

# **TONBRIDGE AND MALLING BOROUGH COUNCIL**

## **PARISH PARTNERSHIP PANEL**

**Thursday, 9th September, 2010**

**Present:** Cllr M S Worrall (Chairman), Cllr N J Heslop (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr Mrs S J Boakes, Cllr R W Dalton, Cllr Mrs C A F Grant, Cllr Mrs S L Luck, Cllr Miss A Moloney and Cllr Mrs C J Woodger.

Councillors Baldock and Miss Sergison were also in attendance.

Together with Kent County Councillors Mrs Dagger (Malling West), Mrs Dean (Malling Central) and Homewood (Malling Rural North East); together with representatives from Addington, Aylesford, Borough Green, Hadlow, Hildenborough, Kings Hill, Mereworth, Platt, Trottiscliffe, West Malling and West Peckham Parish Councils; Snodland Town Council and the Kent Association of Local Councils (Tonbridge and Malling Branch).

Apologies for absence were received from Borough Councillor Stone and East Peckham and Ightham Parish Councils.

### **PART 1 - PUBLIC**

**PPP  
10/012**

#### **MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 25 February 2010 be approved as a correct record and signed by the Chairman, subject to the following amendment:

- § The inclusion of Borough Green Parish Council on the attendance list.

**PPP  
10/013**

#### **UPDATE ON ANY ACTION IDENTIFIED IN THE LAST MINUTES.**

No items were identified.

**PPP  
10/014**

#### **MEDWAY VALLEY COUNTRYSIDE PARTNERSHIP**

The Chairman introduced Mr Mark Pritchard, Partnership Officer with the Medway Valley Countryside Partnership. Members were advised that the Partnership was a non profit organisation working to promote and enhance the countryside in the River Medway area. Mr Pritchard explained that the organisation provided advice, education, events and practical support to local groups conserving wildlife and the landscape; worked with local councils to improve access and public rights of way along the River Medway valley and surrounding countryside and worked in partnership with the Kent Wildlife Trust, Natural England and landowners on the management of special habitats and protected

species.

The presentation highlighted several projects currently operating in the Medway Valley, including the River Warden Scheme working between Tonbridge and Maidstone and an ongoing barn owl programme, and outlined initiatives and commitments for the future with particular reference to work at Dene Park and the Orchards project. The Partnership hoped to continue developing new contacts and networking with local groups.

County Councillor Mrs Dean asked to be updated on progress towards a continuous towpath along the Medway. Mr Pritchard replied that work was ongoing; with the Valley of Visions seeking funding for this multi-million pound project and that an area between Aylesford and Rochester had been identified as suitable for a cycle path.

Snodland Town Council expressed gratitude for the work undertaken by the Medway Valley Countryside Partnership and Valley of Visions which had restored and improved access to the area.

The Chairman thanked Mr Pritchard for his contribution to the meeting and was confident that residents greatly appreciated the work being undertaken.

**PPP  
10/015**

#### **POLICE LIAISON**

Chief Inspector Kirby of Kent Police, Borough Commander for Tonbridge and Malling, provided an overview of the achievements made in performance and in the neighbourhood policing agenda. An increase in 'all crime' of 4.5% during the period April to August was noted, although particular attention was drawn to the good reductions in criminal damage and anti social behaviour. Chief Inspector Kirby reiterated that, despite this slight increase, Tonbridge and Malling was still an extremely safe place to live and experienced low levels of crime.

Current crime prevention and reduction initiatives were outlined and included the Safer Garage Brand, Safer Schools Brand and Op Gear, with a Safer Sheds Brand being developed for the future.

Updated information on Neighbourhood Watch would be circulated with the Minutes.

Members made reference to the recent A228 road works and stated disappointment at the lack of police presence on the first day of the road closure, despite numerous requests for their attendance. It was suggested that next time a major road closure was necessary, preventative police measures dealing with traffic diversion and management would be preferred. Chief Inspector Kirby expressed regret at the handling of this situation and accepted that preventative measures were better than reactive.

Chief Inspector Kirby was unaware of rumours surrounding a relocation of police operations since the appointment of a new Chief Constable

for Kent. He confirmed that, as far as he knew, police headquarters would remain in Maidstone and was confident that rural policing would be unaffected.

The Chairman thanked Chief Inspector Kirby for his contribution to the meeting. Copies of the presentation would be circulated with the Minutes.

**PPP  
10/016**

## **LOCALISM LEGISLATION – IMPACT ON ALL LEVELS OF LOCAL COUNCILS**

In response to a question raised by Snodland Town Council the Chief Executive explained that the implications of localism legislation were unknown as the Decentralisation and Localism Bill was still to be published. Members were reminded that the purpose of the Bill was to devolve greater powers to councils and neighbourhoods and give local communities control over housing and planning decisions. The main elements of the Bill announced during the Queens Speech included the abolition of Regional Spatial Strategies; the return of decision making powers on housing and planning to local councils; the abolition of the Standards Board regime; outright abolition of Home Improvement Packs and the creation of new trusts that would make it simpler for communities to provide homes for local people. The power to instigate local referendums on any local issue and the power to veto excessive council tax increases would also be given to residents.

The Chief Executive drew attention to the unexpected abolition of the Audit Commission announced recently and warned of implications for parish councils in auditing their accounts.

**PPP  
10/017**

## **UPDATE ON COALITION GOVERNMENT'S COMMITMENT TO 0% INCREASE ON COUNCIL TAX**

At the request of Snodland Town Council, the Chief Executive provided an update on the coalition Government's commitment to a 0% increase on Council Tax. The Panel was reminded of the proposal to allow local referendums to veto excessive council tax increases as an alternative to capping by central Government. Legislation would be introduced at the earliest opportunity requiring any billing or precepting authority which set an excessive council tax increase to hold a referendum.

The Department for Communities and Local Government had circulated a consultation document seeking views on the practicality and technical feasibility of the scheme, particularly from local authorities and including town and parish councils. The consultation ended on 10 September 2010.

The Chief Executive advised that the 0% increase was misleading as he believed that if local authorities managed to restrict their council tax increase at a certain level central Government would give extra funding to that authority so that a 0% increase applied. However, it was not clear if this applied to parish and town councils.

Parish Councils were asked to give consideration to what percentage of their precept went towards elections and if this would be exceeded if a local referendum was held. The Chief Executive recommended that election costs could be spread over four years by the creation of a 'kitty'. The possibility of having parish council elections deferred due to the current practice of not holding more than three elections on one day was discussed. This course of action was not supported by the Borough Council, which was confident that borough and parish elections and a referendum on the same day could be managed successfully.

Kings Hill Parish Council stated their intention of lobbying Sir John Stanley MP outlining their concerns about the consultation period and lack of notice. The parish council were also willing to share their response to the consultation with other parish councils on request.

The general feeling amongst the Members was that Government should award grants to parishes if they were going to subject them to legislation and that the concept of a referendum was flawed as it undermined those voted into power by putting their decisions to a vote.

The Chief Executive advised that the Borough Council's response had expressed direct opposition to a referendum on council tax, although capping was welcomed.

**PPP  
10/018**

#### **ESTABLISHMENT OF A HOUSEHOLD WASTE AND RECYCLING CENTRE IN THE BOROUGH**

The written response from the Environment and Waste Service at Kent County Council to an enquiry raised by the Kent Association of Local Councils was received and noted by Members.

The Chairman of the Kent Association of Local Councils would report the County Council's response to his members.

**PPP  
10/019**

#### **GENERAL RECYCLING POLICY STATEMENT AND THE REMOVAL OF THE CARDBOARD FACILITY AT RECYCLING SITES**

The Waste Management Officer outlined the Borough Council's approach and continued commitment towards recycling, in response to a question raised by Aylesford Parish Council. Members were advised that the Borough Council's policy was to recycle waste locally, that residents recycled and composted almost 45% of their waste and generated electricity using 90% of the waste collected.

It was explained that the removal of the cardboard facility at recycling sites in July had not resulted in a significant dumping of cardboard. Residents had been advised to use the green-lidded bin for disposing of cardboard and boxes should be emptied and flattened before being put in the green-lidded bin. Members were assured that if larger boxes were flattened and placed neatly next to the green-lidded bin they would be collected by the Borough Council's waste contractor. The Panel was reminded that the Borough Council operated a number of

collection services for refuse, recycling, green waste and bulky goods. The Waste Services Team was educating businesses on the proper removal of waste.

An on-line list and documents were available to help residents recycle, compost or dispose of many different types of waste. Leaflets would be shared with parish councils for information.

**PPP  
10/020**

### **UNAUTHORISED OCCUPATION OF LAND**

In response to West Malling Parish Council's request for information on tackling the unauthorised occupation of land, the Chief Planning Officer outlined the difficulties surrounding planning enforcement, notices and appeals. It was explained that a legal process had to be undertaken before people could be removed. This could be frustrating if an incursion occurred outside a court's normal working hours such as the weekend or Bank Holiday. The Panel was advised that as unauthorised occupation of land was not a frequent or significant problem within the Borough it was difficult to see what useful purpose would be served by having officers available 24 hours a day, seven days a week.

Members were reminded that the Borough Council offered an out-of-hours call service for tackling these types of issues along with other planning infringements. The Government had indicated an intention of dealing more firmly with retrospective planning applications and it was hoped this would go some way towards alleviating the problem. The Chairman assured Members that the Borough Council was keen to seek strengthening of the legislative framework which would be more beneficial in addressing the problem for the longer term.

West Malling Parish Council recognised the difficulties highlighted and appreciated the briefing paper supplied by the Chief Planning Officer which set out the legal framework and the Borough Council's role in enforcement. It was suggested that this be shared with other parishes to enable them to inform residents.

**PPP  
10/021**

### **UPDATE ON POLY TUNNELS**

At the request of the Kent Association of Local Councils (Tonbridge and Malling Branch) the Chief Planning Officer provided a brief update on planning legislation surrounding poly tunnels. Current legislation was complex and ambiguous as some applications were allowed under permitted development rights, whilst others needed no permissions at all. Members were advised that the High Court had ruled that agricultural poly tunnels, in terms of Green Belt policy were 'not inappropriate' development. Particular reference was made to the recent planning permissions granted by Herefordshire Council which had been subject to legal challenge, the outcome of which was now being challenged by Herefordshire Council. It was noted that the outcome of this legal judgement could be influential and affect future applications nationwide.

**PPP  
10/022**

## **HOW CAN THE BOROUGH COUNCIL ASSIST IN MINIMISING THE EFFECTS OF BOOT FAIRS ON THE LOCAL COMMUNITY**

Addington Parish Council asked how the Borough Council could assist in minimising the effects of boot fairs on the local community. The problems being experienced by the parish were outlined and included nuisance parking and driving, littering and advertising signs. The Chief Planning Officer responded that enforcement action could only be taken if there was a demonstrable harm to the use of the land. If the case was not proven then costs could be awarded against the Borough Council. The Chief Planning Officer offered to investigate the issues with advertising and toilets on the site if these were causing problems. Members were reminded that Environmental Health Services could investigate issues of public nuisance, littering and noise and the Chief Planning Officer offered to pass these concerns to the relevant Team. Unfortunately, there was a limit to what the Borough Council could do in terms of vehicle parking contraventions. The Chief Planning Officer indicated that the Parking Control Team regularly visited the area periodically and served PCNs where appropriate. Kent Police were the responsible body if there were any serious road obstructions, although it appeared they were not aware of any problems along that stretch of the A20. Other highway concerns, such as mud on the road, should be reported to Kent Highway Services.

The Chairman suggested that a guidance note setting out the various responsibilities of each organisation and the relevant contact details be prepared and circulated to the parish councils.

**PPP  
10/023**

## **2011 CENSUS**

The Information Technology Manager gave a presentation which outlined the process for the Census in 2011. The next census would take place on Sunday 27 March 2011 and gathered information which identified services and facilities required, enabled population comparisons, identified changing characteristics of populations and helped determine central government funding levels for local authorities.

The parish councils were asked to publicise the 2011 Census locally and encourage residents to complete the Census questionnaire in March 2011. Further advice and assistance on the 2011 Census could be found on [www.census.gov.uk](http://www.census.gov.uk) or from the Tonbridge and Malling Borough Council Census Liaison Manager, Alan Burch, on [alan.burch@tmbc.gov.uk](mailto:alan.burch@tmbc.gov.uk)

Further information and contact details could be found in the presentation which would be circulated to all parish councils, along with councillor handbooks and recruitment posters.

**PPP  
10/024**

## **KENT COUNTY COUNCIL WINTER POLICY UPDATE**

At the request of Snodland Town Council, Kent Highway Services provided an update on the Kent County Council Winter Policy. The

Panel was keen to have knowledge of what areas of improvement the County Council would be implementing in order to prepare and plan a local response at parish level.

Mr Peter Lott, Community Delivery Team Leader, of Kent Highway Services reported that the Winter Service Policy had been updated to take account of lessons learnt from the experiences of last winter and in broad consultation with stakeholders. It was recognised that Kent district and borough councils had assisted where they could during the severe winter weather last January and this arrangement needed to be co-ordinated more effectively. Kent Highway Services were currently working with districts to produce local versions of the Winter Service Plan. District and borough councils would be consulted on district-specific sections of the plan as they wanted to be involved in designating priority routes in their local areas.

The provision of salt bins was a major concern for parish councils and it was proposed to continue with the existing scoring system to assess requests for new salt bins. The Panel was advised that Kent County Councillors could use their Member Highway Fund money to purchase salt bins. West Malling Parish Council asked whether Kent Highway Services would allow salt bins that were fully funded by parish councils to be placed on the verge or pavement. Mr Lott believed that there would be no objection, subject to clarification of the formal position from Kent Highway Services. However, he reminded the Panel that the County Council were trying to avoid a proliferation of salt bins. The Panel welcomed the provision of salt to local communities and noted the County's proposal to supply one ton 'hippo' bags of salt during bad weather. Kent Highway Services were asked to give consideration to providing additional bags, or selling bags at below the market rate, for those parishes that had purchased their own salt bins.

Parish and Town Councils were invited to a Seminar on 27 October 2010 focusing on maintenance issues prominent over the last year, with emphasis on the winter service, weather damage and potholes. Snodland Town Council welcomed the opportunity to attend the Seminar and suggested it would be helpful if the Winter Plan could be reviewed by the parishes to see if any areas of concern had been missed.

**PPP  
10/025**

#### **KENT COUNTY COUNCIL SERVICES UPDATE**

The Kent County Council Liaison Manager, Loic Flory, provided an update on County Services and invited questions from the Panel, none of which were forthcoming. Parishes were invited to suggest issues for future meetings.

A copy of the Kent County Council Services update report would be circulated with the Minutes.

The meeting ended at 2206 hours