

KPC/08/02

## KEMSING PARISH COUNCIL

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Kemsing

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### **Minutes of a Meeting of the Parish Council** **held in the Small Hall, St Edith Hall, Kemsing** **on Wednesday 14 August 2002**

#### **First Session**

#### **Attendance by Mr Mick Cahill, Detached Youth & Community Worker**

- PRESENT: Mr A C Andrews (in the Chair)  
Messrs J B Allen, B D Buttifant, G R Croughton, A M Davies,  
R J Dawes, A V Waters, Mrs M R Cole
- IN ATTENDANCE: P.C. Jackie Allen, Kent Police  
Mrs L M Drage, Parish Clerk
- Mrs P J Westaway joined the First Session later
- APOLOGIES: Mr J S Downey

Mr Cahill addressed those Members present and explained the scope of his work within Sevenoaks Town, St John's Ward, Otford & Kemsing. The project has been in existence for about six years and Mr Cahill works closely with health workers, police and other agencies. The aim of the project is to work in partnership with young people, to help them develop their own set of values and to make informed choices. The project workers operate within schools and colleges and alongside church-based projects, but in the main, work with young people on their terms and in places of their choosing such as on the streets, in playgrounds and wherever people gather together.

Mr Cahill circulated literature to Members detailing activities on offer, such as outdoor activities, art courses etc. and informed Members of proposals being considered for a mobile youth facility – a van equipped with television, video, games consoles, tea and coffee on offer, and a provision for one-to-one sessions for young people and youth workers. It was hoped to have this mobile facility on the road by the end of 2002. Mr Cahill also explained that Youth Workers distributed leaflets and posters about drugs and drug programmes.

Mr Cahill had visited Kemsing in May 2002 and spoken with a large group of young people. He also had access to a survey carried out with youngsters in the area and would be happy to forward the findings to the Parish Council. Naturally this survey information would not contain personal information on the participants.

Members were invited to ask questions and it was felt in general that the work being done by Mr Cahill and his colleagues would be of benefit to young people in Kemsing, particularly if visits and activities on offer were frequent and consistent. Members agreed with Mr Cahill that more funding was required to attract more youth workers and Mr Cahill invited Members to encourage local residents who might wish to run projects with the support of youth workers, to get in touch.

Mr Andrews thanked Mr Cahill for his attendance at the Meeting and for the efforts both he and P.C. Jackie Allen were making. Mr Cahill was invited to keep in close contact with the Parish Council through the Clerk

**The Meeting was joined for the start of the formal Parish Council Meeting at 8.15 p.m. by:**

**Messrs D V Bennett, P M H Kendall, Dr J P Penney  
Mrs Joyce Course, District Councillor**

**Declarations of Interest in the Register**

No new Declarations were made

1. **MINUTES**

The Minutes of the Meeting held on 17 July 2002, reference KPC/07/02, having been circulated, were approved and signed after the following amendment:-

Mr Bennett asked that under Item 12 "pecuniary" should read "prejudicial".

2. **MATTERS ARISING FROM THE MINUTES**

(a) Staffing Arrangements (see Minute 2(a))

Notes taken at the Closed Session of the Council on 17 July 2002, had been circulated independently of the Clerk's Office. The Clerk is to be given a copy of the Notes once they have been approved, for the records.

A letter dated 23 July 2002 sent to Kent County Council (K.C.C.) Pensions Department was being considered by K.C.C. Investments Section for reply. The Parish Clerk had been advised that the question of any outstanding liabilities, had been passed to K.C.C. actuaries and a response was expected within the next two to three weeks.

The Chairman advised the Meeting that further discussions on this matter would be dealt with in a Closed Session at the end of the Meeting.

The Clerk advised Members that both the Legal Advisor to the Society of Local Council Clerks and the Secretary of the Kent Association of Parish Councils had confirmed that the action taken by the Parish Council at the Meeting held on 17 July 2002, to hold a Closed Session of the Council at the end of the meeting and without the presence of the Parish Clerk, was a perfectly proper and legal procedure. Both parties endorsed the actions taken by the Parish Council at the time, insofar as a proposal had been put to the meeting, a vote had been taken, minutes or notes were taken and final decisions reached would be on public record.

(b) Hospice in the Weald (see Minute 2(b))

The Clerk had received a response from the Department of Health on behalf of the Secretary of State Alan Milburn, from which it was noted that the

Chief Executive of Kent & Medway Strategic Health Authority had been asked to respond to the concerns raised.

The Kent & Medway Health Authority in turn, and in response to the letter sent to them by the Clerk, had forwarded a copy of the letter to the Chief Executive of South West Kent PCT for reply.

The reply received from the Department of Health was laid on the Table for the interest of Members. The Clerk undertook to respond to letters received from those approached, as appropriate.

The Chief Executive of the Hospice in the Weald, Mr John Ashelford, had written to thank Kemsing Parish Council for its excellent support in raising the plight of hospice funding. In addition, Mr Ashelford had approached the Council to seek support for their Tree of Lights Event at Christmas. A copy of his letter had been circulated to Members for consideration by the Council.

Members agreed to defer the matter to the next Meeting and the Clerk was asked to approach Otford Parish Council for feedback on the Tree of Lights Event undertaken by them last year.

- (c) The St Edith Hall Lease with The St Edith Club (see Minute 2(d))  
Mr Andrews advised the Meeting that this matter was ongoing.
- (d) Fingerpost, Dynes Crossroads (Minute 2(e))  
The Clerk had written to Mr M Linfield, Highway Manager at Sevenoaks District Council (S.D.C.) advising him of the Council's dissatisfaction and disappointment that the Fingerpost erected did not show the additional information requested by K.P.C. Highways Committee. Mr Linfield had been asked to review this matter and suggest how this could be resolved to the satisfaction of Kemsing Parish Council. A response had been received from the Highways Unit in that it appeared the order had been placed in April for the Fingerpost but regrettably letters from the Parish Clerk, although acknowledged by the Highways Unit, had not been passed to the appropriate officer for action and the information, therefore, had not been recorded on the Fingerpost. Mr Linfield had undertaken to discuss the matter with the Highway Officer concerned and report back to the Clerk.
- (e) Topograph (Minute 2(f))  
There was some discussion concerning the framing and hanging of the etching given to the Council by the artist, Mr Lawrence Jenkins. The Clerk advised the Members that an approximate cost for mounting and framing would be £80.00 although an off-the-shelf mount and frame could be purchased more cheaply. If Members wished to proceed, the Clerk would liaise with the St Edith Hall Management Committee with regard to hanging the etching in the Small Hall.

Mr Buttifant proposed and Mr Waters seconded:

That the etching be mounted and framed at a cost of up to £80.00.

DEFEATED – 3 in favour, 6 against, 3 abstentions

- (f) Old Childsbridge Lane (Minute 2(g))  
The Clerk had been advised verbally by the Highway Inspector, Mr T Ham, that in his opinion K.C.C. would not agree to a barrier of any form across the highway and that the only option left to the Council would be to approach the Department of Transport, owners of the track parallel to the motorway, through their engineers, Mouchel Consulting.

The Clerk had written to Mr M Linfield, S.D.C. Highway Manager in the strongest possible terms concerning the time and money spent by the Parish and the District Council dealing with the problems of car dumping and flytipping in this area and of the concerns felt by residents made to feel vulnerable by the activities of those who drive down the Lane and along the track.

The Clerk had asked for this matter to be reconsidered by the Highway Manager and had sought the support of S.D.C. in approaching the Department of Transport's engineers.

The Clerk undertook to chase this matter vigorously.

- (g) Local Government Pension Scheme (Minute 2)  
Discussed under Agenda Item 2(a).
- (h) Office Lighting (Minute 9(g)(iv))  
The Clerk advised Members that Phase Electrical Services, the contractor used by the Hall Management Committee, now advised that they had omitted to include the second light unit in their original estimate of £161.50 + V.A.T. and that an increased figure of £300.00 + V.A.T. had been submitted.

*The Chairman proposed, from the Chair, that the increased figure of £300.00 + V.A.T. be accepted and the work put in hand without delay.*

*CARRIED unanimously*

- (i) Proposed Visit by the New Chairman of S.D.C. Councillor Ron Bailey (Minute 8)  
The Clerk had been advised by the Clerk to Otford Parish Council that a date would be decided shortly for the visit to Otford, followed by lunch. Mr Andrews and other Members of Kemsing Parish Council would then welcome the Chairman of S.D.C. to Kemsing, in the afternoon. The Clerk to progress.
- (j) Internet Service Provider (Minute 17)  
The Clerk had established that the two lines in use by the Parish Office are both Residential and that a residential line had been in use since 1979. The Clerk advised that if this arrangement is changed to Business use then a higher line rental would be payable (although this would mean higher priority given to line faults). It was agreed to leave this unchanged.

The Chairman advised the Meeting that consideration would be given to reducing the number of lines to one and utilizing the B.T. Answer 1571 facility.

3. **BUSINESS REQUIRED BY STATUTE**

- (a) Notice and Advertisement of the Annual Audit for the Year Ending 31 March 2002.

"The Notice of Appointment of Date for The Exercise of Electors' Rights" had been completed by the Clerk and displayed as required. The Clerk had yet to liaise with Mr Allen, Chairman of the Finance Committee concerning the Annual Return and would progress this matter as soon as possible.

- (b) The Freedom of Information Act 2000  
Further advice from NALC on "Publications Schemes", together with general practical tips for local councils, was awaited. The Parish Clerk will progress as necessary.

- (c) Amended Race Relations Act  
Correspondence had been received from the Commission for Racial Equality and this had been studied by the Clerk.

The amended Race Relations Act gives public authorities a new statutory 'general duty' to promote race equality. Parish Councils are not covered by 'specific' duties but by a 'general' duty to develop policies, deliver services and provide employment in accordance with the Code of Practice.

Correspondence received from the Commission was laid on the Table for the interest of Members.

- (d) Countryside and Rights of Way Act 2000  
On 29 July 2002 the Countryside Agency issued maps in provisional form, of registered common land and open country for the south-east of England. An extract of the provisional map covering Kemsing's administrative area had been received, which reflected changes that had been made to the draft map as a result of public consultation.

The Countryside and Rights of Way Act 2000 would give people greater freedom to explore open countryside. They would have a new right of access, on foot, to many areas of open country (mountain, moor, heath and downland), registered common land, and dedicated land (dedicated for open access by a public or private landowner). This access land needed to be clearly identified before the new rights are made available and this is expected to take about four years. The rights will include activities like walking, sightseeing, bird-watching, picnicking, running and climbing but will have some built-in limitations e.g. with regard to walking dogs.

The Act contains important measures aimed at improving the rights of way network and some of the procedures for making changes to it, including recording historic rights of way, restricted byways, motor vehicles off-road, improving rights of way, obstructions and diverting or closing rights of way.

Where provisional maps are issued, landowners, tenants and anyone else with a legal interest in any of the land shown as open country or registered common land, may appeal to the Secretary of State against its inclusion. Appeals must be submitted before 29 October 2002.

It was confirmed that no change had been made in respect of land owned by the Parish Council

*The Council noted the contents of the extract of the provisional map displayed at the Meeting.*

4. **KEMSING HERITAGE CENTRE**

An agenda for the management meeting to be held on 1 October 2002 had been received together with minutes of the meeting held on 9 July 2002, already circulated.

The minutes confirmed that the Heritage Centre had its own insurance cover and acknowledged the monies already paid by the Council to the Centre of £250.00 and £100.00. The attention of Members was drawn to the Terms of Reference under Item 3 and to the establishment of the Kemsing Heritage Centre Association under Item 7(d).

Mr Andrews stated that once the Kemsing Heritage Centre Association had been established, it was unlikely that the Parish Council would continue to receive management information.

*RESOLVED to receive the Kemsing Heritage Centre Management Committee meeting minutes.*

5. **COMMITTEE & OFFICER REPORTS**

(a) Planning Committee

The Council was asked to approve the Minutes of the Meeting held on 22 July 2002, ref. P/14/2002, already circulated, and Minutes of the Meeting held on 5 August 2002, ref. P/15/2002, already circulated.

Mrs Cole reminded Members of the difference between a brown field site and an agricultural site. Mr Dawes confirmed that in respect of SE/02/01367 – Childsbridge Farm, Seal – this was agricultural green belt.

The Council approved the Minutes for the Meetings on 22 July 2002 and 5 August 2002.

(b) Recreation Grounds Committee

The Council was asked to approve the Minutes of the Meeting held on 24 July 2002, ref. RG/03/2002, already circulated.

Mr Andrews advised Members of the serious concerns expressed at the Recreation Grounds Meeting concerning the condition of the Scout Hut in what is an Area of Outstanding Natural Beauty (Item 2(d)).

There was agreement by Members concerning the deterioration of the hut to the extent that a lack of maintenance, missing down pipes and guttering, had contributed to the general derelict state of the building and that consideration would have to be given to demolition.

Mr Bennett felt that the Scout Movement was a worthy organisation for young people in Kemsing and he would not like the group put in jeopardy by putting too much pressure on the scout leader. Mr Dawes felt that perhaps

the Scouts could consider using the Church Hall which he understood was being used by the Guides and Brownies. Mrs Cole felt the Council could consider giving some financial help, perhaps in providing guttering, or alternatively, help in securing funding, perhaps from the Lottery Fund. Mr Andrews felt that if an approach was received by the Parish Council then this would receive consideration.

*The Chairman proposed, from the Chair, that in the first instance, a letter should be sent to the Scout Group, drawing attention to the condition of the building.*

*CARRIED unanimously*

There was some discussion on Item 2(i) Nightingale Road Recreation Ground and the difficulties which would be caused by erecting bollards and on Item 10(c) Kemsing Utd Football Club which Members felt could be a controversial issue, if it was brought before the Council.

The Council approved the Minutes of the Meeting for 24 July 2002.

- (c) Any other Reports by Officers  
Mr Andrews advised the Members that it may not be possible to incorporate the Badge of Office in the design for the church kneeler (Meeting 17.7.02 Item 12), although if this proved to be the case, St Edith Hall would be shown instead.

Mr Waters reported to the Meeting in his position as Chairman of the Sir Mark Collet Pavilion Management Committee, and read from a prepared statement, which will be held on file by the Clerk.

Mr Waters advised the Members that earlier this year the Inland Revenue wanted to levy corporation tax on the assumed profits made by the Committee and doubts had been expressed by the Revenue on the Committee's charitable status as it was felt there was no evidence to show that the Committee was part of the Kemsing Pavilion Trust.

Mr Waters stated that the matter had been referred to the Trustees who in turn had sought legal opinion. It had been confirmed that the Management Committee had always been part of the Pavilion Trust (a regulated charity with the Charity Commission), but that certain administrative procedures should be introduced with immediate effect, namely to have a common headed notepaper, to have a common financial year-end of 31 March and all monies to be paid to the Kemsing Pavilion Trust. A letter was also being sent to the Charity Commission by the Trustees to explain the position and to forward accounts for the past five years.

Mr Waters assured Members that no impropriety had ever taken place and that the Management Committee and Trustees would work together more closely in the future.

Surprise was expressed by some Members at the situation which the Management Committee and Trustees had found themselves in. Mr Andrews

drew a parallel to the relationship between the Parish Council and the St Edith Hall Management Committee.

Mr Buttifant advised Members on the problems experienced by residents at nos 1–31 Pilgrims Way Cottages. A site meeting held on 7 August 2002 and attended by Mr Philip Aldis, S.D.C., Kent Police, Mrs Joyce Course, Residents, and Mrs Sharon Palmer, Deputy Clerk, had produced a number of options worthy of consideration. The Deputy Clerk had undertaken to write to K.C.C. and S.D.C. concerning speed limits and to progress a request from residents to erect a 'Residents Parking Only' sign. The Clerk had written to S.D.C. requesting a Safety Audit on the condition of the highway.

Mr Davies drew attention to a white car abandoned on the Pilgrims Way. The Clerk felt this might be a car belonging to a Pilgrims Way resident and damaged by joyriders recently, but would check further.

Mrs Course addressed the Meeting and drew attention in particular to the understaffing in the Highways Department which was leading to problems addressing concerns highlighted by the Clerk. Mr Andrews voiced the appreciation of the Parish Council for the efforts being made by Mrs Course.

Mr Andrews showed the Meeting an official acknowledgement of the Jubilee Bonfire, which had been framed by Mr Dawes together with photographs of the event. Mrs Cole suggested that this could be hung in the Committee Room and would take the matter to the Hall Management Committee for consideration.

6. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

No Members of the Public were present.

7. **INFORMATION REPORT**

The Council received the Information Report and Appendix.

Information Report Item 6 – Presentations/Social Gathering

Mr Andrews thanked Mrs Cole and Mr Tony Cole for the work they had put into the evening. The Clerk read a note of thanks received from Mrs Rosemary Banister and this was laid on the Table for the interest of Members. Mr Andrews said that due to Mrs Nichola Reay's absence on holiday, he would present the Parish Council's gift to her as soon as possible.

Mr Andrews took the opportunity of reminding Members that the Chairperson of each Kemsing Parish Council Committee also acts as an Officer of the Council. The Clerk to check that each Committee Chairman had been formally voted thus.

Information Report Item 10 – Youth Shelters for Teenagers

Attention was drawn to the leaflet laid on the Table. As a guide the Clerk advised that the cost would be in the region of £2,500 to £3,500. It was agreed that the matter would be put before the next meeting of the Recreation Grounds Committee.

8. **NALC DEVELOPMENT STRATEGY**

A letter dated 23 July 2002 had been received from the Kent Association of Parish Councils forwarding a copy of the NALC Draft Development Strategy 2002 document, for consideration by the Council. Attention was drawn to a number of what was termed, "contentious" issues particularly over regional offices and on the lack of guidance over general finance and how major increases might be raised if external funding was not forthcoming.

The document was laid on the Table for the consideration of Members.

*The Council noted the NALC Draft Development Strategy 2002 document*

9. **PARISH OFFICE STORAGE SYSTEMS**

The Parish Clerk had spoken with Mrs Cole, representing the Hall Management Committee, concerning the temporary siting of filing cabinets elsewhere within the building whilst the Clerk and Deputy Clerk reorganised the existing filing system. Outline costs had been circulated to Mrs Cole and Mr Allen. Mrs Cole confirmed that she would discuss the matter with the Hall Management Committee.

10. **ACCOUNTS FOR PAYMENT**

The Council approved:

- (a) Accounts already settled on 17.7.02  
voucher nos. 126 - 136
- (b) Accounts awaiting payment, voucher nos. 141 - 149
- (c) To note receipts, voucher nos. 137 – 140

Mr Waters drew attention to the invoice from MDH Horticultural Contractors, for grass cutting in the churchyard and commented that cuttings were not removed by the contractor and that this had to be done by a working party.

11. **MATTERS TO BE RAISED AT THE NEXT MEETING & GOOD NEWS**

Hospice in the Weald – Tree of Lights Event  
Annual Audit for the Year Ending 31 March 2002  
Office Telephone Lines/BT Answer 1571 Facility  
Committee Chairperson/Officer of the Council  
Resignation of Dr J P Penney

Matters to be raised in the future:

Circulation of Copies of Parish Council Agenda & Minutes - November 2002  
Kemsing Web Site – January 2003

Good News:

Mr Kendall drew attention to the new opening hours for the St Edith Post Office which would now open at lunch times and during Wednesday afternoons.

Mr Allen confirmed the date for the wedding of Mr Malcolm Thomas, Kemsing Primary School Headteacher, and the Council agreed to send a card of congratulation. The Clerk to arrange and Mr Allen to hand-deliver.

Dr Penney advised Members that he would be moving to Yorkshire and that he would be resigning from the Parish Council at the next meeting. Mr Andrews expressed appreciation on behalf of Members for the contribution made by Dr Penney to the work of the Council

12. **DATES OF MEETINGS**

19 August	Planning
21 August	Downland Management
2 September	Planning
11 September	Emergency Services
16 September	Planning
<b>18 September</b>	<b>PARISH COUNCIL</b>

Members are asked to note that the Highways Committee Meeting scheduled for 4 September will now take place on 26 September 2002.

Mr Croughton proposed and Dr Penney seconded:

*That all Press and Public be excluded from the Meeting for the next session of the Council.*

*CARRIED unanimously*

The Parish Clerk left the Meeting at 9.39 p.m.

Members reconvened for a Closed Session. Minutes of this Session are recorded separately.

Linda Drage  
Parish Clerk

/lmd  
21.8.02

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