



YOU ARE SUMMONED TO ATTEND THE MEETING OF THE **PARISH COUNCIL ON WEDNESDAY 19TH MAY 2021 AT 19:30** IN THE **TOWNSEND HALL** AT THE KINGS HILL COMMUNITY CENTRE

**MEMBERS OF THE PUBLIC AND PRESS ARE WELCOME TO ATTEND SUBJECT TO COVID19 RESTRICTIONS.**

Signed: *Julie Miller* Date of 13<sup>th</sup> May 2021  
Clerk and Responsible Financial Officer Issue:

Members Cllr S Barker, Cllr M Colman, Cllr S Falzon-Thomas, Cllr Henley, Cllr S Kirk, Cllr C Finlay, Cllr A Petty, Cllr N Redding, Cllr N Sherlaw, Cllr D Waller, Cllr R Zahidi

Please note that the proceedings of this meeting may be recorded in line with regulations set out in the Openness of Local Government Bodies Regulations 2014. A copy of Kings Hill Parish Council's procedure for the recording of meetings is available by request. Members of the public addressing the Council but not wishing to be recorded should put this request to the Clerk at the earliest opportunity.

## Agenda

1. **To Elect a Chairman for the Parish Council for 2021/22 and receive declaration of acceptance of Office for Chairman.**
2. **To Elect a Vice Chairman for the Parish Council for 2021/22.**
3. **To receive and accept Apologies for Absence**
4. **Minutes** to receive and approve for signature the minutes of the meetings held on 28<sup>th</sup> April 2021. Appendix A and B
5. **Public Participation Session** – In accordance with Standing Order 3e the meeting will be adjourned for ten minutes to allow members of the public to address the meeting. Members of the public shall not speak for more than three minutes, a question shall not require a response nor start a debate on the question. The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed ten minutes unless directed by the chairman of the meeting. The chairman may direct that a written or oral response be given.
6. **To consider recommendations from committees** – To consider the following recommendations from committees for approval
  - 6.1. Planning, Transport & Environment Committee: To agree the amendment to the Planning, Transport & Environment terms of reference. Appendix C
7. **To consider Committee and Working Group Terms of Reference and scheme of delegation for approval**
  - 7.1. To agree committee terms of reference and scheme of delegation.
8. **Committee and Working Group structure for 2021/22**
  - 8.1. To appoint membership and substitutes of committees and working groups for 2021/22. Appendix D
9. **To review the following for adoption:**

**These policies can be found on the parish council website**

[http://www.kingshillparish.gov.uk/Policies\\_and\\_Grants\\_3514.aspx](http://www.kingshillparish.gov.uk/Policies_and_Grants_3514.aspx)

- 9.1. Standing Orders.
- 9.2. Financial Regulations.

**10. To complete annual review of arrangements (including legal agreements) with other local authorities, not for profit bodies and businesses.**

**All leases and contracts can be found on the parish council website:**

[http://www.kingshillparish.gov.uk/Leases\\_and\\_Contracts\\_33545.aspx](http://www.kingshillparish.gov.uk/Leases_and_Contracts_33545.aspx)

- 10.1. Phase 1 Open Spaces lease – Tonbridge and Malling Borough Council
- 10.2. Allotment lease – Liberty Property Trust
- 10.3. Sports Park lease – Liberty Property Trust
- 10.4. 2014 Licence to Alter – Kitchen at Sports Park – Liberty Property Trust
- 10.5. 2016 Licence to Alter – Water tank at Sports Park – Liberty Property Trust
- 10.6. 2018 Licence to Alter – Step 7, play area, signage, portacabin – Liberty Property Trust
- 10.7. Community Centre lease – Liberty Property Trust
- 10.8. 2013 Licence to Alter – KHCC CCTV and Fire Alarm System
- 10.9. Open Spaces - Landscape Maintenance contract – Coblands
- 10.10. IT maintenance agreement – Weald Computers
- 10.11. Human Resources advice – Ellis Whittam
- 10.12. Finance Package - Rialtas Business Solutions
- 10.13. DBS Checks -Cantium Business Solutions
- 10.14. Website Contract - ICT Vision
- 10.15. Funding Agreement for Banqueting Chairs – Istock Enovert Trust
- 10.16. Sports Park - Landscape Maintenance contract – Coblands
- 10.17. Step 7 legal letter – Kings Hill Football Club
- 10.18. EPOS Till – Epos Now
- 10.19. Photocopier Lease - Apogee
- 10.20. Sports Park Waste Collection – Veolia
- 10.21. Sports Park – Emergency lighting and fire panel – Fire Action.
- 10.22. Sports Park - Fire extinguisher contract – Fire Action.
- 10.23. Pest control sports park – Pest tech.
- 10.24. Sports Park Pitch Maintenance - Jordans Sports Grounds Solutions Ltd.
- 10.25. Sports Park Fire Alarm
- 10.26. Community Centre Waste Collection – Veolia
- 10.27. Community Centre front door service - Dormakaba
- 10.28. Community Centre – Emergency lighting, fire detection systems
- 10.29. Sports Park and Community Centre - Lift servicing contract – Stannah
- 10.30. Community Centre British Gas Business
- 10.31. Community Centre Collateral Warranty – Clague, Floor Replacement Works
- 10.32. Community Centre Collateral Warranty – Chapman BDSP, Floor Replacement Works.
- 10.33. Community Centre Collateral Warranty – Strata, Remedial Works to Hall Floor
- 10.34. Data Protection Service Level Agreement.

**11. To appoint Representatives to External Bodies for 2021/22 and agree arrangements for reporting back to Full Council**

- 11.1. Joint Parish Council Transport Consultation Group (JPCTCG)
- 11.2. TMBC Parish Partnership Panel
- 11.3. Bio Construct New Energy Liaison Group
- 11.4. Tonbridge & Malling Area Committee – KALC
- 11.5. TMBC Standards Board
- 11.6. Malling Action Partnership
- 11.7. Blaise Farm Liaison Group

- 11.8. West Malling Group Practice Patient Participation Group
- 11.9. To consider reporting arrangements back to Full Council.

**12. To complete annual review of the following: -**

- 12.1. Asset Register
- 12.2. Inventory of Land
- 12.3. Insurance.

Appendix E  
Appendix F  
Appendix G  
and H

**13. To complete annual review of the Council's subscriptions: -**

- 13.1. Kent Association of Local Council membership
- 13.2. Society of Local Council Clerks membership
- 13.3. CPRE membership
- 13.4. The Allotment Society membership
- 13.5. Action for Rural Communities in Kent membership
- 13.6. Institute of Groundsman membership
- 13.7. Leisure Media – Sports Management publication
- 13.8. Clerks and Councils Direct publication

**14. To complete annual review of the complaints procedure: -**

**This policy can be found on the parish council website**

[http://www.kingshillparish.gov.uk/Policies\\_and\\_Grants\\_3514.aspx](http://www.kingshillparish.gov.uk/Policies_and_Grants_3514.aspx)

- 14.1. Complaints Procedure.

**15. To complete annual review of the council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation: -**

**This policy can be found on the parish council website**

[http://www.kingshillparish.gov.uk/Policies\\_and\\_Grants\\_3514.aspx](http://www.kingshillparish.gov.uk/Policies_and_Grants_3514.aspx)

- 15.1. Model Publication Scheme.
- 15.2. CCTV Policy
- 15.3. Freedom of Information Policy
- 15.4. Information Security Policy
- 15.5. Privacy Notices
- 15.6. Data Protection Policy
- 15.7. Data Subject Access Request procedure
- 15.8. Data Subject Access Policy
- 15.9. Security Incident and Data Breach Policy
- 15.10. Acceptable use Policy

Appendix I

**16. To complete annual review of the council's policy for dealing with the press/ media: -**

**This policy can be found on the parish council website**

[http://www.kingshillparish.gov.uk/Policies\\_and\\_Grants\\_3514.aspx](http://www.kingshillparish.gov.uk/Policies_and_Grants_3514.aspx)

- 16.1. Press and Media Policy

**17. To complete annual review of the council's employment policy and procedures: -**

**This policy can be found on the parish council website**

[http://www.kingshillparish.gov.uk/Policies\\_and\\_Grants\\_3514.aspx](http://www.kingshillparish.gov.uk/Policies_and_Grants_3514.aspx)

17.1. Employment policies and procedures – staff handbook. Appendix J

**18. To review the council's expenditure incurred under S137 of the Local Government Act 1972.**

The statutory limit for Kings Hill is £53,132 in accordance with LGA1972 Sch12B.

18.1. £300 – Kings Hill Christian Fellowship Fridge.

**19. To determine the time and place of ordinary meetings of the council up to and including the next annual meeting of the council.**

19.1. To consider holding all council meetings in the Cunningham Chamber.

19.2. To consider all council meetings to start at 19.30.

19.3. To consider meeting dates for the next municipal year. Appendix K

**20. To commence Ordinary Meeting of the Council.**

**21. To receive Declarations of Interest & lobbying.**

**22. Councillor Vacancy**

22.1. To note the resignation of Cllr Kassem-Toufic.

**23. Motions from Councillors**

23.1. Cllr Falzon-Thomas: Full council to receive ALL correspondence to date and on-going in relation to the Sports Park Shooting alleged GDPR breach from the legal teams, the council's insurers and the ICO.

**24. Special Motion from Councillors Falzon-Thomas, Henley and Zahidi**

24.1. "Due to the issues following the 'Financial Update' Press Release from the Vice Chair on 15th April 2021 the current policy surrounding PR/Media is to be reviewed and amended accordingly."

A special motion is required in accordance with standing order 7 because the following decision was taken at Full Council on 17<sup>th</sup> February 2021

FC20/464:

It was RESOLVED to adopt the Press and Media Policy.

Cllr Barker requested a recorded vote.

For

Cllr Barker, Cllr Colman, Cllr Finlay, Cllr Kassem-Toufic, Cllr Kirk, Cllr Redding, Cllr Sherlaw, Cllr Waller.

Against

Cllr Bridger, Cllr Petty, Cllr Zahidi

Abstained

Cllr Falzon-Thomas

- 25. To carry out the corporate body obligation to review financial statements on a quarterly basis.** Appendix L
- 26. To consider sending a representative of the Planning, Transport & Environment Committee to speak on behalf of the parish council at the TMBC Area A2 Committee on 26<sup>th</sup> May 2021 in relation to the Countryside application - TM/20/02830/RM - Kings Hill Phase 3.**
- 27. Correspondence and matters for information** – see appendix A
- 28. Future Meetings.**
- 28.1. TBC
- 29. Questions from Councillors.**
- Questions from councillors shall be recorded in the minutes and responded to at a later date.
- 29.1. To receive answers to questions submitted six clear days before the meeting. Appendix M
- 29.2. To receive answers to questions from councillors since last meeting. There are none.
- 29.3. To receive questions from councillors for which answers shall be responded to at the next meeting.

**Item 30 will be held in confidential session pursuant to section 1(2) of the Public Bodies (Admission to Meetings Act) 1960 as the investigation report contains sensitive personal data. The decision shall be reported in the minutes.**

- 30. In order to avoid legal proceedings, to consider the following remedies as outlined in the legal letter by the protocol deadline date of 21<sup>st</sup> May 2021:** Appendix N and O
- 30.1. Agreement to pay damages  
*Members are to note that there is no budget for such expenditure in 2021-22 therefore the only source to funds to consider such expense is from the contingency fund.*
- 30.2. Payment of applicant's reasonable legal costs and disbursements to be agreed.

## **Appendix A**

### **To report Correspondence and matters for information**

1. 22/04/2021 – Email from resident regarding the Annual General Meeting.
2. 22/04/2021 - Local Government Bulletin 21 April.
3. 22/04/2021 – Email from resident regarding the Annual General Meeting.
4. 22/04/2021 – Email from resident regarding the Annual General Meeting.
5. 23/04/2021 – Email from resident regarding the Annual General Meeting and question at the Annual Parish Meeting.
6. 23/04/2021 – Email from resident regarding the Annual General Meeting.
7. 23/04/2021 – Email from resident regarding the Annual General Meeting.
8. 23/04/2021 – DIS 986.
9. 23/04/2021 – Email from KALC regarding Bitesize Courses at KALC.
10. 23/04/2021 - Local Government Bulletin 22 April.
11. 25/04/2021 – Email from resident regarding the Annual General Meeting.
12. 26/04/2021 – Emails from resident regarding the Annual General Meeting.
13. 26/04/2021 - Local Government Bulletin 23 April.
14. 27/04/2021 – Email from West Malling Group Practice regarding: Zoom meeting May 13th 18.30 Head & Neck Lumps, Bumps & Red Flags.

- 15.** 27/04/2021 - KFO - Raise the Roof Productions - My mortgage free home series 2 - Request for contestants.
- 16.** 29/04/2021 - Email from resident regarding the Extraordinary Full Council meeting.
- 17.** 29/04/2021 - Email from KALC regarding MHCLG Electronic Communications Infrastructure Consultation.
- 18.** 29/04/2021 - Local Government Bulletin 28 April.
- 19.** 29/04/2021 - Email from KALC regarding High Court Judgement: Remote Meetings: Update 2.
- 20.** 29/04/2021 - Email from KALC regarding Help spread the word and keep gardens flourishing this spring.
- 21.** 30/04/2021 - Local Government Bulletin 29 April.
- 22.** 30/04/2021 - NALC Chief Executive Bulletin.
- 23.** 05/05/2021 - Email from WMGP - Zoom talk - Head & Neck Lumps, Bumps & Red Flags
- 24.** 05/05/2021 - The Rural Bulletin - 5 May 2021.
- 25.** 06/05/2021 - Email from KALC regarding very important - NALC Coronavirus update - meetings.
- 26.** 06/05/2021 - KALC News April 2021.
- 27.** 06/05/2021 - NALC Coronavirus Update.
- 28.** 06/05/2021 - RSN Rural Funding Digest - May 2021 Edition.
- 29.** 06/07/2021 - Tonbridge & Malling Ramblers - May update for local publications.
- 30.** 07/05/2021 - DIS 987.
- 31.** 07/05/2021 - NALC Chief Executive Bulletin.
- 32.** 08/05/2021 - Email from CPRE regarding The government's bottling it.
- 33.** 10/05/2021 - Email from KALC regarding KCC Media release: 'Connect with Nature' this Mental Health Awareness Week in Kent.
- 34.** 10/05/2021 - NALC Online Events.
- 35.** 11/05/2021 - Email from KALC regarding Don't forget Volunteers' Week 2021 - a time to say thanks!
- 36.** 11/05/2021 - Volunteers Week 2021 - free event aimed at parish councils in Kent and Medway.
- 37.** 11/05/2021 - Email from KALC regarding COVID-19: Risk & Resilience when exiting lockdown webinar.
- 38.** 11/05/2021 - NALC Chief Executive Bulletin.
- 39.** 11/05/2021 - Local Government Bulletin 10 May.
- 40.** 12/05/2021 - NALC Newsletter.
- 41.** 12/05/2021 - Email from WMGP regarding Treatment for post-menopausal symptoms.
- 42.** 13/05/2021 - Latest Rural Report.
- 43.** 13/05/2021 - Email from Friends of the Earth regarding Update on Tony Hudgell's Tree.