

SHIPBOURNE PARISH COUNCIL**MEETING HELD AT THE VILLAGE HALL ON
MONDAY 13TH MARCH 2006 AT 7.30 PM**

Present: Mr Nicholas Giles (Chairman), Mr Mark Beadle, Mrs Libby Cohen, Mr Martin Miles, Mr James Sheldrick, Mrs Rachel Simpson, Mr Curtis Galbraith (Clerk)

Mr David Evans, Mrs Joan Harrison and Mrs Sue Murray (Borough Councillors)
Mr Gordon Court and Mr Michael Dobson (TMBC Cabinet Members – attending as members of the public). Mr Alan Bristow

1. Apologies for Absence

Miss Lynette Sargent

2. Minutes of Previous Meeting

The draft minutes of the February meeting were agreed by the council and signed by the Chairman as a true record.

3. Borough & County Councillors Reports

The Chairman welcomed all members of TMBC and introduced the council. In reply Cllr Mike Dobson explained that the reason for his and Cllr Court's visit was part of a series of visits by TMBC Cabinet Members to observe parish council meetings.

David Evans reported on the alleged breach of planning at Puttenden Manor. The owners and their agents now admitted a breach of planning. The deputy Borough Solicitor had been involved and agreed that planning approval would be needed. If an application was not received, or if an application submitted was not successful, then an enforcement notice would be served. There had been 'a stay of execution' to give the owners a chance to submit an application. Nick Giles said that Puttenden was a good example of the parish council bringing an issue to the attention of the borough councillors that was subsequently acted upon.

David Evans mentioned a problem with 'another application'. He would not speak on this and could not comment pending any appeal. David said that 'things had changed' and borough councillors were now advised to say 'nothing' that could give rise to any thought that a view or impression had been formed on any planning matter prior to committee. Prior to committee, residents' and parish council views and comments were considered and officers were able to discuss issues with applicants that sometimes altered the direction of an application. Councillors were unable to inform directly of these matters. He said that some applications therefore bore the imprint of the borough councillors 'behind the scenes'.

Sue Murray said that she would be asking the parish Partnerships Panel to try and arrange a talk on 'planning probity'. David Evans said that the inability of the councillors to comment on planning matters did not apply to other issues e.g. highway matters. He reported that the borough councillors had been active in ensuring enforcement of the yellow lines at the Upper Green Road junction and were monitoring progress of the implementation of the A227 speed reduction scheme.

The 40mph limit through Shipbourne would be implemented early in the coming financial year. The rest of the '50' scheme, due to budget issues, was now scheduled for 2007/8. However he had lobbied hard for a promise from Kent Highways that the 50mph limit on the hill at Fairlawne would be implemented at the same time as the '40' scheme. The 'small schemes' budget had been cut in half; Our ward, Borough Green and Long Mill, had taken half of that money.

Nick Giles said everyone appreciated all that the borough councillors had done in this respect.

Sue Murray reported that TMBC's 'Activate' scheme for children's Easter Activities was almost full with a number of participants from Shipbourne in the 3-6 yrs group. The TMBC Youth Forum currently had 35 members and was making a real difference to the lives of young people. She was hoping that transport issues would be debated in June. The borough councillors were holding two surgeries – on March 25th in Borough Green and locally in the Plaxtol Memorial Hall on April 29th. Both between 10.00 and 12.00.

4. Questions from the Public

None.

5. Matters Arising

None.

6. Finance

The bank balances at 13th March were (c/a £ 47.18, d/a £ 10,509.74). Two payments were approved. One to the KAPC for annual subscriptions, the other for the Clerk's half yearly remuneration of £750.00 plus £50.00 expenses plus £10.00 reimbursement for copy titles and plans obtained, from Land Registry, of the Village Hall and the common land at Dunk's Green.

The Annual Return had not been signed off by the internal auditor. There was still an outstanding issue regarding the treatment of a legal fee invoice. The Audit Commission's patience was wearing thin and had recommended obtaining quotations from specialised auditors of parish council accounts. The Financial Sub Committee will deal with the outstanding matter urgently and the Clerk will discuss next year's internal audit with Nick Ward and obtain quotations from two of the audit companies recommended.

Nick Giles reported that a final note to be carried by the Newsletter will publicise the intention to distribute the remnants of the John Swan charity. Nick had discovered that despite notification, the previous parish council Chairman and Clerk were still listed as trustees. He will deal with the amendments. The charity had been set up in 1642.

Gordon Court, in response to a question from the Chairman said that the TMBC Audit Committee was new and had not yet met. In response to further questions Gordon Court and Mike Dobson agreed that the administration of any precept surplus was a matter for the parish council and TMBC had no interest. Alan Bristow explained the basis of internal funding of the previous parish council.

7. Roads / A227

Gordon Court explained that Ightham had their 'own' funding for some of the A227 improvements. It was the eventual intention for the A227 to be at a maximum of 50mph from Ightham to Tonbridge, with additional reductions through Ightham and Shipbourne.

Valerie Dagger had telephoned the Clerk to inform the parish council of the progress of the implementation of the A227 scheme (as reported by David Evans in 3.6).

Again as previously minuted in 3.5, TMBC had stepped up enforcement of the yellow line restrictions at the Upper Green Road junction. Fixed penalty notices have been issued and it is hoped that a concerted effort will discourage the illegal and dangerous parking. The situation will be monitored.

Rachel Simpson raised a new issue with borough councillors, that of vehicles and in particular heavy goods vehicles ignoring the designated strategic access routes to industrial sites and using alternative *rural* routes when following satellite navigation systems. She asked what steps TMBC would be taking to deal with this problem. She also regretted the stalling of the Quiet Lanes initiative due to funding cuts. Gordon Court responded saying that TMBC was aware of satellite navigation issues and general discussion illustrated local examples. The Clerk had personal experience of such a problem and outlined that the databases used by manufacturers were littered with errors and although upgrades sometimes did take errors into account, the upgrading of individual users' systems was a completely different matter. The parish council will write to Steve Humphrey, TMBC Director of Planning and Transportation, to outline its concerns.

8. Commons

The Chairman asked Libby Cohen for an update on the 'lay by' proposal. *James Sheldrick declared a personal interest in this matter and took no part in the discussion.*

Libby explained that alternative sources of funding would be necessary as Kent Downs AONB had declined the council's request. The Clerk reminded the council that Valerie Dagger had offered money from her KCC local fund subject to application. Rachel informed the council that in her opinion all car parking on or adjacent to the Common should be discouraged and the lay-by should be left boggy and muddy. Car parking spoilt the open aspect of the Common. Nick Giles said, referring to the previous advice given by the borough councillors, that some of the precept surplus could possibly be used to match any funding secured. He also informed the council that he was awaiting the result of an opinion sought from the NALC legal department, via KAPC, on the Fairlawne Estate's recent letter that indicated that the creation of car parking spaces on the Common would be allowed in law.

Further discussion culminated in a general view as to whether the ability to create car parking spaces was more important at this stage than the funding issues. It was thought prudent that a planning application should be submitted and that prior to this, Nick Giles should inform and seek the cooperation of the landowner. Meanwhile the Clerk will contact Valerie Dagger to obtain details of how to apply for KCC local funding.

Mike Dobson responded, referring to the objection to car parking, by saying that there was often a trade off in *allowing* something that ordinarily *would not be allowed* in order to better a situation. It would be seen as 'planning gain' and an environmental balance. He started to illustrate a similar example in Hildenborough but retracted when Rachel Simpson declared an interest.

The Clerk reported that following a positive reply to Tim Owen requesting details of future KDAONB funding for signage to mark the boundary of the AONB, nothing further had been heard.

9. Planning – decisions, applications, enforcement and other issues

a) Tonbridge & Malling Borough Council decisions:

TM/05/02436/FL – The Meadows, Hildenborough Road, Shipbourne TN11 9QA

Proposal: Creation of new access and realignment of hedge.

TMBC Decision: Application Refused (*confirmation of February minute*)

b) Planning Applications:

TM/06/00255/FL Barrwood, Hildenborough Road, TN11 9QA

Proposal: Rebuild property with ground floor extension.

View already submitted 26/02/06:

“No objection – although the parish council does have concern over the roof line and height. The hipped roof line to the front elevation RH drawing 2012/101C does not match the other roof lines.

The scales of the existing and the proposed drawings are different, comparison is therefore difficult. TMBC is asked to check that even with the modest increase in height there are no overlooking issues and that mindful of the informative that was made with the previous permission 05/02069/FL, it is satisfied with the proposed floor area and bulk of the main dwelling and of the proposed additional outbuildings. No local objection has been received.

Materials specified should be agreed as a condition. The use of local style materials as described by the Shipbourne Design Statement is preferred.”

TM/06/00400/FL Norcadia, Reeds Lane, TN11 9RR

Proposal: Replacement garage with accommodation over and single storey side extension.

View already submitted 02/03/06

“No objection – The parish council thinks the proposal architecturally pleasing. There is however some concern over the proposed height of the garage in comparison with the existing. If permitted, the application would mean that the dwelling would cover almost the full width of the site. Consideration should be given to disallowing further extensions”.

TM/06/00600/FL Wilmot Cottage, Mote Road, TN15 0NT

Proposal: Bathroom extension to playroom (former generator house)

View: “No objection subject to use of matching materials as detailed”. (The parish council commented that this application had been well put together).

TM/06/00696/RD Land adjoining 1 Silverhill Cottages, Dunks Green Road

Proposal: Details of landscaping parking and sewage disposal pursuant to conditions 5,6 & 7 of planning permission TM/01/01748/OA (outline application: Redevelopment of contractors yard).

View: (Prior to submitting its view, the parish council will check the validity of the outline application referred to in the light of the permission granted for the dwelling and it will also check some aspects of the proposed sewage disposal system with TMBC)

c) Enforcement and other planning issues:

TM/05/04245/LB – 1 and 2 Churchgate Cottages, Shipbourne, TN11 9PF

Proposal: Listed Building Application: Ground floor front extension to 1 and 2 Churchgate

Note: Application Withdrawn

TM/05/04240/FL – 1 and 2 Churchgate Cottages, Shipbourne, TN11 9PF

Proposal: Ground floor front extension to 1 and 2 Churchgate Cottages.

Note: Application Withdrawn

TM/06/00222/FL – Craft Cottage, Upper Green Road, Shipbourne TN11 9PG

Proposal: Loft conversion, front and rear dormer windows and single storey rear extension.

Note: Application Withdrawn

Puttenden Manor, Puttenden Road, TN11 9RH

(See also 3.2 above) *Previous declarations of interest apply.* Correspondence received from TMBC informed that following a meeting held with the owners' planning agent TMBC has concluded that 'there is a breach of planning control relating to development that needs planning permission in its own right rather than just a breach of conditions'. TMBC has put some suggestions forward as to how this might be resolved and these are currently being considered. A written response is awaited from the representative following his discussions with the owners. An email had been received from a neighbour requesting help from the parish council in dealing with the Environmental Health department of TMBC regarding alleged early morning noise nuisance from the property as a satisfactory response had not been received by their own efforts. Cllr Mike Dobson suggested that the complainant should contact Mr Barry Olding the Chief Environmental Health Officer. Rachel Simpson queried whether or not the horse lorries going in and out were subject to the same legislation as any other commercial premises i.e. whether the premises should have a Goods Operators Licence.

10. Rights of Way

Nick Giles reported that Alan Bristow had sent through a copy of the minutes of the ROW meeting held on 21st February. These had been circulated with no comment. Alan spoke regarding his discussions with KCC regarding the bridleway status of MR397 from the A227 to the junction with MR398.

11. Village Hall

The Clerk informed that the Village Hall Management Committee had recently met and that there were no major issues to report. Alan Bristow said he did not agree and informed the council that the Management Committee had approved an increase in the hire charge by £1.00 per hour from £7.00 per hour (£9.00 with heating) to £8.00 and £10.00 respectively. He explained the reasons for this and the fact that the VH was still likely to show a deficit of approximately £1000.00 at the year end. (As previously reported by AB to the parish council at the February meeting).

12. Little Mead

Cllr. Rachel Simpson declared an interest as she owned land adjoining Little Mead albeit in another parish. The Chairman outlined the current position. The Clerk reported that Mr Williams had telephoned to see what progress had been made. The parish council awaited a response from Mr William's solicitors and understood from Mr Williams that the partner dealing with the issue had left.

The parish council had forwarded copy emails to Mr Williams. Mr Williams had again queried Mayo & Perkins costs in recording the grant of the easements. The Clerk will forward a copy of the letter sent to Mr Williams last December.

13. Correspondence (not circulated or dealt with elsewhere)

1. Shipbourne School has forwarded a copy of its Travel Plan for comment. The Clerk will circulate by email.
2. An email has been received Claudia Johannes, Vice Chair of Governors at Shipbourne School regarding the upgrade of the School's internet connections by joining the KCN network via an optic cable. The Clerk will circulate for comment.

15. Any Other Business

Chief Inspector Simon Willsher will visit the APM on Monday May 8th. He will hold a brief forum on community policing issues that affect Shipbourne. Notice will be carried in The Newsletter hoping to attract a better turnout than usual at the meeting.

Libby Cohen will forward a selection of village photographs to Gary Davies the designer of the 'new' village website. It was also agreed to ask readers of The Newsletter whether they had any interesting photographs of Shipbourne that may be considered for use on the web site.

Proposals regarding a village sign will be postponed until Lynette Sargent is able to attend meetings. The Clerk will write to those who had donated funds to explain the reason for the delay. The Newsletter will be approached to inform the village that the two locations under consideration for the sign are on the Wightwicks 'triangle' or on the area by the Hildenborough Road / Back Lane / A227 junction.

Rachel Simpson congratulated TMBC for the excellent Online Services section of Development Control that enabled online viewing of and comment on planning matters using the TMBC Public Access system. Currently it was possible to view plans of all new applications online along with other relevant details. David Evans said that eventually plans would be stored and transmitted digitally and teams were working to catalogue older planning applications so that these too could be viewed online. The Clerk said that it was intended that the new Shipbourne website would carry a 'quick link' to TMBC's planning pages.

Finally, the Clerk reported that sadly he was aware that Mrs Mary Edwards, the wife of Mr John Edwards, Chairman of Ightham Parish Council, had recently passed away. Members of Shipbourne Parish Council offered their sincere condolences to John Edwards and his family.

The meeting closed at 21.20

Signed: _____ (Chairman)

Dated: _____

Dates of future meetings: (Meetings held on a Monday at 7.30 p.m. in the Village Hall)

April 10th, May 8th (+APM), June 12th, July 17th, September 11th, October 9th, November 13th and December 11th