

THE PARISH COUNCIL OF HARTLEY

MINUTES OF THE MEETING OF THE PARISH COUNCIL HELD IN

THE PAVILION, MANOR FIELD, CHURCH ROAD,

ON MONDAY 9th FEBRUARY 2009 AT 8.00 P.M.

Present : Cllr Mr L Abraham
Cllr Mr A Barnett
Cllr Mr J Gaywood (Chairman)
Cllr Mr D Graeme
Cllr Mr J Minns
Cllr Mrs A Oxtoby
Cllr Mr B Ramsay
Cllr Mr V Sewell

In attendance: Mrs J Hoad (Clerk)
Cllr Mr D Brazier – County Councillor
* members of the public

1. Apologies

Apologies for absence had been received from Cllr Mr C Alford due to family commitments, Cllr Mrs J Burns due to illness, Cllr Mrs P Cole due to family commitments, Cllr Mr S Granger due to work commitments and Cllr Mr M Harris due to family commitments.

RESOLVED: That, the absences of Cllrs Mr C Alford, Mrs J Burns, Mrs P Cole, Mr S Granger and Mr M Harris be approved.

2. Declarations of Interest

Cllr Mr L Abraham declared a personal interest under minute item 12 in respect of the payment of the accounts, as he was a recipient of one of the payments.

Cllr Mr L Abraham declared a personal interest under minute item 8, Finance and General Purposes Committee, in respect of the recommendation to make a donation to the Ellenor Lions Hospices, as contained in the minutes of the meeting of the Finance and General Purposes Committee held on 4th February 2009, (page 3 minute item 10 (b)), as his family had benefited from their services and he contributed to the Charity.

Cllr Mr B Ramsay declared a personal interest under minute item 8, Finance and General Purposes Committee, in respect of the recommendation to make a donation to the Ellenor Lions Hospices, as contained in the minutes of the meeting of the Finance and General Purposes Committee held on 4th February 2009, (page 3 minute item 10 (b)), as he contributed to the Charity.

Cllr Mrs A Oxtoby declared a personal interest under minute item 12 in respect of the payment of the accounts, as she was a recipient of one of the payments.

3. Register of Interest

Members were reminded of the duty to update the Register of Interest within 28 days of their interest changing.

4. Minutes

RESOLVED: That, the minutes of the meeting of the Parish Council held on 12th January 2009 be approved and signed by the Presiding Chairman as a correct record.

The meeting was adjourned at 8.03 p.m. to receive reports from the County Councillor and the District Councillors and to take questions from members of the public.

The meeting resumed at 8.13 p.m.

5. Hartley Wood

The Council considered a report on the outcome of the non statutory public inquiry held to hear evidence in respect of an application to register land at Hartley Wood as a Village Green. The Inspector appointed by Kent County Council, Ms Lana Wood, had heard evidence over a period of four days from 29th September 2008 to 2nd October 2008 at All Saints Church Centre. The Applicant, Hartley Parish Council, had been represented by Mr Tony Child, a partner in the firm of Beachcroft LLP. The Objector had been represented by Mr Richard Wald of Counsel instructed by the London Borough to Southwark.

Witnesses called by the Applicant to give oral evidence included Mr Christopher Alford, Mr Anthony Charles Austin, Mr Alan Golledge, Mrs Wendy Brooks, Mr Grant Wren, Mr Ian Gibbons, Mr Peter Christopher Mansfield, Mrs Gill Pearson, Mrs Julie Hoad, Mr Gordon L Angell and Mr Ian Mansfield

Witnesses called by the Objector to give oral evidence included Dr Jennifer Roberts, Mr Marcus Mayne and Mr Roy Glover.

The Council noted that the Inspector was satisfied that the application had met all the legal tests and that she had recommended in her report of 27th January 2009 that the registration authority, Kent County Council, accept the application to register land at Hartley Wood as a village green.

The Chairman expressed his views on the findings of the report and thanked residents who had supported the Parish Council's application and in particular, the witnesses who had been called to present evidence at the hearing.

RESOLVED: That, this Council welcomes the Inspector's recommendation to Kent County Council that it should confirm Hartley Parish Council's application to register land at Hartley Wood as a Village Green.

6. Amenities and Open Spaces Committee

Cllr Mr A Barnett proposed and Cllr Mr L Abraham seconded an amendment to the recommendation in respect of the fees to be charged to the New Ash Green and Hartley CC for 2009 and 2010 as set out below:

Delete the sum "£950" and insert the sum "£900."

The amendment was put to the vote and carried.

RESOLVED: That, the minutes of the meeting of the Amenities and Open Spaces Committee held on 27th January 2009 and the recommendations contained therein, and as amended, be received and, where necessary, approved and adopted.

7. Communications Committee

RESOLVED: That, the minutes of the meeting of the Communications Committee held on 26th January 2009 and the recommendations contained therein, be received and where necessary approved and adopted.

8. Finance & General Purposes Committee

RESOLVED: That, the minutes of the meeting of the Finance & General Purposes Spaces Committee held on 4th February 2009 and the recommendations contained therein be received and, where necessary, approved and adopted.

9. Planning Committee

RESOLVED: That, the minutes of the meetings of the Planning Committee held on 21st January 2009 and 4th February 2009 be received and adopted.

10. Hartley Parish Plan Steering Committee

The meeting was briefly adjourned to allow Dr Cramp to distribute copies of the Village Design Statement to Members of the Council. Dr Cramp and his team on the Hartley Parish Plan Steering Committee were thanked for their work on the production of the Village Design Statement.

RESOLVED: That, the minutes of the meeting of the Hartley Parish Plan Steering Committee held on 2nd February 2009 be received and noted.

11. Training

RESOLVED: That,

(1) the Clerk and the Chairman of the Burial Ground and Gardens of Remembrance Committee be authorised to attend a seminar on 24th February 2009 at the City of London Cemetery at a cost of £40 per person in respect of the new memorial safety guidance issued by the Ministry of Justice.

(2) the Clerk be authorised to attend a NALC regional conference entitled, "Stepping Stones", on 10th March 2009 in London at a cost of £64.00 plus VAT.

(3) Cllr Mr S Granger be authorised to attend the Planning Information Day organised by KALC on 10th March 2009 at Lenham Community Centre.

12. Payments

RESOLVED: That,

(1) the payment of the accounts for February 2009, attached as appendix 1 to these minutes, be approved and,

(2) the summary of receipts and payments as at 3rd February 2009 be received and noted.

13. Exclusion of the public

RESOLVED: That, under the Public Bodies (Admission to Meetings) Act 1960 the public be excluded from the meeting on the grounds during consideration of minute item 14 in respect of the 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.

The public left the meeting at 8.52 p.m. .

14. New Burial Ground

The Council considered advice received from the District Valuer and the Council's legal advisor in respect of (a) a modification of the covenants and extension to the right of access for burial purposes and (b) compulsory purchase to acquire an extended right of way.

The Council was informed that Messrs H F & J H Glover were seeking legal advice on the offer made by the Parish Council to modify the covenants and extend rights of access for burial purposes.

RESOLVED: That, Messrs H F & J H Glover be given 14 days to respond positively to the Council's offer contained in its letter of 16th January 2009, and thereafter if no positive response has been received the Clerk, in consultation with the Chairman of the Council, be authorised to;

(1) instruct Beachcroft LLP to prepare and submit an application to the Lands Tribunal under s84(1)(aa) and (b) of the Law of Property Act 1925 to modify the restrictive covenants pursuant to the 1975 Conveyance to allow part of the land to be used as a burial ground and,

(2) investigate the processes and the likely costs to exercise powers of compulsory purchase to acquire an extended right of way granted by the 1975 Conveyance for burial purposes and report back such investigations to the Council.

The meeting closed at 9.10 p.m.

Signed:.....

Date:

Chairman of the Council

Schedule of Payments February 2009

Chq No	Payment to	Particulars	Net	VAT	Total
104798	B T Payment Services Ltd	CHQ ISSUED 22/01/09 - Cost of calls & rental charges re Parish Office	82.41	11.68	94.09
104799	J Hoad	Salary 01/02/09 - 28/02/09 (prev approved)	1,642.02	-	1,642.02
104800	H Gilder	Salary 01/02/09 - 28/02/09 (prev approved)	777.88	-	777.88
104801	H M Revenue & Customs	Month 11 Employer & Employee NIC & PAYE	854.37	-	854.37
104802	Kent County Council	Employer & Employees pension contributions February 2009	492.57	-	492.57
04803	Mr D Cunningham	Clean Pavilion & water temperature checks and de-scaling February 2009	100.00	-	100.00
104804	Dunn & Co	New Memorial Safety Guidance Workshop 24/02/09 - J Hoad & Cllr Mrs A Oxtoby.	80.00	-	80.00
104805	Kent County Council (KCS)	Stationery invoice IN136623	14.83	2.22	-
		Stationery invoice IN128759	5.85	0.88	-
		Photocopier rental 21 Dec 08 - 20 Mar 09 invoice no PR0059121	161.46	24.22	<u>209.46</u>
104806	Sevenoaks District Council	80 rolls recycling sacks inv 2020062	40.00	-	-
		40 rolls of recycling sacks inv 2019985	20.00	-	<u>60.00</u>
104807	B T Payment Services Ltd	Internet Services 01/01/09 - 31/03/09	89.97	13.49	103.46
104808	L Abraham	Travelling allowance 15/01/09, 16/01/09 & 17/01/09 re KALC	83.34	-	83.34
104809	Calor Gas Limited	Standing Charge 18626176	18.33	0.92	19.25
104810	J C White Geomatics Ltd	Re Foxborough Wood. Attend site and agree boundary, survey agreed boundary and plot rear boundary and forward plans. Inv 10903.	500.00	75.00	575.00
104811	Sevenoaks District Council	2000 gallons taken from cesspool @ Pavilion 20/01/09 inv 81205	132.00	-	-
		30 bundles of garden waste sacks inv 80807	120.00	-	<u>252.00</u>
104812	Wrotham Computer Care Ltd	Reinstall scanner and repair Microsoft word inv 5671	38.50	5.78	44.28
104813	Kent County Council	Conservation work undertaken on Rectory Meadow on 17/09/08, 15/10/08, 05/11/08 & 19/11/08. Inv no 4007961	700.00	105.00	805.00
104814	Audit Commission	2007 Audit fee invoice no 4024527	550.00	82.50	-
		2008 Audit fee invoice no 4024619	550.00	82.50	<u>1,265.00</u>
104815	CCL Website Solutions	Provision of name registration and hosting for 1 year. Inv 408	180.00	27.00	207.00

104816	T D Munday	Burial Ground visual inspection inv 92	18.50	-	-
		Garden maintenance at Burial Ground inv 90	120.00	-	-
		Replace fence at Burial Ground inv 93	65.00	-	<u>203.50</u>
104817	T D Munday	Litter pick at Manor Field inv 91	56.00	-	-
		Football pitch line marking and goal post check inv 91	82.00	-	-
		Inspection of playground equipment inv 91	240.00	-	-
		Rectory Meadow litter pick inv 91	60.00	-	-
		Hartley greens litter pick inv 91	32.00	-	-
		Pond litter pick inv 91	20.00	-	-
		Gorse Wood litter pick inc 91	60.00	-	<u>550.00</u>
104818	Post Office Limited	100 x 1st class stamps	36.00	-	-
		200 x 2nd class stamps	54.00	-	<u>90.00</u>
TOTAL			<u>8,077.03</u>	<u>431.19</u>	<u>8,508.22</u>

Adjournment

The meeting was adjourned at 8.03 p.m. to receive reports from the County Councillor and District Councillors and to take questions from members of the public.

The County Councillor had nothing to report.

Cllr Mr B Ramsay reported that the District Council would shortly be offering the transfer of land at the allotments to the Parish Council and land at the Scout Hut to the Longfield and Hartley Scout Group.

Questions were raised by Mrs Sharp, Dr Roberts and Mr Roles on the Hartley Wood, the planning application at Fairby Grange Cottages, land owned by the Council in Hartley Wood and Hoselands Green.

The meeting resumed at 8.13 p.m.