

**MINUTES OF THE MEETING OF THE SPECIAL PROJECTS COMMITTEE
HELD ON 21st NOVEMBER 2007 AT 10.00 a.m. AT HARTLEY LIBRARY, ASH ROAD**

Present : Cllr Mr C Alford
Cllr Mr A Barnett
Cllr Mr J Gaywood (Chairman)
Cllr Mr M Harris
Cllr Mr B Ramsay (*arrived at 10.02 a.m.*)
Cllr Mrs A Oxtoby

In attendance : Mrs J Hoad (Clerk)
Cllr Mr J Minns
5 members of the public

1. Apologies for absence

Apologies had been received from Cllr Mr L Abraham.

2. Declarations of Interest

Cllr Mrs A Oxtoby declared a personal interest under minute item 4, Hartley Wood, as her private residence bordered Hartley Wood. She considered her interest only to be personal as the discussions under minute item 4 did not refer to any land immediately adjacent to her property.

Cllr Mr B Ramsay arrived at the meeting at 10.02 a.m.

3. Minutes

RESOLVED: That, the minutes of the meeting of the Special Projects Committee held on 18th July 2007 be approved and signed by the Chairman as a correct record.

4. Hartley Wood

The Committee considered a letter dated 9th November 2007 from Kent County Council informing the Parish Council that the application for Village Green registration at Hartley Wood would be considered by a Regulation Committee Panel of Members on 29th November 2007. The Committee was informed that the Panel Members would be visiting the site during the morning of the day of the meeting and that up to four people, including the applicant, could make representations to the Panel. The Committee considered that the Parish Council should be represented at the meeting and that any support that could be offered by members of the public in support of the application should be welcomed.

The meeting was briefly adjourned to allow discussions with a resident, who had previously signed a sworn oath confirming that he had enjoyed free, open and uninterrupted access to and through the subject area since 1971. The resident confirmed he was willing to address the Panel to support the Parish Council's application.

RECOMMENDED: That, the attendance of Members of the Parish Council and the Clerk at the Regulation Committee Panel of Members on 29th November 2007 to speak in support of the Parish Council's Village Green application in Hartley Wood be confirmed.

5. Exclusion of the press and public

RESOLVED: That, under the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the meeting during consideration of minute item 6, "New Burial Ground", on the grounds that the likely disclosure of exempt information

would prejudice the public interest by reason of the confidential nature of the business to be transacted.

Members of the public left the meeting at 10.40 a.m.

6. New Burial Ground

The Committee received a report on progress to commence legal proceedings to amend the restrictive covenants to allow the land at Manor Field known as “the Orchard” to be used for burial purposes. The Committee considered advice received from the Council’s solicitor and mindful of the Council’s duty to protect the public interest, the Committee felt this advice should be accepted and that Counsel’s opinion should be sought before submitting an application to modify the covenants through the Lands Tribunal.

The Committee was informed of the latest communication from land agents acting on behalf of Messrs H F & J H Glover in which they had provided the Council with a scale of charges. The land agent had not provided the Council with any indication on what their total costs were likely to be, other than to suggest their fees could be capped. The Committee expressed concern about accepting responsibility for the reimbursement of these professional fees, as it considered the costs could quickly escalate out of control with little or no incentive to bring the negotiations to a satisfactory conclusion.

It was reported that neighbouring landowners had been asked for their views regarding the Council’s intention to provide a new Burial Ground on land at Manor Field.

RECOMMENDED: That, the Council seeks Counsel’s opinion on the whole issue arising from the restrictive covenants, their possible variation or discharge and on the practicalities of dealing with the Lands Tribunal.

RESOLVED: That, the landowners of the two 20 foot wide strips of land bordering Manor Field be informed of the Committee’s decision to recommend to the Council at its next meeting that Counsel’s opinion be sought before submitting an application to modify the covenants through the Lands Tribunal and that until such matters have been resolved all further communication with the land agent would be held in abeyance.

7. Date of the next meeting

To be confirmed.

The meeting closed at 11.30 a.m.

Signed:.....
Chairman

Date:.....

