

Local Government Act 1972



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

Minutes of the Full Council Meeting

Held at 7.30 pm on Monday 4th November 2024 in the Palmer Room, Langton Green Village Hall

MEMBERS PRESENT

Cllrs Curry (Chair), Lyle (Vice-Chair), Cleaver, Davies, Ellery, Leach, Norton, Rowe, and Turner.

OFFICERS PRESENT

K Harman, Assistant Clerk (deputising) and C Barrett (CB), Assistant Clerk (minutes).

IN ATTENDANCE

There were no county or borough councillors in attendance.

MEMBERS OF THE PUBLIC

There were 7 members of the public present.

24/211 To enquire if anyone intends to record the meeting

The Chair read out the following statement: "An audio recording has been started. It will be used to ensure our minutes are accurate, but be aware that your voice may be recorded, and the recording could be requested from us via Freedom of Information."

24/212 To accept and approve apologies and reasons for absence.

Apologies had been received from Cllrs Dickens (prior commitment) and Tarricone (health reasons) together with County Cllr McInroy (health reasons), Borough Cllrs Britcher-Allan, Sankey and Sharratt (prior commitments).

24/213 Disclosure of Interests

Councillors' ongoing disclosures were noted:

Cllrs Curry, Ellery and Rowe have shares in the Speldhurst shop and post office.

24/214 Declarations of Lobbying

It was noted that Cllr Curry had been lobbied about Langton Green Recreation Ground.

24/215 Minutes of the Full Council meeting held on 7th October 2024 – RESOLVED to approve that the minutes, previously forwarded to Members, be confirmed as a correct record and signed by the Chair.

24/216 Co-option of new Councillor Cllr Curry made a recommendation on behalf of the Co-option Working Group that Mr Giles Littlefield be co-opted as a councillor. It was then **RESOLVED** to co-opt Mr Littlefield and after signing the Declaration of Acceptance of Office, he took his place at the meeting. Cllr Curry welcomed Cllr Littlefield and said he looked forward to working with him.

24/217 Public Open Session –

Guy Lambert asked the following question, which is quoted in full at his request:

“For background I quote directly from: The Langton Green Village Society (LGVS) committee minutes of 07/03/24: ‘The Community Interest Company (CIC), funded by the LGVS, will pay Speldhurst Parish Council (SPC) for daytime use (at a rate of £8.75per hour) and recoup this exact cost from Emma Howden (EH) who operates the Pavilion Café.’

Therefore the current hire arrangement between the CIC and the Café is not legally permissible – it is simply an attempt to ‘wash’ the operation of the cafe with no profit from its activities being transferred to the CIC, the community or SPC – and hence it is exactly the same operation as SPC themselves decided was not allowable at the extraordinary AGM of 20th November 2023 after the independent legal advice they received at that time.

SPC’s draft minutes of the Finance Committee 23rd Sept 2024:

‘The Clerk reported that the pavilion energy costs for the year would be £8,800. The planned maintenance report for the pavilion was presented which showed potential costs to Speldhurst Parish Council (SPC) in the region of £19,000-£20,000. This figure did not include the annual running costs which were in the region of £18,500. Income from hirings (including the Community Hub) was only likely to reach £11,000-£12,000’.

Therefore, on your own figures, the operation of the pavilion is facing a net loss for next year ranging between £25,500 best case to £36,300 pa worst. Langton Green Community Sports Association (LGCSA) support both Thrive Langton, and any activities which actually benefit the community. We have previously verbally offered to consider forgoing all our rights to the kitchen providing the cafe is open more frequently.

Question: Before SPC extend the current arrangement (Point 18 tonight’s agenda), will SPC consider whether it is correct to continue an arrangement which is both legally flawed and financially ruinous, without exploring all other options for the operation of the cafe and Pavilion, with the ambition to either: create greater revenue for SPC and the parishioners, via increased opening hours or greater benefit to the community or both, or once correctly informed, decide the balance of Revenue and Community benefit, they prefer to accept?

Now fully aware of the financial and legal position SPC face, there is a strong argument that it is SPC's legal obligation to undertake a full review. If you choose simply to extend the arrangement, please explain why you are happy to do so without the exercise of due diligence, financial common sense, or the adherence to your own independent legal advice. And fully minute both the entirety of this question and your reasoning for your subsequent actions. Thank you for your time in considering this matter.”

Cllr Curry said the points Guy Lambert raised merited consideration. Since James Bowdidge had also communicated issues from the Community Hub’s side Cllr Curry said he would favour a ‘blue sky thinking’ review of pavilion operations. He said the report commissioned by the parish council regarding the pavilion’s maintenance requirements had now been circulated and indicated similar costs to those calculated by Guy Lambert. Councillors were now provided with a clear picture of the council’s financial obligations, and this would form the basis of discussions about how to address those obligations under agenda item 18 relating to Langton Green Recreation Ground (LGRG).

Cllr Lyle said she believed that Guy Lambert's legal challenge was invalid. What the LGVS chose to do – if not in breach of their license – was their business. She added that the LGVS did much more than hire the space and allow the café to operate. Cllr Lyle acknowledged that a review was necessary, however, she asked where consistent revenue would come from. Although a useful building for sports players and the local community, raising income from the pavilion had not been easy and it was important to remember this in any discussions.

Guy Lambert asked if the parish council had taken further legal advice following the advice they obtained a year ago. Had the agreement with the (Community Interest Company) CIC been independently legally examined or was the council continuing to assume that the previous advice on the subject of hire agreements could be applied? Cllr Lyle replied that there had been no cause to seek further advice and asked if Guy Lambert had taken further advice himself. Guy Lambert said he was quoting the council's own minutes taken from 23rd November 2023 where it had been shown that subletting the pavilion was not wise. He said that despite acknowledging this the parish council continued to do exactly as they had before by 'washing' the café through the CIC. Cllr Lyle refuted this.

Cllr Ellery reminded the Chair that the public open session should allow members of the public to speak for a maximum of 3 minutes, and parish councillors to respond, then the points should be noted and the session moved on.

Cllr Norton said he had thought the most recent agreement made with the Community Hub had finally allowed the pavilion to operate more smoothly and questioned when discussions about the pavilion would ever end. Other issues in the parish also needed addressing and the situation was wearying for everyone. Cllr Rowe agreed and said he was surprised to hear dissatisfaction with the Community Hub. He said that the approximate £13,000 financial contribution from the Hub helped address pavilion costs while providing a benefit to the community. He said the legal question raised by LGCSA was a matter of interpretation and did not believe there was any breach. Until he heard a viable alternative solution to the current setup, he would continue supporting it.

Andy Thompson said he appreciated the community benefits the café offered, however, at the last council meeting, the financial challenges of maintaining the pavilion had been discussed and it had been said that a contingency fund would be created. He was not suggesting that what was already in place at the pavilion should be done away with but asked the parish council to come up with additional ideas for funding pavilion maintenance other than simply using taxpayers' money to pay for it. He expressed concern that when the challenges of operating the pavilion had not yet been resolved, the parish council proposed to take out a loan to fund the purchase of Speldhurst Chapel.

Cllr Curry advised that the council's financial commitment to the pavilion was not a new one, the council appreciated that the onus was on them to identify and utilise revenue streams, and the contingency fund was only there to top up if needed. It was clarified that a contingency fund was common practice amongst local councils in case of unanticipated costs. Cllr Ellery added that the fund was set aside and labelled this way for accounting best practice.

Guy Lambert requested that the parish council hold a full review of the commercial operation of the café and the pavilion, and if they chose not to do this, they should be prepared to explain why they had not done so.

Emma Howden asked Guy Lambert, through the Chair, to explain what he thought would make the pavilion more viable than it was already. He replied that he wanted to see a café/community food offering that was open for longer which would benefit the community and bring in more income. Cllr Curry added that Guy Lambert had been generous in sharing this vision with the parish council.

James Bowdidge said he was unable to comment on the question raised about corporate governance within the LGVS and CIC but would be happy to discuss this after the meeting to ascertain whether there was an issue. He had just visited the dance class for those with Downs Syndrome which was proving a huge success and showed what could be achieved. The LGVS was very pleased with the progress made by the Community Hub and keen to continue. They had

proposed a 6-month extension to the current agreement to give time to raise funds the continue to pay for the use of the pavilion. After this time, they anticipated being on a firmer footing to sign a long-term agreement. James Bowdidge said he would be pleased to see the council form the working party it had committed to establishing back in January. The LGVS would happily collaborate on identifying income streams that would generate revenue during the times the pavilion was not booked out by the hub or LGCSA.

24/218 Borough and County Councillors' Reports

County Cllr McInroy had sent a report which had been circulated.

24/219 Chair's Report

- Cllr Curry informed Members that Cllr Muress had resigned from his role as Parish Councillor due to professional commitments, but that he would continue to monitor his allocated parish footpaths and carry out weekly litter picks. Cllr Curry said he was sorry to see Cllr Muress go.
- Cllr Curry said that he would like to re-order the Full Council agenda to ensure sufficient time to address committee and working group updates. The Standing Orders would need to be amended, and the Clerk was checking with the Kent Association of Local Councils (KALC) whether the council could then go ahead a new running order. Cllr Curry hoped to bring his proposal for a new running order to the next meeting.
- Cllr Curry commended the staff for maintaining an excellent level of service to councillors and the community while the Clerk was away for 3-weeks.
- Large poppies had been installed around the parish and the Groundsman had cleaned the war memorial at All Saints' Church, Langton Green.

24/220 Clerk's Report

As there was nothing to report, Cllr Curry brought forward item 18 on the agenda relating to Langton Green Recreation Ground.

24/221 Langton Green Recreation Ground (LGRG)

- To receive an update on the Community Hub.
 - To consider a six-month extension for the Community Hub on the same financial terms as the current Hire Agreement – It was **RESOLVED** to approve a 6-month extension. James Bowdidge said that this time would be used by the LGVS to establish a long-term funding base. Councillors agreed that the 6 months should be spent identifying ways to make the most of the pavilion as an asset. With Ian Muress having stepped down from the parish council it was important to get a replacement working group up and running as soon as possible.
- To receive an update on shared matters with LGCSA – Cllr Curry had sent a document by email to LGCSA offering what he hoped was constructive advice regarding their resubmission of a planning application for a 3G artificial pitch. Guy Lambert had confirmed receipt.
- To consider contributing to the undertaking of a parking stress survey – Cllr Curry asked for councillors' thoughts on undertaking a parking stress survey jointly with LGCSA. Following some discussion, Guy Lambert commented that any parking stress survey would have to be commissioned by Kent County Council (KCC), not the parish council or any other party, so a shared briefing could not be achieved. With that consideration, councillors agreed that any data from such a survey would likely be comprehensive, and the motion was withdrawn.

James Bowdidge and Emma Howden left the meeting at 8.27pm.

24/222 General Matters – Actionable tasks which do not fall to a committee.

Ongoing				
	Summary	Owner	Created	Status
20/24	Contact TWBC Licensing regarding alcohol licence for the Pavilion.	Clerk	06/02/24	In progress
60/24	Proceed with purchase of Speldhurst Chapel.	Cllr Rowe/Clerk	05/08/24	In progress
66/24	Confirm and proceed with rubber matting replacement at Junior Playground.	Asst Clerk (KH)	05/08/24	In progress
70/24	Order wreaths for Remembrance Sunday Services.	Clerk	02/09/24	Complete
76/24	Renew website provision subscription when received.	Clerk	02/09/24	TBA
77/24	Dispose of redundant IT equipment via CeX.	Clerk	02/09/24	In progress
80/24	Draft email regarding Emirates flight pattern.	Cllr Tarricone/Clerk	02/09/24	In progress
81/24	Schedule Air Traffic Committee Meeting.	Clerk	02/09/24	In progress
83/24	Follow up email from Cllr Astra Birch re Youth Funding.	Cllr Curry	07/10	Complete
84/24	Contact KCC regarding IT equipment recycling.	Clerk	07/10	In progress
85/24	Take out a Public Sector Deposit Fund with CCLA.	Clerk	07/10	In progress
86/24	Update the following on the website and cllrs' folder: Finance Committee Terms of Reference, Internal Financial Control System and Investment Policy.	Clerk	07/10	Complete
87/24	Confirm and pay the following grants: Speldhurst Lunch Club and All Saints' Church.	Clerk	07/10	Complete
88/24	Include agenda item for next Full Council to confirm purchase of Speldhurst Chapel.	Clerk	07/10	Complete
89/24	Circulate draft documents for purchase of Speldhurst Chapel to councillors.	Clerk	07/10	Complete
90/24	Set up interview for co-option candidate.	Clerk	07/10	Complete
91/24	Include in minutes receipt of LGCSA email with their intention to resubmit their 3G pitch planning application.	Clerk/Asst Clerk (CB)	07/10	
92/24	Circulate information being sent by LGCSA on artificial pitches.	Clerk	07/10	Complete
93/24	Prepare document of positive steps to send to LGCSA.	Cllrs Curry/Muress	07/10	Complete
94/24	Include possible parking stress survey on next Full Council agenda.	Clerk	07/10	Complete
95/24	Confirm approval of quotation for CCTV Wi-Fi link.	Clerk	07/10	Complete
96/24	Seek extension for consideration of grounds maintenance contract and include on next Full Council agenda.	Clerk	07/10	Complete
	New	Owner	Created	Status
97/24	Prepare the 6-month agreement for the Community Hub.	Chair/Clerk	04/11	TBA
99/24	Establish working group to carry out review of the pavilion.	Chair/Clerk	04/11	TBA
99/24	Investigate parking survey with KCC.	Chair	04/11	TBA
100/24	Confirm and pay donation to the Mayor's Toy Appeal.	Clerk	04/11	TBA
101/24	Confirm appointment of Cllr Tarricone as Trustee for ASVH.	Clerk	04/11	TBA
102/24	Confirm acceptance of the grounds maintenance contract for 2025/26 with 3 Counties Grounds Maintenance.	Clerk	04/11	TBA

24/223 Finance Committee – Report by Cllr Rowe, Finance Committee Chair

Report by the Chair including any Committee Meetings held since the last Full Council meeting, the Minutes having previously been forwarded to all Members. There has been no meeting.

a) Interim payments made since the last meeting:

Unity Trust Bank: £220 Grant to Speldhurst Lunch Club; £1,000 grant to All Saints' Church; £180 Sevenoaks District Council for Pavilion Premises Licence.

Mastercard: £9 Unity Trust credit card charges; £100 Royal British Legion for Wreaths.

b) To note decisions made under delegated authority – there were none.

c) Mayor's Toy Appeal – It was **RESOLVED** to approve a donation of £100 to the annual Mayor's Toy Appeal.

24/224 Accounts for Payment

RESOLVED that the invoices as listed below and checked by Cllr Dickens be paid.

Date	Payee Name	Reference	Amount Paid £	Transaction Detail
08/11/2024	Paul Curry	MT	45.98	Portable heaters for office
08/11/2024	Capel Groundcare Ltd	MT	677.75	Playground Maintenance
08/11/2024	Michelmores LLP	MT	3,300.00	Speldhurst Chapel legal services
08/11/2024	Agrifactors (Southern) Ltd	MT	1,260.00	Pitch Maintenance
08/11/2024	Brooklynn Monk	MT	160.00	Pavilion Cleaning
08/11/2024	Cloudy IT	MT	268.32	IT Services
08/11/2024	Katie Neve	MT	11.25	Travel Expenses
08/11/2024	KALC	MT	168.00	Training – Clerk's Conference
08/11/2024	M R Lawrence	MT	350.00	Mowing and Strimming
08/11/2024	Tivoli	MT	140.63	Canine Waste Collection
08/11/2024	m:power accounting	MT	57.60	Payroll Administration
10/11/2024	N.E.S.T. Pension Scheme	DD	678.79	Pensions
10/11/2024	Talk Talk Business	DD	27.54	Pavilion Broadband
10/11/2024	BT PLC	DD	26.93	Office Mobile
20/11/2024	EDF Energy	DD	667.12	Pavilion Electricity
20/11/2024	Employees	MT	5,312.82	Salaries
22/11/2024	HMRC	MT	1,196.44	NI and Income Tax
30/11/2024	BT PLC	DD	69.42	Office Phone and Broadband

24/225 Speldhurst Chapel Project

To provide an update on the Project.

- To consider formal approval to proceed with the purchase of Speldhurst Chapel – The legal documents relating to the purchase had been circulated. Cllr Rowe confirmed that, as a layman, he was satisfied with these documents. Cllr Lyle said it appeared to her to be a well-drafted document with everything that she could think of to look for covered and all the necessary protections built in. Cllr Rowe said that if councillors voted to approve the purchase, the Clerk would progress the paperwork later in the week, after the Bank of England made their decision on interest rates. After the submission of paperwork there would be approximately 2 weeks until completion. The

next step would be to register the overage agreement with the land registry and complete the lease agreement with the community shop.

After some further discussion it was **RESOLVED** to approve the purchase of the Chapel at a cost of £300,000 and to draw down the Public Works Loan Board (PWLB) of £325,000 and noted that insurance would need to be arranged before completion.

The Assistant Clerk (KH) led Members in thanking Cllr Rowe for his hard work on the project.

- To note the expenditure to date – It was **RESOLVED** to approve legal fees up to the cost of £2750 + Vat for the period to 30/9/2024.

Guy Lambert and Steve Aldiss left the meeting at 8.43 pm.

24/226 Appointee to Ashurst Village Hall – The Trustees of Ashurst Village Hall had asked the parish council to confirm the re-appointment of Cllr Tarricone as their appointed Trustee for Ashurst Village Hall in time for their AGM on 29th November. It was **RESOLVED** to approve Cllr Tarricone as Trustee for the following year.

24/227 Suggested Office Hours Over the Christmas Period – It was **RESOLVED** to approve the closure of the office from Friday 20th December, reopening on Friday 3rd January. Staff would monitor emails during that period.

24/228 Planning Committee – Report by Cllr Cleaver

A meeting was held on 14th October and the minutes had been circulated. Members of the public had attended in relation to a change of use application at Ashurst Sports Ground. A resident had objected on the grounds of traffic. After consideration, the committee had voted to support the application. Cllr Cleaver added that the committee acted as a consultee only and was not the decision maker.

Cllr Cleaver advised that the Chief Executive Officer (CEO) of The Pig Hotel Group would speak at the next Planning Committee meeting.

Langton Green Recreation Ground (LGRG)

This agenda point was brought forward and is minuted under item **24/221**.

24/229 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

- Governance Committee** – Report by Cllr Ellery. There had been no meeting.
- Highways Committee**—Report by Cllr Norton. A meeting was held on 21st October and the draft minutes circulated. Cllr Norton said the committee had discussed the outcome of his and the Clerk's meeting with KCC Highways representatives on 1st October. There were several actions to progress. He added that Trevor Myles had attended the meeting to talk about road safety issues in Old Groombridge. He had volunteered to join the committee as a (member of the public) MoP, and it was **RESOLVED** to approve his membership.
- Amenities Committee** – Report by Cllr Mrs Lyle. A meeting was held on 30th September and the draft minutes circulated.

The Assistant Clerk (KH) had been investigating maintenance requirements for the pond at The Boundary. These were likely to include tree cutting, and water quality testing and treatment.

 - **Grounds Maintenance Contract** - It was **RESOLVED** to approve the grounds maintenance contract for 2025/26 with 3 Counties .
- Air Traffic Committee** – Report by Cllr Tarricone. There had been no meeting.
- Environment WG (EWG)** – Report by Cllr Turner. There had been no meeting. Cllr Turner said he would shortly be planting Crab and Rowan trees to replace the Laurel trees which had been removed at Pocket Park. New hedging would also be planted on the side of the park bordering Penshurst Road, provisionally scheduled for 4th December.
- KALC** – Report by the Chair. There was nothing to report.

24/230 Diary Dates – The following dates were noted:

11th November – Planning Committee

18th November - Governance Committee

25th November – Finance Committee

26th November – Environment Working Group

2nd December – Full Council

24/231 Items for Information

Christmas drinks reception – The George and Dragon Pub had been booked for drinks after Full Council on 2nd December. As previously, councillors, staff, Member of the Public (MoPs) on working groups, borough and county councillors, and councillors and MoPs who had recently stepped down would be invited. Councillors were asked to let the Clerk know by mid-November if they had anyone else they would like to be invited.

There being nothing further to discuss, the meeting closed at 9.01 pm.

Chair