

TESTON PARISH COUNCIL

7th June 2020

Teston Parish Councillors are summoned and members of the public and the press are invited to attend an extraordinary meeting of Teston Parish Council, called by the Chairman, which will take place via Zoom video-conferencing on 16th June 2020 at 7.30pm.



Michelle Tatton, Clerk to the Council

Background

In response to the current COVID-19 situation and to facilitate on-going business of Parish Councils and other parties in accordance with Government guidelines on social-distancing and other measures, on 4th April The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force (and it expires on 6th May 2021). It authorises "virtual meetings" (i.e. with remote participation), provided remote participants are able:

- (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
- (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
- (c) to be so heard and, where practicable, be seen by any other members of the public.

While Teston Parish Council is unable to hold its normal meetings every other month in the Village Hall, it will continue its business through a combination of:

- an Exceptional Delegated Authority (EDA) procedure that it inserted into its Standing Orders on 31st March that enables the Clerk to take any necessary decisions and actions on behalf of the Parish Council, having consulted Parish Councillors by email; and
- an occasional Extraordinary Meeting utilising Zoom, with access details and agenda placed on the village noticeboard and, if publication timetable permits, in Tapestry. The intention is that these Zoom meetings will be brief to take any decisions that can only be taken at a formal meeting (either face-to-face or virtual).

Please note that until further notice there will be no public question time during online meetings but members of the public are invited to contact the Clerk at testonparish@aol.com or 01732 521889 and/or the Chairman, Peter Coulling at petercoulling@hotmail.com or 01622 813143 should they have any comments or queries so that these can be considered. Please bear with us during these exceptional times.

Agenda – Extraordinary Virtual Meeting called by the Chairman

7.30pm, Tuesday, 16th June 2020

To request meeting code please email the Chairman petercoulling@hotmail.com or Clerk testonparish@aol.com

In the interests of transparency, all Parish Councillors declare that they have an interest in (a) Ash Tree Corner, Courtlands Verge and the Allotments, as the Parish Council owns the land; (b) the Village Green and Village Hall as Custodian Trustees; (c) Teston Land Conservation Trust Matters as they are Trustees; (d) Teston Village Stores CIC as they are Directors of the CIC; and d) Cllr Douglass, Cllr Owens, Cllr Miss Page and Cllr Mrs Wheat have an interest as members of Teston Village Hall Management Committee.

Your attention is drawn to the Parish Council's Standing Orders on Photographing, Recording, Filming or Broadcasting of Teston Parish Council Meetings. A copy of the policy is available upon request from the Clerk.

20/001	Declarations of Disclosable Pecuniary Interests and/or Other Significant Interests
20/002	To Receive and Agree Apologies for Absence
20/003	Decisions Taken at the Email-based Meeting on 31st March 2020 To agree to ratify the decisions taken at that meeting including the Scheme of Delegation & Procedure relating thereto noted at Minute 19/204, to sign those Minutes as a correct record of the meeting, and to confirm that the Scheme of Delegation & Procedure will remain in effect until normal meetings can resume, save that the Council will hold occasional video-conference meetings (i.e. Virtual Meetings) to discuss items of particular concern or importance or where legislation dictates that decision by delegation is not possible. The procedure is reproduced in Attachment 1.
20/004	Ratification of Decisions Taken by Clerk under the Scheme of Delegation Since 31st March 2020 To ratify the List of Decisions taken to date as set out in Attachment 2. A further List of Decisions taken between today's date and the date of the meeting will also be presented for ratification. The full List of Decisions will be annexed to the signed copy of these Minutes.
20/005	Appointments Usually Made at the Annual Meeting To note that , in the light regulations by Government, the appointments made at the meeting on 28 th May 2019 shall stand until the 2021 Annual Meeting of the Council.
20/006	Updated Standing Orders To agree the re-drafted Standing Orders circulated by email on 28 th May 2020.

Clerk: Mrs Michelle Tatton

10 Clare Wood Drive, East Malling, Kent ME19 6PA Telephone: (01732) 521889 E-mail: testonparish@aol.com

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20/007	Annual Return for the Year ending 31st March 2020: a) To receive Internal Auditor's Report b) To note outcome of Governance Review undertaken by Cllr Owens and Cllr Mrs Wheat and to agree any recommendations c) To approve updated Asset Register d) To agree the Governance Statement at section 1 of the Annual Return e) To approve the Accounting Statements at section 2 of the Annual Return
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ATTACHMENT 1

Scheme of Delegation & Procedure

Prompted by the Coronavirus outbreak, the following permanent amendments to Parish Council Standing Orders are proposed and, if agreed, shall be inserted into those Standing Orders in appropriate positions.

Exceptional Delegated Authority (EDA)

1. The Clerk has normal delegated authority (NDA) in accordance with paragraph 3.3 of Attachment 2 (Financial Regulations) to these Standing Orders.
2. This EDA scheme of delegation is only for temporary use in exceptional circumstances as inferred by Government or NALC public statement and is intended to obviate the need for physical meetings until it is safe and advisable for these to recommence. It shall run in parallel with NDA.
3. If circumstances require, EDA may be invoked from a stated date at any physical meeting of the Parish Council or, if circumstances dictate and at the request of the Clerk or the Chairman, by emailed confirmation from the majority of Councillors to the Clerk.
4. In addition to NDA, after EDA has been invoked and after consultation by the Clerk with all Councillors in accordance with the Interim Procedure, the Clerk shall have additional delegated authority to:
 - a. take such action as is necessary to enable and maintain the effective administration of Parish Council business and oversight of matters that affect Teston Parish;
 - b. carry forward all previously agreed actions or actions determined in accordance with Interim Procedure;
 - c. take action on any urgent matter that arises relating to any land or asset owned by the Parish Council including where there is a financial cost of up to £500 (five hundred pounds), excluding VAT, for any individual matter;
 - d. take action on any other urgent Parish Council matter that arises, including where there is a financial cost of up to £2500 (two thousand five hundred pounds), excluding VAT, for any individual matter;
 - e. issue all payments as these fall due on agreed financial items and contracts and, to the extent that such payments require two signatories, take steps to make available for such future use pre-signed cheques, with stated payees, but, unless known, open dates and amounts;
 - f. respond to all planning applications within Teston and those in nearby Authorities that have a potential impact on Teston Parish; and
 - g. cancel future Parish Council meetings as necessary, based on advice from Government or NALC.
5. At the end of the next physical meeting of the Parish Council,
 - a. EDA shall cease, but
 - b. any decisions taken and actions commenced during the period of EDA shall be complied with and completed, as the case may be; and
 - c. at or after that meeting, EDA may be reinstated with, as necessary, effect from the end of that meeting.

Interim Procedure

6. If EDA has been invoked:
 - a. Parish Councillors shall make known to the Clerk their views on any item of Parish Council business to be addressed via NDA or EDA by use of email, if available to them, or telephone, rather than at a physical meeting;
 - b. the Clerk shall initiate the matter requesting such views from Parish Councillors and:
 - i. the Clerk shall maintain a computer folder of any such views made by email; and
 - ii. to the extent that such views are expressed to the Clerk by other than email, the Clerk shall make a note of the essence of those views in a computer folder; andthe Clerk shall make those folders available to any Parish Councillor who wishes to see their contents; and
 - c. the Clerk shall then take necessary decisions and actions on behalf of the Parish Council, in accordance with the views expressed by Parish Councillors as recorded in such folders.
7. All such decisions and actions shall be recorded in a log for reporting and minuting at the first available physical meeting of the Parish Council.

Incapacity

8. If a majority of Councillors become incapacitated concurrently and unable to communicate by Interim Procedure to the Clerk, the remaining Councillors, if any, shall be deemed to form a quorum to be consulted by the Clerk and to support any decisions made, and actions taken, by the Clerk.
9. If all Councillors become incapacitated concurrently and unable to communicate via the Interim Procedure, the Clerk shall have use of NDA and EDA to take time-urgent decisions and actions on behalf of the Council. All such decisions and actions shall be reported to Councillors via email and recorded in a log for reporting and minuting at the first available meeting of the Parish Council.
10. If the Clerk is incapacitated and unable to communicate by email, the role of the Clerk shall be assumed by, in order if available, the Chair, Vice-Chair, any other Councillor willing so to act.

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ATTACHMENT 2

List of Decisions Taken by the Clerk to 7th June 2020 Under the Agreed Scheme of Delegation During COVID-19

Detail	Decision and background	Date Taken
Tree works	Report received from the Chairman on 29 th April 2020, copied to Cllr Mrs Wheat, that the Lime Tree at Courtlands had low branches impeding pedestrians using the footpath. Noted that the previous permission for works had expired. In view of potential impact on pedestrian/highways safety the decision was taken to submit an application immediately for work to crown lift to 3 metres, such permission to be on an ongoing basis to ensure in future action can be taken in a timely manner.	29.04.2020 Outcome awaited Seeking quotations for work
Planning Application	20/501393/FULL Windy Post, Church Street Minor material amendment to condition 3 of 17/500111/FULL (Erection of a front porch and removal of existing rear conservatory to be replaced with rear single storey extension. Loft conversion with alterations to roof, addition of 2no. windows and 1 no. roof light.) (approved at appeal) to allow alterations to the pitch of the proposed extension roof, change of front window to the loft conversion to a circular window, alterations to the proposed internal access to the extension, and enlargement of opening between the kitchen and dining room. Details were circulated to Cllrs on 28 th April for comment which were subsequently received from all but one Cllr. Having considered the detail of the application and Cllrs comments the Clerk responded as follows: <i>The Parish Council strongly supports the application. The proposal is well designed and will enhance the appearance of this property without impinging on neighbours.</i>	30.04.2020
Seat at rear of Village Hall	Proposal to purchase a seat from Tapestry funds. Final article placed in Tapestry indicating seat would be purchased from 11 th May subject to further comments. Although other suggestions were received for possible uses of Tapestry funds no negative comments regarding the seat itself were received. The Chairman and Vice-Chairman were advised so that purchase of the seat could be organised and this is now in hand.	12.05.2020
Pedestrian Signage for Mallong Road	In response to a concern raised by a resident regarding pedestrian safety in Mallong Road, and following consultation with the Chairman, the Clerk contacted Highways regarding the possibility of signage to warn of pedestrians walking in the road. Various options were suggested and considered. All Cllrs were consulted upon final options. The Clerk has now advised Kent Highways that the Parish Council would wish to see two standard signs (adult and child holding hands – one at the gateway at Leigh Terrace and the other near St George's Lodge, with a plate beneath reading 'No footway for 350 yards' and 'SLOW' on the road surface.	14.05.2020
Pre-application consultation by Tregothnan Estate (closing 15 th May)	Tregothnan Estate has issued a pre-application consultation on its proposal to build 65 dwellings on land south of Clearheart Lane, Kings Hill (to the south at the far western end of Teston Road). The Parish Council is alert to any development that could result in an opening up of access from Kings Hill eastwards. Accordingly, following consultation with Cllrs generally, the Clerk has submitted the following response to the consultation. <i>We have noted your consultation on "Land to the South of Clearheart Lane, Kings Hill". Teston Parish Council has considerable concerns about further development on the eastern side of Kings Hill, with the attendant threat of more traffic introduced onto the narrow roads between Teston, East Mallong and Watlingtonbury. That includes via any so-called emergency or leisure access, which could be viewed as an initial step towards achieving full vehicular access. However, we will wait for your formal application to Tonbridge & Mallong and respond directly to that.</i>	14.05.2020
Stand pipe leak at allotments	The Vice-Chairman carried out an inspection following a report from a tenant that one of the stand pipes had developed a leak. It is understood a new washer is needed. This minor work has been authorised to avoid unnecessary water leakage and an invoice is awaited.	14.05.2020
Insurance	The Parish Council's insurance falls due for renewal on 1 st June. Following discussion initially with the Chairman, Cllr Owens and Cllr Mrs Wheat and subsequently with all Cllrs the Clerk arranged for the street light, which has now been dismantled, to be removed from the policy along with the aging Speed Watch equipment. This resulted in a small reduction in the premium of £20.69. A cheque was issued on 18 th May for £315.02 and sent to the Chairman so that he and one other could sign the cheque and post to the insurers.	18.05.2020
Bollards at Valley Court	One of the bollards at Valley Court has been damaged. The pavement and bollards were installed with funding from Cllr Mrs Stockell, topped up with funds from the Parish Council, to prevent antisocial parking on the pavement and to improve pedestrian safety. Highways indicated that if the bollard is damaged it will be removed and not replaced. Following consultation with all Cllrs the Clerk has asked Highways to provide a quote to replace the bollard and to install an additional bollard at the eastern end. The quote is awaited. No final decision on whether to proceed has been taken.	27.05.2020
Various	Any other decisions taken since preparation of this Attachment to the Agenda	TBC

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