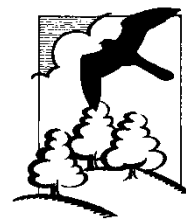


HAWKHURST PARISH COUNCIL



Minutes – 10th August 2020

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

1. ADJOURNMENT FOR PUBLIC QUESTIONS AND COMMENTS:

- i) Update from Sean Holden KCC Member regarding Brexit preparations as KCC is in the front line, the lorry park is for emergencies and for 2,500 vehicles rather than 10,000. Currently, reviewing budget – COVID 19 massive impact. Having said that the County has fared relatively well against other counties in South East.
- ii) Cllr Taylor –Smith asked for some assistance in getting the correct contact within KCC regarding “Rural Broadband” and directors at BT and Open reach. Cllr White is the correct cabinet member – clerk to follow up.
- iii) Update from Bev Palmer TWBC Ward Member regarding still problems with Waste problems in borough and that Council meeting times were returning to normal but not committees.
- iv) Update from Patrick Thomson TWBC ward member regarding a planning policy update later this week – will be battling for Hawkhurst. Also disappointed about the air quality response and happy work with Parish on this issue.
- v) Cranbrook Rd / Heartenoak junction – No info

2. APOLOGIES AND REASON FOR ABSENCE: Cllr Jones – no reason for absence.

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. NA*

4. APPROVAL OF MINUTES:

4.1 Approval

- i) Cllr Taylor-Smith proposed and Cllr Fitzpatrick seconded the approval of the Minutes of the Parish Council meeting held on 13th June 2020 – agreed unanimously,

Cllr Whittle proposed and Cllr Fitzpatrick seconded the approval of the Minutes of the Parish Council meeting held on EGM 20th July 2020 – agreed unanimously.

Cllr Taylor-Smith proposed and Cllr Pyne seconded the approval of the Minutes of the Parish Council meeting held on EGM 28th July 2020 – agreed unanimously

- ii) The minutes of the Community Centre Working Group Meeting 14th July 2020 and 3rd August 2020 were noted.

5. MATTERS ARISING FROM PREVIOUS MINUTES

- i) **White House Judicial Review** (8.6.2020/5.1) – Cllr Escombe updated council that it was a long two days, that our Barrister did a sterling job and positively responded to all questions and challenges. A lot of detailed / technical / legal points, especially around section 109 of NPPF. Good to see KCC developing traffic survey tool considering accumulative impact of the developments. We wait for a decision and will keep Cllrs informed.
- ii) **Park Lane / Bedgebury** (13.7.2020/1.1) – The Clerk had a meeting with Bedgebury – want to find solution but struggled with KCC contact on deeds/responsibilities – currently not closed off – Ask Cllr Holden for support. Cllr Whittle mentioned car parking on verge of A229. Residents do not want to drive around to main entrance. Cllr Pyne concerned that something had been taken away from residents. Bedgebury interested in “Access only emphasis on cycle / walking from slip mill lane”
- iii) **Air Quality** (13.7.2020/7.6) – Cllr Escombe felt that response from TWBC was inappropriate and missed the point. (Cllr Thomson happy to support HPC.) Do we need to write back? Cllr Pyne felt it was vital that we did. Cllr Weeden thought the response was rude. Cllr Taylor-Smith felt we needed to write to the leader at TWBC. Cllr Escombe agreed to write on behalf of the Council to the leader of TWBC with a focus on monitoring on the road side where traffic was queuing into the traffic lights.
- iv) **Business Recovery Plan** (13.7.2020/7.7) – Cllr Taylor-Smith updated the group on the conference meeting and that since then there has been a follow up with KCC / TWBC on Broadband. Several work streams
- Existing “shop what’s app” group interested in expanding into Hawkhurst Business Partnership – will update SAP next week.
 - Looking at “shop watch” to update other shop keepers on ASB, loyalty card etc
 - In contact with TWBC Community Safety regarding CCTV in central area
 - Broadband – awaiting info on maps and gaps for community projects
- v) **Audit** – (13.7.2020/7.1) Deputy Clerk updated Council that the audit has been published on time and sent recorded delivery to external auditors.
- vi) **Walking & Cycling report** (13.7.2020/ 7.8)– Cllr Cory asked about the FOI on accidents reported to police in last three years – still waiting but due any time. Also reporting link regarding “incidents” needs further exploring
- vii) **Community Right to Bid** – (13.7.2020/7.9) – The Clerk updated Council.

Fowlers Park Car Park, Northgrove Road Car Park an Oak and Ivy inn

It was agreed to submit Community Right to Bid to TWBC by Council on 11th May 2020. To do this you need the Title Documents from Land Registry.

We submitted an application to Land Registry – however this was returned with a cheque as they said they needed an Ordnance Survey map of the sites, not a google map.

To obtain an Ordnance Survey map, Ordnance Survey require you to use a “partner organisation” having researched this the costs vary per map, depending on size.

I obtained a map for each of the three sites – ranging from £17.50 - £24.60 (plus VAT) coming to a total of £80, within my delegated authority.

If Council agree we can raise a new cheques for £7 per site made payable to Land Registry and submit an application again. When we receive the title documents we can then submit a Community Right to Bid to TWBC.

We are therefore requesting to agree three Cheques of £7 made payable to Land Registry

Hawkhurst Golf Course

It was agreed to submit a Community right to Bid to TWBC by Council on 13th July 2020. To do this you need the Title Documents from Land Registry, via ordnance survey as above.

Having researched this – due to the size of the Golf Course – the cost to obtain maps from an Ordnance Survey partner organisation is £230, this is above the delegated authority. We could then submit an application for Title Documents to Land Registry - £7 and then submit a Community Right to Bid to TWBC.

Therefore, we are requesting to agree a cheque for £231.10p for obtaining Ordnance Survey Maps and £7 for submitting an application of Title Documents from Land Registry.

Cllr Appelbe asked what was the impact of a Community Right to Bid? – If the application to TWBC is approved a site is listed as a “Community Asset” which gives us /or others six weeks to express an interest and then six months to submit a bid to purchase the site.

Cllr Green emphasised that it offers an opportunity – not a commitment from the Parish Council to purchase / bid for a site.

5.vii) Cllr Green proposed and Cllr Pyne seconded that we agree a cheque for £231.10p for the Ordnance Survey map and 4 cheques of £7 for the search for Land Registry title documents – agreed unanimously

- viii) **Hawkhurst Sept Clean** (13.7.2020/ 7.10) – Cllr Pyne update Council that we still await confirmation from TWBC to support the cleanup. If not, we would have numerous bags of rubbish with nowhere to take them. Agreed for Clerk to continue

to chase up. It was also agreed to ask the Village Warden to pick up litter in the centre of the village, especially around the Kino.

- ix) **Finance** – (13.7.2020/7.1) The Deputy Clerk updated Council; Online banking, Cllr Whittle processing first form and Cllr Weeden to sign this week (done 12.8.2020)
Council credit card - needs work
Additional bank account – has slipped and needs sorting out by the end of August 2020

Cllr Taylor-Smith queried online payments – we offer payment by BACS, many hall bookings do this already and we are pushing more and more. – i.e. allotments, cemetery

6. PLANNING

6.1 Planning applications being considered

No	Application No	Proposal	Location
17	20/01817/FULL	Variation of Condition 2 (Approved Plans) of - 15/504959/FULL - Alterations to previously approved design for the replacement dwelling including angle of main roof and single storey element, height and depth of porch and overall eaves height	Tubslake Farm Water Lane Hawkhurst Cranbrook TN18 5AP
<p>Background: <i>This application is for a change to an approved application. We considered a previous application to make similar amendments last summer, at which time we supported the application. TWBC refused permission on the grounds that the changes would have made the structure bulkier than that approved and so more obtrusive in the landscape. This application is broadly similar to that rejected by TWBC last year, but is accompanied by a landscape visual assessment, which seeks to demonstrate this design would have little impact on the landscape beyond that of the approved design. No comments from neighbours.</i></p> <p>Comments and Recommendation: Hawkhurst Parish Council prefers the previously approved design as this is felt to be better suited to the rural location. However, should TWBC be minded to approve this application, HPC would support it.</p> <p>Vote; 12 Supports 0 against 0 abstain</p> <p>Decision: Support unanimously</p>			
18	20/02013/TPO	Trees: BEECH (T1) - Reduce crown by approximately 1/3	Lakeside Stream Lane Hawkhurst

			Cranbrook Kent TN18 4RB
<p>Background: <i>This application has been made a tree surgeon, who has identified possible signs of basal decay, decline in the upper canopy, and some overextended limbs. No comments from neighbours. The tree is positioned at the front of the property beside Stream Lane, with branches overhanging the lane. This is a mature tree, but does not appear to be in the best condition.</i></p> <p>Comments and Recommendation: Hawkhurst Parish Council supports this application subject to the views of the TWBC's tree officer.</p> <p>Vote; 12 Supports 0 against 0 abstain</p> <p>Decision: Support unanimously</p>			
19	20/01928/FULL	Proposed Veranda	Bassetts Horns Road Hawkhurst Cranbrook Kent TN18 4QS
<p>Background: <i>This is actually on Cowden Lane, rather than Horns Road itself. The proposal is for a GRP roof with lead dressing and flashings, supported by turned painted timber posts and cornice. No comments from neighbours. There is no planning notice at present.</i></p> <p>Comments and Recommendation: This is a minor addition to the house and, given its position, is unlikely to be visible from lane or neighbouring properties. HPC supports this application.</p> <p>Vote; 12 Supports 0 against 0 abstain</p> <p>Decision: Support unanimously</p>			

6.2 Planning information: new white paper consultation to be circulated (done 11.8.2020)
Springfield appeal on 11.8.2020

7. MATTERS FOR FURTHER DISCUSSION:

7.1 Community Centre Design – Cllr Whittle emphasised that these design have been circulated and discussed several times – final amendments are an adjustment to the office and enclosed window in Main hall upstairs.

Cllr Appelbe – asked for a final spell check, and about which electric charging company would we use. - Yes and too early to tell at this stage

Cllr Lusty - happy with the Parish office.

Cllr Hunt – asked about capital cost and can we mark out on the ground the building – the cost is a square metre cost, a detailed Quantity Surveyor cost is the next step after planning. Once we have submitted application can look at marking out on ground.

7.1 Cllr Whittle proposed and Cllr Pyne seconded that the Council agree the designs in principle, subject to any final amendments at the pre-application meeting with TWBC, submit a planning application early autumn 2020.
If required, come back to Council for final amendments in September 2020 but aim for an autumn 2020 planning application – agreed by majority 10 for 2 abstained.
(Cllr Green and Hunt)

7.2 Hawkhurst Parish Council – VAT Status

Introduction

Cllr Escombe led the discussion on VAT. HPC is not currently VAT registered. As a Parish Council, we can claim back a certain amount of the VAT we pay (all VAT on non-business activities and up to £7500pa on exempt business activities). To date, this approach has worked well for HPC, and we have been able to recover all of the VAT that we have paid.

However, the new Community Centre project means that HPC will be paying VAT well beyond the £7500pa limit, somewhere in the order of half a million pounds for the project as a whole. Therefore, HPC needs to consider its VAT position.

Review work

Following the EGM on 20th July 2020, HPC has undertaken a considerable amount of work to address this issue. Councillors have already received a paper produced by Cllr Escombe outlining the council's understanding of its current VAT position.

On 27th July 2020, Cllrs Escombe, Taylor-Smith, Green and Whittle met with Elysian Associates, together with the Clerk and Deputy Clerk. Further to this meeting, Elysian Associates have revised their report and clarified their recommendations to HPC (**Appendix 1**).

At the same time, the Deputy Clerk has been in discussion with HMRC to further clarify HPC's VAT position.

Unless HPC takes action, we will not be able to recover the VAT on the new Community Centre project. This is not a viable option.

Options

Option A. – Non Business activity lease

If HPC wishes to avoid VAT registration and recover all of the VAT associated with the project, we could lease the new Community Centre to HCT2018 on a peppercorn rent of £1pa, thus making it a non-business activity. Whilst this would enable us to recover all of our initial VAT expenditure, HPC would never be able to receive any money from the operation of the hall, including any contributions towards costs.

In the immediate future as the new Community Centre gets established, this, perhaps, would not be a significant concern. However, the expectation is that once established, the Community Centre will become a viable operation. At that stage, it seems only appropriate that HPC should receive a reasonable income from the lease, thereby reducing the amount of money required to be raised by the precept.

Option B – opt to tax the building

Alternatively, HPC can opt to tax the building and become VAT registered. This allows HPC to recover all of the VAT we pay including the VAT incurred on building and maintaining the Community Centre. It is worth noting that, at this stage, the expectation is that HCT2018 would operate the building on a full repairing lease. If we opt to tax the building, this will apply for a minimum of 20 years.

By becoming VAT registered, HPC will have to charge VAT on taxable supplies. In practice, we make very few taxable supplies, but this would apply to charges for the MUGA, the football pitches, the lease for the Community Centre and room hire if we opt to tax, say, Copt Hall or the sports pavilion. Although we could opt to tax the Victoria Hall, this is not recommended at this time. We currently let the Victoria Hall to the Kino on a full repairing lease and do not incur any costs on the building.

Impact on fees and charges

HPC sets the level of all of the taxable charges, so we can decide how much of the cost of the VAT will be passed on to users. The options available range from simply adding 20% VAT on to the fees or keeping the cost to the user the same and paying the 20% VAT from our income, or any point in between. Even if HPC chose to cover all of the VAT itself, this would be insignificant in comparison to the £400,000+ VAT incurred on the Community Centre project.

For example, we intend to charge £8 an hour for the MUGA, that becomes £6.67 + £1.33 VAT. Perhaps next year, we would decide to move to £9.60 per hour (£8 + VAT). It is entirely within our control to ensure that this move does not impact our users if we choose to do so. The fees and charges for 2020/21 from 1st September is attached in **Appendix 2**.

The only downside of becoming VAT registered that we are aware of is having to charge VAT. As above, this need not be an issue. The Clerk has spoken to Paddock Wood Town Council who are VAT registered. They do not feel that this is a problem.

Ongoing support

If the Council decides to be VAT Registered, it is proposed to continue with Elysian Associates as VAT consultants to support us through the change and the end of this tax year. The proposed fee is £1,320, plus VAT.

7.2 Cllr Escombe proposed and Cllr Taylor-Smith seconded that:

- ◆ HPC should become VAT registered as of 1st September 2020.
- ◆ HPC should opt to tax the Community Centre when appropriate.

To use Elysian Associates as VAT consultants through the transition period of six months £1,320 utilising the Village Fund budget – agreed unanimously

7.3 Internal Statement of Control – Cllr Taylor-Smith noted that this was an agreed Internal Audit 2019/20 (13.7.20/7.1) action - to adopt an Internal Statement of Control. The SAP Committee have reviewed, drafted now recommend the attached Statement of Control in **appendix A**.

7.3 Cllr Taylor-Smith proposed and Cllr Green seconded the Internal Statement of Control attached in appendix A. – agreed unanimously

7.4 Appointment of Solicitors – Hartenoak Recreation Ground – Cllr Escombe explained we were approached by UK Power network in March 2020 about installing a High Voltage cable across Hartenoak Recreation Ground. On Thursday 23rd July 2020 we were contacted by UK Power Network that they wanted to start work on site on Tuesday 28th July 2020 – for approximately 4 days. We insisted that we have the correct legal papers and Risk Assessment Method Statement. The legal documents arrived on 27th July 2020, but no Risk assessment.

Therefore, we refused access. We have had confirmation that the developer will cover all our costs.

7.4 Cllr Escombe proposed Cllr Whittle seconded To appoint Cripps Solicitor, at no cost to ourselves, to review the documents and act on our behalf – agreed by majority 11 support 0 against (note Cllr Lusty temporarily had a technical problem)

8. REPORTS OF COMMITTEE CHAIRMEN AND UPDATES

8.1 Facility and Services Committee – 27th July 2020

Cllr Fitzpatrick updated Council on the following;

The footpath at KGV has been installed, the wood chippings did not work so he provided shingle which looks good without any extra cost.

The trees at the Cemetery, which were damaging graves have come down, we have submitted a bid for funding and we are looking at quotes for replacement trees and hedgerow work at our next meeting. The planting would take place in the autumn.

We are updating risk assessments to use the hall as many groups want to come back in September and we are liaising with them to ensure their procedures comply.

The football coaching started today at the KGV with a great turn out

The Fun Fair will be on the Moor from the 17th August for one week

Allotment inspections are happening this week.

8.2 Community Centre Working Group – 3rd August 2020

Cllr Whittle updated Council on discussion with Fields in Trust (FIT) they are okay in principle with the land transfer at KGV. They asked if we could provide up to date site plans etc.

I asked Cyma Architects to quote to do the following; To measure the areas for existing carpark, access and building footprint, and the proposed, carpark, access and building footprint to quantify the net area transferred and then indicate on Parish Council land adjacent to the KGV the area to be transferred. Cyma Architects quote is for £555 plus VAT and expenses.

Legal advice for land transfer

I have emailed the legal contacts at KALC but they have not yet come back – I will chase up

If we agree to use Cripps for the Hartenoak issue with UK Power, we could use them to act on our behalf for the transfer of the land. (subject to a quote we will require 3 quotes but could aim for the next CCWG meeting)

7. 2i) Cllr Whittle proposed and Cllr Pyne seconded to appoint Cyma Architects to measure the areas for existing carpark, access and building footprint, and proposed, carpark, access and building footprint to quantify net area transferred for a fee of £555 plus VAT and expenses – agreed unanimously

7.2ii) To delegate authority to the Clerk, in consultation with the CCWG Chairman to appoint a local solicitors firm to act in the Councils behalf for the Land transfer up to £2,000 – agreed unanimously

8.3 Note the Strategy, Administration and Projects Committee next meets 17th August 2020.

9. FINANCE:

9.1 Monthly Income and expenditure

Accounts for payment	£	30,317.90	to 10.08.20
Payment received	£	2,003.41	to 31.07.20
Net Expenditure	-£	28,314.49	
Cambridge & Counties	£	88,291.16	to 30.04.20
Cambridge Building Society	£	75,527.15	to 31.12.19
Lloyds Current	£	10,000.00	to 31.07.20
Lloyds Access Reserve	£	109,946.33	to 31.07.20

9.2 Agreement to pay payments schedule.

Cllr Hunt asked about Transport statement – consultant for new community centre planning application

Discussion around transfer to HCT, agreed to this progressing and reconciliation next month.

9.2 Cllr Escombe proposed and Cllr Taylor-Smith seconded to agree payment schedule – agreed unanimously

10. CORRESPONDENCE

No	Date	From	Issue
1	3.8.2020	K Grey (TWBC)	Air quality – lack of monitoring on the High Street / Rye Road
2	3.8.2020	Cllr P Thomson (TWBC)	Concern over lack of monitoring on the High Street

11. NOTES & INFORMATION - na

12. BURIALS AND MEMORIALS

Date	Name	Interment
29.7.2020	Mr Wolfe	Interment
2.8.2020	Mrs Appelbe	Interment

Council offered condolences to Cllr Appelbe.

13. CONFIDENTIAL: NA

CLOSURE:

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.