



BOXLEY PARISH COUNCIL

www.boxleyparishcouncil.org.uk

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To All Members of the Council, press and the public.

3rd December 2012

There will be a meeting of the **Environment Committee** on **Monday 10th December 2012** at **Beechen Hall, Wildfell Close, Walderslade** commencing at 7.30 pm when it is proposed to transact the following business;

1. **Apologies and absences** (7.30)
To receive and accept apologies for absence.
2. **Declaration of Interest or Lobbying.** (7.31)
Members are required to declare any interests or lobbying on items in this agenda.
3. **Minutes of the Meetings of 5th and 12th November 2012.** (7:32)
To consider the minutes of the meetings and if in order to sign as a true record (already circulated).
4. **Matters Arising From Minutes.** (7.36)
 - 4.1 Minute 2480/4.1 marker at Cossington Lane. A resident has contacted a councillor and requested the removal of the sign see report (page 3).
 - 4.2 Minute 2480/4.2 PRoW Round Wood valley. KCC has refused the request see report (page 3).
 - 4.3 Minute 2480/4.3 Boxley Road/Grange Lane movement of speed restriction, see report (page 3)
 - 4.4 Minute 2480/4.4 additional white lining Boxley Road/Beechen Bank Rd see report (page 3).
 - 4.5 Minute 2480/4.5 Beechen Bank, see report (page 3).
 - 4.6 Minute 2480/4.6 Saracen Fields open area. A response is awaited from County Councillor Paul Carter who has asked an officer to investigate.
 - 4.7 Minute 2480/4.7. Suggestions, trees leaning over Walderslade Woods Road and other work, were submitted for consideration for Cllr Paul Carter's devolved budget.
 - 4.8 Minute 2483/9.6 KCCH&T survey see report (page 4).
 - 4.9 Minute 2483/9.8 Salt bins 'use on highways only' signs. Work will be completed when office time allows.
 - 4.10 Minute 2483/9.10 Maidstone Studios. Contact has been made to arrange a meeting between councillors and the studio to try to resolve the issue of parking on Grove Green.

To adjourn to allow members of the public to address the meeting.

5. **Planning Applications and Appeals for Consideration.** (8.05)
To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions.
TA/0186/12 application for consent to carry out works to approximately 65 trees including coppicing and crown lifting, as set out in the application, at Beechen Hall, Wildfell Close, ME5 9RU. 13/12/12.

TA/0196/12 application for consent to crown lift to 4m and thin by 10% Trees T1, T2 and T3 (Hornbeams). Reduce height of Trees T4 and T5 (Hornbeams) by 30% and

reduce height by 30% and balance crown of tree T6 (Hornbeam) at 24 Goldstone Walk, Walderslade ME5 9QB. 20/12/12.

6. **Planning Applications and Appeals Decisions** (8.12)
MA/12/1458 REFUSED*
7. **Neighbourhood Development Plans** (8.14)
 - 7.1 To receive any information from councillors on their review of the NDP for their area.
 - 7.2 To decide on the membership of the NDP working group.
8. **Walderslade Woods and Volunteer Group** (8.20)
To receive a report/update on the Group's activities see report (page 4-5).
9. **Highways and Byways.** (8.28)
 - 9.1 To consider any issues raised by Councillors or the residents.
 - 9.2 Dog fouling information see report (page 4).
10. **Policy and procedures review.** (8.35)
Wish list, enclosed in members folders.
11. **2013/14 Budget – draft.** (8.42)
To receive any requests, enclosed in members folders is the Street Maintenance policy.
12. **Listed Building in the parish.** (8.50)
 - 12.1 Minute 2483/12.1 St Andrew's Chapel. English Heritage has been contacted.
 - 12.2 Listed Buildings Register see report (page 4).
13. **Consultation; Extending permitted development rights for homeowners and businesses: technical consultation.** (8.55)
To consider a response, details to be supplied before meeting.
14. **Matters for information.** (9.05)
For members to be notified of any information or for members to request agenda items.
15. **Next Meeting.** (9.12)
Next full environment meeting 7th January 2013 at Beechen Hall commencing at 7.30 p.m.

In view of the confidential nature (personal details and data) on the Enforcement item about to be transacted, it is advisable that the public and press will be excluded from the meeting for the duration of or part of the item.

16. **Enforcement and Section 106 updates from MBC.** (9.13)
To consider, if any received, confidential updates.

Clerk to Boxley Parish Council.

Items to be returned to agenda: Minute 2368/5.1 Walderslade Woods road/A2045 – work to obtain speed reduction –KHS awaiting plans (04/12).

In accordance with policy the meeting should close no later than 9.30 pm but the Chairman has devolved powers to extend it by 30 minutes.

Item 4 Matters Arising From Minutes. Purpose of report: information.

- 4.1 Minute 2480/4.1 marker at Cossington Lane. A resident has contacted a councillor and requested the removal of the 'private road' sign at Cossington Lane. As members are aware Cossington Lane is a publically maintained street so the public have a right to drive over it even though residents have to pay for its upkeep. If members wish to see the sign remove the sign then it is suggested that a sympathetic letter is delivered to all properties in Cossington Lane requesting the signs 'owner' to remove it otherwise the parish council will.

- 4.2 Minute 2480/4.2 PRoW Round Wood valley.

"As discussed on the telephone this morning, the Area Manager, David Munn has carried out a site inspection and is of the view that we should not proceed with the Dedication. There are two main reasons for this, firstly, there are potential surface condition problems that would need to be resolved at the southern end and secondly it would need regular annual vegetation clearance. By proceeding with a Deed of Dedication under section 25 of the Highways Act 1980, would automatically mean that the path would become maintainable at the public expense. Unfortunately, in these times of reduced budgets, we have to carefully assess any additional burden on the already overstretched maintenance budget. In addition to this, David has stated that there is already access to the route and in fact the whole area of the wood is riddled with paths and therefore on balance, there seems to be little additional public benefit in having the route dedicated as a public right of way, whilst there are several dis-benefits to the County Council.

Furthermore, I have been in discussions with my colleague Melanie McNeir who has informed me that the County Council have made an application to voluntarily dedicate this area of woodland to the public as a Village Green. This proposal is going to Regulation Committee in January/February with the recommendation that the land should be registered. If Members agree with this recommendation, then there will be a right of access for the local community.

It is also worth pointing out that there are powers available to the Parish Council - under Section 30 of the Highways Act 1980 - to enter into an agreement with the landowner to create a public right of way, if satisfied that the creation would be beneficial to the inhabitants of all, or any part of, the parish or community. Such an agreement - whilst resulting in a formal way being created - does not require the newly created route to be advertised and the way does not automatically become maintainable at the public expense, as is the case with a section 25 agreement. This therefore would achieve the aims of the Parish Council but would not add any extra maintenance responsibilities to the County Council.

I apologise that this may not have been the response that you were hoping for, but I hope that you will understand the reasons behind the decision not to proceed with a Deed of Dedication.

Regards

Laura Wilkins

**Senior Public Rights of Way Officer
Countryside Access Service"**

- 4.3 Minute 2480/4.3 Boxley Road/Grange Lane movement of speed restriction. Information on why the Police had refused to support the request to move the speed limit signs has been requested. Also requested were alternative suggestions to improve the junction
- 4.4 Minute 2480/4.4 additional white lining Boxley Road/Beechen Bank Rd. This work has been partially completed. It is likely that bad weather stopped the work and so the situation will be monitored.
- 4.5 Minute 2480/4.5 Beechen Bank. A request to have Beechen Bank identified as a Local Green Open Space has been submitted to MBC. The Clerk requests

clarification; At the last meeting member's asked for further details on the land ownership at Beechen Bank to be obtained. The additional information from Land Registry would cost £155 and prior to requesting it members' are asked to identify the reason for the expenditure? A request to have the land identified as Local Green Open Space has been submitted to MBC.

- 4.8 Minute 2483/9.6 KCCH&T survey. The survey was completed by Cllr Hinder and the parish council's response to DforT speed limit circular was also included as it related well to the questions being asked.

Item 9.2 Dog fouling. *Purpose of report: information.*

Report of conversation with MBC Civic Warden Jeff Pedrick.

Jeff has confirmed that a new Dog Control Order is going through Cabinet at the moment which will supersede the Dog (fouling of land) Act 1996, this will allow a fixed penalty fine to be issued to offenders of £75.00 (previously £50.00) and will be applicable on all land open to the public. This of course can only be done by MBC. If the PCSO or a member of the parish council sees this [fouling] happening and actually sees the motion from the dog and the owner then walk away, they can ask the owner for their name and address and report them to MBC who will visit and prosecute. MBC will require the offending faeces to be marked in some way so that they can photograph it in-situ as evidence.

To clarify, there should be no dogs or fouling inside a play area that is fenced off. Outside of the play area owners must clear up after their pets. If there is a lot of dog fouling in an area open to the public which is the responsibility of MBC a call to the environmental health team on 01622 602162 should be made to get the area cleaned.

Item 12.2 Listed Buildings Register *Purpose of report: information and possible action.*

The parish office has a list of the buildings in the parish that are listed. It has not yet investigated the English Heritage website. MBC has been approached for another copy of the list as the previous one supplied is poorly presented. If there is no improvement in the presentation then the English Heritage website will be investigated.

MBC has the following on their website.

"Listed buildings register

Currently we do not have a listed buildings register online. If you wish to find out more about listed buildings in your area, use the contacts on the right-hand side of this page. For specialist advice visit our Conservation advice page.

For advice on planning applications for listed building consent please consult the Development control pages.

General information

Maidstone has around 2,009 listed buildings. The following grades can apply to listed buildings:

- **Grade I** buildings are of exceptional interest, sometimes considered to be internationally important.
- **Grade II*** buildings are particularly important buildings of more than special interest.
- **Grade II** buildings are nationally important and of special interest.

Maidstone is a town with simply too many listed building to list here, however the English Heritage website has a search engine designed for looking for listed buildings, whether by address or location.

Useful links

English Heritage [this is a hyperlink]".