

**SHIPBOURNE PARISH  
COUNCIL**

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**Minutes of the Meeting of the Parish Council held at 7.00 p.m. on Monday 13 March 2023**

**Present:** Cllr Redman (Chair), Cllr Bate, Cllr Dagger, Cllr Leach, Cllr Oram, Cllr Sheldrick, The Parish Clerk, County Cllr Rayner, Mr Curtis Galbraith and Mrs Helen Leach - Trustees Shipbourne Village Hall and 1 member of the public.

- 1. Apologies for absence** - Cllr Tyler
- 2. Dispensations and Declarations of Interest** - Cllr Leach in relation Great Budds, Cllr Sheldrick in relation to a discussion in Part 2 and regarding footpath MR392.
- 3. Discussion on the future of Shipbourne Village Hall** –Mr Galbraith, Chair of Trustees of Shipbourne Village Hall, outlined the process of passing over responsibility of the village hall. We currently need new Trustees as several Trustees have retired and Mr Galbraith, who has been Chair for many years, also wishes to retire. Additionally, it was noted that the current Trust Deed is too restrictive and may no longer be fit for purpose.

Extensive efforts to recruit new Trustees have been unsuccessful due to the onerous responsibilities of a Trustee under the existing Trust Deed. We explored dissolving the Trust and have obtained a quote for the legal work which would take a considerable proportion of the Village Hall funds. Following pro-bono legal advice from a specialist in Charity Law, Cllr Redman reported that the Trust Deed cannot be dissolved because of The Recreational Charities Act of 1958. We also received information from the KALC Legal Advisor who sent over NALC (LTN28) guidance which states that a Parish Council can become Sole Trustee of the village hall. Under this arrangement, current trustees would resign and the Parish Council would appoint a committee to take responsibility of the day to day running of the hall, without the responsibilities and liabilities of a Trustee.

Mr Galbraith has spoken with the Charity Commission who said that changes can be made to the Trust Deed. Once changes are made the Deed can be re-registered with the Charities Commission. We need to ensure that liabilities are limited to the assets of the hall.

In parallel, the current Trustees could suggest some modifications to the Trust Deed widening the scope of use of the hall. With the consent of the Parish Council, Mr Galbraith would be willing to raise the changes with The Charity Commission, to seek its view and guidance on how we implement proposals.

There should be no need for a Lease, as the Sole Trustee would be the freeholder of the premises, and the lease can be 'disposed of' in line with section 23 (page 14) of the Trust Deed. We need to ensure that if sued, the value of the property of the Hall does not feature as an asset of the Charity and we will need some advice on this.

It was agreed that Shipbourne Parish Council should act as "Sole Trustee" for the Charity that is Shipbourne Village Hall. Current remaining Trustees will meet as soon as possible to review the Trust Deed and then Mr Galbraith will contact the Charity Commission. It was noted that we may still need formal advice.

- 4. Public Open Session** - The Applicant for Great Budds attended to outline the proposals for the barn as a wedding venue (**TM/23/00401/FL TM/23/00402/LB**). A note was circulated outlining measures that will be taken to minimise the disturbance to local residents including: limiting the number of events to 8/10 per year, limit to the number of guests to 100, entertainment to finish by 11.30pm and guests to depart within half an hour, parking to be in the top field via a gate on Mote Road and use of a "Night Manager" to ensure guests leave quietly. Councillors raised questions and Cllr Bate reminded everyone that certain stipulations about the use may fall outside the scope of planning and therefore not all conditions could be imposed by TMBC. Cllr Bate asked for

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clarification on parking and said that it could not be in front of Great Budds as it would challenge the condition on the setting of the house.

5. **Reports: County Councillor & Borough Councillor & from PPP meeting** - Cllr Rayner left the meeting before making his full report as he had another meeting to attend. Cllr Rayner briefly mentioned that the elections and various consultations were going ahead at the moment.

Members of the public left the meeting at 7.20pm.

6. **The Minutes of the Parish Council** meeting on 6 February 2023 were approved and signed as a true record.

7. **Highways & Footpaths - Highways Improvement Plan (HIP) – Update** – The Clerk reported that there was another new contact at KCC responsible for HIP's and that we would have to resubmit our requirements once the new Council is in place in May. Claygate Lane will be closed for 3 days on 27<sup>th</sup> March for SE Water works.

8. **Matters arising**

8.1. **Grass Cutting at Wightwicks and Common Land at Dunks Green 2023** - Schedule sent to Geoff Taylor. The Clerk asked Cllr Sheldrick to check that Geoff Taylor has received the schedule and chase up the invoice from 2022.

8.2. **Broken sign post at Dunks Green** – Cllr Sheldrick reported that work has started on the sign.

8.3. **Village Hall & Shipbourne Farmers Market** – Cllr Leach reported that the radiators have been repaired and are ready to be delivered back to the hall. The Clerk asked who would be paying for the repairs it was agreed that the Parish Council would pay for the repairs (£90 per radiator plus delivery charges). Cllr Leach will forward the invoice to the Clerk who will set up an online payment. The Clerk reported that she had been unable to apply for the Jubilee Grant due to the strict criteria: the grant is for 20% of the project cost with a minimum grant of £7.5K. This would mean that a minimum project cost would be £37.5K and we would need proof that we had £30k in the bank account. In addition, we have to provide 3 separate quotes for the work. Cllr Leach said that it was increasingly difficult to get quotes and with rapidly rising costs, they go out of date very quickly. Nothing to report on the Farmers Market.

8.4. **Little Mead** - The Clerk was asked to schedule a spring meeting and it was noted that there were only a couple of weeks left of the planting season. The Clerk said that she would circulate the email with the update on progress from the owners.

8.5. **Local Elections 4 May 2023** – It was agreed that the Clerk would deliver the nomination papers to TMBC and Councillors standing will sign papers at the end of the meeting. Forms need to be submitted by 4<sup>th</sup> May. Cllrs Tyler and Bate will not be standing for the next Council, no new candidates have come forward but Councillors are pursuing some ideas. If places aren't filled, we are able to co-opt after 10<sup>th</sup> May.

8.6. **Website Upgrade** –. The Clerk reported that following a conversation with Nick Ward, it was confirmed that the Church are happy with the current website arrangements as it suits their current needs. The Clerk suggested that we consider a separate website just for the Parish Council as we have certain requirements that need to be fulfilled and we should get some quotes. Cllrs Oram and Sheldrick have contacts and will forward them to the Clerk.

8.7. **Bollards opposite the Rifleman** –Cllr Sheldrick reported that broken bollards have been repaired.

8.8. **Coronation Weekend** – To receive information on plans for celebrations. Cllr Redman reported that there would be a big event at Tonbridge Castle on 7<sup>th</sup> May. There are also various events planned in Plaxtol and a marquee at the Cricket Pitch. There will be an open-air church in Plaxtol for both parishes on 7<sup>th</sup> May.

9. **Communications** – \*Circulated in advance of the meeting.

KALC News March \*

KALC Becoming a Councillor – Information\*

KALC Becoming a Local Councillor – Encouraging your Community to Join in

TMBC - Voter ID requirements for the elections\*

KCC - Public consultation on its Community Services 17 January to 26 March 2023\*

TMBC - Council welcomes more public say in planning decisions\*

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<https://www.tmbc.gov.uk/news/article/92/council-welcomes-more-public-say-in-planning-decisions>

KCC - REVISED ELIGIBILITY CRITERIA Professional Referral Energy Voucher Scheme - Household Support Fund – Deadline 31 March 2023

KALC Climate Change Conference 2023 – 17<sup>th</sup> March 10-2pm\*

TMBC - Sign up for news from Tonbridge and Malling Borough Council **Residents wishing to register to receive the newsletter should visit** <https://www.tmbc.gov.uk/council/newsletter>\*

Kent Police & Crime Commissioner Newsletter - Victim Voice Special Edition

KALC - Coronation information events on the Coronation weekend from Saturday 6<sup>th</sup> May – Monday 8<sup>th</sup> May.\*

Parish Infrastructure Statement for completion 16<sup>th</sup> June 2023

KCC Home to School and Post-16 Transport for Mainstream and SEND Pupils – Deadline 21 March\*

Kent Dementia Showcase event taking place on the 19<sup>th</sup> May 2023 at the Kent Event Centre, Kent Showground, Detling – Free Event.

- 10. Chairs Action and Correspondence** – The Clerk reported that she had received an email from Sam Honey at PROW to say that nothing could be done about the surface of the MR392 footpath. He suggested that if it becomes really muddy then it should be closed to allow it time to recover. The Clerk was asked to respond to say that Highways have responsibility for the footpath surface and ask how it could be sorted.

**11. Finance & Policy**

- 11.1. Payment of Accounts** – Accounts were presented for agreement to pay: Proposed by Cllr Bate and seconded by Cllr Leach. Cllrs Bate and Redman signed the cheques. Cllrs Redman and Leach will do the online transfer.

Parish Clerk	Salary & Expenses	£528.77
HMRC – Clerks Tax & NI Contribution		£24.00
KALC - Year-end & audit workshop		£48.00
Ecoloc – Repair of radiators		£336.00

- 11.2 Timesheet Report** February - Circulated.

- 11.3 Approval of review of Standing Orders, Financial Regs, Asset Register and Risk Assessment** – A few amendments were suggested to the Risk Assessment and The Clerk will amend the document. Cllr Sheldrick reported that the bench in the bus stop needed to be repaired and Cllr Leach will recommend a carpenter. No amendments to the other documents which can be redated and uploaded to the website.

- 11.4 Audit** - The Clerk gave an update on the Internal Audit and reported that invoices should be initialled as well as cheque stubs. Bank statements and bank reconciliations should also be signed by a Councillor.

The Clerk reported that our Precept request of £14,140 has been approved. Our budget for next year is £16.372 and the difference of £2,232 will be funded by reserves that have been built up.

**12. Planning Matters – Agree information for newsletter**

**12.1 Planning Applications**

**TM/23/00270/LDP** - Brambleside Upper Green Road Shipbourne Tonbridge Kent TN11 9PH Lawful Development Certificate Proposed: the installation of solar panels to the rear face of the property. "Support".

**TM/23/00365/FL** -1 Silverhill Cottages, Dunks Green Road, Shipbourne, Tonbridge, Kent TN11 9RU Part one/ part two storey side extension (Revision to refused application TM/22/00335/FL). "No objection."

**TM/23/00401/FL TM/23/00402/LB** - Barn 30 Yards Northwest of Great Budds, Mote Road, Shipbourne, Tonbridge, Kent, Change of use of Grade II Listed Threshing Barn for use as wedding/entertainment Neil Luxton Barn 30 Yards Northwest Of Great Budds Mote Road Shipbourne Tonbridge Kent Listed Building Application: Change of use of Grade II Listed Threshing Barn for use as Wedding/Entertainment Venue. "Objection based on: highways, erosion of the tranquillity in AONB, impact on dark night skies, impact on neighbours and parking which should either be behind the house or further up the road. If TMBC is minded to approve the application then we would like to see certain conditions imposed on timings and parking". Cllr Bate will draft a full response and will circulate for approval prior to the Clerk sending it to TMBC.

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**TM/23/00457/CNA** - Rooks Hill House, Rooks Hill, Underriver, Sevenoaks, Kent, Consultation by Sevenoaks Borough Council (Reference: 23/00444/HOUSE): Installation of 72 ground mounted solar PV panels for domestic use. "We are concerned about the impact on the views in the AONB"

**12.2 Planning Applications Approved**

**TM/22/02731/FL** - New replacement garage in same position due to existing garages structural failings. Stumble Hill Cottage, Stumble Hill, Shipbourne, Tonbridge, Kent TN11 9PB.

**TM/22/00801/FL & TM/22/00802/LB**- Listed Building Application: Proposed internal alterations and reordering at ground floor level with new structural opening to connect with existing garage building, existing garage building and connecting redundant stables and proposed conversion of both elements and fenestration's alterations with new opening between structures to provide ground floor level habitable accommodation. Installation of external Air Water Heat Pump and installation of solar panels to east roof slope of Coach House. (Alterations to consented scheme TM/21/00013/LB).The Coach House, Puttenden Manor, Puttenden Road, Shipbourne, Tonbridge, Kent, TN11 9RH.

13. **To review submission to Parish March Newsletter** - Cllr Bate sent some suggested amendments to the Clerk. It was agreed that planning applications should be published in the newsletter, following comments from residents that they weren't aware of planning applications. The Clerk said that we needed to be mindful that the deadline for comments may have already passed by the time of publication of the newsletter due to the 21 day deadline.
14. **Urgent Business that occurs and requires attention before the next meeting** - Nothing to report.
15. **Date of next meeting** – Monday 3<sup>rd</sup> April 2023 – Shipbourne Village Hall at 7.00pm.

***Parish Elections will be held on Thursday 4<sup>th</sup> May and the first meeting of the new Council will be on Monday 15<sup>th</sup> May. Outgoing councillors officially retire from their appointment at 00:01 on Wednesday 10<sup>th</sup> May.***

*Cllr Sheldrick left the meeting at 9.30pm and the meeting went to Part 2.*

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