



BOXLEY PARISH COUNCIL

www.boxleyparishcouncil.org.uk

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

7 October, 2013

There will be a meeting of the **Environment Committee** on **Monday 14 October 2013** 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, dispensations, lobbying or changes to the Register of Interests.
3. **Minutes of the Meetings of 2 and 9 September 2013.** (7.33)
To consider the minutes (previously circulated) of the meetings and if in order to sign as a true record.
4. **Matters Arising From Minutes.** (7.35)
 - 4.1 Minute 2567/4.1 Quad bike: a work order was raised by MBC in Aug 2013 however a request for the actual date for installation has not been received. The Chairman will be asked to escalate this should no response be received by the meeting.
 - 4.2 Minute 2567/4.2 Neighbourhood Area consultation: the parish area has been agreed.
 - 4.3 Minute 2569/7 Vegetation removal Grovewood Drive South: KCCH&T will not undertake the work and a cost has been requested.

To adjourn to allow members of the public to address the meeting. (7.38)

5. **Planning Applications and Appeals for Consideration.** (7.48)
See attached list (pages 3 -4).
6. **Planning Applications and Appeals Decisions** (8.05)
To receive details of any information received (page 4).
7. **Neighbourhood Development Plans.** (8.09)
To receive an update on any information.
8. **Maidstone Borough Local Plan.** (8.12)
Site allocation in the Core Strategy: MBC's response to the submitted sites has been delayed and is now expected in the New Year. The next meeting of the working group will be arranged for after this report.
9. **Volunteer Groups.** (8.13)
To receive reports on the various groups.
10. **Highways and Byways.** (8.20)
 - 10.1 To consider any issues raised by Councillors or the residents.

- 10.2 Junction improvements at Lordswood Lane/Gleamingwood Drive: a response is awaited from KCCH&T.
- 10.3 Pedestrian crossing at Running Horse see report (page 4).
- 10.4 Additional yellow lines at Provender Way see report (pages 4 - 5).
- 10.5 KCCH&T Highway projects, an update see report (page 5)

- 11. **Policy and procedures review.** (8.40)
 - 11.1 Annual Competency review/statement, see report (pages 6-9).
 - 11.2 Procedure for considering planning applications, see report (page 10)
- 12. **2014/15 draft budget.** (9.10)
 - To consider the draft budget (already circulated) and to consider any additional projects submitted by councillors.
- 13. **Matters for information.** (9.15)
 - 13.1 Thank you letter from a resident who received a copy of the Traffic Management Advice sheet.
- 14. **Next Meeting.** (9.16)
 - Next full environment meeting 11 November 2013 at Beechen Hall commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 1 November 2013.

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.** (9.17)
 - To consider, if any received, confidential updates.

Pauline Bowdery
Clerk to Boxley Parish Council.

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.

Items to be returned to agenda: Minute 2492/4.2 (10/12/12) PRow Round Wood valley, return to agenda December 2013; Minute 2558/5.3 Community Infrastructure Levy: Minute 2558/5.6 Local Green Spaces and historic sites.

**REPORTS ATTACHED TO ENVIRONMENT COMMITTEE AGENDA 15 OCTOBER 2013.
Members are reminded that the Chairman will assume that these papers have
been read prior to the meeting.**

Item 5 Planning Applications. *Purpose of report:* To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions. Members are reminded that the paper versions are available from 7.00 pm

Note: As the following four applications were decided on a majority view of members the Chairman will propose their ratification as a group.

Ratify MA/13/1417 erection of a ground floor side and rear extension with raised rear terrace, loft conversion with front roof lights and rear dormer and first floor side extension at Frantom, Grove Green Road, Weaving, Maidstone, Kent, ME14 5JT. To **ratify** the Clerk's decision, after consulting with members, *Do not wish to object.*

Ratify MA/13/1519 – two storey side extension and single storey rear extension at 22 Henley Fields, Weaving, Maidstone, Kent, ME14 5UY. To **ratify** the Clerk's decision, after consulting with members, *Do not wish to object.*

MA/13/1163 (AMENDED DETAILS Offsite infrastructure plans) outline application for the development of medical campus comprising up to 98,000sqm of additional floorspace (including additional hospital facilities, clinics, consultation rooms and a rehabilitation centre (classes C2/D1); education and training facilities with residential accommodation (class C2/D1); keyworker accommodation for nurses and doctors (class C3); pathology laboratories (class B1); business uses (class B1); ancillary retail services (class A1, A2, A3)); and up to 116 class C2 neuro-rehabilitation accommodation units; internal roads and car parks, including car park for residents of Gidds Pond Cottages; hard and soft landscaping including creation of new woodland area with access for consideration and all other matters reserved for future consideration at land south of Kent Institute of Medicine and Surgery, Newnham park, Maidstone, Kent. 16/10/13.

MA/13/1260 (amended details Reptile Presence/Likely Absence Survey) construction of a new 3G sports pitch with floodlighting; 4 new tennis courts; the upgrading of existing pedestrian access ways from the main school site; the refurbishment of existing tennis courts and associated fencing at Valley Park Community School, Huntsman Lane ME14 5DT 16/10/13

MA/13/1531 – Retrospective application for the erection of a field shelter at Museum of Kent Life ME14 3AU. 14/10/13

MA/13/1533 – An application for advertisement consent for an illuminated totem sign and an illuminated fascia sign at Unit C, Aylesford Wharf Forstal Road ME20 7AD 15/10/13

MA/13/1647 First floor extension to existing hospital building at Alexandra hospital, Impton lane, Walderslade, Chatham, Kent, ME5 9PG 31/10/13.

TA/0018/13 Tree Preservation Order no. 1 of 1954: An application for consent to remove 1 (No.) Common Hornbeam tree at 19 Lombardy Drive ME14 5TA 17/10/13

Note. Development at Penhurst Close. The developer has notified MBC that he will be going ahead with the houses at Penhurst Close rather than the retail development.

Note. MA/13/1587 a request for a screening opinion for an environmental impact assessment for the development of approximately 95 dwellings on land to the east of Gleamingwood Drive, Lordswood.

Clerk's explanation: *the parish council is not consulted on a request for an opinion but out of interest the parish office obtained the paperwork. MBC's decision was that it did*

need an impact assessment. It should however be noted that the MBC response included "It is thus not considered that the scheme would have a significant additional urbanising effect on the area". Access would be from Gleamingwood Drive.

Item 6 Planning Applications and Appeal Decisions. *Purpose of report:* To consider any MBC decisions contrary to BPC views and appeal decisions.

MA/13/1348 demolition of redundant cattle shed and other two structures and conversion of traditional courtyard buildings to provide 2 no dwellings with access, parking and landscaping at street farm, Boxley GRANTED*

Asbestos Exchange Station North Dane Way – REFUSED.

Paul Dengate report. I attended Medway Councils planning meeting this evening in which the above application was discussed. After a briefing by the planning officer around the application, both Lordswood Ward Councillors Cllr Alan Jarrett and Cllr David Wildey were allowed to do a short presentation to members outlining some of the residents' concerns, but mostly around the risk to do with fly tipping. 5 members also commented; 4 against and 1 for. A vote was taken with 14 voting to reject the planning application with 1 for, the vote was carried to reject the planning application.

The meeting started punctually and I and other members of the public were exiting 45 minutes latter following the decision.

In the public gallery, there were about 10 people from the Lordswood estate, Tracey crouch MP was in attendance along with Cllr Vince Maple and Cllr Tristian Osborne who were opposed to the application as well as the applicant, her husband and their agent.

We are aware that the applicant will be appealing against the decision, so watch this space.

Item 10 Highways and Byeways. *Purpose of report:* information and decisions.

10.3 Pedestrian crossing at Running Horse. A resident from the Cuckoo Woods development has requested advice/help in getting a crossing installed at this point to allow children and residents a safer path to and from the bus stop.

"I am wondering if you may be able to help me. I have been a resident at Sandbourne Drive for 13 years now and have always cringed at how dangerous it is for people to cross the road from the Harvester pub to the Car park. Sandling Lane has become busier and busier whilst I have lived here and the lack of visibility on the bend in the road alongside the 40 speed limit make crossing quite dangerous.

My eldest son is now about to start school at Oakwood Park and could get a direct bus from the harvester stop on the 155, however because I think crossing the road here is too dangerous I am actually expecting him to get 2 buses so he can cross the road higher up where there is a place to stop in the middle of the road, walk through the newer housing development opposite (Sandling park I think) to the bus stop by the footbridge over the A229.

Do you know if anyone has ever lobbied for pedestrian lights closer to the harvester, and if not is it something that could be progressed?"

10.4 Additional yellow lines at Provender Way. The following has been received from St John's School.

"I write to ask for your assistance in procuring double yellow lines in the vicinity of St John's Primary school, Grove Green.

The problem of anti-social parking in this area is not a new one and although we have this year expanded our school I am not of the opinion that the parking issues experienced in the last few days are related to the expansion but rather that a small number of people see fit to essentially park where they like. KCC commissioned an independent traffic survey which categorically states that there is enough parking provision in this area for a school of this size.

We have as a school stressed to our parents via our school newsletter the importance of respecting our neighbours.

We strongly believe that an extension of the yellow lines from the bend opposite the post box all the way up to the school side of Orache Drive would stop parents parking on both sides of the road. Yesterday there was an incident where one person parked on this side of the road which meant that the bus, or indeed any other vehicle, was unable to drive up Provender Way for approximately 10 minutes. It is my belief that this extension of yellow lines will not inconvenience local residents or have any affect on school parking needs as most people adhere to the unspoken rule that this side of the road is not used for parking. I have very rarely seen residents parking on this side of the road.

We also believe that the double yellow lines leading from the school to Blacksmith Drive are superfluous and that this area would benefit from having a bus stop marked out instead. This would mean that the bus would always be able to pull in and it would take away the need to rely on people`s good will in leaving a space for the bus to stop. We have had two incidents this week involving complaints that the bus was unable to stop.

We would really like the opportunity to talk to somebody about this and feel that earliest action is necessary if we are to keep the local residents and the existing school population happy as we embark on Phase 2 of our expansion".

10.5 Following taken from:

Maidstone Joint Transportation Board Wednesday 9th October, 2013 5.00 pm agenda.

"A229 Running Horse Roundabout

We are currently developing the detailed design and liaising with external agencies to co-ordinate this complex project. It looks increasing unlikely that this scheme can be delivered in December as planned. This is mainly due to likely weather constraints which could jeopardise our plans to resurface and remark the new layout, it is now envisaged that the works will be undertaken in the spring although every effort is being made to see if an earlier start is possible.

A2045 Walderslade Woods j/w Impton Lane (east)

This site is mainly within Tonbridge and Malling; however it is close to the Maidstone Borough boundary. The signage works and high friction surfacing has been completed. The extensive vegetation clearance will be undertaken in the Autumn for ecological reasons."

KCCH&T e-mail (05/10/13).

Resurfacing work will take place at junction 7 interchange of the M20 on 14/10/13 and is expected to take two nights. The road will be closed from 21.00 - 05.00.

Item 11.1

Clerk's note: The following is a draft for members to consider.

Annual Competency review/statement.

Boxley Parish Council has set itself an aim not to stagnate and always to seek to improve the way it works and responds to its residents. As part of this aim each committee is required to undertake an annual review of its work, procedures and efficiency and make a competency report, highlighting any weaknesses and omissions, to the Parish Council.

To allow the Committee to undertake this work the Clerk has prepared the following report on the work of the committee and it lists all the different methods, procedures and ways that are used by the office to ensure that work is undertaken and nothing gets forgotten or missed. The list cannot be exhaustive and there will always be irregular or one off situations that will need to be dealt with as they arise. Part of the review (effectively a health check) will need to be a judgement that there are correct policies and procedures in place to be able to identify and deal with odd or unforeseen situations.

The Environment Committee uses the following in its work:

1. Policy and actions taken to control and alleviate/control any potential issues

- Street Maintenance policy and pro forma (policy and action).
- Sale of public land (policy).
- Terms of Reference (to go to April PC mtg) – any amendments wanted by Committee (action).
- BPC Planning information leaflet – annual review (action).
- Traffic Management informative note (action).
- Are laminated planning advices (used at meetings) still fit for purpose (action).
- Review response comments that are available for responding to planning applications (action).
- Pre application discussions (policy)
- Section 106 wish list (policy and action).
- Annual Competency Report (policy and action).
- Identified Standing Orders and procedures to enable out of meeting decisions to be taken and then ratified at the following meeting (policy and action).

All of the above are scheduled in a document submitted to the January Committee (Review of policies and procedures calendar). This not only proves to the Committee that the office has correct procedures to ensure reviews but also allows Councillors an opportunity to comment on the review schedule (action).

2. Procedures.

The parish office and its staff undertake "housekeeping" that members often do not know anything about, or take for granted, and this is why the Council must appoint competent staff and allow them adequate time, training and equipment to do the work. Councillors and the Committee do not have to become involved in 'housekeeping' issues as this would not be an efficient or effective way to manage the Council. At some point a housekeeping issue may be referred to the Committee, the parish office uses common sense in deciding if and when this happens.

Housekeeping can range from reporting flytipping to in-depth liaison with residents in an attempt to help them get an issue resolved before taking the problem to the committee. Councillors are also involved in 'housekeeping' in that they are asked to report potholes etc. direct to the relevant organisation and only involve the office if they do not get a response.

So how do Councillors know if "housekeeping" work is being undertaken? This can be judged in a number of ways;

- Lack of complaints from the public.
- Visual clues (potholes not being filled, development being advertised that the committee hasn't been notified of etc.)

- Discussions with public, Borough Councillors, information from MBC will notify Councillors that a problem exists or is brewing.
- Paperwork not being available in adequate time (agenda, reports etc.) Review diary not being adhered to without adequate reasons being given to the meeting.
- Office being unable to supply something requested or having no knowledge of something.
- Reports/feedback from Councillors attending planning committee etc. not on agenda etc.
- Office not completing an action asked for by a committee.
- Information coming to it from serving on another committee (probably more likely to be financial) or reading another committees agenda/minutes.
- Planning application deadlines are included on the agenda so members can check that the requirement to make a decision before the deadline is met. Standing Orders also has provision for decisions to be referred back to members and each out of meeting decision is ratified at the next meeting.
- Every meeting is exactly the same, no new items or issues being placed on the agenda.
- *'Gut instincts' Clerks comment – never ignore these, they are generally the sub conscience method of warnings.*

The review calendar also includes other information by which Councillors can judge whether the committee/office is 'healthy' and these are generally under office notes and are a reminder not only to staff but also to the committee. Examples of these monthly tasks/reminders are:

- *(Office work note remind members about need to notify office of any budget ideas)*
- *(Office work note – ensure committees put a priority on their budget projects)*

The agenda for meetings includes regular items (Volunteer Group Reports, Highways and Byways etc.) to allow regular reviews and debates and items are then added as issues are identified. If necessary at the end of the agenda is a list of items that have been deferred for return and members can keep an eye on these to ensure they are returned.

In 2012 new information was added to the agenda and councillors are now notified of the deadline for submitting new items for the next agenda.

3. Decision making.

A Parish Council is a democracy but to make the proper decisions it must have information. Reports submitted to members must contain relevant information that is produced in such a way so as not to unduly influence the members or ensure a particular response. In some cases the Clerk, and in her absence the Assistant Clerk, may need to 'instruct' the members to ensure that a legal and correct decision is taken and in such cases the report should clearly indicate why.

It might be helpful to remind members that the parish office operates the following system in reports and any of the following can be ignored or added to during the discussion:

- Clerks/Asst Clerk's comment. This is used to impart (in written form) some additional information that it considers relevant. Councillors then have time, before the meeting, to consider the information. It is also used to create links between the many other documents or other Committee policies etc.
- Suggestion, this is to put forward a possible decision, plan or idea to open debate.
- Options, this is used when the parish office can't find that the Council has any policy or previous stated views on the issue being considered. It is to help members consider what is in front of them and to open up discussion.

The Clerk/Asst Clerk also uses 'recommendation' and anything under this description is more likely to deal with a legal requirement. Thus a recommendation to adopt a policy is because not to do so could create legal problems, result in the Council acting unprofessionally or result in the Council not meeting requirements set by itself or another outside body. This does not mean that members should not change or amend aspects of

the policy but members need to do so from a position of information and so advance warning of any queries would be extremely helpful.

4. Other issues.

Councillors have to have an element of trust in its personnel however they should not become complacent. It is not wrong to question a report/item however it is polite to do so in a fair way and to give notice to the report's author prior to the meeting. It is more effective and efficient if advance notice can be given of any queries as the personnel undertaking the meeting might need to gather information and can be tired as they will have been working that day.

Prior to going out the agenda is reviewed by the Chairman of the Committee to try to ensure that all items are relevant and that sufficient information is included.

The Councils' method of working is that all Councillors receive agenda and minutes of all committees and that the agenda items are supported by relevant reports and information. This allows members to make informed decisions and it is always helpful to receive feedback on the whether the report was balanced and included all the information members needed.

Councillors also have responsibilities that impact on the competency of the Council and it is expected that they have read their agenda and reports prior to a meeting. The information supplied to Councillors by the office and information available from other sources allows Councillors to form opinions and to take decisions from a position of information. Training is vital for a healthy committee and various methods are available and members should consider completing training.

In 2013 the Environment Committee undertook work to produce an audit of the various communities within the parish and this has been subject to a public consultation. The information identified in this document will be used to help councillors and the community to have a better understanding of the parish. A consultation on a Neighbourhood Area is currently underway and the Environment Committee is working towards the production of a Neighbourhood Plan.

5. Competent.

The Parish Council is required to appoint a competent Proper Officer (Clerk and in her absence Asst Clerk). It is a duty of all Councillors to ensure that any document it receives is relevant and the Clerk is responsible for ensuring all documents are kept up to date and are correct. It is the Committees duty to judge whether this has been achieved and so is a shared responsibility. So how do Councillors do this? This is achieved in the following way:

- Councillors keep abreast of developments through the KALC Parish News, newspapers, Television etc. They should be willing to check with the parish office that they have noted that something is happening and whether it is going to the committee. *Clerks comment – the office is signed up to many e-mail notification systems (including MBC's Items of Interest notification system) and also pays to have the Direct Information Service which is a NALC run service giving briefings on changes to legislation, Ministers press releases, other organisations and NALC press releases/statement etc.*
- Read and study all the documents received and using their experience and knowledge judge whether it is correct. *Clerk's comments – the strength of a Quality Parish Council comes from the variety of Councillor serving on it. Their individual experiences, common sense etc. means that there is generally someone with in depth knowledge.*
- The Clerk, on important reports and documents, will often add a statement to prove that she was competent to make the report or any suggestions/recommendations. She also includes footnotes and information which allows councillors/the public to locate relevant legislation and information. This allows Councillors to judge whether the work submitted is fairly balanced, has depth and breadth and comes from relevant sources.

The Assistant Clerk is currently undertaking long distance training which will expand her knowledge and experience. The Clerk will also continue to undertake training.

MBC has previously offered planning training but basically regurgitates the same planning examples. The recent change to the planning laws and potential changes due to the draft Local Plan and The Localism Bill means that councillors will need to be continually updated. Cllr Dengate attended the KALC planning conference and has made material available to the Environment Committee but a sudden influx of urgent work has delayed plans to provide some in-house training at the meeting.

6. Statement of Clerks competency to produce such an overview.

The Clerk is a qualified Clerk (Certificate of Higher Education in Local Policy July 2000) and undertakes regular training to keep up to date and refreshed. She has been a Clerk for 19 years and undertakes mentoring and training of other Clerks (Kent Association of Local Councils and Society of Local Council Clerks). She is a member of the Society of Local Council Clerks Kent Branch. Her financial and administrative systems are annually audited by the Independent Internal Auditor and positive reports on her competence and the quality of the office systems are regularly submitted to the Parish Council. The Parish Councillors Internal Audits check her financial systems and positive feedback is received by this.

7. Compliance with 2012 Health check.

The following issues were identified.

- Agenda – recently after making a decision, at a meeting, members then indicated that they were unhappy/felt rushed. **Members discussed this at a subsequent meeting and the laminated planning advice was amended to remind members that they could ask for a decision to be delayed etc. This should be an on-going improvement with the Chairman taking the lead.**
- New website. This is still being improved and this will be an on-going issue. **More planning information has been included and future plans are to be on facebook which will hopefully further engage residents.**
- Individual responsibilities. Committee members have agreed to take responsibility for certain things, and only involve the office if they cannot get a result. **Members are undertaking the work.**

8. Weaknesses/opportunities identified by the Clerk whilst undertaking the report

- With the employment of an office assistant it is hoped that the office will become more able to 'chase' MBC and KCC for quicker responses to e-mails etc.
- Under representation in South Ward will create problems if a candidate from that area is not appointed.
- The Local Plan is now starting to generate extra work and with major development sites coming through there is a need to ensure that members stay focused at meetings. To do so they must have comfortable surroundings and it is suggested that a couple of meetings are held in the parish office to see if members find this a more comfortable venue. This will involve some additional work for the office staff but may be beneficial as it will allow everything to be set up in the afternoon rather than at 7.00 in a bit of a mad rush.

9. Health Check.

Members need to undertake a health check on the Environment Committee to identify

- Are the current policies and procedures enough if not where are there weaknesses?
- Are the current checks (reports to meetings) enough to make a decision or do members wish to devise an alternative audit for example a spot check?
- What improvements they think there could be to the way current policies, actions and procedures are managed.
- Are there procedures in place to be confident that one off or irregular issues are dealt with by the office under housekeeping or referred to the Committee in a prompt and correct manner?

Item 11.2 Procedure for considering planning applications.

To consider whether the current method of deciding responses to planning applications is the most efficient method of working. Currently planning applications are placed on an agenda which is sent out 7 days prior to the meeting, an alternative method of working could be that details are sent out as applications arrive thus giving members time to come back with any questions or queries.