



BOROUGH GREEN PARISH COUNCIL



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Established 1934

www.boroughgreen.gov.uk

Minutes of the **BOROUGH GREEN PARISH COUNCIL MEETING** held in Borough Green Village Hall on **Monday 5th August 2024** starting at **1930**. The meeting was not recorded. **Present:** Cllrs Ramsden (Chair), Cllrs, Taylor, Butterfill, Reid, Hook, Millener, Thrush, Shaw, Cllr Rayner (KCC) , & the Clerk. There were three members of the public.

073. Apologies for Absence Cllrs Heselden, Reading & (TMBC Cllr Palmer no apology)

074. Declarations of Interest - None

075. Minutes of the meeting 1st July 2024 - AGREED

076. Submissions by County and Borough Members and Members of the Public

KCC Cllr Rayner spoke about Dover Entry/Exit system, and the 700 unaccompanied asylum seeking children. He noted how KCC's role in Local Plans was infrastructure, and there simply was not enough money for the housing planned, sewage and traffic being particularly underfunded. It is unlikely there will be any changes to bus routes this F/Y, and the New Government has promised improvements to bus services. Bus usage is up by 15%, but future funding is unsure

He spoke about the need for a realistic multi-year funding arrangement from Government to Local Authorities, and the likelihood of more moves to reduce some Local Government using Combined Authorities

Cllr Taylor (TMBC) said there could be no Local Plan update at the moment because we simply do not know what the Government proposals will be. But the pause will be used to ensure that the new Plan will be fair and equitable, based on clear evidence, and TM Members will be wholly involved in the process.

An MOP complained that the Decision Notice from the TMBC Monitoring Officer had been posted leaving the complainant's name legible. Cllr Taylor offered to redact the name as soon as he returned home (2210). Also noted Voice comments, Chair said they would be discussed and a response sent.

077 Matters Arising

- (i) Vacancy - we have been given permission to co-opt
- (ii) TMBC Monitoring Officer has rejected Complaint against Cllr Taylor, Decision Notice

Apx 3

078 Planning Matters

- (i) To note Planning Notices as circulated
- (ii) Current applications and **responses** as circulated,
 - 24/00998: "Pippins" Tilton Rd, single storey side and rear extension (resubmission).
 - 24/00926: 10 Maidstone Rd, Conversion and external alterations to former commercial garage to create 4 residential units, incorporating 7 parking spaces and associated private amenity areas for each premises.
 - 24/01092/PA: 35 Maidstone Road, Lawful Development Certificate Proposed.
 - NO OBSERVATIONS

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079 Potters Mede

- (i) Update - Storage Container and Fences: Installed, paid and part funding received from TMBC.
- (ii) BG Scouts - Settling in well and happy with move.
- (iii) New Broadband install progress – Delay due to cabling Traffic Permit, installation 22/08/24.
- (iv) Drainage and pond. Planning permission obtained for works at address which would require drainage into PM. Bio-diversity will be treated with sensitivity and advice from PC. New 2.5m security fence and hedging to be installed, and some tree reduction work.
- (v) Damage to shutters. Emergency call-out due to security concerns. Temporary repair made, quote to follow.

80 Recreation Ground

Black Horse Mews – Subsidence issues - Builder arranged. Quote for homeowner is about £8k. PC to provide £1000 plus VAT for stabilisation work on our side of the bank.
- AGREED

- (i) Play Area – Contractor attended and repaired surface area damage. Repairs to sensory equipment ongoing.- Cost Ratified
- (ii) Cllr Reid asked if Courts could be made cheaper and more accessible. Clerk to investigate prices at other venues. Some discussion about marking for other court games.
- (iii) Concerns raised about weeds on path - Clerk to arrange contractor

081 Community Issues

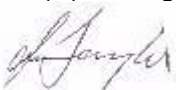
- (i) Noted Government action on the fire hazard of charging off-brand Lithium batteries indoors

082 Village Enhancements & Green Spaces

- (i) Solar Projects – Installed, paid for and part funding received from TMBC.
- (ii) Public Toilets – Repairs ongoing. Completed this week. LED Lighting quote to be obtained. Location of Disabled Key to be established
- (iii) Surgery Parking- Note TMBC letter 25th July & TreeAbility letter 11th July. ongoing
- (iv) Staleys Acre – Concerns over lack of pavement/safety issues - Inform KCC. Agreed full mow
- (v) Overgrown hedges – tabled non-confrontational letter. AGREED .Appendix 2
- (vi) Catholic Church roof – tiles falling into adjacent carpark. Church informed - ongoing.
- (vii) Stangate Solar Park – Infinis discontinued in 2021 but would like to re-engage communities. Liaising with Ightham, Plaxtol and Platt PC
- (viii) Duck signs to be installed at Basted Mill cost shared with Platt PC
- (ix) Fallen Tree PROW to BMPOS - Cllr Taylor to contact Reynolds.
- (x) BMPOS - unfenced drop - TMBC to be advised

083 Financial Matters

- (i) Responsible Financial Officer's report
- (ii) Bank Reconciliations & Balance 30 June 2024. Total Bank Balance £206,905.72
- (iii) To approve Payment List as circulated. Prop Cllr Butterfill, 2nd Cllr Shaw, Cllr Taylor abstained, (expenses).AGREED Payment list Appendix1
Invoices checked: Cllrs Thrush & Millener
- (iv) Funding tracker update.
- (v) BT Fibre Broadband quote - enables solar power sales
- (vi) Change of power supplier – need 3 mths consumption before approaching Octopus.



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084 Website & Social Media

- (i) Voice notes to be circulated and agreed by all Councillors & Clerk

085 Neighbourhood & Local Plans

- (i) TMBC Local Plan suspended until Government settle new targets and rules

086 Highways & Streetlighting

- (i) A25 Pavement - awaiting repairs
- (ii) Maidstone Road Pavement encroachment – KCC investigating Land Registry
- (iii) Note narrow pavement by Station Road and inability to add railings.

087 Quarries & Landfills

- (i) H+H Celcon vehicles out of hours and Western Rd - Raise with H+H

088 Councillors Reports from outside Bodies (max 3 min)

- (i) BGVH Progress –

Chairman moved into Part 2 - see separate minutes

Chairman moved back into public session, and tabled Statement:

The Parish Council have tried to work in a supportive and collaborative manner with the Borough Green Village Hall Management Committee over the recent transition of their committee and the running of the Village Hall. We have offered them advice, funding and resource in an attempt to promote constructive relationships. We wish to emphasise the point that all decisions relating to the management of the Village Hall are the responsibility of their committee, which is completely distinct and separate from the Parish Council. - AGREED UNANIMOUSLY

089 Future Dates

- (i) **Date of next meeting 9th September 2024 1930 Potters Mede**

Please note this is the 2nd Monday of the month

At all other times contact the Clerk using the details above

090 Exclusion of Public and Press: Pursuant to Section1(2) of the Public Bodies (Admission to Meetings) Act 1960 Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any item

APPENDIX 1 PAYMENTS LIST

BGPC Payments List August 2024

Staff Costs	£
Staff Salaries	5,543.52
HMRC	2,838.59
KCC Pensions	2,576.00
BACS Payments	
TreeAbility, inv 5827	264.00
Streetlights, inv 14671	3,024.00
Astra Security, inv SI-108744	30.00
SHS, inv 46612	694.32
BGVH (office hire July to Sept 24), inv 0140	750.00
BGVH (luncheon club), inv 0136	526.50
BGVH (luncheon club), inv 0135 £486.00, less C/R 0118 £121.50	364.50
Nu-Venture, inv 3063	833.00
Honeycombe (estimate)	5,500.00
Expenses - M Taylor	75.76
Expenses - B Galopin	53.63
Expenses - R Springett	171.07

Expenses - B Glew 433.88

DD Payments	
Zen Internet (monthly charge)	13.79
National Domestic Rates RG	57.20
COGS - The Voice Magazine	300.00
Bank Charges *	18.00
Npower* - streetlighting	234.30
Npower* - public convenience	229.14
EDF (PM)*	443.00
EDF (RG)*	40.00
Castle Water*	349.61
Castle Water*	18.70
Stellantis (formerly Vauxhall Finance)	544.80
* DD amounts may vary on a monthly basis	
Total	25,927.31
NB: Receipts during July 24 (exc bank transfers)	39,997.92
Total Balance	206,905.72
Signatures Cllr Thrush & Millener	



9th Sept 2024

APPENDIX 2 OVERGROWN HEDGE LETTER



BOROUGH GREEN PARISH COUNCIL



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Established 1934

Clerk: Mr Bernie Galopin
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Overgrown Hedge

Dear Occupier,

We have received complaints that your hedge is intruding into the footway space making passage difficult and dangerous for pedestrians.

The Parish Council have no powers in this regard, and should make a formal report to KCC as the Highway Authority - but they tend to go all "legal".

We have often found that a friendly note such as this usually addresses the matter. I am sure it is just an oversight in a busy life, but a pedestrians would be grateful if you could find the time.

If you are physically unable to cut the hedge - let us know and we can possibly arrange a volunteer.

Yours faithfully



Chairman BGPC

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APPENDIX 3 COMPLAINT DECISION NOTICE



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CODE OF CONDUCT COMPLAINT DECISION

NOTICE

Parties should take care when passing on information that is in the notice or about the notice. For example, some details such as names and addresses may be confidential or private in nature, or may be personal information.

Complaint

On 13 May 2024 I received a complaint about Cllr Taylor of Borough Green Parish Council. The complaint was made by Mr [REDACTED], a local resident.

Complaint summary

Mr [REDACTED] is the Chair of [REDACTED], and Cllr Taylor is the Chair of Borough Green Parish Council.

Mr [REDACTED] complaint states that it relates to *“bullying and intimidating behaviour with raised voices, physical intimidation, veiled threats, unsubstantial allegations with incorrect and unsupported allegations and opinions in minutes and notes”* by the chair of the Parish, Cllr Taylor.

Mr [REDACTED] originally sent an official letter of complaint to the Parish Council on 7th April headed *“Complaint regarding behaviour of Members of Borough Green Parish council on 4/04/2024”* which was forwarded to the Monitoring Officer. That complaint was directed at both Cllr Taylor and the Clerk to the Parish Council. However, the Monitoring Officer advised Mr [REDACTED] about the correct procedure of submitting a code of conduct complaint and so a formal code of conduct complaint against Cllr Taylor was received on 13 May 2024.

In summary he claims that this meeting held on 4/04/2024 was initially proposed by the Parish Council as an informal meeting between himself, his bookings manager, Cllr Taylor, and the Clerk of the Parish Council at a pub. It was arranged to meet to discuss some concerns the Parish Council had regarding recent changes at the Village Hall. However, it transitioned into a formal meeting in the Parish Council offices [held on 5th April according to Part 2 Notes supplied]. The Parish Council Representative on the Village Hall Committee was not invited to the meeting and had no knowledge of its occurrence.

He stated that despite several attempts to seek clarification prior to the meeting about what was to be discussed, none was forthcoming and therefore what transpired can only be described as nothing more than an “ambush” with an as yet unknown agenda.

He states that there was a complete lack of transparency over purpose and agenda, and this is unacceptable and constitutes grossly bad communication and intimidatory behaviour on behalf of the council. The meeting was uncalled for and unjustified with attempts by the chair

(Cllr Taylor) and clerk to bully and intimidate the Hall Committee members with raised voices, physical intimidation, veiled threats and unsubstantiated allegations of illegalities and improprieties by the Village Hall Committee. The behaviour and attitude directed towards the Village Hall Committee at the meeting was not conciliatory or done in a spirit of unison and therefore may have fundamentally damaged the relationship between the parties.

He stated that the primary allegation raised by the clerk was that the Village Hall Committee were illegal and in violation of the Deed of Trust but that the chair and clerk of the Parish Council have failed so far to supply any supporting information to substantiate their claims or to even act in a supportive way towards the Village Hall Committee by advising on issues. So, attempts by the Parish Council to challenge the new Village Hall Committee in its clearly documented efforts to comply with all its requirements is nothing more than evidence of bullying and intimidation.

On 20th May 2024 I wrote to Cllr Taylor to inform him of the complaint made against him and invited him to submit any initial views in writing to me. Cllr Taylor responded via email on 20 May 2024. Cllr Taylor stated that he completely and absolutely refutes and denies the complaint in its entirety, and that there is not a shred of truth anywhere. He stated that he has no problem accepting that people from time to time may object to his manner which can be blunt, but that he will always engage with the standards process to ensure the correct outcome.

Borough Green Parish Council has adopted the National Association of Local Council model Code of Conduct under the provisions of the Localism Act 2011.

Consultation with the Chair & Vice-Chair of the Joint Standards Committee and Independent Person

In accordance with the arrangements adopted by the Borough Council for dealing with complaints that a councillor has breached their authority's code of conduct, the complaint is to be assessed by the Monitoring Officer in consultation with the Independent Person and the Chair and Vice-Chair of the Joint Standards Committee.

Paragraph 2.1. of the 'Procedure on receipt of a complaint' requires that complaints are assessed against the legal jurisdiction test in paragraph 2.2 and, if applicable, the local assessment criteria in paragraph 2.4.

The legal jurisdiction test contains 6 elements. If a complaint fails one or more of the jurisdiction tests, no further action will be taken and the complaint will be rejected.

Did the alleged conduct occur before the adoption of the Code of Conduct?	No
If the answer to this is 'Yes' the test is failed	
Was the person complained of a member of the Borough or Parish Council at the time of the alleged conduct?	Yes
If the answer to this is 'No' the test is failed	
Was the person complained of acting in an official capacity at the time of the alleged conduct?	Yes
If the answer to this is 'No' the test is failed	

<p>Did the alleged conduct occur when the person complained of was acting as a member of another authority?</p> <p>If the answer to this is 'Yes' the test is failed</p>	<p>No</p>
<p>If the facts could be established as a matter of evidence, could the alleged conduct be capable of a breach of the Code of Conduct?</p> <p>If the answer to this is 'No' the test is failed</p>	<p>Yes</p> <p>At this stage in the initial assessment process, I am not required to determine if there <i>has</i> been a breach. Rather, the test is whether the alleged conduct is <i>capable</i> of amounting to a breach of the code. The question is therefore whether alleged conduct of Cllr Taylor is capable of amounting to a breach of the code.</p> <p>My view is that the allegation of bullying made against the Cllr Taylor is capable of amounting to a breach of the Members General Obligation 2 in the Parish Code.</p>
<p>The complaint is about dissatisfaction with the Borough or Parish Council's decisions, policies and priorities, etc</p> <p>If the answer to this is 'Yes' the test is failed</p>	<p>No</p>

The complaint passed the Legal Jurisdiction Test within the adopted arrangements for dealing with complaints.

The Monitoring Officer then applied the following local assessment criteria test –

- (a) The complaint is substantially the same as a complaint which has previously been made.
- (b) The complaint is anonymous, unless the Monitoring Officer is of the view, on the basis of corroborating evidence that it is in the public interest to accept the complaint. The Monitoring Officer may consult the Independent Person and the Chair/ Vice-Chair of the Joint Standards Committee.
- (c) No or insufficient information/evidence to substantiate the complaint has been submitted by the Complainant.

- (d) The complaint is malicious or relatively minor, and, in the view of the Monitoring Officer, the public interest would not be served by taking further action.
- (e) The Complainant is unreasonably persistent, malicious and/or vexatious.
- (f) The alleged misconduct happened more than 3 months prior to the submission of the complaint.
- (g) Dealing with the complaint would have a disproportionate effect on both public money and/or officers' and Members' time.
- (h) The circumstances have changed so much that there would be little benefit arising from an investigation or other action.
- (i) The complaint has been the subject of an investigation or other action and there is nothing more to be gained by further action being taken.
- (j) The complaint is such that it is unlikely that an investigation will be able to come to a firm conclusion on the matter, e.g., where there is no firm evidence on the matter.
- (k) The complaint is about a deceased person.
- (l) The complaint is about a person who is no longer a Borough or Parish Councillor or Co-opted Member.

If one or more of the local assessment criteria applies to the complaint, no further action will be taken by the Monitoring Officer and the complaint will be rejected.

The Monitoring Officer considered that paragraphs (d) and (j) are applicable. He did not consider the complaint to be at all malicious but it did appear to him that the allegations are relatively minor. There is clearly some friction between the Parish Council and the Borough Green Village Hall Management Committee and it is apparent that the meeting that took place on 4th April 2024 was difficult. However, Mr [REDACTED] hasn't been specific in providing examples of the words or actions used at the meeting so as to support his general allegation of bullying. It would therefore be very difficult to objectively assess whether bullying took place, particularly if this were an isolated incident. Furthermore, both the Clerk and Cllr Taylor reject the allegations so (absent a recording of the meeting) it is unlikely that an investigation would be able to come to a firm conclusion on this matter.

Decision

Having consulted and taken into account the views of the Independent Person and Chair and Vice-Chair of the Joint Standards Committee, the Monitoring Officer decided to reject the complaint.

Notification of decision

This decision notice is sent to the:

- Complainant (Mr [REDACTED])
- Cllr Taylor

Appeal

There is no right of appeal against the Monitoring Officer's decision.