

# TESTON PARISH COUNCIL

These Minutes were approved by the Council at its meeting on 24<sup>th</sup> November 2020

Minutes of Virtual Meeting on 16<sup>th</sup> June 2020

Cllr Peter Coulling - Chairman  
 Cllr Christopher Douglass  
 Cllr Ms Tina Burgon  
 Cllr Roger Levett  
 Cllr Miss Dawn Page  
 Cllr Robin Owens  
 Cllr Mrs Nina Wheat

Mrs Michelle Tatton (Clerk)

Members of the public: None

While there were no members of the public present, the Chairman drew attention to the Parish Council's Standing Orders on Photographing, Recording, Filming or Broadcasting of Teston Parish Council Meetings. No intention to photograph, record, film or broadcast the meeting was declared by those present.

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| 20/001 | <b>Declarations of Disclosable Pecuniary Interests and/or Other Significant Interests:</b> In the interests of transparency, all Parish Councillors declared 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. There were no other declarations of interest.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 20/002 | <b>Apologies for Absence:</b> None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 20/003 | <b>Decisions Taken at the Email-based Meeting on 31<sup>st</sup> March 2020</b><br>Minutes of the virtual meeting on 31 <sup>st</sup> March had been circulated. The decisions that were taken at that meeting were <b>ratified</b> including the Scheme of Delegation & Procedure relating thereto noted at Minute 19/204, and accordingly the Chairman signed the Minutes as a correct record of the meeting. It was also <b>confirmed</b> that the Scheme of Delegation & Procedure would remain in effect until normal meetings could resume, save that the Council would 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 attached to a signed copy of these Minutes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 20/004 | <b>Ratification of Decisions Taken by Clerk under the Scheme of Delegation Since 31<sup>st</sup> March 2020</b><br>The Clerk had circulated a list of all the decisions taken under the Enhanced Delegated Authority since March Meeting. An initial list had been circulated with the Agenda and a further list was circulated prior to the meeting. All of these decisions were <b>ratified</b> . A copy of those decisions is annexed to the signed copy of these Minutes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 20/005 | <b>Appointments Usually Made at the Annual Meeting</b><br>In the light of regulations by Government, it was <b>noted</b> that the appointments made at the meeting on 28 <sup>th</sup> May 2019 would stand until the 2021 Annual Meeting of the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 20/006 | <b>Updated Standing Orders</b><br>Re-drafted Standing Orders had been circulated to all Cllrs. These had been based on the Model with a series of inserts. It was <b>agreed</b> that the revised Standing Orders be <b>adopted</b> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 20/007 | <b>Annual Return for the Year ending 31<sup>st</sup> March 2020:</b><br><b>a) To receive Internal Auditor's Report:</b> The report had been circulated and the findings were noted. Regarding the process for the March Meeting, it was noted that NALC were of the view that the taking of decisions by email was unlikely to be challenged. At the time the meeting took place the country had been placed into lockdown and regulations as to how Council business could reasonably be conducted had not been made known. The Chairman wished it to be recorded that he took responsibility for the process followed at the end of March.<br>The Internal Auditor had made an observation regarding Standing Orders. Revised Standing Orders had now been adopted (see item 20/006 above).<br><b>b) To note outcome of Governance Review undertaken by Cllr Owens and Cllr Mrs Wheat and to agree any recommendations:</b> Cllrs Mrs Wheat reported on progress of the review. The Clerk had provided information requested but a little more time was needed to consider the detail.<br><b>c) To approve updated Asset Register:</b> This had been circulated and subsequently an revised version was circulated correcting a transposing error with the loans although the overall figure for assets and loans had not changed. This revised Asset Register was <b>approved</b> . |

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| <p><b>d) To agree the Governance Statement at section 1 of the Annual Return:</b> Deferred to the next meeting pending conclusion of the Governance Review.</p> <p><b>e) To approve the Accounting Statements at section 2 of the Annual Return:</b> Deferred to the next meeting pending conclusion of the Governance Review.</p> |
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There being no further business the meeting closed at 19.58pm

## Note to Minute 20/003

### 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; and
  - c. the Clerk shall make those folders available to any Parish Councillor who wishes to see their contents; and
  - d. 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

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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.

## Note to Minute 20/004

### **List of Decisions Taken by the Clerk to 7<sup>th</sup> June 2020 Under the Agreed Scheme of Delegation During COVID-19**

| <b>Detail</b>                                                                    | <b>Decision and background</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Date Taken</b>                                            |
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| Tree works                                                                       | Report received from the Chairman on 29 <sup>th</sup> 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<br>Outcome awaited<br>Seeking quotations for work |
| Planning Application                                                             | 20/501393/FULL Windy Post, Church Street<br>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.<br>Details were circulated to Cllrs on 28 <sup>th</sup> 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:<br><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 <sup>th</sup> 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.<br>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 Malling Road                                              | In response to a concern raised by a resident regarding pedestrian safety in Malling 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 <sup>th</sup> 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.<br><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 Malling 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 &amp; Malling 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 <sup>st</sup> 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 18.05.2020                                                   |

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|                          | 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 <sup>th</sup> May for £315.02 and sent to the Chairman so that he and one other could sign the cheque and post to the insurers.                                                                                                                                                                                                                                                                                                                           |            |
| 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        |

## Note to Minute 20/004

### Further List of Decisions Taken by the Clerk Since the preparation of the Agenda Under the Agreed Scheme of Delegation During COVID-19 & Following the Publication of the List of Items for Review and Comment on 7<sup>th</sup> June 2020

| Detail  | Decision/Latest Position and background                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Date Taken |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| E20/001 | <p><b>Statement of Accounts: to consider receipts, approve bills for payment, claims for refund of expenses, to note the general financial position including Parish Services Scheme, and consider increase in self-insurance 'sink fund'</b></p> <p><b>Recommendation 1:</b> To approve the payments in the Statement of Accounts, including post-dated payments for the Clerk's Salary up to and including June 2020, noting that the Clerk has authority under 19/202(4)(e) above to issues payments as necessary</p> <p>A Statement of Accounts has been circulated to all Cllrs setting out the current financial position including a bank reconciliation and noting pending payments. In the absence of any comments to the contrary cheques have been raised for items listed together with an additional cheque for £290 for the seat for the rear of the Village Hall which has now been ordered and paid for by the Chairman. The cheque to reimburse the Chairman has been raised from the Tapestry Account as this is a Tapestry funded project.</p> <p><b>Recommendation 2:</b> Consideration of grants to village organisations to be deferred to a formal meeting.</p> <p>No comments have been received to the contrary. Clerk to raise the matter via a future agenda item.</p> | 15.06.2020 |
| E20/002 | <p><b>20/501987/TPOA Grass Verge At Entrance To Courtlands Malling Road Teston Kent</b></p> <p><b>Recommendation 3:</b> No comment bearing in mind this is the Parish Council's own application</p> <p>No comments to the contrary were received. Therefore the Clerk will offer not comment on the application.</p> <p><b>Recommendation 4:</b> Clerk to obtain quotations for work to the Lime for circulation to Cllrs before work is undertaken</p> <p>Suggestions for the contractors have been received and quotations will be sought from those suggested. Details of quotations will be circulated to Cllrs prior to any work being authorised.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 15.06.2020 |
| E20/003 | <p><b>Highways Spreadsheet</b></p> <p><b>Recommendation 5:</b> Highways Spreadsheet to be noted and updates emailed to Clerk.</p> <p>It was reported to the Clerk that (with numbers relating to those on the Spreadsheet):</p> <ol style="list-style-type: none"> <li>1. the Helen Grant letter is out; the Parish Council is trying to pull together the various strands of activity.</li> <li>4. Work to the footway at Teston Lane between entrance to Country Park and Bridge is complete.</li> <li>10. A litter pick was carried out (by MBC) at Malling Road but more litter has appeared; it has been suggested that a further litter pick be requested in, say, September. The Clerk has made a note.</li> <li>11. The issue of mud at Teston Lane appears to have been resolved.</li> <li>13. The fly-tipping at Malling Road has been removed.</li> <li>15. Regarding the proposed fencing at The Street, Highways have confirmed they have no issues to raise.</li> </ol>                                                                                                                                                                                                                                                                                                             | 15.06.2020 |
| E20/004 | <p><b>Replacement of Notice Board</b></p> <p><b>Recommendation 6:</b> Clerk to circulate details of replacement/refurbishment options for consideration and agreement prior to making a grant application to MBC.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 15.06.2020 |

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|         | <p>No comments to the contrary have been received regarding the proposal to replace the existing board with a powder coated aluminium board with 3 or, if available, 4 bays with the Parish Council having 2, the Church having 1, and with 1 for community notices to be managed by the Clerk.</p> <p>The Clerk will continue to liaise with the Chairman and Vice-Chairman regarding options and will circulate further details in due course, with a grant application to be made to Maidstone Borough Council.</p> |            |
| E20/005 | <p><b>Replacement of Post for Village Sign</b></p> <p><b>Recommendation 7:</b> Clerk to obtain and circulate quotation from Maidstone Borough Council for replacement of the post for the Village Sign for comment prior to proceeding with the work. No comments to the contrary have been received. The Clerk will pursue the quotation with Maidstone Borough Council and circulate as soon as possible.</p>                                                                                                        | 15.06.2020 |
| E20/006 | <p><b>MBC Dog Control Public Space Protection Order Consultation:</b> closing 12<sup>th</sup> July</p> <p><b>Recommendation 8:</b> Clerk to liaise with the Chairman with a view to responding in line with the Parish Council's previous pre-consultation response. No comments to the contrary have been received. The Clerk will liaise with the Chairman regarding the final response.</p>                                                                                                                         | 15.06.2020 |
| E20/007 | <p><b>Recommendation 9:</b> Enforcement issues to be processed by EDA procedure. No comments to the contrary have been received and the Clerk will proceed accordingly.</p>                                                                                                                                                                                                                                                                                                                                            | 15.06.2020 |

- End -