

**Local Government Act 1972**



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

**Minutes of the Full Council Meeting**

**Held on Monday 4<sup>th</sup> December 2023 at 7.00 pm in the Palmer Room, Langton Green Village Hall**

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**MEMBERS PRESENT**

Councillors Curry (Chair), Lyle (Vice-Chair), Cleaver, Dooley, Ellery, Leach, Muress, Norton and Rowe.

**OFFICERS PRESENT**

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

**IN ATTENDANCE**

County Cllr McInroy and Borough Cllr Sankey were in attendance.

**MEMBERS OF THE PUBLIC**

There were thirteen members of the public present.

**23/258 To enquire if anyone intends to record the meeting**

The meeting was recorded by the Clerk for the accuracy of the minutes. The recording will be deleted once the meeting minutes are signed off at the next Full Council meeting.

**23/259 To accept and approve apologies and reasons for absence.**

Apologies had been received from Cllrs Tarricone and Turner, both holidays and Davies due to family illness.

**23/260 Disclosure of Interests**

Cllr Lyle is a Speldhurst Parish Council (SPC) Trustee of Langton Green Community Sports Association (LGCSA). Cllr Leach is a member of the Langton Green Village Society (LGVS), a proposing body of item 18, and would therefore refrain from voting on item 18.

**23/261 Declarations of Lobbying**

Cllrs Curry, Lyle and Rowe had been lobbied regarding the Langton Pavilion.

**23/262 Minutes of the Full Council Meeting held on 6<sup>th</sup> November 2023 and the Extraordinary Full Council Meeting on 20<sup>th</sup> November 2023**

**RESOLVED** that the minutes of 6<sup>th</sup> November 2023 Full Council meeting, previously forwarded to members, were a correct record with one amendment - the word "publish" be changed to "share" in item 23/249 point 1. when referring to distributing Counsel's advice, on the recommendation of Cllr Lyle. The Clerk would update the minutes which the Chair would then sign during the coming week.

**RESOLVED** that the minutes of the Extraordinary Full Council Meeting on 20<sup>th</sup> November, also previously forwarded to members, were a correct record and signed by the Chair.

Cllr Curry thanked the members of public for attending and asked that all comments be made through himself as Chair.

### **23/263 Public Open Session**

- Mr Guy Lambert, Chair of LGCSA, was invited to speak by the Chair. He informed the meeting that a planning application for the sports club's proposal for a 4G pitch would be made public soon. He invited any questions residents may have regarding the proposals and offered to attend SPC's planning meeting to address any concerns and explain their proposal.
- Q: Would the 4G pitch be fenced and if so, how high would it be? Fencing would restrict the area available for residents walking on the recreation ground.  
A: Yes, the new pitch would be fenced but Mr Lambert did not know the height – this information would be detailed in the planning application.
- Mr Lambert went on to discuss the pavilion. The Chair confirmed that LGCSA's briefing note and a proposal from Mr Josh Berkley had been circulated to councillors to read prior to the meeting. Cllr Lyle said that Mr Berkley's proposal did not meet the 'permitted use' criteria in the Terms which therefore made it unlawful according to the legal advice SPC had received from Counsel.
- Two members of the public spoke in support of Mrs Emma Howden's café, explaining what a positive contribution it makes to the community for example by providing a safe space for parents with children and also the benefits of the community lunches. These sentiments were supported by a petition in favour of the café and the community benefits it provides which had been signed by approximately 2000 residents in March 2023.
- Dr Nick Trainor then advised the meeting that he, as principal complainant representing approximately 20 Langton Green residents, had a serious complaint against Mr Lambert's conduct as Chair of LGCSA and believed that he (Mr Lambert) had been acting ultra vires. He had compiled data which he believed proved Mr Lambert had not been acting in the best interests of the community and went against the guidance of the Charity Commission. He would report Mr Lambert's behaviour to the Football Foundation should he not resign by 15<sup>th</sup> December 2023. Mr Lambert replied that the Trustees of LGCSA were in receipt of the complaint which would be addressed at a meeting on 6<sup>th</sup> December and confirmed that he would not be resigning by 15<sup>th</sup> December. He said that their primary duty was to protect the charity's funds.
- Mr Chris Allen stated, to be clear, that LGCSA did not want to remove the café from the pavilion.
- Mr James Bowdidge, Chair of LGVS then spoke saying that they had responded to SPC's challenge at the Extraordinary Full Council Meeting to investigate a proposal for a community hub - an outline proposal for which had been circulated to SPC prior to the meeting. He said that the LGVS were focused on securing the future of the pavilion as a community asset, increasing activity and funds and that they were very keen to work together with LGCSA. With the creation of a Community Interest Company (Langton Pavilion Community Hub CIC), the 'permitted use' criteria would be met. He said that if SPC voted in favour of the proposal during the meeting, the LGVS would spend time and effort adding detail to the proposal in the coming weeks.
- Ms Lesley Adshead, a Thrive Langton Trustee, provided a brief outline of the community benefits provided by the charity and stressed the importance of them having a base in the village.

### **23/264 Borough and County Councillors' Reports**

County Cllr McInroy reported the following:

- Kent County Council (KCC) were finding it a challenge to maintain infrastructure due to a reduction in funding.
- £134.5m was Kent's share of funding from central government towards highways projects which would be split over 11 years.
- The budget for 2024/25 had a £50million shortfall and would mean cuts to the non-statutory services which mainly included those for children and the care sector. It was important to manage these cuts to reduce impact as far as possible. KCC would continue to meet its statutory obligations and noted that there would be no closures of any libraries or recycling facilities.

Borough Cllr Sankey reported the following:

- SPC's Planning Committee is a consultee only – it is the Borough Council who is the decision maker in the process. The borough councillors are there to guide residents through the planning process and assist where they can.
- The Community Trust Fund provided £100,000 to be made available to local groups and organisations with grants being decided by a cross-party panel. He encouraged applications.

8.10pm Cllr Dooley left the meeting.

The Chair agreed to move forward Item 18 on the agenda.

**Item 18: Langton Green Recreation Ground (LGRG)**

Cllr Ellery asked why LGVS's proposal only covered 40 weeks of the year. Mr Bowdidge explained that there were firm aspirations to increase the provision further and that this was an area that would be firmed up for the proposal.

Cllr Muress asked if the proposal would stop a fair market review of the pavilion being undertaken. Cllr Lyle explained that as SPC was happy with the existing café proprietor, this was not considered to be required. SPC had always run the facility as a community asset being the main focus, rather than to make as much money as possible. She then reiterated that according to the Legal Counsel's opinion received, it was up to SPC to decide how the pavilion is managed.

After much further discussion, it was then **RESOLVED** unanimously (with Cllr Leach abstaining), that SPC supported the intention of LGVS's proposal and would welcome formal documentation for approval at the January 2024 Full Council meeting. Mr Bowdidge confirmed that the LGVS would compose a formal proposal for consideration at the January Full Council meeting.

The Chair agreed to move forward Item 11g) on the agenda.

**Item 11g) Precept 2024/25 – To consider confirming the precept amount.**

Cllr Ellery, Chair of SPC's Finance Committee, explained the reasoning behind the committee's recommendation that the precept request would be an increase of 8.9% to £195,000 on a Band D property in which, together with the PWLB, making a total increase of 25.9% to £225,680, which equates to £1.50pm or £18pa for a Band D property. It was **RESOLVED** to revisit this matter at the January Full Council meeting after further consideration had been given to the financial shortfalls currently being faced by SPC with a wish to keep the percentage increase as low as possible for residents.

At 8.50pm Cllr Leach left the meeting.

**23/265 Chair's Report**

- Cllr Curry had recently attended a ceremony to open the new kitchen at Speldhurst Primary School. He said it was a lovely event and great to see such a high-quality facility (which SPC had provided a grant towards), come to fruition.
- He confirmed that the Management Agreement with LGCSA for the pavilion had now lapsed and that consideration should be given to the most effective way forward, particularly with regard to finances. He would bring a formal proposal for councillors to consider to the January Full Council meeting.

It had been discovered that the plumbing, as installed when the pavilion was originally built, does not meet health and safety requirements, particularly in relation to legionella. SPC's advisor has said that the construction plans used in the original planning application were not adhered to by the builders. Because the pipework is hidden above suspended ceilings, the parish council have, to date, been unaware. He would be writing to LGCSA with a report, and to suggest communicating with the Football Foundation to make them aware in case the same problem applies to other sports pavilions they have designed. SPC continue to run water through the whole system, including on a regular basis to ensure safety is maintained.

### 23/266 Clerk's Report

- A clean report had been received from the Internal Auditor.
- It has been confirmed that the draft Tunbridge Wells (Electoral Changes) Order 2024 has been laid in Parliament. The draft order is subject to the negative resolution procedure which means it will lie in both Houses for 40 sitting days.
- Information on the Draft Local Strategy for the Kent Local Flood Risk Management Strategy 2024-25 was shared with councillors.
- Family Hub and Commissioned Youth Decision – information shared with councillors.
- Kent Association of Local Councils (KALC) AGM – meeting slides shared with councillors.
- A list of parish council meetings in 2024 was circulated.
- A thank you letter had been received from All Saints' Church, Langton Green, for their grant.
- A thank you to the clerking team for recent cover in the parish council office.
- She asked councillors to please let the office know as soon as possible if they are unable to attend a meeting to ensure all meetings are quorate.

### 23/267 General Matters – Actionable tasks which do not fall to a committee.

Ongoing				
	Summary	Owner	Created	Status
76/23	Notify HMRC of dissolution of SPC Pavilion Ltd, and request zero rates from the rateable authority.	RFO/Clerk/Cllr Lyle	07/08	In progress
95/23	Purchase new tables and chairs for Pavilion and allocate £5,000 in accounting system for this.	Clerk/RFO	04/09/23	TBA/ complete
101/23	Seek quotations for works to path, step and fence at LGRG for Amenities Cttee to consider.	Asst Clerk (KH)	04/09/23	In progress
New – Items arising since last Full Council Meeting				
	Summary	Owner	Created	Status
107/23	Email Borough Cllr Harry Allen regarding his attendance.	Clerk	06/11/23	Complete
108/23	Make donation to TWBC Mayor's Toy Appeal.	Clerk/RFO	06/11/23	Complete
109/23	Update Internal Financial Control Policy on website.	Clerk	06/11/23	Complete
110/23	Send Cllr Rowe the draft PWLB application.	Clerk	06/11/23	Complete
111/23	Prepare timeline and key dates for Speldhurst Chapel Project.	Clerk/Chair	06/11/23	Complete
112/23	Advertise Co-Option once TWBC confirm no objections	Clerk	06/11/23	Complete
113/23	Update committee membership	Clerk	06/11/23	Complete
114/23	Confirm Ashurst Village Hall Trustee and ask them to confirm Companies House is updated and inform SPC representative of meetings and minutes.	Clerk	06/11/23	Complete
115/23	Confirm arrangements for December Full Council and send invitations.	Clerk	06/11/23	Complete
116/23	Pay authorised invoice for Counsel's fee for Pavilion.	Clerk	06/11/23	Complete
117/23	Confirm with HMRC and Companies House no further action following dissolution of SPC Pavilion Ltd.	Clerk/RFO	06/11/23	In progress
118/23	Apply to TWBC for 0% rateable value on Pavilion.	Clerk/RFO	06/11/23	In progress
119/23	Arrange meeting to discuss Pavilion finances.	Clerk	06/11/23	Complete

120/23	Look into costs of broadband for Pavilion.	Chair	06/11/23	TBA
121/23	Arrange meeting with LGCSA to discuss Pavilion and share legal opinion with affected parties.	Clerk	06/11/23	Complete
122/23	Report on next steps regarding Pavilion to Dec F/C.	Clerk/Pav Review P	06/11/23	On agenda
123/23	Remove SPC Pavilion Ltd sign from office entrance.	Clerk	06/11/23	Complete
124/23	Pay authorised invoice for CCTV maintenance renewal.	Clerk	06/11/23	Complete
121/23	Confirm Amenities Committee recommendations.	Asst Clerk (KH)	06/11/23	Complete
122/23	Amend minutes of 6 <sup>th</sup> November 23 for Chair to sign.	Clerk	04/12/23	
123/23	Add item on January FC for consideration of the Community Hub proposal.	Clerk	04/12/23	
124/23	Update Finance Committee Terms of Reference on website.	Clerk	04/12/23	
125/23	Add Financial Regulations to January FC agenda.	Clerk	04/12/23	
126/23	Add item on January FC agenda to consider delegating authority to the WG for the appointment of solicitors for the Speldhurst Chapel Project.	Clerk	04/12/23	
127/23	Circulate valuation documents for Speldhurst Chapel to councillors.	Clerk	04/12/23	
128/23	Submit nominations for KALC Community Awards Scheme to Clerk.	All Cllrs	04/12/23	

### 23/268 Finance Committee – Report by Cllr Ellery

- Report by the Chair:** A meeting had been held on Monday 20<sup>th</sup> November 2023.
- Budget Virements:** There were no new budget virements to report.
- Interim Payments:** LGCT £32.38 for meeting rooms; Cooper Burnett £500.00 for Pavilion Legal Fees; Viking Direct £74.39 Pavilion toilet paper; Unity Trust Mastercard £409.19 to bring balance to zero; Castle Water £187.89 Pavilion water; NEST Pension £623.02 Pensions; Mayor’s Toy Appeal £100.00 Donation; M R Lawrence £745.00 Mowing and Strimming.  
**Unity Trust Mastercard:** Unity Trust Bank £9.00 Credit card charges; Amazon Business £13.52\* Computer mouse; Langton Green Service Station £58.54\* Fuel for Van; Sainsburys £24.00\* Garden sacks.
- To note decisions made under delegated authority.** Items are starred above.
- Finance Committee Terms of Reference:** It was **RESOLVED** to adopt the Finance Committee Terms of Reference on the recommendation of the Finance Committee with the following amendment:  
Paragraph 12. “The Committee has spending powers to a maximum of £5,000 per item of expenditure” be changed to ... “a maximum of £7,000 per item of expenditure”.
- Financial Regulations** were not reviewed – this matter would be deferred.
- Precept 2024/25:** This item was discussed earlier in the meeting, underneath item 23/264.

### 23/269 Accounts for Payment

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

Date Paid	Payee Name	Reference	Amount £	Detail
05/12/2023	The PCC All Saints Church, LG	MT2590	1,000.00	Grant
05/12/2023	Agrifactors (Southern) Ltd	MT2591	1,020.00	Pitch Maintenance
05/12/2023	The Living Forest Ltd	MT2592	672.00	Hedge Cutting
05/12/2023	Langton Life	MT2593	375.00	Article in Magazine
05/12/2023	April Skies Accounting	MT2594	391.75	Interim Audit
05/12/2023	Kidman's Ltd	MT2595	10.08	Stihl Oil
05/12/2023	Tivoli	MT2596	133.68	Dog Waste Bin Emptying
05/12/2023	Tate & Tonbridge Fencing	MT2597	573.41	Fence repairs for Playground
08/12/2023	BT PLC	DD	24.96	Office Mobile
12/12/2023	KCC (KCS)	DD	59.28	Photocopier
15/12/2023	M:power accounting	MT2600	54.00	Payroll

20/12/2023	EDF Energy	DD	1,721.00	Pavilion Energy
20/12/2023	N.E.S.T. Pension Scheme	DD	623.02	Pensions
20/12/2023	Employees	MT2599	5,066.58	Salaries
22/12/2023	HMRC	MT2598	1,317.00	Income Tax and NI
27/12/2023	Initial	DD	140.79	Washroom Hygiene
28/12/2023	Veolia	DD	269.11	Recycling and Waste
29/12/2023	Cloudy IT	MT2601	355.92	IT Support
30/12/2023	BT PLC	DD	63.54	Office Phone and Broadband

### 23/270 Speldhurst Chapel Project

- An update was provided by Cllr Rowe:
  - A high-level project plan was in place which had been circulated to the working group.
  - The deadline for fundraising was 8<sup>th</sup> December and early indications on whether the target would be met were promising.
- To note expenditure to date: there was none.
- Three solicitors had been asked to tender to work on behalf of SPC and a response had been received from two. It was agreed that a motion for delegated authority for the working group to have delegated powers to appoint a solicitor up to a maximum value of £14,000 be put to Full Council in January. In the meantime, the Clerk would circulate the valuations to councillors.

### 23/271 Annual Parish Meeting (APM) 2024

There was nothing to report.

### 23/272 Vacancy on Council

No objections had been received by Tunbridge Wells Borough Council (TWBC) following the casual vacancy notice and therefore the vacancy was advertised for co-option. Applicants would be invited into interview by the previously agreed panel of councillors.

### 23/273 KALC Community Awards Scheme 2024

Councillors were asked to submit any suggestions for nominations for the Kent Association of Local Council's (KALC) Community Awards Scheme for 2024 to the Clerk for consideration at the January Full Council meeting. The deadline for submission of nominations to KALC was 2<sup>nd</sup> February 2024.

### 23/274 Planning Committee

Cllr Rowe, Planning Chair, reported that there had been a meeting of the Planning Committee on 13<sup>th</sup> November 2023, the draft minutes of which had previously been circulated. During this meeting, 14 applications had been considered to which 3 SPC had objected (and had been subsequently approved by the Planning Officer), 10 SPC remained neutral and one application was queried as to whether it was a 'FULL' application rather than a 'LAWPRO'. Two members of the public attended the meeting.

### 23/275 Langton Green Recreation Ground (LGRG) – to receive an update on the Pavilion Review.

This item was moved forward to allow members of the public attending the meeting to hear councillors' discussions. It is minuted under 23/264.

### 23/276 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 Committee** – Cllr Lyle (Chair) reported the following:
  - The Internal Auditor's report following his visit on 8<sup>th</sup> November had been circulated to councillors - SPC had been given a clean bill of health and she thanked the RFO and Clerk for their hard work in achieving this.
- b) She reiterated the Clerk's request to let the office know as soon as possible if councillors are unable to attend a meeting to ensure that all meetings are quorate and can proceed as planned. **Highways Committee** – Cllr Norton (Chair) advised that a meeting had been held on 21<sup>st</sup> November 2023. KCC had acknowledged problems with speeding in the parish, in particular in Langton Green by the school and on Groombridge Hill, which would need to be addressed before any further plans could be put in place.

- **Footpaths Co-Ordinator Update** – Cllr Muress said that he had met with the Assistant Clerk (CB) which had been very helpful. They were following up on QR codes.

It was **RESOLVED** to proceed beyond 9.00 pm.

- c) **Amenities Committee** – There was nothing to report.
- d) **Air Traffic Committee** – There was nothing to report.
- e) **Environment WG (EWG)** – There was nothing to report.
- f) **KALC** – Cllr Curry advised that SPC would be hosting the next KALC event.

**23/277 Diary Dates** – The following dates were noted:

11<sup>th</sup> December – Planning Committee (Palmer Room, LGVH)

8<sup>th</sup> January 2024 – Full Council (SPVH)

15<sup>th</sup> January 2024 – Planning Committee (Gallery Room, LGVH)

**23/278 Items for Information:**

Cllr Curry said that he was preparing a residents' guide to planning.

There being nothing further to discuss, the meeting closed at 9.10pm.

**Chair**