

**MINUTES OF AN EXTRAORDINARY MEETING OF THE PARISH COUNCIL
HELD IN THE COUNCIL CHAMBER, VESTRY HALL,
ON THURSDAY 28TH JANUARY 2016**

The Chairman read out the following statement:

Members are required to declare any interests, dispensations, predetermination or lobbying on items on this agenda. Members are reminded that changes to the Register of Interests should be notified to the Clerk.

No interests were registered.

PRESENT: Cllrs. Bunyan, Cook, Fairweather, Fermor, Goodchild, Kemp, Rook, Smith, Swann and Veitch. Borough Cllrs. Dawlings, Hannam and Holden.

APOLOGIES: Cllrs. Clifford, Hall, Hartley and Holmes.

CIVIC AMENITY REFUSE VEHICLE:

219: The Chairman explained for the benefit of parishioners that this item referred to the refuse vehicle which visits once a week on a Saturday and which is under threat unless we agree to put funds towards it. This item was deferred at an earlier meeting but we are now being pressed for a final decision. Cllr. Swann reminded everyone it is not just about the enforced contribution, we are now only getting one quarter of the service. He felt that there would be increased fly tipping. Cllr. Veitch informed Members that she had been sent a copy of a letter which Benenden had sent to Cllr. Jukes. This mirrored the concerns which we had already put forward to Cllr. Jukes. We have now been told we either have to pay or we do not get the service. Cllr. Fermor suggested that littering is getting worse, people pay their council tax already for refuse collection, this is double taxation but we have no choice. Cllr. Smith stated that it was a sad day when we have to pay twice but we were over a barrel, we need to get together with the other parishes on this issue. With regard to fly tipping, the Chairman made everyone aware that this could be reported on a smart phone via Country Eye.

The Chairman proposed that Cranbrook & Sissinghurst Parish Council accept the new service option for the civic amenity refuse vehicle, with the caveat that a full review of the service is carried out by TWBC after six months.

This was seconded by Cllr. Rook and unanimously agreed.

The Chairman closed the meeting to invite questions from the Borough Councillors and parishioners.

Cllr. Holden stated that strong protests had been made to the ruling group and he had made a Dick Whittington suggestion that the £70,000 that is spent on the Mayor should be diverted to the civic amenity refuse vehicle.

The meeting was re-opened.

COMMUNITY CENTRE - PLANNING APPLICATION:

220: The Chairman informed Members that together with Cllrs. Bunyan and Rook, she had attended a Pre-Application Planning meeting at TWBC yesterday. It was a very positive meeting. Highways and access were considered to be a topic that needed more detail. We received guidance on the landscaping aspects, and the necessary links between the enabling housing and the Community Centre, this would be way of a Section 106 Legal Agreement. Guy Johnson is offering to pay all the costs of the infrastructure which will provide the evidence for the enablement. This will include the roads, paths, sewers, electricity, gas, water and telephone to the beginning of the Community Centre. This is a huge cost saving to us. The confirmation of the £400k to be given to the Parish Council by TWBC towards the Community Centre is on the forward plan for the April Cabinet meeting, as is the transfer of the freehold of the toilet block which could of course contain caveats. The Planning Officers had received the plans for Option B for the Community Centre. The plans for what is now being referred to as Option A are the ones which were submitted in the original planning application a year ago. Their very strong recommendation was that Option B was much the preferred option.

COMMUNITY CENTRE – OPTION B – ALTERNATIVE CENTRE SIZE:

221: The Planners had concerns on the original Option A as three parking bays for the enabling houses would have had to go on the toilet block site and if we were gifted the site and then sold it for parking TWBC will demand recompense. There were also concerns regarding access for refuse lorries through the Tanyard Car Park to service the bin area and the lack of a turning circle. There were concerns regarding pedestrian safety and the loss of landscaping. As stated in the Business Plan, we had asked the architects to investigate the impact of making the Community Centre smaller, basically by lopping off the end bay and making some other adjustments. The advantages of Option B, according to the TWBC Planners are:-

- The parking for units 17, 18, 19 are no longer on the site of the toilet block
- The positioning of the hub bins means that the refuse collection can be done via the Regal access
- The sizing, scale and shape is a much better relationship to the landscape
- The visual image is much improved
- The options for landscaping and recreation are much improved, and specie trees can be kept
- The Orange Land can be landscaped and perhaps used for recreation rather than disabled parking
- Removal of vehicular access via the Tanyard is a great improvement. The concerns had been around impact on landscape, risk to pedestrian safety, amount of increased traffic in the Tanyard and the impact on the surrounding properties.

The Chairman stated that her personal view is that all of the advantages according to the Planners meant that Option B would be far more acceptable to them, whereas Option A will meet far more opposition and difficulties throughout the planning process. A smaller community centre would cost less to construct and be cheaper to run and maintain.

The disadvantages of Option B would be:-

- Smaller seating area in the Halls. A revised plan is being drawn up which does away with the “picture gallery” which will provide more space.

- Access from the Tanyard was included after consideration of the needs of Age Concern and the catering deliveries to the main kitchen. The revised plan will include a second set of stairs and a second lift. Consideration is being given to make the lifts larger to take several wheelchairs, and the maximum size of catering deliveries.
- Library requirements. KCC libraries are still insisting on a need for 200 square metres but are unable to commit to using it. They have said that 123 square metres is unacceptable. Would we be happy to spend nearly £0.5m on the off-chance that the Library might join us? The Library service is in a great deal of flux at the moment. For example there is a consultation request on the use of the mobile service. It is not inconceivable that in say five years they would be happy to use the Open Plan Area for their library.

Cllr. Veitch stated that it is the size that is for discussion tonight and not an approved design at this stage as changes are still being discussed. She invited comments from Members.

Cllr. Rook reiterated the comments made by Cllr. Veitch, pointing out that we need to choose which option we are going for before looking at the final design. He stated that he had attended almost as many meetings as the Chairman, travelling hundreds of miles, seeking opinions, talking to groups, meeting the architects, KCC Libraries, Kent Highways, Planners and Officers of TWBC, not to mention ad hoc discussions with interested parties. Various opinions and requirements had come out of these meetings and one obvious sticking point was the vehicular access across the Tanyard for catering access, disabled drop off and refuse vehicles. This caused much consternation with TWBC as they have it in the back of their minds to do something with the car park and a permission for permanent access may not be suitable for the future if they wish to build on the car park, although he felt this to be a remote possibility. There was also consternation about the size of the Centre but interestingly there was surprising contradiction in as much as they were talking about future proofing it to cope with increasing demand in the future. He had agonised over the various issues and his gut feeling was that Option A made most sense, however, after talking to everyone concerned he was willing to be persuaded that Option B ticks more boxes and would be a much smoother path through planning, almost assuring its acceptance by the Officers. They are now talking about hedges and windows and perhaps we could tweak this and slightly alter that, which is a massive move forward to what we have been faced with in the past. As far as certain small aspects are worded on the drawing such as board room, this could be a meeting room with flexible seating and be equipped with video screens to relay meetings or performances in the main hall thus increasing its capacity and a bit of thoughtful design now could place meeting rooms in the roof if demands dictate. He would vote for Option B.

Cllr. Swann stated he would vote for Option B but there were fundamental things in the design which needed to be changed. He pointed out that anyone using the lift down to the lower floor would have to go across the library space; it needed a new lift on the bottom right hand corner. He agreed with the removal of the picture gallery. Cllr. Veitch confirmed that a revised design would hopefully be drawn up in readiness for the February meeting.

Cllr. Cook, noting that this is not the final design, felt it better to support a plan that would gain planning consent and would vote for Option B.

Cllr. Fermor agreed, stating she would vote for Option B. Cllr. Smith also agreed Option B, smaller to start with, a modular design which can be increased. Cllr. Fairweather agreed with these sentiments and took the opportunity of thanking the Chairman and all other Members concerned who had put so much work in the documents being considered.

Cllr. Kemp stated he would go with Option B but suggested that it could be whittled down further and then deliver something which could be increased in the future but with a caveat that other buildings such as the Providence Chapel could be considered in the mix. TWBC are thinking of moving the Museum into the Chapel but this would be better for an auditorium. The Chairman informed Members that the Providence Chapel was not for discussion and was not on the agenda for this evening. It would be a separate agenda item and would be discussed in April when hopefully Mark Stevenson, TWBC Conservation Architect could attend together with the owners of the Chapel. It is irrelevant for the planning application – we have already passed a resolution to support a Community Centre on Wilkes Field. Cllr. Bunyan referred to an email recently sent round to CCAAC Members and she wished to pass on the views of Mark Stevenson and reassure people that the Museum is not going to be sold unless there is something fantastic to offer them. They will not be forced to move.

Cllr. Goodchild stated he would vote for Option B. He would originally have gone for Option A but he had taken on board all the comments made. The Chairman then closed the meeting to enable comments from parishioners.

A comment was received about the access via Tanyard, the picture gallery and the one way system from the Co Op, the Centre being too large and the Providence Chapel could be looked at. The Chairman confirmed that TWBC would not support access from St. David's Bridge and she clarified that specialists are looking at the highway and access issues but the access would be via the Regal Car Park.

Responding to another parishioner, Cllr. Veitch confirmed that one of the bays shown on the original plan had been lopped off to shorten the building. Looking at futureproofing the building, it could be extended sideways or upwards. In relation to the comments on the Providence Chapel, the parishioner pointed out that there is no vehicular access or parking for the Chapel.

The Chairman re-opened the Meeting and stated that the public had been consulted on Option A and Option B is in response to comments made on sizing. Parishioners will, of course, have their opportunity to comment on the revised plans as part of the planning process. She then proposed that:-

Cranbrook & Sissinghurst Parish Council will prepare for submission a planning application on the basis of a Community Centre of size 1174 square metres.

This was seconded by Cllr. Rook and unanimously agreed.

COMMUNITY CENTRE – BUSINESS PLAN:

222: The Chairman apologised to those who were missing pages 2 & 3 of Appendix E due to a photocopying error. These were available from the Clerk if needed. Two corrections had already been brought to her attention.

She explained that in Appendix G, the loan poll figures did not agree with those shown in Section 3.2 and this was because two different tax base years had been used. She would amend this. In the first page of the introduction, although the TWBC website states that the previous planning application was withdrawn, it was confirmed by the Planners that it was actually declared invalid because the red line on the plan did not include the Tanyard Car Park. There is an advantage in that we can re-use the planning fee already paid.

Cllr. Veitch stated that the Facility Audit data is incomplete as two councillors have yet to provide their research findings and she hoped to have this information shortly. She stated that she would invite comments but she was happy to have comments or corrections outside of the meeting in writing/email via the Clerk. She would then incorporate any changes into a final version to be presented to the February Parish Council Meeting for approval. She invited comments from Members.

Cllr. Rook stated that he had taken over and run both large and small companies and was impressed with the Business Plan. He congratulated Cllr. Veitch. Cllr. Swann stated that he had spent most of his working life looking at Business Plans and he also congratulated Cllr. Veitch. We had spent at least fifteen years talking about a community centre and although he was not happy with Appendix G, there were a lot of good things in the Plan.

Cllr. Cook stated that he was impressed with the amount of work put into the Plan and he congratulated Cllr. Veitch on the production of such an impressive document at no cost to the council tax payer. Cllr. Fermor agreed that the Business Plan was impressive.

Cllr. Smith queried whether the precept raising just applied to Cranbrook facilities. He is Chairman of St. George's Institute, Sissinghurst who are looking to refurbish the Hall. Cllr. Veitch confirmed that it would not be legal to use the precept to support a charity. She was sympathetic and asked to be advised on how we could help, perhaps with joint fundraising. Cllr. Swann made the point that we are all one Parish and the Community Centre is for all parishioners. Cllr. Fairweather agreed with comments made by Cllr. Smith that there is a clear conflict of interest between the two facilities and we need to be mindful of this issue.

Cllr. Bunyan stated that the document looked fantastic and Cllr. Goodchild agreed, congratulations to Cllr. Veitch. The Chairman then closed the Meeting for comments from parishioners.

Responding to a comment regarding escalating costs and cost control, Cllr. Veitch clarified that the figures given in the Architect's Brief were identified at a very early stage, it was pure guess work at that time. The figures now put forward were much more realistic. Cllr. Swann agreed, stating that we had now acquired the services of a Quantity Surveyor and got accurate figures. Cllr. Veitch confirmed to the parishioner that we were confident on the figures now given. Another parishioner confirmed that the £1.7m cost originally stated was based on a steel building with an industrial roof – it was how much space you could get for your money.

Two comments were made by another parishioner and local businessman, he had looked at the rates and it was 2.91 on a Band E so it would cost him three quarters of a cup of coffee per week which he was very happy to pay.

His second comment was that we need a Centre for Cranbrook which is fit for purpose. He mentioned a facility he had seen when on vacation and everything was under one roof. This is a chance in a lifetime.

Responding to comments regarding the figures based on the letting fees, Cllr. Veitch confirmed that these were based on the fees currently collected on the Vestry Hall. She agreed that the Centre could possibly run at a loss for the first couple of years because some existing groups are already committed into other venues and some other groups will need to be reformed. The parishioner did not think there were groups who could not find other venues to use. The Chairman of the Cranbrook Branch of the Royal British Legion strongly disagreed stating that they could not use the Vestry Hall even if it was available as it is not suitable. They have nowhere currently to meet. When asked by the parishioner what he would pay, he stated he would pay whatever it would cost. The cost is minuscule compared to the benefit. If we hold back, the cost of building will continue to rise. He wants to see the Centre up and running and see families having somewhere fit for purpose.

Cllr. Holden stated that we should remember that when the Council Offices closed, there were thirteen groups evicted who are not meeting because there is nowhere suitable. The Chairman then re-opened the Meeting.

COMMUNITY CENTRE – LOAN POLL:

223: The Chairman stated that if we choose to take out a loan from the Public Works Loan Board we must consult the residents and we could not and would not take out a loan without agreement from the residents. We are not allowed to sign contracts unless we have the money to pay the contract. The Poll document has gone through a number of iterations and she does not intend to discuss the date of issue yet, rather to wait until the planning application has been submitted. She invited comments on Appendix G.

Cllr. Rook stated that he had problems with the information under the heading The Impact on You – it was ambiguous. Cllr. Veitch asked whether it should be maximum or realistic figure which was wanted. Cllr. Swann also felt that the figures were misleading and suggested that the actual figures should be included which were a lot less. Cllr. Veitch agreed to the amendments suggested.

Cllr. Cook suggested that under the heading 3. Public Works Loan Board, instead of the wording “take out a loan” it should read “take out a fixed rate loan”. Cllr. Veitch agreed to the amendment stating it would be a fixed rate over 50 years. Cllr. Smith suggested that under this heading there should also be a link to the Business Plan. This was agreed.

Cllr. Fairweather referred to 2. Building Costs and asked whether the kind offer from Guy Johnson towards the infrastructure had been factored into the figures. Cllr. Veitch agreed to update. He also asked what would a low return of the poll mean i.e. less than 50% - how would this impact. Cllr. Veitch suggested that there is often a 33% - 38% turnout on polling day and if it is in the same range this would be an adequate response. Cllr. Swann stated that a discussion with the Monitoring Officer would be helpful to get an idea of what an acceptable response would be.

Cllr. Bunyan suggested that under the heading “The Impact on You” this should include not only the extra cost per annum but also the extra cost per week. Cllr. Veitch agreed to amend.

Cllr. Goodchild asked that if fundraising was very successful would there be a penalty if we did not need the entire amount of the loan. Cllr. Veitch confirmed that this would be the case but we could get approval for the loan in tranches. Cllr. Swann informed everyone that the figures given are based on the number of properties in the parish now and this could be reduced if more properties are built. Cllr. Veitch closed the meeting to enable comments from parishioners.

David Rivers asked whether consideration had been given to two loans – one for the shell and another for the rest of the construction. Cllr. Veitch confirmed that this could be looked at. Mr. Rivers stated that the Business Plan was prudent, if the Community Centre does better than planned, could any excess go towards paying off the loan? Cllr. Veitch stated that advice needed to be sought regarding VAT to see if any profit could be used to reduce the precept. We are looking at all avenues with regard to VAT including the option of a Charitable Trust.

A parishioner asked whether we had looked at Lottery funding. Cllr. Veitch confirmed that we would be looking and applying for any grants that are available. We cannot apply for Lottery funding until planning consent has been granted. The same parishioner queried the amount of reserves which are shown on the Cranbrook & Sissinghurst Parish Council Audit Return. Paddock Wood has half this amount. Cllr. Veitch read out the advice from the Practitioners’ Guide which states “It is generally accepted that general revenue reserved usually lie within the range of three to twelve months of gross expenditure”. We also have earmarked reserves put aside for carrying out works such as resurfacing of the Regal Car Park.

David Rivers suggested that the Poll should be carried out ahead of the submission of the planning application as then it can be demonstrated that you have the approval from the residents to apply for the loan to build the Community Centre. Cllr. Veitch then re-opened the Meeting. Cllr. Veitch suggested that the Poll documents could be issued in February with the responses reported in March.

The Chairman then proposed that Cranbrook & Sissinghurst Parish Council approve the Loan Poll documents, with the changes put forward, documents for issue at a date yet to be agreed.

This was seconded by Cllr. Fermor and unanimously agreed.

COMMUNITY CENTRE – VAT CONSULTANCY:

223: The Chairman reminded Members that we currently claim back VAT from HMRC but VAT is a complex subject and we need to take professional advice. The advice will result in decisions on whether VAT is payable on all or some of the Community Centre’s construction and maintenance also it will directly affect whether the Parish Council manage the Community Centre or whether a trust or charitable organisation is recommended. She had obtained various quotes and the summary had been circulated to Members.

She had met with Elysian Associates together with Cllrs. Rook and Swann and had been impressed with their knowledge of how VAT applies to local authorities. She invited comments from Members.

Cllr. Rook agreed that Elysian had a sound knowledge of what we are trying to achieve and how the rules are completely different to local authorities. Cllr. Swann agreed, stating that they were very helpful and would offer advice right through the project and even help to set up a new accounting system if necessary when the project is complete.

Cllr. Cook suggested that the quote from Elysian appeared to be a good use of ratepayer's money. Cllrs. Fermor had nothing to add, Cllr. Smith stated that he had no skills in this area, Cllrs. Kemp, Bunyan and Goodchild had not further comments.

The Chairman then proposed that Cranbrook & Sissinghurst Parish Council accept the quote from Elysian Associates (filed with these Minutes).

This was seconded by Cllr. Cook and agreed. Cllr. Smith abstained.

COMMUNITY CENTRE – INDEMNITY INSURANCE:

224: The Chairman informed Members that this is necessary to protect the Parish Council against any losses or claims due to defective land ownership records. The figure given to the Parish Council by our current insurers was a cost of £1,200 and would protect the Parish Council for £2m of loss. This would be a one off payment. She invited comments from Members. A general discussion took place on the possibility of registering any unregistered land but it was explained that this was a complex issue and not in the best interests of the Council.

The Chairman then proposed that Cranbrook & Sissinghurst Parish Council accept a quote from Came & Company to indemnify the Parish Council against any losses incurred due to claims resulting from defective land registration.

This was seconded by Cllr. Goodchild and unanimously agreed.

The Chairman closed the Meeting and invited comments from the Borough Councillors.

Cllr. Hannam agreed that the Parish Council had made the right decision with regard to the Civic Amenity Refuse Vehicle. Cllr. Dawlings stated that the Borough would have taken the amended service agreement off the agenda if all the parishes had fought against it but this had not been the case. He congratulated the Parish Council on tonight's meeting and the impressive documents.

Cllr. Holden stated that he was dismayed about what Libraries were saying and he mentioned the District deals where he wanted specifics such as the Library supporting the Community Centre in Cranbrook. He offered to have a conversation with Cllr. Veitch and then speak to the Library service. Cllr. Veitch reiterated that they had told her that it was 200 square metres or nothing.

Cllr. Cook raised the issue of actions planned and co-ordinated at the Parish Chairman's meeting. Cllr. Holden stated that this was not a decision making board and this mechanism should not be used to force things through. There is a campaign to be had and he suggested we should also make the Kent Association of Local Councils aware of the issue.

The Chairman thanked everyone for attending this evening.

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