



BOXLEY PARISH COUNCIL

www.boxleyparishcouncil.org.uk

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

2 July 2013

There will be a meeting of the **Environment Committee** on **Monday 8 July 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, requests for dispensation, lobbying or changes to the Register of Interests.
3. **Development at Newnham Park.** (7.32)
A presentation on the proposed development will be received from DHA.

To adjourn to allow members of the public to address the meeting. (8.00)

4. **Minutes of the Meeting of 3 and 10 June 2013.** (8.06)
To consider the minutes (previously circulated) of the meetings and if in order to sign as a true record.
5. **Matters Arising From Minutes.** (8.08)
 - 5.1 Minute 2544/4.1 Maidstone Studios; KCCH&T are open to the suggestion that local electronic signs can be used and details of how the KCC Highways Management Centre can be contacted has been supplied to Maidstone Studios along with a request that they consider setting up a sign outside the studio.
 - 5.2 Minute 2544/4.2 Quad bike; confirmation of cost is awaited from MBC (chased on 27/06/13) and if within the agreed budget the work will be authorised. Letters have been sent to the relevant neighbours and no concerns have been raised.
 - 5.3 Minute 2544/12 Community Infrastructure Levy; Cllr Wendy Hinder has taken the issue up with Maidstone Area KALC as the item was not discussed at the last meeting.
 - 5.4 Minute 2545/7.1 Neighbourhood Area consultation: deadline for responses 23 July 2013.
 - 5.5 Minute 2546/12.2 Changes to Permitted Development Legislation. Clerk to supply a summary on the changes for industrial and commercial units.

6. **Planning Applications and Appeals for Consideration.** (8.14)
See attached list (page 3).

7. **Planning Applications and Appeals Decisions** (8.20)
To receive details of any information received.

8. **Neighbourhood Development Plans.** (8.22)
Parish Audit: To receive an update on responses received from the consultation; a summary will be provided to members after 3 July 2013.

9. **Maidstone Borough Local Plan.** (8.30)
Local Green Spaces and historic sites see report (page 3 - 4).
10. **Volunteer Groups.** (8.40)
To receive reports on the various groups (page 4).
11. **Highways and Byways.** (8.45)
To consider any issues raised by Councillors or the residents, see report (page 4).
12. **Policy and procedures review.** (8.52)
Annual Competency review/statement; see report (page 4 - 8).
13. **Matters for information.** (9.00)
See report (page 8).
14. **Next Meeting.** (9.04)
Next full environment meeting 12 August 2013 at Beechen Hall commencing at 7.30 p.m. Items for the agenda must be with the parish office no later than 2 August 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.** (9.05)
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.

REPORTS ATTACHED TO ENVIRONMENT COMMITTEE AGENDA 8 JULY 2013.
Members are reminded that the Chairman will assume that these papers have been read prior to the meeting.

Item 6 Planning Applications. *Purpose of report:* To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions.

MA/13/0827 erection of a two storey and single storey rear extension insertion of side and rear dormer windows and installation of a swimming pool (amendment to previous refused MA/12/2149). 24/07/13. *Clerk's note: Refused due to scale, projection and proximity to boundary with Hillview resulting in a significant loss of daylight to that property.*

MA/13/0931 – An application to vary conditions 2, 3, 8, 14, 16 to allow a further 24 month period for submission and approval of details and to vary condition 5 to allow a further 9 month period for the submission and approval of details of MA10/2185 at White Cottage, Grange Lane, Sandling ME14 3DA. (full copy of proposals is attached). *Clerk's note: the variations to the conditions are requests for extensions to the deadlines. 19/7/2013*

MA/13/1088 loft conversion at Glen Isla, Weaving Street ME14 5JR. 24/07/13.

TA/0067/13 application for consent to crown lift to approximately 6m above ground of 4 sweet chestnut and reduce crown by approximately 4-5m of 3 ash trees at 2 Goldstone Walk, Walderslade ME5 9QB. 23/07/13.

TA/0083/13 application for consent to remove 6 Hornbeam trees at 6 The Covert, Walderslade ME5 9JJ. 23/07/13.

Item 9 Maidstone Borough Local Plan (MBLP). *Purpose of report: Discussion and if required identification of further action.*

Item 9.1 Local Green Spaces and historic sites. Cllr Fran Wilson, Opposition Leader MBC has written to all parish councils concerning green spaces and historic sites and parish councils are being asked to supply a list of the sites in their parish that they feel should be protected. *Clerk's note: As members are aware MBC has previously stated that local green sites will only be accepted as part of an adopted Neighbourhood Development Plan.*

The NPPF states that the local plan:

“Identify land where development would be inappropriate, for instance, because of its environment or historic significance”

“Contain a clear strategy for enhancing the natural built and historic environment, and supporting Nature Improvement Areas where they have been identified”.

MBC has removed the Area of Local Landscape Importance (ALLI) classification from its local plan and planning legislation would allow such land to be identified as a local green space.

The letter explains the Lib Dems concerns that MBC is not giving sufficient importance to the need to protect local areas. So far the Environment Committee has only identified Beechen Bank but may wish to consider suggesting:

- Vinters Valley Nature Reserve.

- All open areas that are currently under MBC control and identified as play areas or open spaces e.g. Weaving Heath. *Clerk's note: Their current legal status is unclear and it might be possible that MBC would consider selling off some land.*
- Countryside around Lidsing for a Nature Improvement Area?

Item 10 Volunteer Groups. *Purpose of report: information.*

Report FOBW group for June.

A task day was held but the number of volunteers who turned up was disappointing – there were apologies from a number for health reasons including myself.

The matter of storage of the new tools was raised at the recent Estates meeting where permission was sought to install a shed on the Parish Council site alongside the Short Mat Bowls shed for this purpose – permission granted. We have now sought tenders for supply and installation of this shed and a request has been sent to Paul Carter to assist in funding this project.

I spent a full day with another member of the group accompanying members of the CW partnership where a tour was carried out of the site in the morning and then, following lunch an afternoon session dealing with countryside issues. In particular we looked at ways of raising the profile of the Warren for walkers.

Cllr Bob Hinder

Item 11 Highways and Byeways. *Purpose of report: information and decisions.*

11.1 Crash map. Members are informed that information regarding personal injury crashes are available at www.crashmap.co.uk. For members information it is planned to check this site and include information on the Parish Audit.

11.2 Junction improvements at Lordswood Lane/Gleamingwood Drive. A request for an investigation and additional signage was submitted to KCCH&T but the response has been “Does not meet intervention criteria”. Members’ views are sought on how they wish to progress this.

11.2 A resident has raised concerns about parking in Impton Lane. Advice has been supplied and a number of options have been suggested. A response from the resident is awaited.

Item 12 Annual Competency review/statement. *Purpose of report: Information and decisions.*

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

Boxley Parish Council has set itself an aim not to stagnate and always to seek a way 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 is considered is 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.**

9. 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.

8. 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 13 Matters for information. *Purpose of report: information and decisions.*

- 13.1 Plot 4 Eclipse site. Members are notified that there is a possibility of a section 106 payment of £25,000 to be spent in the 'local' area. MBC has been informed that the parish council has a wish list and would like to be consulted on any availability of funds and involved in identifying projects that are being considered.