

**KEMSING PARISH COUNCIL**

Clerk's Office, St. Edith Hall

Kemsing

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**Minutes of a Meeting of the Parish Council**  
**held in the Main Hall, St Edith Hall, Kemsing**  
**on Wednesday 16 July 2003 at 8.00 p.m.**

PRESENT: Mr A C Andrews (in the Chair)  
Messrs D V Bennett, P Burfield, B D Buttifant, G R Croughton, A M  
Davies, R J Dawes, P M H Kendall, P Miles, A V Waters, Mrs M Cole

IN ATTENDANCE: Mrs L M Drage, Parish Clerk

APOLOGIES: Mrs W Ross, Mr M Williams

**Declarations of Interest in the Register**

No new Declarations were made

**1. MINUTES**

The Minutes of the Meeting held on 18 June 2003, reference KPC/6/03, having been circulated previously, were approved and signed subject to amendments.

**2. MATTERS ARISING FROM THE MINUTES**

(a) The St Edith Hall Lease with The St Edith Club (see Minute 2(a))

Mr Andrews said that Members would be delighted to learn that some progress is being made and he invited Mr Kendall to report to the Meeting. Mr Kendall advised that the exact legal position had been established and it was hoped that over the coming months there would be an improvement to what has been a poor situation. Mr Kendall advised the Meeting that input from the Charity Commission had been received.

Mr Andrews stated that legal advice had been sought from Messrs Knocker & Foskett for which an outline cost had been requested and was awaited. Mr Andrews felt that the legal costs incurred would be recoverable but in the interim the Hall Management Committee might have to approach the Council and ask for the costs to be paid. Mr Andrews reiterated that the Management Committee is looking for a fair rent from the Club, not necessarily at the market rate.

(b) Kemsing Lawn Tennis Club (Minute 2(b))

The Clerk advised that a response to points raised by Knocker & Foskett was sent on the 25 June 2003 and a second Draft Lease had been received the day of the Council Meeting which would be considered by Mr Andrews and the Clerk.

Members noted that a letter received from The Charity Commission had drawn attention to statutory requirements set out in Section 36 to 40 of the Charities Act 1993 i.e. a need to obtain and consider a written report on the proposal from a qualified surveyor, the Common Field Trustees to satisfy themselves that the terms of the lease, including the rent, are the best that can reasonably be obtained, and a requirement to display a notice for a period of one month inviting those who would like further information or who may be affected by the granting of the Lease, to make their views known to the Clerk. In answer to a question from Mr Bennett, Mr Andrews advised it was felt these requirements had been met although confirmation was being sought from Knocker & Foskett. The Clerk affirmed that an appropriate notice had been posted from 23.6.03 at the Tennis Club and on the main notice board at The St Edith Hall.

Members noted The Charity Commission had advised that provided the Common Field Recreation Ground Trustees complied with the provisions contained within Section 36, no further action or involvement would be necessary on the part of the Commission.

In addition, it was noted that the Clerk had forwarded to Knocker & Foskett information obtained from The Charity Commission with regard to statements that must be included in the Lease in a form laid down by rules of the Land Registrar and which complied with the requirements of the Charities Act 1993.

(c) Affordable Housing (Minute 2(f))

A sample of the Housing Needs Survey produced by The Rural Housing Trust had been circulated (to Members only) for consideration, with a view to asking the Trust to conduct an initial survey. Members noted that the accompanying letter could be altered by K.P.C. but the Questionnaire itself had to remain in its existing format for evaluation purposes (except for contact details).

Mr Croughton proposed and Mr Waters seconded:

*That the Council invites The Rural Housing Trust to undertake the survey – with no commitment beyond its completion – and to ensure that Questionnaires are delivered to every household.*

Mr Bennett expressed a number of concerns including the possible use of Green Belt land, the difficulties that may be encountered in removing Key Workers, for example, who may leave employment within the Village but remain in the housing provided, and also the difficulties involved in deciding just who would qualify for housing.

Mr Bennett stated that if it was not possible to deliver the Questionnaires at the same time as the Parish Newsletter, he would feel unable to deliver them separately.

Mr Andrews felt it was important to remember that the question of Affordable Housing could fail at the first hurdle if the Survey did not show a need. Mr Andrews said that the whole approach would be in stages but added that Mr Bennett's points were valid.

There followed a discussion on the wording of the accompanying letter and it was agreed that references to 'affordable housing' or to a housing association would be omitted and that efforts would be made to include those employed in the Village, but not resident. It was also agreed that the letter would be altered in such a way so as not to raise hopes.

Mr Croughton affirmed that the purpose of the Survey is to establish who is in need, and to identify those who are not able to find satisfactory housing for themselves and their families. He stated there would be no commitment beyond completion of the Survey.

*CARRIED – 8 in favour, 3 against (Mr Bennett asked for his name to be recorded as having voted against)*

Mr Croughton agreed to amend the documentation as necessary with a view to distributing the Survey, with the Parish Newsletter, during September/October and to seek responses by October/November 2003.

Mr Andrews reported that the Clerk would be circulating a copy of a Rural Housing Trust publication entitled "Building a Future – How Parish Councils can provide Affordable Housing".

- (d) Signatories to the Bank Account (Minute 2(h))  
Members noted that the Change of Signatories form had been submitted to the Co-operative Bank, which would enable all Councillors to sign cheques.
- (e) Training for New Councillors (Minute 2(i))  
The Clerk confirmed that booking forms had been completed for Mrs Ross and Messrs Burfield, Miles and Williams to attend at Harrietsham on Saturday 19 July 2003. A cheque for £188.00 had been sent in payment. A location map and final confirmations had been received and circulated to attendees.

The Clerk advised that up-to-date information had been sought from K.A.P.C. on Members Allowances with regard to rates for travelling expenses, and this had been forwarded to the four new Members.

- (f) Parish Newsletter (Minute 2(j))  
The Deputy Clerk had advised that further items in the Newsletter would cover an introduction to the New Councillors and a Planning Update from Mr Dawes. Members noted that it is the intention of the Deputy Clerk to formulate updated Distribution Lists and liaise directly with individual Members. Mr Kendall reported that he had agreed changes with another Councillor and asked that Mrs Palmer should contact him.

Mr Andrews asked whether an article should be included on a Village Design Statement, asking volunteers to come forward to carry out an appraisal. Mr Andrews said that a Village Design Statement would become part of Planning Guidance within the framework of the Sevenoaks District Council Local Plan. It was agreed that as this matter is presently under consideration by the Planning Committee, the Council would await the outcome of its deliberations.

- (g) Renewal of the Parish Map (Minute 2(k))  
The Clerk advised that a Draft Parish Map had been received from Kent County Council and would be checked by Mr Buttifant and the Clerk. The Clerk confirmed that photographs of St Edith Well, the Village Sign and the Topograph had been incorporated and the map in a new housing is expected in August 2003.
- (h) Annual Return for the Year ending 31.3.03 (Minute 3(a))  
The Clerk advised that the completed Annual Return and accompanying documentation had been submitted 27 June 2003 and the External Auditor's Certificate and Opinion is awaited.

Mr Croughton and Mr Andrews thanked the Clerk for her efforts in coping single-handedly with the end of year accounts and the annual return.

The Clerk advised Members that an error had occurred in not identifying one 'Significant Variance' between 2001/2002 and 2002/2003 relating to Income (ref. June Minutes Item 3(a) page 6 para 1).

- (i) Dog Bin, Greenlands Road (Minute 9(b))  
Mr Buttifant informed the Meeting that there had been an increase in cost with regard to the provision of a Dog Bin and it had become evident from a leaflet published by

Sevenoaks District Council (S.D.C.) that litter bins could be used for the disposal of faeces, preferably double-wrapped.

Mr Buttifant proposed and Mrs Cole seconded:

*That the Council does not proceed with the purchase and installation of the Dog Bin at Greenlands Road*

*CARRIED – 9 in favour, 1 against, 1 abstention*

Mrs Cole offered to give a copy of the S.D.C. leaflet to the Noah's Ark resident who had raised this matter.

3. **CLOSED CIRCUIT TELEVISION**

Members considered the Paper from Mr Davies, previously circulated, and a Report (circulated to Members only), of a meeting held 9.7.03, together with information circulated separately by the Clerk. It was noted that the monitoring and evaluation reports being conducted by S.D.C. were due for publication at the end of July 2003.

The Clerk reported that S.D.C. had no further funding available for its own system and had been advised that it was extremely unlikely that a grant would be forthcoming to the Parish under the Capital Grant Scheme. The Clerk had been advised however, that funding help for street lighting could be possible and made Members aware of the availability of a mobile CCTV unit, partly funded by S.D.C. with Kent Police.

Mr Davies proposed and Mr Dawes seconded:

*That the Council is asked to defer detailed discussion of this item until further background information had been received by the Parish Office.*

Mr Croughton suggested that Committee Chairmen should consider what areas, such as footpaths, land or property within their jurisdiction, could be covered.

*CARRIED – unanimously*

4. **BUSINESS REQUIRED BY STATUTE**

There was no Business Required by Statute to consider.

5. **APPOINTMENT OF AN INTERNAL AUDITOR**

Mr Burfield reported to the Council on a meeting he had held with Mr Wonga Mzimba, attended by the Clerk, and which he had discussed with Mr Croughton. Mr Burfield felt that Mr Mzimba had a good deal of experience in working at all levels of local government and that he saw his role as a helpful guide. The Clerk was asked whether she would be happy to work with Mr Mzimba and expressed her support particularly in view of the fact that as a past employee of District Audit, Mr Mzimba would be able to advise on the financial procedures and processes adopted by the Council.

Mr Burfield proposed and Mr Andrews seconded:

*That the Council is asked to consider appointing Mr Wonga Mzimba to carry out an interim Internal Audit in September 2003 with a view to presenting the Report to the Finance Committee on 1 October 2003. Consideration to be given by the Committee to using Mr Mzimba's services for the Final Audit in May 2004 and if necessary a further interim Audit if areas of deficiency are noted in the first report.*

*CARRIED – 10 in favour, 1 abstention*

6. **APPOINTMENT OF A FINANCIAL ADVISER**

Members noted that the Finance Committee had agreed to seek advice from Mr Nigel Rawlings, an ex-Councillor & Finance Officer of this Council, on the matter of the Council's Investments.

A proposed Agreement between City Asset Management plc (CAM) and K.P.C. for the provision of advisory management services, had been considered by Messrs Burfield, Croughton and Andrews, together with a Risk Profile Form and Questionnaire. The documentation had also been copied to Mr Bennett who had expressed a wish to join this Finance sub-committee. Mr Andrews reminded Members that further copies of the documentation are available from the Clerk and additions to the group considering the appointment of an adviser would be welcome.

The Council noted that the signing of an Agreement between CAM and K.P.C. would enable Mr Rawlings to give advice.

Mr Burfield reported in brief to the Council and invited Members to consider using the services of Mr Rawlings, through CAM.

Mr Bennett expressed concern about the type of service to be given by CAM and whether this was Investment Advice or Investment Management. Mr Andrews said it was his understanding that an Advisory Service was being offered, not Discretionary. Mr Croughton agreed that it was not clear as to what exactly would be offered. Mr Croughton stated that advice to guide the Council on where it should place monies would be required, and that the Council would not wish to ask Mr Rawlings to 'manage' investments on behalf of the Parish Council. It was agreed that sound advice was needed to guide the Council into taking the right decisions.

Mr Burfield proposed and Mrs Cole seconded:

*That a meeting of Messrs Burfield, Andrews, Croughton and Bennett be held to consider the documentation supplied by CAM.*

*CARRIED – 10 in favour (Mr Dawes left the Meeting briefly and missed the Vote)*

**7. WROTHAM PARISH COUNCIL – M26 SLIP ROADS**

Members considered a letter, previously circulated, received from the Clerk to Wrotham Parish Council. Mr Buttifant and the Clerk drew attention to an article in the press reporting proposed improvements to junction 5 of the M25 motorway. The Clerk had been advised by the Government Office for the South East based in Guildford that the matter was at a very early stage and no details are available but that consultation would take place with stakeholders, landowners and the public, and work is anticipated in 2011.

After some discussion and mindful of the efforts of Otford Parish Council to resist motorway slip roads within Otford parish, Members decided not to take the matter further.

**8. EXTRAORDINARY MEETING HELD IN CLOSED SESSION**

The Minutes of the Meeting held on 9 July 2003 (ref. kpc44ACAJuly2003) having been circulated previously, were unanimously approved by those present at that meeting, and signed.

**9. COMMITTEE & OFFICER REPORTS**

(a) Downland Management Committee

Mrs Cole drew attention to a loose peg tile coping above the plaque on the Well wall facing St Edith's Road. Mr Buttifant agreed to speak with the contractor about this. Members agreed that the Well area is looking wonderful and that the Play Areas are 'top class'. Mrs Cole asked for the gap near the kissing gate at the bottom eastern side of Green Hill to be filled in and Mr Bennett offered to speak with the Countryside Ranger and ask for this work to be done.

The Council approved the Minutes of the Meeting held 29 May 2003, ref. DM/12/03, together with the Committee's Recommendation for Officers for 2003/2004.

(b) Planning Committee

The Council approved the Minutes of the Meeting held 9 June 2003, ref. P/8/2003.

Mr Dawes invited Members to consider the Minutes of the Meeting held 23 June 2003, ref. P/9/2003 and these were approved subject to a change to Item 3c "contra" to "contrary".

Mr Dawes drew attention to an item which had been reported by him to the May Meeting of the Council (ref. KPC/5/03, Item 18(c) para 3), "Mr Dawes drew attention to P/7/2003 Minute 2(a) and advised Members that the 'Green Belt fifty per cent rule' did not apply in fact as this rule refers to agriculture not domestic cases.". Mr Dawes asked for this passage to be deleted as it had been found to be inaccurate and he thanked Mr Don Eley for drawing this matter to the attention of the Planning Committee.

(c) Finance Committee

The Council approved the Minutes of the Meeting held 10 June 2003, ref. F/92/03, together with the Committee's Recommendation for Officers for 2003/2004.

Members noted the Granting of £200.00 on an annual basis to Kemsing Primary School for Christmas Dinners for Senior Citizens provided that this amount is matched by the School with funding from other sources.

(d) Emergency Services Committee

The Council approved the Minutes of the Meeting held 11 June 2003, ref. ES/8/03, together with the Committee's Recommendation for Co-opted Members.

(e) Any other Reports by Officers

(i) The Clerk advised that the fire damage caused to the Disabled/Baby Changing Toilet on the 9 July 2003 had been reported to P.C. Jackie Allen. It appeared that the matter had not been reported to the police by S.D.C. and the Disabled Toilet had been closed for refurbishment. The Clerk was pleased to report that the shrub alongside the disabled ramp had been cut back by S.D.C. and that a request had also been made for S.D.C. to replace the door closer to the Disabled Toilet and to re-stain all the doors to the public conveniences.

(ii) Mr Croughton drew attention to the positioning by Kent County Council (K.C.C.) of the Statutory Notice at the top of The Landway, advising of the forthcoming prohibition of traffic along C261 Pilgrims Way, Kemsing. Mr Croughton said that the Notice could not be seen by motorists. Mr Buttifant offered to take this up with K.C.C.

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

There were no Members of the Public present.

11. **INFORMATION REPORT**

Members received the Information Report, circulated with the Meeting Agenda.

12. **ACCOUNTS FOR PAYMENT**

The Council approved:

- (a) Accounts already settled on 18.6.03 voucher nos. 83 - 90
- (b) Accounts paid, voucher nos. 91 - 92
- (c) To note receipts, voucher nos. -

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

The Clerk advised that an article had appeared in The Times dated 14.7.03 reporting that the Government is expected to reject proposals from the Office of Fair Trading for the wholesale liberalisation of the retail chemists market because ministers want traditional high street chemists to play a role in easing pressure on the NHS. The Clerk reminded Members that this matter had been discussed at the March 2003 Meeting of the Council following an approach from Otford

Pharmacy and a letter had been sent to both Michael Fallon M.P. and the Minister for Health in support of the Pharmacy.

Mr Dawes reported that the Quiz Night held on 4 July 2003 had raised just under £1,000 and the 'Parish Council' Team had tied for second place. Mr Dawes also reported that the house-to-house collection for Cancer Research organised by District Councillor Mrs Joyce Course and her Team had raised a record £732.00.

Mr Waters reported that the SATS results for Kemsing Primary School had been very good indeed and the School had achieved above the national average in all areas.

Matters to be raised in the future:

C.C.T.V.

Parish Office Storage Systems – c/f August 2003 (lmd)

St Edith's Road/West End – c/f August 2003 (BB)

Leisure Plots – August 2003 (DB/PK)

Christmas Lights – August 2003 (lmd)

Possible future development of St Edith Hall – October 2003

Mr Dawes asked the Council to consider the cleaning of the war memorial and bronze plates and it was decided that this should be put to the Downland Management Committee.

#### 14. **DATES OF MEETINGS**

21 July	Planning
24 July	Recreation Grounds
4 August	Planning
13 August	Downland Management
18 August	Planning
20 August	<b>PARISH COUNCIL</b>

The Meeting closed at 9.44 p.m.

Linda Drage  
Parish Clerk

/lmd  
24.7.03

NOTE: Mr Kendall has asked that the Group Photograph be taken at the Council Meeting in September 2003 (not August as previously agreed).