

WEST MALLING PARISH COUNCIL

MINUTES OF A MEETING OF THE
PARISH COUNCIL
HELD ON 1ST MARCH 2021, 7.30 PM
VIA ZOOM CONFERENCE CALL

Present: Mrs Trudy Dean (Chairman)
Ms Gwyneth Barkham
Mr Keith Bullard
Mrs Linda Javens
Ms Sara Margetts
Ms Camilla Medhurst
Mrs Yvonne Smyth
Ms Min Stacpoole
Mr Peter Stevens
Mr David Thompson

Also Present until 8.52 A number of West Malling residents and representatives from TMCC, West Malling Primary School, Malling Rotary, The Malling Society, Protect West Malling, West Malling Chamber of Commerce & West Malling Community Choir.

Minute		Action by	Action taken	Response
21/137	<u>APOLOGIES FOR ABSENCE</u> were received from Mr Nick Stapleton and Borough Councillor Lee O'Toole			
21/138	<u>DECLARATIONS OF INTEREST</u> - none			
21/139	<u>MINUTES</u> – the minutes of the Full Council meeting held on 1 st February and the extraordinary meeting held on 19 th February were approved and are to be signed at a later date.	TD	✓	
21/140	<u>MATTERS ARISING</u> – none			
21/141	<u>CHAIRMAN'S ANNOUNCEMENTS</u> – KCC are currently considering Rotary House as a polling station for the KCC / PCC elections - Mrs Dean noted that to facilitate this some work would need to be undertaken to the building. {Subsequent to the meeting it was confirmed that the Baptist Church in Swan Street would be the West Malling polling station}			
21/142	<u>QUESTIONS FROM MEMBERS OF THE PUBLIC</u> - none			
21/143	<u>QUESTIONS FROM COUNCILLORS</u> – none			
21/144	<u>POLICING MATTERS</u>			
144.1	<u>Police Update</u> – no Tonbridge & Malling Police update received.			

144.2	<p><u>Kent PCC</u></p> <ul style="list-style-type: none"> • Receipt was noted of the PCC newsletter. • It was noted that the KALC strategic meeting with Matthew Scott PCC and Kent Police is to take place on 18th March. Mrs Dean and Ms Barkham hoped to be in attendance. 			
144.3	<p><u>Other Policing Matters</u></p> <ul style="list-style-type: none"> • Ms Medhurst reported that the queues outside Roses Juice Bar were still very long with customers appearing not to be socially distancing, Clerk to report to T&MBC and request that the pavement be marked out with 2m markers. • Mr Thompson reported that there are regular incidents of drag racing / dangerous driving on the bypass. Clerk to report to PCSO Mrs Dean reported that the new Police Inspector has another 150 officers being trained to use speed guns. 	Clerk	✓	
		Clerk	✓	
21/145	<u>LOCAL PLAN – no update</u>			
21/146	<u>ROTARY HOUSE</u>			
	<p>Mrs Dean explained to members of the public / local organisations the significance of Rotary House and the land it sits on to WMPC and that WMPC have previously expressed an interest in the site to KCC. Mrs Dean further explained that WMPC had recently successfully applied for Rotary House (and land) to be registered as an Asset of Community Value.</p> <p>Mrs Dean reported that T&MBC had now acknowledged receipt of WMPC’s expression of interest in being considered as a potential bidder for Rotary House. KCC have now expressed their intention to sell. Should WMPC agree to bid for the property and are successful in that bid, they would need to apply for a loan from the Public Works Loan Board,</p> <p>Mrs Dean asked representatives of organisations and residents if they had any comments to make on the future of the site.</p> <p>Representatives from West Malling Primary School; TMCC; Malling Rotary; Malling Society; West Malling Choir; Protect West Malling and West Malling Chamber of Commerce were supportive of plans to bring the land / building back into use with it perhaps being of future use to nearby organisations such as the school and cricket club. Malling Rotary were able to confirm some of the history of the building. It was agreed that a way forward and business plan needed to be established.</p> <p>A West Malling resident noted that it would be good to have facilities for the elderly back in West Malling and Mrs Dean stated that she had been in communication with Age UK Sevenoaks and Maidstone who have shown interest in running sessions for the elderly from the site.</p> <p>There was a general discussion about the condition of the current building and the work needed to bring the building back into use.</p> <p>Residents and representatives of West Malling organisations left the meeting and due to the nature of the documentation and business to be discussed the meeting went into private session.</p> <p><u>CONFIDENTIAL ITEM</u> It was agreed that in view of the confidential nature of the business to be transacted it was advisable in the public interest that the public and press be temporarily excluded and asked to withdraw in accordance with the Public Bodies (Admission to Meetings) Act 1960.</p> <p>The Council considered the following documentation: Valuation report Condition survey</p>			

	<p>Potential uses of the site with pros and cons Report from Liz Simpson, Chair of Trustees at East Malling Community Centre.</p> <p>Possible options discussed for the use of the site included: Demolish and build a new centre. Keep Rotary House, make repairs and use as a community centre for short or long term. Demolish for Community Housing Demolish and build new community centre with housing, Consider a larger community housing scheme on other Parish owned sites,</p> <p>It was agreed that the Council was not in a position to consider if in principle it wants to submit a bid for the purchase of Rotary House. It was agreed that more information was required.</p> <p>It was agreed that the Council was not in a position to agree details on community involvement / project manager as more information was required.</p>			
21/147	<u>PLANNING</u>			
	<p>Application for a care home, Lucks Hill. It is understood that an application has now been submitted to T&MBC and is awaiting validation. On this basis, it was agreed that the application would be considered by the Planning Committee at their March meeting.</p>			
21/148	<u>ANNUAL / VIRTUAL MEETINGS</u>			
148.1	<p><u>Virtual Meetings</u> It was noted that the current regulations relating to virtual meetings would cease on 6th May and that unless the regulations are extended, virtual council meetings will not be legal after that date. NALC & KALC are lobbying for the regulations to be extended.</p>			
148.2	<p><u>AGM / Full Council</u> It was agreed that the date of 10th May be pencilled in for the AGM, this will need to be reviewed if the regulations are not extended.</p>			
148.3	<p><u>Annual Parish Meeting</u> To be agreed at the next F&GP meeting.</p>			
148.3	<p><u>April Meeting Dates</u> To be agreed at the next F&GP meeting.</p>			
21/149	<u>CONSULTATIONS</u>			
149.1	<p><u>Vision Zero</u> – it was agreed that WMPC would not submit a response, but that councillors should do so as individuals should they wish to. Deadline 15th March https://kccconsultations.inconsult.uk/consult.ti/visionzero/consultationHome</p>			
149.2	<p><u>Right to Regenerate</u> – the response drafted by Mr Thompson (below) was agreed</p> <p>1. Do you consider the Right to Contest useful?</p> <p><i>Yes - the Right to Contest helps ensure that all public land is put to effective use, including by community groups, individuals and business where appropriate. There is, however, a need to ensure that the process is understood by local groups and easy to follow, in order to make sure that the policy has the desired effect of limiting the amount of redundant space on the public books.</i></p> <p>2. Do you think there are any current barriers to using the Right effectively, and if so, how would you suggest they be overcome?</p> <p><i>The current barriers are lack of awareness and the specifications as to who can trigger a right to contest. Many local authorities, community groups, individuals and business are not aware of the</i></p>			

Right. In other cases where there is awareness, there is a perception that such a move would be costly and would require the legal entity initiating the right to be a formal bidder for the land.
It is also important that individuals too are able to trigger a right to regenerate process, so as to ensure that all available sites are used effectively.

3. Would a definition of unused or underused land be useful, and, if so, what should such a definition include?

Defining these terms would make it much easier for external parties to understand where the right might be viable. These definitions should be clear and described in basic English, without reference to legal jargon.
Unused land should be defined as land in public ownership which makes no contribution to the aims and strategic objectives of the local authority in possession of it.
Underused land should be defined as land in public ownership which makes limited contribution to the aims and strategic objectives of the local authority in possession of it, or which is only partially used to contribute to those aims and strategic objectives.

4. Should the right be extended to include unused and underused land owned by town and parish councils?

Yes. All land in public ownership should be subject to the right, regardless as to the level of local authority which holds the title. However, the process for town and parish councils should be simplified in order to manage costs for authorities which have access to limited financial resource.

5. Should the government incentivise temporary use of unused land which has plans for longer term future use?

Temporary use of land can result in poor decision making and degradation which leads to the final intended purpose of the site being reduced in likelihood. However, plans to use such sites outside of a window of five years should be subject to the right and given adequate weight so as to encourage full utilisation.

6. Should the government introduce a requirement for local authorities to be contacted before a request is made?

Yes. Groups using the right to regenerate a piece of land should be required to notify the local authority in advance so that, where relevant, any emerging plans for the site can be explained to the applicant at an early stage which may cause them to withdraw their assertion of the right to regenerate.

7. Should the government introduce a presumption in favour of disposal of land or empty homes/garages where requests are made under the Right?

Yes. However, that presumption should be trumped in cases where the local authority in ownership has published plans for sites or where prior investment into preparing or investigating the site for future use has already been made.

8. Do you agree that the government should require these publicity measures where requests are made under the Right?

Yes. Publication of these materials is a necessary element in appropriate transparency

9. Should government offer a 'right of first refusal' to the applicant as a condition of disposal?

A first right of refusal should be offered to selected groups as a condition of disposal. These should be groups with a defined community objective such as Town or Parish Councils, local community groups and local charities. Other parties which invoke the right to regenerate such as individuals or businesses should not be offered a right of first refusal, other than in cases where the land in question border land already in their possession.

	<p>10. Should the government impose conditions on the disposal of land? And if so, what conditions would be appropriate?</p> <p><i>Consideration should be given to introducing a positive weighting for proposals which feature a defined benefit for the local community, and which are demonstrably sustainable in terms of the resources required for their construction and future energy consumption</i></p> <p>11. Do you have any additional suggestions regarding reforms that could improve the effectiveness of the Right to Contest process?</p> <p>No.</p>			
149.3	T&MBC Air Quality Consultation – due to IT issues the consultation has now been taken offline. Awaiting update from T&MBC.			
21/150	<u>FINANCIAL MATTERS</u>			
150.1	Accounts for payment - totalling £8,348.49 were approved - see attached.			
150.2	Financial Statement – bank reconciliation as at 28 th February was received – see attached			
21/151	<u>MATTERS FOR REPORT</u>			
151.1	<p>Amenities Committee – receipt was noted, of the draft minutes of the meeting held on 8th February 2021</p> <p>There were no questions.</p>			
151.2	<p>Highways, Transportation & Streetlighting Committee – receipt was noted of the draft minutes of the meeting held on 15th February 2021</p> <p>There were no questions.</p>			
151.3	<p>Planning Committee – receipt was noted of the draft minutes of the meeting held on 22nd February.</p> <p>There were no questions.</p>			
151.4	Malling Action Partnership – no report.			
151.5	School Governors – no report			
151.6	Malling Society – a virtual meeting of the committee is to take place on 5 th March			
151.7	Chamber of Commerce / Christmas Lights Committee – no report			
151.8	Tonbridge & Malling Borough Council – receipt was noted of the draft minutes of the Parish Partnership Panel meeting held on 4 th February			
151.9	<p>KALC/NALC/ACRK/CPRE:</p> <p>KALC – KALC Chief Executive Bulletin – receipt was noted of the February 2021 bulletin and of the KALC News for February.</p>			
21/152	<p><u>MEETING DATES</u></p> <p>Amenities Committee – Monday 8th March 2021 (concentrating on allotments)</p> <p>Finance & General Purposes Committee – Monday 15th March 2021</p> <p>Planning Committee – Tuesday 23rd March 2021</p> <p>Full Council – Monday 12th April 2021</p>			

<p>21/153</p>	<p><u>REPORT OF BOROUGH COUNCILLOR, NICK STAPLETON</u></p> <p>The Police reported at the Parish Partnership Panel in February that crimes which have increased locally include - illegal puppy breeding and thefts, thefts from motor vehicles, as well as sheds and garages. Domestic abuse and child abuse have both increased during the lockdown. The quantity of calls has increased, as well as the severity of the incidents. Also a lot of reports of younger people gathering outside during lockdown and general anti-social behaviour.</p> <p>I have spoken to a Waste and Enforcement Officer at TMBC regarding the litter in the parish, especially items from particular cafes. She said that they will be talking to all cafes which provide takeaway services to 'ensure they have clear signage to remind customers to dispose of their litter responsibly'. The officer said that they're hesitant to ask cafes to provide bins outside as it encourages people to congregate when drinking or eating, and then disposing of the rubbish - obviously in the current situation, they don't want to be encouraging people to congregate in groups.</p> <p>The Tonbridge and Malling Council Tax precept will be increasing by £5 this year, which is a 2.3% increase. It was agreed by both Cabinet and Council during February.</p>			
<p>21/154</p>	<p><u>REPORT OF COUNTY COUNCILLOR</u> – to follow</p>			
<p>21/155</p>	<p><u>CORRESPONDENCE</u> – receipt was noted of a letter received from Heart of Kent Hospice which thanked WMPC for their recent Section 137 donation of £500.00</p>			
	<p>There being no other business, the Chairman thanked members for attending and closed the meeting at 10.06</p> <p>Signed..... Dated.....</p>			

West Malling Parish Council

Accounts for Payment 1st March 2021				cheques to be drawn
Streetlights (cheque 2267)		1512.48	£1,814.98	
(invoice 11971 - Maintenance Contract Payment 4 of 4)	VAT	302.50		
(maintenance £1160.48 + painting of columns £352)				
Metcalfe Briggs Ltd (cheque 2268)		1099.50	£ 1,319.40	
(invoice 4347 - Rotary House survey & report)	VAT	219.90		
Parkers Fencing (cheque 2269)		140.00	£ 168.00	
(invoice 3380 - repair to village hall barrier)		28.00		
Kingfisher Direct Ltd (cheque 2270)		190.39	£ 228.47	
(invoice 1418951 - allotment open top water tank)	VAT	38.08		
Action with Communities in Rural Kent (cheque 2271)			£ 80.00	
(membership 1/4/21 - 31/3/22)				
Zurich Municipal (2272)			£ 1,861.27	
(invoice No: 504969420 - insurance renewal 2021/22)				
SLCC (cheque 2273)		120.00	£ 144.00	
(invoice ILCA fees - Clerk training)	VAT	24.00		
Roth Creative (single cheque 2274)		45.03	£ 54.04	
(invoice 3441 production & printing costs of Xmas cards)	VAT	9.01		
Roth Creative		20.00	£ 24.00	
(invoice 3442 production & printing of ID cards)	VAT	4.00		
March Salaries				
Mrs Claire Christmas - authorisation to pay via Faster Payments			£1,546.39	
(Clerk - net salary for March £1539.69 + reimbursement for fax £1.20, printer paper £3.35 & bin bags £2.15)				
Mrs Sarah Howard authorisation to pay via Faster Payments			£394.34	
(Ass Clerk - net salary for March £394.34)				
HMRC - authorisation to pay via Faster Payments			£578.41	
(Deductions from salaries - March)				
Nest - authorisation to pay pension contributions by Direct Debit for March				
Employer's contributions			£ 57.94	
Employee's contributions			£ 77.25	
	TOTAL		£ 8,348.49	