



Boughton Malherbe Parish Council

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Minutes of the Meeting of the Parish Council on Monday 19th March 2018, 7.30pm in Grafty Green Village Hall

Present: Cllrs R Turner (Chair); A Allum; T King; R Galton; J Collins
Clerk: Mr Chris Hume

Cllr Turner opened meeting at 7.35pm

1. Anybody filming or recording this meeting to declare it: No declarations made.
2. **Apologies** – received from Cllr Martin Round
3. **Declarations:**
Any lobbying - none
Any interest in items on the Agenda – Councillor Collins regarding donation to the Church and Cllr Turner regarding payment to the village hall
Any changes to the register of pecuniary interests – none
4. **Minutes** - The minutes of the meetings held on the 15th and 26th January 2018 were approved.
5. **Matters Arising** – Clerk to find out about councillor access to the KALC website
6. **Public session** – No members of the public in attendance
7. **Planning Outcomes since the last meeting** – None
8. **KCC/MBC Reports** – Cllr Prendergast updated the Council regarding MBC and KCC council tax and budget for 2018/19. Cllr Prendergast updated the council with regard to the bus subsidy consultation which has been postponed. Cllr Prendergast encouraged the council to write to the Environment Agency with regard to the impact of Gypsy and Traveller sites – sewage etc. Clerk to draft a letter. The Acres Place appeal will be heard on the 17th April at the Hazlit Theatre. Shellina encouraged people to attend this and the Meadows hearing.
9. **8.1 Local Policing/community** – The Clerk circulated recent crime reports from the e-watch website. This appeared to be the same report as received in January. Cllr Turner will raise this at the forthcoming Neighbourhood Watch meeting.
8.2 Community Warden Report – No report
8.3 KFRS – No report
8.4 Speedwatch – Agreed in principle to lend the equipment to Neighbourhood Watch provided we have insurance cover. Clerk to enquire through our insurers
10. **Highway and Footway Matters**
 - 10.1 **Liverton Hill** – no report
 - 10.2 **Ditches, gullies, pot holes** - several problems were reported by Cllr Allum. Clerk to report

these to KCC Highways

10.3 HGV Signage – problems continue. Cllrs agreed to continue to monitor and lobby when appropriate

10.4 59 Bus – Cllr Collins updated the meeting with regard to discussions with KCC regarding subsidies. Consultation has been placed on hold and existing KCC contracts have been extended until September 2018.

11. Councillor Reports on any External Meetings attended

Cllr Turner provided feedback from an MBC councillor's meeting regarding the Meadows Inspection hearing. It was agreed that Cllr Galton will place an article in Malherbe monthly for evidence and experiences to be reported anonymously to the inspection hearing by Borough Councillors. Cllr Galton will circulate a draft. Clerk to collate responses. Cllr Turner also provided feedback from the KALC Maidstone Areas Committee and KALC Planning Workshop. Cllr Galton referred to his previously circulated feedback from the KALC Planning Training. Cllr Allum reported from the Liverton Street Neighbourhood watch event.

12. Finance

12.1 Note the Balance at the Bank -

£18,017.14	Nat West
£25,000.00	Nationwide
£85,000	Cambridge and Counties

12.2 Income since the last meeting – None

12.3 Bank Reconciliation - approved and signed for position at 5th March 2018 by Cllr Collins

12.4 Any cheques to sign – signed four cheques regarding Village Green maintenance, Village Hall, Church and Christmas Tree

12.5 Authorisation of any payments since last meeting – none

12.6 Year-end payments – arrangements have been made with the village hall and the church

13. Donation From Quinn Estates – each suggestion was reviewed and a decision regarding the next steps was taken for each one. These decisions can be found in the table below. In addition, it was decided that: the Clerk will find out the planning issues and consents required to construct a car park. With regard to suggestion 16 it was agreed to also explore the option of a "Please Drive Carefully Through Our Village " sign. Cllr Galton will arrange for the latest position to be included in Malherbe Monthly to keep residents informed of progress. Cllr Galton to circulate a draft for comment.

14. Post Office Sign – Agreed to erect a sign on the village green and meet the cost of the post. Cllr Turner to approach Gavin Rees to take on this work

16. General Data Protection Regulations – received a progress report from the Clerk And agreed: (i) Not to create Parish Council email addresses for Councillors for now (ii) To continue to explore the option of appointing our internal auditor as our Data Protection Officer

17. Councillor Training – agreed a policy that councillors should attend training relevant to the committees on which they sit when such training is available through KALC

18. Date for Annual Parish meeting/AGM – 10th May 2018

19. LEADER funding for rural business – agreed to place information on the notice board

20. Correspondence – received from CPRE regarding annual subscription and Elan City regarding speed signs. Clerk to find out more about the signs

21. Further Information - None

The Meeting closed 10.05pm

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PARISH COUNCIL DECISIONS ON HOW TO SPEND THE QUINN DONATION MONEY

Probable
Possible
Unlikely

SUGGESTION	VOTES	LEGAL POSITION	MARCH 19 TH COUNCIL DECISION
1 - Purchase a ground source heat pump for the church.	1	No legal power. S137 Local Government Act 1972 might be possible but only as a capital project with ceiling of £2785.75 which is unlikely to be enough (This is the total for the year across all projects)	Not to be pursued
2 - Christmas decorations	1	Yes – Probably s145 1972 Local Government Act. If not s.137 as a one off spend	To be pursued later in the year
3 - If we are unable to use all funds we should help a neighbouring Parish with a project for which it needs funds.	1	s. 137 possible but will only be able to donate £2785.75, so unlikely to use up the funds	Not to be pursued
4 - Support the shop and pub to keep them open.	1	s. 137 possible but KALC advise consulting NALC legal first and will only be able to make one-off donation of £2785.75	Not to be pursued
5 – Connect broadband to all houses in Parish not now connected	7	S.137 might be used but KALC advises that this rarely fits due to the limitations surrounding this power and potential ongoing obligations	Not to be pursued
6 - Purchase the village green	5	Yes – Local Government Act 1972 ss124,127 top up with s.111 LGA for additional expenditure	To be explored further. This is a favoured option

7 - A children's obstacle course around perimeter of village green, and upgrade fencing with gates.	1	YES – Public Health Act 1875 s164; s.19 Local Government (Miscellaneous Provisions) Act Provided we obtain the agreement of the land owner	Not to be pursued
8 - Make a donation to Platts Heath Primary School for an essential item.	2	s.137 but only up to £2785.75	Possible, but further information required from the person making the suggestion
9 - Finance the Platts Heath Primary School Annual Prize	1	s.137 but only up to £2785.75	Possible, but further information required for the person making the suggestion
10 - Repair the QE1 yew tree wall.	1	No – as the tree and wall are on private land. Can only proceed if the land is purchased from the current owner Would need to purchase the land first using land acquisition powers (s. 124 1972 Local Government Act) and top this up with s111 1972 LGA for additional expenditure. Could only do any works on this site using s137 powers which only yield £2785.75 which may not be sufficient	Not to be pursued
11 - Purchase QE1 tree wall and tree plus surrounding land, fence it with road access and repair wall.	4	Could use s137 powers which only yield £2785.75 which is unlikely to be sufficient unless the land is donated to the council. There are land acquisition powers (s. 124 1972 Local Government Act) and top this up with s111 1972 LGA for additional expenditure. In any event could only do any works on this site using s137 powers which only yield £2785.75 which may not be sufficient	This is possible but the Parish Council will first speak to the land owner regarding possibility of acquiring the land

12 - Car park for village hall and village.	6	Yes – Road Traffic Regulations Act 1984	This will be explored further
13- Improve car parking facilities.	1	Yes – Road Traffic Regulations Act 1984 Would also require purchase of land?	This will be explored alongside suggestion 12
14 - Install traffic calming through the village.		Yes – power to make payments to KCC Highways under Highways Act 1980 s274A. Also s. 30 Local Government and Ratings Act 1997 Would need KCC Highways to agree	This will be investigated further and is a possibility
15- Put slow sign in Woodcock Lane near Ash Tree Farm.	1	Yes – Road Traffic Regulations Act 1984 s72	This will be investigated further and is a possibility
16 - Put white imitation gates and name signs in Headcorn Road at village boundaries. Similar to other villages.	1	Yes – Road Traffic Regulations Act 1984 s72	This will be investigated further and is a possibility
17 - Convert grass verge to pavement from corner of Woodcock Lane to bus stop to avoid criss-crossing road when walking.	1	Possible s.137 but very difficult in terms of consents etc and £2785.76 ceiling	Not to be pursued
18 - Improve road drainage at Headcorn Road / Crumps Lane junction.	1	Possible s.137 but very difficult in terms of consents etc and £2785.76 ceiling in which case it could be a cross subsidy with the Highways Authority if they wanted to act.	Not to be pursued as not seen to be necessary
19 – Street lights at each end of footpath beside Kings Head.	1	YES – Parish Council’s Act 1957; Highways Act 1980 Possible onerous long-term responsibilities?	This is a possibility and will be explored further
20 - A playground	1	YES – Local Government (miscellaneous Provisions) Act 1976 s19	Not to be pursued

21 - Purchase land in Woodcock Lane from local resident for use as a playground, playing field, fete venue, village green, car park and adult fitness equipment centre, all enclosed in fencing and gates.	2	Yes - Public Health Act 1875 s164 Local Government (miscellaneous Provisions) Act 1976 s19 Road Traffic Regulations Act 1984 Local Government Act 1972 ss124,127 (purchase of land)	Unlikely to be achievable
22 - Village hall maintenance and improvements.	2	Yes – can make a grant to the Village Hall Committee under Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Respond if Village Hall Committee put forward suggestions
23- Refurbish village hall.	2	Yes – can make a grant to the Village Hall Committee under Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Respond if Village Hall Committee put forward suggestions
24 - Extend village hall at back for new larger kitchen, convert present kitchen to cloakroom.	2	Yes – can make a grant to the Village Hall Committee under Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Not to be pursued. Funds unlikely to be sufficient
25 New village hall.	1	Yes – Local Government Act 1972 s 133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Not to be pursued. Funds unlikely to be sufficient
26 - Sell village hall plot with planning permission & use proceeds to buy larger plot and build new hall with lottery fund finance.	2	The Village Hall does not belong to the Parish Council so any sale is not within its gift. However, the Parish Council could receive a donation from the proceeds of the sale under s 139 Local Government Act 1972 and use this with other funds (loan, lottery	Not possible as Parish Council does not own the Village Hall and funds are insufficient

		or donations) to build a new Village Hall under the Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	
27.Support the shop to conduct marketing study	1	Possible grant using s.137 but £2785.76 ceiling	Not to be pursued This is a matter for the shop
28. Outdoor Gym	1	This would require the Council to acquire land, therefore could be linked to suggestion 20	Not to be pursued. No land available

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