

HERNE & BROOMFIELD PARISH COUNCIL

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Minutes of the Annual Parish Council Meeting of Herne & Broomfield Parish Council held at Herne Mill, Wootton Room, on Thursday 8th May 2014 at 7.30pm, for the purpose of transacting the following business.

Present: Cllrs Day, Blatherwick, Tracey Jones, Robert Jones, Harvey, Moore, Hobbs, Taylor, Sargent, Davis and Rafferty.

82/14 Election of Chairman. Cllr Blatherwick was elected chairman.

83/14 Election of Vice Chairman. There were two nominations for Vice Chairman, Cllr Day and Cllr Robert Jones. Cllr Day declined the position and Cllr Robert Jones was elected.

84/14 All Committees were appointed as per the list circulated.

Finance & Resources Committee

Environment & Leisure Committee

Planning & Highways Committee

Community Centre Committee

Policy Committee

85/14 The representatives were elected as per the list circulated

KALC Canterbury Area Committee

Friends of Broomfield & Herne Ponds

Street Monitors

Allotment Society

Herne Bay in Bloom

Appointed

Tree warden & Pond Wardens. Cllr Davis as tree warden, Cllrs Davis and Hobbs as Pond Wardens

Newsletter Editor. Cllr Davis

Press Officer. Cllr Davis

Web site manager. Cllr Davis

86/14 To receive apologies for absence and accept reasons. Cllr Nicholson who is away on business and Cllr Tobin who has a previous engagement. City Cllr Sonnex.

87/14 To receive declarations of interest on items on Agenda and dispensations. All councillors have asked for a dispensation on item 96/14 as they have a pecuniary interest. Dispensations have been granted.

88/14 The minutes of the meeting held on 10th April 2014 were agreed as a correct record.

89/14 To report on matters arising from the minutes, not on the agenda, for information only. With regard to donations to churches and individuals etc the clerk reported KALC had advised that this could be done under the General Power of Competency, provided it did benefit the parish community and that this would be a power to help rather than a duty.

ADJOURNMENT FOR MEMBERS OF PUBLIC TO SPEAK

Members of the public to identify themselves, and confirm they are resident in the parish.

4 in attendance one spoke

90/14 Chairman's Announcements. Cllr Blatherwick thanked Cllr Tony Day for the work he had carried out during his term as chairman.

91/14 Police Matters. No report.

92/14 Wardens Report. Michelle Weston reported that to her delight, many more residents seem to now be aware of her role and she is now receiving many more calls for assistance/advice/reporting issues.

Apart from day to day Community Engagement, here are some of the activities that she has completed on area

-Welfare visits to some of our more isolated and vulnerable senior residents

- Running the Community Café on a Friday, which seems to be growing all the time.

- Following issues with nuisance youths in Strode Park- I have held a multi agency meeting to support a long term action plan , which includes sourcing a camera to identify

offenders. I have also carried out patrols in the grounds until 2200Hrs.

-Attended NHW AGM with stand etc

- Liaising with new Police Contact Point in Hawe Farm Way.

- Involved in a County Wide “Scam Mail “project to support victims , completing home visits to collate evidence etc.

- Attended Speedwatch Conference in Maidstone.

-Traffic Control during funeral at Vinten Close (during school pick up time!!)

- Litter pick by team for Little Acorns to remove any dangers around new perimeter fencing

- Meeting at Infant school to address action plan for the year and to include a presentation at the open evening for new parents- This will cover my role and “ Considerate parking”

- Road safety talk to whole school – class by class.

93/14

To receive reports from County Cllr Marsh & City Councillors. City Cllr Sonnex. The draft Local Plan was considered at the Overview Committee on the 10th April and the Full Council on the 24th April. The publication of the final draft plan will be available in May or June. This will be the final opportunity for people to comment before it is presented to the independent planning inspectors for their consideration. I know it is likely to impact on Herne and Broomfield but should we not have one, it gives developers carte blanche to propose development where and when they like without having to provide any infrastructure. The district needs to be safeguarded.

The Independent Local Government Boundaries Commission is recommending a reduction of city councillors from 50 to 39. This will mean adjustments to many wards. This particular ward would go down from three to two ward councillors.

The main difference here is that the Talmead development would fall outside our ward. Currently, it is included in the ward but not the Parish.

After about nine months of the saga of the very sad lamp post I can report that finally, the issue has been resolved satisfactorily.

I would formally ask the parish council to consider funding a salt bin on the junction with The Plough. The hessian sack looks unsightly on what is quite a major junction. I know the mild winter has meant that this year the grit has not been needed but in previous years having it there has proved invaluable as it is one of the major roads to the bus stops and Ducklings playschool.

Finally, the proposal for the new community hall. The plans are impressive and I welcome the development. I know in the past there have been concerns expressed from neighbours living close by which is fully understandable. If the hall is well run and properly conditioned there is nothing to indicate it will cause any issues. My own home actually backs on to the hall in Margate Rd which is well used. I can say rarely has it caused a nuisance in living next door for the past 30 years. I did however, find viewing the plans on the council website was not easy. Using the link from the Parish website I was told my session was timed out due to inactivity. Putting in the application number was also futile so after speaking with the contact centre I was advised to leave off the last forward slash and the last three letters of the application number! This worked for me. Whilst I appreciate it has to be advertised correctly, some tweaking may be helpful for members of the public wishing to view the application detail through the link from the Parish website.

County Cllr Marsh reported that new style lamp posts were going to be fitted in and around the parish, the first of which is in Millview Road. He has been contacted by residents in Millview Road regarding the proposals for including Strode Farm in the new Local Plan for development, he has told them that the parish council is fighting the proposal and it is a City Council decision. CCC has announced that there will no longer be a KCC member on any of the Area Member Panels in future. The Transportation Strategy and Local Plan did not go to the JTB meeting as this was cancelled.

The dates for the pantomime Mother Goose were 16th & 17th December and 20th and 21st Dec. Cllr Harvey asked if there was anything KCC could do to help Manston, this is not possible but County Cllr Marsh hoped there would be good news soon. Cllr Blatherwick said there were concerns about the amount of development proposed and the lack of school places. County Cllr Marsh will be chairman of the JTB for the coming year.

94/14

Highways The clerk reported that she had received an email regarding the turning off of street lights in the area but as yet she had not had time to go

through the list.

5/14

Planning Matters

To receive minutes of Planning & Highways meeting held on 1st May 2014. Cllr Blatherwick reported that the main item on the agenda was the golf course application and she was surprised no residents attended to speak on the application. The committee approved the application but did raise concerns regarding schools, roads etc.

96/14

Finance

To ratify payments made since last meeting. None

To approve payments presented at this meeting; schedule and bank reconciliation supplied. These were approved.

To report on income received. Concurrent funding £4,637.49, precept £97,778, Grants & donations £239.11, Bank Interest £65.05, Hall hire £173.12, Grant for new build £800, Craft stall £10, Fundraising £219. Total £103,921.77

To receive minutes of Finance & Resources Committee meeting held on 6th May 2014 and discuss and approve any recommendations. This will include a discussion on Cllrs Allowances.

The issue of risk regarding the council funds was raised during the Finance meeting and the clerk was asked to look at the options. Opinion is divided on whether parish councils are covered by the Financial Services Compensation Scheme, NALC, SLCC and KALC all say they are not, Paul Clayden says they are! Unity Bank were asked and they stated that all their accounts were, this was verbal and the clerk will try to get that information in writing.

Following an article in SLCC Clerks magazine the clerk contacted Public Sector Deposit Fund, you have all had the information supplied by them following the initial inquiry. The fund seems very safe and can quickly be transferred into our current account when required. As stated in my email the rates aren't great but it would be prudent to spread pc funds over the three. Having looked at the balances the clerk suggested that perhaps £75,000 should be placed in a PSDF account once it was set up, she has received all the forms and could get this done fairly quickly. All the checks are done on-line and there would need to be two signatories. It was agreed that some funds should be transferred the clerk will look into opening an account and look at the funds to see how much should be transferred initially. The chairman and vice chairman will be signatories for this account.

Cllrs Allowances. Following the visit of the Internal Auditor who raised the point that members allowances needed to be registered with HMRC for tax purposes, the clerk reported that she had asked an accountant to advise after she had sent him the relevant link on the HMRC web site.

The advice is as follows.' Following our conversation I have looked at the HMRC Manual Pages you referred to EIM65970 - Local Government Councillors and civic dignitaries in England: ODPM guidance: Part two: taxation of members' allowances and expenses.

This document makes it very clear that the Members BASIC allowance is taxable as Employment Income. This means that the Councillors are for, Tax purposes, regarded as Employees of the Council.

This has the effect that the councillors who claim the allowance need to be registered on your Payroll system and the relevant payments dealt with through the PAYE system of the Parish Council.

You will need to create a new employee record for each councillor. This will notify HMRC of the new employee relationship. That will trigger HMRC to issue Coding Notices for you to apply for the payments. The probable tax code is BR. That has the effect of charging Basic rate tax of 20% to the Allowance. At appropriate intervals you will pay over the tax demanded to HMRC together with any tax due for yourself and the Hall Manager. So that the councillors will be treated for this purpose as any employees of the Parish Council.

In view of the size of the payments that you mention it sounds slightly ridiculous but you need to be seen to be applying the rules correctly.

Self-employed and Pensioners. The tax treatment of Councillor's personal income is not relevant to the treatment of payments of the allowance.

If a Councillor is not required to pay tax on their overall income then the rules allow for the tax to be refunded. However this is separate from the initial treatment of the payment

of the allowance. It is possible that the Tax Code does not charge any tax on the payment.'

It will not be necessary for any member to fill out a self assessment form. Cllr Moore stated that he would not be claiming an allowance in future. Any members who wish to claim will be asked to supply the information required, to the clerk, in January. The clerk will keep the chairman's allowance and purchase items, with the chairman's approval, when required.

Internal Auditors report. All members have received a copy of the report.

To agree and sign the Annual Statement of Accounts, Annual Governance Statement and Statement of Internal Control. These were approved and the relevant documents signed.

To discuss the request for a donation to Victim Support. It was agreed to donate £75 to Victim Support.

97/14 Pond Tree Wardens Report. Cllr Davis reported that at the last task day 15 volunteers had attended, she also thanked CCC for removing the arisings. The next task day will be on 18th May at Herne Pond in Curtis Wood. Volunteers have been requested to help with the Mill garden in time for the Garden Safari and H B in Bloom would like volunteers for the wildflower garden at the Links. Cllr Hobbs reported that the black duck that had appeared at the pond seemed to have gone, there were still 3 white ducks.

98/14 Clerk's Report/Correspondence. The clerk thanked those who were part of the work party that cleared the allotment site behind the community centre, Cllrs Harvey, Robert Jones, Sargent, Rafferty and Andrew Brealy. Also thanks to Wilson Skips for supplying the skip. The clerk also thanked Cllr Sargent for taking down the sign at Herne Post Office, so it could be altered and also the sign on the planter. Thanks also to Cllr Sargent and Andrew Brealy for the work on the flower bed in the village.

KCC Waste Management have repaired the steps at the Community Park and they now look much better. I have been asked for a bench at the top of the first stretch of steps, perhaps Trevor Wain could help with this.

The next event is the Bingo night which is on 24th May at 7pm and the following week there is the Cakes and Crafts Fair at 1pm.

The Garden Safari is on 8th June and hopefully programmes will be available by the end of next week.

A complaint regarding the removal of a hedge by a resident for a new vehicular access in Curtis Wood Park Rd.

Cllr Moore reported a complaint about heavy plant using St Martin's View.

Revd Richardson had contacted the clerk re the Community Centre, this had been passed to Cllr Blatherwick and the clerk has answered the questions raised.

99/14 Reports from council representatives on outside bodies (KALC, Street monitors, etc). Cllr Harvey reported on the Allotment Training Day. Training was presented by Roger Taylor, a Solicitor with Hedleys Solicitors - a law firm based in East Horsley specialising in land issues affecting Councils at the fabulous Lenham Community Centre. Around 25 representatives of Kent Parish or Town Councils were present, all at various stages of setting up, or already running, allotment sites.

We were given a background of the inclosure acts which have governed the provision of allotments which have resulted in 3 forms of "allotment gardens" (the legal term) , Statutory, Temporary, and Charitable. Parish Councils have a duty to provide allotments when requested to do so (where reasonably possible) though it is not essential for the allotment land to be within the Parish. Where statutory allotments are provided, that use can only end under an order of the Secretary of State, the exception being where that use was always temporary which is the case in our situation as the land is on a 25 year lease. There is no time limit for "temporary" so even if we renewed the lease for a further 100 years they would still be classed as temporary allotments. The one important point to remember when ending the allotments is that the ploholders must be given a minimum 12 months notice to end their tenancies (finishing outside the growing season) and so this must be planned for 18 months before the end of our lease with the church. **We need to have some form of long term diary to make future clerks and councillors aware of this point although we should also try to extend the lease if possible.**

There is no longer an automatic power for Parish Councils to compulsorily purchase land to provide allotments although it is still feasible via a procedure with the City Council, (but luckily this won't be necessary for us.) There are no laws governing the size of

allotments but we are advised to use square metres in preference to rods, chains and perches (or imperial) as they are better understood.

We were informed that allotments had been provided in Croydon on the roof of the Waitrose store - but it had been found to be quite impractical for ploholders to bring barrow loads of manure when Waitrose objected to the use of their lifts !!

We (the PC) are only *obliged* to provide allotments to residents of the Parish but we are not prevented from offering them to those outside, and we may give preference on the waiting list to those within the Parish. **This is good news in respect of the Society's forthcoming HBAMP funding application as they can say that plots are available to residents of Herne Bay.**

There is no obligation on the PC to provide any additional facilities other than suitable land.

We have followed the preferred legal course in handing over running of the allotments to the Allotment Society and we should avoid getting involved unless there are any issues that they prove incapable of dealing with themselves. Should the relationship between the PC and Society break down and we feel that they are not able to continue running the Allotments then we can terminate their agreement and take over the day to day running ourselves.

There is no restriction on rent levels but they should be in keeping with the cost of other local facilities and there should be a formula for calculating rent increases (such as RPI).

Wheelchair accessible plots should be provided if possible where there is a demand.

Plot holders have a legal right to keep Chickens, Rabbits or Bees on their plots and we cannot prohibit this, though we may or may not want to encourage it. This is perhaps something for the Society to decide ?

We were given quite a bit of legal information regarding tenancy agreements with which we have mostly complied anyway but we can change agreements at any time for new plot holders as there is no problem with different plots having differing agreements (as long as they don't conflict) . The legal term "Allotment Gardens" should be used in all formal references.

It was pointed out that terms of reference for PC trustees on Allotment Society should be clearly defined and **this is something we should address.**

That mostly covers it apart from the usual health & safety concerns which are now borne by the Society but which should be overseen by the PC. Cllr Harvey told members that there was now a water supply to the allotment site.

KALC Cllr Harvey reported that he had attended the KALC meeting and that the minutes of the meeting would be distributed when received. CCC draft Parish Charter was discussed and there were discussions around the recent flooding and the Emergency planning. There was planned training for Resilience for parish councils. Other issues discussed were Manston, new banking arrangements and plans to reduce road deaths in the area.

100/14 To agree what prizes will be given for the 3 categories proposed by the Allotment Committee. Most Well Presented Plot, Best Shed, Best Produce Box. It was agreed to donate £75 towards prizes.

101/14 To discuss the latest information on the Local Plan and further action including hiring experts. The final draft of the Local Plan has not yet gone out to consultation but is expected any day now. On 24th April a meeting was held with Brian Lloyd, Barrie Gore and John Payne to discuss how we can take our objections forward regarding Strode Farm. John Payne said he would go away and put some initial thoughts on paper and send them to us, which he has done. It was suggested that a planning consultant could give some advice to the parish council and Richard Bate was recommended as Wendy Le Las is not in the best of health.

Report on meeting held with Planning Consultant Richard Bate on 8th May 2014

Following the previous meeting the clerk contacted Richard and he agreed to come and give some initial advice.

Richard ran through the process following the publication of the document that is to be submitted by CCC to the Inspector for approval. Comments will be made on this document to CCC and these will go to the inspector who may well come back with questions on the written submissions. Following all this will be an invitation to attend the Inspectors hearing. Richard thinks it is unlikely this will happen before September.

Richard suggested the way forward for us would be to find out what proportion of

households are likely to travel to Canterbury from the proposed developments and what proportion of those would go by bus and car. It would be good to know the volume of traffic that would be generated and the cumulative impact on the traffic. One of the objections could be the loss of identity and that we need to retain the green gap for this. Our original submission said we would accept 500 at Hillborough if we accept the proposed 1300, that is an additional 800 which will go some way to counteracting the proposal for Strode Farm. We will be accepting 2,200 dwellings from the Golf Course site, Hillborough and the Greenhill site.

We need to look at the capacity of the roads to Canterbury and it needs to be made clear that the infrastructure is essential in this plan.

Richard estimates that the minimum amount of time to deal with the response and attend the Inspectors hearing will be 10 days and he charges £560 plus VAT per day, the cost of fighting this development could be considerably more than that, although he is happy to pass work to members to help keep the costs down. After much discussion it was agreed to start a fighting fund, asking residents to contribute. An amount of £7000 was agreed towards the cost of profession fees. The clerk will contact Wendy Le-Las to see if she is currently working, she lives in the area so knows the issues well.

- 102/14 To discuss tendering for the Community Centre build project and an update on progress of the project.** Due to grant funders requiring 3 quotes for the approved design and for transparency and getting the best possible price we have been advised that we should go out to tender for the building of the new Community Centre, this will attract a small cost from our Clients representative but most of the work involved, he will include in what he has already quoted for and will put together a tender documents. An advert will need to go in the Gazette or Times, whichever is the cheapest, asking for Expressions of Interest. Members agreed to this course of action.

- 103/14 Report on Beetle Drive.** The Beetle Drive was well attended and enjoyed by all those there. A total of £219 was raised on the night. The clerk thanked Warden Michelle Weston for her help on the night with refreshments and on the microphone. The next event is the Bingo night to be held on 24th May.

- 104/14 To discuss whether the parish council supports a referendum for a change from Executive to committee at CCC.** Following much discussion it was agreed that members did support the referendum and Cllr Davis was asked to put details in the next newsletter.

- 105/14 To discuss a new sign for the entrance to the Community Park.** Cllr Davis has suggested that a new more welcoming sign. Cllr Davis asked for this application to be postponed to the next meeting.

- 106/14 To discuss purchasing a salt/grit bin for Margate Road.** Approx cost £172. It was agreed to ask Highways if the parish council could purchase a bin for this site.

- 107/14 Members Reports.** The trees on the footpath from School Lane to Cherry Orchard were overgrown.

Cllr Hobbs reported HB in Bloom had a plant give away on 14th May from 10am -2pm. Broomfield Pond was being entered in the Environmental category for HB in Bloom

Cllr Robert Jones reported an email scam which was supposed to be from HMRC.

Cllr Tracey Jones reported to accidents in Bullockstone Road over the bank holiday weekend.

Cllr Moore thanked Cllr Day for his time as chairman. He added he had been a very fair chairman.

- 108/14 An opportunity to propose items for the next agenda.** A 20mph speed limit on School Lane. Donation for HB in Bloom.

- 109/14 The next meeting of the parish council will be on 12th June 2014 at 7-30pm at Wootton Room Herne Mill.**

Meeting closed 9.40pm