

SHADOXHURST PARISH COUNCIL

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MINUTES 433

Minutes of the Ordinary Parish Council Meeting held in The Pavilion on Wednesday 10 April 2019 at 7.30 pm

PRESENT: Mr D Ledger (Chair), Mrs S Ellis, Mrs C Procter, Mr K Carroll, Mr S Cass
Mr R Crowley and Mr M Richmond Coggan

PARISH CLERK: Mrs J Batt

BOROUGH COUNCILLORS:

COUNTY COUNCILLOR: Mr M Angell

MEMBERS OF THE PUBLIC: There were 3 Members of the Public in attendance.

Mr Ledger thanked Mrs Ellis and Mrs Procter for all their help and support during their time on the Parish Council

1. **APOLOGIES FOR ABSENCE**

An Apology for Absence was received from PCSO Richards and PCSO Jones.

2. **APPROVAL OF REASONS FOR APOLOGY FOR ABSENCE**

There were no Apologies for Absence.

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

Declarations of Pecuniary Interest

There were no Declarations of Pecuniary Interest.

Declarations of Significant Interest.

Mr Cass declared a Significant Interest in Planning Application No 19/00330/AS as he is a neighbour of the applicant.

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 432 of the meeting held on 13 March 2019 were accepted and it was unanimously agreed that Mr Ledger should sign them.

Proposed Mr Richmond Coggan Seconded Mr Carroll

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 from 7.39 – 7.41 during which time a gentleman who will be joining the Council in May introduced himself.

The prospective Conservative Candidate for the Borough Council introduced himself to those present.

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

The Clerk will ask the Planning Officer whether the sales office on the Kings Head Development has to have Planning Permission and if it does, has it been granted?

Mr Finnis has generated a form regarding enforcement and S106 money which is to be sent to other parishes to see whether they have the same problems with the Planning Department at Ashford Borough Council as we have.

The Farley Close appeal has been refused as the application did not include enough affordable housing. The land at the end of Farley Close had a lot of wildlife living on it and it was cleared prior to the applicant submitting his application. This was mentioned in the appeal as regulations may have been breached, but this is not the responsibility of the Planning Inspector.

Mr Ledger and Mrs Procter will compose a letter to ABC, CPRE and WKPS regarding this and circulate it to other parishes to see if they have experienced similar problems.

Mr Ledger has written to the Head of Planning and asked to meet with him to discuss various issues relating to this application.

Chilmington Green

Nothing to report.

8. CORRESPONDENCE, FINANCE AND OTHER COUNCIL BUSINESS

Valuation Office Agency – Clerk to complete the form

Castle Water

AwCRK

ABC requesting use of Village Hall for possible European Parliamentary Election

EDF asking for a meter reading

Neighbourhood Watch re Contact Details
Zurich Municipal

EMAIL CORRESPONDENCE BROUGHT TO THE ATTENTION OF THE MEETING

All emails are forwarded to all Councillors with email

Received from PCSO Richards

I am one of the Police Community Support Officers at Ashford Police Station and I and PCSO Luke Jones cover your area. The rural areas we cover are Weald Central, Weald North, Biddenden, Tenterden, St. Michaels, Rolvenden, Newenden, Isle of Oxney, and Weald South. We are going to be sending out monthly updates to key members of the community with a general overview and what we have been involved in that month. If you do not wish to continue receiving this email please let me know.

With us covering a large area, we try and show a presence in all your villages and towns either on foot or in a police vehicle, engaging with the community when we can. Some of the villages have been having some issues with Anti-Social behaviour which we are monitoring and engaging with the youngsters and parish wardens to try and stamp these problems out, by doing this it has helped with the decreasing of incidents.

In the rural areas we have been experiencing thefts of machinery, tools and equipment. Please help by reporting any sightings of unusual vehicles activity to the us via 101 or crimes stoppers on 0800555111.

By talking to the local communities we are also finding incidents are possible happening in your areas, but not being reported, if things are not reported we don't know they are happening and then are unable to help sort them out. There are many different ways you can report crimes

I would like to remind all residents to stay vigilant and report anything suspicious online or via the Kent Police non-emergency number 101 or if you do witness a crime in progress then please do call 999.

FINANCE

Please see attached schedule.

Resolution: Councillors unanimously agreed to pay the accounts as listed on the schedule and noted the Direct Debit Payment to EDF of £162.00 for the electricity for the Village Hall and £58.00 for the electricity for the Pavilion

Proposed Mrs Ellis

Seconded Mr Crowley

Internet Banking

Nothing to report.

Setting up of Direct Debit with Castle Water

Mr Ledger has set up the Direct Debit with Castle Water. We will receive £50 cash back for doing so once the first payment has been taken from our account.

Insurance

The Clerk informed Came & Co that we have a defibrillator on 17 March.

Came & Co asked whether the Pavilion valuation included the Attached Store. Councillors confirmed that it does.

Transparency

Councillors were asked to monitor Shadoxhurst's Website to ensure that we comply with legislation.

Data Protection

The March update from Satswana was forwarded to Councillors.

Lorry Watch/Speed Watch

The organiser is unwell at the moment and will progress this once he has recovered. Councillors sent him their best wishes for a speedy recovery.

Conservation Area Review Group Report

The Clerk will contact ABC regarding the condition of a Listed Building in Shadoxhurst and the concern raised at this meeting that the owner may submit a planning application for development at the rear of the property now that it is vacant.

Utilities Advisory Group

Mr Finnis is assessing the ongoing work on the 2 development sites in Shadoxhurst and is trying to liaise with Southern Water.

Village Forum

The Village Account Balance stands at £2657.72. The next meeting is due to take place on 16 April.

Risk Assessment

Mr Richmond Coggan will forward a risk assessment of all the Parish Council's assets by 25 April.

The Clerk reminded him that the Defibrillator needs to be added to the Risk Assessment.

NALC Legal Briefing L09-18 Public Sector Bodies Regulations 2018

Nothing to report.

Proposal to form Charitable Land Trust in Shadoxhurst

Please see attached report.

Resolution: Councillors unanimously agreed to ask the Internal Auditor whether we have the power to seed fund the Land Trust for a minimum of £3000 and a maximum of £8000.

Proposed Mr Richmond Coggan

Seconded Mr Cass

Purchase of Box and Installation of Defibrillator

The Clerk completed the form and forwarded it to SECAMB. We need to inform them of the expiry date on the pads and the battery.

A local First Responder is running 2 training sessions – one on 16 May at 1.30 pm and one on 23 May at 7 pm.

Arrangements for the Annual Parish Meeting

The Annual Parish Meeting will be held on 8 May at 7.00 pm.

Election of Chairman at Annual Parish Council Meeting

The outgoing Chairman oversees the election of his or her successor.

2019 Election

The Parish Council election was uncontested. We will have 6 councillors at the May meeting. Four candidates, 2 Conservatives and 2 Independents have put themselves forward for election onto the Borough Council. As there are only 2 seats an election will be held on 23 May.

9. CHAIRMAN'S REPORT

Sheila, Carol and I attended the South of Ashford Master Planning event. The event was concerning Chilmington, Court Lodge and Kingsnorth Green developments. It was clear that the developers of Court Lodge were further ahead in concepts, layout and planning than the others. There will be three phases, but the main concern for many is the volume of traffic on Magpie Hall Road, and how this affects Tally Ho Road. It was an all-day event with presentations and workshops. There are good intentions but as the masterplan has already had three evolutionary changes, one can expect more. Whilst this is all outside our Parish, we must be mindful of the impact the building of some 7,000 houses will have on Shadoxhurst.

This was followed by a litter picking event. A few hardy souls came along, and the Scouts and Beavers picked the recreation ground and Blindrooms Lane. A team cleaned up around the village hall and the local roads there and another team cleared some brash areas and cleared out the White Water Dyke, where the hedges had been cut by machine and the branches simply left in the dyke where they fell.

The village Gardening Club was launched and will meet again later this month. I also attended the Ashford Area KALC meeting. From this are stemming two meetings, one relating to Planning Issues on Thursday the 11th April where I am relaunching the Joint Parishes Planning Committee. Issues here relate to lack of enforcement of planning conditions and the lack of consultation from

ABC about Section 106. The following week, I am chairing the KALC Joint Parishes Traffic Committee meeting in Shadoxhurst.

Stuart, Sheila and I met a Solicitor regarding the proposed Land Trust, and this is reported elsewhere.

This is a busy week, with the Fete Team meeting on Monday, our PC meeting Wednesday, KALC on Thursday, hustings on Friday and the Creative Shadoxhurst event on Saturday.

10. SHADOXHURST WEBSITE

Mr Crowley will take over from Mrs Ellis and help Mr Richmond Coggan with maintain the Website. The gmail account for the Village Hall and Pavilion has been set up – shadoxhurstvhp@gmail.com.

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

Mr Richmond Coggan in April
Mr Crowley in May
Mr Cass in June

Adoption of Terms of Reference for Village Hall and Pavilion Working Group

Defer to next meeting so that this can be reviewed by the new members of the Working Group.

Report from Village Hall and Pavilion Working Group

Nothing to report.

Correspondence with Future Scholars re Outside Store and Hall Tables

The Clerk will contact Future Scholars and ask for a date when they can meet with the members of The Village Hall Committee to discuss the use of the outside store.

Quotation for Village Hall Cleaning and Caretaking for 2019/2020

Resolution: Councillors unanimously agreed the increase of £13.65 per month

A letter will be sent to Lodestar Cleaning asking for details as to exactly what the Caretaker does.

Proposed Mr Carroll

Seconded Mr Richmond Coggan

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

Nothing to report.

Renovation of Village Pump, Seat and Sign

Nothing new to report.

Valuation of the Hall and Pavilion

The Clerk will inform the Insurance Company that the valuation of £50,000 includes the Attached Store. This item will be removed from future agendas.

Village Hall Heaters

Refer to Village Hall and Pavilion Working Group.

Tree Inspection

Mr Richmond Coggan will contact a local Tree Surgeon to see if he can carry out the Inspection.

Quotations for Work required following FA Report on the Recreation Field

Councillors Carroll and Ledger will meet with members of the Football Club to discuss this further.

12. BOROUGH COUNCILLORS REPORT

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

13. COUNTY COUNCILLORS REPORT

County Councillor Angell asked what the situation is regarding the mud on the road and Councillors discussed this with him.

Mr Angell advised Councillors to look at the KHS objection to the proposed Court Lodge development.

Mr Angell thanked all councillors for their work on the Parish Council over the past 4 years.

Mr Ledger thanked Mr Angell for his help and support.

14. VILLAGE RESPONSIBILITIES**Condition of Byways in Shadoxhurst**

Nothing to report.

Suggested Reclassification of Hornash Lane Byway

The Clerk will ask Councillor Angell to explain the procedure for requesting reclassification.

15. ITEMS FOR INCLUSION ON THE NEXT AGENDA

Salaries

16. KENT HIGHWAYS/PROW**Completion of Highway Improvement Plan**

An email regarding this was forwarded to Councillors on 21 March. They will look at completing the form.

Speed Limit in Hornash Lane

Nothing to report.

KCC Footpath Review

Nothing to report. Remove from future agenda.

Items to be reported to KHS/PROW

No items were put forward.

Painting of Yellow Lines in Woodchurch Road Bus Stop Lay By

Mr Ledger has renewed negotiations with the Housing Department.

Parking outside Rectory Bungalows

Mr Carroll with contact the PCSO when there is a problem with parking.

17. FORUM FOR EXCHANGE OF INFORMATION BETWEEN COUNCILLORS

Mr Ledger thanked everyone for their help and support over the past 4 years.

There being no other business the meeting closed at 9.36 pm.

Signed..... Dated
Chairman

SHADOXHURST PARISH COUNCIL FINANCIAL YEAR 2019-2020

EARMARKED RESERVES - PARISH COUNCIL

	Balance 13.03.19	Receipts and Payments April Meeting 2019	Balance 10.04.19
Recreation Facilities	4000.00		4000.00
Bulb and Tree Planting	200.00		200.00
Bus Shelters	800.00		800.00
Contingency	957.31		957.31
Website	100.01	-77.00	23.01
Millenium Sign	600.00		600.00
Tree Surgery	400.00		400.00
Recreation Field Drainage	2000.00		2000.00
TOTAL	9057.32	-77.00	8980.32

EARMARKED RESERVES - VILLAGE EVENTS ACCOUNT

	Balance 13.03.19	Receipts and Payments April Meeting 2019	Balance 10.04.19
	2657.72		2657.72

BANK RECONCILIATION - PARISH COUNCIL ACCOUNT

Opening Balance	52024.63	Balance per Treasurers Account	28152.89
Plus Receipts	34621.99	Plus Uncleared Receipts	0.00
	86646.62		28152.89
Less Payments	-58545.01	Less Uncleared Cheques	-51.28
	28101.61		28101.61
Less Earmarked Funds	-8980.22	Less Earmarked Funds	-8980.32
	19121.39		19121.29
Less Village Forum Funds	-2657.72		-2657.72
AVAILABLE FUNDS	16463.67		16463.57

PARISH COUNCIL ACCOUNTS TO BE PAID

PAYEE	CHQ NO	DETAILS	NET	VAT	GROSS
Mrs J Batt	1099	Salary General Admin Expenses	373.05 12.00 9.00		394.05
Cancelled Cheque	1100				
KALC	1101	Subscription	384.80	76.96	461.76
Clive Stanley	1102	Webmaster Services	77.00		77.00
Colour Thirst Ltd	1103	Newsletter Printing	162.20		162.20
TOTAL EXPENSES APRIL 19			1018.05	76.96	1095.01

EARMARKED RESERVES - VILLAGE HALL AND PAVILION

	Balance 13.03.19	Receipts and Payments April Meeting 2019	Balance 10.04.19
Village Hall Repairs	797.40		797.40
Pavilion Repairs	623.00		623.00
Decorating	1000.00		1000.00
TOTAL	2420.40		2420.40

BANK RECONCILIATION - VILLAGE HALL AND PAVILION ACCOUNT

Opening Balance	1000.00	Balance per Treasurers Account	9917.27
Plus Receipts	23972.60	Plus Uncleared Receipts	0.00
	24972.60		9917.27
Less Payments	-15640.33	Less Uncleared Cheques	-585.00
AVAILABLE FUNDS	9332.27		9332.27

VILLAGE HALL AND PAVILION ACCOUNTS TO BE PAID

PAYEE	CHQ NO	DETAILS	NET	VAT	GROSS
Lodestar Cleaning Contracts L	54	Cleaning Caretaking Consumables	209.08 56.04 114.50	75.93	455.55
EK Fire Protection	55	Fire Extinguisher Maintenance	144.86	28.97	173.83
Hirer of Village Hall	56	Deposit Refund	150.00		150.00
Mr J Kettle	57	Window Cleaning	70.00		70.00
TOTAL EXPENSES APRIL 19			744.48	104.90	849.38

BANK RECONCILIATION - LONG TERM DEPOSIT ACCOUNT

Opening Balance	910.00	Balance per Treasurers Account	910.00
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SHADOXHURST PARISH COUNCIL

RECORD OF PLANNING APPLICATIONS

2019

APRIL 2019

19/00330/AS Woodside, Nickley Wood Road, Shadoxhurst, Ashford, Kent, TN26 1LZ
Demolition of existing single garage and erection of detached double garage
Parish Council: Support

19/00417/AS Reserved Matters Application (pursuant to planning permission 12/00400/AS) for the Community Management Organisation (CMO). First Temporary Premises at Chilmington Green
Parish Council: No Comment

19/00422/AS 1 Kings Close, Shadoxhurst, Ashford, TN26 1AU
Provision of garage doors on car barns serving plots 1 & 19
Parish Council: No Comment

The following arrived too late to be included on the agenda but Councillors agreed the following:

12/00400/CON/AS Land at Chilmington Green, Ashford Road, Great Chart, Kent
Parish Council: No Comment

19/00475/AS Parcel Q, Land at Chilmington Green, Ashford Road, Great Chart, Kent
Reserved matters (pursuant to outline planning application 12/00400/AS) for the development of 64 residential dwellings within Parcel Q, Main Phase AAP 1 including associated roads, parking, landscaping, open space and infrastructure
Parish Council: No Comment

Decision Notices received from ABC

15/01496/AM04/AS Land rear of the Kings Head, Woodchurch Road, Shadoxhurst, Kent
Revisions to change car barn to garage on Plot 1 & Plot 19 on planning permission 15/01496/AS, for the residential development comprising 19 dwellings including 15 x 2 storey dwellings and 4 x 1 bedroom flats with associated infrastructure and services including garaging/provision for parking, open space, landscaping and a sustainable urban drainage system.
Borough Council: Planning Permission is required

- 18/00677/AS Land at Chilmington Green, Ashford Road, Great Chart, Kent
Variation of conditions 1, 3 & 4 of planning permission reference 17/01334/AS to read:
Condition 1: "Within 18 months of the date of this permission....." Condition 3: " The soft landscaping hereby approved shall be implemented within 12 months of the date of approval of condition 1, unless an alternative timetable has been previously agreed in writing by the Local Planning Authority". Condition 4: "Within 18 months of the date of this permission a landscape management and maintenance strategy shall be submitted to and approved by the Local Planning Authority and the development shall thereafter be maintained in accordance with the approved details."
Borough Council: Permit
- 18/01311/AS Woodland Vale, Nickley Wood Road, Shadoxhurst, Ashford, Kent, TN26 1LZ
Removal of existing bungalow and erection of a replacement dwelling
Borough Council: Refuse
- 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
Borough Council: Permit
- 18/01389/AS Little Criol Wood, Criol Lane, Shadoxhurst, Ashford, TN26 1AQ
Erection of two detached chalet style bungalows
Borough Council: Refuse
- 19/00181/AS Maryville, Bethersden Road, Shadoxhurst, Ashford, Kent, TN26 1LH
Partial front extension and to raise the roof height to allow loft conversion, including dormer and Velux roof windows and first floor side facing window to east elevation.
Borough Council: Permit

Parish Council April 2019 Meeting Report Setting up the Shadoxhurst Countryside Charitable Trust

Introduction

Further to the report to the March 2019 meeting, this is an update, and requires a financial commitment to seed the project and pay for initial legal costs.

Meeting with a Solicitor

The Lenham Meadows Trust (LMT) referred us to their Solicitor who has experience of both setting up a Trust and being involved with the transfer of land.

On Friday 5th April he attended a meeting with Stuart, Sheila and myself to discuss the mechanism and likely costs of establishing the Trust. We were given confidence that he could operate on our behalf and so we set up an initial commencement of the process.

Financial Commitment

There is a likelihood of a minimum start up requiring £5,000. This is the minimum figure that is acceptable to the Charity Commission. It does not have to be available at the start, but there needs to be a commitment that this money will be available in a specific time frame.

For him to make the application and carry out the main legal matters, his fees are likely to be in the order of £3,000. So our start up fund must be a minimum of £8,000.

Subsequent adoption of parcels of land are likely to be in the order of £1,400 plus VAT, although LMT said we should be mindful that we should ask the developers donating the land should also fund the legal costs.

There are two ways of approach, some or all of the seed funding could come from the Parish Council, in which case we would need to consider what money we have available. We used to hold an excess of 18 months of precepts in reserves and we know that this no longer needs to be the case, so in theory there is some money available.

The alternative would be to ask residents for donations to get the Trust started. This may take longer to accrue the necessary funding and possibly the Parish Council could give an interest free loan which could be paid back over two years as donations started to come in. Another source of funding could be to ask the Forum if some of the money raised so far could be used as seed funding? In this respect if the Forum was agreeable, (next meeting is the 16th April), it would be appropriate for the Parish Council to match fund.

Objects of the CIO

As stated in the last Report, the Objects of the CIO are the most important thing to get right, and these have to be ratified with the Charity Commission which often some takes time. We have amended the LMT objects which are:

The Objects of the [Shadoxhurst Countryside Land Trust] CIO are:

- (1) To promote the conservation, protection and improvement of the physical and natural environment of the area known as Shadoxhurst and the surrounding area in the Parish of Shadoxhurst ("the area of benefit").*
- (2) To provide or assist in the provision of facilities in the interests of social welfare for recreation and leisure time occupation with the objective of improving the conditions of life for those living or working in the area of benefit.'*

Update on progress

The following recommendations were agreed at the Parish Council meeting on the 13th March 2019.

1. Establish a CIO
2. Seek nominations for trustees
3. Contact solicitors for preliminary discussions
4. Set up a bank account and begin fundraising

5. Through the Forum and April newsletter begin looking for support, donations to set up the trust and land for purchase.
6. Ask April newsletter readers for a name for the Trust
- 7.

Progress:

1. Work has begun
2. Request in the Newsletter (nothing so far)
3. Meeting held and initial agreement, file opened, with the three of us as initiating the process
4. Considering a bank account is premature as need the Charity Commission to confirm the setting up and Objects. Carrying out any fund raising or acceptance of donations, would have to be done as currently with the Forum and be ring fenced in the budget head
5. This was placed in the Newsletter and will be raised at the forthcoming Forum meeting (16th April)
6. Completed, (nothing so far).

Recommendations for the 10th April 2019 Parish Council meeting:

1. The Parish Council seed fund the Land Trust for the whole amount of £8,000
OR
2. The Parish Council ask the Village Forum for a donation and agree to match fund and ask residents to donate to raise the balance
OR
3. The Parish Council commit to paying the legal fees of £3,000 and fund raise for the balance, which may include requesting a donation from the Village Forum

David Ledger, Sheila Ellis and Stuart Cass
07/04/19