

## BIDDENDEN PARISH COUNCIL

### Minutes of the Statutory Annual Meeting held on Tuesday 11 May 2010 at 7.30 pm in the Village Hall, Biddenden

Present: Cllr T Lupton (Chair) Cllr C Daly  
Cllr A Barfoot Cllr C Friend  
Cllr D Boulding Cllr H Richards  
Cllr Mrs E Cansdale Cllr H Ruse  
Cllr M Conway

7 Parishioners attended.

#### 1. Election of the Chairman for 2010/11

The Clerk stated that one nomination had been received in the name of Cllr Lupton, proposed by Cllr Richards and seconded by Cllr Ruse. There being no other nominations, Cllr Lupton was duly elected as Chairman for 2010/11.

#### 2. Apologies for absence

Apologies for absence had been received from Cllr Evason who was on holiday and Cllr Mrs Ashton due to illness and Cllr Bell.

#### 3. Election of the Vice Chairman for 2010/11

The Chairman stated that he would like to propose Cllr Richards for the position of Vice Chairman. The nomination was seconded by Cllr Mrs Cansdale. There being no other nominations, Cllr Richards was duly elected as Vice Chairman for 2010/11.

The Chairman stated that he would now take Parishioners' questions before moving on to the next item:

#### Parishioners' Questions

**Parishioner 1** expressed concern regarding Woodlands Caravan Park. For over two years residents have been subjected to abuse. People have been leaving the site without receiving adequate payment for their homes. The owner is not offering the market value for the homes that residents wish to sell and they are being told to accept the offer. There are also more homes on the site than the permit granted to the owners allows. Water is also an issue as the water pressure is too low, meaning that it can take a long time to fill a bowl of water and sometimes there is no water available.

Correspondence has been ongoing with Ashford Borough Council for over two years and residents are feeling pretty lonely. Issues have been brought up with Cllr Bell in the past and he has met with residents.

The Chairman stated that the Parish Council were unable to help as it was a Borough Council matter, but it would raise the issues with Cllr Bell.

**4. Any declarations of interest in items on the Agenda**

Declarations of interest were received from:

Cllr Mrs Cansdale	Prejudicial Interest – proposed doctors’ surgery
Cllr Conway	Proposed Doctors’ surgery
Cllr Richards	Allotments

**5. Any alterations to the Register of Members’ Interests.**

There were no changes to the Register of Members’ Interests.

**6. Approval of the unapproved minutes of the meeting held on 13 April 2010**

The Clerk read out the changes made to the minutes. There being no other comments or changes, the minutes were declared to be a true and proper record of the meeting. The minutes were proposed by: Cllr Friend and Seconded by Cllr Boulding.

**7. Any matters for information not on the agenda**

The Chairman stated that he was proposing to change the order of the meeting so that the Proposed Doctors’ Surgery was discussed at approximately 8.30 pm and then there would be a coffee break. After that one item regarding the Audit Commission would be taken in closed session.

**8. Review of delegation arrangement to committees, Groups, employees and other local authorities**

The Chairman stated that this issue had been discussed within the last year and suggested that the current arrangements should run for the remainder of the term of this Council. He asked councillors if they wished to make changes. There were no changes or comments and **it was agreed** to leave current arrangements in place.

9. **Review of the terms of references for committees**

There are currently two committees in place: the Finance Committee and the Internal Review Committee. Papers relating to both committees had been circulated in the pack of papers relating to the Annual Statutory meeting.

**Finance Committee: It was agreed** that the terms of reference for the Finance Committee should remain in place for the remainder of the Council year.

**Internal Review Committee:** Papers had been circulated detailing a minor amendment to the current terms of reference. Currently a public meeting was required for each transgression made however minor. This can be cumbersome not to mention costly. As there is no requirement for a public meeting, a person can be delegated who is not involved in that issue to carry out a review, and then report back to the Internal Review Committee by email. If the proposal is acceptable and the committee are in agreement the outcome would be put to the Parish Council.

The Chairman asked councillors if there were any comments. There were none and **it was agreed** to make the amendments.

10. **Receipt of nominations to existing committees and groups (current members listed below and other Council nominated positions):**

The list as presented was **agreed**. Proposer: Cllr Richards    Second: Cllr Conway.

The Chairman had spoken to various parishioners who sat on committees.

**Finance:** Cllrs Barfoot, Cllr Mrs Cansdale and Cllr Lupton

**Internal Review Committee:** Cllr Ruse, Cllr Mrs Ashcroft and Cllr Conway

**Groups:**

**Allotment Group:** Cllrs Lupton, Richards and Boulding

**Car park, toilets and Post Office.** Cllr Daly and Mr Peter Whapham

**Millennium Field and Jubilee Meadow.** Cllrs Conway and Richards

**Traffic, Pedestrians and Footpaths.** Cllr Mrs Ashcroft, Friend (Chairman) and Mr Peter Whapham

**Gordon Jones Field.** Cllrs Boulding and Mrs E Cansdale

**Police Liaison.** Cllrs Mrs Cansdale, Conway and Daly

**Information:** Cllrs Ruse (Chair), Mrs Ashcroft, Lupton

**Monthly Planning.** Cllr Mrs Cansdale (leads)

**Local housing.** Cllrs Barfoot and Mrs Cansdale

**Recycling.** Cllrs Lupton, Richards and Evason, and Mrs Sue Brown and Lt Col John Rymer-Jones

**Webmaster:** Cllr Boulding

**Parish Council appointed positions:**

**KALC and Parish Forum.** Cllrs Conway (leads) and Lupton

**Local Development Framework.** Cllr Conway

**Village Hall Trustee.** Cllr Richards

**John Mayne School Governor.** Cllr Mrs Ashcroft

**John Mayne Trust:** Trustee Mrs Clare Ford (appointed for 4 years from 10.6.09); Paul Majendie (appointed for 4 years from 10.6.09)

**Biddenden Consolidated Charity:** Trustee Eric Farris (appointed for 4 years to November 2012; Mrs Felicity Brockman (appointed 4 years to July 2010); Mrs Maureen Farris (appointed for four years to April 2010)

11. **Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.**

In view of the decision not to change delegation arrangements it was agreed that this issue did not need further discussion.

12. **Review and adoption of appropriate standing orders and financial regulations**

At the Council meeting held on 13 April 2010 the new Standing Orders (copied to all councillors) were approved. Councillors were asked if they had any comments or changes they wished to make there were none. The Code of Conduct is covered within the Standing Orders and did not need to be discussed. . No changes were made and **it was agreed** to approve these regulations. Proposed by Cllr Conway and seconded by Cllr Richards.

The Financial Regulations had been approved within the last year and all councillors have copies of them. It was suggested that the financial regulations be approved for the next year unless councillors wished to make changes. No changes were made and **it was agreed** to approve these regulations. Proposed by: Cllr Barfoot and seconded by Cllr Friend.

13. **Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities**

This item was not relevant to Biddenden Parish Council and therefore no comments were made.

14. **Review of representation on or work with external bodies and arrangements for reporting back**

Councillors were asked if they had any points on representation on external bodies and how they report back. No issues were raised.

15. **Review of inventory of land and assets including buildings and office equipment**

Changes were made to item 12. to read “Two dipping platforms and a walkway on the Jubilee Meadow”. The village marquee was also added to the list.

16. **Review and confirmation of arrangements for insurance cover in respect of all insured risks**

The Clerk reported that a specific insurance policy for Parish Councils was in place. A change would be made to add ABC and the post mistress for material damage and the Parish Council laptop, plus the ability to roam. The Clerk was asked if other quotes had been obtained. The Clerk reported that contact had been made with two other insurance companies regarding the additional two names being required on the post office part of the policy, but neither had been helpful. However, the Clerk had received details of a third company and once the current insurance had been confirmed for the coming year, enquiries would be made regarding a quotation. If it was better value and the company could accommodate the additional requirements of the post office, then the insurance providers may be changed.

17. **Review of the Council’s and/or employer’s memberships of other bodies**

The Clerk reported that the Council had memberships with the following organisations:

KALC,CPRE, Action with Communities in Rural Kent; Kent Men of the Trees and the Kent Playing Fields Association.

The Council paid for the Clerk’s membership of the SLCC (Society of Local Council Clerks)

**It was agreed** to leave the above memberships in place.

18. **Reviewing the Council’s Complaints procedure**

There is currently no Complaints Procedure and the Clerk was, therefore, requested to draft one for consideration by the Information Group.

19. **Reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data protection Act 1998**

The Council has agreed a procedure within the last year. **It was agreed** that the Council were happy with this procedure and felt no need to review it.

20. **Establishing or reviewing the Council's policy for dealing with the press/media**

The Council currently does not have such a procedure and the Clerk was, therefore, asked to draft one for consideration by the Information Group.

21. **Setting the dates, times and place of ordinary meetings of the full Council for the year ahead**

Dates and times were circulated at the end of 2009. Copies have been circulated to all councillors.

22. **Internal Review**

It was reported that an Internal Review had been held following a request from a parishioner as a result of a failure to deal with information. The 20 day deadline was missed by one day. It was a minor transgression and it was felt that it did not warrant a meeting of the full committee. The Chairman of the Internal Review read out a statement. **It was agreed** to accept the report and statement. This was proposed by Cllr Daly and seconded by Cllr Boulding. A letter would now be sent to the complainant.

Discussion took place about the current system and it was stated that in this case the Clerk had considered the request to be linked to an issue to be discussed by the Information Group and therefore the request for information was not picked up. It was noted that all requests for information had to go through the Clerk.

23. **PCSO Funding**

It was reported that the Police Liaison Group was, as a majority, proposing that the funding of the PCSO by the Parish Council should be withdrawn after the six month notice period. There were good reasons to retain the PCSO but the Parish Council were unable to shoulder the financial burden long term. The decision was based purely on financial reasons and was absolutely no reflection on the valued work of the PCSO.

It was noted that Biddenden as a ward was entitled to have a PCSO, and that it should not have to contribute towards the cost of a PCSO and that no other Council did so. The Council had been criticised by members of KALC for

funding a PCSO as it was believed that all Policing should be funded by central government.

It was, therefore, formally proposed to terminate the contract and salary of the PCSO and that a letter is written to Kent Police Authority and the PCSO. A show of hands was taken and **it was agreed** to accept the proposal. Proposed by Cllr Conway and seconded by Cllr Barfoot.

#### 24. **Proposed Doctors' Surgery**

Cllr Cansdale left the room.

It was reported that a planning application had been lodged by the Headcorn Practice and was now to be put before the Parish Council. Discussion took place and the Clerk reported that no feedback on the Procedural Checklist had yet been received by the Headcorn Practice solicitor, although this had been chased up.

It was noted that Kent Highways had lodged an objection to the planning application based on perceived access and road safety issues. Objections had also been lodged by residents of Old Mill Court. No mention had been made of the fact that the proposed site was land belonging to the Parish Council.

**It was agreed** to support the planning application, but that the Council should ensure that Ashford Borough Council were aware that the proposed site was on land owned by the Parish Council, and that it requested the Headcorn Surgery and Kent Highways to act together to find a solution to the access and safety issues raised by Kent Highways.

Discussion had previously taken place about looking for a firm of chartered surveyors to represent the Council's interests. The Clerk had done some research from applications made by other parishes but had been unable to find any information. Councillors were invited to make suggestions.

Cllr Cansdale returned to the meeting.

#### 25. **Proposed Allotments**

The Clerk reported that a draft agreement between the landowner and Parish Council had been received from the landowner's representatives. This had been sent to the Parish Council's solicitor for review. A draft agreement with the allotmenters had been drafted by the Parish Council and had also been sent to the Council's solicitor for comment. Once feedback is received a meeting of the allotments group will be arranged together with representatives of the potential allotment holders.

26. **Southside Pavement**

It was reported that nothing further had occurred since the report made by Cllr Hill at the Annual Parish Meeting

The meeting was closed for a coffee break. The meeting was closed to the public after the coffee break in order to discuss the response to the Audit Committee. There were no parishioners still in attendance at this point of the meeting

28 **Response to the Audit Commission and Annual Accounts**

The Chairman had met with the chair of the Finance Committee to discuss how to move forward with the query relating to the BPLOG/BPLOC and the annual accounts. A paper had been circulated to councillors in advance of the meeting.

The Chairman and the Chairman of the Finance Committee recommended that the Council resolves:

*Following the Audit Commission's request of 16<sup>th</sup> January 2010 the Council has reviewed the information it holds on the Bank Account opened by the Biddenden Post office Liaison Group and concluded that it does not hold or have access to information relating to the account. The 2009/10 accounts therefore do not reflect any funds or transactions relating to the Bank Account.*

*The Council notes it has successfully completed the construction of the Post Office, Toilets and Car Park and that these have been in use since 2007.*

*The Council is of the view that it is not in the interests of the parishioners or of the Council to pursue investigations into this matter further.*

*The Council adopts the Annual Accounts for 2009/10 and Governance Statement as presented for submission to the Audit Commission.*

The two elements of this statement were considered. The three paragraphs relating to the Audit Commission were **agreed** by the Council. Proposed by Cllr Conway and seconded by Cllr Friend. All were in favour. A letter would be written to the Audit Commission.

The meeting was re-opened to the public.

The final paragraph relating to the approval of the Annual Accounts for 2009/10 and the Governance Statement was considered. No comments were received from councillors or concerns raised. The approval of the Annual Accounts and



Governance Statement was therefore proposed by Cllr Daly and seconded by Cllr Conway. **All agreed.**

27. **Reports from Group Chairmen**

**Car Park, Toilets and Post Office:** There were still issues with excess water in the toilets. Further investigation is to take place.

**Millennium Field and Jubilee Meadow:** Vandalism has taken place with damage to the dipping platform. Boards need to be replaced.

**Traffic and Pedestrians:** A reply had been received from Kent Highways regarding the curb at the bus stop outside Woodlands and this was detailed in the report circulated. The speed sign is back again and Jacobs have been asked for the data previously collated. The Clerk was requested to ask if it was possible to relocate the sign to the approach to Biddenden from Tenterden.

**Police Liaison:** Nothing to report.

**Parish Forum:** No report as the meeting has not yet taken place. To report back at next meeting.

**Recycling:** Money has now been received from the Recycling Credit Scheme.

**Information:** A paper had been circulated prior to the meeting regarding a query raised by a parishioner regarding historic minutes. Advice had been taken from KALC and the Monitoring Officer.

**It was agreed** that the Clerk should print out the affected minutes between April 2007 and April 2009 from the website and highlight changes in an appropriately coloured marker pen, and rescan. A note should be added to the website regarding looking at two sets of minutes together stating:

*‘Please note that in some instances the minutes prior to April 2009 do not include amendments approved at the time of signing. These amendments can be found in the minutes of the next meeting. For ease of reference the amended wordings are highlighted in the minutes for the period between April 2007 and April 2009’.*

**Youth:** Nothing to report.

**Webmaster:** All up to date.

28. **Finance – approval of cheques**

A schedule of cheques for payment was presented to councillors. This was **agreed** for payment.

29. **Planning – to note decisions and any plans tabled**

<b>Application No.</b>	<b>Location and Description</b>	<b>Decision</b>
1. 09/01544/AS	Land Rear of Old Mill Court, Tenterden Road, Biddenden, Kent. Proposal: New Oak frame doctors' surgery for the Biddenden area. Full Planning Permission	Support as discussed. Request Headcorn Practice and Kent Highways resolve access and safety issues together.
2. 10/00059/TC	Biddenden Place, Tenterden Road, Biddenden, Ashford, Kent, TN27 8BB. T1- Willow stump – to fell rest of stump due to dangerous condition. T2 – Weeping Willow – to reduce in size in order to shape and stabilise tree. Notification to Carry Out Work to Trees in Conservation Area	Support
3. 10/00365/AS (as amended)	Roberts Farm, Smarden Road, Biddenden, Ashford, TN27 8QJ. Proposed demolition of 5 existing outhouses and replacement with new garage and swimming pool enclosure. The change to the application is in relation to the swimming pool building where the design is different with a reduction in the height and subsequent scale and massing of the building. Full Planning Permission	Support

30. **Correspondence**

The schedule of correspondence was presented. The letter from Robert Lewis Farms detailing a new permissive footpath was noted. The Clerk was asked to write a letter to the parishioner thanking him.

31. **Items for future consideration**

- a) Quotes for the Gordon Jones and Millennium Field car parks

32. Next meeting: Parish Council meeting – 8 June 2010 at 7.30 pm, Village Hall

The meeting closed at 10.40 pm.

Alison Swannick  
Parish Clerk

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