



Rolvenden Parish Council

In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 this meeting was held as a virtual meeting.

Minutes of the virtual meeting conducted at 7.30pm on 16th February 2021.

Present: Cllr Mrs D Curtain (Chairman), Cllr E Barham, Cllr S Bryant, Cllr Mrs F May, Cllr A Johnstone, Cllr Mrs I Newman, Cllr G Tiltman, Cllr Mrs T Turner and Cllr Mrs L Walker

In attendance: Peter Setterfield PSLCC, Parish Clerk and Responsible Officer

516. **Apologies for absence:**

Ashford Borough Councillor K Walder.

517. **Declarations of Interest:**

1 **Declarations of Members' Disclosable Pecuniary Interests:**

Cllr E Barham declared an interest in minute 519, Planning matters regarding applications 21/00204/AS and 21/00214/AS as a neighbour.

2 **Declarations of Members' Other Significant Interests:**

Cllr Mrs D Curtain, trustee of War Memorial Trust

Cllr E Barham trustee of Basil Russel Trust, trustee of the Windmill Trust, Royal British Legion.

Cllr Mrs I Newman, trustee of War Memorial Trust, trustee of the Non-Ecclesiastical Charities.

3 **Declarations of Members' Other Interests:**

Cllr G Tiltman, member of the Village Hall Management committee

Cllr L Walker Rolvenden Village Fete, Secretary Rolvenden Football Club

Cllr S Bryant, Chairman Rolvenden Football Club.

518. **Minutes:**

The minutes of the meeting held on 19th January 2021 were submitted, approved as a true record to be signed by the Chairman at a time when restrictions on meeting in person are relaxed.

519. **Planning Matters:**

- 1 **21/00145/AS – Land West of Hodee, Frensham Road, Rolvenden –** Variation of condition 1 of 20/00822/AS (variation of condition 1 on planning permission 19/00455/AS for Reserved matters application for details of access, appearance, landscaping, layout and scale for the erection of one detached bungalow in pursuant to outline planning permission 18/00545/AS) to replace drawing number 17.879.01I with drawing number 17.879.01H to add rooflights.

Resolved: The Parish Council objects to the application on the following grounds
The planning permission 19/00455/AS had an attached condition removing PD rights for roof extensions to safeguard neighbour amenity.

The neighbourhood plan Character Area Assessment quotes Frensham Road is principally well spaced detached properties, this application does not fit with the well spaced pattern.

The application does not fit with Policy RNP3 clause a or ENV14 of the Ashford Local Plan – the development will create a cramped aspect to the building line and spoil the visual amenity.

The application is contrary to policy RNP1 clauses a, c and d of the Rolvenden Neighbourhood Plan.

The application is contrary to RNP6 as it conflicts with policies RNP1 and RNP 3 of the Rolvenden Neighbourhood Plan.

The outdoor space of the original application was noted to be less than would normally be accepted but given it was for a two bedroom property, however as this application is now three bedrooms and a larger footprint it would not meet the standard.

- 2 **21/00204/AS & 21/00205/AS – 34 Maytham Road, Rolvenden** – 1) Replacement two storey rear extension; proposed single storey side extension; changes to fenestration; internal alterations and replacement outbuilding. 2) Listed Building Consent for same.

Resolved: The Parish Council supports the application.

- 3 **21/00214/AS & 21/00215/AS – Maytham Farmhouse, Maytham Road, Rolvenden** – Change of use of outbuilding with internal alterations and alterations to the fenestration with Listed Building application 21/00215/AS Change of use of outbuilding with internal alterations and alterations to the fenestration.

Resolved: The Parish Council supports the application.

520. **Highways Matters:**

The Chairman recently met with Kent Highways to discuss the Highways Improvement Plan. At the present time there will be no progress as Highways require the Parish to fund any improvements.

521. **Finance:**

Schedule of payments:

Staff costs	£889.21
Litter picking	£120.00
Sutcliffe Play	£12,018.16 (VAT £2,003.13)
Sutcliffe Play	£16,571.52 (VAT £2,761.92)
David Buckett	£5,639.70
G Tiltman	£28.78

Funds received in January

Care Bear scheme	£20.00
Cook book project	£95.00
Basil Russell Trust	£5,000.00

Councillors Mrs Curtain and Mrs Newman verified the bank transactions.

Resolved:

- 1 To authorise the payment of the invoices presented at the meeting (the payment to Sutcliffe play for £12,018.16 to be held until the play area is completed to satisfaction)**
- 2 To receive and note Report RPC/20/12**
- 3 To receive and acknowledge the financial movements for the period 1st April 2020 to 31st January 2021.**

522. Land Bequest:

The Parish Council received a letter from the Executors of Miss Thoburn in January 2020 advising of gifts of land to the Parish Council subject to agreement. The Parish Council appointed solicitors Messrs Wellers Hedleys to act on their behalf as the executors had indicated that they wished the transfer to be to the Parish Council as custodian trustee rather than outright. This being to ensure the Thoburn family's wish to benefit Rolvenden is achieved.

The Solicitors have forwarded proposals to the executors pointing out that what they are proposing that putting the land into a charity is hopeless and will not achieve the result required by the testator.

A local Council may be appointed as the custodian trustee to a charity. This means that the ownership of the property of a charity is vested in the Council but the Council has no role in the management or administration of the Charity. The property is listed in the Council's asset register with a nil valuation. Responsibility for insuring the property, including public liability, falls on the trustees appointed to manage the charity not the Parish Council. Should the charity cease to be viable the Charity Commission can override the no sale provisions and the proceeds be invested in a similar charity.

Should the executors not agree with the proposals put to them by the Council's solicitor, the Parish Council is asked to determine if it wishes to proceed with the transfer as suggested by the executors or to disagree which in terms of the will the gifts shall lapse and the proceeds of sale of the properties shall fall into and form part of the residuary estate.

Following debate it was decided that the War Memorial Trust would be consulted to ascertain if they were prepared to accept the land on the executors terms. A letter is to be sent to the executors asking for more time to enable discussions with the War Memorial Trust to take place.

523. Stolen Funds:

The Chairman reported that a complaint had been lodged with the insurance company regarding the decision. The original decision has been upheld. A complaint has also been lodged with the broker about a potential mis-sale of the policy not being fit for purpose. Again the complaint has been rejected. Both had stated that the decision could be referred to the financial ombudsman. This was incorrect information as the ombudsman will not deal with complaints from parish councils as they are neither an individual or a trading business.

Given the lack of progress with Lloyds Bank it was resolved to request Messrs Wellers Hedley to take no further action. An independent pro-bono review is to be sought to ascertain if further action is likely to bring results.

524. Other items for information:

The Chairman reported that following the last meeting Ashford Borough Council have agreed to fund the appointment of Hoey Ainscough Associates to undertake a governance review of the Parish Council.

It was noted that there has been an issue with the new playground equipment at the Streyte in that there has been a structural failure, the play area has been locked throughout the period, the Company have been advised and have attended and will rectify the problem as part of warranty.

Cllr Barham, Cllr Bryant and a team of volunteers have undertaken litterpicking recently and has arranged two further picks.

There being no further business the meeting closed at 9.00pm.