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Minutes of the full Council held on Thursday 1st September 2022 at 7.00pm in Old Wives Lees Village Hall

Councillors Present: G. Schofield (Chair), K. Uncle (KU) (Deputy Chair), J. Marriot, D. Marriot, S.T. Dixon (STD), Shanise Barrett & G Meaden

Also Present: P. Coles(PC)(Clerk to the Council), and ten members of the public.

Councillor Apologies: G. Taylor

Councillor Absentee:

Agenda

Item

- 2022/086 Apologies for Absence**
Apologies received from G. Taylor work commitments.
- 2022/087 Declarations of Interests And / Or Lobbying**
G. Meaden interest as an Ashford Borough Councillor
- 2022/088 Minutes**
2022/088.1 To receive and approve the minutes of the meeting held on 14 July 2022
Agreed.
2022/088.2 To receive an update on any matters arising not included in the agenda
Taylor Hill Toilets (THT)-Victory Cleaning have appointed a new cleaner.
Electrician attending THT on 5/09/2022 to fix electric door lock, setting lock to shut at 8pm for summer and 7pm during winter.
SGN-no further news.
- 2022/089 Questions from Residents**

Email from P Rogers

Hello I'm wondering if you as first point of contact maybe able to help and or point in the right direction of help I live in the cul-de-sac of Felborough close and I've noticed the increase in parked cars blocking pavements and parking very inconsiderately more and more over the last year and by the time early evening or early morning it makes it incredibly difficult to pass both in a vehicle and by footpath and even more recently it's causing issue that the bin collections also can't attend. We are talking 1/2 vehicles just pass the first turning on right pass the bus stop (green jaguar) then by the house overgrown first curve to the left (normally a BMW and at least one other vehicle) then where the road splits up right to the cul-de-sac vehicles park on the stones on the corner then further up the narrow curved part there are numerous cars that make parking and passing an issue.

I'm wondering if some sort of mailing letter or consideration of yellow line placement at certain points might be worthwhile, but any option ideas would be great I know it's a limited area, but the situation seems to be getting worse over last 6months

Action

PC to investigate option of yellow lines.
KU to contact PCSO for Chilham to check parking.

Letter from J Hughes

Dear Members of the Parish Council

Having just returned from a long holiday I was pleasantly surprised to see the considerable progress that has been made to attend to the ground area between my side fence and the green.

I am however intrigued as to why the "hedge" directly next to my fence has not been removed which was the part of the initial reason for my requests to the council. As pointed out on several occasions before, this is just a self-seeded area of growth which serves no purpose. It is not a specifically planted hedge. There is still a small hedge between the green and this piece of ground so this second hedge is insignificant and of no relevance. It is not maintained properly so that it does not retain its correct shape and form and will eventually become higher and wider and create more problems, as does the current hedge running around the perimeter of the green. If it is a cost concern that is preventing removal of the growth then I am willing to pay for the removal myself, should that be a way of solving this problem. My alternative is for me to pay someone regularly to keep the area next to the fence clear of excess growth. Allowing ongoing growth is not in the best interests of the residents/village and overall appearance of the green.

In addition, there is (yet) another self-seeded elderflower on the corner which is already up to fence height. It has been reduced to a height level with the fence which is somewhat ineffective since in a very few weeks it will be growing rapidly. This situation with an elderflower occurred once before and was costly to remove to stop it growing and leaning on the fence so it would make perfect sense that this be reduced to ground level now before any further problems arise.

I viewed the current status of the project yesterday with Gill and Keith and they suggested that I email directly to highlight the above concerns. It was also mentioned in our chat that the trees in general around the green are now very large and really do require some maintenance before winter storms and resulting issues over coming months. This may be something that should be discussed by the council and does require some urgent attention.

I would be grateful for both acknowledgment of this email and to be informed as to a decision regarding my removal of the hedge.

Comment

The villagers requested that as part of the land scaping for green that hedges and trees should have natural aspect.

Volunteers are looking at tidying up the area.

Ivy is affecting all the Trees.

There is a branch overhanging in the direction of the house and needs to be removed.

Member of public suggested contacting Tree Warden for advice on the Trees

Action

Agreed to set up Village Green Working Group-KU to lead, STD to support.

Agreed that the hedges should not be removed.

2022/090 Borough Councillors, Policing:

Downs North – Ward Member report for August 2022:

Very little to report this month as ABC is mainly operating in "holiday mode". Main topics are:

1. The new Ashford Borough Council Planning Portal is now online though it is still undergoing various tests. Warning - users might find it more complex than the previous planning portal!!
2. There has still been no resolution of the Maslow Court permitted functioning (in a small industrial plant on the A28). Thus, it appears that the owner is not willing to gain planning approval for activities at the plant in the normal manner, and ABC are apparently not will willing to enforce the necessary rules. Residents are now going to the Ombudsman in order to seek a resolution.

3. There has been a small spate of water stoppages in OWL during the last couple of months. SEW are looking into this and have now agreed to explain the problems in a talk to the CPC at the October 6th CPC meeting. As Ward member I have also looked into the more serious stoppages occurring in Challock and Molash.
4. During the past month a Ward Member newsletter has been delivered to virtually every property in the Ward.

KU informed the meeting of the resignation of the Chief Constable for Kent

2022/091 Working Groups

To receive reports

2022/091.1 Finance & General Purposes:

2022/091.1.1 Financial Transactions for Approval-Appendix 1 refers

List of payments for authorisation	Amount		Method	Reason	Period	Note
	£					
July						
Victory cleaning	624.12	Online	Invoice		May	Cleaning
Bilting Farm Storage	92	Online	Invoice		May & June	Storage
HMRC	775.98	Online	Invoice		April, May, June	Clerk
Old Wives Lees Village Hall	250	Online	Grant			Jubilee Band
Clerk	693.78	Online	Payslip		June	Salary
Clerk	149.98	Online	Expenses		June	Includes Zoom
Kent Commercials services	100.07	DD	Invoice			Electricity
						Council awards- original invoice raised January
NALC	60	Online	Invoice			Website
It'seeze	54	Online	Invoice			Water
Castle water	380.67	DD	Invoice			Water
Nest	23.71	DD	Pension		June	Clerk
A Ralph	500	Online	Expenses			Jubilee Ground Maintenance
Bourne to Garden	390	Online	Invoice			
Clerk	12	Online	Expenses		July	
Clerk	698.3	Online	Payslip		July	Salary
Playsafety ltd	172.2	Online	Invoice		Annual	ROSPA report
Victory cleaning	90.21	Online	Invoice		July	Supplies
Victory cleaning	594.05	Online	Invoice		July	Cleaning
Nest	23.71	DD	Pension		July	Clerk
Total	5684.78					
August						
D Hayes	212.83	Online	Expense			Jubilee-Greg
J Foulds	95.92	Online	Expense			Jubilee-Greg
Castle Water	397.92	DD	Invoice			Water
it'seeze	54	DD	Invoice			Website
					July & August	
Bilting Farm storage	92	Online	Invoice		August	Storage
Victory cleaning	641.95	Online	Invoice		August	Supplies & Cleaning
G Schofield	38.61	Online	Expense			Stationary
					July & August	Grounds Maintenance
Bourne to Garden	780	Online	Invoice			

				September and December	
Old Wives Lees Village Hall	44	Online	Invoice		Hall hire
F Uncle	35.45	Online	Expenses		Mileage
A Maclean	150	Online	Expense		Jubilee-Greg
Total	2542.68				To date

Additional payment of £30.99 for the purchase for litter pick sticks.

2022/091.1.2 To consider the purchase of a License for the use of Mail Chimp Update.
Until the number of registered parishioners exceeds 500 Mail Chimp is free to use

2022/091.2 Planning

2022/091.2.1 Planning Applications

2022/091.2.2 Planning Decisions

Case No and Decision	Parish	Ward	Location and Description
18/00120/CONB/AS Permit	Chilham	Downs North Ward	Ashford Road Service Station, Ashford Road, Chilham, Canterbury, Kent, CT4 8EE Part discharge of condition 3(i) (Desk top study - Land and /or groundwater contamination relevant to the site)
22/00776/AS Granted with Conditions	Chilham	Downs North Ward	Pond Cottage, Selling Road, Chilham, Canterbury, Kent, CT4 8BD Proposed replacement Garage / Workshop outbuilding and retaining wall

2022/091.3 Events & Communications

2022/091.3.1 To receive a report from the Working Group on Events
Planning an event at Badgers Hill for Halloween
Planning a Christmas Fayre

2022/091.4 Environment & Open Spaces

2022/091.4.1 To receive a report from the Working Group
No update.

2022/092 Confirmation of vacancy on the Parish Council due to the non-attendance of Les Mackay

NOTICE IS HEREBY GIVEN

that due to the non-attendance of Les Mckay, a vacancy has arisen in the Office of Councillor for the Parish Council.

If by 8 September, 2022 (14 days* after the date of this notice) a request for an election to fill the said vacancy is made in writing to the Returning Officer at vote@ashford.gov.uk or Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL, by TEN electors for the said Parish, an election will be held to fill the said vacancy, otherwise the vacancy will be filled by co-option.

If an election is called, it will take place not later than 10 November, 2022.

Dated 18 August, 2022

2022/093 South East Water (SEW)-to discuss the continued loss of water supply in Old Wives Lees and the Parish

SEW provided the following statement

We are in the final stages of our £2.6 million programme of work to upgrade and improve the resilience of our Godmersham Water Treatment Works and the surrounding water network.

The project has involved building a new ultraviolet disinfection treatment process to ensure the highest water quality standards can be maintained, laying new sections of water main as well as installing new valves and additional monitoring equipment throughout the local network.

Alongside this, we have also installed a new generator and automation system which will enable the site to keep running if local power supplies fail. We have made changes to our network which will automatically change how water flows around the area's pipes if the local booster pumps stop. Although all the equipment has been installed and processes updated, it has not yet been fully tested and we are working with UKPN to agree a suitable date to undertake this final phase of work to ensure the process operates as planned.

We are hoping this test can take place sometime in September, and if it does, we will therefore be in good position to provide you with a firm update on the work that's been undertaken.

As this test is a crucial milestone in this project, we hope that once it's been completed we will be able to provide you with a far more detailed update than we can at this point in time.

2022/094 Option to opt out of the Smaller Authorities Audit Appointments

Dear Clerk/RFO/Chairman, Chilham Parish Council,

Under the Local Audit (Smaller Authorities) Regulations 2015, SAAA is responsible for appointing external auditors to all applicable opted-in smaller authorities, for setting the terms of appointment for limited assurance reviews and for managing the contracts with the appointed audit firms. Smaller authorities are those whose gross annual income or expenditure is **less than £6.5 million**.

The next 5-year appointing period runs from 2022-23 until 2026-27 and SAAA has undertaken a procurement exercise to appoint auditors to each County area from 1 April 2022. Now that the submission deadline for the 2021-22 Annual Governance and Accountability Returns has passed, this is to advise you of the option to opt-out of the next round of 5-year audit appointments.

All authorities require an appointed external auditor even if the authority meets the criteria to qualify for exemption, as a Certificate of Exemption is required to be submitted to the external auditor and the auditor must be in place in case of objections from local electors

During the previous 5-year period **all** smaller authorities were 'opted-in' to the central procurement regime managed by SAAA - no authority decided to 'opt-out' and follow the various complex procedures required under statute to appoint their own external auditor. **If you wish to continue as part of the SAAA sector led auditor appointment regime then no action is required, you will remain part of central scheme.**

However, all authorities must be given the option to opt-out of the central procurement and appointment scheme and appoint their own external auditor for the next 5-year period, although the process is onerous for smaller authorities.

This communication is to advise that whilst all smaller authorities are opted into the central procurement of external auditors by default, any authorities who do not wish to be part of the SAAA arrangements must formally notify SAAA that they wish to opt out within **8 weeks** of this communication but no later than **28 October 2022**; this decision must be communicated to SAAA via e mail to admin@saaa.co.uk.

If notification of your decision to opt out is not received within this 8-week period, then your authority will be regarded as opted-in for the next five-year period beginning on 1 April 2022 and ending on 31 March 2027.

Opting-out

Deleted: -

Opting out is a significant decision which requires careful consideration; to assist authorities considering opting out further guidance has been developed to clarify what opting out means in practice. This detailed information can be found at www.saaa.co.uk

An authority that wishes to opt out must formally reach and record that decision in a way that meets the requirements of its own governance framework, by convening a full council meeting or an extraordinary council meeting.

Key implications are:

- an opted-out authority regardless of size (including exempt authorities) **MUST** appoint an appropriate external auditor;
- the appointed auditor **must** be a registered auditor as defined by the Companies Act and a member of Institute of Chartered Accountants (England and Wales).
- an opted-out authority **must** convene an appropriate independent auditor panel which meets the requirements of the Local Audit and Accountability Act 2014 (LAAA). Detailed guidance on auditor panels is available in Schedule 4 of the LAAA Act and from CIPFA;
- an opted-out authority will need to develop its own specification for its external audit contract, will need to negotiate the price for this work on an individual basis and will need to manage the contract, including any disputes, and any independence issues that may arise;
- an opted-out authority must ensure full compliance with the relevant requirements of the Local Audit and Accountability Act and supporting Regulations;
- any opted-out authority that does not successfully appoint an appropriate external auditor in the correct manner and notify SAAA who their external auditor is by **30 November 2022** will have an external auditor appointed for it by the Secretary of State through SAAA. **This will result in additional costs of £300 which will have to be met by the authority.**

Regards,

admin@saaa.co.uk

Decision

Agreed that the Parish Council would not opt out of SAAA

20220/95 Decision on whether to continue to support the Chilham Futures Development Board
2022/95.1 Paper on Chilham Futures Development Board. Appendix 2

Paper on: Chilham Delivery Futures Board

Author: Paul Coles (Clerk)

Date: 21/08/2022

Introduction

Chilham Delivery Futures Board (CDFB) was incorporated on the 13th of April 2007, company number 0622253, as a not-for-profit company limited by guarantee. The company was formed by Chilham Parish Council with the stated objectives to:

- to deliver Chilham Village Square's long-term regeneration and environmental improvement project
- to improve the chances of success with funding applications

Purpose

The purpose of this paper is to provide the information required for the Parish Councillors to make an informed decision on whether to continue to support CFDB.

Memorandum of Association of CFDB

The memorandum of association lists the objective of the 'charity' as (available from CFDB website):

- to promote, for public benefit, sustainable and urban and rural regeneration in the electoral ward of Chilham in particular that part of Chilham known as Chilham village square and its environs by all or any of the following means-of which there are twelve

The 'charity' has a list of powers that to further that of the objectives including:

- deposit or invest funds
- provide indemnity insurance for the directors
- to pay out of the funds the cost of forming and registering the charity both as a company and as a charity

The income and property of the 'charity' shall be applied solely towards the promotion of the objectives. A Director is entitled to be reimbursed from the property of the charity reasonable expenses on behalf of the charity.

Articles of Association of CFDB Limited

Lists the subscribers to the memorandum of the association as the first members of the 'charity.'

Membership of the charity is open to other individuals or organisations who:

- apply to the charity in the form required by the Directors; and
- are approved by the Directors

The Directors may only refuse an application for membership, if acting reasonably and properly, they consider it to be in the best interests of the charity to refuse application.

The Directors may establish class of membership with different rights and obligations and shall record the rights and obligations in the register of members.

The minimum periods required to hold general meetings of the 'charity' are twenty one clear days for the Annual General Meeting, fourteen clear days for an extraordinary general meetings, and for a general meeting can be called by shorter notice.

Directors

The list of Directors is available from companies' house. There are seven directors listed, included below with appointments date:

Director

Ben Glancy 31/12/2010

David Joseph Gerard Hayes 31/12/2010

Peter David Higgs 31/12/2010

Nicholas Roy Lester-Davis 21/12/2017

Paul Glen Lulham 21/12/2017

Andrew Roderick Maclean 21/12/2017

Alastair Ralph 21/12/2017

Secretary

Servesmart Limited appointed 10/6/2011

The company accounts for CFDB, available from company's house, record

	£2021	£2020
Current assets	1,104	1,104

Creditors amount falling due within one year	(3,705)	(3,372)
Total assets less liabilities	(2,601)	(2,268)
Total net assets	(2,601)	(2,268)
Reserves	(2,601)	(2,268)

Figures within brackets are negative

Website

CFDB website includes the Chilham Village Square Enhancement scheme feasibility study commissioned by Chilham Parish Council in 2006.

The consultants brief for the study, 2005.

Three proposals for parking in Chilham Village Square.

Progress so far-up to 2010.

Membership categories-associate and ordinary including application form.

Minutes and agendas of meetings- last recorded meeting on the website is the agenda for the April 2018 meeting.

Points to Note

CFDB has the power to recover the cost for registering as a charity. As the Board has not progressed this with the charity commission its current description as a charity is incorrect. As a company with 'charitable' objectives then a correct description would be social enterprise.

There is no reference to representation from the Parish council in both the memorandum of article association and the articles of association. Under Procedure of meetings point 18 any member organisation may appoint anyone to be their representative subject to written notice to CFDB.

The companies accounts show that CFDB has made a loss in 2020 and 2021 and has no working capital in their reserves.

The website shows that CFDB has not carried out any projects since 2010.

The website also indicates that the CFDB Board has held no meetings since April 2018.

Recommendation

Parish Councillors are asked to remove their support for CFDB as there has been no progress on the redevelopment of the Chilham Square since the Board was established in 2007, the Board has no working capital to fund redevelopment of the square.

Agreed that the CPC would remove support to CFDB

Agreed that CPC writes to CFDB recommending that due to their financial position that CFDB considers winding up.

2022/096 Report from Parish Council Representative on Old Wives Lees Village Hall

Minutes from the last meeting have not been produced-no update

2022/097 Discussion on the frequency of Parish Council meetings

Agreed to hold meetings monthly-eleven a year. No meeting to be held during August

2022/098 Correspondence

List of items received during the period 2 July 2022 – 29th August 2022, Appendix 3 refers

Month	Source	Item	Date
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July	Email	Briefing Notes for Parishes - Putting the Customer at the Centre of the Services we Provide	01/07/2022		
		Briefing Notes for Parishes - Create Music Village	01/07/2022		
		NALC - 📄 DEMENTIA SURVEY	07/07/2022		
		Government funding available for community assets and village halls	07/07/2022		
		Discovery Park to be renamed as 'The Queen's Platinum Jubilee Park'	07/07/2022		
		Briefing notes Phase 2 Household Support Fund	11/07/2022		
		National Trading Standards newsletter July 2022	11/07/2022		
		OPERATION BROCK	12/07/2022		
		Parish Council Briefing-Domestic Violence Conference	15/07/2022		
		NALC CHIEF EXECUTIVE'S BULLETIN	15/07/2022		
		All Change for Ashford - Evaluation	15/07/2022		
		NALC CHIEF EXECUTIVE'S BULLETIN	18/07/2022		
		SLCC News Bulletin - 19 July 2022	19/07/2022		
		Briefing Notes for Parishes - Ashford			
		Cardboard Proms – The Final Film and Cloverleaf prosecution	21/07/2022		
		Home-Start Volunteering	25/07/2022		
		Eat Well Spend Less Roadshows to take place across Kent	28/07/2022		
		Aug	Email	Kent PCC Newsletter - Summer 2022	01/08/2022
				KALC NEWS - JULY 2022	02/08/2022
				Briefing Notes for Parishes-help for Businesses	04/08/2022
New places to enjoy in Ashford Town Centre	05/08/2022				
Julie Rose Stadium track opens	08/0/2022				
Neighbourhood Planning Guide and Protocol	10/08/2022				
Local Government Bulletin 9 August	12/08/2022				
Informal Joint Parish Council Meeting Invitation - Meeting Notes	12/08/2022				
Works to improve Victoria Park are underway	15/08/2022				
NALC CHIEF EXECUTIVE'S BULLETIN	19/08/2022				
NALC NEWSLETTER	24/08/2022				
Eurostar announcement	24/08/2022				
KALC EVENTS - SEPTEMBER 2022	24/08/2022				
Briefing Note for Parishes - animal magic	25/08/2022				
Email from Pater Rogers	26/08/2022				
New Triangle Trail at Hothfield Heathlands	26/08/2022				
NALC-Chief Exec Bulltin	26/08/2022				

2022/099 Matters for Further Discussion

Grant application of £1,000 received from Shottenden resident for the purchase of a Defibrillator.

Decision: Agreed.

2022/100 Date and Time of Next Meeting

To confirm the next Meeting of the Parish Council will be held on 06 October 2022 at 7.00 pm in Chilham Village Hall

