

## SOUTHBOROUGH TOWN COUNCIL

Minutes of the Full Council meeting of Southborough Town Council held on Thursday 28 October 2021 at 7.00 p.m. in the Bounds Oak, Southborough Civic Centre, 137 London Road, Southborough Kent TN4 0NA.

---

**MEMBERS PRESENT:** Councillors Ms Hill (Chairman) Blackwell, Bullion Elliott, Harris, Lane, Lewis, Munn, and Poile

**OFFICERS PRESENT:** Paul Gosling (Finance Officer)

1. **APOLOGIES AND REASON FOR ABSENCE** – Councillors Backhouse, Francis (Deputy Chair), Kinghorn, Mrs Kinghorn, Clay and, Wharton. (Family commitments)
2. **DISCLOSABLE PECUNIARY AND OTHER SIGNIFICANT INTERESTS** – Councillor Blackwell declared an interest in hire charges of the Civic Centre.
3. **PUBLIC OPEN SESSION** – There was one Member of the Public present. No Press were present.
4. **MINUTES** - The minutes of the Full Council meeting held on the 24 June 2021 were **APPROVED** with the following corrections: 1. The spelling of Eliot should be Elliott.2. The spelling of Salix should be Salex and 3. The inclusion of a missed paragraph from Minute 12: Yew Tree Roads Fields Water run off issues  
Independent legal advice sought regarding whether the YTR works fall within the CA.  
Officers are now awaiting a response from legal on the matter although this is not due until later in October.  
This was due in April. It appears legal advice is only now being sought after numerous follow up emails from this council.  
Yew Tree Road flooding report.  
No report commissioned by KCC as instructed – no reason given.  
KCC have said “A water runoff report was done by STC and these recommendations, if pursued, seek to address the issues raised.”  
It has already been explained to KCC that the STC report only addresses a localised problem and does not provide a solution to the wider site and water runoff into the Ridgeway. This was why KCC had been approached for assistance.
5. **COMMITTEE PROCEEDINGS** – Members **RESOLVED** to approve the minutes from the following meetings.

Planning and Transportation	04 October 2021
Finance and General Purposes	21 October 2021
6. **BUCKINGHAM PALACE** Members **NOTED** the letter received from Buckingham Palace to the Former Chairman of the Council.
7. **TOWN MAYOR’S ENGAGEMENTS** – Members **NOTED** the Chairman’s recent engagements.
8. **MEETING DATES 2022 - 23** - Members **AGREED** to meeting dates for 22/23 with the following alterations. Finance and General Purposes will now be held on the 13<sup>th</sup> December 2022 and Full Council will now be held on 20<sup>th</sup> December 2022.

9. **COMMUNITY EVENTS** – Members **AGREED** to going ahead with the free use of the Civic Centre on 4<sup>th</sup> December 2021 for the Winter Festival and again on 7<sup>th</sup> and 8<sup>th</sup> January 2022 for a Southborough cabaret Panto.
10. **SOUTHBOROUGH CIVIC CENTRE UPDATE**- Councillor Blackwell verbally updated the meeting with the following:

**Southborough Civic Centre Update  
Board Meeting Thursday 21<sup>st</sup> October 2021**

I attended the Board Meeting on 21<sup>st</sup> October 2021. This was the meeting that had been postponed since April. It was unfortunate that after urgently requesting a meeting for many months that the meeting was therefore cut short due to both a both an officer and a fellow Board member having to leave early. As a result, urgent business where Southborough Town Council was seeking a resolution was either postponed or not dealt with.

Cllr Andy Fairweather has replaced Carol Mackonochie as the new Cabinet Member for TWBC and board representative.

**Yew Tree Road Playing Fields Drainage**

Legal advice from TWBC legal on behalf of the board confirmed that the engineering works were not part of the Collaboration Agreement. STC had requested independent legal advice and do not believe TWBC should be making a judgement where TWBC may/may not have a financial interest.

No reason was given why the advice has taken over seven months and had not been shared prior to the meeting. Planners in consultation with the flooding team signed off the engineering works. KCC Team Leader, Alex Brauning from the drainage plan works visited site and email advice was given that the private road was causing the issue in Nov 2019. The email was shared with the STC Clerk at the time but not copied to the Hub representative.

AB had been involved in planning application for the YTR playing fields in his previous role with KCC as planning consultee for surface water in development when the works had been classified as low risk.

AB states that in his opinion, *“There was no evidence of any excess run-off coming from the fields. A small drainage swale in the centre of the site contained a little standing water which will gradually soak into the ground. Overall, I am satisfied that the playing field works have not lead to an increase in flood risk to Pennington Road - if anything there may be a small benefit as the flatter surface will better promote infiltration into the ground”*

KCC officer, Emma Burdett attended a site meeting on YTR playing fields on 31<sup>st</sup> March 2021. During the meeting some remedial actions were suggested for consideration by STC, but no report was proffered by the drainage team despite being requested.

STC put forward the following motion:

*The board agrees to the initial drainage rectification works, Option 1, being carried out to the YTR playing fields as outlined in the surveyor's report commissioned by STC's insurers. The costs to be shared equally by the three councils of the project board.*

The motion was not supported by KCC and TWBC. It was then proposed by TWBC that this be postponed until our next meeting and that JW would collate all existing recommendation, get quotes on Option 1 and arrange a site meeting as soon as possible so that members can make a decision. Both TWBC and KCC

had previously expressed the position in their email of 24<sup>th</sup> September 2021 when I had written to them expressing the urgency of the matter. KCC and TWBC expressed their concern that has not read the report and recommendations. It was pointed out that the report had been circulated and that I had written a number of times over the previous months making members aware of the problems that STC face.

Board members confirmed they will continue to seek to support STC with this work moving forward.

**ACTIONS:** Jon W to share all the Playing fields info with the board members and setup a site visit for board members.

### **Project Build Update**

General update was given on the project build elements.

Final account with Baxall has been complete.

Officers are picking up defects as they arise with Baxall and STC and these are being resolved.

The Baxall Defect Liability Period ends in March 2022 so prior to that STC/KCC to go round the building in February to pick up any minor snags and get these resolved.

Display screen in the atrium and projectors in the meeting rooms – David M has been awaiting confirmation on final specification to confirm agreement by STC on these elements and Jon W has spoken to STC staff recently who will be picking these up.

STC raised that training was not provided to STC on the solar array. SAS attending site shortly. Access to the array data was also discussed and a technical issue needs to be resolved with SAS to allow this. Solar panels have been providing ongoing power since 25 May with no down time in between and STC staff confirmed export meter is going in shortly as the building is generating a surplus at times.

KCC seeking to provide a public display for the solar panel power output and carbon saving and STC staff confirmed this week that STC would like it subject to it being at no cost and this will be progressed.

### **Legal Update**

Library lease – Jon W - STC legal have confirmed that the football foundation restriction on the title that was stopping this from happening has now been resolved and KCC are in possession of the library lease. Legal are checking it and subject to final confirmation this can then be signed. The signing of the lease will trigger the VAT request and Jon W will discuss timelines with STC finance and KCC VAT officer to ensure this runs smoothly.

### **Finance Update**

Car Park transfers – Jon W – STC and KCC legals are done and it now sits with TWBC as of Monday to finalise the transfers.

The project is currently running a 9k deficit which the officer will look to plug, and Jon W will ask David M to circulate the final account, which should include the projector and tv screen. STC requested these be available for our next Finance meeting.

Under the collaboration agreement Jon W advised that under the “final payment back to the partners based on there being any surplus, schedule 1 essentially sets out the percentages that each partner would receive for any funds still held by the project and I can confirm that on the basis of a small deficit, the answer is that no party will receive any payment on that basis.

Jon W to ensure the final VAT process is followed and sufficient time is allowed for STC to reclaim the VAT as requested by Nick B.

### **Operation Update**

Update – Nick B – staffing model has been developed and building is now open – 3 facility management staff are in place – business development manager has been appointed. All staff are now in place. Seeking to put in place customer service training and other training opportunities for staff to ensure people get a positive experience of the building. Looking to slowly build up the income on the hall. STC are progressing with re-procurement of the facilities management company and service charge with input from a local consultant Matt Hayden.

Libraries team have asked to meet with the new STC team to get to know them a bit better and explore opportunities moving forwards – Darrel F/Donna MD to sort.

Update – Donna/James – Libraries thanked STC for making the library service feel very welcome. James shared the positive highlights emerging around the library performance. Not quite back to pre-pandemic figures but very close. A lot of new customers are finding the library and the issues are very much comparable to the pre-pandemic numbers.

266 people joined the library in the first term and that is very high and good audience building.

Events and activities are coming back – baby bounce and rhyme re-starting.

School visits have been taking place 11 October – saw 90 pupils visit.

Libraries and STC to keep joined up on any anti-social behaviour issues. Denise H offered support in liaising with CSU

Libraries not seeing enquiries for STC at the front desk at the moment.

James P suggested that moving forward an operations group might replace the Project Board to pick up the longer-term operational elements of the buildings.

Project Board were supportive of this and STC staff to pick this up in due course.

Suggested attendees should include GP, library, STC and football club as a minimum.

### **FF and E**

Snagging issues being dealt with.

Meeting tables fix being applied and Portsdown seeking to resolve on the 12 November.

Round tables – still need to be stabilised and delayed delivery is due 29 October due to a production delay.

Mobile bar – STC raised that it looks to be poor quality and needs to be looked into further regarding the quality of finish issues. James P confirmed it has been signed off but if the quality is poor he will ask Phil D to follow this up. Matter was raised immediately in March on receipt.

STC are seeking to have open Wi-Fi to allow access in the meeting rooms – STC to speak to Cantium to resolve this

Floorplans for the library were discussed and whether there was an opportunity to look at a slightly revised layout plan to accommodate the SS cabinets. Phil D and Nick B to discuss in due course.

Epson EB-FH52 LCD projectors ordered for all three community rooms

### **Risk Register**

Some risks have been closed down, most of the construction risks are now either closed and or about to be closed off. STC have raised concerns against a number of areas where we believe the risk to the project has been underestimated and in some cases the risk is significant/critical. We have raised

these with the board and they were accepted Officers and board members are aware that close monitoring and further mitigation may be required.

A1 The outline/business case / plan is not sufficiently robust – very high/critical – A2  
A5 Legal related risks – significant /critical – C2  
A8 The added complexity of the project being conducted by three Local Authorities – STC, KCC and TWBC – significant/critical – C2  
D3 Costs of the operational delivery plan does not meet budget expectations – very high/critical – A2

## 11. CONFIDENTIAL ITEMS

It was proposed that during the consideration of the following items, the public and press shall be temporarily excluded (Standing Order 3 (c)): -

These items are considered confidential for the following reason(s)  
Information relating to the financial and personnel affairs of the Council.

- a) **Confidential Council and Committee Proceedings** – Members **APPROVED** the following confidential minutes: -

Full Council Meeting	30 September 2021
Finance and General Purposes	21 October 2021

- b) **Civic Centre Pavilion repairs** – Members **AGREED** to option A of the quote supplied at a sum of £3749.00 for the repairs.
- c) **Pennington Grounds Replacement Play equipment** – Members **AGREED** to a public consultation over the replacement play equipment. Three quotes would be obtained and returned to a later Full Council meeting for consideration.
- d) **Southborough Civic Buildings FM Contract** – Members **AGREED** to the report's recommendations and the seeking of the relevant legal support to carry out the tendering process.
- e) **Southborough Civic Buildings Confidential Matters** – Members discussed the Civic Buildings confidential matters following on from the Hub Board meeting.

**The Chair asked for a 15-minute extension to the meeting.**

**Councillor Bullion left the meeting and then returned shortly after.**

- f) **Southborough Civic Buildings Finances** - Members discussed a report supplied by Councillor Francis surrounding the upcoming Budget for 2022/23

The Chairman thanked Members for their attendance and closed the meeting at 9.08pm

**CHAIRMAN**