

# BULLETIN

AUGUST 2017

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ISSUE 54

## CHAIRMAN'S INTRODUCTION

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There is quite a lot to report in this issue of our Bulletin.

Firstly, there is important news that every resident should be made aware of regarding the Section 106 deal - see first item below.

Our Speedwatch is up and running again under the management of Andy Waters. Results are reported from the public convenience and car park consultation and how the Parish Council proposes to take this forward with the District Council.

At the time of writing this edition of the Bulletin the Sedlescombe Neighbourhood Plan is undergoing formal examination by an independent inspector so we cannot report any news as it will be out of date by the time this is delivered.

In addition, we have a very important informal consultation asking all residents for their initial thoughts on how funds from the Community Infra Structure Levy might be used.

Cllr. Jonathan Vine-Hall  
Chairman

## Informal Consultation - Deadline for comments 22nd September 2017

## SEDLSCOMBE PARISH COUNCIL FURIOUS OVER DISTRICT COUNCIL'S STREET FARM SECTION 106 DEAL

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### Background

Rother District Council has given planning permission for building 16 houses on Street Farm in Brede Lane against considerable local opposition. The permission is in direct conflict with the Sedlescombe Neighbourhood Plan. As a result, Sedlescombe Parish Council resolved to challenge this decision in the courts through a judicial review. A judge will now decide whether Rother Planning Committee made a technically wrong decision.

With every large development the developer will normally offer or be asked to provide certain commitments through a legal agreement (called a Section 106).

The District Council, in approving the application for the Street Farm development, was influenced by the promises of the developer as were a number of residents who supported the application.

However, we have now had sight of the Section 106 agreement which details the agreement and this has revealed significant differences between what was promised and what the District Council has actually agreed.

**The Parish Council has repeatedly written, both before and after the Section 106 was published, asking for confirmation from the District Council that this green field (outside of the development of 16 houses) will be passed over as 'public open space' to the Parish Council as promised but no confirmation has ever been received.**

**Given their comments at a meeting in May and also at the Oral Hearing of the Sedlescombe Neighbourhood Plan it became evident that the District Council has engineered the Section 106 to enable them, should they wish, to have this site in mind for further development.**

The Parish Council has written to the District Council and asked them to correct the Section 106 but they have refused to address the matter. The Parish Council are very angry at the District Council's decision to back a "wholly unacceptable change to what was promised to the community" "This decision has let Sedlescombe down," the Chairman of the Sedlescombe Parish Council said.

### **What the developer promised versus what has actually happened**

#### **Promises in the planning application:-**

##### **1. The developer promised:-**

£10,000 to the Parish Council for upgrading the East View kick about area.

The Parish Council explained that this was not required at the moment but would use the funds for other similar projects.

#### **What was in the Section 106 agreement:-**

Rother District Council did **not** include this £10,000 in the agreement.

##### **2. The developer promised:-**

That the central land of this green field, outside of the development of the 16 houses, would be given as public open space to the Parish Council for £1 via the District Council thus protecting it from future development. (Please note that the Parish Council had already resolved that this land would put it into perpetual trust to stop further development.)

#### **What was in the Section 106 agreement:-**

The District Council changed the agreement so **they** receive the land with **no** requirement to pass the land on to the Parish Council. In addition, the District Council confirmed at a meeting on 3rd of May with senior officers that this type of open land is not necessarily protected from future or further development.

Furthermore, at the Oral Hearing of the Sedlescombe Neighbourhood Plan on the 19th of June the Council Officer representing the District Council confirmed to the Examiner that this land would come under pressure for development.

##### **3. The developer promised:-**

That a section of the land next to the school be given to the school for a playing field.

#### **3. What was in the Section 106 agreement:-**

The County Council has only asked for a 10 year option on the land after which, if it is not used by the school, it will then revert to the developers. In addition, the agreement states that the land can be used for any educational use i.e. not just a playing field. This means that the land could be used for additional school buildings leading to an expansion of the school and knock on effects of that in Brede Lane. Notwithstanding, of course, the impact on views over the valley and the land itself.

### **How can you help avoid further development of the Street Farm site should the Judicial Review be unsuccessful or a repeat of the current application if the review is successful?**

#### **Vote Yes for the Neighbourhood Plan**

When it comes up for referendum. Villages with Neighbourhood Plans are given a higher level of protection against unwanted over development. If the Plan passes referendum it will not only give us added protection against any further plans the District Council may have for the Street Farm site but also the village will benefit from the Community Infrastructure Levy.

### **COMMUNITY INFRA STRUCTURE LEVY (CIL)**

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Over the next 11 years the District Council required at least 35 new houses to be built in Sedlescombe in developments of six or more houses. The Parish Council has been producing a Neighbourhood Plan to give our community some control over where these new houses are built. For every new property built, with some exceptions, the District Council will be levying a new charge called the Community Infrastructure Levy. Part of this levy will come to the Parish Council.

For Parishes without Neighbourhood Plans the amount received by the Parish will not only be 15% of the total collected by the District Council but this figure will also be capped each year. Parishes with a Neighbourhood Plan in place will receive a much higher share of this new levy. So if the Sedlescombe Neighbourhood Plan receives a positive vote at the referendum later in the year our community will received an uncapped levy of 25%

of the funds collected by the District Council.

Over the next 11 years this will amount to an estimated £200,000 to £225,000. The amount may rise from this level as the Levy has already increased by 4% since its inception and will be likely to increase each year as it is indexed.

This is a substantial fund for the village given no new infrastructure has been provided in Sedlescombe by either the District Council or the County Council in a long time.

### **What can the new fund be used for?**

The underlying objective of the part of the levy received by a Parish is to support the development of the area. Parishes can spend the levy on a wider range of things than the District Council, provided that it meets the requirement to 'support the development of the area'.

The wider definition means that the Parish portion can be spent on things other than infrastructure (as defined in the Community Infrastructure Levy regulations). Specifically the regulations say that the funding should be used to 'support the development of the area' and for:-

- (a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
- (b) anything else that is concerned with addressing the demands that development places on an area.

For example, the money could be used to fund affordable housing where it would support the development of the area by addressing the demands that development places on the area and/or it could be used for traffic calming devices around 'hotspots' in the village.

Care should be taken when using the fund for the ongoing operation of infrastructure as the funding is a fixed amount which would be exhausted over time.

### **To ensure we receive the maximum funding and maximize the opportunity for our community it's important to achieve a YES vote at the referendum for the Neighbourhood Plan.**

Without the Neighbourhood Plan in place not only will we have **no** control over where new development might be placed by the District Council but we will receive at least **40% less** of our share of this important levy.

At this early stage we want everyone's thoughts on what you see as the highest priorities for new infrastructure for the village and the whole Parish.

Included with this Bulletin is a consultation form. Please fill it in and drop it into the yellow box in the village shop by the 22 September 2017

We will print the results in the next Bulletin and then move onto the next stage of doing costings and feasibility studies.

To give you some idea of the sorts of things that the funds can be used for here are some suggestions already put forward.

- Traffic calming at the north and south of the village.
- Parking bays in Brede Lane.
- A cycle track around the sports field.
- A roof for the tennis courts (MUGA).
- Building (with extra grants) affordable housing specifically for children of Sedlescombe residents.

### **THANK YOU BLACKBROOKS GARDEN CENTRE**

Blackbrooks Garden Centre, provided the village with four lovely tubs of flowers.

The Parish Council would like to publicly thank Blackbrooks for the wonderful floral display they have provided.



## BREDE LANE CAR PARK AND PUBLIC CONVENIENCE

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### Overview of Consultation

Rother District Council (RDC) wishes to devolve to Sedlescombe Parish Council (SPC) the running and associated costs of the car park and public conveniences in perpetuity.

Following extensive research The Parish Council recommended that:

1. The Parish takes on the car park.
2. The Parish does not take on the public conveniences.

In order to gauge the feeling of the Parish a questionnaire was made available with a deadline date of 28th April and 163 questionnaires were returned. 104 were in favour of the Parish Council's recommendation, 54 were against the recommendation. Of the people included in the 54, 7 people also indicated they did not wish to retain the car park. There were 5 questionnaires which threw up anomalies.

### SPC recommendation is as follows:

RDC transfers the freehold of the site, including the area of the public conveniences to SPC. The Parish Council will covenant to provide a given number of parking spaces as calculated on the ground or as required by new size regulations.

Reason: Should at some time in the future the centre of Sedlescombe move, (i.e. a new school and medical centre be built in a different part of the village), SPC may wish to sell the site to finance the purchase of a new location close to the new development undertaking to provide a similar number of car parking spaces. Without this option there is a danger of having an unused car park falling into disrepair because of its location.

### The Public Conveniences

Either RDC closes the public conveniences, demolish and make good, or in the short term they continue to operate the public conveniences at their cost. The SPC to grant RDC a Law Society Lease but with 6 monthly or annual breaks so that RDC can close the public conveniences at some point in the future but again demolishing and making good, as it may well be that business rates would be payable on a vacant building even if the public conveniences were exempt.

### The Car Park

SPC should understand that even in running the car park they are taking on a considerable liability, not only for themselves but for future Parish Councils in perpetuity. The use of grants and other funding, whilst a bonus, cannot be relied on to be available in perpetuity.

The results of the consultation and recommendations have been forwarded to RDC. Their reply on 15 June was *'it is unviable for RDC to devolve the car park and retain the toilets. Furthermore, the offer was for a 99 year lease and not freehold. The Council will now need to examine options for the future of the site and once we have had the opportunity to do so I will come back to you. I suspect that this is likely to be no earlier than Autumn time.'*

We have requested a meeting with RDC to confirm the way forward.

## COUNCILLOR PAULINE GLEW, RALPH DELLOW BENCH

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Cllr P Glew attended the dedication of Ralph Dellow's Bench. Jean Dellow cut the ribbon and placed a bunch of flowers on the seat.



## BUS TIMETABLE NEWS

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349 Bus runs on a Sunday and Bank Holidays until the end of the year.

## ANYONE FOR TENNIS?

If you or your children would like to develop your tennis skills please go along and have a game. IT IS FREE for residents. Commercial users will have to pay a fee for the Tennis Courts of £12 per hour.



## SEDLESCOMBE SPEEDWATCH

Update: Many residents have expressed their concern regarding the excessive speed of some vehicles passing through our village. So we are pleased to announce that our Sedlescombe Community Speedwatch Group has been reformed. Sessions commenced in early May and during that month the Police have sent out 55 letters to speeding drivers. This gives us all an indication of the huge size of the problem regarding speeding. As an added deterrent, signs have been placed at both ends of the village to indicate the presence of Speedwatch. It is our aim to make the village a safer environment for everyone.

**FOR OUR CAMPAIGN TO CONTINUE WE REQUIRE MORE VOLUNTEERS** to assist at our sessions (the more volunteers we have the more sessions we can hold). The theory training can be carried out on-line and is very easy. And the speedgun training can be carried out on the roadside with the team.

If you would like to join us, or would like any more information please phone Cllr. Andy Waters on 01424 870693 or email at: [Andre.22@btinternet.com](mailto:Andre.22@btinternet.com)

We would also like to hear from those who have been involved with the team in the past.

**YOU WOULD ALL BE MOST WELCOME.**

## SEDLESCOMBE PARISH COUNCILLORS

Jonathan Vine-Hall (Chairman)	07973 129505
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Lindsay Fraser	01424 871064
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Debra Veitch	01424 870914
Gareth Matthews	07581 176936
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## SEDLESCOMBE LIFT SCHEME

YOUR PARISH COUNCIL has a LIFT SCHEME in order to help Sedlescombe residents who are finding it difficult to attend hospital/surgery appointments because of the lack of transport.

A list of drivers who are willing to take you to the hospital or the surgery is available. The only charge is the reimbursement of their petrol at the rate of 50p per mile.

Please direct any questions about the scheme to Cllr. Mrs Pauline Glew on 01424 870 258.

## VOLUNTEERING

Spring is in the air and everything is growing! **YOUR PARISH COUNCIL NEEDS YOUR HELP.** If anyone is interested in Volunteering to do maintenance jobs around the village please contact the Clerk. [clerk@sedlescombe.org.uk](mailto:clerk@sedlescombe.org.uk)