

SHADOXHURST PARISH COUNCIL

Page 1402

MINUTES 427

Minutes of the Ordinary Parish Council Meeting held in The Pavilion on Wednesday 10 October 2018 at 7.00 pm

PRESENT: Mr D Ledger (Chair), Mrs S Ellis, Mrs C Procter, Mr K Carroll,
Mr R Crowley and Mr M Richmond Coggan
PCSO Katherine Richards for part of the meeting
Representatives from Foster and Payne for part of the meeting

PARISH CLERK: Mrs J Batt

BOROUGH COUNCILLORS:

COUNTY COUNCILLOR:

MEMBERS OF THE PUBLIC: There was one member of the Public in attendance for part of the meeting.

1. **APOLOGIES FOR ABSENCE**

Mr Cass submitted an apology for absence, as he was going to be away from the village for the duration of the meeting.

2. **APPROVAL OF REASONS FOR APOLOGIES**

Councillors approved Mr Cass's reason for absence 5:1 abstention.

3. **DECLARATIONS OF PECUNIARY AND SIGNIFICANT INTEREST**

Declarations of Pecuniary Interest

There were no Declarations of Pecuniary Interest.

Declarations of Significant Interest

Councillors Ellis, Procter and Ledger declared an interest in Planning Application No 18/01332/AS, as they are near neighbours.

Councillor Carroll declared an interest in Planning Application no 18/01367/AS, as he is a near neighbour.

Councillor Richmond Coggan declared an interest in Planning Application No 18/01366/AS, as he is a near neighbour.

Updating of Declarations of Interest for the Code of Conduct

Councillors are reminded that they should update their Declarations of Interest with the Monitoring Officer if necessary.

Councillors are also reminded of their common-law responsibilities with regard to pre-determination and fettering of discretion in relation to agenda items.

4. ACCEPTANCE OF MINUTES OF PREVIOUS MEETING

Minutes 426 of the meeting held on 12 September were accepted and it was unanimously agreed that Mr Ledger should sign them.

Proposed Mr Carroll

Seconded Mr Crowley

5. MATTERS ARISING FROM THE PREVIOUS MINUTES

There were no Matters Arising not covered on the agenda.

6. PUBLIC INTERVAL

The meeting was opened to the members of the public present from 7.05 – 7.48 during which time representatives from Foster and Payne explained their proposal to build a retirement complex within the village. The representatives left the meeting at 7.31.

PCSO Richards was pleased to hear that the parish is going to set up Speed Watch and Lorry Watch. Unfortunately, the signage for the new speed limit is still not correct. Once it has been rectified there will be a 6-month period before we are will be permitted to start the Speed Watch programme. This would usually be a year, but the Speed Watch Officer is happy to reduce it to 6-months.

Councillors will start taking note of the registration number of lorries using the village as a rat run.

PCSO Richards once again asked residents to report any incident to the police, no matter how small they consider it to be. If the police think crime levels are low, they will reduce the number of officers in the area.

Residents should leave a light on, on a timer if they are going to be out after dark.

Councillors invited the PCSO to attend the Coffee Club and talk to residents about their concerns.

7. PLANNING

Please see attached list.

Discussion and Decision on action to be taken on any other matters related to Planning issues within the Parish

No matters were put forward.

Chilmington Green

Nothing to report.

Meeting with Foster and Payne

Councillors agreed to arrange a site visit to Dover on either Wednesday 7 or Thursday 8 November between 9 and 9.30 am. They would like to see the business plan and outline plans of the development proposed for Shadoxhurst so they can get feel for look size and scope.

8. CORRESPONDENCE, FINANCE AND OTHER COUNCIL BUSINESS

EDF request for Meter Reading

KCC re Household Recycling Consultation

Broxap

KALC – Notice AGM to be held on 17 September

Ashford Town Parish – Shadoxhurst Church request for contribution towards the upkeep of the Churchyard for 2019

Ms Winter re parking in the Village Hall Car Park

EMAIL CORRESPONDENCE BROUGHT TO THE ATTENTION OF THE MEETING**All emails are forwarded to all Councillors with email**

KCC re Salt Bags – The Clerk will ask KHS whether we can have salt bins at Park Farm Close, Tally Ho Corner and Church Lane.

KCC re Parish Seminar – Mr and Mrs Carroll will attend.

Lisa Jupp re football – The Clerk will inform Mrs Jupp that they agree to under 6's using the hall for football practice and will ask the current team whether they want the field on Saturday afternoons.

Jarvis Development re Carol Concert – Councillors agreed to advertise a concert in the newsletter if Jarvis Development arranges one.

Sovereign Play

Proposed membership of Weald of Kent Protection Society

Councillors agreed to join at the last meeting and the cheque is on the list of accounts to be paid.

Arrangements for Clubs and Societies

Nothing to report.

Adoption of Externally Audited Accounts

The Annual Return has been received back from PKF Littlejohn with no Matters Arising.

The External Auditors Certificate and copies of the Annual Return have been posted on the noticeboard and website.

Resolution: Councillors unanimously agreed to adopt the Externally Audited Accounts.**Proposed: Mr Richmond Coggan****Seconded: Mrs Ellis****FINANCE****Bank Reconciliation - Long Term Deposit account**

Opening Balance	910.00	Balance per Current Account	910.00
-----------------	---------------	-----------------------------	---------------

Bank Reconciliation - Village Hall and Pavilion Account as at last statement

Opening Balance ex Memorandum a/c	1000.00	Balance per Current Account	10756.77
Plus Receipts	<u>15047.51</u>	Plus Uncleared Receipts	<u>1171.75</u>
	16047.51		11928.52
Less Payments	<u>5404.35</u>	Less Uncleared Cheques	<u>1285.36</u>
	10643.16		10643.16

Bank Reconciliation – Parish Council Treasurers Account as at last statement

Opening Balance	52024.63	Balance per Treasurers Account	26308.14
Add Receipts	<u>21271.51</u>	Plus Uncleared Receipts	<u>449.30</u>
	73296.14		26757.44
Less Payments	<u>49499.80</u>	Less Uncleared Payments	<u>2961.10</u>
	23796.34		23796.34
Less Earmarked Funds	<u>9608.20</u>	Less Earmarked Funds	<u>9608.20</u>
	14188.14		14188.14

EARMARKED RESERVES

	Balance 12.09.18	+/_ October	Balance 10.10.18
Recreation Facilities	4000.00		4000.00
Bulb and Tree Planting + Planter	200.00		200.00
Bus Shelters	800.00		800.00
Contingency	957.31		957.31
Website	100.01		100.01
Millennium Sign	600.00		600.00
Tree Surgery	400.00		400.00
Recreation Field Drainage	2000.00		2000.00
Village Events Account	550.88		
Tomar Owl Sanctuary returned chq		30.00	
Harvest Fete Profit		2433.99	
Murder Mystery		174.05	
Harvest Fete Expenses		- 902.02	2286.90
TOTAL	9608.20	1736.02	11344.22

Parish Council Accounts to be Paid

PAYEE	CHQ NO	DETAILS	NET £	VAT £	GROSS £
Mrs J Batt	1075	Salary Expenses General Admin	462.05 4.50 17.00		483.55
PKF Littlejohn	1076	External Auditors Fee	300.00	60.00	360.00
Clive Stanley	1077	Webmaster Services Renewal of Domain Name	189.00 16.10	3.22	208.32
Weald of Kent P S	1078	Subscription	25.00		25.00
The Play Inspection Co	1079	Annual Inspection	65.00	13.00	78.00
Mr P Webb	1080	Fete Expenses	902.02		902.02

Village Hall and Pavilion Accounts to be Paid

	CHQ NO	DETAILS	NET £	VAT £	GROSS £
Bibby (Lodestar Cleaning)	026	Cleaning Caretaking - Hall	200.15 51.32	50.29	301.76
Cancelled Cheque	027				
Business Stream	028	Village Hall Waste Water	113.21		113.21
Chart Glass	029	Pavilion Window	112.00		112.00
Castle Water	030	Water Charge - Hall - Pavilion	75.12 30.61		105.73
Mrs J Batt	031	60 Mugs for the Pavilion	54.95	10.99	65.94
Mr P Huxley	032	Repair to Hall Door	34.00		34.00

Resolution: Councillors unanimously agreed to pay the above accounts and noted the Direct Debit Payment to EDF of £177.00 for the electricity for the Village Hall and £50.00 for the electricity for the Pavilion

Proposed Mrs Ellis

Seconded Mr Carroll

Internet Banking

Defer to next meeting.

Setting up of Direct Debit with Castle Water

Mrs Ellis and Mr Ledger have not yet set the Direct Debit up.

Insurance

We are in a long-term agreement with Aviva until 2020.

Transparency

Councillors were asked to monitor the website to ensure that we comply with legislation.

Data Protection

Privacy Notice Consent Forms have been received from the Dance Academy, the Pilates Group and the Line Dance Group.

Lorry Watch/Speed Watch

Speed Watch cannot start until all the signage has been correct for 6 months. Councillors will start to note lorry registration numbers.

Conservation Area Review Group Report

The purpose of the Group is to make sure the village is represented in best way possible and maintained and enhanced where possible.

The Group has decided to focus on the Conservation Area and embrace the listed buildings at a later date.

The designation for the Conservation Area was made in 1973 with a boundary review in 1996.

The Group will look at this again. It was agreed that it would be helpful for the History Club to prioritise looking at the listed buildings in the Conservation Area. The Group will then decide whether to take a more in-depth review.

Utilities Advisory Group

Nothing to report.

Newsletter

The latest edition is due to be printed on Friday.

Village Forum

The next meeting is due to take place on 30 October.

Request to Site Textile Bank in Village

Councillors agreed not to site a commercial bin in the village.

Road Signs

Defer to next month.

Request to Park in Village Hall Car Park

Councillors unanimously refused the resident's request to park in the Village Hall car park as it would be setting a precedent and they want to avoid cars going in and out of the car park to mitigate any risk of accidents as the hall is used by a nursery school and it is often booked out for children's parties.

Risk Assessment

Mr Richmond Coggan will complete a risk assessment

Annual Report from The Play Area Inspection Co

No action needed. All items were considered to be low risk.

Website and Noticeboard Policy

Councillors noted that commercial advertisements should not be published on either the notice board or the website.

A resident advertising on a building facing into the Recreation Field will be contacted and asked whether he has applied for Advertisement Consent.

9. CHAIRMAN'S REPORT

Since the last Parish meeting, I attended the latest Chilmington Green Stakeholder's Group meeting. Interestingly, the Green part of the development name has been dropped to simply be Chilmington. The marketing folk have now taken charge.

The Fete was a great success. It was lovely to see the rec so busy and popular. A lot of people put a great deal of effort and time into the preparations, the day itself and the dismantling. It is difficult to single people out, as someone will be missed, however my personal thanks go to Peter Webb for chairing and co-ordinating the whole thing, ably assisted by Carol. Others on the Fete Committee put a lot of time in, Sarah, Simon, Kim, Cheryl, Colin, Val, Ian with support from

Lawrence, Lis, Sheila, Jan, Diana, Marlise, John, Lis and many more. It was a memorable community event, thank you to all that helped to put it together and thanks to all that came and

supported it. We must also thank the various performing groups to entertain everyone, Ark Drama, the Woodchurch Morris, The Shadoxhurst Line Dancers and the Lesley Munn Dance Academy, plus thank you to all the stalls, Courtside Football Club, Roger Hills and the sponsors.

I recently met with the Lorry Watch team of KCC and they have been putting up signs to warn HGV drivers. We are particularly targeting those that use Church Lane and Criol Lane as a rat-run, we hope to have a roadside presence very soon

EB Sculpture has reduced the price of the WW1 Memorial Plaque to £775.00

Finally, I have been in discussion with the Scouts and Ark Drama as they are going to parade to Church on Armistice Day.

10. SHADOXHURST WEBSITE

The dates for the forthcoming Village Forum and History Club meetings need to be added to the site.

**11. VILLAGE HALL, PAVILION, RECREATION FIELD, VILLAGE GREEN AND SIGN
Inspection of Village Hall and Pavilion before and following Hiring**

Mrs Procter in October

Mr Crowley in November

Mr Ledger and Mrs Ellis in December

Mr Cass in January

General Issues relating to the Village Hall

The Fire Risk Assessment is in the process of being completed.

The lock on the door between hall and kitchen broke during the month and has been repaired.

Mr Richmond Coggan will ask the Electrician whether he can install either lower wattage or dimmer switches to the lights in the hall.

All the cupboards now have replacement padlocks and Mr Ledger has a duplicate key for each.

Following the recent inspection by the Electrician, the Clerk was asked to instruct him to carry out the upgrades as necessary.

General Issues relating to the Pavilion

The Fire Risk Assessment is in the process of being completed.

Councillors were asked whether they would look at changing the lights and heating in the Pavilion. Mr Richmond Coggan will take advice, and this will be added to the next agenda.

The Dance Academy will be told to put the heating on early on the 1st Wednesday of each month if they need to.

Sixty Mugs were purchased from Nisbetts for the Pavilion in time for the Fete.

The members of the Fete Committee were not happy with the level of cleaning carried out by Lodestar in the days before the Fete.

With regard to the music licence, we need to inform PRS/PPL of the number events in the Pavilion at the end of the year and they will add it them to our existing account.

The window has been repaired and Aspire have been informed of the cost and will deduct it from our invoice for grass cutting.

Following the recent inspection by the Electrician, the Clerk was asked to instruct him to carry out the upgrades as necessary.

Quote for Replacement Water Boiler

A quote giving 3 options has been received:

- 1 Replace the water heater with the same unit £175. A count down timer can be fitted for an extra £40.
- 2 Replace with under sink storage tank with count down timer and tap for sink. £295.
- 3 Instantaneous high-power unit that heats water on demand. Tap for sink. £395.

The Electrician noted that the toilets have no hot water to the handwash sinks. This does not comply with current regulations and he suggested that it may be possible to pipe hot water in via Option 3.

All prices are subject to site checks and extra cost (pipe and taps).

Resolution: Councillors unanimously agreed to instruct the Electrician to proceed with option 3, but not to pipe hot water into the handwash sinks in the toilets as they are hope to update the toilets in the near future.

General Issues relating to the Field/Car Park/Play Area/Village Sign/Village Green

A specification for grass cutting the Village Green for 2019 will be prepared for the next meeting.

Renovation of Village Pump, Seat and Sign

Nothing to report.

12. BOROUGH COUNCILLORS REPORT

Councillors Hicks and Bradford were not in attendance at the meeting.

13. COUNTY COUNCILLORS REPORT

Councillor Angell was not in attendance at the meeting.

14. VILLAGE RESPONSIBILITIES**Village Sign Area**

Mr Richmond Coggan reported that the Community Payback Group cannot work on the sign area, so he is making alternative arrangements.

Condition of Byways in Shadoxhurst

The following was received in answer to our email;

Thank you for your enquiry regarding byway AW338, which runs from Church Lane to Hornash lane.

We have received a number of reports about this path and I last inspected it on the 5 June 2018. I found the surface of the track itself to be in reasonable condition and was not considered a priority for maintenance. However, I did note areas alongside which were deeply rutted and as a result mud was being deposited onto the surface of the byway.

I do understand your frustrations with the damage caused by vehicles damaging areas beside the byways. Unfortunately, this is all too common across Kent and can be seen in many places where byways pass through woodland.

Unfortunately, I believe that in this instance the solution lies in stewardship and Policing as the trespass is clearly a nuisance and in all probability amounts to criminal damage, unless taking place with the landowner's consent. There are practical measures such as deepening ditches beside the highway, the erection of fencing, the cutting and laying of coppice beside byways – all of which are aimed at preventing straying from the route. A regular presence on site will also act as a deterrent.

I would also encourage reporting acts of trespass/ nuisance to Kent Police. If such acts go unreported, I'm afraid Police resource is unlikely to be allocated to tackling the issue, particularly in the current financial climate.

We will continue to monitor the condition of the byway and revise our assessment and prioritisation of it accordingly.

Rural Bus Service

Nothing to report.

Emergency Planning

Defer to future meeting.

15. ITEMS FOR INCLUSION ON THE NEXT AGENDA

Valuation for Village Hall and Pavilion and Tree Inspection.
Budget for 2019/2020

16. KENT HIGHWAYS/PROW**KCC Footpath Review**

Nothing to report.

Items to be reported to KHS/PROW

No items were put forward.

Painting of Yellow Lines in Woodchurch Road Bus Stop Lay By

Nothing to report.

Parking outside Rectory Bungalows

Mr Ledger will reply to a resident who enquired as to the progress on this issue.

17. FORUM FOR EXCHANGE OF INFORMATION BETWEEN COUNCILLORS

Mr Richmond Coggan gave his apologies for the next meeting.

There being no other business the meeting closed at 22.59 pm.

Signed..... Dated

Chairman

DRAFT

SHADOXHURST PARISH COUNCIL

RECORD OF PLANNING APPLICATIONS

OCTOBER 2018

18/01310/AS Land at Chilmington Green, Ashford Road, Great Chart, Kent
Reserved matters for the development of 22 residential dwellings within Parcel Q, Main Phase AAP 1 including associated roads, parking, landscaping, open space and infrastructure
Parish Council: No Comment

18/01311/AS Woodland Vale, Nickley Wood Road, Shadoxhurst, Ashford, Kent, TN26 1LZ
Removal of existing bungalow and erection of a replacement dwelling
Parish Council: OBJECTS on the following grounds

1. We are concerned that the application is misleading and flawed for the following reasons:
 - a) Application 13/00495/AS was granted for three Gypsy caravans on the northern part of the site. Four mobiles are presently on site, (reputedly to be occupied by Eastern Europeans) not bone fide Gypsies and Travellers as per the formal definition
 - b) These are located in a position, not given planning permission in 2013
 - c) A day room was located, and this has become a dwelling, the subject of this application, in effect, 'replacing a dwelling' with a larger dwelling. The original building has no permission to be dwelling in the first place.
 - d) Bizarrely the consultation with (only) 9 neighbours for this application, includes the mobiles 1-5 on Woodland Vale itself. Does this indicate a fifth mobile not currently there? It seems strange to consult with those on their own land and suggests that the site may be split or separated in future.
 - e) There appear to be five 'dwellings' on the site where there is only permission for three
 - f) Gates have been erected without permission
 - g) A business has been run on site for a few years, for which there is no planning permission
 - h) The application does not address any of the current planning breaches
2. Woodland Vale has been the subject of many complaints and breaches of Planning. We are as yet, unacquainted with the results of any enforcement action taken by ABC on this site, in spite of requests for updates. Please can ABC inform the Parish Council of the exact status of all the breaches and investigations before this application is determined?
3. There was a recent visit by ABC Officers with respect to problems of foul water and effluent flowing onto other land towards Derring Wood. This is not yet resolved.
4. The site deserves better protection with respect to the Ancient Woodland designation in the vicinity. The current position of the four mobile homes is where ancient trees have been felled and hard paved without planning permission.
5. The application is not for a replacement dwelling, as there is no prior permission for a dwelling. Indeed, HOU7 states "*is replacing an existing dwelling that has a lawful residential use.*" The application should be duly amended or re-submitted.

6. This is a new dwelling and the determination and decision should be tested against ABC Policies in that consideration.
7. Any consideration of granting permission of this application as it stands will not address the planning breaches currently in place.
8. The Parish Council supports the replacement of mobile homes with permanent dwellings in Nickley Wood Road in general. There may be an opportunity to regularise the situation with Woodland Vale if done sympathetically and robustly.
9. Should the application be granted, we strongly recommend that a number of conditions be placed, however we are mindful that the conditions applied to the 2013 permission have
 - a) not been complied with and
 - b) not been properly enforced by ABC.
10. We would recommend the following conditions, if granted:
 - a) The four mobile homes must be removed within three months of permission being granted. The designation for Gypsies and Travellers can then be removed with that.
 - b) One mobile home to house the family will be permitted whilst the construction of the house is carried out.
 - c) The land to the rear must be landscaped to have trees planted so that the woodland can be in part re-instated
 - d) The waste water system must be fully approved for the size of the dwelling and constructed first. The mobile home referred to in a) must be plumbed into this system whilst being lived in.

18/01332/AS The Oaks, 12A Park Farm Close, Shadoxhurst, Ashford, TN26 1LD
 Construction of first floor extension over porch and alterations to roof comprising removal of existing dormer and construction of new duo-pitch roof.
Parish Council: Support 3:3 abstentions

18/01345/AS Land at Chilmington Green, Ashford Road, Great Chart, Kent
 Full application for a temporary haul road required to facilitate the development of parcels Q and R, Phase 1, in association with the outline permission for the wider Chilmington Green development.
Parish Council: No Comment

18/01366/AS Land South of Glebe Retreat adjacent, Duck Lane, Shadoxhurst
 Erection of new dwelling (revision to prior approvals granted under 18/00788/AS & 17/01468/AS), change of use of amenity land to residential and erection of detached car barn with ancillary accommodation in roof space, landscaping, walls, gates & fences
Parish Council: OBJECTS to the garage because it is a new dwelling on agricultural land and it is not amenity land as this application describes
The residential access is on the by way as identified by Kent PROW
The site is outside the built confines of the village

18/01367/AS Land rear of the Kings Head, Woodchurch Road, Shadoxhurst, Kent
 The excavation for the formation of the tie down base and installation of 2x 4000 litre LPG tanks underground and backfill, to provide gas supply for the 19 dwellings on site.
Parish Council: OBJECTS on the following grounds:

- Proximity of installation to SuDS / open swales and drainage, recognising the nature of the ground; something we would expect ABC & KCC Drainage to examine
- Landscaping around the installation – very clearly flawed on the Hollies application
- Road design requirements for Tanker Access & Parking
- Conformity to statutory clearances around tanks
- Pollution Risk Prevent Groundwater Pollution from UST); we are uncertain as to whether EA should be involved and certainly the Calor guidelines look to a Risk Analysis?

What is a dilemma is that our independent analyses suggest that UST (semi-mounded) schemes are not suitable for these sites; certainly, there is no evidence on the documents posted to date that Calor (whose generic layouts have been used by both) have been consulted in this respect. Whilst not directly ABC's problem, it would surely be better to ensure scheme viability against all applicable guidance / standards before an approval which might have to be revisited?

A comment on your reference to HSE as the "enforcement agency"; this, we suggest, is only partly correct as HSE's scope and limits are ill-defined "small bulk installation" up to 4 tonnes (also not UST). A corrective to your reference to UKLPG Code of Practice; in fact, as we are dealing with UST Bulk Storage then Part 4 is applicable.

A supplier such as Calor sets the industry standard for comprehensive practices which reflect the CP and these set several pertinent notes of caution relevant to the current proposals for these sites.

A more sensitive concern is that Pentland in particular has been allowed to construct key aspects of its scheme without approval, clearly contrary to the letter of the Planning Conditions. We do not believe for example that the site drainage details have yet been approved and yet all drainage work was completed months ago. We are concerned that the same will happen here regardless of the Planning process. The same goes for the Hollies site with retrospective applications for works completed.

Whilst we accept that a meeting is no longer essential at present, we would hope that you and Mark, in addition to looking at "visual and general amenity impacts" will be able to ensure that all key expert consultations are included.

Finally, we had previously submitted our support for the landscape amendments to the Hollies site with respect to the amendments relating to the landscaping adjacent to the LPG tanks, we have since discovered that these are currently flawed, and we withdraw that support and object to the scheme as it currently stands. Mark can you please remove that support document from the portal and replace it with...

Until the concerns expressed with the main application for the two tanks are resolved, we are unable to comment on the landscaping proposals as they are integral to any decision. The current landscape design is flawed and we reserve the right to make further comments once the principle concerns are addressed.