

MINUTES OF A FULL MEETING ON TUESDAY 17th FEBRUARY 2009 IN BRENCHLEY MEMORIAL HALL

Present

Chairman M Mackenzie presided, Vice Chairman J Barsley, R Carter, I McEwen, P Randall, Mrs C Cornford and Clerk M Powell.

Apologies for absence

Cllrs B Stanley and Borough Cllr S Slade for family commitments and C Treble and F Playfoot for personal reasons.

Declaration of Interests

Members were reminded that if a member has a ***prejudicial*** interest in an agenda item, this should be declared at the start of the meeting.

Personal interests may be declared at this point or, alternatively, can be declared at the time a specific item is being discussed if that member wishes to speak on the item in which s/he has a personal interest. In case of doubt about such an interest Councillors are advised to contact the Monitoring Officer before the meeting or declare the interest anyway.

Public Question Time

None

Confirm minutes of previous meetings of the 5th January and 20th January

The minutes of both meetings were duly approved and signed by the Chairman.

Planning Applications.

09/00055/FUL/TA1

Woodlands Farm, Short Lane Brenchley

Two storey side extension with single storey conservatory a first floor side extension and a single storey rear extension

Recommendation-Approval

Decisions taken by TWBC

08/02358/FUL&LBC/TA1

Oast House Little Dunks Farm Cuckoo Lane Brenchley

Conversion of oast house to residential dwelling with minor addition to stowage to create stair lobby and small garden with parking

Recommendation-Approval Decision-Approval

08/02968/FUL/TA1

2 Mays Cottage Crook Road Brenchley

Two-storey side extension with single storey kitchen rear and side extension and dormer to main roof, demolition of outbuildings and erection of garage

Recommendation-Refusal Decision-Approval

08/03916/FUL/SJM

The Oast Crittenden Road Matfield Tonbridge Kent TN12 7EJ Two single-storey extensions and a single-storey link

Recommendation-Approval Decision-Approval

08/04012/FUL/ARJ

Meadow Cottage Crook Road Brenchley

Single storey side and rear extensions, gable roof and new dormers; new double garage

Recommendation-Approval Decision-Approval

08/04080/FUL

Moatlands Manor Watermans Lane Brenchley

Change of use from club house to residential and resiting of two tennis courts

Recommendation-Approval Decision-Approval

Decisions taken by Clerk out of meeting

None

Other Meetings Attended**TCHG**

Cllrs Stanley, Randall and the Clerk attended a “lunch” presentation by TCHG, which was augmented by entertainment in the form of a rendition from Mascalls School Junior Choir. It was aimed primarily at networking with “partners” and maintaining personal contact with and between people.

Permitted Development

Cllrs Stanley, Carter and the Clerk attended a seminar on the changes to Permitted Development regulations and an abbreviated copy of the presentation was shown.

ACRK

A “walk in” presentation on a village shop was attended by a majority of the Council. The presentation revolved around a community shop run by volunteers and their routes to raising funding through grants, loans and a share issue to residents. The Chairman reported that the owner of Cherry Trees was willing to consider proposals to run a shop at an advantageous rent and was also prepared to consider renting out the house attached. However it was thought that a commercial operation would be the first choice and it was agreed that, subject to obtaining permission from the owner, publicity would be generated through such means as the web site, Roundabout and the Courier. Cllr Mackenzie reported a conversation with representatives of the Post Office who confirmed that they still wanted a Post Office in Matfield, albeit in a slightly different format to that which previously existed.

Brenchley Hall Trustees.

Cllr Carter had attended a meeting with the above and advised that he had been asked to become Treasurer of the Hall Trustees. However there was the consideration that this might create a conflict of interest and the Clerk was asked to contact KALC to ask their advice. He also reported that a fund raising initiative was being attempted by way of an Abba Tribute Band on 20th June and any publicity would be welcomed.

Brenchley School

Cllr Mackenzie had attended a meeting of Brenchley School Governors. They were considering the way forward in whether to build up the pupil numbers or consolidate with the resources they now had and take less. It was apparent that several parents had removed their children to other schools recently.

Matters Arising**Viewing Point**

The seat back previously reported broken has been repaired by Mr Noakes and his account is included for payment. He reports that at least two further slats are not broken but completely rotten and most of the bench will need refurbishing in the near future.

Pavilion

The order has been placed with Messrs Wilkins Roberts Builders Ltd for the supply of new windows and shutters for Matfield Pavilion. The Clerk was asked to contact the builder and find out the expected completion date. Cllr Mrs Cornford reported that the Cricket Club and the Guides had been surprised at the amount involved. but had previously offered to contribute towards the cost and she would remind them and ask what their contribution would be.

Cinderhill Licence

The Clerk was asked to query some points regarding the proposed licence. An answer has been received from Mr D Crosby as follows: -

2.2 How long does the licence last? - *Those site residents who currently have licences have periodic licences, i.e. weekly licences, which continue on a week-by-week basis unless, otherwise brought to an end. The new licences will be issued on the same basis and we will amend the wording of clause 2.2 accordingly.*

3.1 Could the definition of a caravan be defined, does a mobile home count? - A caravan is already defined in law, the definition of a caravan is provided in Section 29 (1) of the Caravan Sites and Control of Development Act 1960. This definition has been modified by Section 13 (1) of the Caravan Sites Act 1968, which deals with twin-unit caravans. The Mobile Homes Act provides a legal definition for what constitutes a mobile home. So far as the law is concerned, a park/mobile home, a caravan holiday home, touring caravan or Gypsy and Traveller home are all capable of coming within the legal definition of a caravan provided they retain the element of mobility. Mobility, in this context, means that the caravan must be capable of being moved when assembled from one place to another. This means that it cannot be fixed to the ground. Permanent works, such as an extension or large porch, which fix the caravan to the ground could mean that a caravan no longer comes within the legal definition of a caravan and could as a consequence be treated as a building.

3.2 A specific statement is required on what the residents can pass on to others - This means what Council land the site residents have the right to pass over to get to the Cinderhill site, rather than what the residents can pass on to others (e.g. possessions, a plot, etc). Details of the land will be included in the final agreements, and will include the lane from Chestnut Lane to the site entrance.

3.7 What are the terms of consent and who approves the process? - This is covered in clauses 4.3 and 5.10.

4.3 Is the maximum number of dwellings two? - On each plot, yes, as detailed in clause 4.3.

4.32 Does the rule include road fund licence? - Yes, or a valid Statutory Off Road Notice (SORN).

4.44 Why are bonfires permitted and when will they be allowed, as one of the main points of spending this money on the site was to improve the safety of the site against fire? - This would, as stated, only be under special circumstances and with the Council's prior written permission, e.g. to allow a resident to have bonfire on or around the 5th November etc. I do not foresee that bonfires will be permitted on a regular basis, but equally we do not think we can say 'no bonfires' at all.

5.9 Why is the Borough going to the expense of making the site safe if they take no responsibility for it? - This is a standard clause within licence agreements.

4.28 Does the siting of gas cylinders comply with current regulations, especially in regard to their siting within a close proximity to drainage? - Clause 4.28 requires that site residents must site gas cylinders in compliance with current regulations ("all hazardous supplies..."). It does not state what the regulations are in this regard, but the onus is on the licensee to make sure that they are abiding by the regulations, as they are the ones that site the items. However, Council officers do inspect the site on a regular basis and will have regard to the siting of gas cylinders to ensure that they meet current regulations and will seek advice from the Fire & Rescue Service as necessary.

The Council considered the answers and agreed to note the contents.

Correspondence

Gill Turner Tucker-The Old Palace

A letter has been received from the above mentioned Solicitors who act on behalf of the joint owners of the Old Palace, Allan White Trading Ltd and Mr P w Bowles. They request certification from the Clerk on behalf of the PC that the provisions of a covenant in favour of the PC have been met when the transfer of Land registry title from Alan White Trading Ltd to a joint trust between Alan White and Peter Bowles was confirmed. The letter of

request was read to the Council and it was agreed acceptable for the required response to be made.

Action with Rural Communities in Kent

An invitation to attend an information event regarding a Parish Plan with Victoria Lawson. The Council had previously considered the principle of creating such a plan but felt the amount of work required was not justified in comparison to any perceived benefits.

Standards Board for England

A questionnaire asking for our Satisfaction with their Advice and Guidance had been received. Due to the cancellation of the last meeting the deadline for response had been missed but Cllr Mackenzie had received a questionnaire directly to which he had responded.

TWBC

Following refusal of a retrospective planning application advice has been received that residents of The Branches, Petteridge Lane have appealed against the enforcement notice and a request for any further comments from the PC. It was agreed that Cllr Randall would compose a reply by way of repeating our response to the original application, which would be sent to the Clerk for onward delivery.

Accounts for payment

M Powell	Salary and expenses	£1244.37
Post Office Ltd	Tax and NI	£319.51
J P Miles	Hedge Cutting	£97.75
Matfield Village Hall	Hall Hire 28/2/09 for housing presentation	£45.00
M Noakes	Maintenance to viewing point seat	£60.00
KCC	Contribution to Cinderhill Wood maintenance	£3500
TMS	Photocopier and stationary	£536.96
Marks Plants	Pollarding trees in the Avenue	£201.25

Other Matters as maybe previously notified

Standing Orders and Financial Regulations

The working group that had been considering these presented their draft proposals for both the Standing Orders and the Financial Regulations, which had been created to reduce complication and aid clarity. The Council considered both drafts and the Councillors involved were thanked for their hard work and professional approach. It was proposed, seconded and unanimously agreed that the draft Standing Orders would be accepted as presented and that the draft Financial regulations would be accepted as presented with one amendment to change the amount of the minimum contract value, which requires two or more quotations from £250 to £500.

Goose

Complaints have been received of a goose being left at Matfield Pond, which is causing a disturbance at night. Cllr Cornford agreed to contact the RSPCA

Toilet Closure and AGM

Although it has been agreed by TWBC that more consultation is required on the alternatives to simply closing the public conveniences the Cabinet is not obliged to accept this recommendation. It has been agreed that the PC was opposed to closure but the alternatives were as yet still unclear. Cllr Randall and the chairman were attending a Chairmen's meeting shortly and hoped this would bring some clarity. Cllr McEwen agreed to enter into dialogue with TWBC and other affected parishes, explore possibilities and any financial support and report back. The Clerk agreed to accompany him if required. It was also proposed and agreed that this subject should form a major issue at the Parish Annual meeting on the 23rd April in Matfield Village Hall. Also agreed

as a subject for the meeting was the presentation by KCC to KHWP of monies awarded by way of a successful grant application.

Culvert

A resident in Matfield in Maidstone road had complained of flooding across her drive. The Clerk was asked to provide details to Highways to allow a repair.

Date of next meeting

The next meeting will be a full meeting on Monday 2nd March in Matfield Village Hall at 7.30 pm.