

# BOXLEY PARISH COUNCIL

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Chatham  
Kent ME5 9RU

To All Members of the Council, public and press.

5 August, 2103

There will be a meeting of the **Estates Committee** on **Tuesday 13 August 2013** at Beechen Hall, Wildfell Close, Walderslade commencing at 7.30 pm when it is proposed to transact the following business:

1. **Declaration of Interest or Lobbying.**

Members are required to declare any interests, requests for dispensation, lobbying or changes to the Register of Interests.

2. **Apologies and absence.**

To receive apologies for absence.

3. **Minutes of Previous Meeting 11 June 2013.**

To consider the minutes of the meeting and if in order to sign as a true record (previously circulated).

4. **Matters Arising From Previous Minutes.**

4.1 Minute 2548/Item 7.2 - Yew Tree at St Mary and All Saints Church – see report on page 3.

**To adjourn the meeting to allow the public or press to comment**

5. **Assistant Clerk's Report.**

5.1 Hire fees were received for June/July with a comparison for the same period in the previous year please see report on page 3.

5.2 New Hires – Baby Sensory and Talking Tots see report on page 3.

6. **Allotments.**

Report attached (pages 3 – 4).

7. **Beechen Hall Profit and Loss Report.**

Report attached (page 4)

8. **Review of Policies and Procedures.**

8.1 Annual Competency Review/Statement see report on pages 4-7.

8.2 Annual Inspection of the Hall – see report on pages 7 – 8.

8.3 Burial Grounds Regulation (H) – see report page 8.

8.4 Beechen Hall Fire Risk Assessments (H) – see report page 9.

8.5 Beechen Hall Drink and Public Licence (H) – see report page 9.

8.6 Clerk's Delegated Power – Hall Maintenance (H) – see report page 9.

9. **Matters for Decision**

9.1 A request from Mid Kent Downs Steering Group to have a guided tour of the WDJO on Thurs 26 September at 10.30 am has been received. Members to decide who is to be the guide.

9.2 Box trees in planters at village green. These need to be planted in the verge by the War Memorial.

10. **Matters for Information**

Annual Playground Inspection WDJO. For insurance purposes the annual inspection has to be carried out by a qualified individual. An inspector for ROSPA the UK's leading organisation for accident prevention has been deployed to carry out an inspection during July. It is hoped a report will be available for the meeting.

11. **Date of Next Meeting.** Tuesday 15 October, 2013 at Beechen Hall, Wildfell Close, Walderslade, Chatham commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 6 October 2013.

In view of the confidential nature of the next item (pay and conditions) the Chairman will pass a resolution to exclude the public and press from the meeting.

12. **Staffing issues.**

To discuss and decide on the staff pay rise and any need to amend hours see confidential paperwork.

Pauline Bowdery  
Clerk to the Council

**REPORTS AND ITEMS RELATING TO THE ESTATES COMMITTEE MEETING 13 AUGUST 2013.**  
**Members are reminded that the Chairman will assume that these papers have been read prior to the meeting.**

**Item 4.1 – Yew Tree at St Mary and All Saints Church – purpose of item for information**

Maidstone Borough Council has informed the parish office that a Tree Preservation Order is going to be applied for the tree. The parish office has requested that it be allowed to challenge the TPO and as the parish council's Environment Committee had responded *do not wish to object* to the planning application this means that it should be reported to the MBC planning committee. The Landscape Officer was sympathetic to the need to remove the tree to stop further deterioration in the condition of the wall.

Written confirmation of the application to apply for a TPO is awaited and a member of the parish council will attend the MBC planning meeting to argue the case however members are notified that if the TPO is put in place then it is likely that annual maintenance of the wall will be required. If the tree had been removed some work, having allowed time for the roots to die back a bit, would have been undertaken in 2014 to fill the cracks. If the tree remains then the wall may benefit from some remedial work before the coming winter and if so an application will be made to the Finance Committee for funding from the contingency funds.

There is also an issue of a branch touching a nearby residential property (Court Lodge, a listed building). No request has yet been received from the property owner for it to be trimmed back but they are aware of the application to fell the tree. Members views are sought on what the office should do it if is approached. As the tree is the property of the church the parish council could defer any enquiry to the vicar or suggest to the property owner that they pay for any work (as KCC currently does).

A number of questions have been sent to the MBC Landscape Officer and the Conservation Officer has also been approached to ascertain his views. Further details will be supplied as they are received.

**Item 5.1 Hall Hire Fees for June/July and a comparison on previous year. Purpose of item for information**

(Brackets indicate income over same period previous year).

	<b>2013/2014</b>	<b>2012/2013</b>
Casual	£2,111.75	(£3,728.20)
Regular	<u>£4,965.24</u>	<u>(£3,166.16)</u>
Total	£7,076.99	(£6,894.36)
Cumulative figures for		
Casual	£ 5,010.57	(£6,531.70)
Regular	<u>£11,121.32</u>	<u>(£6,823.71)</u>
Total	£16,131.89	(£13,355.41)

**Item 5.2 New Hall Hirer. Purpose of item for information.**

The hall has two new hirers from 1<sup>st</sup> September, A baby sensory class (now confirmed) on a Monday afternoon for 2 hours and Talking Tots taking the vacant position on Thursday mornings. The hall is now back up to full capacity once more during the week for regular hirers.

**Item 6 Update report Allotments Project. Purpose of item for information.**

I am pleased to report that the R E's have successfully installed the access and road onto the site. They commenced on time on the 15<sup>th</sup> July and have completed ahead of schedule.

A number of issues occurred during the construction one of which was the discovery of an unmarked water pipe at the entrance. Discovered when L/Cpl Patterson put the digger through the pipe which led to a fountain of water across Sandy Lane ! However their resourcefulness was put to the test and they quickly stopped the leak. I called the Water Board who confirmed that the pipe was not logged

anywhere but could not resolve the issue whereby Pauline called in a plumber – he also could not re connect the pipe. It was resolved the following day but in the meantime there was no water to the scout compound – this obviously being the supply.

A second issue concerned a complaint from a member of the public that the public right of way running along the southern edge of the site was blocked by earth pushed over by the soldiers in a digger. This again was resolved quickly and in the process they cleared all along this path on our boundary leaving it ready for us to install a fence at a future date.

A tree had fallen down in this PROW from our land so I called in Steve Wright – tree surgeon to remove. He also has to return to cut and remove a large branch from the site that had been damaged by one of the machines.

They have kept our promise to the scouts and resurfaced their compound as a big thank you for allowing us to use their facilities – I do wonder how we would have managed without their generosity.

We have arranged for a road sweeping company to clean Sandy Lane on the Thursday to ensure that the many dog walkers, hikers and the neighbours have a clean and pleasant environment. I would personally like to thank all the office staff, in particular Pauline for the very professional manner in which problems that arose were dealt with in a very efficient and prompt manner.

The working group will be meeting again shortly in order to discuss phase 2.

Bob Hinder

**Item 7. Beechen Hall Profit and Loss Report. – Purpose of report: Information.**

<b>Profit and Loss Statement (some figures shown are flexed)</b>	
<b>Beechen Hall</b>	
<b>1 April to 30 July 2013</b>	
	£
Revenue	16,608.17
Less cost of sales*	470.43
Gross Profit summary	16,137.74
Less Expenses	15,380.10
Other Income**	0.00
<b>Net Profit</b>	<b>757.64</b>
Office Running Costs Manual Adjustment	1,264.00

\* Cost of sales includes consumables and damage waiver

\*\* VAT return Jan – March 2013

**Item 8. Annual Review of Policies and Procedures 2013 -2014 – Purpose of item to review and recommend any changes.**

**Statement of competency on the following reports and risk assessments.**

The Clerk has produced or checked the reports produced by others but the Estates Committee must still be satisfied that they are being correctly advised. In addition to the statement provided in the review at 8.1 the following comments are made:

The Fire Risk Assessment has been renamed and amended to include medical emergencies. Whilst the first aid box is referred to in another risk assessment the purchase of the defibrillator needed acknowledging in a report and it was considered that this change would be an obvious one to accommodate the additional device. This change shows that the parish office recognises that often simple changes have a knock on effect and that documents such as risk assessments need regular updating and changing rather than being a static document.

The annual inspection of the hall recognises that forward planning is needed as this enables the committee to set priorities and budget for maintenance and improvements. It is also a reminder that the Estates Committee is ultimately responsible for the hall.

The Clerk keeps up to date with any changes in legislation by e-mail notifications but by also actively seeking and checking relevant websites,

The Assistant Clerk is generally responsible for servicing the Estates Committee and also takes various opportunities to update her knowledge and understanding. The Assistant Clerk is also undertaking formal training and modules will cover risk management, legislation, health and safety etc. The Clerk and Assistant Clerk also keep in touch with other hall providers etc. to share information and experiences.

The Estates Committee has recognised that some documents (marked by an H for housekeeping) can be reviewed by the parish office and issues only placed on the agenda if there is a need. Councillors can however ask for the matter to be deferred if they wish to have a full review.

### **Item 8.1 Annual Competency Review/Statement**

The Estates Committee, under its Terms of Reference has a number of areas that this recommendation covers, and these are as follows:

1. Risk Assessments (RA), policy and actions taken to control and alleviate/control any potential issues
  - Business Continuity Plan (action and policy)
  - Sharps policy (RA)
  - Risk Assessments for hall (Fire, Drink and Public Licence) (RA).
  - Hall bookings, cancellations and damage (policy).
  - Discount for children's clubs and clubs (policy).
  - Hall hire fees (action and policy)
  - Late departure of casual hirers (policy).
  - Late arrivals of casual hirers (policy).
  - Early opening of hall (policy).
  - Staff pay rise and any need to amend hours. (action and policy)
  - Clerk's delegated powers – hall maintenance (action and policy)
  - Committee look at fabric and condition of hall (action).
  - Bouncy Castle (policy).
  - Christmas closedown period of hall for the following year (action).
  - Lost Property Procedure (policy).
  - Disposal of Lost property (action and policy)
  - Friday afternoons – no hire (action and policy)
  - Terms of Reference (to go to April PC mtg) – any amendments wanted by Committee (action).
  - Village Hall Grant Policy (action and policy)
  - Burial Grounds Regulations (action and policy)
  - Use of Boxley Green and Wildfell Close Open Space (action and policy)
  - Hall Marketing Initiatives (action and policy)
  - Profit and Loss (action and policy)

All of the above are scheduled in a document submitted to the February Estates Committee (Review of policies and procedures diary document to allow adjustments). This not only proves to the Committee that the office has correct procedures to ensure reviews but also allows Councillors an opportunity to comment on the review schedule (action).

### 2. Procedures.

The parish office and its staff undertake "housekeeping" that members often do not know anything about, or take for granted, and this is why the Council must appoint competent staff and allow them adequate time, training and equipment to do the work. Councillors do not have to become involved in 'housekeeping' issues as this would not be an efficient or effective way to manage the hall or Council time. So how do Councillors know if "housekeeping" work is being undertaken? This can be judged in a number of ways;

- Lack of complaints from the public/hirers.
- Visual clues (hall doesn't look clean, maintenance has not taken place on Council property)
- Discussions with public, other hall management committees' comments etc. will notify Councillors that a problem exists or is brewing.
- Paperwork not being available in adequate time (agenda, reports etc.) Review diary not being adhered to without adequate reason.
- Office being unable to supply something requested or having no knowledge of something.
- Office not completing an action asked for by a committee.
- Information coming to it from serving on another committee (probably more likely to be financial) or reading another committees agenda/minutes.
- 'Gut instincts' *Clerks comment – never ignore these.*
- Staff being evasive when Councillors ask questions.

The review diary also includes other information by which Councillors can judge whether the committee/office is 'healthy' and these are generally under office notes and are a reminder not only to staff but also to the committee. Examples of these monthly tasks/reminders are:

- (office note – fire extinguisher maintenance contract ends 31<sup>st</sup> March – automatic renewal)
- (office note – appliance service contract for boiler and oven expires July 2013 – straight forward renewal in 2014?)
- (office note – Hall gas and power contract ends 07.05.14 start review in Jan 2014,)
- (office note – review Box Trees at Village Green – still okay?)
- (Office note – review hire agreement still fit for purpose, remind regular hirers about the need to insure any of their equipment stored at the hall)

The agenda for meetings includes regular items (Asst Clerk's report, financial information etc.) to allow regular reviews and debates. Items are then added as issues are identified at the end of the agenda is a list of items that have been deferred for return and members can keep an eye on these to ensure they are returned.

### 3. Competent.

The parish council is required to appoint a competent Proper Officer (Clerk and in their absence Asst Clerk) and any other staff that are needed. It is a duty of all Councillors to ensure that any document it receives is relevant and the Clerk is responsible for ensuring all documents are kept up to date and are correct. It is the Committees duty to judge whether this has been achieved and so is a shared responsibility. So how do Councillors do this? This can be achieved in the following way:

- Councillors keep abreast of developments through the KALC Parish News, newspapers, Television etc. They should be willing to check with the parish office that they have noted that something is happening and whether it is going to the committee. *Clerks comment – the office is signed up to many e-mail notification systems and also pays to have the Direct Information Service which is a NALC run service giving briefings on changes to legislation, Ministers press releases, other organisations and NALC press releases/statement etc.*
- Read and study all the documents received and using their experience and knowledge judge whether it is correct. *Clerk's comments – the strength of a good Parish Council comes from the variety of Councillors serving on it. Their individual experiences, common sense etc. means that there is generally someone with in depth knowledge.*
- If, on important reports and documents, there is no statement of competence or other notes that indicate research, for example footnotes referring to legislation, then ask questions. Preferably this should be done in advance of the meeting. By including details of sources and legislation this gives the opportunity for Councillors to judge whether the work submitted has depth and breadth.

The following takes in other elements, in addition to this review, but it is considered that this might be helpful as a reminder.

Councillors have to have an element of trust in its personnel however they should not become complacent. It is not wrong to question a report/item however it is polite to do so in a fair way and not ambush personnel at a meeting as they might not be the person who has investigated or written the report.

It might be helpful to remind members that the Clerk and Assistant Clerk have a 'system' when reports are supplied to members:

- Clerks' or Assistant's Clerk comment. This is used to impart (in written form) some additional information that it is considered is relevant. Councillors then have time, before the meeting, to consider the information. It is also used to create links between the many other documents or other Committee policies etc.
- Suggestion, this is to put forward a possible decision, plan or idea to open debate.
- Options, this is used when the Clerk or Assistant Clerk can't find that the Council has any policy or previous stated views on the issue being considered. It is to help members consider what is in front of them and to open up discussion.

The Clerk or Assistant Clerk also uses 'recommendation' and anything under this description is more likely to deal with a legal requirement. Thus a recommendation to adopt a policy is because not to do so could create legal problems, result in the Council acting unprofessionally or result in the Council not meeting requirements set by itself or another outside body. This does not mean that members should not change or amend aspects of the policy/decision but members need to do so from a position of information and so advance warning of any queries would be extremely helpful.

The Councils' method of working is that all Councillors receive agenda and minutes of all committees and that the agenda items are supported by relevant reports and information. This allows members to make informed decisions and it is always helpful to receive feedback on the whether the report was balanced and included all the information members needed.

Councillors also have responsibilities that impact on the competency of the Council and need to read their agenda and reports prior to a meeting. The information supplied to Councillors by the office and information available from other sources allows Councillors to form opinions and to take decisions from a position of information.

4. Health Check.

Members need to undertake a health check on the Estates Committee to consider:

- Are the current policies and procedures enough if not where are there weaknesses?
- Are the current checks (reports to meetings) enough to make a decision or do members wish to devise an alternative audit for example a spot check at the office?
- What improvements they think there could be to the way current policies, actions and procedures are managed.
- Are there procedures in place to be confident that one off or irregular issues are dealt with by the office under housekeeping or referred to the Committee in a prompt and correct manner.

5. Compliance with 2012 Health check.

The following issues were identified.

- Profit/loss. This has now been set up and the system will be reviewed after 2 or 3 meetings.
- Suggestions for agenda. A reminder with a deadline date for items for the next meeting is now placed on all agenda.

6. Weaknesses identified by the Clerk and Assistant Clerk whilst undertaking the report

**Budget setting.** Due to various issues, some of which were beyond the control of the committee, the Estates Committee had to approach the Finance Committee to release additional funds to purchase items/services. The following are two examples of issues that should have been in the full control of the Estates Committee:

- No provision was made in the budget for a defibrillator (£1,114). The request for one came too late to be included in the budget going to the parish council.
- A budget of £300 was made for the provision of a hearing loop at Beechen Hall but the system purchased (which would also benefit the parish council at other venues) cost £1,700.

It is likely that inexperience and insufficient time for investigation of suggestions were the main issues. Attention is bought to this issue as it is something that can be improved upon.

7. Statement of Clerks competency to produce such an overview.

The Clerk is a qualified Clerk (Certificate of Higher Education in Local Policy July 2000) and uses various methods to keep up to date on issues. Her financial and administrative systems are annually audited by the Independent Internal Auditor and receive positive reports on her competence and the quality of the office systems. The Parish Councillors Internal Audits check her financial systems and positive feedback is received by this.

**Item 8.2 Annual Inspection of Beechen Hall**

Future projects/needs (based on discussions undertaken by the committee). *Clerk's note: members are attempting to see if the hall could be financially self-sufficient and whilst the parish council can be approached for grants they are reminded that they should act prudently and plan and budget for any future work.*

Replacement windows- to be annually reviewed and included in the budget when needed.
Replacement front doors- to be annually reviewed and included in the budget when needed.
Ceiling Insulation over kitchen, 'caged store room and chair store. <i>Note; this part of the hall is extremely difficult to get to but as far as can be seen the majority of the areas are covered by the new layers of insulation.</i>
Replacement lighting in car park (installed 96 or 97?) <i>Note: a review will be taken when it gets darker when the effect of having trees cut down will be judged.</i>
Replacement floor in ladies and disabled toilets - review annually. As original flooring consider 15/16? Or complete refurbishment of toilets. If planned investigate tap sensors to stop water wastage?
Grey Water System.
Replacement kitchen- to be annually reviewed and included in the budget when needed. Fairly good condition at present probably need it 2019/20?
Replacement fridge - to be annually reviewed and included in the budget when needed. <i>Note; 2014/15?</i>

Replacement tables and chairs. To be replaced as and when required (ad hoc). Tables and chairs purchased in 1994. Oct 2011 with three tables being replaced 2010 – 2012.

### Item 8.3 Burial Ground Regulations

The parish council's burial ground conforms to the Church of England's rules and regulations and there has been no notification from the incumbent that there have been any substantial changes since the last review in 2012. In view of this the regulations have not been reproduced in the agenda but are available on the parish council's website and from the office on request.

There are however three issues that members' views are sought on.

- An addition to the current regulations stating that "*Headstones exceeding 20 inches/50 cms in height must be constructed and installed in accordance with the NAMM recommended Code of Practice and the British Standard BS8415:2005+A2:2012*"<sup>1</sup>. This is recommended (*Clerk's note: for clarity and protection for the parish council/family*) and can be inserted at the relevant section by use of footnotes.

- Plastic flowers. These are not allowed in the current regulations but the Church of England<sup>2</sup> is suggesting that there is a need to be more sensitive about this and that regulations can be amended to allow plastic flowers but that a reference is made to the removal of faded, unsightly or inappropriate for the season flowers e.g. daffodils in summer.

If members agree then the following regulation could be amended (13) If a memorial, tablet, boundary markers, flower container, or other object is introduced into the burial ground without permission, or not in accordance with a permission which has been granted, the Parish Council will require the removal without delay. The Parish Council reserves the right to dig up, remove and dispose of any unauthorised items without being liable. Except for Remembrance Day poppies, artificial flowers are not permitted in the burial ground. At the discretion of the Parish Council and the incumbent Christmas wreaths will be permitted however these must be removed within a reasonable time.

Amended regulation

(13) If a memorial, tablet, boundary markers, flower container, or other object is introduced into the burial ground without permission, or not in accordance with a permission which has been granted, the Parish Council will require the removal without delay. Artificial flowers will be permitted however they must be removed if they become faded, unsightly or inappropriate for the season e.g. daffodils in summer. At the discretion of the Parish Council and the incumbent Christmas wreaths will be permitted however these must be removed within a reasonable time. The Parish Council reserves the right to dig up, remove and dispose of any unauthorised items dead or faded/inappropriate artificial flowers without being liable.

- Headstone safety. The church is paid to administrate the parish council's burial ground but the current volunteer is moving from the area. A new volunteer has been found and will soon take over the administrative work but they would probably not be in a position to take on the safety checks on the headstones. The previous volunteer had worked for MBC within the cemetery and crematorium area and could borrow the relevant equipment to do the '25kg force test' that is required to test headstones. He would charge for his time and donated the cost towards church funds.

Regular visual checks are undertaken in associated with a 'hand' test but the 25kg force test generally takes place every five years. The Clerk will take over the visual and hand push checks unless it becomes apparent that the new volunteer will be taking on this duty. The 25kg forcer test will be programmed into future budgets.

The parish council gains its power to provide, administer and regulate a burial ground by the Local Authorities Cemetery Act 1977.

**Item 8.4 Fire risk assessment**, now renamed **Beechen Hall Fire and medical emergency Risk Assessment** has been amended with the addition of:

<sup>1</sup> Institution of Cemetery and Crematorium Management (ICCM), website and Management of Memorials guidance booklet. The parish council is a member of ICCM.

<sup>2</sup> Church of England website information.



4.4 Risk from toxic fumes from cooker and gas explosions. The gas cooker has an integrated gas interlock system so should the extractor fan stop working the gas supply is immediately cut off. In the event of a fire 'gas stop' emergency buttons are installed by each of the three exit doors in the kitchen.

4.6 Medical emergency. A first aid box and Heartstart defibrillator are located in the hall. The post code of the hall is displayed on both so it can be supplied to the emergency services. The first aid box is regularly checked and replenished and the defibrillator will be maintained as recommended in the technical details.

A copy of the full document is available on request however a 'housekeeping' review has not highlighted any other issues.

**Item 8.5 Drink and public licence.**

A copy of the full document is available on request however a 'housekeeping' review has resulted in:

- Sections dealing with underage drinking and drunkenness on premises being amended to include reference to the new advice leaflet for 16 – 21 year old birthday parties. Members are aware that this was produced by the office due to some incidences at the hall relating to this type of party. The hall hire forms also have reference to the leaflet etc.
- The 2012/13 assessment referred to some recent specific incidences and these references have now been amended to more general references.
- The risk assessment also requires that a second licence holder (currently Maureen Waller) is employed. Their personal licences are due to expire in August 2015 and it is suggested that this requirement is reviewed then.

**Item 8.6 Clerk's Delegated Power – Hall Maintenance.** A copy of the document is available on request however a 'housekeeping' review did not identify any need for amendment.