

CAPEL PARISH COUNCIL

Emma Ivory – Clerk
Falmouth Place, Five Oak Green
TN12 6RD clerk@capelpc.co.uk

The Parish Council meeting of CAPEL PARISH COUNCIL held in Capel Village Hall, Falmouth Place, Five Oak Green TN12 6RD at 7.30pm on 16th December 2019.

In Attendance: Cllrs Hugh Patterson, Charles Mackonochie, Trevor Sawyer, Chris Parker, Suzi Rich & Jim Young.

MINUTES

Minute
No

504 1) **ADMINISTRATION** Fire Exits, Sign In Sheets, Assembly Point, Mobile Phones, intention to film or record the meeting. **Cllrs Young and Patterson recorded the meeting in the absence of the Clerk for the purpose of the minutes.**

505 2) **APOLOGIES** – to receive and accept apologies for absence. **Apologies received for Cllr Roberts who is on holiday, Cllr Saunders work commitments, Cllr Fenton family emergency and the Clerk family emergency.**

506 3) **DECLARATION OF INTEREST & CHANGES TO REGISTER OF INTEREST** - Declarations of Pecuniary interests on any item on the agenda. Where any councillor has a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) in any matter to be considered at a meeting of the Council, a committee, sub-committee or joint committee, they must withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter unless a dispensation has been obtained from the Monitoring Officer. **Cllrs Patterson and Rich declared an interest in Item 9F – Pavilion security fencing.**

507 4) **CHAIRMAN'S ANNOUNCEMENTS** – The Chairman invited the councillors for a Christmas drink following the meeting.

508 5) **APPROVAL OF MINUTES**

a) To consider the minutes of the Full Council Meeting of 25th November 2019 and if in order to authorise the Chair to sign as a true and accurate record. **Minutes to be approved at next full council meeting.**

b) To receive the minutes of the Planning Committee 25th November 2019. **Received.**

509 6) **MATTERS ARISING FROM PREVIOUS MINUTES NOT COVERED IN CURRENT AGENDA**

a) Update following formal request to TWBC for the whole of Capel be designated for the purposes of a Neighbourhood Plan. **The Chairman read aloud the following email response, which was received today from Stephen Baughen, TWBC;**

Dear Emma

Re: Capel Parish Council application for designation of Capel Parish as a Neighbourhood Area for a Neighbourhood Development Plan.

I refer to your letter dated 14th October 2019, emailed on 15th October 2019, to my colleague William Benson (Chief Executive) regarding the above. My apologies for the delay in responding. I have reviewed the application, covering the entire parish of Capel (and no wider).

Various amendments have been made to the Neighbourhood Planning (General) Regulations 2012 which have simplified the process of designation, including removing the requirement to carry out public consultation on an area

designation application where the application is made by the appropriate parish council and relates to an area which is the whole parish.

I will be undertaking a final review of the application this week, and preparing a report to the Portfolio Holder for Planning and Transportation (and Leader) Cllr Alan McDermott. Subject to my final review of the application, this report will recommend that the designation of a neighbourhood plan area for the purposes of producing a Neighbourhood Development Plan for Capel be approved.

I anticipate that this report will be published on the TWBC website in w/c 6th January 2020, which will start a minimum five day consultation period.

Subject to the outcome of the consultation period, a Decision Notice will then be published on the website. All decisions by Portfolio Holders are subject to a five day call-in period and take effect on the sixth day if not called-in.

I will email/call you on 6th January 2020 to confirm the exact timetable for the above.

In the meantime please do not hesitate to contact me if you have any queries regarding the above.

Yours sincerely,

Steve Baughen
Head of Planning

510 7) **EXTERNAL REPORTS**

- a. Borough Councillors Report – Refuse collection has improved significantly, very few major problems. The previously submitted request for funding for community groups from TWBC, as per their instruction, by the Clerk for the community groups - Path Rangers and SE in Bloom should be available in February 2020. With regards to the usage of the fortnightly refuse collection from the village hall car park it is difficult to establish the specific tonnage, specifically as the refuse lorry goes to other locations after Five Oak Green but before tipping. However, there will be further investigation to find out if usage levels can be establish using the weighbridge tickets. TWBC are happy to assist should the parish council wish to amend the current service.
- b. County Councillors Report – **None.**

511 8) **COMMITTEE REPORTS**

a) **Finance & Resources Committee**

- i) To consider the timetable, and meetings required, for agreeing budget and precept for 2020/21. **The deadline for budget and precept submissions to TWBC is 17th January 2020. Cllr Mackonochie has spoken to Lee Collier, Finance Director at TWBC who has given the following three options;**
 - To set an extraordinary meeting of the council following the planned F&R meeting on 9th January but before the 17th January to Resolve the budget recommendation by full council.
 - For all Councillors to attend the forthcoming Finance and Resources meeting on the 9th January and then to extend to an Extraordinary Full Council meeting to Resolve the final budget in time for the submission on 17th January 2020.
 - F&R to meet in January and inform Lee Collier of the recommendation which will be made to full council. Any subsequent changes at full council would need to be communicated and/or if the recommendation was Resolved.

All councillors present agreed all councillors would attend the forthcoming F&R meeting which would then extend into a full council meeting to Resolve the recommendation from F&R. Cllr Mackonochie specifically requested parishioners are made aware the F&R and Extraordinary full council meetings.

- ii) Cheques for payment. **Noted.**
- iii) Accounts – November. **Noted.**
- iv) Bank Reconciliation – November. **Noted.**

b) **Staff, Office & Administration**

- i) To Resolve adopt the new NALC employment contract for the role of RFO and to Ratify the hourly rate. **Cllr Young previously circulated the final draft of the employment contract for review by all councillors, namely section 2 which refers to continuous service beginning from the temporary contract start date of 22nd August 2019. Cllr Young has taken advice from HR Services and KALC who both agree continuous service should be maintained from the original August start date of the initial temporary contract – this will have a direct effect on annual leave and any other date specific queries. Another query was on the ability to claim time and mileage from the RFO's home address to council and committee meetings, this has been addressed by inserting a clause which lists the meeting places but confirming time and mileage can be claimed. There is no obligation for the council to make an employers contribution to the pension scheme as the RFO's earnings are below the threshold, this can be amended at a later date should council wish. The permanent employment contract will commence from 1st January 2020. RESOLVED - Proposed by Cllr Sawyer, seconded by Cllr Parker and agreed by all present with the acceptance of Cllr Mackonochie who abstained due to not being able to access the email with the amendments sent previously by Cllr Young.**

c) **Planning Committee**

- i) Update - Kings Head following request for a Section 215 to be imposed by TWBC. **In the absence of Cllr Saunders, Chair of the Planning Committee, no update was received.**

- d) **Flooding Committee - Environment Agency have issued flood warnings for the area twice. Nothing further to report.**

- e) **Housing & Memorial Cottages Committee - Nothing to report.**

f) **Recreation Ground Improvements and Regeneration Committee**

- i) To discuss and Resolve to enter into a formal tripartite agreement between CPC, the Charity and Ibstock Enover Trust following legal advice from Warners Solicitors. Resolved to sign the agreement subject to the changes advised by Warners Solicitors. Proposed by Cllr Mackonochie, seconded by Cllr Young – all other councillors with the exception of Cllr ++++ who abstained.

512 9) **PARISH MATTERS**

- a) Report from future of Save Capel meeting 02/12/19. **CPC have representation on the SaveCapel steering group, there has been an ongoing discussion on the future of SaveCapel and how it will be organised. In terms of making it ready for post Reg 18 and possible public enquiry into the TWBC Local Plan the SaveCapel organisation is planning an AGM at the end of January to elect a leadership under a new structure which will be accountable to its members. CPC previously decided to reduce its representation on SaveCapel to one person, up until now there has been three representatives and the Chair feels this is no longer necessary. Cllr Patterson suggested he remain as the representative of CPC until the annual parish council meeting in 2020. All councillors present in agreement.**
- b) Report from TWBC Strategic sites meeting on 4th December from Cllr Fenton and to agree a representative at the meetings on 8th January and 5th February 2020 both to start at 9.30am. **Cllr Parker asked if TWBC would consider additional representation by CPC, this has already been requested by the Clerk which is an ongoing discussion with TWBC. CPC is awaiting a response from Stephen Baughen. Cllr Fenton attended the previous two meetings. Cllr Mackonochie agreed to attend the meeting on 8th January. It was agreed the attendee for the February meeting would be agreed at the next CPC meeting to allow the three absent councillors to volunteer. The Chair suggested Cllr Fenton provide a written report of the previous email and circulate to all council.**
- c) Stone Castle Liaison Committee update. **Cllr Mackonochie previously circulated the Sustainability Report which claims there is no significant adverse effect, which ignores the proposed TWBC Local Plan, green belt, flooding risk and are also suggesting it will not add to the green house emissions. Response required by mid-January. Cllr Mackonochie to circulate bullet point response to all councillors ahead of the Clerk formally responding.**

- d) To discuss and Resolve to include the following points in the Highways Improvement Plan;
- i) Socium (DHA) highways improvement strategy report 2018
 - ii) Red tarmac at entrances to Five Oak Green
 - iii) Painted signage on the road both ways on the approach to Capel Primary school
 - iv) New gateway near Capel Primary school
 - v) Improvement to gateway on entrance to Five Oak Green (Badsell Road)
 - vi) Reduce speed limit by 10 mph on the B2017 within Tudeley, the built-up area of Five Oak Green and Alders Road. **Include Whetsted Road. Reducing Alders Road by 10mph isn't enough as this would then be a 50mph speed limit. Request for Alders Road to be 40mph – made as a separate request.**
 - vii) Prioritise additional signage and implementation of weight limit for Whetsted Bridge. **Implementation of weight and/or length limit.**

In addition to the above councillors would like the following to be included on the plan – Three average speed cameras in the parish, deflection on carriage way by Primary School, investigation into Whetsted north junction A228, Hartlake junction renewed markings, left turn only when exiting Alders Road onto Colts Hill, no right turn into Crittenden Road. This are all additional items to be investigated. Colts Hill to be included, however this may be a national discussion rather than local.

- e) To discuss replacing existing chain-link allotment fence at an approximate cost of £7,000. **Councillors would like to investigate the option of planting holly bushes or similar along the fence line once it has been repaired. It was agreed this item would be discussed at the next Recreation Ground committee meeting for recommendation. In the meantime, the padlock on the gate to the entrance to the orchard will not be replaced. It was agreed for the Clerk to contact the United Church regarding installing a security light and possible CCTV, the recent break-ins at the allotment was accessed via the gate from the church carpark into the orchard.**
- f) To Resolve to contribute towards cost of installing security fencing on pavilion to combat anti-social behaviour, total cost £3,748.45. **Cllr Patterson and Cllr Rich did not participate in the discussion nor decisions. The item was chaired by Cllr Sawyer. It was agreed the item would be deferred to the forthcoming F&R committee for further discussion and a recommendation to full council.**

513 10) **CORRESPONDENCE RECEIVED**

514 11) **REPRESENTATION AT MEETINGS – Cllr Sawyer recently attended the KALC AGM and the KALC area committee meeting. Cllr Mackonochie also attended both meetings and reported back there was a discussion on large increases on parish precepts and that there should be evidence to show engagement with parishioners which clearly demonstrates what the rise is for and what it will achieve. There were three motions, the first came from Swale stating there were too many houses proposed in Kent and KALC should do representations to the Government, the motion was carried. Also, from Swale in future air quality should be measured in advance of sites being entered into local plans as there is a danger buildings could be approved and air quality only measured post build with no comparison prior to building works. In Ireland 2013 the act was past making trespass on private land a criminal act, England is yet to follow, and it remains a civil offence. At the area committee a presentation from the Kent Rural Task Force. Update on Neighbourhood Plans – Paddock Wood Town Council plan has temporarily stalled, Pembury Parish Council are considering producing a plan, Speldhurst will not be producing a plan.**

515 12) **QUESTIONS FROM MEMBERS – No questions.**

516 13) **CLERK'S REPORT – on behalf of the Clerk the Chair spoke about the possibility of investigating further the replacement of the existing CCTV due to age and issues with initial installation. It was agreed this would be discussed further at the next F&R meeting in January.**

517 14) **ADJOURNMENT TO HEAR FROM MEMBERS OF THE PUBLIC - Member of the public commented in excess of £2,000 of equipment was stolen in the recent two break-ins to the allotment sheds. A large pickaxe was also reported to have been hidden behind a bush in the recreation ground. The Chair responded by reading a recent email from the PCSO who has actively been knocking door to door to reassure parishioners and suggested a CCTV camera be installed at the church. There will be a regular police presence in the parish for the time being. Clerk and Cllr Saunders to**

arrange a meeting with a CCTV provider, police PCSO and the allotment holders to establish how to address the security issue going forward. The Borough Councillor suggested she raise the issue with the CSU regarding out of hours patrolling of the area. A member of the public thanked the local PCSO's for actively contacting parishioners and helpful advice on security, the Chair echoed these comments.

Another member of the public commented that Hartlake Road had recently become a rat run due to congestion, especially early in the morning following the opening of the new A21. They asked if a speed reduction could be investigated. The Chair acknowledged the issues and suggested this be added to the Highways Improvement Plan document. The Borough Councillor confirmed there is a speed issue and the matter has been previously raised, she will raise this again when she meets with the Police Crime Commissioner. The Hartlake Road is currently national speed limit of 60mph.

The condition of the Kings Head pub was raised by the owners of a neighbouring property, the owner of the Kings Head promised over a year ago to rectify the issue of the neighbouring wall being removed and to render the external wall. There are now signs of damp in the neighbouring property. They have concerns the property will be sold and the problem not addressed. The Chairman commented no progressed had been made further the to councils request for a Section 215 to be imposed and requested the member of the public email the Clerk with further details. The Borough Councillor requested the member of the public make direct contact with her for her to raise the issue with TWBC Building Control.

518 15) **DATE OF NEXT MEETING – 27th January 2020**

With no further business to be discussed meeting closed at 20.45.

Signed Dated: