

BOXLEY PARISH COUNCIL

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Clerk – Mrs Pauline Bowdery
Assistant Clerk – Mrs Melanie Fooks
Tel – 01634 861237

Beechen Hall
Wildfell Close
Walderslade
Chatham
Kent ME5 9RU

E-mail – bowdery@boxleyparishcouncil.co.uk

To All Members of the Council, press and public.

30th January 2012

There will be a meeting of the **Environment Committee** on **Monday 6th February 2012** at **Beechen Hall, Wildfell Close, Walderslade** commencing at 7.30 pm when it is proposed to transact the following business;

1. **Declaration of Interest or Lobbying.** (7.30)
Members are required to declare any interests or lobbying on items in this agenda.

2. **Apologies and absences** (7.31)
To receive and accept apologies for absence.

3. **Minutes of the Meetings of 9th January 2011.** (7:32)
To consider the minutes of the meetings and if in order to sign as a true record (already circulated).

To adjourn to allow members of the public to address the meeting. (7.33)

4. **Cowbeck Woods.** (7.45)
To allow Peter Court agent of the landowners to address the meeting.

5. **Matters Arising From Minutes.** (8.05)

5.1 Minute 2367/4.2 inconsiderate parking Walderslade Village/Boxley Road. A response from Medway Council is still awaited.

5.2 Minute 2367/4.4 Walderslade Woods road/A2045 see report (page 3).

5.3 Minute 2369/9 Double Yellow lines at Orbit Close. MBC has responded that the next batch of restrictions will be progressed in the summer. A diary entry will be made to follow this up and if necessary return it to the agenda.

6. **Planning Applications and Appeals for Consideration.** (8.06)

To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions.

MA/11/2023 Erection of B8 storage and distribution..... at Brooklyn Yard, Chatham Road, Sandling. To ratify Clerk's decision, after discussion with members, *Noted*.

MA/11/2023 Erection of B8 storage and distribution..... at Brooklyn Yard, Chatham Road, Sandling. Amended details – bat survey and crested newts report, which deals with the plan to move the newts to Allington Castle.

MA/11/2034 – Erection of a conservatory to the south elevation of dwelling and erection of a detached tractor/implement store at Arran Bank Stables, Dunn Street, Bredhurst. 9/2/2012.

MA/12/0021 –Application to remove condition 2* of planning permission MA/11/0242 at Plot 4, Eclipse Park, Sittingbourne Road, Maidstone. 13/2/2012.

MA/12/0022 – Application to remove condition 2* of planning permission of MA/11/0227 at Eclipse Park, Sittingbourne Road, Maidstone. 12/2/2012.

***Condition 2 on both applications.** No building hereby permitted shall be occupied unless and until the completion and opening to traffic of a scheme of improvements to M20 Junction 7 generally shown on drawing no. HTT91271A/1080.1/1A (or other such scheme of works substantially to the same effect which has first been approved in writing in writing by the Local Planning Authority). Reason: To ensure that the M20 motorway continues to be a safe and effective part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980.

MA/11/2143 – Application for erection of a conservatory at Chandos, Harbourland Close, 21/2/2012.

7. **Planning applications taken to Planning Committee.** (8.20)
 - 7.1 Planning rota – Cllr Ivor Davies 8th March and Cllr Pepper 19th April 2012.
 - 7.2 MA/11/1965 erection of 7no dwellings comprising 3no 3 bedded dwellings and 4no 2 bed houses at Penhurst Close, Grove Green. Cllr Brooks attending.

8. **Planning Applications and appeals decisions.** (8.25)

To note the Maidstone Borough Council’s planning application decisions and Secretary of State’s appeal decisions. Asterisk * indicates decision contrary to parish council views.

MA/11/1349	GRANTED	MA/11/1970	GRANTED
MA/11/1992	GRANTED	MA/11/1976	GRANTED
MA/11/2000	GRANTED	MA/11/2022	GRANTED
TA/0192/11	GRANTED	KCC/MA/0517/11	GRANTED

9. **Strategy for dealing with highway issues not receiving KHS funding.** (8.26)

To consider how to deal with issues notified by residents but for which there is no KHS funding see report (page 3 - 4).

10. **Walderslade Woods and Volunteer Group** (8.36)

To receive a report and an update on the group.

11. **Highways and Byways.** (8.42)
 - 11.1 Highway verge Gleamingwood Drive see report (page 4).
 - 11.2 Styles Lane hedge maintenance see report (page 4).

12. **Policy and procedures review.** (8.50)
 - 12.1 BPC wish list 2012 enclosed for members.
 - 12.2 Street Maintenance and policy and pro forma see report (page 4 - 5).

13. **Matters for information.** (8.55)

To receive any information

14. **Next Meeting.** (8.56)

Next environment meetings 5th and 12th March 2012 (full) 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.

15. Enforcement and Section 106 updates from MBC.

(8.57)

To consider any information received.

Clerk to Boxley Parish Council

Items to be returned to agenda: DYL Orbit Close Summer 2012.

Item 5.2 Walderslade Woods road/A2045 - renaming to include Road as part of the name. *Purpose of item; request for members to reverse the request that it be renamed.*

Clerks' report.

Roads are generally only renamed (which is what this would be) if there are major problems to do with mis delivery of mail or emergency services have problems (2 similar named roads close together).

The process for renaming this road, if the Parish Council requests it, is:

- Negotiations with Tonbridge and Malling BC as to who will do the work (the road goes across the boundary).
- Formal consultations with MBC, TMBC, Aylesford PC, Boxley PC, KCC, Ordnance Survey, Fire, Police, Ambulance, Royal Mail and the only business on the road Bridgewood Manor Hotel (luckily no residents actually live on the road or they would have to be consulted too).
- If everyone agrees to the name change then the legal paperwork is produced and progressed.
- If agreed the name plates can then be changed.

Item 9 Strategy for dealing with highway issues not receiving KHS funding. *Purpose of item; members to decide on any policy etc. Any strategy or procedure that has policy or financial implications will need to be a recommendation so that it can be taken to the Parish Council or Finance Committee.*

This was deferred from the August meeting for consideration. KHS has extremely restricted funding, as does MBC and members need to discuss whether they would want to adopt a strategy or procedure to deal with issues raised by residents which do not attract funding.

Members are faced with a number of options;

- a. Do nothing if funding was not forthcoming from KHS.
- b. Refer all issues to Paul Carter with or without a request that he consider allocating some of his member's highway budget.
- c. Consider funding, all or part funded by the County Councillor. This being subject to conditions (which members must decide on) to ensure that: the work was relevant; it benefited a number of residents rather than one resident; the gain was commensurate with the expenditure; it was a safety rather than a cosmetic issue; it was work that KHS felt was needed etc.
- d. Notify every issue to the Environment Committee for guidance/consideration for possible action.
- e. Wait for the Localism and Big Society legislation/guidance and then consider the issue then.

If members wish to be able to contribute financially towards issues (and any financial allocation will need to be cleared by the Finance Committee) that it feels need funding then there are the following options;

- f. Ask the Finance Committee to agree to release a sum from the contingency budget.
- g. Prepare the draft budget and include a sum (this would have to be passed by the Finance Committee/Parish Council).

Clerk's comment: members have previously considered the issue of double taxation and if members choose to fund (part or fully) any work then this may lead to criticism from parishioners, especially if the Precept is raised to accommodate any expenditure. This is not to say that you cannot decide to do this but you must feel comfortable with the decision and willing, if challenged, to justify your decision. Creating a strategy and procedure for dealing with requests is an open and accountable way of proceeding. The Council has already decided, by its actions, to supplement KHS funding (crossing at Provender Way, legal work Beechen Bank Road/Boxley Road and bus shelter A229).

Item 11.1 Gleamingwood Drive verge *Purpose of item; to decide on action.*

One of the verges at Gleamingwood Drive is being parked upon by residents and resident's visitors. This is causing damage to the verge which is unsightly. KCC will not send a letter to the adjacent properties (checked with Highway Steward) and it is unlikely that KCC would fund bollards to physically stop this (being rechecked by the Highway Steward).

Would members object to a letter from the Parish Council being sent to all properties opposite the verge asking for residents to be more considerate and not damage the verge? Two residents have suggested bollards be erected and depending on the response from KCC this might be returned to members for discussion on whether they would a) support the erection of bollards and b) whether they would fund them (and their future repair) – this would depend on permission from KCC being obtained for their erection.

Item 11.2 Styles Lane hedge maintenance. *Purpose of item; to consider a resident's request. Members are asked to have a look at the hedge prior to the meeting.*

A hedge on Styles Lane is very overgrown and needs maintenance. Previous attempts by a resident and parish office to find out the owner of the land have so far been unsuccessful. The resident is asking for the hedge to be properly maintained to stop it overhanging the highway. If Highways could be persuaded to do this work then any maintenance would be by the flailing machine and this probably would not be acceptable to the residents.

The Environment Committee has a small street maintenance budget that has previously been used for maintenance work on a footway.

The legal status of the hedge is currently being checked. Members' views are sought.

Item 12.2 Street Maintenance and policy and pro forma. *Purpose of item; members to decide whether document is still fit for purpose.*

Street Maintenance 'Policy' for budget expenditure.

When suggesting additional work individual members are asked to identify the following:

- what additional work they want;
- why they consider it is needed (whether it is for practical or aesthetic reasons);
- (if known) whether the land/vegetation is highway or private. If private can they identify the property owner/house number etc.
- have they reported the problem to KHS at any time (reference number to be given if possible)?

The Environment Committee will consider requests for the budget to be allocated and has identified the following criteria/requirements that need to be considered before a decision is made.

Is the issue on Highway property (verges/footways) and have reasonable attempts been made to get KHS to do the work? *Reasonable is considered as a report/request made for the work and its progress is checked 7 days later. If work not scheduled or no answer than parish office to contact the Highway Inspector/Community Liaison officer for advice/response/schedule for any planned work allowing another 7 days for response/work. Issue then taken to Environment Committee for consideration. If there is a safety issue then response times allowed will be cut to 3 working days.*

Encroaching vegetation from private property. KHS can send a letter requiring the work be done and this can be arranged via the Highway Inspector.

Footways, especially if on a school, cycle or access to public facilities route are considered a priority by the Environment Committee. Salt bins can be supplied for footway maintenance.

Vision splays are a H & S issue if they are overgrown and should be cut as and when required. This is the same as vegetation around speed signs and highway directional signs.

When considering projects Environment Committee should consider the following

- whether the request is commensurate with the possible cost.
- H & S issues if it is going to arrange for work to be done.
- Who uses the footway, footpath etc.
- Why is it used (does it connect to a bus stop etc)
- Is it a 'make it pretty' request or a practical request.

There is a limited budget for work and where possible problem areas will be identified as soon as possible. The Environment Committee can consider work for aesthetic reasons but these should not take priority over work needed for practical reasons.

Street Maintenance. Checklist for requests for funding

Description of work required and why it is needed (practical, aesthetic, H&S issues)
Location. Please be precise use house/road numbers/names or draw a plan on a separate sheet.
If the land is not highways do you know who owns it? Give details.
Have you reported the problem to KHS (08458 247800) YES / NO
If yes give reference number and date reported.
Any Other information

Parish office notes

Prior to submitting to Env. Committee for consideration following has to be attempted.

Has KHS been chased (normally 7 days/3 days if H&S issue)
If no progress has the Community Liaison Officer/Highway Inspector being contacted (allow another 7 days for a response. Less if H&S issue)
Are benefits of work commensurate with possible cost
Any other information/notes