

MINSTER-ON-SEA PARISH COUNCIL

Minutes of the Ordinary Council Meeting of Minster-on-Sea Parish Council (MPC) held at Minster-on-Sea Parish Council [Public Office], Love Lane, Minster-on-Sea ME12 2LP on Thursday 23rd March 2023 from 7 pm to 9.25 pm. Also noted that in line with the Local Government Act 1972, Sch. 12, paras 11 and 27, in the absence of the Chair, the Vice-Chair presided.

Present Councillors:- Mr. M. Hawkins, Mr. T. Nundy, Mr. B. Pointing (part to 8.10 pm), Mr. J. Stanford, Mrs J. Stimson, Mr. M. Tucker and Ms. D. Wooster (Acting Chair)

Not present Councillors:- . Mr. K. Ingleton and Mr. K. Pugh.

Quorum: 4

Other attendees Officers: Trish Hamilton (Parish Clerk and Responsible Financial Officer) and Mrs. Donna Swarbrick (Administration Assistant)

Also present: 1 resident.

2022/113 Emergency Evacuation Procedure: The Chair advised the meeting of the evacuation procedures to follow in the event of an emergency.

2022/114 To receive apologies and grounds for absence

Resolved with apologies noted from Minster-on-Sea Parish Councillor Mr. E. Jayes (work commitment) and Mr. P. MacDonald (other commitment), Also received and accepted were apologies from Kent Police PCSO's Lauren Bolt and John Cork, Kent Community Warden Jacqueline Swan (other work commitment). No other apologies were received.

2022/115 To receive any declarations of interests from Members –

The Chair asked Members if they have any interests to declare in respect of items on this agenda, under the following headings:

- (a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.
- (b) Disclosable Non-Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.
- (c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

Other relevant advice : Under the Localism Act 2011, sections 26-34 regarding councillors' conduct in relation to interests and the registration and declaration of them, it is an offence without reasonable excuse to fail to declare a disclosable pecuniary interest or to speak in relation to a declared pecuniary interest or to take any steps in relation to a matter in which they have declared an interest. Councillors need to be aware of the requirement to be transparent about the existence of certain financial and personal in voting on matters where a financial or other interest exists.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which they may have in any item on this agenda, they should seek advice from the Clerk as early as possible, and in advance of the meeting

Resolved with Cllr. Nundy declaring a pecuniary interest in Agenda Item 2022/121 (b) relating to organising the King's Coronation Event. Cllr. Nundy is a Servant of the Crown. As such he complied with the guidance issued under (a) above. He left the room when the matter was being discussed and took no part in the decision-making process.

2022/116 Minutes

Resolved the Minutes the Ordinary Council Meeting Minutes 23rd February 2023 (Minute Nos.101 to 112 to / pg. Nos. 267 - 276) [circulated] be taken as read, approved and signed by the Chair as a correct record. Cllrs. Mr. M. Hawkins and Mr. M. Tucker abstained from the vote due to not being present at that meeting.

2022/117 Matters Arising (For Information Only) included :-

Minster-on-Sea Parish Council's response to the **Kent County Council community Services Consultation** which has been delegated to the Clerk to respond to will be submitted in time for the deadline on 26th March 2023 . A copy of that response will be circulated following submission.

Confirmation of Swale Borough Council's Notice of Election ; **Election of Councillors to Minster-on-Sea Parish Council** [which became law on 16th March 2023) and Guidance Notes

See Appendix 1 for **Swale Borough Council NOTICE OF ELECTION - Election of Parish Councillors to Minster-on-Sea Parish Council**

Summary: An election is to be held for 11 Parish Councillors for Minster-on-Sea Parish Council. The table below shows the number of Councillors to be elected to each Ward.

Minster East Ward	1
Minster North Ward	5
Minster South Ward	5

The following has been actioned:-

1. Minster-on-Sea Parish Council has by law displayed this notice on its notice board, website etc on the specified date being **Thursday 16 March 2023 from the specified time (10 am)** .
2. A paper copy of the Nomination Pack can be obtained from Donna in the Parish Office from Thursday 16th March 2023 weekdays between the hours of 10 am and 12.30 pm or by telephoning her on 01795 873831 where she can reserve your pack for you to pick up at a date and time convenient to you.
3. You can also book an appointment to check the Register of Electors on site at Minster-on-Sea Parish Council's Public Office on 01795 873831 or request your own from Swale BC Electoral Services. You need to fill in a specific form (it will be in your nomination pack) to do the latter.
4. No further action is required on Minster-on-Sea Parish Council's part other than

to encourage anyone interested to apply from 16th March onwards and wish them well in their endeavours.

To help potential candidates: -please note:-

Election Timetable:-

- Notice of Election - starts the pre-election period and starts the nomination process - **16 March**. Latest is **27 March**
- Poll cards (A4) due to Voter ID information – **from notice of election**
- **Deadline for nominations is 4 pm on 4 April (same deadline for withdrawals) – Candidates please note!!!**
- Notices - names of candidates **5 April**, polling stations **by 25 April**
- Postal votes will be sent around **18-20 April**
- Voting - 7am to 10pm on **4 May**
- The count - **5 May** starting with borough/city council seats before counting parish

Criteria:-

Applicants must meet at least one of the following:

- Registered local government elector for local authority area (i.e. parish council)
- Occupied as owner or tenant any land or premises in the local authority area during the whole 12 months preceding nomination
- Main or only place of work during last 12 months in local authority area
- Lived in local authority area, **or within 3 miles of it**, during the last 12 months.

You cannot be a candidate if:

- employed by the parish council
- subject of a Bankruptcy Restrictions Order (or interim order)
- sentenced to a term of imprisonment of three months or more (inc suspended sentence) without option of a fine, during the five years before polling day
- serving a disqualification due to being found guilty of a corrupt or illegal practice by an election court
- Subject of the notification requirement of or under Part 2 of the Sexual Offences Act 2003
- **Further information –**
- Electoral Commission [Parish council elections in England | Electoral Commission](#)

Nomination papers comprise of:

- Nomination form*
- Consent form*
- Home Address form - part 1 and 2*
- Forms to authorise use of party emblem and description (if you are standing for a political party)
-

***Nomination papers must be delivered by hand to Swale Borough Council - otherwise not nominated**

Nomination papers are available on the Electoral Commission website, Swale Borough Council supplements with local information pack

Before you complete them....

- Read Electoral Commission guidance
- Ask if any queries

Other:-

- Notice of election will be published on 16 March, start of nomination period, and pre-election period.
- Statutory deadline for nominations is 4pm on **4 April 2023**
- Book an informal check with Electoral Services as early as possible.
- Some councils will accept forms via email for informal check

2022/118

Update from Partners

Kent Police [circulated]

Resolved with the information and discussion noted alongside the Parish Council's view that it was important for a PCSO to attend the meeting to expand on the report and help clarify the extent of the crimes in question.

2022/119

Public Forum

Resolved with no representations forthcoming.

2022/120

Public representations on planning applications

Two neighbours' objections were noted in respect of planning application 23/501017/FULL on the Land West Of Barton Hill Drive, Minster- ME12 3LZ.

Resolved with the representations noted.

For any neighbours' comments please refer to the specific application on the Mid Kent Planning Portal.

Clerk's advice: Any representations, publicised on the Mid Kent Planning Services Portal should be regarded as unproven. The Authority has published them in accordance with the requirements outlined in the Town and Country Planning Act 1990. They may not necessarily reflect the position of the planning application being commented upon.

2022/121

To receive the Committee Minutes / Reports including decisions taken under delegated authority and to consider recommendations where specified.

- (i) Planning and Transportation Committee – 2nd March 2023 [circulated]
- (ii) Also to consider the following planning application which has been included because of constraints related to the deadline for responses. :-
 - 23/501017/FULL: Erection of a three storey 66 no. bed care home for older people (Use Class C2) with associated access, parking and landscaping and ancillary facilities: Land West Of Barton Hill Drive, Minster- ME12 3LZ.

Resolved via the STRONGEST POSSIBLE OBJECTION: Minster-on-Sea Parish Council objects to the proposal in the strongest possible terms. Although it supports the underlying principle to provide a care home per se, the weaknesses contained within the proposal means it presents as fundamentally flawed.

The Parish Council's reasoning is as follows:-

The proposal presents as over-intensive development of the site.

The care home is situated in the worst possible location. We all know that traffic congestion is affecting Minster-on-Sea and the Isle of Sheppey as a whole, and with new developments being approved time and time again, against vociferous local opposition, this application is situated right next to the biggest approval so far, planning application 18/503135/OUT for the development of up to 700 dwellings on the land west of Barton Hill Drive, Minster-on-sea, Kent ME12 3LZ houses, which brings with it a huge increase in traffic.

Parking provision is also inadequate. Moreover, the description of the proposal as having "low vehicle movement" is wrong because by its very nature, the care home facility will result in a 24-hour constant stream of traffic movements entering and exiting the site. This will include vehicles used by the emergency services [ambulances, health workers etc] and maintenance and delivery services [food, cleansing etc].

The design, sheer scale and structure of the three-storey building is not in keeping with the street scene. It will also have a detrimental impact on visual amenity.

Furthermore, what presents as a very substantial building is positioned between two over-subscribed roads - Barton Hill Drive leading to Minster, Halfway and Sheerness which is seriously congested and the A2500 Lower Road to Minster, Eastchurch and Leysdown which suffers from the same fate. To make matters worse, the proposal is also located next to a multi-direction roundabout which serves Barton's Hill and the A2500 Lower Road to existing conurbations in Minster, Eastchurch and Leysdown as well as to the newer and future planned housing developments that have been granted planning permission, the holiday parks and the three prisons. As such, the proposal presents as a focus point for noise and polluted air which will only worsen with time. Put bluntly, expecting a development to function and indeed meet the needs of some of our most vulnerable during a period in their lives when they need comfort not to mention fresh [uncontaminated] air is unacceptable due to this detrimental environmental impact being located on its doorstep.

Consequently, the resultant tailbacks and noise and traffic pollution created by the care home's location will be detrimental to the quality of life and health and wellbeing the future occupants might reasonably be expected to enjoy. In addition, the safeguarding of and protection of vulnerable people in a location so close to the marshes and busy roads does not appear to have been taken into consideration.

Put simply, the picture painted within the documentation of an environment that is pleasing with benches outside etc is contrary to the reality that those residents will experience. Every particle of air they breathe in will come from an atmosphere contaminated with traffic pollution. Furthermore, the higher levels of noise caused by the location being so close to two extremely busy traffic routes will require windows to be closed to meet BS8233 internal level specifications. The internal building will need greater ventilation than the minimum standard in the Building Regulations to counter the effect of the closed windows in key rooms such as living rooms and bedrooms. The mitigation measures just do NOT take into account what is happening outside. With windows unable to be opened and a ventilation system loaded with Particulate Matter - PM2.5's, this will be very dangerous to these vulnerable residents' health and well-being due to the air-conditioning system regurgitating polluted air. Furthermore, it is worth pointing out that although the impact is apparent, due to there being no data on the air quality in relative proximity to the site to compare this to, it creates a loophole for developers to benefit from.

The noise assessment to assess the impact of the existing noise environment on the proposed new care home which referenced an existing noise assessment previously carried out for the wider site is also flawed. This is because it fails to take into account the suitability of the overall site (including the location of the proposed new care home) for residential use in terms of noise. The proposed care home use is NOT subject to the same noise sensitivities as other residential uses and it is wrong to suggest this and therefore cannot be covered by the scope of the previous assessment. The 2018 assessment was primarily based on a "future" scenario including a new road layout and roundabout but fails to take into account the increased flow in traffic created by the roundabout and the traffic generated by those 700 houses yet to be built on the Barton Hill site. As such, both the current and previous noise assessments fails to address the noise environment at the site. It also fails to address the suitability of site for the proposed new care home where a new noise assessment is necessary.

The Sustainability Statement does not reflect the actual situation either. While it paints a picture of a pleasant setting, it fails to mention the traffic fumes and noise element. Furthermore, the trees depicted will take years to develop so landscaping will be an issue from the start. The proposals contained within will NOT enhance the site or surrounding areas sustainability most notably the quality of life and sustainability of the future occupants who will be living in an situation of inappropriate confinement.

For all these reasons and more, Minster-on-Sea Parish Council urges Swale Borough Council's Elected members to reject the application.

Resolved that the minutes be received and agreed and decisions where specified and as outlined above agreed.

(iii) Community, Environment and Heritage Committee Meeting – 7th March 2023 [inquire] as such to progress the items not attended to during said meeting, the Council will consider the following:- .

a) To consider Swale Borough Council's proposal to extend the Beach Hut Scheme at The Leas, Minster. and decide the Parish Council's formal position. **Resolved** with Minster-on-Sea Parish Council agreeing to support the outcome of the public consultation subject to all interested parties particularly those neighbouring residents on The Leas and those living in the surrounding areas being consulted. In addition, there should be no negative impact on the amenities residents might reasonably be expected to enjoy particularly in respect of parking.

b) Under Future planning

- To consider suggestions for the King's Coronation Event

Resolved with the consensus being for Minster-on-Sea Parish Council to fund an event where the community can come together on Sunday 7th May 2023 from 1 pm to 3.30 pm in partnership with the Oasis Academy Isle of Sheppey Dementia Café . This is an agreed budgeted item with up to £1,000 being set aside by the Parish Council towards the costs. Venue to be confirmed.

- To discuss Minster in Bloom and agree the way forward.

Resolved with the item deferred due to time constraints.

- To consider Covid Memorial update from Cllr. Wooster

Resolved with a site meeting to be convened to progress this item.

- c) To consider update on the offer of land from Cllr. Ingleton.

Resolved with the Council instructing the Clerk to write to Cllr. Ingleton [the landowner] to confirm whether his offer has been withdrawn. If it hasn't, the Working Group, with support from the Clerk and Swale Borough Council Monitoring Officer (if agreeable) will be called in and tasked with conducting a review of the matter together with the process of decision-making, aimed at making a recommendation for the Council to consider.

Resolved that the minutes be received and recommendations and actions where specified agreed.

2022/122

Finance, Governance and Expenditure

Under Finance

- (i) To consider the latest Financial Report [circulated]

Resolved that the report be noted by Members in compliance with current legislation including the Local Government Act 1972 S. 101, 135, 137, 150(5), the Accounts and Audit Regulations 2011, the Freedom of Information Act 2000, the Data Protection Act 2018, General Data Protection Regulation 2018 etc., (ii) that all items relating to income and expenditure be agreed and (iii) that the Acting Chair, and Cllrs Hawkins and Stanford verified that the figures presented in the report agreed with those listed in the bank statements. The previous shortfall in the accounts of £27,506.59 has been rectified thanks to the production of the missing bank statement which confirmed the transactions during the period in question and reduced the shortfall to £84.55 which is acceptable. . All the above as outlined was **RESOLVED** via a proposal from Cllr. Tucker, which was seconded by Cllr. Nundy and carried.

Under Governance

- (ii) To consider the Annual Internal Audit Report 2022/23

Summary:- During the financial year ending 31 March 2023, Minster-on-Sea Parish Council [this authority's] internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2022/23 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in the table below.

Set out in Appendix 2 below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Resolved with the report received and the contents supported by the Council via a proposal from Cllr. Wooster, which was seconded by Cllr. Stanford and carried.

- (iii) To consider, complete and approve Section 1 of the Annual Governance 2022/23

Resolved with MPC considering, completing, and approving the contents of Section 1 – The Annual Governance Statement for the financial year ending 31st March 2023 during said meeting dated 23rd March 2023 under this Minute Reference 2022/122 (iii). To this end, Members acknowledged that the Council had put in place a sound system of

internal control including arrangements for the preparation of the Accounting Statements. The document was signed by the Chair and Clerk when approval was given.

Under Expenditure

(iv) To consider a request from the Air Ambulance Charity Kent. Surrey Sussex (Registered Charity No. 1021367) for a donation to continue to be there for those in need. The advice is £300 will fuel one mission and provide the chance to be there for one critically ill or injured person. **Resolved:** In accordance with the Public Health Act 1936, s.234 which allows the Council to contribute to lifesaving devices, for a donation of £600 to be given to said organisation as proposed by Cllr. Hawkins, seconded by Cllr. Tucker and carried.

Clerk's advice: The above complies with the General Power of Competence (England) (GPC) as defined by the Localism Act 2011, ss 1-8 which enables MPC as an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of said power. Although MPC can use this power as its first and only resort, it tries to ensure whenever possible that it has the backing of a second power as seen above. This should assure residents that the Parish Council conducts the most rigorous tests before approving expenditure.

Resolved: with the information noted.

2022/123

To consider Correspondence / Notices received included :-

1. Notification of Appeal Lodged with the Planning Inspectorate:

Proposal: Outline application for proposed residential development for up to 44 no. dwellings with vehicle and pedestrian access off Drake Avenue (Access only being sought).

Location: Land To The North Of Elm Lane Minster-on-sea Sheerness

An appeal has been lodged by Provectus Holdings Limited in relation to the above for the following reason: Swale Borough Council has refused permission for this application.

The Planning Inspectorate/Secretary of State has decided that the appeal will be determined on the basis of Written Representations.

Swale Borough Council has been asked to give notice of the appeal to owners and occupiers of properties near the site as well as other interested parties. Any comments and/or representations received in relation to this application have already been forwarded to the Planning Inspectorate and will be considered by the Inspector when deciding the appeal. If you wish to add to modify or withdraw your previous representations then you can do so by contacting the Planning Inspectorate by email to: East2@planninginspectorate.gov.uk or in writing to Temple Quay House, 2 The Square, Bristol, BS1 6PN., quoting reference(s) APP/V2255/W/22/3308462. Please note you must do this by 10 April 2023

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from the Planning Portal at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832054/taking-part_planning-inquiry_September_2019.pdf You may view the application online at www.swale.gov.uk/planningsearch - please use the planning application reference.

You can access online services at any public computer, including those provided at Council locations. Before commenting you should read the full 'Have Your Say' guidance available via the link above.

When determined the appeal decision will be published on our website..

2. Update from Mr. Paul Murray, Head of Community Hub Oasis Academy Isle of Sheppey that the Time Capsule to which Minster-on-Sea Parish Council has contributed will be placed in the ground on Thursday 20th April 2023. More details to follow.

2022/124

Date of next meeting:

Resolved : Thursday 20th April 2023 at Minster-on-Sea Parish Council, Love Lane, Minster ME12 2LP (7 pm)

All minutes are draft until agreed at the next meeting of the Council / Committee.

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Appendix 1

Swale Borough Council NOTICE OF ELECTION

Election of Parish Councillors to Minster-on-Sea Parish Council

NOTICE IS HERBY GIVEN THAT

1. An election is to be held for 11 Parish Councillors for the said Parish Council. The table below shows the number of Councillors to be elected to each Ward.

Minster East Ward	1
Minster North Ward	5
Minster South Ward	5

2. Nomination papers must be delivered by hand to the Returning Officer or her Deputy at Room 239, Swale Borough Council, at the address shown below, on any day between 10am and 4pm Monday to Friday but not later than 4pm on Tuesday, 4th April 2023.
3. Nomination papers may be obtained from the offices of the Returning Officer, Room 239, Swale Borough Council at the address shown below, during the times stated above.
4. If the election is contested, the poll will take place on **Thursday, 4th May 2023** between the hours of 7am and 10pm. This is the same day as the polls for the Swale Borough Council elections.
5. Applications for the following should be made to the Electoral Registration Officer/Returning Officer at the address shown below:

Application	Deadline for Receipt
New applications to register to vote. Applications can be made online: www.gov.uk/register-to-vote	Monday, 17 th April 2023
New applications to vote by post or to cancel or amend an existing postal vote or proxy appointment	5pm on Tuesday, 18 th April 2023
Applications for a Voter Authority Certificate, can be made online: www.gov.uk/apply-for-photo-id-voter-authority-certificiate	5pm on Tuesday, 25 th April 2023
New applications to vote by proxy	5pm on Tuesday, 25 th April 2023
Emergency applications to vote by proxy	5pm on Thursday, 4 th May 2023

Dated: 16 March 2023

Larissa Reed, Returning Officer

Printed and published by the Returning Officer, Swale Borough Council, Swale House, East Street, Sittingbourne, , ME10 3HT

APPENDIX 2 : TAKEN FROM THE ANNUAL INTERNAL AUDIT REPORT 2022/23

Internal control objective	Yes	No	Not covered
A. Appropriate accounting records have been properly kept throughout the financial year	√		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	√		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	√		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	√		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	√		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	√		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	√		
H. Asset and investments registers were complete and accurate and properly maintained.	√		
I. Periodic bank account reconciliations were properly carried out during the year.	√		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	√		
K. If the authority certified itself as exempt from a limited assurance review in 2021/22, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2021/22 AGAR tick "not covered"			√
L. The authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation.	√		
M. In the year covered by this AGAR, the authority correctly provided for a period for the exercise of public rights as required by the Accounts and Audit Regulations (during the 2022-23 AGAR period, were public rights in relation to the 2021-22 AGAR evidenced by a notice on the website and/or authority approved minutes confirming the dates set).	√		
N. The authority has complied with the publication requirements for 2021/22 AGAR (see AGAR Page 1 Guidance Notes).	√		

	Yes	No	Not applicable
O. (For local councils only)			√
Trust funds (including charitable) – The council met its responsibilities as a trustee.			

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