

CAPEL PARISH COUNCIL

Minutes of the CAPEL ANNUAL PARISH COUNCIL MEETING held in Capel Village Hall at 19:30hrs on Monday 13 May 2024

Present: Cllrs Patterson (Chair), Mackonochie, MacKenzie, Malpas, Saunders, Sawyer and Young

In attendance: Louise Goldsmith, Clerk,
Steward Gledhill from Save Capel and 1 member of the public.

MINUTES

Minuted No	
	1. ADMINISTRATION Fire Exits, Fire Meeting Point, Mobile Phones. The Clerk has not received any requests to record or film the meeting.
1204	2. a) ELECTION OF CHAIRMAN Councillor Patterson was proposed by Councillor Young and seconded by Councillor Mackenzie. Cllr Patterson accepted the nomination and there were no other nominations. Cllr. Patterson was elected as Chairman following a vote by a show of hands. 6 in favour and 1 abstained. b) DECLARATION OF ACCEPTANCE OF OFFICE A Declaration of Acceptance of Office was signed by Cllr. Patterson and received and signed by the Proper Officer in accordance with the LGA 1972 Section 83 (4).
1205	3. a) ELECTION OF VICE CHAIRMAN Councillor Malpas was proposed by Councillor Patterson and seconded by Councillor Young. Cllr. Mackonochie was proposed by Cllr. Saunders and seconded by Cllr. Sawyer. Cllr. Malpas and Cllr. Mackonochie accepted the nomination and there were no other nominations. Cllr. Malpas was elected as Vice Chairman following a vote by a show of hands.
1206	4. APOLOGIES FOR ABSENCE None.
1207	5. RECEIPT OF DECLARATION OF ACCEPTANCE OF OFFICE The Clerk as Proper Officer of the Council reported the receipt of signed copies of the Declaration of Acceptance of Office and Undertaking to observe the Code of Conduct forms from Cllrs. Mackonochie, MacKenzie, Malpas, Patterson, Saunders, Sawyer and Young in accordance with the LGA 1972 section 83 (3).
1208	6. DECLARATION OF INTEREST - To receive any Declarations of Interest on Agenda items and Members were reminded that they must inform the Monitoring Officer of any changes to their Notification of Disclosable Pecuniary Interests. No declarations made.
1209	7. PROPOSAL TO ADOPT THE GENERAL POWER OF COMPETENCE a) To agree that the Parish Council meets the criteria: The Clerk advised that this is a Power of First Resort and gives the Council the Power to do anything that an individual can do; it is not subject to the same financial constraints as S137 expenditure. To adopt the Power the Parish Council must meet the following three criteria: <ul style="list-style-type: none">• The number of councillors elected at the last ordinary election, or at a subsequent by-election, must equal or exceed two thirds of its total number of councillors.• The Clerk must hold at least one of the sector-specific qualifications and should have completed the relevant training designed as part of the National Training Strategy for local councils.

CAPEL PARISH COUNCIL

	<ul style="list-style-type: none"> • A local council must decide, at a full meeting of the council, that it meets the criteria for eligibility at that particular point in time. <p>The Clerk advised that the Parish Council meets the eligibility criteria. Resolved: The Parish Council meet the eligibility criteria, b) To agree to adopt the General Power of Competence Resolved: That having satisfied itself that it meets the eligibility criteria, Capel Parish Council adopts the Parish Councils (General Power of Competence) (Prescribed Conditions) 2012. The resolution to use this power lasts until the annual meeting after the next election.</p>
1210	<p>8. APPOINTMENTS</p> <p>a. To consider and approve any changes to Council' s Committee/Working Group structure: Resolved: To accept the structure proposed by the Clerk and to form a new Highways and Transportation Committee.</p> <p>b. To review and approve all Committee/Working Groups Terms of Reference: Resolved: The Clerk to amend the terms of references as discussed.</p> <p>c. To agree appointments of Members to Council's Committee/Working Group: Resolved as detailed below.</p> <p>d. To agree the Chairman of all Committees/Working Groups: Resolved as detailed below.</p> <p>e. To appoint an internal auditor. Resolved: To appoint Mr. Lionel Robbins as the internal auditor.</p> <ul style="list-style-type: none"> • <u>Planning Committee</u> Cllrs Saunders (Chairman), Mackonochie, Malpas and Patterson • <u>Finance and Resources Committee</u> Cllrs Mackonochie (Chairman), Patterson, Saunders and Sawyer • <u>Staff, Office & Administration Committee</u> Cllrs Young (Chairman), Mackenzie, Saunders, Sawyer • <u>Flooding Panel</u> Cllrs Mackonochie (Chairman), MacKenzie, Saunders and Sawyer • <u>Recreation Ground & Allotments Working Group</u> Cllrs Saunders (Chairman), MacKenzie, Malpas, Patterson and Sawyer • <u>Memorial Cottages and Housing Working Group</u> Cllrs Sawyer (Chairman), Patterson, and Young • <u>Highways and Transportation Committee</u> Cllrs Saunders (Chairman), Mackonochie, Malpas, Mackenzie, Sawyer
1211	<p>1. SELECTION OF REPRESENTATIVES TO OTHER BODIES</p> <p>a. <i>Kent Association of Local Councils: (2 representative):</i> Cllrs. Mackonochie and Sawyer</p> <p>b. <i>Parish Magazine Committee: (1 representative):</i> Cllr Patterson</p> <p>c. <i>Neighbourhood Plan Working Party:</i> Cllrs. Mackonochie, Patterson and Sawyer</p> <p>d. <i>Save Capel: (1 representative):</i> Cllr Patterson</p> <p>e. <i>CCA:</i> Cllr Patterson</p>
1212	<p>10. POLICIES Resolved: No changes required to the recently adopted policies below.</p> <ul style="list-style-type: none"> • <i>Grants Policy and Application Form</i> • <i>Health & Safety Policy</i> • <i>Equality & Diversity Policy</i> • <i>Complaints Policy</i> • <i>Scheme of Delegation</i> • <i>Data Protection and Document Retention Policy</i> • <i>Publication Scheme</i>

CAPEL PARISH COUNCIL

1213	<p>11. BANK SIGNATORIES It was agreed to remove previous Councillors Maggie Fenton and Suzi Rich as signatories on the account and to arrange online access for Cllr. Malpas.</p>
1214	<p>12. ANNUAL PARISH MEETING Members discussed the feedback from the Annual Parish Meeting held on the 15 April 2024. It was noted that most of the comments made have been incorporated into the current version of the Highways Improvement Plan and were discussed with the Community Engagement Officer at the meeting held on the 22 April 2024. A member of the public asked about posting notices for local organisations and events on the noticeboards. It was agreed that the Clerk should continue to post any such notices but to keep the noticeboards locked.</p>
1215	<p>13. LOCAL PLAN: To discuss representation at the Hearing Sessions It was noted that the Hearing Sessions will be held on the 18, 19 and 20 June and then on the 16, 17 and 18 July 2024. The Hearing sessions are expected to be held in person in the Town Hall. <i>The meeting was suspended to allow Stewart Gledhill from Save Capel to speak.</i> Steward Gledhill from Save Capel explained the process for submitting statements to the MIQs and the availability of legal advice for the Hearings. It was suggested that Save Capel and the Parish Council should jointly instruct the legal teams as before. Given the availability of the barristers it was suggested to instruct Simon Bell, from The Barrister Group, to attend the hearings representing both on the 18 and 19 June at a cost of £3,500.00 per day. Simon Bell will also offer assistance with the drafting of the joint responses to the Inspector's MIQs for Matters 3, 4, 7, 8 and 9. It was also suggested to instruct James Neill on the preparation of Matter 1. For Matters 3 (TGV), 4, and 7 Motion Consultants will work alongside the barristers. Steward Gledhill advised that the estimated share of the cost of this legal representation would be £10,000.00 for the Parish Council. <i>The meeting resumed.</i> Resolved: A representative from the Parish Council to attend the Hearing Sessions due to be held on the 18 and 19 June and the 16, 17 and 18 July 2024. To jointly appoint, with Save Capel, Simon Bell to represent both parties at the Hearing Sessions due to be held on the 18 and 19 June and to draft responses to the MIQs for Matters 3, 4, 7, 8 and 9. To jointly appoint, with Save Capel, James Neill on the preparation of Matter 1. The cost of the legal advice to be considered and ratified at the next Full Council Meeting.</p>
1216	<p>14. OPEN SESSION. A member of the public reported a fault on the bridge on footpath FP178. A member of the public reported that vegetation on the A228 near to the railway bridge and opposite the entrance to Capel Grange needs cutting back.</p>
1217	<p>15. DATE OF THE NEXT MEETING: Full Council meeting Monday 3 June 2024 at 7.30pm.</p>

With no further business the meeting closed at 21:03hrs

Signed: Dated: