
**Minutes of the Ordinary Meeting of the Parish Council of Ashburnham with Penhurst
held on Wednesday 31st March 2021 at 7.30pm as an online virtual meeting**

The meeting was held under the terms of the following Statutory Instrument:
SI 2020/392 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

Parish Councillors present: Cllrs Tina French, Andrew Hoad, Ron King, Zoe O’Sullivan, Chris Sinden, Paul Spicer and Richard White.

Parish Councillors absent: None

District / County Councillors present: ESCC Cllr Kathryn Field, RDC Cllr Gary Curtis

In attendance: Brian Holdstock, Clerk to the Council
2 members of the public

1) Apologies for absence

There were no absences

2) Disclosures of interest

None

3) Additional agenda items

The Chairman decided the following items are urgent, due notice of which have been given to the clerk by 12 noon today (S.O. 10.2).

At 8) e) Payment to ESALC to authorise

At 6) e) Report on planning focus group

At 10) Correspondence from Air Ambulance and Rother Rural Trust

4) Adoption of Minutes

The minutes of the Ordinary Meeting held on 27th January 2021 were circulated with the agenda. On the motion of the Chairman the minutes were adopted without amendment.

5) Open Forum

a) ESCC Cllr Kathryn Field reported as follows

i) The Director of Children’s Services is retiring early and interviews for a replacement are to be held on 28th April. She reported that it had previously proved difficult to find candidates with an educational background.

ii) The Rother Rural Trust still has funds available to help those in need and the question was raised as to whether we could think of anybody in our parishes that could benefit from the help of the Trust.

b) RDC Cllr Gary Curtis had nothing to report

c) Members of the public

Mr Bernard Brown, a resident of Netherfield actively involved in opposing the illegal residential occupation by travellers of a field they have purchased, advised members of the current state of the dispute. UK Power Networks have supplied a 3-phase supply which is only to be used for agricultural purposes and this is another area of breach of planning

regulations. An Appeal by a hearing is set for 18th August but the venue has yet to be announced. Some of the matters would normally have been heard by written evidence, but in this case all the matters will be dealt with at the hearing. He expressed the view that residents were hugely disappointed at the lack of vigour in enforcement action by Rother District Council and affirmed that it is mainly the residents group who are taking the action.

6) **Planning** (*updates or decisions in italics*)

a) **On-going applications** *Situation reports were given on the following:*

RR/2020/1313/P - The Stable Block, Penhurst Lane, Penhurst TN33 9QP - Change of use. *Members supported this application. Remains undecided. The change of ownership of the property since the application was lodged may be a factor in the delay.*

RR/2019/1694/P - Brays Hill Farm House, Brays Hill, Ashburnham TN33 9NZ - Two storey extension to rear of property and first floor side extension. Internal re modelling of kitchen and bedroom. Construction of detached double garage with storage space above. Alternative to RR/2018/1400/P. *A resubmission is in progress after concerns were raised by the RDC Conservation Officer. Remains undecided after protracted delays as a result a slow response from the Conservation Officer. It is reported that she is severely overloaded with over 150 cases open. (Action: RDC Cllr Gary Curtis will investigate and report back.)*

RR//2020/1742/P – Court Lodge Farm, The Forge, Ashburnham, TN33 9PJ - Proposed flat roofed link between farmhouse and Oast and conversion to provide further accommodation. *Members commented but remained neutral. Remains undecided.*

RR/2020/1721/P - New Buildings Farm, Church Road, Ashburnham, TN33 9NU - Change of use of buildings from agricultural to bespoke Class B8 storage of light equipment and timber materials. *Remains undecided.*

RR/2020/2198/P - Hill Farm, Penhurst Lane, Penhurst, TN33 9QS - Proposed erection of single storey extension, alterations to rear porch and demolition of modern garden shed. *At the Planning Committee on 6th January 2021 members supported this application. Remains undecided.*

RR/2020/1737/P and **RR/2020/1738/L** - Old Brew House, Brown Bread Street, Ashburnham TN33 9NX - Replacement front door with like for like. Creation of opening between existing bathroom and toilet by removing part of wall. Construction of 750mm high stone or brick wall to retain bank as part of garden landscaping to include timber deck, timber shed and wood storage area. New wood fencing above wall. *Members supported.. Decision due by 12th March 2021, remains undecided.*

b) **New applications**

RR/2021/52/P - Springside Farm, Herrings Road, Ashburnham, TN33 9FB - Widening of existing access and gate, increased permeable hard standing, Agricultural Diversification and erection of a container store. (Retrospective) *Members discussed the application and viewed the plans and elevations online. They resolved that the council should object on the grounds that, whilst they are supportive of local economic activity, the method of operation entailing this development has caused unreasonable harm to the landscape of the AONB and that the applicant, whose business has other working spaces nearby, should keep the operation within those bounds. (Action: Clerk to post response to RDC planning portal.)*

c) **Breaches and Enforcement** – to note updates and progress

i) (new) **ENF/191/20/ASH** - Buckwell Ghyll, Lakehurst Lane, Ashburnham - Breach of Appeal - using property for residential.

Planning Contravention Notice served in March 2021.

ii) Possible breach of RR/2015/1719/P at Keeley's Wood Yard (residential occupation of office space).

Original 'D' Notice recommending approval of application summarises issues including

the use of the building to demonstrate the use of timber materials. Building now includes kitchen and bathroom but remains only for permitted use as an office. Members resolved to continue to monitor the use of the building. Item now closed.

- iii) **ENF/303/20/ASH** - Springside Farm, Herrings Road, Ashburnham, TN33 9PE - Change of use of agricultural land to store materials for business. *Planning application RR/2021/52/P submitted as requested by enforcement team. Item replaced by planning application above.*
- iv) **ENF/107/18/ASH** – Oak Bank Farm, Farthing Lane, Ashburnham RR/2012/1053/P – Breach of Condition Notices A and B served 28 Nov 2018. Notice A: “. . .storage of business use and agricultural items on the hardstanding surface without permission . . not within Oak Bank Farm” ; Notice B: “. . the hardstanding is being used for the storage of business use and agricultural items.” (permitted use is for domestic storage and parking, not for any business use.)
2-day trial at Hastings Magistrates Court on 27th and 28th May 2021.
- v) **ENF/40/19/ASH** Oak Bank Farm, Farthing Lane, Ashburnham – Unlawful extension of lawful development. *Enforcement report 30 May '19*
- vi) **ENF/332/20/ASH** The White Cottage, Brownbread Street - Landscaping works and construction of concrete slab . *Information awaited at 24 Jan '21*

d) Appeals – none

e) Planning Forum. The Chairman reported on his recent attendance at an online forum, one of several set up by Rother Planning, aimed at canvassing opinion as to how they might improve/enhance the services that they provide. These forums have been run with Parish Councils, Planning staff and many other related parties. The forums were lead by an independent third party company to facilitate open dialogue.

Tim Hickling (Head of RDC Strategy & Planning) opened the forum with an acknowledgement that current performance was not good, IT infrastructure was in need of upgrade and resources were stretched. To compound the problem, there has been a threefold increase in demand for enforcement activity, largely from localised disputes arising during lockdown.

During the forum, the participants unanimously rated the current performance of the Planning department as very low and made several suggestions of areas to improve, including some commentary on the issues with the Conservation area too. The Chairman observed that this feedback would probably not come as a surprise to Tim Hickling. A report is due quite soon.

7) **Community - Village Action Plan & Lead Responsibilities**

- a) Rural character preservation (Cllr O’Sullivan):
Reflecting the forthcoming national Great British Spring Clean, a litter picking session will be organised by volunteers.
Wild life sites are identified on an ESCC public map and there are seven sites within our parishes. These are mainly meadows.
- b) Website and communications (Cllr O’Sullivan)
Accessibility issues to meet the new regulations have been explored and the experience of other Rother parishes obtained. In the main their hosting provider provides this service as a chargeable addition to their service. Accordingly, our provider, Tim Wakeling, has agreed that he can provide the service of keeping our website in compliance with regulations without an addition to the quarterly charge provided he can charge a one off payment of approximately £200 to assess the requirement and make the necessary changes. On the motion of the Chairman members resolved to instruct Tim Wakeling to proceed. **(Action: clerk and Cllr O’Sullivan to instruct Tim Wakeling).**

The parish notice board outside the chapel is in need of refurbishment. **(Action: clerk to engage suitable local contractor.)**

- c) Affordable Housing (Cllr French)
- i) Rother Local Plan - The formal "housing needs survey" consultation is planned for spring 2022 with assistance coming from the Rural Housing Enabling team. In the meantime, Nicky Bishop has offered to assist with drafting a questionnaire for use in a village-wide consultation.
 - ii) Housing needs assessment - Since the publication of our last Newsletter, three locally residing individuals or families have made contact to register their interest in obtaining affordable housing in the village and Cllr French has had contact with all of them. Everyone understands that this is a long term aspiration.
- d) Environment, Sustainability & Wellbeing (Cllr French)
- i) Public transport - the weekly bus service on a Tuesday started again yesterday after Covid-19 restrictions were eased. There were 7 passengers.
 - ii) Refuse collection & waste management - refuse collection is proceeding smoothly, but the household recycling site at Mountfield is so overwhelmed that ESCC have put out a plea to residents to use alternative sites. At one point the traffic waiting to enter was being advised to reverse across the A2100 to park in the lay by. This practice has now ceased.
 - iii) Payphone box museum - everything is in hand for an opening after final Covid-19 restrictions are lifted in June.
- e) Highways (Cllr King)
- i) Roads and ditches maintenance - potholes continue to be the main issue with little progress on improving the overall situation.
A resident has asked if a salt bin can be provided in Penhurst Lane at the top of the hill which ends at Darwell Hole. An ESCC license is required (£60) and the cost of the bin and one fill of salt would bring the total cost up to about £200. After discussion members concluded that, based on experience elsewhere in the parish, any bin provided was most unlikely to be actually used. Members decided to take no further action at this time.
 - ii) SLR meetings with East Sussex Highways - the next meeting is scheduled for Tuesday 20th April 2021.
 - iii) Finger post maintenance - members approved the second year of the two year maintenance plan involving post #3 (The Pound), #5 (Forge Lane) and #7 (Old Thatch Lane - lower). Indicative costs originally £1,050. **(Action: Clerk to request price confirmation from Douglas Andrews; to ascertain if ESCC Highways are again offering 50% subsidy on two posts.)**
- f) Rights of Way and Wild Flower Verges (Cllr Spicer)
- i) In spite of being almost too late for inclusion in the 2021 programme, James Newchurch (ESCC co-ordinator) has confirmed the inclusion of three verges identified and catalogued by Jay Ashworth in Forge Lane, Church Road and Brownbread Street. Sadly, one identified in Lakehurst Lane was too late for inclusion. Details are to be confirmed, but in principle it is expected that cutting of designated verges will only take place after September '21 and before February '22. **(Action: Cllr Spicer to continue to compile a list of candidate sites for inclusion next year.)**
- g) Premises (Cllr White)
- i) Pavilion
 - (1) After a recent statutory inspection an Electrical Installation Condition Report has been issued and the installation declared satisfactory.
Cllr White asked Cllr O'Sullivan if she can organise via social media a volunteer weeding party to clear the young hedge plants on the field boundary. **(Action: Cllrs White and O'Sullivan to organise weeding party.)**
 - (2) Options for reinstating the verge in front of the war memorial were discussed and alternative bollards were viewed. Members resolved that step one is to apply for a license for the Jacksons bollard and see if it will be approved. Step two is to gain

support from ESCC Highways to make good the eroded sections of tarmac ahead of us laying some new turf adjacent to it (will be added to April SLR meeting agenda). Also, it was suggested that the P signage at the main entrance could be made more obvious, noting that this would be more visually acceptable if the entrance widening works were to be completed. **(Actions: Clerk to apply for highways license; Cllr White to expedite completion of entrance widening works.)**

- ii) Village hall - the clerk reported that he is attempting to locate the deeds which were last recorded as being held at Barclays Bank Battle branch which is now closed.
- iii) New village hall - Cllr White reported that he has just received a corrected quote from Wealden AM for a complete and water tight structure in the sum of c.£450k. This does not include fitting out or plumbing or electrics. He suggested that one way forward is to press on with constructing this part of the project (funded by £100k ATT donation plus balance from Public Works Loan Board) as it would provide a tangible stage of achievement and provide a stimulus to fund raising for the balance of the costs. Members however, took the view that it was essential to first build a full cost picture plus an assessment of funding possibilities before any meaningful consultations in the village could take place. It was agreed that this could be done within 6 months. **(Action: Cllr White to convene steering group committee when permitted and to lead an exploration of funding opportunities, both actions to report back in September.)**

With regard to the new lease, all outstanding issues were resolved several weeks ago and it now only remains for Adams & Remer to produce the document for signature. **(Action: Clerk to chase.)**

- h) Village events and facilities (Cllr Sinden)
 - i) Public Access Defibrillators - the defibrillator is in good working order but the pads need replacing at a total cost for adult and child pads of £226 plus VAT. The cost is on the list of payments to be approved this evening. **(Action: Clerk to place the necessary purchase order.)**
 - ii) Annual Assembly programme - Cllr Sinden suggested that the assembly be delayed from the spring date until August. This will be reviewed at the next council meeting.
- i) Rural connectivity (Cllr Hoad)
 - i) Cllr Hoad reported on the positive progress being made with Openreach to launch a Demand Lead Community Fibre Partnership (CFP) scheme with the aim of getting superfast fibre broadband to all properties in our parishes that today do not have this service. The project was initiated after a joint letter (signed by Cllr Hoad and the Chairman of Brightling Parish Council) was sent to the CEO of Open Reach, Clive Selley. Subsequently two CFPs were formally requested by Cllr Hoad, one for Ashburnham and Penhurst and one for Brightling.

Openreach have accepted the two CFP requests into their system, appointed a Project Manager (Ryan Kuel) and have been working on providing us with initial cost estimates.

Cllr Hoad has established a good working relationship with Mr Kuel. Mr Kuel has advised that Openreach is very supportive of larger CFPs that enable the complete update of a telephone exchanges. This fits better with their strategy of avoiding piecemeal, smaller implementations.

The initial costing for Ashburnham and Penhurst has been received and amounts to £427K, covering 462 properties (some of which are on the fringes of Ninfield). This produces an average cost per property of £1200 which is comfortably below the subsidy limits which are £1500 for residential and £3500 for business. The subsidies will come

from a new Rural Gigabit Voucher (RGV) scheme, announced by DCMS to run from 08 April 2021. In addition, ESCC have also confirmed that funds remain in their budget to provide up to £1000 top up per property. Based on this, Cllr Hoad thus estimates that it will not need more than 60% of property occupiers to pledge their RGV to the project for all of the costs to be covered.

The next step of the process is for Openreach to provide us with a ‘final’ costing offer letter, which will take up to 8 weeks. Upon acceptance of this offer by us, Openreach will set up a portal for residents to pledge their vouchers and provide us with marketing materials to promote the scheme. Once the value of pledges reaches the cost target by a small margin, Openreach will launch build of the scheme and this normally takes about 12 months to complete. In this scenario, there will be no cost incurred by an parishioner or the Parish Council.

j) Covid-19

- i) The newsletter was so well received that another is planned for the autumn.

8) **RFO Report**

- a) Receipts and payments – members received the circulated schedule for the period 21 January to 25 March 2021 which is now on file.
- b) Bank reconciliation – members received the circulated reconciliation on 25 March 2021.
- c) Income and expenditure – members received the circulated report against budget to 25 March 2021. There were no variations not already noted at previous meetings.
- d) Earmarked reserves – members received the circulated report of movements in reserves.
- e) Payments to authorise – on the motion of the Chairman seconded by Cllr King, members resolved to authorise the payments on the list attached to these minutes. **(Action: clerk to process authorised payments)**
- f) Section 137 payments - MHCLG has notified NALC that the appropriate sum for the purpose of section 137(4)(a) of the Local Government Act 1972 for parish and town councils in England for 2021-22 is £8.41 per elector. Given that the total electors number approximately 362 it means that this council may spend up to £2,742 in the next year on matters which benefit the wider community and for which they have no other powers to spend. Examples are defibrillator maintenance or marquee hire for the country fair.

9) **Governance**

- a) Financial Regulations review - policy on payments in cash - the RFO recommended that the Council’s Financial Regulations should include a statement regarding payments in cash making it clear that they can only be authorised in exceptional circumstances. A proposed statement is, “All payments approved by the council shall be effected by online bank transfer as first choice or by cheque. Payments in cash shall require a resolution of the full council and the council must be satisfied that there is a reasonable justification.” **(Action: RFO to table revision for adoption at next council meeting.)**
- b) Data management - the clerk reported that guidance from the ICO (given to Brightling Parish Council) is that the council need not register with the ICO if any data they hold is not processed as a core business activity. Simply holding an electronic record of names and addresses is not sufficient on its own to require registration. Given that even the electoral roll is only held in paper form, the clerk concludes that the council need not register.
- c) Burial grounds - the clerk advised members that he is trying to ascertain whether or not, when the burial ground at St. Peters, Ashburnham was closed, it was closed by an Order in Council. If it was, then under the Local Government Act 1972 (s.21) the PCC may serve notice on the parish council requiring them to take over responsibility of its future maintenance.
- d) Online meetings legislation - the clerk advised that the Statutory Instrument permitting online virtual meetings expires in April and will not be renewed. Future meetings will, therefore,

revert to face to face but with restrictions regarding social distancing. **(Action: Clerk to measure the normal venue and assess whether or not it can be used in compliance with Covid-19 restrictions then in force. If it cannot then the village hall will be used.)**

- e) Northiam Parish Clerk - the clerk requested that it be minuted that the recently announced death of Ray Harrington-Lowe as clerk was a cause of great regret by Rother clerks who held him with high regard and great affection. The clerk to this council is personally grateful to him for wise counsel in the early days of his appointment.

10) **Correspondence**

- a) A letter from Air Ambulance requesting a donation towards the cost of 2 new Oxylog ventilators was circulated prior to the meeting. On the motion of the Chairman, seconded by Cllr King, members resolved to donate £100. **(Action: clerk to effect payment.)**
- b) Rother Rural Trust have written to remind members that they have small funds available to meet domestic needs of villagers and that they can frequently provide assistance where others are unable to. Cllr French advised that she remains aware of RRT and is continually on the lookout for needy causes.

11) **Information for Councillors / Future Agenda items**

None

12) **Dates of Next Meetings**

- a) Council meetings are scheduled for the last Wednesday of alternate months at 7.30pm in the Sports Pavilion and the date of the remaining meeting of the council year is 27th May 2021 (Annual Meeting).
- b) Planning committee meetings are scheduled for the last Wednesday of the alternate months in which there is no council meeting at 7.30pm in the Sports Pavilion.
If there are no planning matters to consider the meeting will not be called.

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Signed (Chair)

Date