

## **HORTON KIRBY AND SOUTH DARENTH PARISH COUNCIL**

### **MINUTES of the MEETING of the PARISH COUNCIL held on 1<sup>st</sup> July 2019 in the Village Hall, South Darent at 7.30 pm**

Present: Cllr I Blackamore (Chair)  
R House, D Mitchell, C Page, T Moyle, P Rushbrook (Vice Chair), M Stead, J  
Stewart, T Ward

4 Members of the public including Malcolm Dunn (DRiPs), S Dove and D Hollands,  
(SPCA)

In attendance: H Rohard, Parish Clerk

#### **40 APOLOGIES FOR ABSENCE**

Received from Cllr P McGarvey, District Councillor, Cllr Roger Gough, County  
Councillor and L Bugler, Assistant Parish Clerk/Finance Officer. Cllr Brian Carroll,  
District Councillor was absent.

#### **41 DECLARATIONS OF INTEREST**

None.

#### **42 MINUTES OF LAST MEETING**

The Minutes of the last meeting held 3<sup>rd</sup> June 2019 were signed as a true record.

#### **43 MATTERS ARISING**

**From Minute number 18:** website changes. Sub pages can be created for the meetings  
but will not send alerts by email as events/ news. Cllr Mitchell and Stewart  
recommended that the changes be made so events and news are highlighted. ACTION

**20:** Stones were swept up the following day. Bollards will be discussed with Highways  
Steward 17/7/19. Darent Valley Consortium meeting Clerk liaising with others to agree  
meeting date; Cllr House will be attending.

**22:** Flytipping report from KCC request has been diarised for December.

**25:** Cllr Ward to find out information about Clay Pigeon shooting for Fun Day.

**26:** DVLP, EA and PROW officer will be meeting on 10/7/19 to discuss improvements  
to the river path.

**35:** Dog warden would be pleased to attend the Fun Day 1<sup>st</sup> Sept if OK with her boss.

#### **44 POLICE MATTERS**

The PCSO was unavailable to attend the meeting.

#### **45 QUESTIONS FROM THE PUBLIC & CORRESPONDENCE**

Cllr Moyle circulated a 1900's photo of a group outside The HK Mill and suggested the idea of getting together with residents and other interested parties to have a photograph taken outside Esparto Way in the near future to be the "Now" photograph on the front cover of the proposed 125<sup>th</sup> Anniversary book to complement the "Then" photo. He suggested a Saturday morning to gather a group and would contact the school to include children. ACTION: Cllr Moyle.

Cllr Moyle also requested that the format of the Annual Parish Meeting be discussed at a future meeting so that improvements can be made to the programme ACTION: Clerk to include on September Agenda

Cllr Stewart asked if the Volunteer River day went ahead as he had been unable to book in with Mark Gallant. Malcolm Dunn had attended but it was just him and Mark so the day was cancelled. Mark is bringing a team of NWKCP volunteers on 4/7/19 to do the work instead.

Malcolm Dunn raised his concern about the weir; he reported that the structure appears very overgrown and doubted the mechanism had been maintained. The Clerk responded that the weir is the property of Millen Court management company, however the residents' committee have said previously that they do not want the expense of maintaining it, expecting the Environment Agency would maintain it if necessary. The EA however have previously said their policy is not to maintain structures.

Cllr Blackmore said that residents remove vegetation from the mill pond to and they may have a work day planned. Cllr Stewart suggested that other volunteers may be interested to help them and that the Parish Council should help.

Cllr Ward declared a non-pecuniary interest and stated that the potential collapse of the weir would be a flooding issue for properties downstream. Were Millen Court residents aware that they could be liable for damage as a result of flooding? (Ryland v Fletcher rule).

Malcolm Dunn believed the mill pond was last dredged about 20 years ago for maintenance work to be completed on the weir.

Cllr Rushbrook agreed that Millen Court residents committee be invited to meet together with any interested parties to work together on keeping the weir in good order and to enquire whether an inspection has been done to ensure its safety. ACTION Clerk

#### **46 REPORT FROM DISTRICT COUNCILLOR**

Cllr McGarvey and Cllr Carroll were absent.

#### **47 REPORT FROM COUNTY COUNCILLOR**

Cllr Gough was absent.

#### **48 RECREATION AND OPEN SPACES COMMITTEE**

The latest approved minutes of the committee were received for information.

#### **49 PERSONNEL COMMITTEE**

The draft minutes of the last committee meeting were received for information.

## 50 WESTMINSTER FIELD BRIDGE

Sevenoaks District Council confirmed that the correct bridge (ie the vehicular bridge and not the weir pedestrian bridge) was investigated and concluded that the bridge did not belong to SDC.

Invicta Law advised that no action could be brought against the solicitors acting for the Council in 1988 for the conveyance of Westminster Field, as they have been out of business for years and old files had been destroyed, likely after 12 years.

Cllr Ward suggested the Law Society be contacted to clarify when the firm had ceased trading. ACTION: Clerk

Cllr Blackmore recommended that the Parish Council consider an alternative route into Westminster Field from Dartford Road as the weight restriction sign on the bridge will create issues with having any maintenance work done in the field, pavilion or car park. Discussion followed around whose land this would involve and the best/direct route. ACTION: Clerk to ask landowner if this is a possibility.

Discussion turned to how the Council may adopt the bridge by adverse possession. Cllr Ward asked how the load bearing weight could be increased ACTION: Clerk to ask KCC bridges team for advice on this.

## 51 FLYTIPPING AND ROAD SWEEPING

Following on from discussion at the last meeting the Clerk reported:

- Hextable Parish Council employ a litter picker for 4 hours a week @ £8.50ph.
- Parish Council Insurance covers volunteers automatically and recommends:

*'to reduce the likelihood of injury or damage arising we recommend that a risk assessment of the proposed tasks is completed in writing and kept on your records. The Parish Council should ensure the participants are competent to carry out the work they are offering to undertake and, for the more manual duties, have access to the correct tools as well as suitable clothing/protective equipment.'*

- Ian Finch responded from SDC regarding road sweeping and litter picking:

*Sevenoaks District Council as Waste Collection Authority is obliged to provide a scheduled cleansing service for the routine removal of litter and detritus from adopted highways but not an emergency cleansing response.*

*To put our street cleansing service in context we provide scheduled cleaning of all publicly maintainable streets within the District, while ensuring those subject to the highest levels of littering are cleaned most frequently. We strive to provide a consistent street cleaning service across the District, taking account of the level of footfall and the volume and speed at which litter and detritus levels build up at each location, so that we make best use of our available resources. High usage roads and footways in towns or along primary routes receive daily, weekly or fortnightly cleaning, and residential streets are mostly cleaned at 40 working day intervals. We endeavour to clean rural roads on a six monthly schedule, although we recognise that the interval between cleaning on some less well used rural roads has been considerably more than this due to operational demand.*

*Regrettably, some road users and homeowners care little about the environmental impact of littering and fly-tipping and deposits can occur within days, if not hours, of our*

*completing scheduled litter picking or clearance of fly-tipped waste. I can advise that Horton Road, Holmesdale Road and East Hill are scheduled to be swept every two weeks. Sometimes East Hill can't be swept as thoroughly as we'd like as, despite advance notice signage erected to advise of our intention to sweep, parked cars often remain insitu and deny access to our mechanical sweeper. We can hand brush or blow to dislodge litter where there is sufficient room between road edge and cars but we don't wish to risk damage to parked vehicles.*

*Our supervisor has spoken to the street cleaners involved to ensure they are being as thorough as possible when undertaking this scheduled work. Holmesdale Hill is scheduled to be cleaned as a rural road and so is cleaned at around six-monthly intervals. Our street cleansing supervisor visited site earlier this week in response to your concerns. He found generally low levels of litter and detritus in Horton Road, East Hill and St Margaret's Road. It's worth noting that only the first 75 metres of St Margaret's Road is within the Sevenoaks District Council area. The remainder of St Margaret's Road is within Dartford Borough Council's area. Esparto Way is not adopted Highway and as such we don't sweep this road. We do however litter pick the entrance and upon inspection this was free of litter.*

*We are unable to provide coloured sacks but could provide black plastic sacks for local volunteers to use to collect litter. We could agree a location where the filled sacks could be left for collection. I would emphasise that volunteers should not put themselves at risk by litter picking verges or similar at busy times. If you would like to progress the provision of black sacks and agreed collection points please contact either Mick Hood 01732 227454 or Tom Ragan 01732 227452 to arrange.*

*With regard fly-tipping and the potential for an increase in waste following KCC's introduction of charges for disposal of certain types of waste at HWRC's, I confirm that KCC and District Council officers have discussed how additional funding might best be spent. Ideas include capital funding to purchase improved technology to help with detection of fly-tippers and part time employment of additional waste enforcement officers.*

*For Parish information, Sevenoaks District Council is not responsible for litter or fly-tip clearance on privately owned land and paved areas that are outside Highway boundaries, nor for responding to emergency spillages or any similar matter affecting road safety. Responsibility for clearance of fly-tips or litter on privately owned areas of land rests with the landowner. Responsibility for spillages or other road safety issue rests with Kent Highways as the Highway Maintenance Authority.*

Cllr Blackamore asked for coloured bags to be investigated for the Parish Council to purchase for use by volunteers. ACTION: Clerk

Cllr Ward felt the funding from KCC would be best spent by SDC on employing more staff to litter pick than enforcement or cameras.

A map of all the bins in the Parish was reviewed to identify whether dog bins could be replaced by litter bins following information received by SDC regarding the collection of dog waste is now mixed with litter and considered by the ROS Committee in April and June.

*We have recently been notified by Kent County Council (the waste disposal authority) that dog waste must now be mixed with litter to enable it to be disposed of at their facilities. This means that moving forward, we will no longer be able to support the installation and emptying of new designated dog waste bins. We will continue to empty existing dog waste bins separately and will combine the waste with litter prior to disposal. Please note that if you decide to add any more bins, we would suggest that you consider installing combined litter and dog waste bins, we will then be able to empty them for you.*

*Unfortunately this does not mean we will not be charging you for the collections. We will continue to invoice you on a quarterly basis for the dog bins currently installed. Any newly installed combined litter and dog waste on your land would be charged for on a similar basis.*

The cost for emptying mixed waste and litter is the same for designated dog bins ie £1.80 per collection x 1 per week.

Cllr Rushbrook suggested that SDC be asked to provide litter bins to replace dog bins at Jacobs Lane (previously requested bin has not be forthcoming so far) and at Glebe Place. If SDC do not take this up then to refer it back to the ROS Committee for action. All current bins to have dog waste stickers put on them to encourage mixed use. ACTION: Clerk to liaise with SDC and purchase stickers.

## **52 STANDING ORDERS**

Cllr Mitchell proposed that the Standing Orders for the Parish Council be amended to include 'The Chairmen and Vice Chairmen of the Parish Council and all Committees shall have a maximum time in post of 3 years' Cllr Blackamore seconded this motion and was carried unanimously. RESOLVED Standing order to be amended accordingly. ACTION: Clerk

## **53 S106 UNDERSPEND JUBILEE HALL**

The Clerk reported that the s106 funds used to build the Jubilee Hall still had an underspend amount of £10,000 which was being held by SDC despite email correspondence over the years. The funds are restricted to being spent in accordance with the original agreement to provide:

- An extension to HKSD Village Hall or alternative to be agreed
- Improvements to Heathside
- And/or provision of play equipment within half a mile of the development (The Mill, South Darent)

Recently the Jubilee Hall roof has started leaking again (the entire flat roof was stripped off and replaced in 2013 before the building was signed off by the project manager). Also walls need repointing which is irregular for a building of this age. The Clerk has checked if there may be redress from the builder (engaged by Sevenoaks District Council after a tendering process) but the firm Bolt and Heeks went into administration in December 2018.

The Parish Council has requested this underspend, with improvements to Heathside in mind or new play equipment at Shrubbery Road, but there is also now a call for remedial works on the Jubilee Hall. The Clerk will be writing to SDC to request that funds are passed to the Parish without further delay. Cllr Ward offered to contact SDC directly to support this request.

ACTION: Clerk

## **54 INTERNAL AUDITORS REPORT**

This was received by the Council. There were no comments made by members.

## **55 ROADWORKS TO LAY GAS PIPE FROM COURT LODGE FARM**

Members received information regarding planned and phased roadworks in Horton Road and Holmesdale Road from 22 July to 21 September.

The view of some members is this change, from the original route in the Agricultural Waste Digester Planning application, has been due to cost. Had the new route been included at the planning stage members felt there would have been further objections to the AWD site.

The impact on local residents and businesses was thought to be high in these months of disruption. Arriva must be informed to save any unnecessary cancellation to the bus service. ACTION: Clerk

Cllr Ward suggested Billings may wish to compensate the Parish for the disruption. Cllr House will raise the matter of road user disruption with the SDC Transport Board.

## **56 FINANCIAL MATTERS**

### **Schedule Of Accounts**

The schedule of accounts and payments were approved for payments to be made electronically.

## **57 PLANNING**

SE/19/01383/HOUSE

14 East Hill

South Darenth

KENT DA4 9AN

Demolition of existing rear conservatory and single storey cloakroom and erection of 2 storey extension with porch with alterations to fenestration.

NO OBJECTION

SE/19/01456/LBCALT

Franks Hall, Franks Lane

Horton Kirby

Kent DA4 9JJ

Replacement of entrance and service gates, railings, fences, brick piers, boundary walls to a new height level, widen entrance service and gate on site boundary.

NO OBJECTION

SE/19/01818/HOUSE

7 Churchill Road,

Horton Kirby

Kent DA4 9DP

Replacement of UPVC and plastic conservatory roof with solid roof with roof lights and associated alterations to existing parapet walls and formation of a new parapet walls

NO OBJECTION

## **58 TRANSFER OF AMENITY LAND FROM SEVENOAKS DISTRICT COUNCIL**

The Council's solicitor has advised that SDC wish to include a covenant that she considered to be *'very wide and will mean the Parish Council cannot put anything on the land eg building, structure, bins, or plant trees, bushes etc.'* as the land already contains children's play equipment and waste bins the Recreation and Open Spaces Committee at their meeting 24<sup>th</sup> June (minute 14) requested that SDC be informed that they wanted no restrictions at all.

SDC legal team have responded:

*To clarify ,the description of "open space" was to ensure that the land remains as it is an open space with the play area, bins and plants. Our view is that since the Parish will be required to keep the land as open space, this restriction as to use would not prevent them from maintaining it including undertaking such works as landscaping or installing bins .*

*The Town and Country Planning Act 1990 s336 defines "open space" as means any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground;.*

*Please note, if you feel it necessary to change the wording to better reflect your clients concern, we would be happy to consider your suggestion.*

*With regard to the possibility that in the future, following consultation, that some areas may be required for parking in Saxon Close, a reference can be included in the transfer to the effect that SDC's consent would be required for such use, but such consent not to be unreasonably withheld.*

Members supported the view of the ROS Committee that no restrictions be imposed but if they must, that all the Parish Council's future plans for the open spaces, are included in the agreed wording.

ACTION: Clerk to liaise with Invicta Law and refer any wording changes to the Parish Council for approval.

## **59 WEBSITE/SOCIAL MEDIA/NEWSLETTER ITEMS**

Cllr Blackamore said that advertising for the 125<sup>th</sup> Anniversary 'Avenue of Trees' project should start as soon as possible to allow residents to participate in good time. Cllr Stewart said the ROS Committee were finalising the details of the trees and any necessary ground work. Some residents have already expressed interest at St Georges Day and left contact details.

It is anticipated there will be room for 46 trees along the path in Westminster Field.

Cllr Mitchell said that a planning meeting was needed for the 1<sup>st</sup> Sept Fun Day; this was booked for 9<sup>th</sup> July at 7pm in the Parish Room. All Councillors invited to attend.

## **60 DATE OF NEXT MEETING**

2<sup>nd</sup> September 2019. The Council is in recess during August.

Meeting closed at 9.13pm

Chairman:

Date: