

## CHILHAM PARISH COUNCIL

### Minutes of the Meeting held at Old Wives Lees Village Hall on 2nd October, 2014 at 7.30pm

**Present:** Cllrs A Brown, D Kennett, R Lincoln, A Ralph (Chairman), A Ranns, H Tharp

**Apologies:** Cllrs B Glancy, G Swan

**In Attendance:** Mr G Dear (Clerk), Boro Cllr D Marriott, Community Warden Peter Willows, 1 members of the public

#### 10/1 Apologies

Cllr Glancy had advised the clerk that he would not be attending due to holiday.

The clerk had been advised that Cllr Swan would not be attending due to illness.

Cllr Ralph reported that he had sent cllr Swan a Get Well card on behalf of the parish council.

#### 10/2 Minutes of the meeting held on 4th September 2014

The minutes were signed as a true record. *Cllr Ranns and Cllr Lincoln abstained.*

#### 10/3 Minutes of the Annual Parish Meeting held on 17th April 2014

The minutes were signed as a true record. Cllr Ranns and Cllr Lincoln abstained.

**The meeting decided that the agenda item concerning Clerks Performance Review would be held in closed session due to the sensitive nature of the business to be considered.**

#### 10/4 Matters arising from the Minutes

(9/4) Review of Council Contracts:

The clerk was asked to investigate whether options should be considered for the internal audit contract as, with the transfer of the toilets, council accounts had become more complex so that a decision could be made in October.

*Resource Cttee meeting deferred until October, update required at November meeting*

(9/4) KALC – NALC updates including Model Financial Regulations

The Resources Cttee was asked to consider the proposed update to Financial Regulations at its July meeting.

*Resource Cttee meeting deferred until October, update required at November meeting*

(9/4) The Milestone Society – Survey of local milestones and advice on restoration

The clerk had contacted the ABC conservation officer with regard to listing the milestone and Kent Highways with regard to clearing vegetation to improve visibility.

With regard to listing the milestone, ABC advised that the milestone needs to:

- 1) Be demonstrably under serious threat of demolition or major alteration
- 2) Be a Designation Department priority under the National Heritage Protection Plan, and
- 3) Possess evident significance, and is obviously worthy of inclusion on the National Heritage List for England (eg lettered milestones in original positions are of interest).

*The clerk had submitted a listing application and had been asked to provide historical information and would be issuing an appeal for information to parishioners including other milestones in the parish.*

*Update required from the clerk at November meeting*

#### [Cllr Brown arrived at 7:37pm ]

(9/4) Yve White - Council charges for garden waste removal

Cllr Ralph was asked to raise this issue at the next KALC Ashford Area committee meeting.

The clerk had responded advising the action being taken. Cllr Ralph advised that he had made a request for the issue to be considered at the KALC Ashford Area meeting on 24th September.

*Cllr Ralph advised that ABC had agreed there would be no reduction in rates for pensioners but that the rate would not be increased if current tonnages are maintained.*

(9/4) ABC - Recycling Banks – collections expected to cease by 30th September 2014 – option for parishes to make individual arrangements

The clerk advised that volumes collected from the Taylors Hill recycling centre for 2013/14 had been obtained from ABC. There is an agenda item later in the meeting to consider this matter. Cllr Ralph had made a request for a borough-wide initiative on this issue to be considered at the KALC Ashford Area Committee on 24th September.

*Cllr Ralph reported that he had been asked to present this matter for discussion at the next Parish Forum.*

*The clerk was asked to publicise the planned date of removal (w/e 24<sup>th</sup> October) via Parish News, local press, noticeboards, PC website and parish contacts.*

(9/6) Correspondence from Ward Member on station car park management:

A paper from cllrs Kennett and Lincoln had been circulated to cllrs prior to the meeting.

*The clerk had clarified that 'free car parking' was not included in the s106 agreement.*

It was agreed that the paper should be reconsidered at the October meeting when this clarification had been obtained. There is an agenda item later in the meeting to consider this matter.

(9/6) Approach regarding a public right of way around Chilham Lakes:

A paper had been circulated to cllrs prior to the meeting.

*The clerk had arranged for cllrs Brown and Glancy to meet the owner of Chilham Lakes during September to discuss the footpath around the southern edge of the lakes.*

It was agreed that the paper should be reconsidered at the October meeting when the information gathered by cllrs Brown and Glancy could also be considered. There is an agenda item later in the meeting to consider this matter.

(9/8) Dr Lisa Stead – Location filming research project – Request to become a community partner

The meeting decided to become a community partner and request the terms of reference for the project before it starts.

*The clerk had responded accordingly but received no reply.*

(9/8) Roger Hopkins - Parish Council Meeting 7th August 2014 – Request that mobile phones should be switched off in the gallery during parish council meetings

(9/8) Malcolm Smith - Parish Council Meeting 7th August 2014 – Request that mobile phones should be switched off in the gallery during parish council meetings

A paper addressing issues raised in these items of correspondence had been circulated to cllrs prior to the meeting. The meeting agreed that, at the beginning of each parish council meeting, the chair should ask for all mobile phones to be switched to silent mode. Additionally, each meeting agenda should carry a polite notice to that effect. It was also agreed that Standing Orders should be updated to include this statement. Cllr Millar voted against.

*The clerk had updated Standing Orders and circulated the updated version to cllrs for their records.*

(9/8) KALC - Amendment to NALC's 2013 Model Standing Orders (England)

*Standing Orders had been updated to remove the clause preventing audio or video recording or photographs of the meeting.*

(9/8) KCC - Ashford District Rural Networking Meeting invitation

*The clerk had forwarded the invitation to OWL Toddlers Group and Chilham St Marys Pre-school*

(9/8) ACR Kent - Rural Community Retailer Competition

*The clerk had forwarded to parish contacts noting the deadline date.*

(9/10) Recycling Centre

A paper had been circulated to cllrs prior to the meeting.

Cllrs were asked to look for companies other than those advised by ABC that would provide an income for metal and glass.

*The clerk had forwarded to cllrs the original letter and the emails sent to the companies advised by ABC.*

It was agreed that the paper should be reconsidered at the October meeting when the information gathered by cllrs could also be considered. There is an agenda item later in the meeting to consider this matter.

(9/11) Improved Road Safety Issues:

*This item has been deferred until the November meeting.*

*Paper required from R&T team for November meeting.*

(9/11) Winter Snow Clearance Route:

*The clerk had requested that Cobbs Hill and Mulberry Hill are included in the snow clearance route for the coming winter but had been advised that KCC will not be making any changes to primary or secondary routes that serve Chilham.*

### **10/5 Declarations of Interest**

None.

### **10/6 Planning.**

#### **Decisions received from Ashford**

Application No. 14/00171/TC

Deepwell House, Chilham Castle Estate, Chilham

To fell one x Ash (T1)

**RAISE NO OBJECTION**

Application No. 14/00181/TP

Chilham Village Hall, Chilham Castle Estate, Chilham

4 x Sycamores (T2, T4, T5 and T6) - Section fell, 2 x Sycamores (T1 and T3) - Crown lift by 4/5 metres and remove dead wood. Section ivy

**GRANT CONSENT**

Application No. 14/00879/AS

Badgers Hill Farm, New Cut Road, Chilham

Erection of outbuilding for ancillary A3 use

**PERMIT**

Application No. 14/00894/AS

Fairview, Selling Road, Old Wives Lees

Erection of replacement dwelling (Amendments to application 12/00653/AS)

**PERMIT**

Application No. 14/01003/AS

Cherry Cottage, Green Lane, Old Wives Lees

Insertion of dormer window to front elevation

**PERMIT**

#### **Appeal Decisions Received**

Application No. 14/00143/AS

Hazelmere, Canterbury Road, Chilham

Conversion of a house into two flats

**ALLOWED**

#### **Applications Considered**

Application No. 14/01071/AS

Station Yard, Station Approach, Chilham

Change of use for a section of land adjacent to a school from sui generis to non-residential educational, D1

**SUPPORT with note that the site only became vacant in summer 2014, and not 2008 as suggested in the planning application**

Application No. 14/01092/AS

Barn and cold store at, Glebe Orchard, Bowerland Lane, Chilham

Change of Use of Agricultural Building to a Dwelling house

**SUPPORT**

Application No. 14/01115/AS  
Woodchip, Maidstone Road, Chilham  
Erection of a garage to front of property  
**SUPPORT**

Application No. 14/01210/AS  
Maslow Court, Canterbury Road, Chilham, Canterbury, Kent, CT4 8DZ  
Change of use of existing automotive training and assessment centre (class D1) to mixed use classes B2/D1 to allow the use of the building for commercial repair of vehicles in addition to the training and assessment  
**SUPPORT provided hours of trading remain unchanged from those allowed for the current usage**

**Tree Preservation Orders Received (for information only)**

Preservation Order No. TPO/14/00003  
Chilham Village Hall, Chilham Castle Estate, Chilham,  
T1 Blue atlantic cedar.

**Sawmills Development:**

Cllr Lincoln on a brief meeting with Orbit:-

- 1) There had been no progress on the site due to slow worms.
  - 2) The Environment Agency had approved a summary of surface water arrangements submitted by Orbit.
- It was agreed that Cllr Lincoln should pass this information to cllr Glancy due to his previous involvement in this matter.

**Correspondence from Ward Member on station car park management:**

A paper from cllrs Kennett and Lincoln had been circulated to cllrs prior to the meeting (AnnexA contains the paper).

**Following a proposal from cllr Brown, the meeting was adjourned to allow Cllr Marriott to speak on this matter.**

*It was agreed that cllrs should consider the matter further so that a decision on next steps could be taken at the November meeting.*

*The clerk was asked to obtain the latest information from ABC regarding the car park management scheme and circulate this to cllrs.*

**Approach regarding a public right of way around Chilham Lakes:**

A paper from cllrs Glancy and Tharp had been circulated to cllrs prior to the meeting.

The paper and its proposal was accepted with one amendment (AnnexB contains the amended paper).

*The clerk was asked to:-*

- 1) Request copies of the evidence of restrictions held by the owner*
- 2) Issue an appeal for evidence of use via local press, Parish News, PC website, parish contacts and noticeboards **after advising the owner***

*Cllrs Glancy and Tharp were asked to meet the owner again to explain the parish council approach to this matter.*

The matter would be considered again at the December meeting to allow sufficient time for the above information to be gathered.

## 10/7 Finance

### Accounts for 2014/15:

Payments:

The following payments were approved:

From the General Fund:

1843	G Dear	Sept salary	513.29
1844	G Dear - Expenses	Sept expenses	25.24
1845	K Jeffery	Sept litter pick/toilet cleaning	384.04
1846	ABC	THT-Business Rates	181.00
1847	South East Water	THT-WaterBill	16.00
1848	Canterbury City Council	PC Tips	16.00
1849	Staples	Office Supplies	19.99
1850	Staples	Office Supplies	26.98
1851	Staples	Office Supplies	23.45
1852	HMRC	PAYE payment	366.20
1853	Southern Electric	THT-ElectricBill	125.87
1854	PHS Group	THT-Materials	66.54
1855	Southern Water	THT-Waste Water	299.25

From Ringfenced Funds:

None

Total Payments 2,063.856

Cllr Lincoln reported that he and cllr Tharp had reviewed the timesheet and expenses submitted by the clerk for September and accepted them as reasonable.

## 10/8 Correspondence

(10/4) Diana Holbrook – Chilham Square – opportunity to revisit the CFDB consultation outcome

*The clerk was asked to request that CFDB responded directly copying in CPC and to advise Diana Holbrook accordingly.*

(10/5) R Brook – Comments on behaviour by parish councillors

*The clerk was asked to respond explaining that the offer of an independent review had been accepted in order to resolve the concerns raised.*

(10/8) Doug Marriott – Questions re Amenity Light in The Street and Need to Know policy

Action taken: email acknowledged with reference to August minutes to answer questions raised

(10/11) KALC - Police and Crime Commissioner Event on Wednesday 8th October

Action taken: forwarded to cllr Ralph

(10/13) Kent Film Office - Screen South - Kent in World War One Project August

Action taken: forwarded to parish contacts

(10/16) KALC – Parish News September 2014

Action taken: forwarded to cllrs

(10/24) ABC - Funding Fair organised by Case Kent and Ashford Borough Council

Action taken: forwarded to parish contacts

(10/30) Anthony Perrett – Chilham Square – Comments on letter from Diana Holbrook

*The clerk was asked to respond explaining the action agreed for item (10/4) above.*

(10/31) ABC – Dementia Helpline

Action taken: forwarded to parish contacts and flier placed on noticeboards

(10/33) St Marys PCC – Invitation to Licensing of Rev Sue Starkings

*The clerk was asked to forward the invitation to all cllrs.*

(10/35) KALC - Information to help your Parish/Town Council promote the 2015 elections  
*The clerk was asked to publicise this (and any future communication from KALC on this matter) via via local press, Parish News, PC website, parish contacts and noticeboards*

(10/36) Southeastern - Stakeholder Forum, Ashford, Kent, 28 October 1800 – 2000  
Action taken: forwarded to parish contacts

(10/37) KCC - Change of Telephone Numbers for KCC, Public Transport  
Action taken: forwarded to parish contacts

(10/40) Ringmaster emails:- suspicious vehicle, holiday message, spate of burglaries  
Action taken: forwarded to cllrs

(10/41) Trading Standard alerts:- roofing and garden maintenance rogue traders  
Action taken: forwarded to cllrs

(10/42) Elgin Roadworks alerts:- Denne Manor Lane, A252 Maidstone Road, A28 Ashford Road, A28 Canterbury Road  
Action taken: forwarded to cllrs

(10/43) Road Closures: None

(10/44) APEK Emails: APEK Partner Briefing – Stamp programme, APEK General Meeting and APEK Partners' Forum on Tuesday 16-9-14, APEK Partner Briefing – various, Preparation for Univeral Credit - Folkestone Jobcentre Plus, APEK Partner Briefing - Lloyds Bank Community Fund, East Kent Social Policy Group Meeting  
Action taken: forwarded to cllrs

### **10/9 Community Broadband**

An update from KCC had been circulated to cllrs prior to the meeting requesting that the deadline for returning the grant should not be acted upon.

Cllr Lincoln proposed that an ultimatum should be given to KCC (cc Cllr Andrew Wickham) to provide a final report by end October explaining how the issues preventing this project moving forward would be addressed, adding that if a satisfactory response was not forthcoming a cheque for returning the grant would be presented for approval at the November meeting. This proposal was approved by the meeting.

*The clerk was asked to respond to KCC accordingly.*

### **10/10 Recycling Centre**

A paper had been circulated to cllrs prior to the meeting (see Annex C).

As no information had been forthcoming from cllrs with regard to companies that could provide an income generating collection service for metal and glass, the meeting decided to :-

- 1) Agree to the removal of the Metal and Glass recycling bins.
- 2) Enter into an agreement with WhyNotRecycle bearing in mind there will be a responsibility to undertake the cleansing of the area around the banks.

*The clerk was asked to contact WhyNotRecycle in order to enter into an agreement.*

### **10/11 Emergency Planning**

A paper from cllr Lincoln had been circulated to cllrs prior to the meeting.

It was decided that cllrs Brown, Ranns and Tharp, with support from the clerk, would produce a proposed Emergency Plan based upon the template provided in the paper for consideration at the January meeting.

### **10/12 Highways**

#### **Winter Salting Routes:**

Cllr Lincoln expressed his disappointment at the response from Kent Highways not to consider including Cobbs Hill and Mulberry Hill in its winter salting routes.

*The clerk was asked to resubmit the request (cc Cllr Andrew Wickham) citing the number of houses along these 2 roads, the fact that both are steep hills and also bus routes.*

## **10/13 Meetings**

### **Independent Review:**

Cllr Lincoln reported that an introductory meeting had been held with the independent reviewers involving cllrs Ralph, Kennett, Lincoln and the clerk, and that it was expected that all cllrs would be involved in future stages of the review.

### **10/14 Village Reports**

Community Warden gave his monthly incident report at the meeting including advising of the crime awareness project Nonagon and the Community Warden consultation.

*The clerk was asked to publicise this consultation via local press, Parish News, PC website, parish contacts and noticeboards.*

### **CFDB:**

Cllr Ranns advised that there was nothing to report.

### **Xmas Tree in the Square:**

Cllr Kennett reported that a budget of £300 was anticipated and agreed to confirm the names on the working group.

*Cllr Kennett was asked to suggest to the working group that they submit a recycling grant bid limited to £300 to cover the costs of the event.*

### **Amenity Light in The Street:**

Cllr Lincoln reported that funding is in place to relocate the street light and that ABC will submit a planning application however the new position had not yet been decided.

### **War Graves Trip:**

Cllr Lincoln reported on a trip to the Somme organised by Len Budd that he and cllr Kennett and Boro Cllr Marriott and others from the parish had made to visit war graves of people from the parish of Chilham. He had found it a very moving experience.

## **10/15 Clerks Performance Review (Closed Session)**

Cllr Lincoln presented a report drafted by cllr Tharp and himself for the period ended 30th June 2014. A number of cllrs had submitted views on the clerk's work on behalf of the parish council and these will be held on file.

Council agreed that the clerk's performance had been very good over the period under review and unanimously accepted the report. Cllrs Lincoln and Tharp will report again in six months time.

*The meeting closed at 10:20pm.*

## **10/16 Date of next meeting**

6th November 2014 in Chilham Village Hall

715pm for 730pm

**PLEASE NOTE:** All updates reported under Matters Arising are recorded in *black italics*. All agreed actions are recorded in *red italics*.

## **ANNEX A: CHILHAM STATION CAR PARK**

### **REPORT FROM CLLRs DERRICK KENNETT AND ROY LINCOLN**

#### **BACKGROUND**

A planning application for a housing development at the Old Sawmills site in Chilham was approved by Ashford Borough Council (ABC) Planning Committee on 15th August 2012. At the same meeting an application for the development of a privately owned car park off Station Approach was also approved. Whilst representatives from Chilham Parish Council (CPC) and the Ward Member for Downs North Ward believed that free parking was a condition of the approval, this is not reflected in the minutes of the meeting. Unfortunately, the minutes were not challenged at the next meeting of the ABC Planning Committee.

The housing development approval was conditional on ABC agreeing a scheme for controlling the use and the management of a 'New Station Car Park'. Additionally, the approved scheme was to be implemented before the car park was brought into use.

Within the original application it is noted that 'the applicant is prepared to offer the car park without charge to bona fide rail passengers who live in the area and who would be given electronic passes to operate the barrier if they are installed, but they wish to retain the right to levy a charge up to the standard rate charged by other similar car parks'.

It would seem that the developer has interpreted the term 'no charge' to mean 'at cost', ie he would set a fee to recover costs but not seek to make a profit.

Another important point to appreciate is that ABC is not seeking to contract with a provider under outsourcing arrangements. The contract will effectively be between the provider and the general public.

#### **CURRENT POSITION**

CPC was advised at its meeting held on 1st May 2014, that ABC had approved a car park management scheme submitted on behalf of Stour Valley Estates. The submission outlined the capital costs identified by the developer, which he seeks to recover over a ten year period from 10 paying season ticket holders. A further 5 spaces are to be provided for casual day users at zero price. The ten season ticket spaces would be priced at £430 p.a. each.

The Ward Member has challenged the costing presented by the developer and offered his own shadow costs. Whilst elements of costs used by the contractor in his price calculations may be challenged, the question to be asked in the final analysis is whether or not the proposed user price is reasonable. As highlighted above, this will be a privately owned car park offering spaces to rail users living in the parish of Chilham. A price of £430 p.a. equates to a weekly price of £8.27. It may be difficult to argue that this offer price is unreasonable when compared to other similar privately owned and maintained car parks.

#### **PROPOSAL**

That CPC should reach a decision regarding its future position with regards to the New Station Car Park. The questions to be answered are :-

1(a) Should CPC continue to pursue zero priced parking for all 15 spaces on offer

1(b) If the answer to 1(a) is Yes, then how should it present its case

OR

2(a) Should CPC accept that zero pricing is not achievable given the circumstances in this case

2(b) If the answer to 2(a) is Yes, then does it accept that £430 p.a. is a reasonable price for season tickets at the car park or should it be at a lower price



## **ANNEX B: PUBLIC RIGHT OF WAY AROUND CHILHAM LAKES**

### **REPORT FROM CLLRS BEN GLANCY AND HELEN THARP**

#### **BACKGROUND**

At the August meeting, the parish council considered correspondence requesting for its support for a claim for a right of way on the footpath on the southern side of Chilham Lakes. The meeting expressed support for this claim and asked the clerk to query the status of the footpath. The KCC PROW Definitive Map team advised that evidence of use "without force, permission or secrecy" to a sufficient extent over a period of 20yrs would need to be provided in order to submit a claim for the path along the southern part of the lakes to become a PROW.

At the September meeting Cllrs Tharp and Glancy were asked to meet the owner of the lakes to discuss the matter and it was established that:-

1) The owner had evidence of restrictions put in place to prevent the public use of the path on the southern side of the lakes.

*The owner referred to evidence that the southern side of the lakes has been closed to the public for extensive periods dating back to the early 90's. This evidence could be provided on request.*

2) The proximity to the fishing jetties of the footpath on the southern side of the lake would deter fishermen if it was used by the public and this would have a detrimental effect of the owners business.

*The footpath on the northern side has been widened and levelled to increase walking access and to further separate the public from the fisherman and their rented spots. Unfortunately the same cannot be achieved on the southern side as the river runs parallel to the footpath which runs adjacent to the fishing spots so there is no scope to widen the path and separate the public from the fishing spots. The owner explained that with little to no distance between the fishing spots and the public, members will not book these spots and the lake overall capacity will be halved. This, in turn would halve revenue and potentially render the entire operation financially unviable.*

3) The fencing surrounding the lakes is necessary to prevent otters from gaining access to the lakes.

*The fencing is essential to prevent the fish stocks. Fencing of this type is common on these type of match lakes and otters have been seen in the lake prior to the fence erecting.*

4) The Windmill

The windmill is an air circulator which keeps the lake oxygenated without using power and is silent

#### **PROPOSAL**

That the parish council reassesses its position in the light of this information and considers the following next steps:

1) Request copies of the evidence of restrictions held by the owner

2) Issue an appeal for evidence of use via local press, Parish News, PC website and noticeboards

3) Consider the matter further when the above information has been gathered (ie at the December meeting to allow the public to get back to us with their evidence of use)

4) Cllrs Glancy and Tharp should meet the owner again to explain the parish council approach to this matter.

## **ANNEX C: RECYCLING CENTRE**

### **BACKGROUND**

At the August meeting, the parish council considered correspondence from ABC advising that the bins in the recycling centre in Taylors Hill car park would be removed after 30th September. ABC also advised that Biffa currently undertake the cleansing of the area around the banks and charge a separate sum for this service. Parishes interested in retaining any/all of their banks will have to take on this responsibility in addition to the management contracts for the emptying of the banks. Contact details of potential companies were provided.

The clerk was asked to contact these companies and identify the options available specifying the estimated annual tonnages collected (ie Paper - 20 tonnes; Metal – 20 tonnes; Glass – 32 tonnes). The outcome from these investigations is listed below.

Metal (Aylesford Metal Company):

Income: £0

Collection: £360 - 2 visits per month at £15 per visit based upon 20 tonnes p.a.

Glass (Berrymans):

Income: £0

Collection: £480 - based upon 32 tonnes at £15 per tonne

Paper (WhyNotRecycle):

Income: £1160 – based upon 20 tonnes at £58 per tonne (current rates)

Collection: £0

At the September meeting, cllrs were asked to look for companies other than those advised by ABC that would provide an income for metal and glass.

### **RECOMMENDATION**

That the parish council :-

- 1) Agrees to the removal of the Metal and Glass recycling bins.
- 2) Enters into an agreement with WyeNotRecycle bearing in mind there will be a responsibility to undertake the cleansing of the area around the banks.
- 3) Decides whether to continue looking for companies that would provide an income for metal and glass.