

## Cliffe and Cliffe Woods Parish Council

Minutes of Meeting held at Cliffe Woods Primary School View Road Cliffe Woods  
Thursday 13<sup>th</sup> May 2010

### Present

Councillors K Kentell, (Chair) C Fribbins (Vice Chair and interim Proper Officer), J Moss, L Mills, R Hunt, M Emblin, L Bush, J Wenban, J Darwell, G Moore, A Taylor, J Corrigan, L Wicks.

### Absent

Councillors M Smith, J Keates.

The meeting opened at 7.50pm

No		Item	Action By
1		Apologies for Absence- Cllrs Smith and Keates	
2		Declaration of Interest- Cllr Taylor declared interest in the Planning Applications regarding the developments at Merryboys House, Merryboys Lane, Cliffe Woods	
3		Interim Arrangements (Responsible Finance officer/Proper Officer) ó MS has been acting Financial Officer since the resignation of Alan Parfett and JK has been acting Proper Officer up until the end of April when she stepped down from this role, CF took over as Acting Proper Officer. These are only acting positions until the positions are filled. KK gave his thanks on behalf of the Council for all of their hard work.	
4.		Approval of Minutes of meeting held on 4 <sup>th</sup> March 2010.	
		Minutes approved with no changes.	
5		<b>Adjournment</b>	
		Dave Clark (Caretaker) requested reimbursement for the new sit on lawn mower which had to be brought after the existing one broke down. He had used his own money to purchase following agreement by the Finance Committee that it was ok to do so...	MS
		Dave Clark also advised that following advice from Medway Council the seat had been removed from the Slingshot piece of equipment at Cliff Play area due to a reported fault from Sutcliffes.	
6.	6.1	<b>Matters arising from minutes of meeting on 4 March 2010 –</b>	
	Mar 5.4	Insurance Quotes ó New quote has been received and is currently being compared to the existing Policy, MS is to review with the new clerk/s when appointed	New Clerk/MS
	Mar 5.5	Costing of new Salt Bins óMS has received pricings for this and will order in due course. Price includes 4 bags of salt, need to decide exactly where to place bins	Finance and general Purpose Committee
	Mar 5.6	Youth Issues and Youth Council ó Review at next meeting.	Next meeting
	Mar 5.7	LW reported that depending on the style of alterations required the costings were between £2000 and £4000. AT to liase with LW to try to decide what exactly the issues are that need to be resolved at Cliffe Woods Car park and to therefore decide what would the best design to overcome these problems. LW has some drawings and will pass these onto CF for discussion.	LW and AT

	Mar 5.11	MS to review signatory list following the appointment of the new Clerk/s	MS and New Clerk
	Mar 6	Since the resignation of Alan Parfett MS JK and CF have done a fantastic job of keeping the Council ticking along until a replacement Clerk can be found.	
	Mar 8.4	Change of Signatories ó to be sorted when clerks in place.	
	Mar 8.7	MS arranged the funds to be transferred, but bank refused the instruction. Automatic transfer in place between reserve and current account anyway.	
	Mar 8.8	Purchase of package to aid accounting ó To be carried over to new clerk appointment	New Clerk
	Mar 8.9	Clarion article detailed that CCC had paid £1500 towards the Cliffe Play Area	
	Mar 8.10	F&GP reviewed caretakers holiday entitlement and it appeared to be correct D Clark is entitled to 20 days leave as well as all bank holidays, Contract will be reviewed at the same time as New Clerk contracts	MS/F&GP
	Mar 9.3.1	Interim Clerk sent letter to Medway Council to advise of situation with regard to parking on grass area on the Cliffe Woods Recreation Ground during weekend football matches.	
	9.3.2	ME advised Dog Fouling Bins had still not been replaced at Cliffe Woods.	
	9.4	Quotes for various design of changing rooms have started being collated and a meeting needs to be arranged with the Paul Fenney to discuss further. To be carried to next meeting by which time new clerk will be in place.	CF/Clerk
	10.4	Meeting has been arranged with Mr Gill for 20 May 2010. To be followed by a meeting with local residents.	CF
	13.1	Clarion was distributed to residents across the parish and Mr Richard Jones was paid for his time spent delivering (£75). Delivery was comprehensive, but if anybody knows of homes that were not delivered to please inform the clerk.	ALL
	13.2	Following the AGM of the Parish Council tonight the website will need to be updated with corrections to the Committee members and also new clerk details.	
	14.1	Several members of the Parish Council attended the Special Rural Liaison Committee meeting.	
	17.1	Plans for the skate Park are ongoing. Council investigating whether it is necessary to obtain planning permission.	
	6.2	<b>Matters arising from minutes of Annual Parish Meeting held on 15<sup>th</sup> April</b> -Minutes not yet available	
7	7.1	CF provided a detailed report on the clerk recruitment Summary :-  CF contacted previous shortlist of candidates to find out if any would still be interested in post only two showed an interest. The March meeting agreed to offer the clerk position on a joint basis and if that was not successful on a sole clerk basis. Unfortunately they both had to decline the offer/s for personal reasons.  The position was then re-advertised on notice boards and March Edition of the Clarion with a closure date of 23 <sup>rd</sup> April. There was	

a disappointing response with only 5 applications received by the closure date. One rejected initially as the applicant was not from the parish area. The remaining four were interviewed by KK CF and Previous Clerk Gavin Meeser.

The interview panel agreed to contact two of the candidates to see if they were prepared to take on the position on a joint basis. They agreed and further discussions were held regarding the potential split of responsibilities and they both agreed.

Since the closure we received a further application and **JK had expressed an interest in doing the clerk's job on an unpaid basis earlier that evening (13<sup>th</sup> May)**. CF had checked the Local Council Administration Guide, as this was too late to seek the advice of KALC, advice was clear

Local Council Administration (Eighth edition) Chapter 9 Employees

9.3 Councillors as officers pg 80)

A local council may appoint one or more of its members to be officers of the council without remuneration.

**An office of profit remains an office of profit even though no profits are actually received, and therefore an unpaid office must be specifically created before a councillor can be appointed to it.**

**Moreover a councillor cannot be appointed to a paid office while he is a councillor and for twelve months after he ceases to be one, so he must not be appointed during the twelve months to a paid position on condition that he is not actually paid until after the period has elapsed.**

Such a bargain is contrary to law. If the holder of an unpaid post wishes to seek a paid one after the end of the year, the council must treat his candidacy in the same way as any other.

*Local Government Act 1972 s112(5)*  
*Delane v Hillcoat (1829) 9 B & C 310*  
*LGA 1972, s116*

Obviously we were in conflict with these rules for a time, in order to keep the business of the Parish running while the job was advertised and filled - I confirmed that this was acceptable by KALC in February 2010, but only on a short term basis. On this basis CF (in the role of Proper Officer), advised that JK could not be considered for the post.

The Interview panel has also interviewed four candidates and has agreed to recommend two of them to the joint role.

(this advice was checked with KALC the following morning and

		confirmed)	
	7.2	<p><b>Confirmation of New Clerk</b> - After consideration by the F&amp;GP Committee and the discussion with the full Council at this meeting it was decided to offer the job to Lorraine Prior and Mrs Alex Jack. LP to take on the role of Finance Officer and AJ to take on the role of Proper Officer. Start date Monday 17 May 2010. Salary during probation (6 months) £9.50 per hour, 18 hrs a week to be divided between the two as the roles require.</p> <p>ME recommended / JC seconded that an interim review would be held after three months on the performance of the joint clerks and the joint working arrangements with a full review after a 6 month probation period. <b>AGREED</b></p> <p>Councillors were reminded that any feedback on the clerks and the joint role could be passed to the Chair/Vice Chair/Chair of F&amp;GP at any time.</p>	
	7.3	<p><b>Co-option of a new Councillor</b> ó Mrs Susan McDermid had applied to be co-opted onto the parish council as a councillor for Cliffe Woods. Susan has lived in Cliffe Woods since 1978 is now retired after a career in special needs education. She was an active campaigner in the Airport fight and has an interest in Rural communities and young people.</p> <p>Co-option of Mrs Sue McDermid to the vacant position in the Cliffe Woods Proposed ME, seconded LB ó <b>AGREED</b> (SM made the National Code of Conduct declaration and it was countersigned by CF in the role as temporary Responsible Officer.</p>	
8		<b>Reports: (Interim) Clerk</b>	
	8.1	<b>Correspondence -</b>	
		<p>List of Email and posted correspondence circulated. It is likely that some items may have been missed since the last permanent clerk and it is intended to get back in order soon with the new clerks.</p> <p>Items To Action (not already on the Agenda elsewhere) :</p>	
		<p><b>8.1.1 Email from JK</b> – Resignation from Parish Council and details of allotment issue regarding Mr Coleman (see F&amp;GP). Proposed by CF and seconded by ME that we instruct the Chair (KK) to make contact with JK and express our wish that she continue as a councillor and discuss the issues. KK to report back to next Parish Council meeting. <b>AGREED Unanimously</b></p>	
		<p><b>8.1.2</b> Request for additional disabled parking spaces Cliffe and Cliffe Woods Car Park. LW to see if any assistance from Medway Council.</p>	LW F&GP Car Parks Cttee
		<p><b>8.1.3</b> Open Spaces Society ó request for funding for their Re-opening the gate campaign.</p>	F&GP
		<p><b>8.1.4</b> The Clerk Magazine (SLCC) Subscription</p>	F&GP
		<p><b>8.1.4</b> SLCC Working With Your Council Training Course ó two days 9/6 and 1/7 in Swanley. Attendance of both new clerks <b>AGREED</b></p>	Clerks
	8.2	Cliffe Woods Recreation Area ó Medway Council ó Ward	LW

		Development Fund- there was some confusion over who was responsible for this task this has now been identified and there is additional work still to be done. The matter is progressing	
	8.3	<b>General Report of Matters dealt with not covered by other Agenda Items</b> ó Nothing to report	
9		<b>Report: Finance and General Purposes</b> – In the absence if MS, she had supplied emailed notes. The items from the F&GP committee (11/5) not covered by other items on the agenda read out by CF.	
		<b>9.0.1</b> CF and KK reported on the clerk replacement progress. F&GP agreed in principle (see further agenda item)	
		<b>9.0.2</b> Urgent issue regarding Mower. The existing mower had failed and maintenance was required in the upgraded Childrens Play Area. Urgent action agreed by JK (Proper Officer), MS (Responsible Finance Officer) and Chair. D Clark purchased it and would claim money back (see cheques)	
		<b>9.0.3</b> HMRC request for historic information on earnings of former clerk (Gavin Meeser) in 2008 ó attempting to get deadline extended further due to clerk situation ó without success	MC/LP
		<b>9.0.4</b> Free HMRC training course re. VAT, TAX/NI booked. One place 21/5 New clerk and two places July New clerk/MS	MS
		<b>9.0.5</b> Incident at Cliffe Recreation Ground when Fire Brigade called to a fire. Keys supplied did not work and they had to use buckets and allotment holders resolved. (The lock had been changed after the previous one had been cut off, it was claimed that current keys would work). Key situation to be checked by Clerk	AJ
		<b>9.0.6</b> Cliffe Woods Car Park Exit Barrier ó need to agree action. CF tabled a list of options. To be considered at next F&GP. Barrier had been hit by a vehicle, but damage minimal. Subsequently when barrier shut again, significant damage was done by forces unknown (CCTV was not able to be used to detect who and when). Barrier is locked open currently.	MS
		<b>9.0.7</b> D Clarks Holiday entitlement ó Contract entitlement is 20 days per annum. 10 days on previous timesheet was pro-rata for previous year (10 days). Minimum entitlement expected to be 20 days + 8 days bank holidays.	
		<b>9.0.8</b> JM requested consideration of funding to Cliffe Fire Brigade to replace flag pole. Subsequent investigation showed this to be the retaining/footings. JM to investigate further and get costings.	JM
		<b>9.0.9</b> Recorded letter received from Allotment Holder (Mr Coleman) following the issuing of notice of termination. Mr Coleman's letter was not available at the F&GP meeting. The situation to be investigated by next F&GP and recommendation made to Parish Council.	F&GP
		<b>9.0.10</b> LM reported that police contact card issued at Annual Parish Meeting had the wrong telephone number it said 01634, but should have been 01622.	
		<b>9.0.11</b> D Clark had requested consideration of providing a location at the recreation ground for grass cuttings etc. MS to meet with JK and report to next F&GP on options.	JK/MS/ F&GP
		<b>9.1</b> Parish finances made up to 31 <sup>st</sup> March 2010.	LP/MS

		After budgeted expenditure, £2,892 left in reserves, £6,529 revenue. Precept 2010/2011 received from Medway Council £34,390 Further updates and checking to be carried out now clerks appointed. Mr Dave Bassett to be contacted for assistance/internal audit. (Since the meeting Mr Bassett has said he is not available for the internal audit, so will be carried out by RFO Clerk ó LP)	CF
		<b>9.2</b> Spending of Rural Liaison Grant Proposal to make bid for up to £40,000 for football changing rooms at Cliffe Recreation ground to be completed.	MS/CF
		<b>9.3</b> Payments Mr D Clark ó Wages - £ Cllr Ken Kentell ó Chairman's allowance £50 Praxis Design ó Play Area opening photos £28.20 Mr D Clark ó Mower and Petrol £1,424.07 Mr D Clark ó Car business use insurance uplift £104.10 Cliffe Woods School ó Rent - £43.20 St Helen's Church ó Annual Grass Cutting Grant - £1,000 J Keates for Playbuilder Comp. Gift voucher - £20 AGREED	
10		<b>Report: Allotments, Ball Courts, Children's Play Area, Recreation Ground/Caretaker</b>	
	10.1	<b>Allotments</b> – 65 allotments now in use, yearly contracts have just been sent out and the signed ones have now started coming back in (one problem has been that the return address was Gavin Meeser ó he has passed on ones he received)	
	10.2	<b>Ball Court</b> – Nothing to report	
	10.3	<b>Children's Play Area</b> – Councillor Keates was thanked for all her work in making sure the opening of the play areas was a great success, along with all of the other Councillors who worked so hard to make it a fantastic day. The Mayor had a wonderful time. Since the opening of the park there have been several faults identified but Medway Council have acted quickly in resolving these issues. Some councillors did however raise the issue of safety as several pieces of equipment appear to be too close to the large boulders which have been strategically placed around the play area at Cliffe. LW to follow up on this with Medway (Heather Marsh).	LW
	10.4	<b>Recreation Park – Skateboard Park</b> ó investigations underway as to whether planning permission is required Lawful Development Certificate applied for.	CF
	10.5	<b>General Report</b> – A Saturday football team has requested the use of Cliffe Recreation ground for Saturday afternoon games, this requires further investigation as in the recent past it has not been permitted for games to be played on both Saturday and Sunday. However this did use to be more common.	
11		<b>Report – Planning</b>	
	11.1	<i>Resolved items have been agreed by the Planning Committee and sent to Medway Council under standing order provisions to enable response within consultation period and lack of meeting in April – also emailed to all councillors</i>	

	<p><b>11.1.1 MC/10/0743 11 Shaw Close, Cliffe Woods</b> Addition at front &amp; rear of dwelling. RESOLVED No Objection</p> <p><b>11.1.2 MC/10/0747 9 Parkside Parade, Cliffe Woods</b> Installation of security shutter RESOLVED No Objection</p> <p><b>11.1.3 MC/10/0547 Merryboys House. Merryboys Road, Cliffe Woods</b> Proposed construction of Shelter/Garage Outbuilding RESOLVED Objection to be raised (notified to all councillors as per Standing Orders) Our concern is the piecemeal development of this site which is outside the village boundary of Cliffe Woods designated in existing local plans and local development frameworks. This is land that would normally not be developed unless it fulfilled a number of criteria ó for example conversion of redundant farm buildings, but this is not the case on this site. The main issue for the Parish Council is the number of existing planning applications that have been made for this site and planning appeals lodged where not granted by the local authority. We would be much happier if a comprehensive plan for the site was lodged and local residents and the Parish Council could make representations on the whole of the proposed developments rather than the current piecemeal approach. (This application has now been approved and construction started)</p> <p><b>11.1.4 MC/10/0979 Land at Cooling Marshes, approximately 2km north of Cooling Village with connecting access track to Cooling Road.</b> Creation of habitat in mitigation for land lost at Stoke Crossing (replacement of level crossing) RESOLVED Objection/concerns The Parish Council have expressed concern regarding the number of developments on this site which is outside the village envelope. The applicant had shared details of this application in advance of the actual planning application being made and has offered a site visit for members of the Parish Council's Planning Committee (but the applicant is not available until after 12th May, so we have been unable to arrange this yet. The plans also differ to a significant extent to those the applicant gave us and the underway was not present on the drawings.</p>	
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This specific building was originally a Barn conversion. An extension has already been added on the western side and this application seeks a significant extension on the eastern side.

At this stage the Parish wish to object to the application. This represents further development of the site which is outside the village envelope where development would not normally be allowed unless it met certain criteria such as conversion of existing buildings - this is a further development of the original barn.

We are hoping to arrange a site visit for our members later in May to discuss this and other developments on the site with the applicant and will be hearing resident's views as well. We would strongly recommend a site visit of Medway Council's Development Control Committee is also made before a decision is made.

#### **11.1.5 Land rear of Merryboys, Plot 1, Merryboys Road, Cliffe Woods**

Construction of a two storey extension with an under way to side to form annexe

RESOLVED

Objection/concerns

The Parish Council have expressed concern regarding the number of developments on this site which is outside the village envelope. The applicant had shared details of this application in advance of the actual planning application being made and has offered a site visit for members of the Parish Council's Planning Committee (but the applicant is not available until after 12th May, so we have been unable to arrange this yet. The plans also differ to a significant extent to those the applicant gave us and the under way was not present on the drawings.

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#### **11.1.6 MC/10/0559 Plot 3 Merryboys Stables, Merryboys**

		<p><b>Road, Cliffe Woods, Rochester</b> Change of use from B1 to Residential/B1 Office, including the construction of single storey extensions to front and both sides of building to facilitate its conversion Notice received that this application had been refused by Medway Council.</p> <p>1) The development, as proposed, would result in a residential unit with an ancillary level of business use in the open countryside, as defined by the Medway Local Plan 2003. No justification has been submitted to demonstrate that every reasonable attempt has been made, without success, to secure a suitable business use within the unit as a whole in the first instance, in accordance with the B1 business use granted under planning reference MC2008/0945 (Appeal Reference APP/A2280/A/09/2106579). This combined with the proposed extensions/alterations will result in a development that has no justification when considered against the Adopted Countryside Restraint Policies and</p> <p>2) a development which by virtue of its extended form would result in a building which has an adverse and negative impact on the character of the building, the surrounding countryside and street scene in general. As such the proposal is considered contrary to the provisions of Policies C4, CC4, H4 and H5 of the South East Plan and Policies BNE1, BNE25, BNE26, and BNE27 (iv) and (vi) of the Medway Local Plan 2003.</p>	
	11.2	<p><b>11.2.1 MC/10/0913 Homeside, Symonds Road, Cliffe, ME3 7SS</b> Construction of a part two storey side/single storey rear extension Recommended No Objection AGREED</p> <p><b>11.2.2 MC/10/0752 15 Reedham Crescent, Cliffe Woods, ME3 8HT</b> Construction of two storey side/rear extension incorporating garage and single storey rear extension (demolition of garage and conservatory) Recommended No Objection AGREED</p> <p><b>11.2.3 MC/10/0925 RSPB, Cliffe Pools, Salt Lane, Cliffe</b> The installation of 2 concrete head-walled stoplog culverts/sluices to allow controlled water flow between 3 independent saline lagoons Recommended No Objection AGREED</p>	
	11.3	<p><b>11.3.1 Victoria Inn, Church Street, Cliffe</b> Development Concerns has been raised by the members of the Cliffe and Cliffe Woods Parish Council Planning Committee regarding the development at the former Victoria Inn in Church Street, Cliffe. This is part of the conservation area of Cliffe and was granted planning permission in recent years for redevelopment as residential with further homes at the rear of the site.</p> <p>The development has progressed and there is already occupation in the rear properties, however there are concerns regarding the works done, and in progress, at the former Inn. This remains a significant part of the historic and present street scene of the Cliffe High Street area and we are concerned about the impact of</p>	

		<p>this work on the conservation area.</p> <p>What action is being taken to manage this development in the context of the conservation areas and what actions can and will be taken?</p> <p>Medway Reply Received :</p> <p><i>There have been several planning applications on the site, two of which have been implemented, although issues have arise with both. Four houses at the rear have been built under application MC2008/0146. There were outstanding conditions which had not been fulfilled. Most of these have been addressed, although one condition relating to the provision of a triangular window remains outstanding. To address this, a planning application has been submitted (MC2010/1491) on which the Parish Council will have the opportunity to comment.</i></p> <p><i>The conversion of the PH into two units was the subject of another application (MC2007/0044). The development has not been carried out in accordance with the approved plans, and at present the Enforcement and Conservation officers are negotiating with the developer, to resolve the matters.</i></p> <p><b>11.3.2 Merryboys Concerns</b></p> <p>There have been 11 planning applications on the site in recent years, ranging from 9 additional dwellings to conversion of existing barn. As this site is outside the village envelope of Cliffe Woods, development would not normally be allowed unless it fulfilled certain limited criteria. The majority of applications have been turned down (and in some cases confirmed on appeal). The applicant however is concerned that the parish council (and others) are discriminating against him in their responses to planning applications on the site and raising concerns about a neighbour's involvement in objecting to his applications (Cllr Alan Taylor) ó they also threatened legal action against the parish. The role of the parish is clear and our standing orders have been followed. Ultimately we do not make the decision anyway, that is for Medway Planning Authority or the Planning Inspector if refused by them and an appeal lodged.</p> <p>The applicant has offered a site meeting (20 or 27 May, evening). Local residents would also like to put their views to the Planning Committee as well. Recommended that we do hold a site visit for the applicant and one for the residents. AGREED CF to arrange site visit and liaise with residents regarding a meeting with them.</p>	
12		<b>Report: Footpaths &amp; Common Land</b>	
	12.1	Medway Council have cleared the rubbish that had been dumped.	
	12.2	Medway Council are responsible for the car park in Reed Street GM to contact them about the rubbish that has been dumped there.	GM
13		<b>Report: Car Parks (Cliffe Woods and Buttway)</b>	

		<p>The CCTV cameras that had been placed in Cliffe Woods Car Park have been removed. Although whilst in place it was noted that incidents had been reduced. LW to look into when the cameras are being reinstated.</p> <p>Further discussions are required about what action to take about the barrier on the out exit. This is to be discussed at F&amp;GP and carried to the next meeting.</p>	F&GP
14		<p><b>Report: Clarion and Website</b> Following tonight's meeting CF to update the website. The next addition of the Clarion will be Sept/Oct 2010.</p>	CF
15		<p><b>Report: Rural Liaison</b> The meeting is scheduled for the end of June.</p>	ME
16		<p><b>Report: KALC</b> Nothing to report next meeting July</p>	
17		<p><b>Report: Other Bodies</b> KK attended a site meeting of the B2000 committee to discuss traffic Calming. There was consideration of extra speed cameras/average speed cameras but this would cost in excess of £200,000 it was decided that this was too costly. When the decision of the planning inquiry at Thameside Terminal is received (and depending on that decision), Medway would consider approaching them for finance. LW advised re. Meeting regarding the results of the site meeting there is proposed signage to be placed either end of Cliffe Woods re the speed limit. It is also proposed that a vehicle bay be placed at either end of Cliffe Woods to site Police Vehicles. Speedwatch is to be rolled out in the Cliffe and Cliffe Woods Area.</p>	
18		<p><b>Any Other Business</b>  RH to attend a course to allow him to become a responder for a locally held Defribulator.  Rev Wright has provisionally booked several dates for open air services in June July and Aug on the Village Green. AGREED</p>	
		<b>Meeting Closed 10pm</b>	