

SHIPBOURNE PARISH COUNCIL

Mrs. Y. Tredoux (Clerk)

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Minutes of a Meeting held in the Village Hall on Monday, 15 February 2010 at 7.30 p.m.

PRESENT: Mr. M. Miles (in the Chair)
Mr. J. Raven, Miss L. Sargent, Mr. J. Sheldrick, Mr. N. Tyler

IN ATTENDANCE: 1 Member of the Public
Borough Councillor Mrs. S. Murray
1 Representative from the Courier

Councillors were reminded to disclose personal and prejudicial interests on matters to be considered at this Meeting.

The Chairman welcomed everybody to the Meeting and asked Councillors to introduce themselves.

1. **APOLOGIES**

Apologies were received from Councillor Mrs. L. Cohen and Borough Councillor Mr. T. Sayer.

2. **MINUTES**

The Minutes of the Meeting held on 18 January 2010, Reference SPC/01/10, previously circulated, were approved, subject to the following amendment:-

Page 3 – Item 9 should read : “Payments numbers 100401”.

3. **MATTERS ARISING**

3.1 “Green space” outside Wightwicks Row (Minute 3.1 SPC/01/10)

No further progress reported. The Clerk would endeavour to pursue this matter with KHS.

3.2 Public Rights of Way – Proposed amendments to Public MR392(Part) (Minute 3.3 SPC/01/10)

Mr. Sheldrick expressed a personal interest and left the Meeting.

The Regulation Committee Member Panel’s formal report has not yet been received. The Parish Council was opposed to the above proposed amendments, but noted that there had been mixed views expressed from various residents, some who were in favour of the proposal, and some who were against the proposal.

In Mrs. Cohen’s absence, the Chairman read a report dated 1 February prepared by Mrs. Cohen, (appendix 1) who had attended the Meeting of the Regulation Committee Member Panel to determine the diversion of Public Footpath MR392, at Maidstone, and the site Meeting on Friday, 29 January 2010.

Mrs. Cohen’s report detailed the proceedings at the two meetings: *At the site Meeting everyone walked along the proposed diversion and returned along MR392 to the Church. The KCC Panel Members asked questions at various points and allowed visitors to also make remarks. At the Meeting held at Maidstone, the Case Officer opened with a summation of her report recommending diversion of Footpath MR392. Some of the objections were the ‘non-proven’ issue of dogs and security, the loss to landscape and views, loss of historical significance and that the proposed path would be substantially less convenient and less enjoyable to the public. The landowner’s advisor put forward the landowner’s view: that they needed the area for corralling sheep for dipping, dogs had worried sheep and walkers had looked into the garden of the adjoining property.*

At this stage during the Meeting Members of the Panel were of the opinion that the decision could go either way and described it as ‘a very close call’ and a ‘very fine balance’ that needed consideration. In addition, the Panel Members criticized the lack of signage, paucity of dog waste bins, excessive height of the stiles and illegal use of barbed wire fencing close to stiles. Finally County Councillor, Mrs. V. Dagger made a statement by not acknowledging the objections, but finished by fully supporting the proposal to divert

the existing footpath and recommended that the Panel Members accept the landowner's application and proposal. Members then voted and the proposal was passed four to one.

Miss Sargent said that she had attended the above site Meeting with Mrs. Cohen and was extremely disappointed that Mrs. V. Dagger did not support the Parish Council's view. Parish Councillors were surprised that, although this item had been discussed at various Parish Council Meetings for the past few months, Mrs. Dagger had not contacted the Parish Council at any stage to open a debate on this subject.

Generally Members were disappointed that the Regulation Committee Member Panel's vote had not been in favour of the Parish Council's recommendation. A Member asked whether an appeal could be made against the decision.

RESOLVED : To ascertain whether the Parish Council could appeal against the Regulation Committee Member Panel's decision or whether any conditions could be included.

Mr. Sheldrick returned to the Meeting.

3.3 Structure of Committees and Village Organisations (Minute 3.4 SPC/01/10)

The Chairman proposed to defer this Item to be discussed at the end of the Meeting – This was agreed.

3.4 War Memorial (Minute 3.5 SPC/01/10)

Miss Sargent had spoken to the family concerned who had no objection for the inclusion of the soldier's name on the War Memorial. Miss Sargent would progress this with the War Memorial Trust. A suggestion that the War Memorial needed cleaning, would be progressed.

3.5 Telephone box & street lights (Minute 3.7 SPC/01/10)

Miss Sargent would continue with arrangements to set up a working party in the Spring.

3.6 Vacancy for a Parish Clerk (Minute 3.7 SPC/01/10)

The Chairman proposed to defer this Item to be discussed at the end of the Meeting – This was agreed.

4. **Questions from public**

A resident asked the Council to consider advertising the Parish Council Agenda and draft Minutes on the Shipbourne website. Further investigation will be undertaken as to the additional costs this may incur.

Borough Councillor Mrs. S. Murray said that TMBC would be considering the Council Tax Rate at the Meeting on Thursday, 18th February 2010. Mrs. Murray also drew attention to upcoming Mayoral events and invited Members to attend the Blues Brothers Little Brother evening on Friday, 26 March at Ditton Community Centre. A Charity Bike Ride to raise money for Carers' First and Age Concern Malling and Age Concern Tonbridge will be held on Sunday, 11 April.

5. **COMMITTEE AND OFFICER REPORTS**

5.1 Report from Councillors

Mr. Sheldrick had attended a site Meeting with the Highway Inspector who would progress various issues, including repairs to a number of metal street name signs and addressing problems with flooding in Hildenborough Road and on the A227.

5.3 Report from Clerk

An email dated 13 February 2010 from Mrs. M. Long (Church Warden) was noted. Mrs. Long advised Councillors that the Church was hoping to repair the surface of the Church car park and asked the Parish Council's support for this project. The surface is very uneven and worn, and in desperate need of repair. The proposed repairs include leveling the surface by putting down a tarmac base. The Diocesan Advisory Committee had given permission for the work to be carried out, however, initial discussions with the Planning Officer at TMBC indicated that planning permission could be required. Funding to cover the cost of this project had been found, however, contracts should be signed before end of March to secure the

funding.

Members strongly supported this project.

6. **PLANNING**

6.1 **Planning Applications for consideration.**

6.1.1. TM/09/03203/FL – The Spinney, Tinley Lodge Farm, Hildenborough Road, Shipbourne
Demolition of existing 4 bed property and construction of replacement 4 bed property including basement accommodation.

RESOLVED: That the following recommendation be sent:

Recommend APPROVAL, however, proposed materials should be in line with the guidelines identified in the Shipbourne Design Statement.

6.2 **Decisions from TMBC:**

6.2.1 TM/10/00078/NMA – Avenue Cottage, Shipbourne Road, Tonbridge
Alteration to elevation and roofline being a non-material amendment to the scheme permitted under planning permission TM/07/03012/FL : Porch and bay window to side elevation - *GRANTED*.

6.2.2 TM/09/02062/LB – Fairhill, Riding Lane, Shipbourne
Listed Building application : Extended stepped terrace area and paving, including retaining walls, terracing and balustrading abutting the Listed house – *GRANTED*.

6.2.3 TM/09/02061/FL – Fairhill, Riding Lane, Shipbourne
Enhancement and restoration of garden incorporating extended stepped terrace area, paving, retaining walls, terracing including balustrading, steps, pergola, tennis court, fountains, ornamental water features and ornamental pool, hardwood surfacing, post and rail fencing and driveway paving with edging – *GRANTED*.

6.2.4 TM/09/03118/TNCA – Wallside Upper Green Road, Shipbourne
Fell and remove 1 Italian Cypress, 1 Lawsons Cypress and 3 Conifers – *GRANTED*.

7. **ACCOUNTS FOR PAYMENT**

Payments in respect of cheque number 100405 to 100410 were approved and receipt numbers 009 & 010 were noted.

8. **INFORMATION REPORT**

The information report was noted.

9. **DATE OF NEXT MEETING**

15 March 2010.

20.40 p.m. *The Meeting was adjourned and the Press & Public were excluded due to the confidential nature of the following business to be discussed.*

3.3 Structure of Committees and Village Organisations (Minute 3.4 SPC/01/10)

Members noted correspondence dated 19 January 2010 from Mr. Alan Bristow. Various options of how to proceed were discussed. It was not clear whether the Public Rights of Way Group and the Emergency Group had in fact been disbanded.

With reference specifically to the Public Rights of Way Group, Mr. Miles proposed from the Chair:

“That the Parish Council responds to Mr. Bristow that Members thought carefully about Mr. Bristow’s comments at the January Parish Council Meeting. Rather than rake over old ground which the Council is not sure is particularly productive, the Parish Council suggests that a meeting between Parish Councillors and Members of the Rights of Way Group be arranged to see if a way of working together for the benefit of the Parish as a whole can be found.”

CARRIED 4 in favour, 1 abstention (Mr. Sheldrick)

Members discussed the structure of the Emergency Group. It was noted that the ‘Shipbourne Emergency Plan’ had previously been adopted by the Parish Council.

RESOLVED: It was agreed that a letter be sent to Mr. Bristow, noting that the Parish Council is uncertain of the current position in relation to the Emergency Plan. The Parish Council is of the opinion that it would be useful to arrange a Meeting with two Councillors and the Members of the Emergency Group to discuss a way forward of working together for the benefit of the Parish.

3.6 Vacancy for a Parish Clerk (Minute 3.7 SPC/01/10)

Various applications were received and Members identified a shortlist of three candidates who would be invited to attend interviews. An extra-ordinary Meeting would be held prior to the March Parish Council Meeting to formally appoint the successful candidate.

Members formally thanked Yolanda Tredoux for all her hard work as Parish Clerk.

Appendix 1

Report to Shipbourne Parish Councillors of the Regulation Committee Member Panel Meeting to determine diversion of Footpath MR392, at Maidstone, on Friday 29th January. Following site meeting held at 11am Shipbourne Church

Cllr Lindy Sargent and Cllr Libby Cohen attended the site meeting on behalf of the Parish Council. In addition to members of the District Council Panel were two representatives from the Borough Council; Borough Cllr Sayer (the member for Long Mill Ward); two representatives from Fairlawne Estate; residents Mr Dick Bate, Mr Harshad Topiwala and Mrs Sarah Tyler; Mr Vince Whetton from the Ramblers Association and Mr Alan Bristow.

Site meeting: everyone walked along the proposed diversion and returned along MR392 to the church. The KCC Panel Members asked questions at various points and allowed visitors to also make remarks that were valid.

Meeting: in attendance in addition to the BC officers and KCC Panel Members were the applicants, Mr Richard Cormack and his agent Ms Rhoda Barnett attending for Fairlawne Estate and Borough Cllr Sayer as Long Mill Ward (Shipbourne) Member
Objecting to the proposal to close the footpath: Cllr Libby Cohen for SPC, and residents Mr Dick Bate and Mr Harshad Topiwala
In favour of the proposal to close the existing footpath: Mr Dave Wetton (Ramblers) and Mr Alan Bristow

The case officer, Ms Sonia Coventry, opened the proceedings with a summation of her report recommending diversion of Footpath MR392. The Chairman asked Mrs Valerie Dagger if she would like to sum up and Mrs Dagger said she wished to sum up at the end of the proceedings.

Mr Topiwala opened the objections and concentrated on the non-proven issue of dogs and security. Mr Richard Bate spoke concentrating on the losses to landscape and views and general enjoyment that closure of the existing footpath would bring.

Mr Dave Wetton gave reasons why the Ramblers had initially opposed the closure but tempering his previous objections with the observation that closure of the existing footpath would not necessarily be in the best interests of the local residents.

Cllr Sayer spoke saying he recommended rejection of the proposal on the grounds of the loss of views, loss of historical significance and poor surface.

Mr Alan Bristow said that he and several residents he represented fully supported the landowner's proposal to close the existing footpath and divert it as proposed.

The Fairlawne land-use advisor, Ms Barnett, spoke putting forward their views and the reasons that the Estate required the diversion and Mr Cormack agreed: that they needed the area for corralling sheep for dipping, dogs had worried sheep and walkers had wandered into the garden of the adjoining property. Ms Barnett warned the Committee of the cost of other objections.

Cllr Libby Cohen spoke saying SPC opposed the diversion and agreed with the views put forward by both Mr Bate and Mr Topiwala and in addition put forward the views of resident Mrs Sarah Tyler (and cricketers who walk the path) who felt that the proposed path would be substantially less convenient and less enjoyable.

At this stage Members of the Panel were of the opinion that the decision could go either way and described it as "a very close call" and a "very fine balance" that needed consideration. In addition the panel members criticised the lack of Keep Dogs Out and Private Property signage, paucity of dog bins, excessive height of the stiles and illegal use of barbed wire fencing close to stiles.

Finally, the Chairman thanked Mrs Valerie Dagger, the Conservative Local Member, for summing up as she has never attended one of these meetings before. Mrs Dagger then made a statement. She praised the officer's report, the Ramblers Association and the former Footpath Rights of Way Group and Mr Alan Bristow for the work they had done on behalf of footpaths in the Parish and as experts on the network. Mrs Dagger did not acknowledge the objections but finished by fully supporting the proposal to divert the existing footpath and recommended that the Panel Members accept the landowner's application and proposal.

Members then voted and the proposal was passed four to one.

Libby Cohen, 1 February 2010

The Meeting closed at 21.55 p.m.