

MINUTES OF A FULLMEETING OF BRENCHLEY PARISH COUNCIL ON MONDAY 7th JULY
IN MATFIELD PAVILION

Present

Chairman M Mackenzie presided, Cllrs P Randall, B Stanley, C Woodley, I McEwen, A deGuingand, Mrs N Marriott, Mrs G Warner, Clerk M Powell. Borough Cllr A McDermott. Four members of the public.

No Item

1 To elect the Vice Chairman

It is necessary to elect a Vice Chairman for the following year..Vice Chairman P Randall had already resigned and did not seek re-election. Cllr B Stanley volunteered, was subsequently proposed, seconded and unanimously elected.

2 To accept apologies for absence

Cllr N Woodward for family commitment and Borough Cllr Mrs J March for chairing another PC meeting

3 To approve Minutes of the last meeting

3.1 Approve minutes of the full meeting of 2nd June 2014

Resolved To accept the minutes presented as accurate. They were then duly signed by the Chairman.

4 To record declaration of Interests on any item on the Agenda

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

Personal interests could be declared at this point or, alternatively, could 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 had been advised to contact the Monitoring Officer before the meeting.

5 To adjourn to allow public participation- questions and comments

Speedwatch

Mrs Rona Hogan regarding the organisation of a local speedwatch. The volunteers had agreed to share duties with Horsmonden PC and had been trained by the Police at various sites. Mrs Hogan required confirmation that the PC was happy to cover the £100 insurance excess on the equipment. The PC confirmed it was.

6 To consider the following planning applications.

6.1 14/500389/Full/CP3 Little Dunks Farm Cuckoo Lane Brenchley
Conversion of redundant agricultural building into a single residential dwelling

Resolved To recommend approval

6.2 14/500390/Full/RE4 Egypt Farm Cottages Cryals Road Matfield
Conversion of two cottages into one dwelling with an extension and proposed detached garage
All Cllrs present declared a personal interest as the applicant was known to all.

Resolved To remain neutral.

However the PC agreed to express concern regarding apparent comments by Mr Alan Legg as expressed by the architect.

7 To receive items for information

Decisions taken by TWBC

7.1 14/00078/House/CO1 Little Chill Mill Bungalow, Tibbs Court Lane
Brenchley
Roof extension with balconies front and rear

Recommendation- Approval Decision- Approval

- 7.2** **14/00733/LBC/HW1** Weirleigh Gedges Hill Matfield
Internal refurbishment and alterations to basement/lower ground floor
Recommendation- Approval Decision- Approval
- 7.3** **14/00734/Full/TA1** Orchard View Cottage Brenchley Road Matfield
16 photovoltaic panels
Recommendation- Approval Decision- Approval
- 7.4** **14/0982/House/EA1** Wealden Furnace Lane Brenchley
Single storey side/rear extension
Recommendation- Approval Decision- Approval
- 7.5** **14/00948/House/EA1** High Tong Marle Place Rd Brenchley
Alterations to garage to form artist's studio
Recommendation- Approval Decision- Approval
- 7.6** **14/01016/House/CP3** 32 Porters Wood Petteridge Lane Matfield
Two storey rear extension
Recommendation- Refusal Decision- Refusal
- 7.7** **14/01237/House/RH1** Heatherbrae Maidstone Road Matfield
Demolition of sub standard extension, lean to additions and outbuildings.
Erection of pitched roof extension to rear and car port to side
Recommendation- Approval Decision- Approval

8 Committees and Responsibilities

Cllrs agreed to accept responsibilities for the following subjects and committees associated with them.

- | | | |
|-------------|---|--|
| 8.1 | Planning | Cllr P Randall to Chair, Cllr Mrs Marriott to deputise together with another Cllr in rotation. |
| 8.2 | Finance | Cllr M Mackenzie to Chair, Cllrs T de Guingand, B Stanley and I McEwen |
| 8.3 | Matfield Pavilion Management Committee | Cllr C Woodley to Chair, Cllr T de Guingand |
| 8.4 | Brenchley Charity | Cllr B Stanley |
| 8.5 | Matfield Village Hall | Cllr Mrs N Marriott |
| 8.6 | Police representative | Cllr Mrs G Warner |
| 8.7 | Roundabout Correspondent. | Cllr B Stanley, Cllrs Mrs N Marriott and Mrs G Warner to deputise |
| 8.8 | Cinderhill Wood | Cllr T de Guingand, Cllr C Woodley |
| 8.9 | Tree Warden | Cllr P Randall |
| 8.10 | Advertising & Publicity | Cllr B Stanley |
| 8.11 | Website | Cllr I McEwen. |
| 8.12 | Brenchley Memorial Hall | Cllr N Woodward |

8.13	Policy Issues and Risk Assessment	Cllr C Woodley, Cllr I McEwen, Mrs N Marriott
8.14	KALC	Cllr C Woodley, Cllr P Randall would deputise
8.15	Rights of Way and Country Matters	Cllr C Woodley, Cllr Mrs G Warner to deputise
8.16	Nurses Cottage	Cllr B Stanley
8.17	Youth Group	Cllr C Woodley
8.18	Matfield Green	Cllrs P Randall, I McEwen, C Woodley, Mrs N Marriott
8.19	Transport	Cllr N Woodward
8.20	Broadband	Cllr I McEwen
8.21	Brenchley School	Cllr M Mackenzie
8.22	Jack Verrall Garden	Cllrs P Randall and B Stanley

9 Reports of Meetings attended by Councillors

9.1 MPG

Cllr Woodley presented the final report from the MPG detailing the activities performed by the group since the pavilion project started. This report is attached as an appendix to these minutes. Also reported on and attached was a breakdown on financial matters prepared by Cllr McEwen. **Resolved-** To accept the report in their entirety together with their recommendations and to stand the MPG down. Further matters regarding the pavilion would be undertaken by the Pavilion Management Committee (PMC) The PC also agreed to express its thanks to Cllrs McEwen and Woodley for the impressive amount of work in compiling these reports.

9.2 Matfield Pond

Cllr Randall had been having discussions regarding the pond and its management especially with regard to the overgrowing lilies and the knotweed. It was clear that an expert on such matters was required and he was looking for commercial operators. Mrs Warner also agreed to discuss it with Kent Wildlife Trust to see if they knew of a suitable operator.

9.3 Risk Assessment

Cllr McEwen had met with Cllrs C Woodley and Mrs Marriott to start the process of a Risk Assessment of the PC. It was intended that the process should be on-going and reviewed annually. An initial report was hoped to be completed by the autumn but one of the priorities was business continuity and preservation of the PC's records.

9.4 Matfield Green verge

Cllrs McEwen, Woodley and Mrs Marriott had met to discuss the state of the verge. It would appear that the mesh might need lifting and more topsoil being spread. The Clerk agreed to meet Cllr McEwen to investigate further and report back.

9.5 Exempt Item

It was proposed that, pursuant to section 100A (4) of the Local Government Act 1972 and the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the final item of business on the grounds it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

Resolved that the item should be moved to the end of the meeting and be treated as an exempt item.

10 To receive Correspondence

10.1 Speed Limit

A proposal to introduce a 20mph speed limit by Brenchley School and a question as to the support or otherwise by the PC of a 30mph limit through all of Brenchley and Matfield. The Chairman reported that KCC had no problems with such a 20mph limit providing funds were found elsewhere.

Resolved To agree a 20mph limit in front of the school in principle. As far as 30mph limit throughout Brenchley Road the PC stood by its earlier decision not to recommend such a limit as it was felt it would encourage a blurring of the distinction between the two villages and was unnecessary.

10.2 The Milestone Society

Details of milestones in the Parish and measures available to improve them. The report detailed two milestones but failed to mention a third one in Petteridge. The Clerk was asked to pass this information on.

10.3 TWBC disposal of land behind Oakfield Road

An e-mail had been received from TWBC advising that they were disposing of some non-performing assets which included land behind Oakfield Road and the small car park in the High Street of Brenchley. The PC agreed it had an interest in both plots and asked the Clerk to advise TWBC.

10.4 Discretionary Services

Cllr Mackenzie advised of a letter received from TWBC regarding the off loading of the costs of various discretionary services onto the PCs. The amenity vehicle was one of the first. Cllr Woodley agreed to discuss the issue with KALC

11 Accounts for payment

11.1	M Powell	Salary and expenses	£1471.05
11.2	Post Office Ltd	Tax & NI	£406.40
11.3	EON	Electricity	£25.44
11.4	Engrave it All	Plaques	£686.72
11.5	Ian Clear	Photography	£60.00
11.6	Mrs C M Klempau	Pavilion refreshments	£96.36
11.7	TWBC	Cinderhill lease	£10.00
11.8	Siemens Financial Services	Photocopier	£122.40
11.9	TMS	Stationery	£22.50
11.10	South East Water	Allotment water	£23.97
11.11	South East Water	Pond Water	£12.00

Resolved To accept these invoices and to pay them

12 To be advised of urgent Business as may be previously notified.

None

13 Date of next meeting

The next meeting will be on Tuesday 22nd July in Matfield Pavilion. It will be preceded at 7pm by a meeting of the finance sub-committee

Appendix to Minutes of 7th July 2014

BRENCHLEY PARISH COUNCIL MATFIELD PAVILION GROUP (M.P.G.)

Final Report on the Re-building of Matfield Pavilion

1. Overview

- 1.1 The re-building of the pavilion represents the largest project ever undertaken by the parish council, in terms of its costs and the amount of time and effort expended by councillors. Given the scale of the undertaking, and thus the risks associated with it, this reports contends that the councils used its best efforts and took appropriate steps to ensure the successful completion of the project.
- 1.2 In exercising due-diligence the council made the following arrangements:
 - 1.2.1 the appointment of a committee (the M.P.G.) to oversee the project;
 - 1.2.2 the retaining of a firm of architects (Hazle McCormack Young LLP) as project manager; and
 - 1.2.3 the engagement of Montie Associates as Construction, Design and Management Co-ordinator (C.D.M.C.).
- 1.3 Additional to those arrangements, members ensured that the council, as a body-corporate, retained responsibility for the oversight of the project. In particular, the following procedures were scrupulously observed:
 - 1.3.1 all decisions on expenditure were approved by the full council, except those usually exercised by the Clerk;
 - 1.3.2 at each critical stage of the project there was a full debate on the issues, followed by a vote, the result of which is recorded in the minutes;
 - 1.3.3 an extraordinary meeting of the council was held to consider the merits of continuing the project, when the costs associated with the discovery of the drain owned by Southern Water were provided by the project manager; and
 - 1.3.4 holding the project manager to account, through attendance at the full meetings of the council.

2. Mission accomplished

- 2.1 The "vision" for the pavilion, pursued by the council, aimed to achieve the following:
 - 2.1.1 an 'iconic' building to add to the attractiveness of the Green – one that combined vernacular accents with modern design and construction practices (including accessibility and environmental sustainability). The building would 'sit' comfortably within the setting of the Green, having regard to its relationship to Matfield House and the surrounding area;
 - 2.1.2 a multi-functional resource that would serve as the home of Matfield Green Cricket Club and accommodate a wide range of uses for local communities – one that would complement Matfield Village Hall and the pubs, adding capacity, flexibility and choice for local users; and
 - 2.1.3 an 'affordable' project, within the means at the disposal of the P.C. and demonstrating 'best value' in the deployment of those means.
 - 2.1.4 The M.P.G. is confident that, in every respect, the project brief endorsed by the council has been achieved. In addition to the contribution of members, individually and collectively, the support of the following merits acknowledgement by the council:
 - 2.1.5 Hazle McCormack Young, for the design of the building and management of the project. Gordon Young made its completion a personal target and was

- true to his word. David Hall was tenacious in ensuring that all aspects of the construction programme were completed to the agreed standards;
- 2.1.6 Davis Builders Ltd., for their willingness to work with the council to achieve an affordable project, for their professionalism in seeing through the construction work in the face of many challenges, and for their generosity in supplying materials and works at no cost to the council;
 - 2.1.7 Charles Mackonochie for his sterling work as C.D.M.C., ensuring the delivery of a project free from accidents and serious incidents, and for his diligence in providing O&M manuals that are compliant with regulations;
 - 2.1.8 members of the community that gave donations of cash or in-kind;
 - 2.1.9 the residents and businesses around the Green, particularly Mr. and Mrs. Lee, for their forbearance during the laying of the ground-works and construction of the building; and
 - 2.1.10 the members of the community that took part in the public consultation event in March 2012.
- 2.2 There can be no doubt that the completed building has attracted overwhelming support from the local community; the success of the open day in March is testimony of that. Regular users – the cricket club and the Guides – have been fulsome in their praise. Perhaps the most heart-felt accolade is the observation of a resident that “it finishes off the Green nicely”.

3. Challenges

- 3.1 Whilst it is right that the successful completion of the project be noted and celebrated, it is also necessary to record the problems that were encountered along the way. The impact of those problems are graphically illustrated in the attached schedule, and may be summarized as follows:
- 3.1.1 a requirement to get separate planning permission from the Government's Planning Inspectorate, after the normal planning process, because Matfield Green is a registered common. This added several months to the project timescale;
 - 3.1.2 unexpectedly onerous issues posed by new CO2 emission limits in the building regulations, which appeared to generate an additional cost of about £30k, for renewable energy heating. It took several months (with the help of professional advisers) to formulate an acceptable solution;
 - 3.1.3 the initial tender returns were around £70k above the £200k budget set by the council. It took over three months of detailed negotiations to complete a comprehensive value-engineering exercise, in order to achieve a contract figure which met this budget;
 - 3.1.4 the discovery of a Victorian brick-built sewer running under the foundations of the building (which coincided with the footprint of the previous structure), once work on site had started, was wholly unexpected. A further three-month delay was caused by gaining permission from Southern Water to build over the drain, obtaining revised designs for the foundations, and undertaking the necessary construction work;
 - 3.1.5 in the autumn of 2013 the group of which Davis Builders Ltd. were a part suffered financial problems. The uncertainty caused by that added further delays to the construction programme.

4. Funding the vision

- 4.1 Included in this report is schedule of the costs associated with the project. It shows that despite the construction programme being beset with a number of significant issues – some of which were entirely unforeseen and unexpected – the Council can be satisfied with the degree of cost-control it achieved in re-building the pavilion.
- 4.2 From the schedule it will be noted that the overall cost was £231,389. The final construction costs were £212,561. Various figures have been quoted in the media

– so the council will take steps to ensure that the correct information is publicly-available.

4.3 The project was financed by funds from the following sources:

- 4.3.1 parish council reserves – £39,859 (there was no increase in the precept);
- 4.3.2 insurance settlement – £125,000 (the full amount for which the previous building was insured);
- 4.3.3 an award from Sport England's Inspired Facilities programme – £50,000;
- 4.3.4 grants from Kent County Council – £10,709.00;
- 4.3.5 a grant from Tunbridge Wells Borough Council – £2,178.00; and
- 4.3.6 donations from local residents and businesses - £3,375.00.

5. Management arrangements

- 5.1 The council has established the Matfield Pavilion Management Committee, to oversee the day-to-day management of the building and to plan for maintenance and repair. This committee is made up of two councillors and representatives of the regular users: Matfield Green Cricket Club; Horsmonden Guides; and Brenchley and Matfield Youth Group.
- 5.2 A business plan has been put in place, for the first three years of operation. In terms of budgeting, the council has decided that, for the first year, running-costs will be met from contributions provided by the regular users. Maintenance and repair will be the responsibility of the council. However, it should be noted that during the first year Davis Builders Ltd. would be responsible for any defects to the fabric and fittings.
- 5.3 At this stage it is difficult to make any projections on the likely income generated by occasional lettings; however, the current policy is for any funds thus accrued to be directed towards the future maintenance and development of the building.

6. Recommendations

- 6.1 Given the foregoing, it is recommended that:
 - 6.1.1 the council receives this report as an acceptable account of the main issues involved in the re-building of Matfield Pavilion;
 - 6.1.2 the attached schedule be accepted as providing an accurate account of the costs associated with the project, taking particular note of the explanations it provides for the variations that were made to the original cost-profile; and
 - 6.1.3 stands down the M.P.G., thus formally bringing the project to a close.

Christopher Woodley
On behalf of the Matfield Pavilion Group
June 2014

Matfield Pavilion – Estimated and Actual Costs

(All figures exclude VAT)

1. October 2011 - Original 'guesstimate' before architects appointed <i>(Early discussions with Peter Bodman indicated build costs of £1,000 per sq.m. might be achievable for a pavilion of 150 sq.m. This figure did not include provision for any fees.)</i>		£150,000
2. March 2012 – Initial HMY Estimate Building works (including £15,000 contingency) Fees Total Project Estimate <i>(HMY also included £5,000 for demolition costs but the PC removed demolition from the project costs for the new pavilion on the grounds that these would have been incurred regardless of whether a new pavilion was built or not. Architects' fees were set at £9,000.)</i>	£182,238 £16,351	£198,589

3. November 2012 – Outcome of Tendering Exercise Davis Builders Tender Offer <i>(Figure following review by HMY to put all tenders on comparable basis. Initial tender submission - £297,909. This was second lowest of five tender returns. Lowest was BBS at £266,252 but this went up to £273,786 after review. Davis chosen as preferred contractor because of preparedness to enter into serious price negotiations.)</i>		£287,495
4. February 2013 – Final Davis Tender Offer Construction costs Contingency Total Construction Estimate <i>(Figure reflects results of comprehensive value engineering process to cut costs. Changes detailed in Davis Contract Offer dated 14-02-13.)</i>	£189,945 £10,000	£199,945
5. February 2013 – Revised Fees and Charges Estimate at Contract Commencement <u>Original estimates/pre-contract payments:</u> Architects (HMY) Planning fees (incl. Courier advert for Defra) Building Regs. Approval (MLM) Structural engineers (VKHP) Soil survey (Terratec) SBEM compliance (MLM) Electricity supply (UKPN) CDM co-ordinator (Charles Mackonochie) Additional fees for Part L compliance (SBEM) problems relating to heating (Eng Design fees of £1,050 - £500 unspent from original MLM SBEM quote) Addition structural engineer fees for revised roof design (following VE exercise) Total Fees Estimate	£9,000 £810 £890 £800 £930 £1,000 £1,400 <u>£1,000</u> £15,830 £550 <u>£350</u> £900	£16,730
6. February 2013 - Total Project Estimate at Contract Commencement (items 4 + 5 above)		£216,675

7. May 2013 – Additional Costs Attributable to Sewer Discovery Additional Davis costs (revised foundations to bridge sewer) Fees (Southern Water - £1,123 & structural engineers - £1,386) Construction Estimate Post Sewer Work (no contingency) Fees Estimate Post Sewer Work Total Project Estimate	£14,208 £2,509 	 £204,153 £19,239 £223,392
8. March 2014 – Final Costs Final Construction Costs (as set out in HMY Valuation Statement dated 28-03-14) Final Fees & Charges <i>(Fees and charges might change marginally as final bills come in. Final fee amount slightly lower than earlier estimate because electricity supply charge came to £1,469 but £480 of this was charged as work undertaken by Davis – who dug the trench, rather than UKPN)</i> Final Project Cost <u>Main construction cost overruns since May 2013:</u> Extra costs for supporting gable/truss roof (not included in contract price) Add back internal decorating Hand dryers plus electricity supply Additional kitchen units/appliances (paid for by TWBC grant)	 £2,069 £1,746 £1,121 £2,126	£212,561 £18,828 £231,389

Summary

1. The initial architect's estimate (undertaken before detailed design work was completed) was for a project cost of **£198,589**. The final project cost was **£231,389**, an increase of **16.5%**. However, if we were to exclude:

- The additional cost of sewer works (as unforeseeable and out of our control);
- The cost of solving the SBEM problem (on the grounds that this actually saved us some £35k (according to tender quotes) in the Air Source Heat Pump (ASHP) heating system originally thought to be required to meet emission control regulations; and
- The additional kitchen cost (which was there only because we had a grant from TWBC to pay for it);

then the final cost would have been **£211,646** – a cost increase over the original estimate of **6.5%**.

2. A more realistic estimate was the contract offer approved by the Council in February 2013 – construction costs of **£199,945** and fees of **£16,730**, giving a total project cost of **£216,675**. If we were again to exclude those costs set out in paragraph 1 above, the project would actually have come in **2% below** that budget figure.

3. Taking also into account the fact that the Council achieved a reduction of nearly £90k in the original tender price without giving up any significant element of the pavilion (apart from the proposed machine store) or compromising its design, then I believe that the Council can be satisfied with the degree of cost control it exercised over the pavilion project.

Ian McEwen
On behalf of the Matfield Pavilion Group
June 2014