynolds would be attending.
- 056/013 **Matters for Consideration in Private:** There were none
- 057/013 **Date and Time of Next Meeting:** Confirmed as 25 March 2013 at the Iden Green Pavilion.

There being no additional business, the meeting closed at 21.00 hours. There then followed a short period of time in which to take residents questions.

Signed: **Date:**

Note: These minutes are not intended to provide a verbatim record of the meeting and contain only a summary of those matters discussed