

MINUTES OF A MEETING OF LYDD TOWN COUNCIL

Held virtually by Zoom on Monday 8th March 2021 at 7pm

Present: Deputy Mayor, Cllr M. Sweeney (Chairman), and Councillors T. Allen, D. Chapman, I. Dimmock, Mrs Ann Duncan, Mrs K Gandy, C. Goddard, Mrs S. Hall, Mrs J. Jones, R.S. Jones, L. Laws, Mrs D. McKenna, P. Rye, Town Mayor G. Snell.

Town Clerk, Angela Alexander
Administrative Officer, Mrs D Cavey

10 members of the public

The meeting began at 7.05pm

40. CHAIRMAN'S ANNOUNCEMENT

Good evening and welcome to the meeting of Lydd Town Council. Please note that this meeting is open to members of the public to view via zoom. Please could all councillors ensure their microphone is set to mute unless they are speaking.

It is important to remember that you may only speak when called by the Chairman.

Also ensure any other devices nearby are switched off.

Councillors should use the 'raise hand button' when they wish to speak.

When it is your turn to speak, I will call your name and invite you to speak.

Once you have spoken I will 'flatten' your hand. All votes will be taken by roll call,

where the name of each councillor is read out and they must respond with either

For, Against or Abstain. I will only accept amendment to motions via the chat function

so that it is clear to everyone what is being proposed.

41. APOLOGIES Cllr Mrs Jade Wainwright – unwell

ABSENT Cllr Tony Hills

42. REFURBISHMENT OF TENNIS COURTS (Appendix A page 55)

The meeting was adjourned to receive a presentation by Mr S. Catt requesting Refurbishment of the disused tennis courts at The Banks.

Mr Catt said there were 3 derelict tennis courts at Dennes Lane which had been in disrepair for 15 years and there being a lack of public amenities locally there is interest in their reinstall from the school, Scout Group and people in the Town.

The Deputy Head at Lydd Primary is keen to introduce tennis into the sports curriculum and Shepway Sports Trust are on board with the ideas. The plan is for the Romney Marsh Tennis Club to join with the established Banks Sports and Social Club which would double their membership. Preliminary discussions have been held with the person who looks after tennis courts who has suggested replacement of the perimeter fencing, gate install, disabled access ramp and resurfacing. One of the Courts could be marked for netball and mini tennis to be used for supervised groups. This would cost in the region of £20,000. At present Lydd Town Council are holding £2,500 left in trust when the old tennis club folded and there is an additional £2,000 available and it is hoped that Lydd Town Council would contribute money earmarked in the budget for recreational facilities to the project. Shepway Sports Trust has indicated that there is potential for other sports such as a bowling green at the site.

The Chairman thanked Mr Catt for his presentation and the meeting was reconvened.

It was proposed by Cllr Snell and seconded by Cllr Chapman that item 9 on the agenda to consider the refurbishment of the tennis courts be moved forward at this point.

This was agreed.

43. REFURBISHMENT OF TENNIS COURTS

Further to the presentation by Mr S. Catt, Councillors were asked to consider the allocation of a sum of money from the £20,000 agreed in the 2021-22 budget head for recreational facilities towards the tennis court project. There is currently £2,500 held in trust by the former Lydd Tennis Club when it ceased and the newly-formed Romney Marsh Tennis & Pickle Ball Club have £2,000 towards the project.

Cllr Laws said that he would like to point out that he went out and got three quotes which were in the region of £60K to £70k and handed them to the Town Clerk and now the tennis club have come up with the idea of jet washing. Years ago, a skate board facility was proposed and the police objected because of paedophiles. Mr Catt has taken 2 years to get back to us so give him £5.5K and let them get on with it.

The Chairman, Cllr Sweeney, asked Councillors to focus on the ideas presented for tennis and that this is our land and we are not giving money away but considering spending money to refurbish the courts.

Cllrs Mrs McKenna, Mrs Hall, Snell, Mrs Jones all spoke to support the idea put forward. Cllr Rye felt this was a good idea but raised concern over how it would be marshalled as there was a drugs and needles problem at The Banks. Cllr Mrs Gandy supported the idea and suggested CCTV. Cllr Goddard said he was pleased that Shepway Sports Trust had been involved and hoped the District Council would be involved as well and that he was happy to support the Tennis Club with money from his District Council Ward Budget.

Cllr Mrs Hall proposed that as there is sufficient money in the budget to get this Project delivered to make good and repair that Lydd Town Council contributes £15,500 from the budget of £20,000 for recreational facilities to the £4,500 already available. This was seconded by Cllr Snell.

PROPOSED: To allocate £15,500 from the £20,000 in the 2021-22 budget for recreational facilities along with the £2,500 in Lydd Town Councils funds held in trust and the pledge of £2,000 to a project to refurbish the tennis courts at The Banks with the specification to be agreed based on the presentation made by Mr Catt.

Voting: For: 10 (Cllrs, Chapman, Duncan, Gandy, Goddard, Hall, Jean Jones, McKenna, Rye, Snell, Sweeney,

Against: 3 (Cllrs. Dimmock, Bob Jones, Laws)

Cllr Allen had internet connection issues and did not vote

44. MINUTES

- a) **RESOLVED: The minutes of the Council meeting held on 18th January 2021 Were approved as a true record.**

Proposed by Cllr Mrs McKenna, seconded by Cllr Mrs Duncan

Voting

For: 10 (Cllrs. Chapman Dimmock, Duncan, Goddard, Hall, Bob Jones, McKenna, Rye, Snell, Sweeney)

Abstention: 4 (Cllrs. Allen, Gandy, Jean Jones, Laws)

- b) **RESOLVED: To receive and note the approved minutes of the Planning Committee held on 11th January 2021**

Proposed by Cllr Goddard, seconded by Cllr Snell

Voting:

For: 11 (Cllrs Allen, Chapman, Duncan, Gandy, Goddard, Jean Jones, Bob Jones, Laws, McKenna, Snell, Sweeney)

Abstention: 3 (Cllrs Dimmock, Hall, Rye)

- c) **RESOLVED: To receive and note the approved minutes of the Personnel Committee held on 28th January 2019**
Proposed by Cllr Mrs Duncan, seconded by Cllr Snell
Voting:
For: 7 (Cllrs Duncan, Goddard, Jean Jones, Bob Jones, Rye, Snell, Sweeney)
Abstention: 7 (Cllrs Allen, Chapman, Dimmock, Gandy, Hall, Laws, McKenna)

45. DECLARATIONS OF INTEREST

Cllr Mrs Duncan declared a voluntary interest in the agenda item relating to the Memorial Gardens.

46. FINANCIAL MATTERS (Appendix B pages 56 to 64)

- a) **RESOLVED: To receive and ratify payments and receipts for the current Financial period.**
Proposed by Cllr Mrs Hall, seconded by Cllr Bob Jones
Voting: For 12 (Cllrs Chapman, Duncan, Gandy, Goddard, Hall, Jean Jones, Bob Jones, Laws, McKenna, Rye, Snell, Sweeney)
Abstention: 2 (Cllrs Allen, Dimmock)
- b) To receive and note the bank reconciliation and bank statements
- c) To note that the Ministry of Housing, Communities and Local Government (MHCLG) have agreed the sum of £8.41 per elector for the purpose of Section 137 (4)(a) of the LGA 1972.
RESOLVED: Items b and c received and noted.

47. GUIDANCE FOR COUNCILLORS (Appendix C pages 65 to 73)

- a) Briefing note on Declarations of interest, examples of DPs and voting (following complaints from the Planning meeting 11th January 2021)
- b) Etiquette for zoom meetings (revised following complaints from the Planning meeting 11th January 2021)
- c) Bullying and Harassment policy
RESOLVED: Documents at a, b and c received, noted and adopted

48. CONDUCTING COUNCIL BUSINESS BEFORE 7TH MAY 2021

- a) The Chairman, Cllr Sweeney, said that he is recommending that Lydd Town Council takes the opportunity to hold key meetings before the deadline to hold zoom meeting expires on 6 May 2021. This would include holding the Annual Council Meeting and Mayor Making as late as possible in April (26th) by zoom so that Councillors will have as much time as possible before disqualification by virtue of s.85 of the LGA 1972 becomes an issue.
The Town Mayor said he agrees with Cllr Sweeney that we should go forward with this suggestion and said he would like to propose this and this was seconded by Cllr Rye. The Mayor asked if we have to go through the process of Mayor Elect and Deputy Mayor Elect.
The Town Clerk explained that the process would be the same as in previous years with Mayor Elect and Deputy Mayor Elect this time carried over from 2020 and the call for any other nominations on the day at the meeting.
- b) Councillors were asked to consider how voting at Mayor Making would be carried out either by roll call or to make a standing order for the meeting to be adjourned and votes be submitted by email.
The Mayor said this should be done as a 'live' vote.
Cllr Chapman said for clarity we normally vote on paper when in the Chamber so this is not 'live' The Town Clerk explained that once nominations are received the meeting would be adjourned for votes to be submitted by email or phone.

The Mayor said if it was done by email nobody is overseeing the voting.
 Cllr Mrs Jones said it should be done by email and proposed that was the best option
 Cllr Goddard said that he was not going to get involved but agreed that Cllr Mrs Jones was right as voting is always done by paper vote and he is happy to support her and second this.

RESOLVED: That the voting procedure for Mayor Making will be to adjourn the meeting following nominations for Mayor and Deputy Mayor and votes will be submitted by email or telephone call.

Voting: For: 12 (Cllrs Chapman, Dimmock, Duncan, Gandy, Goddard, Hall, Jean Jones, Bob Jones, McKenna, Rye, Snell, Sweeney)

Against: 1 (Cllr Allen)

Abstention: 1 (Cllr Laws)

49. TREES AND HEDGES ON THE COUNCIL'S LAND

- a) Cllr Mrs McKenna suggested that as well as the trees from the Woodland Trust she would like to see the planting of blossom trees on the Rype and at the Banks to create a shaded area for picnics.

Cllr Mrs Jones said that she agreed with the planting of trees at the Banks if done in collaboration with the Cricket Club but would worry about trees on the Rype due to the roots spreading.

Cllr Dimmock said that he had concerns about trees on the Rype due to vandalism and complaints from residents. He said that the Banks is SSSI and isn't it a mockery of having tennis courts there.

The Chairman, Cllr Sweeney, said that if we take trees away then Natural England like trees to be put back and we have removed trees at the Rype and the Banks due to the Health and Safety report.

Cllr Bob Jones said that at the Banks trees could be planted on the back far edge where the dyke is to avoid the cricket area.

Cllr Laws proposed that this be deferred pending further investigation, seconded by Cllr Snell.

- b) To note that 15 saplings will be received from Woodland Trust in April which may be planted as a community project Covid permitting.

RESOLVED: To defer items a and b

For: 12 (Cllrs Chapman, Dimmock, Duncan, Gandy, Goddard, Hall, Jean Jones, Laws, McKenna, Rye, Snell, Sweeney)

Abstention: 2 (Allen, Bob Jones)

- c) **RESOLVED: To prune the holm oak tree at the Banks**
Proposed by Cllr Snell, seconded by Cllr Dimmock
Unanimous

- d) Memorial Garden Yew Hedge –work required prior to installation of benches.

Cllr Mrs Duncan said she believes the yew hedge needs a hard prune which would look bald to start with but would come back and as the hedge needed to be cut back in the area where the benches were to be installed we should do the whole hedge.

Cllr. Bob Jones said that the hedges are dying from the bottom and they would not grow back and this idea would cost money to replant the hedge. Cllr Snell said he agrees with the proposal to cut them back and they would grow back in 2 to 3 years and we have agreed to replace the benches so we should get the hedge cut back.

Cllr Mrs Jones said that she was against the new benches and is against cutting back the hedge as the hedge could die off.

Cllr Laws said he was with the Town Clerk when she met with Gibbs at the corner of Park Street where there is a post embedded in the hedge and he said it would be a risk to cut back hard and it would be unsightly and we are suggesting only cutting back the hedge where the benches will go and not the whole hedge. Cllr Dimmock said that yew hedges take years to grow back.

Cllr Mrs Duncan said she was proposing that the whole hedge be cut back, seconded by Cllr Snell.

The Chairman said that he is not comfortable with this without a further report and quote for the work as this was not the item on the agenda and that the Councillors should consider the agenda item only.

RESOLVED: To cut the hedge back only on the area where the benches are to be installed as detailed in the paperwork provided by Gibbs.

Voting:

For: 9 (Cllrs Allen, Duncan, Gandy, Goddard, Laws, McKenna, Rye, Snell, Sweeney)

Abstention: 5 (Cllrs Chapman, Dimmock, Hall, Jean Jones, Bob Jones)

50. FOOTBALL ON RYPE

Cllr Sweeney said he would have reservations about allowing the Pavilion to be used. Cllr Dimmock said that as the pitches are grass roots pitches anyone can come and ask to play on them but it is an insult to ask any team to play on the pitches due to the current condition. Cllr Dimmock said he recommended that Lydd Town Council does not grant permission for football to take place or for use of the Pavillion, seconded by Cllr Laws. Cllr Rye said that a full Covid risk assessment would be needed before use of the Pavilion.

RESOLVED: That football matches are not permitted on the Rype and nor is use of the Pavilion for the football season which the FA has extended this year.

Voting:

For: 13

Abstention: 1 (Cllr Allen)

- a) To receive observations from Cllr Dimmock regarding the condition of the Rype and requesting its use for football from 29th March 2021.
- b) To receive a report from the Grounds Maintenance contractor on this matter.
- c) To consider if the Town Council wishes to grant permission for the use of the Rype and Pavilion for football matches from 29th March 2021.

51. REQUEST TO USE THE RYPE

RESOLVED: To approve a request from the teacher of yoga and Pilates Classes to hold classes of up to 6 people with social distancing on the Rype weather permitting from the 29th March on the understanding that insurance is in place.

Proposed by Cllr Mrs McKenna, seconded by Cllr Mrs Gandy

Voting:

For: 11 (Cllrs Chapman, Duncan, Gandy, Hall, Jean Jones, Bob Jones, Laws, McKenna, Rye, Snell, Sweeney)

Abstention: 3 (Cllrs Allen, Dimmock, Goddard)

REQUEST FROM KENT WILDLIFE TRUST

To consider a request from the project officer for the Kent Wildlife Trusts Down to Earth project to run activities in Lydd on Lydd Town Council land as follows:

- a) The placement of A4 (max) laminated QR codes on Council buildings that have nature- based activities linked to them.
- b) The placement of painted rocks decorated by local residents for others to find.

RESOLVED: That this item be deferred.

52. CYCLE PATH FROM LYDD TO NEW ROMNEY

Councillors considered a request from Cllr Mrs McKenna that Lydd Town Council Gives in principle support for the installation of a cycle path from Lydd to New Romney along the HL2 footpath through farm land to the back of Church Lane, New Romney.

RESOLVED: That the Council give in principle support for this idea pending more information.

Proposed by Cllr Allen, seconded by Cllr Mrs Gandy

Voting:

For: 13

Abstention: 1 (Cllr Bob Jones)

53. CENSUS 2021

To note that Census day is 21st March 2021. Councillors to receive and note the Councillors Handbook.

Received and noted

54. PRESS AND PUBLIC EXCLUDED

RESOLVED: that this meeting be held without press or public present as the content of discussions will involve sensitive and confidential matters and is therefore exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the local Government Act 1972, to be treated as confidential by Members

Voting:

For: 12

Against: 2 (Cllrs Dimmock and Laws)

55. STATEMENT FROM THE CHAIRMAN OF PERSONNEL

The Chairman, Cllr Sweeney said that Trevor Leggo, CEO SSALC has been helping and guiding us with how we should action the recommendation and observations of our Internal Auditor and that he is doing this with the knowledge and agreement of KALC so that we have an independent advisor to assist with this matter. I will now hand over to Councillor Chapman to report on the outcome of this.

Cllr Chapman, Chairman of Personnel reported as follows:

Councillors will be aware we received an adverse report from the Internal Auditor Pointing to certain practices that put the Council at potential risk. A Panel comprising the Deputy Mayor, Councillor Goddard and myself was established to consider the report and we invited Trevor Leggo, CEO of the Sussex and Surrey Associations of Local Councils to join us as the Independent Member.

We considered statements provided by three Council employees and it was apparent that certain councillors were in the habit of poor behaviour and making inappropriate remarks to members of staff. I am sure all councillors will understand that we owe a duty of care to our employees to protect them from harassment, bullying and feeling uncomfortable in the presence of anyone when in the Guildhall or in any situation when attending to Council matters.

The Internal Auditor's report drew attention to councillors acting without council authority; I would remind all councillors that the Council cannot delegate authority to an individual councillor, it may only do so to a committee, sub-committee or to an officer.

In this regard the Mayor has no authority over and above any councillor.

Any action outside this arrangement would be unlawful. The former chairman of the Planning Committee is also referred to in the report as breaching the Council's standing orders on more than one occasion.

There are other examples where it could be argued certain councillors have breached the 'Nolan principles' in using their position to seek advantage. I am concerned that some councillors are in danger of damaging the reputation of Lydd Town Council and therefore recommend the following:

- All councillors join with me in making a statement to our staff that the Council values their loyalty and service and under no circumstances will it countenance any form of inappropriate behaviour towards them by councillors.
- By way of refresher, a two-hour session be arranged to remind all councillors of their responsibilities and limitations of action. This would be delivered by Anne Bott, the Deputy Chief Executive of Sussex and Surrey ALC. Mrs Bott is a solicitor and former Monitoring Officer of Waverley Borough Council.
- The Council endorses the need for all councillors to attend this session on a date to be agreed.

The Chairman thanked Cllr Chapman

The meeting closed at 9.02 pm

Chairman _____

Date _____