

Minutes of the meeting of Westbere Parish Council held on Monday 17 January 2022 in Westbere Village Hall at 7.00pm.

Present: Parish Councillors:

Paul Glover (Chairman),
Sylvia Harlow (Vice Chairman),
Ken Dekker and
Kathy Wilson (for part of the meeting.)
Canterbury City Councillor Georgina Glover (for part of the meeting)
Clerk to the Council, Amanda Sparkes.
2 members of the public.

108. Chairman's welcome

Cllr P Glover welcomed everyone to the meeting.

109. Apologies for absence

Apologies for absence were noted from Canterbury City Councillor Louise Harvey-Quirke, and from Kent County Cllr Alan Marsh and apologies from Cllr Wilson for missing the beginning of the meeting due to a scheduled commitment.

110. Vacancies on the council

There has been no interest in the three vacancies on the council.

111. Declarations of Disclosable Pecuniary Interests

None

112. Minutes of the last meeting held 15 November 2021

Cllr Harlow proposed, Cllr Dekker seconded and all Cllrs approved the Minutes as a true record of the meeting and the Chairman duly signed them.

113. Chairman's Report and Councillors' Reports

Cllr Paul Glover

Cllr P Glover commented that there is still lots to do, but was pleased to report that KCC has now cleared the overgrown vegetation on a stretch of Island Road by the convent. Some streetlights have also now been repaired.

He had received an update about the faster broadband project from the Community Lead. There is 88% of the required pledges, with 99 homes and six businesses, although there may be some duplication. The community lead has explained that there is a need to recontact those who have pledged to wait for the DCMS email to claim their voucher within 21 days. And a desire to contact those who haven't yet pledged; there is the potential to reach 100% by engaging non-Westbere residents. Various support ideas could include a separate meeting about broadband only but it is likely that the non-engaged would not attend, and door knocking at this time of year and with High covid cases is not ideal. Ideally the 100% target is needed by the end of March to be covered by the current voucher scheme.

Cllr P. Glover advised that he would write a personalised letter to those who have pledged already and a separate letter to non-Westbere residents. Cllr Dekker suggested putting the parish council logo on the envelopes as the electoral role cannot be used to address the letters by name. The Clerk offered to help deliver them.

Cllr P. Glover explained he has been invited as the Westbere rep to attend a virtual meeting on 25 January 2022 with a Fordwich and Sturry rep to talk to the Bretts Estate manager. Part of the site has been leased to a company that trains HGV drivers.

Cllr Sylvia Harlow

Cllr Harlow explained that a resident has asked her if someone can buy a Westbere Parish plan for a small charge. Every household was delivered one free of charge originally. People who move away should leave the document behind but there may be some households that do not have one.

Councillors resolved one should be given free of charge. The next newsletter will run an article asking if any new residents would like one (while stocks last). Cllr P. Glover suggested there should be a new standing agenda item to consider any new residents that a plan may be delivered to.

Cllr Ken Dekker

Cllr Dekker had nothing to report.

114. Canterbury City Councillor, Cllr Georgina Glover report

Cllr Glover explained that the city council meetings before Christmas were cancelled as cases of the omicron variant were so high and it is not lawful to hold meetings virtually in England. Meetings start again next week in person.

The severe weather emergency protocol is in operation and CCC is dealing with rough sleepers.

The Annual residents survey is open until 25 February and is available on the CCC website.

Kent and Medway NHS set up vaccine hubs in the High Street last weekend.

The Annual parking review consultation is running until 07 February.

Christmas tree collection dates can be found on the CCC website.

CCC is discussing moving out of the Military Road offices to relocate in vacant property in the city centre. There is no reception operating at Military Road currently.

115. Adjournment of the meeting

A resident expressed concern about approximately thirty potholes in Westbere Lane. Also some by Walnut Tree Lane. Cllr P Glover explained the latest newsletter gives instructions on how to report to the KCC Portal. The newsletter is also on the parish council's website. Cllr P Glover and Cllr Dekker will also report some.

Another resident advised she is about to join the village committee. She commented that the hall committee would like to mark the Queen's Jubilee. She explained a resident in their final year of university wants to do a university project on organising a big event, and she would ask them if they'd like to take the lead.

The meeting continued.

116. Planning

There is no update on the CCC Call for sites. Information is expected shortly.

NOTED a CCC briefing for all Parish Councillors regarding Design and Community Planning on 20 January 2022. The Clerk will attend this and report back.

Cllr Dekker advised that the Broad Oak development site is due to start in the next two months.

Additionally improvement works to Bullockstone Road will start soon and last 18 months.

New applications:

CA/21/02928 - The Barn, Westbere Lane, Westbere, Canterbury, Kent, CT2 0HH

Application for listed building consent to replace existing pine fenestration and French doors with European Oak.

Neighbouring application to be aware of –

CA/21/02797 - Land to The South Of Island Road (A28) Former Chislet Colliery Hersden

Reserved matters application for phase 1 comprising access into the site together with associated infrastructure and landscaping pursuant to outline planning permission CA/16/00673/OUT.

This comprises a mixed-use development of up to 370 dwellings, local centre, open space, community ecological park, hard and soft landscaping and associated infrastructure with access from a new roundabout on Island Road.

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

Notifications:

Neighbouring application to be aware of –

CA/21/02301 – Land to the North of Hersden (Applicant Persimmon Homes)

Request for EIA scoping opinion on mixed-use development, comprising up to 800 dwellings, 1 hectare of business space, community building, healthcare provision, primary school, engineering and demolition, vehicular access, contributions to primary, secondary school education and to Sturry Relief

Road and/or to the transportation improvements on the A28 corridor, Green and Blue Infrastructure, landscaping and wastewater treatment.

This is a strategic site in the Canterbury District Local Plan.

The weekly list dated 15 November 2021 records CCC's decision as NO OBJECTION TO

Village Green application to KCC for the Two Fields site

The Sturry and Westbere Two Fields Action Group submitted an application for the Two Fields to be designated a Village Green to KCC at County Hall on 08 November 2019. The Action Group has advised that the application was heard at a virtual meeting of the KCC Regulation Committee Member Panel on 24 February 2021. The next stage was a Public Inquiry about whether a trigger event has occurred which would render the application for registration as a village green invalid. The Inspector concluded '**there is no trigger event**' however reached that decision based on reasons of his own – after rejecting most of the arguments put forward by all the parties involved. The two parties, he said, relied on interpretations of specific policies, which, in his opinion, amounted to wrong starting points. Interpretations of, say, the Local Plan's policy OS6, which sets out the basis on which development may take place in Green Gaps, are insufficient, when it comes to trigger considerations: there are other policies that should be considered at the same time. In his Conclusion, he made the point that although a number of the Local Plan's policies considered in isolation may well suggest that a trigger event has occurred, the Local Plan, as a whole, is actually restrictive of development in rural areas – and hamlets such as Westbere. And that should not be ignored. The Inspector recognised the importance of his decision and acknowledged that there is now 'a clear risk of challenge to any decision KCC makes on the trigger question'. Therefore, he recommended a last opportunity for everyone to comment on his report, before KCC made its decision to accept or reject his views. KCC gave until 14 July 2021 for further (and final) submissions prior to the County Council considering this matter further. Naturally, the Two Fields Action Group's legal team from the Kent Law Clinic wrote to say they entirely agreed with the Inspector's conclusion.

The matter was then referred back to the County Council's Regulation Committee Member Panel for decision on 02 December 2021 at County Hall.

The Member Panel Meeting met only to consider the question of the 'trigger event' — in order to determine whether or not the Application may go forward to the next stage (i.e. proceed to Public Inquiry.) They decided that no trigger event had occurred.

Winckworth Sherwood solicitors acting on behalf of Bellway Homes then sent a detailed pre-action protocol letter sent to Kent County Council on 22 December 2021 challenging the KCC Member Panel decision. (Westbere Parish Council was sent a copy of this letter and any resident wishing to see the detail may contact the Clerk.)

The County Council has not yet made a final decision in respect of the application to register the land as a town or village green. Accordingly, Bellway's solicitors state it is able to reconsider its decision that a trigger event has not taken place. They argue KCC should reconsider it and in the light of a fresh determination that a trigger event has taken place it should take no further action in respect of the application; and, in particular, should not refer it to a public inquiry.

117. Use of Section 101 since the last meeting – None.

118. Parish Council banking arrangements:

NOTED a new bank mandate to add the four new parish councillors as signatories has now been sent to Unity Trust bank. However, Unity has asked for further ID documents for Cllr P Glover.

119. Finance

The payments listed on Appendix 3 were noted. The Clerk advised there was one further payment of £36 since the meeting paperwork was issued for the annual subscription to CPRE.

RECEIVED the bank statements and bank reconciliation for November and December 2021 and RESOLVED the signature of a councillor other than the Chairman thereon.

NOTED that on 23 September 2021 the Clerk submitted an online VAT refund claim for the period 01 March 2021 to 30 September 2021 totalling £172.53. The bank account details were also updated through the government gateway. This was paid on 09 November 2021.

KCC Member grant of £1,250 towards coronavirus mitigation

A grant of £1,250 was received in July 2020 from KCC Cllr Alan Marsh to mitigate the effects of coronavirus in Westbere. Application Reference Number 20-CA-18.

Spend has been £1128.30 excluding VAT which has been evidenced to KCC. KCC allowed an extension into the next financial year (2021-2022). A cheque has now been prepared to return the balance of £121.70 to KCC.

Concurrent Function Funding (CFF) Update

At a meeting held on 02 November 2021 in The Guildhall, Cllr Fitter-Harding confirmed that CCC is committed to finding a longer term fairer solution with regards to CFF. On 05 July 2021, the Policy Committee formed the Terms of Reference for the CFF Audit Working Group and its role in developing the audit framework. In considering the framework, the Working Group has recommended that the audit be delayed by a year, mainly to allow for data to be collected from Canenco now that they have fully taken over the grounds maintenance contract. This data will be critical in better understanding the urban provision costings to compare to parished areas. Delaying the audit will also allow data from the Open Spaces Consultation and draft Local Plan to be included.

CCC previously agreed to extend CFF for financial years 2021-2022 and 2022-2023 at the same funding allocation of £134,500 split across all parishes. To provide certainty to parish councils for budget setting, CFF will be extended by a further two years (2023- 2024 and 2024-2025) fixed at the current rate plus inflation, currently estimated at £138,555 for 2023/24.

Parish councils are now being consulted on the following two funding options for 2023-2025:

Option 1: Parish councils would receive the same individual funding allocation as per 2022/23 plus inflation. This is the simplest approach, but is based on historic applications.

Option 2: 50% of the allocation would be based on the number of Band D equivalent council tax properties per parish and 50% would be based on the size of the area currently eligible for CFF in the parish. This calculation takes into account both the local population that are contributing towards the maintenance of facilities via the precept and Council tax as well as the amount of land that is to be maintained. This doesn't, however, take into account the type of facilities or land.

The following provides an illustrative example of how the funding would be allocated based on the options proposed using 2021/22 Band D equivalent properties.

Parish:	Option 1:	Option 2:
Adisham	£6,092	£1,780
Barham	£6,659	£10,088
Bekesbourne with Patricxbourne	£4,016	£5,405
Bishopsbourne	£2,008	£1,325
Blean	£5,272	£5,002
Bridge	£2,785	£7,385
Chartham	£27,667	£14,327
Chislet	£6,168	£3,681
Hackington	£2,281	£5,563
Harbledown & Rough Common	£11,614	£14,282
Lower Hardres	£1,822	£2,429
Upper Hardres	£1,803	£1,317
Herne & Broomfield	£6,141	£24,593
Hersden	£5,123	£3,613
Hoath	£697	£1,251
Ickham & Well	£1,927	£1,150
Kingston	£2,516	£2,446
Littlebourne	£13,586	£7,420
Petham	£3,062	£3,767
Sturry	£10,845	£12,791
Waltham	£2,239	£2,757
Westbere	£4,218	£804
Wickhambreaux	£5,774	£1,851
Womenswold	£4,240	£3,529
Total Funding Available	£138,555	£138,555

RESOLVED the following representation to CCC:

Westbere Parish Council received £4094 in concurrent function support for 2021-2022 and levied a precept of £14,423 on its residents.

Westbere is the biggest loser of all the parishes under Option 2, which would see an 82 per cent reduction in the current allocation, so clearly favours Option 1.

It appears that 11 parishes gain under Option 1 and 13 lose under Option 2 so Option 1 is likely to be better supported, and Westbere hopes this will be the case.

Of greatest concern, however, is that there are some huge variances between Option 1 and Option 2 allocations for around one third of the parishes.

Have officers undertaken research to ensure that the proposed Option 2 figures actually correspond with the actual evidence of spend that Parish clerks are required to submit annually?

We rather think not.

The most notable example is the Herne and Broomfield award rising from £6,141 to £24,593. The Westbere Clerk rang the Herne and Broomfield Clerk who confirmed that Herne and Broomfield do not spend that much, and although they could spend that much for example on major path improvements in the community orchard it would be spending for the sake of spending. However, with a much larger

tax base Herne and Broomfield could raise its current precept of £171,857 by an equivalent difference without too much of a burden to its residents.

Many of the smaller parishes, including Westbere are doubly penalised under Option 2 by having a smaller tax base. Not only does 50 per cent of the allocation marry to the tax base, and therefore reduce the award, but the reduction means that to maintain current levels the precept has to rise disproportionately to parishes with a larger tax base. If Option 2 were implemented, to raise the difference of £3,414 between the two options would mean an increase of 23.6 per cent for residents. Singling Herne and Broomfield out again as the comparison a similar increase for them would raise £40,558.

It is highly unlikely that Westbere's tax base will change to much extent in the future as there is very little scope for any significant new development. Following the changes from the Community Governance Review in May 2019 the parish boundary was reduced with part of the land moving into the new Hersden parish. This included the new developments at The Hoplands where building has now commenced and the pending Old Colliery site which would have benefited Westbere's tax base moving to Hersden.

So, to reiterate, Westbere Parish Council wholly prefers Option 1 based on the historical applications.

The parish council would comment that the historical applications were submitted on predicted *actual need figures* and therefore more accurately reflect a fair allocation of available budget.

To conclude, Westbere Parish Council would like to suggest an Option 3 be presented – that the average of the actual spend by parishes on concurrent activity for the last three years is calculated and then allocations made pro-rata against those figures up to the available budget – to ensure a more equitable basis for allocation.

120. **State of the village**

The road debris is thick, deep and encroaching on roads and is very slippery. It was agreed at the October 2021 meeting that the parish council should approach a private contractor to sweep and clear the village as a one-off. The Clerk explained she had tried repeatedly to get quotes with no joy. Cllr P Glover offered to try. Leaves to be swept up and taken away back to tarmac.

The sweep along Westbere Lane was impeded by parked cars. The Clerk had asked for advance notice of the date it was to take place to try and address this problem but no notice was given. The Clerk and Cllr P. Glover will ask the CCC officer to meet in the village to discuss.

121. **Clerk report**

NOTED that the Clerk has done an updated coronavirus risk assessment for January 2022. The Clerk advised that there was nothing extra to report this month not elsewhere on the agenda.

122. **Newsletter**

NOTED that the January newsletter was finalised and delivery is in hand. It is also available on the website or residents may email the Clerk for it.

123. **Queen's Platinum Jubilee**

The Queen's Platinum Jubilee in 2022 is running 02-05 June 2022. The last Jubilee event was held at The Yew Tree with the pub very much involved. People brought their own food and there was a road closure. To hold an event here again seems a better location than the village green and the pub has a drinks licence and last time also did a food offering and drinks including jugs of Pimm's. The chairman invited a resident present to speak and the resident suggested stocks, tug of war, bat the rat etc. and advised that she had lots of bunting. The resident advised that the government is intimating the best day for a street party is the Sunday and as explained in the adjournment above she will contact the university student to see about the student taking a lead role in this project. Dialogue will be started with the hall committee, WVPS, and the pub etc.

Cllr Kathy Wilson joined the meeting at this point. (8.10pm)
Cllr G Glover and one resident left the meeting.

124. Parish Charter between CCC and the parish councils

A consultation draft of the revised Parish Charter between Canterbury City Council and the parishes has been circulated. The working group of KALC members, CCC officers and Cllr Barbara Flack held two meetings and literally sat around a table with coffee and biro and set to with several hours of "finishing touches".

Canterbury City Council will also be consulting its officers and Members who will also no doubt have comments. So things might still change. When both tiers of government have made their observations, the "round table" will reconvene to write the draft - to then go forward for ratification by the city council and Canterbury KALC.

Once ratified it will be adopted and applied for 12 months during which time the benefit of experience can be applied and amendments made once agreed by both tiers.

The Charter will be reviewed within 12 months of the next administration coming into power at the city council.

The Planning function is not yet included in the Charter - but it will be. All the joint work in this area has gone to the Head of Planning for input and comment and will be revisited in the New Year.

Comments should be sent to the Secretary of the Canterbury area KALC by the end of February 2022. Each parish councillor had been given a copy. The chairman asked all councillors TO CONSIDER any comments on it and for these to be sent to the Clerk and for this to be a February agenda item.

125. A Bullying and Harassment Statement

Throughout our sector, there are growing concerns about the impact bullying, harassment and intimidation is having on our councils, councillors and staff, and the resulting effectiveness of local councils. In response, the Civility and Respect Project has been founded by the Civility and Respect Working Group and is supported by representatives from across our sector including SLCC, National Association of Local Councils (NALC), County Associations, One Voice Wales (OVW) and councils.

As a first step in the promotion of civility and respect, the recommendation is TO ADOPT a statement to the parish council's website stating that bullying, harassment and intimidation will not be tolerated. Cllr Dekker proposed, Cllr Wilson seconded and all councillors agreed to adopt the sector's following suggested wording for those councils wishing to add a bullying and harassment statement to their websites:

'We treat everyone with courtesy and respect and ask for the same in return. We ask that you treat your councillors and council staff courteously without violence, abuse or harassment. Councillors and council staff have the right to carry out their civic duties and work without fear of being attacked or abused. Any behaviour whether that be verbal, physical or in writing, which causes either councillors or council staff to feel uncomfortable, embarrassed, or threatened, is totally unacceptable.

The zero tolerance policy includes abuse, aggression or threats made in person, over the telephone or in written communication, including on social media.

The council considers threatening behaviour to be: Attempted or actual aggressive, or physical actions made towards any councillor or member of staff. The use of aggressive, or abusive language, (including raising of the voice, swearing, shouting or in writing) which threatens or intimidates councillors or council staff.

This policy applies throughout all council meetings, but it also applies to any councillor or council staff away from council meetings.

126. Document Retention Policy

Cllr Harlow proposed, Cllr Dekker seconded and all councillors resolved to adopt the Document Retention Policy that the Clerk had put together.

It was then resolved to go into confidential session and CCC Cllr G Glover and the resident left the meeting at this point (8.20pm).

127. CONFIDENTIAL ITEM: Staffing matters: to discuss recruitment of a new Clerk

KALC has been advertising the position on their vacancies page since 19 October 2021. There have still been no applicants. The Clerk agreed she would continue in post longer for the time being until a suitable replacement is found. The councillors recorded their gratitude for this.

After discussion, Cllr Dekker proposed and all councillors agreed that the Clerk's hours would be increased from 40 per month to 10 per week with effect from 01 April 2022 or when a new Clerk starts if prior to that. And with a further review to be discussed with the new clerk in due course. A calculation of the costs for this increase in hours will be brought to the February 2022 meeting to be ratified.

The meeting closed at 8.45pm.

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Signed: Cllr Paul 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 2022: Third Monday of each month except no meeting in August and December – 21 February, 21 March, 18 April, 16 May, 20 June, 18 July, 19 September, 17 October, 21 November 2022