

MINUTES of the EXECUTIVE COMMITTEE VIRTUAL MEETING of 16 OCTOBER 2021 using Zoom.

PRESENT: Mrs S Barker (Chairman); R House (Vice-Chairman); J Rivers (President); A Bowles (Vice-President); R Parry (Vice-President); J Wilson (Vice-President); A Bartlett (Ashford); R Treacher (Canterbury); K Gowland & T Minns (Dover); P Coulling (Maidstone); L Abraham (Sevenoaks); F Hobbs & P Thomas (Shepway); R Palmer (Swale); Mrs M McKinlay (Tonbridge & Malling); R Butcher (ACRK); K Owen (SLCC).

APOLOGIES: Mrs C Shaw (Vice-President); J Smith (Ashford); Ms R Dymond (Gravesham); Ms G Brown (Maidstone); G Moore (Medway); N Hudson (Thanet); C Mackonochie (Tunbridge Wells); H Rayner (KCC).

IN ATTENDANCE: Chief Executive (CEO); Local Councils Adviser and Learning & Development Manager (LCA); Finance & Administration Manager (FAM); Training & Partnerships Officer.

44/21: CHAIRMAN'S ANNOUNCEMENTS: The Chairman set out the housekeeping arrangements for the virtual meeting. The Chairman WELCOMED P Coulling from Maidstone Area Committee and R Palmer from Swale Area Committee to their first Executive Committee meeting. The Chairman advised that Kings Hill Parish Council had decided to leave KALC membership with immediate effect, which would come up later in the agenda. The Chairman also advised that the CEO would be leaving KALC at the end of January 2022 having been in post for just over 10 years. Members THANKED the CEO for all his hard work and commitment on behalf of the association and passed on their best wishes. The CEO THANKED members for all their support over the 10 years he had been in post and advised that he was leaving to spend more time in Ireland with his wife and to help with managing their farm.

45/21: MINUTES OF THE VIRTUAL MEETING OF 17 JULY 2021: The Minutes, which had been previously circulated, were ACCEPTED as a true record, and would be signed by the Chairman.

46/21: MATTERS ARISING: There were no matters arising.

47/21: UNCONFIRMED MINUTES OF THE F&GP SUB-COMMITTEE MEETING OF 7 SEPTEMBER 2021: Members NOTED that the draft Minutes (35.10/21) should be amended to reflect that the Chairman had left the meeting during the middle of the discussion on SERCAF.

48/21: POLICY AND OFFICE ISSUES: Papers were previously circulated.

48.1/21 Unincorporated Status: Members NOTED that the formal letter to Executive Committee members on personal liability was sent out on 23 August. Members NOTED the following questions and answers that had been raised following the 17 July meeting:

i) How does KALC place employment contracts? Staff contracts are between KALC and the staff member.

ii) If KALC and its staff fail to adhere to procedures, who picks up liability for adverse impacts? For actions in good faith, our indemnity insurance should cover any potential KALC risk and beyond this KALC's reserves would be available. We have a raft of policies in place, which were approved by the Executive Committee and are reviewed every 2 years. Staff are

aware of the KALC policies and procedures. We also provide training and promote best practice (risk assessment/due diligence). It would only be a last resort where the Executive Committee members would be cited. It is likely that even if the issue was remote or egregious then the insurance should cover most of any claim providing we had acted in good faith and had mitigated any claim. The risk of such an event is low provided we continue to undertake due diligence.

iii) How does KALC enter leases and utility contracts? As above, the solicitors set out the strict legal position in the letter. In practice, utility companies, banks, photocopying companies have been happy to deal with KALC because it has been operating successfully as a constituted body for 75 years. A recent example is that we switched banks around 2-3 years ago and moved to Metro Bank. They were provided with our Constitution and were happy to set up banking arrangements for KALC.

iv) If KALC's advice is not consistent with NALC's, who picks up any liabilities?

Whenever we receive or make use of NALC's legal advice we pass it on as presented and never "interpret" it, so our advice will not be inconsistent with it. It is our policy that KALC advice must come from the Local Councils Adviser or another officer i.e. CEO or the Locum Adviser to ensure this is the case.

v) How are KALC assets held? That is, by whom or what? Our main assets are the money in the Metro Bank account, which is held under KALC and the money invested in the CCLA Local Authority Property Fund (LAPF). KALC's cashflow and the CCLA Market Reports and LAPF prices are reported at the F&GP Sub-Committee and Executive Committee meetings so that members are aware of the latest position.

Members NOTED that a report to NALC had identified problems at one County Association that had been linked to its incorporated status. Members AGREED by Zoom Poll (15 YES, none NO, No ABSTENTIONS) that the CEO should produce a health-check/dashboard for future F&GP Sub-Committee and Executive Committee meetings, setting out what leases/contracts KALC had in place and what the liabilities were at that point.

48.2/21 Area Committee Secretary Template Role Description: Members NOTED that the F&GP Sub-Committee had made an amendment to point 5 of the template role description and then AGREED the revised template role description by Zoom Poll (17 YES, none NO, 1 ABSTENTION). The template role description would be sent to Area Committee Chairmen as a template for them to adapt as appropriate.

48.3/21 Sponsorship and Advertising: Members NOTED that the 3-year sponsorship/advertising Gold Level Agreement with Came & Company of £5,000 inc VAT per annum was due to end on 31 December 2021. Members NOTED that a member council had apparently made a complaint to the Financial Conduct Authority (FCA) about Came & Company, but the FCA had apparently decided to take no direct action. Members NOTED that the F&GP Sub-Committee had acknowledged that Came and Company had been a good sponsor for many years and was recommending that KALC should approach Came & Company (now Gallagher) about a new 3-year Gold Level Agreement. Members were reminded that the Chairman of the Ashford Area Committee had expressed his concerns about KALC entering into a new agreement with Came & Co (now Gallagher) at the 17 July meeting and, whilst he could not attend today, he had written to the CEO in advance of the

meeting to say that he remained concerned about KALC entering into a new agreement as he believed that the council was mis-sold a policy. Members considered the F&GP Sub-Committee recommendation and the concern that had been raised and AGREED by Zoom Poll (15 YES, 1 NO, 1 ABSTENTION) that KALC should approach Came & Co (now Gallagher) about a new 3-year Gold Level Agreement.

48.4/21 KALC 75th Anniversary: Members NOTED the recommendations from the 75th Anniversary Working Group and the F&GP Sub-Committee. Whilst members acknowledged that Canterbury Cathedral Lodge was an impressive venue, members were CONCERNED about car parking arrangements and security following the recent death of the Southend MP. Members AGREED that KALC should look at the cost of having security at the Reception given the dignitaries that were likely to attend. Members AGREED by Zoom Poll (17 YES, none NO, No ABSTENTIONS) that the 75th Anniversary should be held in-person. Members AGREED by Zoom Poll (18 YES, none NO, No ABSTENTIONS) that KALC should seek sponsorship for the Reception. Members voted AGAINST Canterbury Cathedral Lodge as the venue for the Reception by Zoom Poll (6 YES, 8 NO, 2 ABSTENTIONS) and AGREED that KALC should contact Kent Cricket Club at Canterbury to use the Pavilion for the Reception, which KALC used for the 70th Anniversary.

48.5/21 KALC Annual Action Plan 2021/2022 – Progress Report: Members NOTED the Progress Report on the 2021/2022 Action Plan, which had many amber rated items, most of which had been delayed due to Covid-19.

48.6/21 Climate Change Advisory Committee: Members NOTED that KALC had been developing a carbon footprint calculator and guidance for member councils, which had been produced by KALC's Environmental Consultant at a cost of £640.00. The calculator was aimed at helping member councils measure their carbon footprint and would complement the carbon footprint toolkit that had recently been published by the Centre for Sustainable Energy and the University of Exeter which was aimed at measuring the carbon footprint of communities. Members then AGREED the Climate Change Advisory Committee's Terms of Reference by Zoom Poll (13 YES, none NO, 2 ABSTENTIONS).

49/21: BUDGET FORECAST TO END SEPTEMBER 2021: Members NOTED that the Budget Forecast was estimating a surplus of approx. £829 compared to a budgeted deficit of £2,573. However, the outcome at the end of the financial year would depend on attendance at KALC events, sponsorship and advertising and keeping expenditure under close control. Members NOTED that the main differences from the Budget Forecast to end August, were an additional £5,000 grant from Kent County Council for administering the Contain Outbreak Management Fund in relation to Parish Councils, as well as some additional IT costs as a result of returning to the office. Members NOTED that the F&GP Sub-Committee had agreed to move KALC's data to Sharepoint to make it even more secure, which had an initial cost of £1,124 + VAT, with an ongoing monthly cost of £28.80. Members questioned the IT back-up system in place, where it was explained that KALC had 2 back-ups – one was a portable back-up and the other was Cloud-based. Members NOTED that KALC and MPR would undertake another back-up test check in December. Members THANKED KALC's IT Adviser and MPR (IT Management Company) for their work in trying to protect KALC's data. Members then AGREED the Budget Forecast by Zoom Poll (18 YES, none NO, No ABSTENTIONS).

50/21: KALC CASHFLOW AND RESERVES: Papers were previously circulated.

50.1/21 Cashflow: Members NOTED that up to 5 October 2021 KALC's bank balance was £208,754.66, although this included £66,557.09 of KCC grant money for the kentparishes.gov.uk project that would need to be returned to KCC. Members NOTED that Teynham Parish Council had not yet paid their subscription fee. The council said that it had been sent by post, but it had not been received in the KALC office. The FAM was continuing to chase payment. Members NOTED that, since the last update for the postponed 25 September meeting, Kings Hill Parish Council (as reported under Chairman's Announcements earlier) had advised that it would be ceasing membership with immediate effect and had paid for the period they were in membership, which was £972 inclusive of VAT. The reason given was that they had wanted all their councillors to be able to contact KALC for advice, which was contrary to KALC's long-established policy that it was the Council that was in membership and therefore requests for advice should come from the Clerk as Proper Officer or the Chairman and only in exceptional circumstances from a councillor. Members NOTED that KALC's policy was consistent with other County Associations and NOTED that NALC was looking nationally at how Councillors could be supported. Members also NOTED that all councillors could register for the KALC website so that they could access the Members Area which contained lots of information, guidance and Legal Topic Notes. On Local Authority grants, members NOTED that the Kent Fire & Rescue Service grant of £4,000 was due later in this financial year.

50.2/21 Reserves: As Members NOTED at the last meeting, the £13,841 surplus for 2020/2021 would be placed in KALC reserves which, according to the 2020/2021 Accounts, would increase KALC reserves to £87,439.

50.3/21 CCLA Local Authority Property Fund (LAPF): Papers were previously circulated. Members considered the CCLA Market Report and the LAPF prices for September 2021. Members NOTED that the LAPF prices were increasing and that the CCLA representative had advised the F&GP Sub-Committee at its meeting on 7 September that KALC's shares were currently valued at £41,363, which was up from £38,763 at 31 March 2021.

51/21: EXPLANATORY NOTES FOR THE 2022/2023 DRAFT BUDGET: Members NOTED that the draft 2022/2023 Budget had been agreed at the 17 July Executive Committee meeting and would go to the 2021 AGM, along with the recommendation on membership subscription fees for approval. Members then AGREED the draft Explanatory Notes by Zoom Poll (18 YES, none NO, No ABSTENTIONS) which would accompany the draft 2022/2023 Budget.

52/21: 2020/2021 DRAFT ACCOUNTS: Members NOTED that the draft Accounts had to be amended with regards to the Operating Lease commitments figure – After more than 5 years - from £10,357 to £20,754. This was due to the new Office Lease starting on 1 April 2021 and not 1 April 2020. Members NOTED that Executive Committee approval for the revision to the Operating Lease commitments figure and the revised draft Accounts was sought by e-mail on 1 October, which had a deadline of 6 October. Members NOTED that all the responses that had been received were in favour of approving the revised draft Accounts and that the Executive Committee approval date would be 7 October 2021.

53/21: LEARNING & DEVELOPMENT PROGRAMME: Papers were previously circulated.

53.2/21 Members NOTED that KALC had successfully held the virtual Clerks Conference (over 40 delegates) and had attracted over 40 delegates to the virtual Finance Conference which was taking

place on 20 October. KALC had also recently successfully held 2 Dynamic Councillor workshops, Clerk in Action and a Project Management workshop, that latter of which had been delivered by Mary McKinlay. Members NOTED that KALC was still intending to return to in-person training in January, which would run alongside online training and the bit-size e-learning. Members NOTED that Breakthrough Communications was expanding its online courses and KALC was aiming to hold 2 Breakthrough courses per month. Members NOTED that the recent L&D Survey had received 127 responses, with 87% agreeing with the KALC strategy of providing a mix of in-person and online conferences and workshops. Members NOTED that the preferred time for conferences was a 10.00am start and a 4.00pm finish. Clerks preference for attending training was 10.00am during the week and Councillors preference was for a weekday evening. Members NOTED that Sevenoaks Town Council had now opened its new Community Centre and would look at a discounted arrangement for holding some KALC training. There was a query in relation to Kent's registered assessor on CiLCA, which the LCA AGREED to follow up after the meeting.

54/21: ANNUAL MEETING 2021:

54.1/21 Guest Speaker: Members NOTED that the notice for the AGM had been sent to all member councils and the Executive Committee on 1 October advising them that Rachel Coxcoon would be speaking at the AGM. Members NOTED that the supporting papers would be sent out as soon as KALC had received the Independent Auditors report, which needed to go into the Annual Report. It was suggested that KALC should look at live streaming the AGM, which the President, Vice-President Parry and the CEO would discuss further outside the meeting. Members NOTED that registration for the AGM was online via Eventbrite.

54.2 2021 AGM Motions: Members NOTED that KALC had received one motion for debate at the AGM by the 17 September deadline, which was from Deal Town Council in relation to mandatory registration and strengthened legislation for Airbnbs. Members NOTED that member councils could submit amendments to the motion up to 7 clear days before the AGM.

54.3/21 2020 AGM Motion: Members NOTED that KALC had promoted a motion on the Government and Parliament website calling for the mandatory labelling of fast-food packaging to member councils and to SERCAF members. NALC had also promoted the petition nationally with the aim of helping the petition to reach 100,000 signatures to trigger a debate in the House of Commons. Members NOTED that NALC had included the KALC motion in its lobbying document on the Government's Environment Bill. In addition, KALC had also included the Swale Area Committee motion in the KALC response to the Government's consultation on extended producer responsibility for packaging.

55/21: COUNTY ISSUES: A paper was previously circulated.

55.1/21 Highways & Transport: Members NOTED that the KALC Chairman and Chief Executive had met with KCC Highways and Transport officials on 25 August and had discussed the KCC Highways Parish Seminars 2021, HGV issues, Parish Highway Improvement Plans, Vision Zero – The Road Safety Strategy for Kent and engagement between KCC Highways Managers/Stewards and Parish Councils and Transport for the South-East. Members AGREED that the CEO should contact KCC to find out when the virtual KCC Highways Parish Seminars and the Parish Highway Improvement Plan workshops would be taking place. Some members expressed disappointment that the Highways Seminars would be held virtually this year and called for next year's seminars to be held in person. Members NOTED that the Chairman of the Transport Advisory Committee and the CEO

had met with the KCC Cabinet Member for Environment & Transport and the Chairman of Environment & Transport Cabinet Committee on 1 October to discuss HGVs, with further meetings scheduled for 29 October and 23 November. Members NOTED that the meeting on 1 October had been focused on KCC obtaining Part 6 powers from the Department for Transport, which should then enable the HGV pilot project in the Maidstone area to finally go ahead. At KALC's next meeting with KCC, members AGREED that KALC should ask KCC for a definition of "severe or severity" in relation to planning applications.

55.2/21 Launch of Vision Zero – A Road Safety Strategy for Kent: Members NOTED that the KALC President had given a presentation at the launch event, as the Chairman of KALC's Transport Advisory Committee had been unable to take part due to illness. The President reported that key people at the event had passed on their best wishes to the Chairman of KALC's Transport Advisory Committee for a speedy recovery. The launch had been very valuable in raising KALC's profile as other speakers had included Prince Michael of Kent, Baroness Vere – Transport Minister, the KCC Leader and KCC Cabinet Member for Highways & Transport. Members that had attended the launch reported that it had been an excellent event and that it was important that KALC worked closely with KCC in taking this forward.

55.3/21 Covid-19: Financial Impact on Local Councils: Members NOTED that KALC was working closely with KCC on the Contain Outbreak Management Fund and how Parish Councils might be able to apply. Members NOTED that, following a quick survey of member councils at the end of July, KALC had highlighted the following activities to KCC where Local Councils had expended costs as a result of the pandemic:

- Council office/building – cleaning, hand sanitiser, signage, noticeboards, PPE equipment/screens etc to protect staff and visitors, virtual meeting costs e.g. laptops, livestreaming, video conferencing, Zoom licence, etc;
- Council activities/operations – cleaning, signage etc of Public Toilets, Car Parks, Markets, Allotments, Playgrounds, Outdoor Gyms, sports & leisure facilities, community or village halls, museums, Cafes, Community Events, Tourist Information, Library, Parks/Open Spaces, producing/printing campaign material (e.g. Sevenoaks Town Council), bars (e.g. Swanley Town Council).

Members NOTED that KCC had agreed to provide KALC with a £5,000 grant to cover administration costs. Members NOTED that KALC was unable to provide any further details at this time but would update members as soon as possible.

55.4/21 Strategic Meetings with the Police & Crime Commissioner and Kent Police: Members NOTED that KALC representatives met with the Police & Crime Commissioner (PCC) and Kent Police on 29 September, which had been hosted and chaired by the PCC. The meeting had been a mixture of in-person and virtual attendees. Members NOTED that the Action Points from the meeting were being produced by the PCC's Office and would be circulated to members shortly. There had been some very positive discussions, particularly on the My Community Voice App that Kent Police would be rolling out shortly. However, members NOTED that, disappointingly, the meeting had got bogged down in either personal or individual Parish Council issues rather than approaching them from an area-wide perspective. Members NOTED that KALC would now need to review the 6-monthly meetings, as the original aim of the strategic meetings had been for Area Committees to have discussed the issues at their Area Committee meeting so that their representative could then feedback the Area Committee views at the strategic meeting.

56/21: NATIONAL ISSUES: Papers were previously circulated.

56.1/21 NALC National Assembly and NALC Management Board: Members NOTED the written report on the NALC National Assembly and Management Board meetings that took place on 16 September and 14 September respectively. Members NOTED that NALC staff were starting to move back to the office, whilst retaining remote working as well.

56.2/21 NALC AGM – 26 October 2021: Members NOTED that NALC was continuing confidential discussions with the President-elect in advance of the NALC AGM on 26 October. With regards to Vice-Presidents, at the AGM NALC would be proposing Parliamentary Vice-Presidents. One of the main issues at the NALC AGM was the proposed affiliation fee for 2022/2023. NALC had originally proposed a 3% increase, but the Management Board (following pressure from KALC's representative and other Board members) agreed to propose a 1% increase (7.49p per elector and capped at £1,920). Following a Zoom Poll (17 YES, None NO, No ASBSTENTIONS) members AGREED that the 3 KALC representatives should support the proposed 1% increase in NALC's affiliation fee for 2022/2023.

56.3/21 Remote Meetings: Members NOTED that NALC, the LGA and other national bodies were continuing to lobby Government to introduce legislation to enable Councils to hold remote Council meetings if they wished to do so. Members NOTED that KALC had written to Kent MPs asking them to press Government to review the evidence and introduce the legislation as soon as possible. Members NOTED that the following MPs had responded to say that they would pursue this with the Minister: Helen Grant MP; Helen Whately MP; Damian Green MP; Greg Clark MP; Natalie Elphicke MP; and Rosie Duffield MP.

57/21: MEMBERSHIP 2021/2022: As reported earlier, members NOTED that Kings Hill Parish Council had decided to leave membership with immediate effect. Members NOTED that there was one existing member council (Teynham Parish Council) who had not yet paid their subscription and KALC was pressing the Clerk and Chairman for payment.

58/21: INFORMATION ITEMS PAPER: The Information Items paper that had been previous circulated was NOTED.

..... Chairman
29 January 2022