

SHIPBOURNE PARISH
COUNCIL

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Minutes of the Meeting of the Parish Council held via Zoom at 7.00 p.m. on Monday 13 July 2020

During Covid-19 all meetings will be held remotely following Government advice.

[\(SI 2020/392 The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020\)](#). Effective 4 April 2020. ** See Footnote

Present: Cllr Tyler (Chair), Cllr Redman (Vice Chair), Cllr Bate, Cllr Leach, Cllr Oram, Cllr Sheldrick, County Cllr Rayner, Borough Cllr Palmer, Borough Cllr Taylor and the Parish Clerk.

1. **Apologies for absence** - None
2. **Resignation** – The Clerk reported that Cllr Hine had resigned with immediate effect as she is relocating. Cllr Tyler asked the Clerk to thank Cllr Hine for her time on the Parish Council and to wish her the best for her future.
3. **Dispensations and Declarations of Interest** - None
4. **To approve as a correct record the Minutes of the Parish Council meeting 8 June 2020 –**
The minutes were approved with one word change. The Clerk agreed to print off the revised minutes and pass to the Chairman to sign.
5. **Public Open Session** - No members of the public were present. The Chairman asked whether the public were aware that they could attend the Zoom meetings. The Clerk said that the agendas were posted on the noticeboard and website in the usual way with instructions for members of the public to contact the Clerk if they wished to attend.
6. **Highways & Footpaths** - Cllr Oram reported an overgrown pear tree, encroaching onto the footpath at the layby by the school. The Clerk was asked to write to the landowner in the first instance. It was reported that there was a van selling ice cream/coffee on Upper Green Road. The Clerk said that selling from a van from the highway was permitted as long as the vendors have a valid license in place. Cllr Rayner added that that people can sell from the highway as long as they don't breach highways regulations or put children at risk. It was noted that there is a general concern about parking on Upper Green Road; people parking on double yellow lines and sometimes encroaching onto the A227. Despite frequently reporting the issue, it is frustrating that the matter hasn't been resolved. Cllr Rayner confirmed that parking infringements are for TMBC to enforce or if vehicles cause an obstruction then it would potentially be a police or a highways matter. Cllr Rayner said that many Parishes are having this issue and suggested that we could make a challenge to the Borough by making an application via KALC to train an employee from the Parishes to carry out enforcement. This could then go to the Joint Transportation Board (JTB). Currently it seems that the only place where there is enforcement is in Tonbridge town centre as it generates the most income. Cllr Tyler said that such a challenge would be worth thinking about as it would generate a guaranteed income. He asked the Clerk to approach KALC to see whether there would be interest from other Parishes. The Clerk asked how funding would be organised and Cllr Rayner said that Parishes joining together would be expected to contribute according to their electoral role and would pitch to the JTB as a franchise. Parishes would need to make an allowance in their budget or increase their precept to cover any cost.
The issue with TMBC enforcement is that there is no enforcement on weekends. Cllr Taylor said that Borough Green would be interested in being involved if the idea was pursued. The Clerk was asked to email the Chairman of KALC to add this to the agenda for the meeting on 23rd July.
Cllr Tyler said that we should review the situation in September.
7. **Matters arising**
 - 7.1 **Defibrillators** - The Clerk reported that both defibrillators had been checked. This can topic can come off the agenda.

- 7.2 New Speed Calming Signage** - The Clerk reported that we are awaiting date for installation, we have made the payment to KCC and the cheque has been cashed. The Clerk also reported that that road from Back Lane towards Carroty Wood had recently been resurfaced but not yet remarked.
- 7.3 Verges on Back Lane** – The Clerk reported that there had been no response to the letters about garden waste. Cllr Bate reported that waste was still being deposited in some parts of Back Lane but was probably from the verges rather than garden waste. Cllr Rayner said that this was fly tipping and there were hefty penalties. A question was raised about who owned the verges and it was thought that it was highways. A list of the highways verges and waste land had recently been circulated to some Councillors from the ex-Chairman and the Clerk was asked to circulate this to all Councillors.
- 7.4 Grass Cutting at Wightwicks and Common Land at Dunks Green** – Update – The Clerk reported that Dunks Green common land had been cut and Cllr Sheldrick reported that Wightwicks was due to be cut mid July.
- 7.5 Broken sign post at Dunks Green** – Update – Cllr Leach reported that the sign was not yet back up, the Clerk will chase up.
- 7.6 Village Hall** – Update - Refurbishment works – Cllr Leach reported that the works had now been completed and had circulated some photographs. The overall condition of the hall is now good, however, the windows need replacing urgently and there is likely to be some work required to the chimneys and roof in the next few years. The village hall had received a COVID grant of £10,000 which has covered some of the cost of the recent works and Cllr Rayners grant of £1,000 had been very welcome. The recent works had come to more than was originally anticipated but additional work had been done whilst workmen were on site and the hall was empty. In addition to the refurbishment to the toilets, the soffits and fascia boards were replaced, damp works to the lobby and the pathways fixed. The total cost was approx. £17,000. The Parish Council had agreed in the annual budget to reserve £1,000 per year to go towards maintenance this year and Cllr Tyler said that we should have a funding mechanism in place for future work to maintain the fabric of the building as this amount wasn't adequate. The village hall Trustees raise enough from hires to cover general maintenance but the Parish Council as owners of the building need to cover any costs for major repairs.
- Cllr Redman asked whether the village hall had reopened and Cllr Leach said that it was not possible at the moment due to the cleaning requirements. They are hiring the garden for dog training and there is potential for the farmers market to use the hall although cleaning and social distancing may be a problem as the hall is too small. Cllr Tyler said that there are general restrictions on hires due to noise and neighbour considerations and therefore the Parish Council should be prepared to underwrite some of the costs as the ongoing upkeep will become onerous over time. It may be necessary to increase the precept or do some fund raising if we wish to preserve the hall as an asset for the parishioners. Cllrs Rayner and Taylor said that it was entirely reasonable to think about raising the precept for a village asset.
- 7.7 Climate Change** - Update – The Clerk reported that she had been asked to send our response to the Climate Change Strategy to TMBC in a word format so that it could be included in the Committee report. At our last meeting, it was agreed that we would send a letter drafted by Cllr Bate, together with our submission, to all Borough Councillors ahead of the Committee meeting where the Strategy would be ratified. The deadline for submissions has now closed, having been extended until the end of June. The Clerk was asked to contact Cllr Robin Betts to find out which Committee it was being discussed at and the date of the meeting. This will enable us to determine the best time to send the letter to Borough Councillors. It was agreed that Cllr Bate would tweak the letter and the Parish Clerk would circulate the letter with our response to all Borough Councillors approximately a week before the meeting.
- 7.8 Shipbourne Farmers Market** – Update – Cllr Leach reported that the Farmers market are discussing how to proceed in the future. The click and collect system is going well and there is no appetite to return to an open market. Bob Taylor is speaking to other markets but social distancing is still an issue. The market will continue as it is for the meantime but when the weather gets worse, they will need to look at other options. A question was raised about volunteers and Cllr Tyler said that they will need new volunteers when schools and universities went back. Cllr Leach said that they were

making a request for new volunteers as some of the existing volunteers now had other commitments.

7.9 Little Mead - A brief update was given in Part 2.

7.10 Kentish Rifleman – Reopening – The Clerk reported that the Kentish Rifleman had reopened and is using their garden.

7.11 Littering – Fly tipping Puttenden Road – The Clerk reported that she had received a complaint about persistent fly tipping at the layby on Puttenden Road. Cllr Rayner said the TMBC management team are actively pursuing prosecutions at the moment and there were means of identifying the offenders. The Clerk had also received an email about littering on the common and asked whether it was still an issue as it seemed to have improved over the last couple of week. It was thought that it had got better since The Chaser had reopened. The Clerk had reported some fly tipped wine bottles opposite Lady Vane to TMBC waste team.

8. Reports: County Councillor –Cllr Rayner reported that the Home Office had responded to the County Councils letter on unaccompanied asylum seeking children. They have now offered KCC funding and a scheme to help to deal with them so there is no longer a need for us to pursue the matter with our MP. Cllr Rayner said that libraries were not likely to re-open before September. Cllr Rayner said that there was a Council in year budget due to a shortfall of £50million due to COVID. Cllr Bate asked what the impact would be on M20 and local infrastructure and the local villages following the announcement of a new lorry park in Ashford? Cllr Rayner said that the site was 27 acres and that it would be used for a limited number of vehicles for customs clearance that can't be carried out at the Channel Tunnel. Cllr Rayner reported that an allowance for this had been made in the Ashford Local Plan and didn't think that there would be too great an impact on our villages.

Borough Councillor – Cllr Palmer said that the 21 day rule on planning notifications had gone through but PC's can now sign up to get notifications of a planning application from the validation date which would allow a bit more time to make a response. Cllr Palmer said that TMBC had spent £10million from their reserves already due to COVID so would have to make some funding cuts. Staff aren't expected to return to offices until January and this will provide some savings on overheads.

Borough Cllr – Cllr Taylor said that he had sensed a spirit of compromise from TMBC on the 21 day rule for planning applications and suggested that Parishes think of ways to react to the new system so that we are not caught out by the stricter deadlines. Cllr Rayner said that Wrotham PC had created a planning committee who will meet regularly to discuss planning applications via zoom. The meetings need to be advertised in the same way as usual Parish Council meetings to allow members of public to attend. Cllr Bate said that we will need to adapt and find a means of making parishioners aware of planning applications. The Clerk said that she would provide details for people to sign up to alerts in the newsletter. We can also use the noticeboard to publish details. This topic is on the agenda for the next KALC meeting and Parishes can share information about how they are going to deal with the 21 day rule. Cllr Oram said that the newsletter would be returning to a hard copy format in September and we can put the information in there.

9. Communications – Circulated prior to the meeting

PPP Meeting – 11 June 2020 - Processes and procedures for 21 day rule on planning applications.

NALC - Information for Parish and Town Councils.

KALC NEWS June 2020 – Online.

TMBC - Latest Information on Covid-19 Funding - To access the list of funds available: please go to: <https://www.grantsonline.org.uk/coronavirus.html>

KALC – Next meeting 23rd July via Zoom

TMBC - Refuse Collection Calendars <https://www.tmbc.gov.uk/do-it-online/miscellaneous-forms/refuse-and-recycling-collection-dates>. The Clerk reported that the calendars are no longer printed and distributed to households but can be downloaded from the TMBC website using this link.

Keep Britain Tidy - The Great British September Clean 11-27 September 2020. It was agreed that we should arrange a litter pick for Sunday 27th September.

Kent Police Rural Task Force Report

10. Chair's Actions and Correspondence - Nothing

11. Finance & Policy

11.1 Payment of Accounts – Accounts were presented for agreement to pay: The Clerk will deliver the cheque book to 2 councillors to sign – agreed.

Parish Clerk June Salary & Expenses	£515.22
Inscope – Village Hall Works (to be reimbursed by Trustees	£6,324.46
Estate and Field Management – Grass cutting Dunks Green	£114.00

11.2 Timesheet Report – circulated.

12 Planning Matters

There are no new planning applications since our last meeting to date.

12.1 Planning Decisions – Approved

TM/20/00958/FL - Removal of condition v (occupation of dwelling solely by agricultural worker) pursuant to planning permission TM/76/11132/OUT (Erection of an agricultural bungalow). Ambleside, Reeds Lane, Shipbourne, Tonbridge, Kent, TN11 9RR.

12.2 Article 4 Direction – Update – It was agreed at the last meeting that we would leave the application until the next planning committee meeting so will make a submission to Area 2 in September. We will ask Cllrs Taylor or Palmer to support the application. It was agreed that we would send this w/c 24th August and information should be sent through to Cllrs Rayner, Palmer and Taylor beforehand.

12.3 Local Plan – Update - Stage 1 Hearing Sessions announced. Cllr Bate reported that TMBC has asked a planning consultant to look at the hosing numbers and the figures would be available in August – this doesn't provide much time to process the information before the 10 September deadline. Shipbourne Parish Council need to let the Program Officer know whether we want to make verbal representations. Cllr Bate said that we would like to make representations on Climate Change and would draft a letter to confirm this. It is still not confirmed whether the hearings will be virtual. The Clerk will let the Program Officer know that we would like to speak and that there will be some observers. Cllr Bate suggested that Cllr Tyler would introduce our position and Cllr Bate would deliver our statement. Cllr Rayner said that the 5 Parish Alliance would have a full suite of experts and a Barrister and would also offer full support.

Cllrs Rayner, Palmer and Tayler left the meeting at 9pm.

12.4 T&MBC Development Management - Processes and Procedures – discussed above.

13. Date of next meeting – Monday 14 September 2020 at 7pm via Zoom (to be confirmed).

PART 2

Exclusion of Public and Press: Pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of a confidential item.

13. Little Mead – The agreements are with the Solicitor's and we are expected to see a copy with a couple of small amendments imminently.

The meeting closed at 9.12pm

**The 2020 Regulations enable local councils to hold remote meetings (including by video and telephone conferencing) for a specified period until May next year. They also remove the requirement to hold an annual meeting. The 2020 Regulations apply to local council meetings, committee and sub-committee meetings in England. The COVID-19/ Coronavirus pandemic and the unprecedented in peacetime Government measures in response to the crisis (e.g. prohibitions on gatherings, social distancing, self-isolation and shielding of those deemed to be the most vulnerable) have meant that the requirement for local authorities to hold public meetings in person with all members present in one place cannot be met. The statutory requirements for meetings are mainly contained in the Local Government Act 1972 ("the 1972 Act") and the Public Bodies (Admission to Meetings) Act 1960 ("the 1960 Act"). In recognition of the problem of holding and attending meetings, and further to the lobbying of NALC and others, the Government included s.78 in the Coronavirus Act 2020. This section gave the Secretary of State the power to make Regulations to make provisions for the holding of meetings. The 2020 Regulations set out those provisions.

Regulation 4 – this provides that where an appointment would otherwise be made or is required to be made at an annual meeting of a local authority, the appointment continues until the next annual meeting of the authority or until such time as that authority may determine (Regulation 4 (2)). This would apply to the election of the chairman, the first business at the annual council meeting. Therefore the current chairman will remain in place until an annual meeting is held (possibly next year) unless the council decide to elect a replacement earlier.