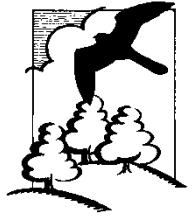


HAWKHURST PARISH COUNCIL



MINUTES – 9th September 2019

Monday 9th September 2019 at
St Laurence Church, The Moor, Hawkhurst
Commenced at 20:45

Present: Cllr Escombe (Chairman), Cllr Taylor-Smith (Vice Chairman), Cllr Green, Cllr Blake, Cllr Hunt, Cllr Fitzpatrick, Cllr Weeden, Cllr Pyne, Cllr Appelbe, Cllr Lusty and Cllr Cory.

1. ADJOURNMENT FOR PUBLIC QUESTIONS AND COMMENTS:

- i) A resident spoke regarding planning application 41 emphasizing the need for the new garage as the current one is unsuitable, that the new application has included hedging to act as a barrier and precedent has been set at other similar properties.
- ii) TWBC Cllr Palmer stated she was working with fellow Councillors on the problem of sewage, would be objecting to the Hawkhurst Golf Club planning application and would be happy to support the Parish Council with a Member Grant for the Multi-Use Games Area. (Parish Clerk to forward application)

2. APOLOGIES AND REASON FOR ABSENCE: Cllr Jones - illness

3. DECLARATION OF INTERESTS: *To receive notice of personal interests, whether of a prejudicial nature or otherwise, in respect of items on this agenda, in accordance with the Council's Code of Conduct*

Cllr Weeden, pecuniary interest in planning application 37

Cllr Taylor-Smith – declared interest as he has campaigned against planning application 37.

4. APPROVAL OF MINUTES:

5.1 Approval

- i) The Minutes of the Parish Council meeting held on 12th August 2019 were proposed by Cllr Escombe, seconded by Cllr Taylor-Smith and approved unanimously.

5.2 To note

- i) The minutes of the Community Centre Working Group held on the 2nd September 2019 were noted
- ii) The minutes of the Strategy, Administration and Projects Committee held on

- the 19th August 2019 were noted
- iii) The minutes of Facilities and Services Committee 27th August 2019 were noted

5. MATTERS ARISING FROM THE MINUTES - none

6. Update on revised Hawkhurst Neighbourhood Development Plan

The Clerk explained that when the Hawkhurst Neighbourhood Development Plan was drafted and adopted the Parish had already exceeded the number of houses allocated to it in the TWBC Local Plan 2006. At that time there was no need to allocate housing in the Hawkhurst NDP.

TWBC have interpreted that without housing allocations in the Hawkhurst NDP paragraph 14 of the National Planning Policy Framework 2019 is silent and therefore the borough wide lack of a 5-year housing supply trumps the Hawkhurst NDP.

Having taken legal advice, this interpretation is questionable but a more prudent way forward would be to allocate housing allocation into the light touch review of the Hawkhurst NDP.

On the 11th March 2019 Hawkhurst Parish Council completed and adopted a light touch review of the Hawkhurst NDP, in line with national guidance. Since then TWBC have ignored attempts by Hawkhurst Parish Council to get TWBC to adopt the revised Hawkhurst NDP.

Therefore, it is right and proper to take the opportunity to add into the Hawkhurst NDP the approved housing planning applications between 11th March and 15th August 2019 as housing allocations, see details below.

No	Address	Planning application	Date approved	Number of dwellings
1	Brook House (won on appeal)	17/03780/OUT	1.4.2019	25
2	Tubslake Oast	19/00327/FULL	3.4.2019	1
3	Land east of Heartenoak	18/02165/FULL	17.5.2019	28
4	Weald Society for the Disabled	19/00402/FULL	30.5.2019	1
5	Land north of Santer House, Red Oak, Hawkhurst	18/03839/OUT	14.6.2019	9
6	The Hexagon	19/00698/FULL	14.6.2019	1
7	All Saints Church, Rye Rd,	19/01224/FULL	9.7.2019	5

	Hawkhurst			
8	St Bridget's, Rye Rd	19/01273/FULL	23.7.2019	1
9	Copt Hall	15/06320/OUT	30.9.16	3

These are a matter of fact, which we cannot change. Note that the Copt Hall planning permission is about to expire, but we are about to resubmit, this future proofs the revised Hawkhurst Neighbourhood Development Plan

It would be inappropriate to consult as consultation case law (R V London Borough of Brent ex parte Gunning) led to "Gunning principles of consultation Law".

The first Gunning principle being

"That proposals are still at a formative stage – a final decision has not yet been made".

Obviously the final decision has been made by TWBC as the planning authority, no amount of consultation can change the planning decisions as facts.

Cllr Escombe emphasized that if TWBC adopt the revised Hawkhurst NDP (Sept 2019) the three-year housing supply requirement would kick in and this would help protect Hawkhurst from development until the TWBC draft Local Plan 2016 – 2036 is adopted, which could be some years away.

Cllr Escombe proposed and Cllr Taylor-Smith seconded that the Hawkhurst Neighbour Development Plan be updated with:

7.4 The housing allocation for Hawkhurst is 74, namely:

No	Address	Planning application	Date approved	Number of dwellings
1	Brook House (won on appeal)	17/03780/OUT	1.4.2019	25
2	Tubslake Oast	19/00327/FULL	3.4.2019	1
3	Land east of Heartenoak	18/02165/FULL	17.5.2019	28
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	Hawkhurst			
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9	Copt Hall	15/06320/OUT	30.9.16	3

The proposal was approved unanimously

7. Adoption of Hawkhurst Tree and Hedgerow Policy

Cllr Green introduced the policy which the Council approved for consultation on 8th July 2019 and was publicly consulted upon between 12th July and 23rd August 2019.

The policy has two main points:

- Trees and hedgerows are valuable, especially in the Weald landscape
- Hawkhurst Parish Council should appropriately manage Trees and Hedgerows on their own land
- Trees and Hedgerows in the planning policy – a tree that is removed should be replaced with three trees and funding for an agreed 5-year management plan, hedgerows that are removed should be replaced with three times the amount plus funding for a five-year management plan

As Tunbridge Wells Borough Council Draft Local Plan has a number of policies that have not yet been published and may or may not impact on this policy, the Tree and Hedgerow Policy will be reviewed in a year's time.

Cllr Green proposed and Cllr Taylor-Smith seconded that the Hawkhurst Tree and Hedgerow Policy be adopted – approved unanimously.

8. PLANNING

8.1 Planning applications to be considered

No	Application No	Proposal	Location
35	19/01936/FULL	Proposed stables, associated yard and adjustments to existing drive way	Kemps, Potters Lane, Hawkhurst, Kent TN18 5BB
Decision: In favour 12, Object 0, Abstain 0			
36	19/01937/LBC	Listed building consent: proposed stables and associated yard and adjustments to existing driveway	Kemps, Potters Lane, Hawkhurst, Kent TN18 5BB
Decision: NA			
37	19/02025/Hybrid	Hybrid application: Demolition of existing clubhouse, squash courts and ancillary structures, and redevelopment of Golf Course. Full planning permission sought for	Hawkhurst Golf Club, High Street, Hawkhurst, Cranbrook Kent Tn18 4JS

		new relief road and associated earth works and junctions with the A268 and A229. Outline planning permission (all matters reserved for future determination) sought for residential development of up to 417 dwellings a C2/C3 care home, class D1 facilities such as a doctors' surgery and / or community hall, public car park, public park and associated parking, servicing, utilities, footpath and cycle links, formal and informal open space and recreational facilities, ground and infrastructure works.	
Decision: In favour 0 , Object 10 Abstain 2 (Cllr Weeden and Cllr Taylor-Smith)			
38	19/02124/FULL	Construction of single storey side extension to create a larger kitchen / dining room; new porch; alterations to fenestration	Yew Tree Farm, Slip Mill Lane, Hawkhurst, Kent TN18 5AJ
Decision: In favour 12 , Object 0, Abstain 0			
39	19/01725/FULL	Construction of trade effluent Dissolved Air Filtration (DAF) unit, storage tanks, separation and treatment units in sub-basement, with low rise single storey shell building, and associated drainage and groundworks (Part retrospective)	Hawkhurst Station Business Park, Units 8 and 9, Gills Green, Hawkhurst, TN18 5BD
Decision: In favour 12, Object 0, Abstain 0			
40	19/02175/FULL	Proposed two storey rear and side extension and alterations	5, Lillesden Cottages, The Moor, Hawkhurst TN18 4NS
Decision: In favour 0 , Object 12, Abstain 0			
41	19/02304/FULL	Erection of double garage	Silverley, Slip Mill Lane, Hawkhurst TN18 5AD
Decision: In favour 1 , Object 9, Abstain 1 (Cllr Green)			
42	19/02176/FULL	Demolition of existing garage and	Little Pix Hall, High Street,

	erection of proposed garage, workshop and annex.	Hawkhurst TN18 4XT
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Decision: In favour 12, Object 0 Abstain 0

8.2 Planning information on file

9 MATTERS FOR FURTHER DISCUSSION:

9.1 Consider Community Awards Policy (S137 Grants)

Cllr Green updated the Council on the review of the grant aid policy and emphasized that the funding had increased from £1,500 to £5,000 or £1 per elector whichever is greater that applications are welcome and will be considered twice per year.

Cllr Weeden asked is the fund focused on Community / volunteer groups, Cllr Green confirmed that applications would only be considered from voluntary / community groups doing good for the residents of Hawkhurst.

Cllr Green proposed and Cllr Pyne seconded the adoption of the revised Community Awards Policy, it was approved unanimously.

9.2 Urgent Report on Hawkhurst Parish Council KCC Pension Fund Liability

The Clerk explained that a previous Clerk employed by Hawkhurst Parish Council had been in the Kent Pension Fund. When that Clerk retired, as the last employer Hawkhurst Parish Council became liable for any underfunding / poor returns on investments over the whole period of his time in the Kent Pension Fund.

This had been first raised in 2014 and challenged however the outcome was that Hawkhurst Parish Council was liable for £34,000. The liability rests with the final employer and a number of parish Council's across the country been caught out by this.

The Council decided to set aside £5,000 per year.

Cllr Green explained, with his background in pensions, he had made enquiries on the Council behalf and it had come to light late on Friday 6th September 2019 that the liability had increased to £41,000 and after 30th September 2019 was likely to increase further.

Cllr Green explained that we had an offer to pay over a period of time, but that would accrue £2,800 of interest on top of the £41,000. Alternatively, we could bite the bullet and pay now to clear our liabilities in full, once and forever.

Cllr Hunt asked that this cannot be right? Cllr Green agreed that it seemed unfair but this was the legal position and at some point we would have to pay the liability.

Cllr Green proposed and Cllr Escombe seconded that we pay £41,000 before the 30th September 2019 to clear the liability in full, it was approved unanimously.

10. REPORTS OF COMMITTEE CHAIRMEN AND UPDATES

- i) Facilities and Services Committee – Cllr Fitzpatrick, see action plan on file
- ii) Strategy, Administration and Projects Committee – Cllr Taylor-Smith, see action plan on file
- iii) Personnel – TBA
- iv) Community Centre Working Group – Cllr Whittle, discuss under confidential
- v) Fete Committee – Cllr Hunt
- vi) Police and Crime – Cllr Hunt – suggested this was removed from the agenda - agreed

11. FINANCE:

11.1 Financial information – August 2019

Accounts for payment	£	23,581.52	to 09.09.19
Payment received	£	2,563.00	to 30.08.19
Net Expenditure	-£	21,018.52	
Cambridge & Counties	£	86,786.66	to 30.04.19
Cambridge Building Society	£	75,339.40	to 31.12.18
Lloyds Current	£	10,405.00	to 30.08.19
Lloyds Access Reserve	£	97,560.69	to 30.08.19

11.2 Agreement to pay payments schedule were approved unanimously

11.3 Account reconciliation was approved unanimously

12. CORRESPONDENCE – see file

No	Date	From	Issue
1	29.8.19	Mrs. B McGahan and Mr. E Tulett	Concern about Hawkhurst Golf Club planning application
2	Various	Residents – via email	General concern regarding Hawkhurst Golf Course planning applications
3	29.8.19	Cllr Thomson	Request to TWBC to cancel all development in Hawkhurst until sewerage system is functioning probably
4	1.9.19	Mrs. D Johnson	Concern about the Parish Councils involvement in the Parish Magazine – plus response

13. NOTES & INFORMATION – see file

14. BURIALS AND MEMORIALS.

No	Date	Name	
1	3.9.19	Mrs. Jean Clayton	Internment of ashes

15. CONFIDENTIAL:

15.1 The Council agreed the appointment of Mr. P Henshaw as Project Manager for Hawkhurst Community Centre

15.2 The Council agreed the appointment of Feria Urban as NDP consultants

CLOSURE: 9:45

Richard Griffiths, Clerk to the Parish Council

Agenda Notes for Members:

Item 3 on the Agenda, Declaration of Interests. If a Member has a prejudicial interest, this should be declared at the start of the meeting. Personal interests may be declared at this point or alternatively can be declared at the time when the specific item is being discussed, if a Member wishes to speak on an item in which s/he has a personal interest. Members in doubt about such a declaration are advised to contact the Monitoring Officer before the date of the meeting. This may also be used by Members to advise the Council of any relevant changes that may have occurred since they first completed the register of interests.