

Minutes of the meeting of Borough Green Parish Council held at 7.30pm on Monday 4 July 2011 in the Committee Room of Borough Green Village Hall  
 Present: Cllrs M Taylor (Chairman), L Chown, C Dobson, S Millener, Ms P Moorecroft, S Perry, T Shaw, Cllr Yianni.  
 There were three members of the public in attendance.

	<u>Action</u>
41. <b>Apologies</b> for absence were received from Cllrs Mrs S Gould, G Harrington, H Willard T&MBCllrs D Evans and Mrs S Murray.	
42. <b>Declarations of Interest</b> In the course of normal business being conducted all Councillors confirmed that that they are open-minded and that any comments they make are done so without bias, pre-disposition or pre-determination, irrespective of personal comments made outside the meeting. Councillors will take into account any relevant information put before them and not rule out any factors before reaching a final decision. Cllr Taylor declared an interest in item 47 Correspondence – Request for financial assistance: BGVHMC. Cllr Shaw declared an interest in item 53 Correspondence – Request for financial assistance: BGP School Cllr Taylor declared an interest in item 53 Cheques for signature - Skate Park maintenance.	
43. <b>Minutes of the Meeting 6 June 2011</b> All members had received copies of the minutes. Chairman proposed that they be approved and Signed. RESOLVED.	
44. <b>Matters Arising</b> 27. Annual Meeting. 19 Pedestrian crossing pelicanisation: KCC advised that this will be considered by the Joint Transportation Board with a view to considering a history and study of the areas involved. 29. Chairman attended the recent T&M community Safety Partnership-led Environmental visual Audit in Borough Green. All councillors had received copies of the proposed Action Plan.	
45. <b>Planning Matters</b> (i) TM/11/00320/FL. Retention of illuminated signs. 68 Western Rd. Permission granted. TM/11/00517/FL Canopy and security shuttering. 68 Western Rd. Permission refused. (ii) TM/11/00880/FL Replacement garage, <b>Rose Cottage, Basted Mill</b> . No observations. (iii) TM/11/01440/FL Side and rear extensions, replacement porch and integral garage– <b>12 Normanhurst Rd</b> Observation: Considered to be overbearing for the site. (iv) <b>Kent Minerals &amp; Waste Consultations:</b> Chairman had circulated a draft response to all councillors. There was particular consideration of the Energy from Waste proposal and the two requested extensions to Celcon's sand extraction. Concerns were raised about possible contamination of land by treated timber, emissions and traffic-related issues. Amendments were agreed. Chairman will pass amended response to the Clerk for submission. (v) TM/11/01191/FL <b>Isles Quarry</b> - Erection of 177 dwellings, creation of 6.82 ha of public open space incl. play area, new vehicular access onto Haul Road and modified vehicular access onto Quarry Hill roundabout. Access roads, footpaths, landscaping, all associated infrastructure, removal of bridge deck to Isles Quarry East. (a) A draft letter from the Chairman to the Planning Inspectorate had been circulated to all Cllrs. Noted (b) A letter from the Chairman's to the Environment Agency had been circulated to all Cllrs. Noted (c) A resident's copy letter of objection to T&MBC had been circulated to all Cllrs. Noted (d) A response to from T&MBCllrs D Evans and Mrs S Murray had been circulated to all councillors. Noted (e) Chairman advised that he had called for and arranged a Parish Meeting Tuesday 19 July 2011 in BGVH to receive Counsel's Opinion as to whether the Parish Council should take legal action in connection with the possible invalidity of the Parish Plan and, consequently, the invalidity of the Local Development Framework and to consider whether to engage in legal action against Tonbridge & Malling Borough Council in the light of proposed Isles Quarry West housing. This was supported by Cllr Yianni. Voting was 7 in favour. 1 abstention. (f) Chairman had circulated a proposed draft response to all councillors. There was considerable discussion incl matters in connection with Green Belt land, sewage disposal, traffic issues and removal of Thong Lane bridge. Chairman proposed that the response be sent with one amendment at item 3.3. Seconded by Cllr Shaw. Voting was 7 in favour, 1 abstention. RESOLVED.	MT
(vi) KCC/0280/2011 & KCC/0282/2011 Electricity Sub-Station and Gas Utilisation Plant, <b>Stangate Landfill Site</b> , Mill Lane. Chairman read a suggested letter of response. There was some discussion about possible noise nuisance: additional comment agreed for inclusion. Chairman will pass amended letter to Clerk for submission.	MT

46. **Period for Public Consultation**

All Cllrs had received copies of a letter from Hornet Engineering. A representative of the company raised objections to the Isles Quarry planning application with particular regard to the need for sound barriers; retaining walls, drainage and design of the access roads to and nearby the area. In response to concerns raised, at a forthcoming meeting with KHS Chairman will ask for attention to be given to weed clearance of highways and footways. Chairman will also ask KHS and T&M Community Safety partnership to work together to ensure that Station Approach is kept accessible and safe during bad weather conditions. T&MBC will be asked to monitor the car sales firm, Maidstone Road, to ensure that the footway is not obstructed.

MT

MT

47. **Correspondence****Noted:**

Rural Services Network Newsletters (copies to all Cllrs)  
 KCC Regular Trading Standards alerts (copies to all Cllrs)  
 Kent Can Newsletters (copies to all Cllrs)  
 JPCTCG Minutes + Cllrs Shaw and Perry have been nominated BGPC reps for the MAP meetings. Next JPCTCG mtg. 20.06.11 & letter to Borough Cllrs to support J5slips (copies of all to all Cllrs)  
 T&MBC PPP minutes 26.05.11 (Copies to all Cllrs)  
 Borodara Invite for Chairman to attend Thanksgiving Service 20 Oct.2011. Accepted.  
 BG-TAG Copy letter to KCC Leader re BG pedestrian crossings project A25 and A227.  
 BMPOSJC Minutes of the mtg 03.05.11, 2010/11 a/cs + Chairman's Report 2010/11 (Copies to all Cllrs)  
 Action with Communities in Rural Kent Newsletter no 103 (Copies to all Cllrs)  
 KCC Part diversion of FP MR251 BG Sandpit  
 Kent Fire & Rescue Service Performance Plan 2011/12 (Copies to all Cllrs)  
 T&MBC Summer Activate programme 2011  
 T&MBC Summer Playscheme information 2011  
 T&MBC Area 2 Planning Cttee agenda 18.06.11 (Copies to all Cllrs)  
 Volunteer Centre Tonbridge Invite to AGM 29.06.11 (Copies to all Cllrs)  
 T&MBC Street naming, 1st floor flat 9 Western Rd - 9A Western Rd  
 KALC Parish News first 'e' version available on KALC website  
 KALC Kent Forum Briefing (Copies to all Cllrs)  
 Fields in Trust The Queen Elizabeth 11 Fields Challenge update on nominated areas Information at [www.qe2fields.com](http://www.qe2fields.com) (Copies to all Cllrs)  
 T&MBC 'Streetwork' initiative: to raise awareness of young people of consequences of anti-social behaviour and to keep them safe from fire and safe on roads. Any relevant locations to be identified. (Copies to all Cllrs)

**KALC** Draft Vision for Kent 2011-2021 consultation period. Online questionnaire available at [kentforum@kent.gov.uk](mailto:kentforum@kent.gov.uk) for response by 22.08.11 (Copies to all Cllrs) Chairman and Cllr Shaw will prepare a draft submission for consideration at the next meeting.

MT/TS

**Men of the Trees** competition 2011 Annual walkabout 2.30pm 18 June 2011. Chairman and Cllr Harrington will attend.

MT/GH

**KHS** Planned work to remove block paved areas of highway in High St o/s Nat West Bank and at j/o A25 + positive response by Chairman (Copies to all Cllrs). Noted. Chairman gave further information. There was some discussion about traffic issues at this location.

**T&MBC** Update from the Chief Solicitor and Monitoring Officer on the Code of Conduct: government's proposed reform and its effects; currently complaints against Cllrs must be directed to the Monitoring Officer in the first instance; any nomination to serve on T&MBC's Standards Cttee to be made by 08.07.11 (copies to all Cllrs). Subsequent correspondence between Chairman and Monitoring Officer on complaints procedure had been circulated to all Cllrs: strong advice from the Monitoring Officer not to add Standards to the remit of the Complaints Cttee had been circulated to all Cllrs. All noted. Some concern was raised about the attitude and tone of some BGPCllr e-mails: this does not bode well for the image of the new council.

**BGVHMC** request for grant towards cost of lift installation (estimate awaited) AGREED that funds are not available this year but consideration would be given to a new request for the next F/Y.

**BGPPA** request for grant towards the centenary celebrations of the Primary School, specifically the dedication of a new clock (copies to all Cllrs) Cllr Shaw gave further information but did not take part in any discussion. AGREED for consideration at the next meeting.

**T&MBC** Invitation to Mayor's ball 03.08.11. Cllr Perry will try to attend.

SP

**48. Audit of BGPC accounts 2010/2011 and appointment of Internal Auditor**

- (i) The Internal Auditor's report is awaited. Clerk has been liaising. The Audit Return has been submitted to the Audit Commission.
- (ii) Appointment of Internal Auditor: details awaited.

**49. Potters Mede Ground Improvements**

- (i) Chairman advised that Potters Mede Environmental (PME) has not yet been able to make contact with Cemex. It was confirmed that BGPC has already resolved to fund – over and above the grant money currently held by PME – the ground improvement works to completion.
- (ii) Chairman advised that the Agronomist's report has been received by PME.
- (iii) Chairman attended a meeting of PME for the opening of the pitch improvement tenders.
- (iv) Chairman's liaison with Gallagher Aggregates was noted.
- (v) There was discussion about the possible provision of a third pitch. PME will be asked to ascertain from the tenderers the likely costs involved in improving two pitches. Expensive ditch works could be undertaken in-house. Clerk had given all Cllrs details of available funds.

MT/HW

**50. Potters Mede Pavilion**

- (i) All Cllrs had received copies of the accepted tender submission letter from T Woolven plus the specification sent with the invitations to tender. Clerk has requested names of two referees and evidence of the consultant's PI insurance. Clerk had given all Cllrs details of available funds. Chairman gave all Cllrs copies of an outline plan prepared by the architect: there was discussion about alterations required and Football Foundation (FF) standards, regulations and guidelines. It was AGREED that, whilst the latter should be kept firmly in mind, because of costs involved, consideration will be given to meeting FF criteria as the scheme progresses. Chairman advised that Gallagher Aggregates have offered to assist with the preparation of a specification, tendering procedures, costings and CDM services.
- (ii) Chairman advised that H+H Celcon have offered to supply insulation blocks for internal and external use, at an extremely competitive price. The Celcon works visit will take place at 2.30pm on 7 July 2011. Chairman and Cllrs Chown, Harrington, Ms Moorecroft and Millener will try to attend.
- (iii) Further information from the architect will be awaited. The Steering Group will continue to liaise.

MT/LC/  
GH/ PM  
SM  
MT/HW/  
SM**51. 2005 Parish Plan**

- (i) An e-mail report from the Chairman regarding the validity of the Plan had been sent to T&MBC and circulated to all councillors
- (ii-iv) Chairman reported on his preliminary discussions with a Barrister, M Horton QC, about the possible invalidity of the Parish Plan and LDF, advising that this is a very complex case. All Cllrs had received copies of e-mails in connection with Chairman/Police action. There was considerable discussion, including removal of documents by the Chairman from the Parish Office; lack of knowledge by parish councillors about evidence given to the Police and Barrister by the Chairman. Cllr Perry suggested that before legal action taken, more time be given by the parish council to look at all the evidence. Clerk advised that there had been opportunities to raise objections to the LDF during its consultation/ adoption processes and these had long since passed. Chairman proposed that Counsel's Opinion be sought from M Horton QC as to whether the invalidity of the 2005 Borough Green Parish Action Plan, as part of the evidence base of the Tonbridge & Malling Borough Council's Local Development Framework, renders that part of the LDF unsound, for the agreed fee of £5,000 + VAT. Payment to be made by BACS immediately. Chairman will meet with the Barrister to go through the evidence. Seconded by Cllr Shaw. Voting was 7 in favour, 1 against, 1 abstention. RESOLVED.

**52. Recreation Ground**

- (i) Tree overhanging r/o/9 Black Horse Mews: following his site inspection, Chairman proposed that Mr Lawrenson be instructed to carry out minor tree surgery in liaison with T&MBC Trees Officer. RESOLVED to a limit of £200 expenditure.
- (ii) Request from the Baptist Church Youth Groups to use the ground 6 - 7.30pm 15 July 2011 AGREED.

**53. Cheques for Signature**

Payments as listed and circulated to all Cllrs.

BACS:

£2735.37 Staff salaries June 2011

£528.22 KCC - Superannuation June 2011

£246.73 SE Contracting - Street lighting repairs, Ascot Close and Lingfield Rd

£226.94 SE Contracting - Street lighting maintenance June 2011

**Cheques for Signature (Continued)****BACS (Continued)**

£190.95 Wrotham PC - Skate Park maintenance May 2011  
 £750.00 BGVHMC - Hire of Parish Office April - June 2011  
 £34.00 Kidmans - Grounds maintenance equipment  
 £118.80 Wicksteed Leisure Ltd - Annual play equipment inspection  
 £53.00 T&MBC - Rates, Memorial Pavilion July 2011  
 £1344.00 How Green Nursery Ltd - Hanging baskets (Pt payment)  
 £153.97 KCC - Rec Gds & office supplies  
 £1865.92 Inland Revenue - PAYE/NI April - June 2011  
 £360.26 E-on - Street lighting supply, June 2011  
 £60.00 J Stephens – Websites maintenance June 2011  
 £6000.00 M Horton QC – Barrister's fee, Counsel's Opinion P Plan/LDF

551 £500.00 Quintain Young Explorers – Donation  
 552 £50.00 Navigus Planning - Journal of Local Planning, annual subscription  
 553 £211.33 Cash - Rec Gds Imprest a/c reimbursement incl PM tendering expenses  
 554 £206.09 Cash - P Cash reimbursement + te/b.band April - June 2011  
 555 £20.00 Kent County Playing Fields Assn. - Subs 2011/12

Proposed by Cllr Perry, seconded by Cllr Ms Moorecroft hat the above payments be made. RESOLVED

**54. Future dates and location of meetings**

- (i) Agreed that future meetings will be held in the Annexe to the Church of the Good Shepherd Shepherd.
- (ii) Date of the next Meeting Monday 1 August 2011 commencing at 7.30 pm.
- (iii) The Parish Office, located within Borough Green Village Hall, will be open with two Parish Councillors present on Saturday 30 July 2011 10 – 12 noon

MY/GH

**55. Street Lighting**

Cllrs Dobson and Harrington have inspected the BGPC-owned columns and details of faults will be passed to the Clerk for action by the maintenance contractor. Regular checks will be made.

CD/GH

**56. Saltbins/Winter Plan**

- (i) All Cllrs had received copies of the updated plan showing existing and proposed salt bin locations, together with the standard letter sent to relevant landowners and details of equipment. These documents form the BGPC 'Winter Plan'. Supplies of salt are kept at Kent Aluminium, Western Road.
- (ii) It was noted that Malling Area Partnership may act as a central body to purchase and supply future supplies and equipment on behalf of parish councils. Cllrs Perry and Shaw will continue to liaise

SP/TS

**57. Borough Green Parking Review**

- (i) There was some discussion about the need for a further parking review but it was AGREED that no action is required at present.
- (ii) All Cllrs had received copies of a letter from a resident expressing concern about parking in Quarry Hill Road. Chairman will liaise with the resident.

MT

**58. Hedges**

All Cllrs had received copies of a draft letter to be sent to residents where hedges overhang the highways/footways. Minor amendments were made. AGREED that this be sent as and when necessary.

**59. Festival**

Chairman advised that Cllr Mrs Gould is giving consideration to a Festival being held in the village to mark the Queen's Golden Jubilee next year.

**60. Doctors' Surgery**

No report

61. **Written reports**

All Cllrs had received copies of a written report from T&MBCllr Mrs Murray.

All Cllrs had received copies of a written report from Cllr Shaw on the recent PPP meeting.

It was reported that there had been some confusion about the date of the next Skate park meeting, the venue and the handover of Chairman and Clerk to Wrotham PC. AGREED that the Clerk will liaise with the Clerks of Wrotham and Platt PCs to make arrangements for a meeting within the next two weeks.

62. **Chairman RESOLVED to enter into committee to exclude the public and press from the meeting due to the confidential nature (financial and other sensitive information) of the discussions**

Subsequent to the letter received from Mr Cole at the last meeting, Clerk had sent a formal letter of BGPC apology and Chairman had taken similar action and removed details from his address book.

There was some discussion about the course of action taken by the Chairman. There was no report from the Complaints Cttee.

Chairman gave further details about the tenders received by PME for the Potters Mede ground improvement works.

The meeting closed at 23.00 hrs