

Minutes of the meeting of Westbere Parish Council held on Friday 28 May 2021 in Westbere Village Hall at 6pm.

Present: Parish Councillors: Georgina Glover (elected as Chairman at the meeting), Louise Harvey-Quirke, and Ian McLean.

KCC Cllr Alan Marsh

Clerk to the Council, Amanda Sparkes.

One member of the press (for part of the meeting)

12 members of the public.

Background to this meeting

Opening matters arising since the last meeting: The resignation of Karen Williams on 26 April 2021 and the resignations of Maria Morcom, Sylvia Harlow and Kathy Wilson on 28 April 2021, rendered the parish council non-quorate with just one member, and unable to function. Using Section 91 of the 1971 LGA legislation, Canterbury City Council made an Order on 04 May 2021 and sent two copies to the Secretary of State on 05 May 2021 to appoint the two ward councillors, Cllr Georgina Glover and Cllr Louise Harvey-Quirke, as temporary parish councillors to enable Westbere Parish Council to function. Their Declarations of Interests forms were returned to the Monitoring Officer on 24 May 2021.

1. Declaration of Acceptance of Appointment to Office

Cllr Glover and Cllr Harvey-Quirke signed the Declarations of Acceptance of Office by Order of Canterbury City Council under section 91 of the LGA1972.

2. Notice of Vacancies

The Notice of Vacancies was posted on the website and village noticeboards on 04 May 2021 giving residents of Westbere an opportunity to call an election by 24 May 2021. No election was called for and the parish council may now co-opt to its six vacancies.

3. Election of Chairman

Cllr Glover proposed she be Chairman until there is a full contingency of parish council members and they have taken KALC training, and this was seconded by Cllr Harvey-Quirke. Cllr Glover commented that she had been temporarily appointed by the Secretary of State but could take a parish councillor seat in her own right. Cllr Glover explained she had been a parish councillor previously for 22.5 years and has recently undertaken a KCC Chairman's training on-line course. She signed the Declaration of Acceptance of Office.

4. Election of Vice Chairman

Cllr Glover initially nominated Cllr Harvey-Quirke who seconded herself then withdrew that and proposed herself which was seconded by Cllr Glover.

Cllr McLean quoted an extract from the Canterbury City Council Order text that appoints the two ward councillors as temporary members until an election is held or new Councillors have been co-opted. He commented that the two ward councillors had put themselves in position of Chair and Vice Chairman. Cllr Glover confirmed she would have to make an application to be a permanent parish councillor. Cllr McLean questioned how long Cllr Glover would remain as Chairman. Cllr Glover commented she had experience which would give stability until new members had been encouraged to have and undertaken training.

5. Chairman's welcome and Apologies for absence

Cllr Glover welcomed everyone, commenting that she hoped to be able to move the village forward and looked forward to serving the village for as long as residents would have her.
(There were no apologies for absence.)

6. Vacancies on the council

Cllr Glover asked the Clerk for the list of prospective candidates expressing an interest in co-option. The Clerk confirmed four people, and one resident present at the meeting also put himself forward at that point.

There was some discussion about whether the co-option should be deferred. Cllr Harvey-Quirke commented that finance and staffing matters were the parish council's current priorities and she

proposed that this item be deferred to the June meeting, which was seconded by Cllr Glover, although questioned again by Cllr McLean.

Cllr McLean drew attention to an email from the Clerk on 15 May 2021 where she stated she also endorsed the suggestion by councillors to not co-opt due to the confidential staffing issue and Union correspondence still not dealt with due to the council going non quorate a day later.

The Clerk reminded Cllr McLean that an email from the CCC Monitoring Officer to all parish councillors confirmed that the parish council did not *have* to co-opt at the 28 May 2021 meeting and could defer the item.

Cllr Glover also commented that the confidential item is an important decision for the parish council to make and any co-opted members would have no prior knowledge of the history or evidence to participate fully in discussions. Cllr McLean countered that new councillors would be presented with the evidence and could abstain if they did not feel in a position to vote. Cllr Glover felt that all councillors needed to have had the full information in advance of the discussions and in the interests of moving business along as quickly as possible to reach the closed staffing session, closed discussions on this item as a vote had already been taken.

7. Declarations of Disclosable Pecuniary Interests

Cllr Glover and Cllr Harvey-Quirke declared that they sat on Canterbury City Council's Planning Committee.

8. Minutes of the last meeting held 22 April 2021

Cllr Glover commented she wasn't present for the confidential session but had been present for the majority of the meeting and proposed they be accepted as a correct record.

Cllr McLean clarified that Minute No. 14 should be Openreach not BT.

Cllr Harvey-Quirke asked for clarification regarding Minute No 6 of the 22 April meeting, where Cllr McLean had explained that the parish council had agreed to bring a proposal to the Clerk to satisfy the overtime burden of January and February 2021 to the meeting but the proposal had had last minute rechecking of what the parish council can do. Cllr Harvey-Quirke asked what the rechecking entailed. Cllr McLean explained this involved full agreement of all councillors and obtaining their signatures on the proposal letter. Cllr Glover asked Cllr McLean if any employment law advice had been obtained prior to issuing the proposal letter from bodies such as ACAS or KALC. Cllr McLean confirmed no advice was obtained; the rechecking amongst councillors related to the value put forward.

9. Chairman's Report and Councillors' Reports

Cllr Glover – Cllr Glover explained she had no Chairman's report and invited the outgoing Chairman's report.

Cllr McLean - Cllr McLean said that despite being non-quorate he had managed to do some things for the village, including a revisit of the Highways Improvement Plan and dialogue with the KCC road safety team. There has been some engagement with Kent Police although no speed checks done yet. Re the broadband Openreach project there has been a 30% sign up of residents pledging vouchers, although no update yet on what the voucher funding value will be.

Cllr McLean explained he had met with a couple of residents re the suggestion of posters to promote the Openreach project but they felt that posters would be ineffective and a leaflet drop to all households would be preferred. Cllr McLean suggested this could be incorporated with his annual report to save costs. Cllr Glover suggested it could be incorporated in the next newsletter. Cllr Harvey-Quirke suggested combining it with whichever one of the two is to be distributed first to save costs.

Cllr McLean also advised he had chased CCC re a dog mess initiative but had had no response yet.

Cllr Harvey-Quirke asked if he'd like her or Cllr Glover to chase this but Cllr McLean said no thank you.

10. Reports from County and City Councillors

KCC Cllr Alan Marsh

Cllr Glover congratulated Cllr Marsh on being re-elected for another term and invited his report.

Cllr Marsh explained that the KCC elections had changed 31 of the 81 Members, with the 31 receiving 16 induction training sessions already. Three Cabinet Members were lost – those for education, highways and economic development.

Cllr Marsh explained KCC has no ability for 81 Members and 16 officers to meet at County Hall and meetings have moved to the Maidstone Leisure Centre to comply with 2m socially distancing.

The make-up is now 61 Conservatives, 7 Labour, 6 Lib Dem, and 6 Independent. There is one by-election due in June.

Cllr Marsh confirmed that he is still Chairman of Planning in Kent.

The Chairman from 2019, Anne Alan MBE, has been reinstated as KCC Chairman.

CCC Cllr Harvey-Quirke

Cllr Harvey-Quirke explained there had been a fire at Military Road offices this week, with damage being assessed. Staff who can work from home will, and other arrangements are being made for the others.

Cllr Harvey-Quirke advised that the bank holiday on 31 May will put bin collections a day behind.

CCC has now resumed meetings in person.

CCC Cllr Georgina Glover

Cllr Glover advised the CCC Policy meeting on 27 May 2021 agreed an Options Consultation to commence this week on options for growth etc for the review of the Canterbury District Local Plan. This does not yet include the specific call for sites consultation.

CCC is also working on its Corporate Plan, and a large restructuring is taking place. CCC is now out of Purdah and down to business.

11. Adjournment of the meeting

Various residents asked questions and gave comments.

The meeting continued.

12. Planning

The planning appendix is attached to these Minutes as a separate appendix.

New application:

There has been a new application since the agenda and meeting paperwork were prepared:

CA/21/01285 - 3 Church Lane, Westbere, CT2 0HA

02 no. single-storey extensions and replacement garage

Comments on or before 2 July 2021

13. Parish Council banking arrangements

The resignation of all the councillors except the Chairman meant that there were no lawful signatories left. They have signed letters relinquishing their status as signatories on the Lloyds accounts.

An online bank account has now been opened with a zero balance with Unity Trust Bank, with Cllr McLean and Cllr Glover as signatories. Cllr McLean confirmed he had completed his registration. Cllr Glover confirmed she had received her instruction letter that day – the Clerk will send her the temporary password/memorable word created at application stage.

The Clerk managed to get Lloyds to make online payments to pay the annual insurance renewal and KALC annual subscription as a one-off.

The Unity mandate retains the status of the Clerk being a non-signatory and that any two signatories should authorise payments.

After discussing various options Cllr McLean proposed that the Lloyds bank accounts be closed and all funds transferred to Unity Trust and Cllr Harvey-Quirke seconded this and this was **RESOLVED**.

The Clerk will arrange a mandate to Lloyds to close the account with the above resolution and take this into branch to try to expediate the closure.

Cllr McLean asked the Clerk to confirm dates for when current and immediate future financial had/would become due, which the Clerk provided.

The Clerk confirmed she had spoken to the KCC Pension department officers.

14. Use of Section 101 since the last meeting - None.

15. Finance

RECEIVED the bank statements and bank reconciliation for April 2021, signed by Cllr Glover prior to her being elected as Chairman.

NOTED that, as reported to the April meeting, on 20 March 2021 the Clerk instructed the tree surgeon to proceed with Option 2 work for the feature tree in the churchyard - Half removed down to better wood for £450.

NOTED a payment made by BACS from CCC on 08 April 2021 of £4094.00 for concurrent function award for 2021-2022.

NOTED a payment made by BACS from CCC on 04 May 2021 of £14,855 for the precept payment for 2021-2022.

NOTED a direct debit payment of £35.00 to be taken by the Information Commissioner's Office on 21 June 2021 for the annual ICO fee renewal. The Clerk will change the direct debit details with the ICO as appropriate depending on the status of the bank accounts.

KCC Cllr grant to mitigate the effects of coronavirus

Of the £1250 grant there is a balance unspent now of £221.70. Cllr Marsh confirmed that he would like the parish council to keep the money. Cllr Glover thanked him and confirmed the grant had helped the parish council, the pub, the hall committee and the Church.

Future Concurrent Function funding - There is no update.

Annual subscriptions:

Cllr Harvey-Quirke proposed and Cllr Glover seconded and it was RESOLVED to renew subscriptions to:

- a. Kent Association of Local Councils;
- b. Campaign for the Protection of Rural England;
- c. Action for Communities in Rural Kent.
- d. The Information Commissioners Office

and as per the clause in the Financial Regulation that approval is given for the use of a direct debit RESOLVED that payment be by direct debit for the £36 annual CPRE subscription, and the £35 annual subscription to the Information Commissioner's Office (ICO).

Cllr McLean asked that it be recorded that he does not agree with paying the ICO fee.

Internal Audit for year ending 31 March 2021

RECORDED thanks to resident David Elliott for again completing the year end internal audit inspection and completion free of charge for the village/parish council. His internal auditor report has been seen by all councillors and there are no areas of concern.

Financial Regulation 15.5 states: All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council. NOTED that this has been reviewed – the Insurance renewal from 01 June 2021 has the Fidelity Guarantee set at £250,000 with a £100 excess per claim for all Members and Officers.

Standing Orders and Financial Regulations – annual review:

All councillors agreed and it was RESOLVED that as there have been no changes to the model Standing Orders that the parish council continue with those already adopted and published in 2018 until changes are made to the NALC Models.

All councillors agreed and it was RESOLVED that as there have been no changes to the Model Financial Regulations that the parish council continue with those already adopted and published in October 2019 until changes are made to the NALC Models.

16. For Annual Return 2020-2021

Cllr Harvey-Quirke proposed and Cllr Glover seconded and it was RESOLVED that Westbere Parish Council meets the criteria for 2020-2021 to be an exempt authority, with income and expenditure below £25,000, and wishes to be an exempt authority, not subject to a PKF Littlejohn LLP review for that year.

RECEIVED :

- i) The Year End Bank reconciliation to 31 March 2021 – NOTED that the year end balance is £25,960.16
- ii) Finance Risk Assessment
Cllr McLean commented that a safeguard is desirable in case all bank signatories resign at once again. Cllr Glover commented that Westbere was the first council in Kent that this has ever happened to. *(Clerk footnote: this should probably state the Canterbury District rather than Kent.)*
The Unity Trust bank requires all councillors to be noted to the account, as having an interest in the account, regardless of whether they are signatories or not, so it was RESOLVED that all new councillors in future would be asked to be signatories.
- iii) The Parish Council's Statement of Internal Control

- iv) The Parish Council's Statement of Accounting Policies
- v) The Internal Auditor's report and NOTED the Internal Auditor having completed Section 4 of the Annual Governance and Accountability Return
- vi) Breakdown of Income, Staff Costs and All Other Payments in 2020-2021
NOTED that the Joint Panel on Accountability and Governance new Practitioners Guide 2021 explains that mileage should not be recorded in Staff Costs, and that as this is a change of reporting basis, corresponding figures from the preceding year must be restated on a similar basis - so the figures for Staff Costs and All Other Payments for 2019-2020 have been restated.
- vii) Statement of Variances proforma and the explanations of significant variances.
- viii) The Parish Council's Register of Fixed Assets at 31 March
- ix) Ear Marked Reserves schedule up to 31 March
Cllr McLean made enquiries about the pension gratuity line added this year. The Clerk suggested this be moved to confidential session. Cllr McLean asked for clarification on a zero opening balance and zero transfer in. The Clerk became defensive and said she had explained the entry on the spreadsheet, and in emails to the three councillors. The parish council on employing the Clerk in 2011 had confirmed in her contract that from 1 April 2012 the Parish Council will apply to become a member of the Local Government Pension Scheme, operated through Kent County Council, for a contributory pension scheme which she would then be entitled to join. However, this had not been enacted in 2012 and was not enacted until 2016, so the amount calculated on the terms of a gratuity compensates for the four years missing in the cheapest possible way for the parish council.
Cllr McLean said he did not think there was an obligation to pay the figure identified in the schedule Cllr McLean requested additional advice be obtained to clarify this point.
The Clerk said she would delete the line from ear marked reserves and that the amount would revert back to unrestricted reserves. Cllr Glover commented that the ear marked reserves spreadsheet was to be received, not approved, so no formal vote was required. The situation needed to be explored further and revisited.

17. The Annual Governance & Accountability Return (AGAR Form Part 2) for the financial year ended 31 March for submission to PKF Littlejohn:

Section 1 : the Annual Governance Statement:

Cllr Glover proposed and Cllr Harvey-Quirke seconded and it was RESOLVED to accept Section 1 in advance of approving Section 2. Section 1 was signed by Cllr Glover as the Chairman.

18. AGAR Section 2 : the Accounting Statements:

Cllr Glover proposed and Cllr Harvey-Quirke seconded and it was RESOLVED to approve Section 2. Section 2 was signed by Cllr Glover as the Chairman.

19. Exercise of Public Rights to inspect the accounts

The council will make arrangements for the exercise of public rights, publishing, before 01 July 2021, the Notice of Public Rights along with Publication of the Annual Governance & Accountability Return Section 1 and Section 2 (approved and signed), along with a copy of the Internal Auditor's report, on both its parish noticeboard(s) and website

20. Traffic surveys

It was resolved at the 22 April 2021 meeting to proceed with two week-long traffic data surveys at a cost circa £700 for Westbere Lane and Bushy Hill Road. Cllr McLean asked the Clerk for an update but she advised Cllr McLean that he had agreed to action the ordering of the surveys and she read the relevant paragraph from the April minutes, now approved above.

21. Newsletter

The last edition was around March 2021. Cllr Glover proposed that the next one be arranged for July and include a welcome to new councillors and run a broadband article. Cllr McLean stated he was now not prepared to do an annual report letter to all households. A resident at the meeting interjected at this point and asked about the setting of the annual electors meeting. It should be held in person between 1 March and 1 June each year. Coronavirus legislation repealed the need to hold one in 2020 but not in 2021, but Westbere Parish Council resolved to do an open letter and not hold a meeting in person as

there is no suitable venue. KCC Cllr Marsh commented that the country is still in the same covid experience as 2020. Westbere Church is too small and closed currently.

22. Coronavirus risk assessments

NOTED that the Clerk completed a further Risk Assessment around Coronavirus risks for April and May 2021. The Clerk has also completed a Risk Assessment for the return of meetings in-person as per the insurance company's requirement to do so, now that legislation that allows parish councils to hold virtual meetings has expired.

23. Clerk Report

Nothing further to report.

24. Date and time for the next full Parish Council meeting

The next meeting was set for Tuesday 29 June at 6pm in Westbere Village Hall.

25. Candidates for co-option to the vacancies

The five candidates expressing interest in being co-opted were either introduced or invited to speak to the meeting.

Then the members of the public left the meeting at this point.

The above business meeting closed at 7.55pm.

26. CONFIDENTIAL ITEM: Staffing matters

The Clerk presented a written statement to the three councillors and then left at the start of the confidential session.

Cllr Glover, Cllr Harvey-Quirke and Cllr McLean were present throughout the confidential session.

Resolutions from the confidential session:

Cllr Mclean to send Cllr Glover the insurance documents and blank WPC letterhead.

Cllr Glover to draft a response to the Chairman of ALCC; asking for an Exit Settlement figure, and if the Clerk would be prepared to enter mediation to rebuild the relationship. Cllr Glover to send this draft to all councillors to agree, before sending it to ALCC.

Cllr Glover to contact CCC for HR advice, and mediation advice.

Cllr Glover to read through the insurance policy.

Cllr Glover to contact both KALC and ACAS for employment advice.

Cllr Glover to contact the Clerk, Amanda Sparkes, informing that a dialogue has begun with ALCC regarding an Exit Settlement.

The meeting closed at 9.30pm.

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Signed: Cllr Georgina Glover, Chairman

Date:

Please note these Minutes remain as draft Minutes until they are approved by the parish council at their next parish council meeting

Next Meeting dates for 2021-2022: 29 June, 27 July, No meeting in August, 14 September, No meeting in October; 09 November, No meeting in December; 11 January 2022 ; 22 February 2022

APPENDIX: PLANNING REPORT, 28 May 2021

APPENDIX 2

Application by Kent County Council for Construction of part of a new road (A28 Link Road) including viaduct between A28 Sturry Road and A291 Sturry Hill and associated on-line improvements at A28 Sturry Link Road, Sturry, Canterbury, Kent CT20 – CA/19/00904 (KCC/CA/0091/2019)

The KCC Planning Applications Committee refused this application on 09 March 2021. Discussion included the lack of a fourth lane on the viaduct bridge and that there was no left turn option into Sturry

cutting Sturry and Fordwich centres off. As reported at the March 2021 parish council meeting, Cllr Glover had sought an update from the Leader of the council who confirmed that CCC has secured the £6.9m SELEP funding until September 2021 and KCC plans to take the link road application back to planning after the KCC elections.

Canterbury District Local Plan to 2040

CCC launched a new Local Plan Call for Sites on 18 May 2021

<https://news.canterbury.gov.uk/news/article/236/council-in-post-lockdown-call-for-more-potential-local-plan-sites>

The CCC 'call for sites' is a key part of the process to identify sites for housing to 2040 and started in 2020. CCC invited anyone, including landowners, parish councils and members of the public, to suggest sites that should be developed, be used to create jobs, protected as open space or that could be put to really good use by the community.

177 sites have been put forward to date, but in light of the changing circumstances and post lockdown CCC is inviting more so that as many options are open to councillors as possible.

[This map shows the sites suggested so far](#) but CCC is doing lots of work to assess whether or not they could be considered for inclusion within the Local Plan.

No decisions have been made on any sites and the community will be consulted with once potential sites have been identified.

New applications:

CA/21/01285 - 3 Church Lane, Westbere, CT2 0HA

02 no. single-storey extensions and replacement garage

Comments on or before 2 July 2021

And TO NOTE neighbouring applications:

CA/21/01136 – Hoplands Farm, Island Road, Hersden CT3 4HQ

Application for approval of reserved matters relating to access, appearance, landscaping, layout and scale for the provision of a Business Campus comprising approximately 5,400sqm (GIA) pursuant to outline planning permission CA/16/00404/OUT.

And

CA/21/01059 – Hoplands Farm

Application for approval of reserved matters relating to layout, scale, appearance, and landscaping for the erection of two units comprising 400sqm foodstore, 327sqm convenience retail and 150sqm dentist with associated parking and landscaping, pursuant to outline planning permission CA/16/00404/OUT.

View and comment on applications online at <https://www.canterbury.gov.uk/planningsearch>

Notifications:

CA/20/00761 - Spice Master, Island Road, East Of Staines Hill, Sturry, CT2 0EZ

10 no. detached two-storey dwellings with associated access, parking and landscaping. GRANTED by CCC

Appeal Notification:

A letter was received on 27 January 2021 of the following Appeal:

12 Westbere Lane Westbere Canterbury Kent CT2 0HH

Ground floor and lower ground floor rear extension.

Application ref: CA/20/01621 Appeal ref: 3263294

Appeal start date: 25 January 2021

TOWN AND COUNTRY PLANNING ACT 1990 APPEAL UNDER S78 AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION

An appeal was made to the Planning Inspectorate against the decision of Canterbury City Council to refuse planning permission. The appeal was determined on the basis written representations.

TO NOTE that the Inspector has DISMISSED the Appeal. One reason cited was:

The proposed extension would, due to its two-storey height, full width and complex fussy design appear as an overbearing and incongruous addition. It would therefore cause significant harm to the architectural integrity of the host property and the terrace of cottages of which it is part.