

PARISH COUNCIL MEETING

Wednesday, 21 February 2024 at 1930hrs

Shepherdswell Village Hall

MINUTES

To receive reports from the County and District Councillors, Kent Police Neighbourhood Beat Officer, Speed Watch, Neighbourhood Watch and Community Warden. Public questions and comments on non-agenda items (this section will be limited to 15 minutes or otherwise at the discretion of the Chair)

Councillor Charles Woodgate addressed the meeting regarding the Outline Planning Application Meeting taking place at Dover District Council Offices tomorrow. He is aware of the strength of feeling of many people in the village regarding the application and asked if there were any constructive comments which villagers would like to contribute to strengthen the case for objecting to this application.

Cllr Denyer commented that the general feeling is that all of the correspondence highlighting the issues with this application have been ignored, it was felt that the decision was a done deal.

Cllr Roberts asked for confirmation that the meeting tomorrow is an outline application, which was confirmed by Cllr Woodgate. This means that all of the points previously raised regarding issues with the application will still be valid.

Cllr Bulaitis advised the meeting that he would be addressing the Committee to refer the report back on the basis that there are too many outstanding issues – particularly emergency access and viability of part of the site – for it to be agreed with ALL MATTERS RESERVED. Scrutiny should remain in the hands of elected councillors.

He also raised the matter of the S106 section of the proposal. £18,677 for sports facilities and £34,033 for playing pitches. These go to district wide facilities but also for facilities at Shepherdswell Recreation Ground.

In other words, if this Planning Permission goes through there will be money coming the way of the Council for the Recreation Ground sports facilities – which is something as a Council we will need to discuss.

The Chair recorded his thanks to Cllr Woodgate.

Councillor David Beaney addressed the meeting providing a brief update on KCC news.

Cllr Denyer raised the issue of the poor condition of Coxhill Road with Cllr Beaney. Cllr Beaney agreed to raise this matter with KCC Highways.

Cllr Symes asked if there was any update on the Fastrack, none at present. Cllr Hunt raised the issue of the quality of the repair of potholes, Cllr Beaney assured the meeting that standards were being met.

The Chair recorded his thanks to Cllr Beaney.

Speedwatch Report – a joint speed watch took place earlier this month, with PC Jon Bowler

Neighbourhood Watch Report – nothing to report

PUBLIC QUESTIONS

None

1/2024 IN ATTENDANCE & APOLOGIES FOR ABSENCE

Present: Cllrs John Bulaitis (PC Chair), Bradley Stauffer-Kruse (Vice-Chair), Marien Elgar, Barry Crush, Lyn Symes, Sue Taber, Terry Hunt, Sindy Denyer, Carole White, Keith Roberts, Mark Watson and Aidan Softley

Cllr Charles Woodgate, Cllr David Beaney

6 Members of the public

Clerk: Jan Rousell

Apologies: None received

2/2024 MINUTES OF THE MEETINGS HELD ON THE 17 JANUARY 2024

Minutes of the meeting held on 17 January were agreed to be a true and accurate record proposed by Cllr Roberts seconded by Cllr Taber, **All agreed.**

3/2024 MATTERS ARISING

Item 12.05 – Cllr Elgar attended a meeting at Lydden Race Circuit on behalf of the Council. This was the first Lydden Hill Race Circuit Consultative Committee meeting, minutes can be found on the Parish Council Website. The Committee will meet every six months.

4/2024 DECLARATIONS OF INTEREST

There were no DPis. Cllr Roberts declared an OSI on items 12.02 & 14.01.

5/2024 PUBLIC PARTICIPATION LIMITED TO ITEMS ON THE AGENDA – 15 minutes in total.

None

6/2024 CHAIR'S REPORT

'Councillors will be aware that a complaint has been raised against me by a member of the public.

The complaint is that I have broken the Code of Conduct. I have not shown 'honesty' or promoted 'high standards of conduct' or acted in a 'professional manner' and that I am 'intent on 'besmirched' the complainant's 'business and personal reputation.' These are serious charges. I have and will robustly contest them – and confident that the evidence will show they are completely untrue.

Legislation covering Local Government stipulates how such complaints are investigated. The Localism Act 2011 stipulated that such complaints are investigated by the Monitoring Officer, advised by Independent Persons.

A meeting is planned for 10 March to discuss the next step. This could include referring it to investigation, seeking an informal resolution (such as mediation) or taking no further action.

But I want to make it clear to the Council and to the wider public, if it is found that I have in any way to have broken the code conduct, I will immediately resign as Chair and resign from the Parish Council.

One councillor has demanded an extraordinary council meeting to discuss the issues surrounding the complaint. I would say to the Council that this would not be the best way forward. I say that not because I want to avoid discussion on the issues. More than anyone – because my professional reputation is at stake – I want this situation resolved. But because the High Court has ruled that a meeting of the PC that

discusses and makes decisions relating to complaints against one of its members – risks contaminating and subverting a possible investigation.

Yesterday, the Monitoring Officer gave advice that ‘strongly advised’ against organising such a meeting. They also advised if such a meeting takes place that I should not attend.

Councillors should be aware, when Ledbury Town Council convened a meeting and took decisions that interfered with the Monitoring Officer’s investigation, their actions struck out in High Court and ended up paying £1/4 million in costs.

I would suggest that the best approach is to:

- 1) Wait to the outcome of the complaint is clear. Possibly some form of mediation is possible.
- 2) Have a review of whether or not the affair requires any changes into working practices and procedures.

We should discuss – I would suggest informally firstly – the terms of reference of such a review, which would produce a report with recommendations to the Council. That review could be undertaken by 2 or 3 councillors with the Parish Clerk, or possibly involving an independent, respected members of the community (perhaps former councillors).

There is another issue connected to the above. We have received a complaint about a data breach.

It is necessary to report the background to the incident. When the complaint against me was received, I was asked to write a comment for the Monitoring Officer, which I did.

I sent a copy to the Parish Clerk and Bradley – because he had agreed to try to set up some type of mediation. The email was addressed Dear Jan, Dear Bradley. The email however arrived in the inbox of not our Parish Clerk, but the Parish Clerk at Bethersden PC – who is well known to us all.

The Parish Clerk of Bethersden Council – instead of returning it – opened the attachments and forwarded them to the complainant.

As soon as aware of the situation, I followed the guidelines issued by the Information Commissioner in relation to emails sent to the wrong address.

- 1) I wrote to PC of Bethersden – asking him not to forward the email.
- 2) I completed the ICO assessment - that confirmed there was no requirement for a formal report. I asked the Parish Clerk also to do the assessment on behalf of the Council
- 3) I informed DDC democratic services– who replied that they had no jurisdiction over the matter

The lesson is to be careful when it comes to email address books. It would be useful to have a footer pointing out to recipients that emails are confidential.’

7/2024 CLERK’S REPORT

EV Update - Clerk spoke with Conor Ward, who is our contact at KCC. They continue to have problems with the speed at which their current contractors are working and are looking to procure a new contractor. This should speed the process up for us, but it is unlikely that anything will happen in the next month.

The advantage of the new contractor is that they will be able to install faster charging points – 1 at 7kw and 1 at 50kw.

Scout Hut Trees - Hart Lee Tree Surgeons have been instructed to commence the works to the trees at the Scout Hut – we are awaiting confirmation of start date.

Sign Survey - Almost complete – in the meantime current signs have been updated with correct contact details. Once survey is complete, Clerk will contact RK Graphics for cost on updating the signs.

All Clear invoices - Following the last meeting Clerk requested a meeting with Mr Beale, unfortunately he was too busy to meet face to face and suggested any queries were raised via email.

Clerk received the latest invoice from All Clear on Friday 16 February 2024. There are still questionable items on this invoice and no dates of when works were carried out. Clerk will continue to attempt to arrange a meeting with Mr Beale.

Village Green Christmas Tree – Clerk contacted Ian Medgett who advised....

There are many possible options for Christmas tree species such as noble fir, balsam fir, Douglas fir, Norway spruce or sitka spruce- all would grow well in the open conditions on the green. The council would have to consider that all of these can eventually reach a considerable size and are difficult to prune to keep manageable (potentially a problem for 20-30 years down the line but worth bearing in mind).

Ian Medgett has also agreed to complete a whole parish tree inspection later this year.

Pilgrims Hospice – Are delighted that we are able to host their event on 15 June 2024. They suggest that those parishioners who wish to support participants set up ‘cheer stations’. Cllr Watson to contact VGA to ask for their support. Pilgrims Hospice also asked for permission to site portaloos on Coldred Village Green, the council discussed this. Cllr Roberts proposed that permission is granted, seconded by Cllr Hunt. **All Agreed**

Kent fire & Rescue Open Day - Cllr Watson met with Lee Thompson from Kent Fire & Rescue and showed him the proposed sites in the village. The Open Day will be held on 27 June 2024 at East Kent Railway. Public Liability Insurance and Risk Assessment has already been provided. KF&RS have asked if we could open the car parks at the village hall for use on the day? The Council discussed this, Cllr Roberts proposed that we allow use of Read Meadow car park, seconded by Cllr Hunt, **All Agreed**

Community Minibus - An email has been sent to all community groups and associations providing them with information on how to apply for a Section 19

Overgrown hedges - There have been several communications during the last month regarding hedges and shrubs protruding onto the public highway. The correct and only manner that the Parish Council can deal with these issues is to advise the parishioner to file a ‘fault’ on the KCC highways website.

Cllr Crush stated that in the past the Parish Council have sent communications to residents regarding any hedges and shrubs overhanging onto the public highway and suggested that this should be done in future.

Meeting with Solicitor - A meeting has been arranged for 19 March 2024

Request from 1st Shepherdswell Guides - 1st Shepherdswell Guides will be working on acts of kindness this month and have asked for permission to clean signposts, street posts and road signs around the village. The council discussed this and the safety of the Guides. Cllr Watson proposed that permission is given to clean Parish Council signs only, seconded by Cllr White. **All Agreed**

8/2024 FINANCE

8.01 To approve payments.

Balances as 11 January 2024	£
Current A/C	1377.26
Business A/C	60117.53
INCOME	

WW Martin (Rent 05/02/2024)	500.00
Wright (Rent 12/02/2024)	260.00
EXPENDITURE TO RATIFY	
Parish Online (inv 29UE021-0003)	115.20
Harmer & Sons (inv 22760)	753.28
Village Hall Fees	72.50
KALC (inv 8888109979) Trng for Cllr Symes	60.00
SLCC (inv BK214872-1) Trng for Clerk	78.00
HMRC	49.42
Clerk's Wages	1083.57
Clerk's Expenses	63.99
All Clear (inv 0094)	505.67
	£2781.63

A discussion took place regarding the invoice received from the small works contractor. It was agreed to hold back payments for the items on the invoice which are not included in the swc schedule. It was proposed to accept the schedule of payments, with the above terms, by Cllr Roberts, seconded by Cllr Taber. **All Agreed**

8.02 Cllr Denyer to work with the Clerk and present a draft BYOD Policy to the meeting in March.

9/2024 PLANNING COMMITTEE

Cllr Elgar reported that the following applications were considered:

Ref: 24/00132

Location: Upton Wood House Upton Wood Road Shepherdswell CT15 7LE

Proposal: Erection of single and 2-storey rear extension with roof terrace, side 'link' extension to garage, new car port, new porch, replacement roof and weatherboarding/render to elevations

The meeting agreed to support this application

Ref: 24/00131

Location: 15 The Grange Shepherdswell Kent CT15 7QB

Proposal: Variation of condition 2 (approved plans) of DOV/23/00770 (Erection of a dwelling with associated vehicle access) to update design

The meeting agreed to support this application

The chair recorded his thanks to Cllr Elgar for her report.

10/2024 ANNUAL PARISH MEETING

The meeting discussed the possibility of having the Annual Parish Meeting on a weekend date but it was decided to keep the meeting on a Wednesday in April. The Clerk is to arrange booking of the village hall.

11/2024 WORKING GROUP V's COMMITTEES

Cllr Stauffer-Kruse presented his proposal to the meeting which was to consider the following changes to the Committees of the Council for year commencing May 2024. A report has been circulated.

To retain the following Committees: Finance, Planning, Personnel; and to make all other Committees working groups — with such designated working groups having a standing report on Council meeting agendas to report and make proposals to the Council as appropriate.

Cllr Roberts proposed that this proposal be adopted, seconded by Cllr Taber. **All Agreed**

12/2024 COMMUNITY

12.01 Village Green Fencing

The specification of works has been circulated.

Cllr Roberts requested that further discussion regarding this item be carried out in closed session at the end of this meeting.

Closed session minutes:

Concerns were expressed by Cllr Roberts regarding certain Contractors. Cllr Bulaitis emphasised that quotes would be considered along with these concerns once received and the Council have the authority to choose the most appropriate quote.

*Cllr Crush proposed that quotes are obtained from several contractors to carry out these works, seconded by Cllr White. **All Agreed***

The Chair recorded his thanks to Cllrs Crush and Softley.

12.02 Village Hall

- i) Storage request update – this will be added to the next agenda
- ii) Plumbing proposal – a report has been received from Martyn Cobb and also Colin Hartridge. Cllr Hunt asked Chris McKnight to report to the meeting. Chris explained that he is withdrawing his initial report to the Council and gave his reasons. Cllr Roberts proposed that if replacing the tank above the main hall does not improve the current situation then the works should not be carried out, seconded by Cllr Hunt. **All Agreed**
Cllr Denyer proposed that an independent energy consultant be asked to carry out a survey of the utilities in the village hall and make recommendations on systems that are compatible with our future plans and an immediate solution on the current plumbing if required, seconded by Cllr Watson. **All Agreed**
- iii) Village Hall Drive Entrance – photographs have been circulated which show the significant deterioration of the entrance to the village hall over the last year. Cllr Denyer proposed that the Council ask a Contractor to look at what work is required and prepare a report to present to the next meeting, seconded by Cllr Roberts. **All Agreed**

Cllr White pointed out the damaged plaster in the main hall and proposed once the area is dry, a plasterer be contacted to make good, seconded by Cllr Roberts. **All Agreed**

Clerk to ask SWC to look at gutters.

12.03 Reed Meadow

Cllr Taber updated the meeting on the trees which have been ordered for Reed Meadow. Cllr Elgar proposed that the SWC is asked to move some of the left over topsoil, which is by the allotments, to the damaged area of the car park – to level and make good the area. Seconded by Cllr Roberts. **All Agreed**

Cllr White raised the issue of the area by the entrance to the WW Martin compound at Reed Meadow. The area is extremely churned up, Clerk to contact WW Martin.

12.04 Dover District Bee Keeping Association Grant Request – A request has been circulated. Cllr Crush proposed that the Council make a £100 donation, Cllr White proposed that this be amended to £50, seconded by Cllr Hunt. **11 in favour, 1 abstention.** Substantive resolution passed. **All Agreed on Substantive resolution.**

12.05 Coldred Forum Request

Cllr Roberts proposed that the requested dates from Coldred Forum for use of Coldred Village Green are accepted, seconded by Cllr Crush. **All Agreed**

13/2024 HIGHWAY IMPROVEMENT PLAN

13.01 A report has been circulated. Cllr Taber requested agreement to obtain a further speed survey at a cost of £170, seconded by Cllr Roberts. **All Agreed**

14/2024 RECREATION GROUND

14.01 Cricket Square – correspondence has been received from the cricket club confirming their agreement to the plastic fencing to protect the cricket square. Cllr Hunt proposed that the ultra-durable poles be purchased, in white, with the associated plastic chains, seconded by Cllr Crush. **6 in favour, 4 against. 2 abstentions.**

Correspondence from the cricket club regarding signage will be discussed following the meeting with the solicitor.

15/2024 DATE OF THE NEXT MEETING

Wednesday 20 March 2024 in Shepherdswell Village Hall at 1930hrs.