



**BOXLEY PARISH COUNCIL**  
[www.boxleyparishcouncil.org.uk](http://www.boxleyparishcouncil.org.uk)

Beechen Hall, Wildfell Close, Walderslade, Chatham, Kent. ME5 9RU  
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**Clerk** Mrs Pauline Bowdery    **Assistant Clerk** Mrs Melanie Fooks

## **A G E N D A**

### **To All Members of the Council, Press and Public**

There will be a meeting of the **Environment Committee** on **Monday 12 September 2016 at Beechen Hall, Wildfell Close, Walderslade ME5 9RU** 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 Interests, Dispensations, Predetermination or Lobbying** (7.31)  
Members are required to declare any interests, dispensations, predetermination or lobbying on items on this agenda. Members are reminded that changes to the Register of Interests should be notified to the Clerk.
- 3    **Minutes of the Meetings of 4<sup>th</sup> and 11<sup>th</sup> July 2016 - DECISION** (7.33)  
To consider the minutes of the meetings and if in order to sign as a true record. (pages 3 -6)
4.    **Matters Arising from the Minutes** (7.35)  
To receive any updates. See report (pages 3-5).
- To adjourn to allow members of the public to address the meeting** (7.43)
5.    **Planning Applications for Consideration - DECISION** (7.53)  
To receive and decide on responses to planning applications (pages 5-6).
6.    **Planning Decisions, Appeals and Appeals Decisions - INFORMATION** (8:00)  
To receive any updates. See report (page 6).
7.    **Litter and flytipping DECISION** (8.04)  
To receive a briefing note and to decide any further action. See report (pages 6-8).
8.    **Highways and Byways - DECISION** (8:19)  
To consider any issues.
9.    **MBC Community Infrastructure Levy Draft Charging Schedule, Draft Regulation 123 list, Draft Charging Schedule. DECISION (deadline 16.09.2016)** (8.21)  
Community infrastructure Levy draft charging schedule, draft regulation 123 list, draft charging schedule. To consider what responses, if any, members wish to make. See report (pages 9-14).
10.    **Maidstone Local Plan – DECISION** (8.28)  
A report is expected from the Planning Consultant and members will receive this prior to the meeting.
11.    **Policy and Procedures - REVIEW** (8.34)  
11.1 Parking in the Parish. To consider a draft policy outlining the parish council's position.  
See report (page 15)

- 11.2 Pre application discussions procedure and Annual Competency report. See report (page 15).
12. **Grounds Maintenance** (8.49)  
To receive a briefing note and to decide any further action. See report (pages 16-20).
13. **Budget 2017/2018** (9.00)  
13.1 Members are reminded that they need to inform the office of any projects they wish to be put considered, deadline November meeting.  
13.2 Cllr Dengate Timber Tops Play area seats and bins. See report (pages 20-21).
14. **Members Reports** (9.08)  
To receive any additional reports or notification of issues from members.
15. **Volunteer Groups - INFORMATION** (9.12)  
To receive any reports.
16. **Kent County Council Local Transport Plan 4: Delivering Growth without Gridlock 2016 – 2031 consultation. DECISION (October deadline)** (9.15)  
To consider what responses, if any, members wish to make. See report (pages 21-24).
17. **Matters for Information - INFORMATION** (9.25)  
To receive information. See report (page 24)
18. **Next Meeting** (9.26)  
Next Environment Committee meeting 10 October 2016 at Beechen Hall commencing at 7:30pm. Items for the agenda must be with the parish office no later than 3 October.

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.

19. **Enforcement and Section 106 updates from MBC** (9.27)  
To receive any updates received before the meeting.

*Pauline Bowdery*

Pauline Bowdery  
Clerk to Boxley Parish Council

Date: 5 September 2016

In accordance with policy the meeting should close no later than 9:30pm but the Chairman has devolved powers to extend it by 30 minutes.

Items to be returned to agenda:

Minute 2893/4.11 TPO Cowbeck Wood Gleaming Wood Drive. Return in October 2016.

Legislation allows for meetings to be recorded by anyone attending. Persons intending to record or who have concerns about being recorded should please speak to the Clerk.

**Supporting agenda papers for the Environment Committee Meeting 12 September 2016.  
The Chairman will assume that these have been read prior to the meeting.**

Councillors wishing to suggest changes to any policy or procedure document in this agenda should notify the office, in writing, at least three working days in advance of the meeting to allow details to be circulated at the meeting (or in advance if particularly contentious).

**Item 4. Matters Arising from the Minutes.**

**Item 4.1** Minute 2893/4.1 **HGV parking.** Having received information from the KCC budget allocations, which failed to show the information members wished to see a FoI request was made to HM Treasury with the following response being received.

**Freedom of Information Act 2000: Kent County Council funding**

Thank you for your Freedom of Information enquiry of 12th July 2016.

You asked for the following information:

*"Boxley Parish Council is requesting information on the amount of funding that Kent County Council receives from the government, specifically from the HM treasury's consolidated fund in the last financial year. Information is also requested on the revenue that the government receives from HGV levy's in the last financial year."*

I can confirm that HM Treasury does hold information within the scope of your request.

The amount of funding provided to all councils is published every year in the Local Government Finance Settlement, which provides details of the funding allocated by central government to all local authorities. Information on the funding received by Kent County Council in the last financial year (2015-2016) can be found in the document titled 'Key information for local authorities' at:

<https://www.gov.uk/government/publications/key-information-for-local-authorities-and-non-domestic-rates-pools-final-local-government-finance-settlement-2015-to-2016>

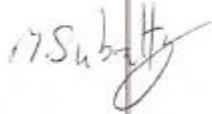
This shows that in 2015-16, Kent County Council received funding worth £161,005,000 through the Revenue Support Grant.

Departments are not obliged to re-issue information where it is already publically accessible. This information therefore engages the exemption at section 21 of the FOI Act, which states that public authorities are not obliged to re-issue information that is reasonably accessible.

HM Treasury does not hold information on the revenue that the government receives from the HGV Road User Levy. This levy is run by the Department for Transport, who submitted a written statement in Parliament in June 2015 outlining the revenue collected in the financial year 2014-15 (a total of £192.5 million), which can be found here:

<https://www.gov.uk/government/speeches/hgv-levys-first-year-of-operation>

If you have any queries about this letter, please contact us. Please quote the reference number above in any future communications.



Mohammad Subratty  
Information Rights Unit

Dear Ms Bowdery

Thank you for your letter of 2 June to Andrew Jones about collecting fines for foreign HGV drivers. This has been passed to me for reply.

Cllr Dengate has also raised similar concerns with Andrew Jones by means of a follow-up letter to the one you refer to. This pointed out that we would wish to reiterate the points raised in the earlier letter that, when the keeper of a UK registered vehicle does not pay a PCN that has been affixed to their vehicle by a civil enforcement officer working for the relevant local authority, the local authority is dependent on the Driver and Vehicle Licensing Agency's (DVLA) vehicle records to trace the address of the keeper to pursue payment of the PCN. Currently the DVLA does not have reciprocal agreements with its European counterparts to obtain relevant keeper / owner details for foreign registered vehicles.

Local authorities do, however, already have the power to clamp or remove foreign vehicles to ensure drivers comply with parking restrictions and pay any fines that are due. Changing parking regulations to allow the enforcement of tickets given to foreign vehicles not registered in the UK would require an international treaty. There are no plans to introduce this at present.

You may wish to be aware that a company called Euro Parking Collection PLC has been established to recover on behalf of client authorities parking penalty charges incurred by foreign registered vehicles.

The subject of an HGV levy was also raised by Cllr Dengate. The European Commission has written to us seeking our views about the levy and we have responded. We consider that our levy is justified and consistent with the free

movement of goods. British drivers regularly pay when they use the roads in other countries, and it is fair that foreign HGV drivers should do the same here.

- 4.2 Minute 2893/4.2 Installation of hard standing/apron at Boxley Road noticeboard. Nine KCC approved contractors were approached but none tendered for the work. In view of this KCC has been approached about the parish council appointing its own contractor to undertake the work

- 4.3 Minute 2893/4.3 Inconsiderate parking Provender Way. The parish office has not been able to obtain any information on the possible progress of this work and it is suggested that it is escalated to the Chairman/Borough Councillor.
- 4.4 Minute 2893/4.4. Bollards. *Minute 2882/4.4. Bollards. Members **received** and **noted** the Clerk's report. Some general discussion took place, however as a majority of the committee were not present at the meeting it was **agreed** that this item would be deferred to the next meeting for decision. Members commented that health and safety was paramount at the junction especially as sight lines could be compromised by parked vehicles and so the four installed bollards will remain. They requested a draft policy concerning parking on verges in the parish is submitted at the next meeting. **Action Office.***  
Item 12.2 deals with the draft parking policy.
- 4.5 Minute 2893/4.6. Land to the rear of Tesco Grove Green. The parish office is attempting to find out who actually owns the land.
- 4.6 Minute 2893/4.8 Litter/flytipping signs. MBC reports that the signs are on order.
- 4.7 Minute 2893/4.10 Flooding Boxley Road (near Longwood) and Brownlowe Copse. Response from KCC awaited. KCC chased for a response 05.09.2016.
- 4.8 Minute 2894/7.2 Bus shelter and bus service Grove Green. To receive an update from Cllr Wendy Hinder on her discussions with the MP.
- 4.9 Any other matters arising from the minutes not on the agenda.

### Item 5 Planning Applications for Consideration - DECISION

16/505568/FULL Creation of a first floor extension over existing garage, removal of existing conservatory and erection of single storey rear extension with insertion of rooflights and creation of front porch. 6 Haywain Close Weaving ME14 5UX. Deadline 3 August 2016.

Clerk's note: The above planning application was, due to an administrative error, not submitted to members for consideration and as there was no meeting in August this was not picked up until this agenda was being prepared. The deadline for response has passed and the Planning Officer is minded to approve this application. The Clerk apologises for the mistake.

16/505185/FULL Erection of a detached double garage. The Bungalow Weaving Street Weaving Kent ME14 5JS Deadline 1 August 2016

Clerk's note: The above planning application was, due to an administrative error, not submitted to members for consideration and as there was no meeting in August this was not picked up until this agenda was being prepared. The deadline for response has passed and the Planning Officer recommending refusal. The Clerk apologises for the mistake.

16/506229/FULL Single storey side extension to provide storage space and increase existing kitchen area and conversion of existing garage into additional living area. 15 Greensands Boxley Kent ME5 9DQ. Deadline 16/506229/FULL

*Clerk's note. Do members wish to send out a BPC Traffic Management note to the applicant? Development on this road might cause parking, access etc. issues.*

16/506526/TPO TPO application - Fell 1 x Common Ash to ground level and poison stump, Prune back group of Ash trees, Fell 1 x Hazel to ground level and poison stump. 5 Chequers Close Boxley Kent ME5 9SR. Deadline 13 September 2016.

16/506246/FULL Proposed single/two storey rear extension and detached garage. Park Cottage Boxley Road Boxley Kent ME14 3DH. Deadline 14 September 2016.

16/506522/FULL Demolition of existing front dormer to be replaced with first storey hipped roof extension. New mono pitched porch roof and canopy. New garage with pitched roof continuing around over single storey rear extension with rooflights. New windows and doors. New rendered first floor elevation to front. Skipton Weaving Street Weaving Kent ME14 5JQ. Deadline 15 September 2016.

*Clerk's note. Do members wish to send out a BPC Traffic Management note to the applicant? Development on this road might cause parking, access etc. issues.*

16/505913/FULL Construction of a two storey side extension and conversion of existing garage into living accommodation. 12 Spenlow Drive Boxley Kent ME5 9JT. Deadline 15 September 2016.  
*Clerk's note. Do members wish to send out a BPC Traffic Management note to the applicant? Development on this road might cause parking, access etc. issues.*

16/506657/FULL Demolition of existing garage, removal of greenhouse, erection of single storey side and rear extension and creation of front bay window. Pen Dean Weaving Street Weaving Kent ME14 5JP. Deadline 26 September 2016. *Clerk's note. Do members wish to send out a BPC Traffic Management note to the applicant? Development on this road might cause parking, access etc. issues.*

## **Item 6 Planning Decisions, Appeals and Appeals Decisions – DECISION AND INFORMATION**

\*16/500943 Demolition of existing conservatory and erection of replacement 2 storey rear extension at 1 Highridge Close, Weaving ME14 5XQ. BPC response Do not wish to object. MBC refused stating that the rear extension by virtue of its scale, mass and bulk would overwhelm the character of the existing property and have a detrimental effect on the character of the area and street scene. The proposed extension with a flat roof, by reason of its prominent siting, disproportional design would be detrimental to the character and appearance of the host building.  
*Clerk's note: the application is available if members wish to view the plans.*  
Public Inquiry. Gibraltar Farm Ham Lane Hempstead Gillingham Kent ME7 3JJ  
Outline application with some matters reserved (appearance, landscaping, layout, scale) for construction of up to 450 market and affordable dwellings with associated access, estate roads and residential open space

The appeal is to be considered by an Inspector at a Public Inquiry on 4 October, 2016 at 10:00. It will be held at: Civic Suite, Medway Council, Gun Wharf, Chatham, ME4 4TR  
Does the parish council wish to appear at the Public Inquiry?

## **Item 7 Litter and flytipping- DECISION**

The parish office is receiving regular complaints, from councillors and residents, concerning litter and fly tipping and as members are aware they have discussed this issue in the past.

The following is a briefing note on the current situation and possible solutions and members' views are sought on what, if any, action they wish to take.

### **Litter and fly tipping briefing report 25 August 2016**

#### **CURRENT SITUATION**

##### **Maidstone Borough Council (MBC) litter.**

MBC no longer supports volunteer litter picking groups and it no longer appears to arrange any Sweepclean events.

##### **Litter picking.**

MBC has different litter picking and street cleansing schedules for urban and rural areas. It is believed that Grove Green is seen as an urban area, properly due to its close proximity to the town centre. Outside of Grove Green it is believed the parish is seen as rural. Clarification had been requested from MBC as to why Lords Wood and Walderslade were deemed rural.

Due to conflicting information being received and a lack of response to questions asked by the parish office and Borough Councillor, a Freedom of Information request has been submitted to MBC asking for:

- The timescale and details of the cleansing visits and scheduled litter picks.
- A breakdown of the number of litter picks requested by the public in the parish.

The information, requested for the last 12 months, to be broken down into the community areas.

*Clerks note: since the middle of 2015 there has been, possibly due to a change in legislation or health and safety guidance, a change to how MBC approaches litter picks and MBC are imposing more stringent rules for their own staff. It is believed that last year a Council staff worker, not from MBC, was killed whilst litter picking by a road so*

*the change in stance is understandable. MBC will no longer litter pick along Walderslade Woods Road, M2 side, unless the adjacent road lane is bollarded off, as there is no footway. Borough Councillor Wendy Hinder was informed that MBC were looking into purchasing a mobile sign that would move and accompany workers as they worked their way down the road but the Clerk now understands that MBC are no longer pursuing this.*

MBC will arrange for extra litter picks if requested. Antidotal evidence from residents and also the experience of the parish office is that any requests made through the MBC website can be “lost” within the MBC electronic system even though an email acknowledgement has been received. To highlight the problem the Clerk, having first tried to use the customer services helpline, made a formal complaint. This resulted in contact with MBC and the following response from MBC has been received “*I have tested the reporting status on Walderslade Wood, Harp Farm road and Beechen Bank road and also found that I am unavailable to make a report for this roads is it defaults to the closes residential property (with an differing road name). The MBC web team is looking into this issue and once I receive addition information I will provide an update*”.

It is hoped that now MBC has recognised that there is a problem this issue will be resolved.

**Signage.** MBC had agreed, that when it had undertaken a litter pick, to erect signs along Walderslade Woods Road to try to discourage passing drivers throwing litter out of cars. The signs are currently under order.

#### **MBC fly tipping.**

MBC requires any fly tipping to be reported to its website, whilst its own staff will highlight fly tipping when they see it, but the very nature of fly tipping means that it is often in isolated areas. Flytipping reports can be made via the website (again there have been a few incidences when the fly tipping has had to be reported again) or telephone to MBC. There are many well-known areas that frequently attract fly tipping e.g. Harp Farm Road, Wildfell Close, Westfield Sole Road.

#### **Individual residents undertaking their own litter picking.**

The parish council is aware that a number of community minded residents do undertake their own litter picks. In some areas this has been going on for years whilst in others it may have only been happening for the last 10 to 12 months. On most occasions parish office is not aware of the names or addresses of these persons.

The parish office is often contacted by people complaining about litter and they are encouraged to report the matter to MBC and then if no response is received to contact the parish office with the reference number and the parish office will then ring MBC. Borough Councillor Wendy Hinder is also receiving numerous complaints.

Given below is a recent email from a local resident which sums up the situation and frustration very well.

“I’m a resident of Wildfell Close, have lived here since September of last year, and since that time have become increasingly frustrated with the amount of rubbish in the roads. Walderslade Woods road is terrible for it and Wildfell Close seems even worse, not just for rubbish either but fly tipping as well. Since we moved in we’ve had to contact the council at least 5 times due to fly tipping and we go rubbish picking along our road at least once a week.

The first time we did this we filled up 6 large black backs of rubbish and since then we fill at least one bag a week. We do it to keep our road looking nice as we have a bit of pride in where we live, we’ve been thanked many times by other residents, it’s just a shame that not everyone feels the same or has the same standards. The worst area is at the end of the entrance to the road, lots of delivery vans stop there as well as lots of random cars. There are an awful lot of drink cans and bottles (including alcoholic) as well as fast food containers etc.

So, I’d like this to be discussed specifically as something needs to happen, there must be a solution that the council can assist with. Myself and my partner will continue to litter pick, but the council can’t just rely on the good nature of residents”.

#### **What do other parish councils do?**

Some parish councils employ maintenance people who undertake litter picking along streets however many parish councils have or are now dispensing with this service due to the complexity of maintaining equipment, health and safety issues and cost. The majority of parish councils supplying this service are small and it is generally village based only.

Some parish councils organise councillor litter picks on a regular basis however again these are generally small villages.

### **Other options**

Littergram and other similar electronic ways of reporting litter by mobile phones etc. Littergram is free for local councils to subscribe and gives detailed information about reports in their areas and helps to identify litter hot spots. It is not clear whether MBC has considered subscribing to such a system. In recent years MBC has added to its website a facility to upload photographs but it is not known whether MBC has software to record and real time update information on regular hotspots.

### **POSSIBLE SOLUTIONS**

#### **Parish Council arranged litter picking events.**

A parish council can arrange such events, and Boxley Parish Council has done this in the past, it can also support community volunteers. An event or any volunteer supported by the parish council would come under the parish council's insurance. There would however have to be health and safety checks, strictly identified conditions, training and provision of safety equipment. The parish council currently has 10 litter picking sticks, some fluorescent jackets and a few gloves.

*Clerks note: Boxley Parish Council has, in the past, informally supported local residents who have undertaken a litter pick but if the parish council wishes to expand this type of project and engage and encourage residents to become more involved then a further report will be needed from the parish office. If this is requested it would help to know what areas members wish to see targeted.*

*It should be noted that when MBC did support community litter picks there were strict rules regarding health and safety including a rule that no litter could be picked beside a road that had no footway if the speed limit of the road was over 30 mph. Even if the speed limit was 30 mph there still needs to be a health and safety check and possibly also mitigation e.g. road signs to ensure that any volunteers are kept safe.*

The Clerk and Asst Clerk have passed the CIEH level II health and safety training which makes them competent to undertake health and safety assessments for this level of work.

#### **Community payback.**

Extract from community payback document. *Community Payback can work in partnership with you to provide you with a group to undertake mainly manual labour to help clean up your community and protect your rural environment and make it safe in order to reduce re-offending behaviour in your areas and to reintegrate service users successfully.*

*We can offer a multitude of tasks:-*

- *painting railings, fencing, steps, garage doors, painting over graffiti, staining benches*
- *erect and repair basic fencing, benches, planters*
- *digging, weeding, planting of communal gardens and allotments, making pathways*
- *cutting back of brambles, foliage, overgrown passageways, communal grassy areas*
- *interior decorating of community centres and communal areas: emulsion & gloss work*
- ***assist with quality streets, litter picking and preparation and clear up of other community events (clerk's bolding).***

*Clerks note: it has been some years since the parish council last used community payback and the advantages of using this group would that community payback*

- 1) *insures the group*
- 2) *supplies equipment*
- 3) *undertakes health and safety checks*

*It is believed that an initial site visit and background information e.g. map of area, description of work required etc. needs to be provided before community payback will commit to any work. Further details on this can be obtained however the clerk will need to know what work and what areas would need to be covered. It is likely that arrangements can be made with MBC to have collected rubbish picked up.*

**Item 9** MBC Community Infrastructure Levy draft charging schedule, draft regulation 123 list, draft charging schedule. - DECISIONS

Consultations MBC Community infrastructure Levy draft charging schedule, draft regulation 123 list, draft charging schedule.

## **Maidstone Borough Council consultation (Deadline 16.09.2016)**

### **Clerks introduction.**

As required by planning legislation MBC is now consulting on three documents (consultation documents are labelled 1, 2 and 3) that it is required to produce.

All documents can either be found on the MBC website or an application to the parish clerk.

The three documents that members are being consulted on are all linked and details are produced below. Five consultation questions are set for the consultation, ignoring questions about who is responding etc. and in the opinion of the Clerk there is little that the parish council can do to influence any of the issues as these appear to comply with legislative requirements.

Summaries of the consultation documents are reproduced as they contain information that members, especially Environment Committee members, will find particularly useful as they will set the tone for future CIL and S106 contributions.

### **1. Publication of the Maidstone Borough Council Community Infrastructure Levy Draft Charging Schedule (Regulation 16), Draft Regulation 123 List, Draft Instalments Policy and supporting evidence**

#### **Clerk's briefing note.**

*Clerks note: the following are extracts from the consultation document, any comments by the Clerk will be shown in italics.*

*The document can be consulted at*

<http://www.maidstone.gov.uk/council/have-your-say/current-consultations/community-infrastructure-levy>

The deadline to submit written comments is 16 September 2016 and the possible response to the consultation questionnaire is shown after each section, so questions are split between the 3 documents.

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#### **Community Infrastructure Levy Draft Charging Schedule**

##### **Maidstone Borough Council**

The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.

The Draft Charging Schedule consultation is the second stage for introducing Community Infrastructure Levy (CIL) in the Borough, following consultation on the Preliminary Draft Charging Schedule in March 2014.

The proposed CIL rates in the Draft Charging Schedule are informed by evidence within the Maidstone Borough Council Revised Plan and CIL Viability Study (July 2015), undertaken by Peter Brett Associates, and reflect policies in the emerging Maidstone Borough Local Plan 2011-2031.

The Council is now publishing the Draft Charging Schedule for consultation in accordance with Regulation 16 of the CIL Regulations 2010 (as amended). Alongside the Draft Charging Schedule, the Council is also publishing a Draft Regulation 123 List and Draft Instalments Policy for consultation.

**The consultation commences on Friday 5 August 2016. Comments must be received by no later than 5:00pm on Friday 16 September 2016.**

Representations received by the deadline will be passed to the Planning Inspector appointed to preside over the examination into the Draft Charging Schedule. The examination is expected to take place in March 2017.

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The Government considers that the CIL should provide a faster, fairer, more certain and transparent means of collecting developer contributions towards infrastructure, compared to individually negotiated section 106 agreements. The CIL is a per square metre charge payable on almost all new development which creates net additional floorspace (calculated on gross internal area)<sup>1</sup>. The charge can be differentiated by geographical area, and by development type, and must be based on viability evidence<sup>2</sup>.

2.5 The purpose of the charge is to provide a funding source which will help to deliver necessary infrastructure to accommodate new development across the borough. This necessary infrastructure is identified within the Maidstone Borough Local Plan and the accompanying Infrastructure Delivery Plan.

2.6 Some types of development, notably affordable housing, self-build housing and charitable uses, are exempt from being charged the CIL. A size threshold of 100m<sup>2</sup> also applies to non-residential developments. Where exemptions do not apply, the council must set a CIL charge, even if it is £0 per m<sup>2</sup>. The proposed CIL charging rates are set out in part five of this document.

In light of the viability evidence, and given the very rare circumstances in which relevant criteria would be satisfied, the council has decided not to introduce exceptional circumstances relief policy.

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3.2 The Infrastructure Delivery Plan (IDP) sets out the infrastructure schemes which have been identified as necessary to support the delivery of development proposed in the Maidstone Borough Local Plan. The IDP is published separately to the Local Plan and is updated as necessary. The infrastructure identified in the IDP is not intended to deal with existing deficits, rather it is to accommodate new development. However, in practice these two outcomes are often delivered

Together

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### **Relationship between the CIL and Section 106 planning obligations**

3.4 The Community Infrastructure Levy Regulations (2010) (as amended) set into statute the tests for using section 106 planning obligations. This represents a tightening of the rules and has meant that local planning authorities and developers are both being more careful with regard to what potential planning obligations can be considered legitimate.

### **Tests for a section 106 planning obligation**

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

3.5 In addition, the CIL Regulations now restrict the pooling of section 106 agreements where five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010. The introduction of the CIL will therefore provide greater flexibility for the council and infrastructure providers in delivering strategic infrastructure, as receipts can be pooled and

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<sup>1</sup> appendix B of the document shows how the calculation is made.

<sup>2</sup> information on how viability is judged is included in the document.

spent without such restrictions.

3.6 Following the introduction of the CIL, the use of section 106 agreements will be scaled back and limited to site specific infrastructure necessary to make development acceptable in planning terms. The CIL will therefore become the primary mechanism by which developers make contributions towards the delivery of strategic infrastructure. The list of relevant infrastructure (Regulation 123 List) sets out how the CIL and section 106 agreements will be used following the introduction of the CIL.

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The proposed charging schedule is set out below.

Development Type / Location	CIL Charge (£ per sqm)
Residential (Within the Urban Boundary)	£93
Residential (Outside the Urban Boundary)	£99
Site H1 (11) Springfield, Royal Engineers Road, Maidstone	£77
Retirement and extra care housing	£45
Retail - wholly or mainly convenience	£150
Retail - wholly or mainly comparison (Outside the Town Centre Boundary)	£75
All other forms of CIL liable floorspace	£0

5.6 In accordance with Regulation 73 of the CIL Regulations, the Council may support the payment of part of a CIL liability in the form of one or more land payments. This will be subject to the following conditions:

- The Council must be satisfied that the land to be transferred would be appropriate for the provision of necessary infrastructure to support growth in the Borough. It is entirely at the Council's discretion as to whether to accept a land transfer in lieu of CIL.
- Transfers of land as payment in kind in lieu of CIL will only take place in exceptional circumstances and is in addition to any transfer of land which may be required via section 106 agreements.
- The chargeable development must not have commenced before a written agreement with the Council to pay part of the CIL amount in land has been made. This agreement must state the value of the land to be transferred.
- The person transferring the land to the charging authority as payment must have assumed liability to pay CIL and completed the relevant CIL forms.
- The land to be transferred must be valued [sic] by a suitably qualified and experienced independent person as agreed with the Council. The valuation must represent a fair market price for the land on the day that it is valued and reflect the relevant purposes for which the land will be utilised.
- The land, subject to the transfer, must be free from any interest in land and encumbrance to the land, buildings or structures.
- The land, subject to the transfer, must be fit for a relevant purpose being the provision of necessary infrastructure to support growth in the Borough.
- The Council may transfer the land, at no cost, to a third party for the provision of infrastructure.

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#### **Duty to pass CIL to local councils**

6.1 The Community Infrastructure Levy (Amendment) Regulations 2013 make provision for a proportion of CIL receipts - known as the neighbourhood portion - to be passed to Parish Councils, or be spent on behalf of communities where there is no Parish Council. The proportion passed to the Parish Council, or spent on behalf of the neighbourhood, is dependent on whether or not a neighbourhood plan has been "made" within the relevant area.

6.2 In areas where no neighbourhood plan is in place, 15% of the receipts associated with a development in that area (capped at £100 per existing council tax dwelling) will be paid to the Parish Council or will be spent on behalf

of the community. Where a neighbourhood plan has been "made" 25% of CIL receipts (with no cap) will be passed to the Parish Council or will be spent on behalf of the community.

6.3 Much of Maidstone Town lies outside of established Parish boundaries and a significant level of development is expected within this area. CIL receipts collected in this area will be retained by the council as Charging Authority, however the council will engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding.

Where development takes place within an area with a neighbourhood plan, the council and communities will consider how the neighbourhood portion can be used to deliver the infrastructure identified in the neighbourhood plan as required to address the demands of development.

6.4 The neighbourhood portion of the levy funding is subject to a much wider definition in regards to how the monies can be spent. The monies must be spent on supporting the development of the area however this can be achieved through:

- The provision, improvement, replacement, operations or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area.

.....  
**CONSULTATION QUESTIONS.**

**Question 1.** In terms of the specific assessment criteria available to the independent examiner, do you consider Maidstone Borough Council’s proposals for a local community infrastructure:

*Clerk’s note: (1), (2) & (3) deals with whether the policies comply with legislative regulations and whether there is sufficient background documents etc.*

*Suggested response. No response.*

**Question 1 (4)** evidence that the proposed rates would not threaten delivery of the Maidstone Borough local plan 2011 – 2031 as a whole?

Suggested response. ?

**Question 2.** If you have answered no to any question above, please also use this box set out your comments and justifications, including any proposed modifications you consider are necessary.

Suggested response. None unless members decide to answer no to question 1 (four).

**Question 5.** Do you have any other comments or issues to raise in regards to this consultation?

.....  
**2. Community Infrastructure Levy: Draft Regulation 123 List.**

Regulation 123 of the CIL Regulations requires a council to identify the infrastructure types and/or projects which it intends will be, or may be, wholly or partly funded through the CIL. The inclusion of a project or type of infrastructure in the regulation 123 list does not represent a commitment for the council to fund it, either in whole or in part. The order of the table does not imply any order of preference for the use of CIL receipts.

<b>Infrastructure projects/types that may be funded wholly or partly through the CIL</b>	<b>Exclusions. To be funded through S106 planning obligations, S278 of the highway act; other legislation or through planning condition.</b>
<b>Highways and transportation</b>	On or off site infrastructure required to make the development acceptable in planning terms.

Transport infrastructure including highway improvement schemes, walking and cycling (including public realm) and public transport infrastructure and improvements	
<b>Education provision</b> Education infrastructure including primary and secondary education infrastructure and improvements	On or off-site primary and secondary school facilities require specifically to serve a new development including the following schemes identified in the IDP. <i>Clerks note - none of the named schemes are within or close to the parish.</i>
<b>Health provision</b> Health infrastructure including primary healthcare infrastructure and improvements.	On or off site health infrastructure facilities required to make the development acceptable in planning terms.
<b>Social and community infrastructure</b> Social and community infrastructure including social care infrastructure, libraries and community facilities.	On or off-site community facilities required to make the development acceptable in planning terms.
<b>Public services infrastructure</b> Public services infrastructure including police, fire and ambulance service infrastructure and strategic waste management infrastructure.	On or off site waste management infrastructure required to make the development acceptable in planning terms.
<b>Green and blue infrastructure.</b> Strategic green and blue infrastructure measures and improvements.	On or off-site infrastructure, including open space, improvements and mitigation required to make development acceptable in planning terms.
<b>Flood prevention and mitigation.</b> Strategic flood prevention and mitigation infrastructure measures and improvements.	On off-site infrastructure, improvements and mitigation, included drainage infrastructure, required to make the development acceptable in planning terms.

## CONSULTATION QUESTIONS.

**Question 3.** Do you have any comments on the draft regulation 123 list?

Suggested response.?

**Question 5.** Do you have any other comments or issues to raise in regards to this consultation?

.....

**Community infrastructure Levy: draft charging schedule – draft instalments policy**

The CIL Regulations allow the charging authority to implement a locally derived instalments policy in place the default position which requires full payment within 60 days of commencement. Under regulation 9 of the CIL regulations, where a site has an outline planning permission with longer term phasing plans, each separate phase of development is treated as a separate “chargeable development” and for clarification, the instalments policy will [apply] to each phase stop the draft instalments policies outlined below.

Total amount of CIL liability.	Number of instalments	Payment periods and proportion of CIL due			
Amounts up to £250,000	1	100% payable within 60 days of commencement of development			
Amounts over £250,000 and up to £500,000	2	50% payable within 60 days of commencement of development	50% payable within 12 months of commencement of development		
Amounts over £500,000 and up to £1 million	3	30% payable within 60 days of commencement of development	30% payable within 12 months of commencement of development	40% payable within 24 months of commencement of development	
Amounts over £1 million	4	20% payable within 60 days of commencement of development	20% payable within 12 months of commencement development	30% payable within 24 months of commencement development	30% payable within 36 months of commencement of development

**CONSULTATION QUESTIONS.**

**Question 4.** Do you have any comments on the draft instalments policy?

Suggested response. ?

**Question 5.** Do you have any other comments or issues to raise in regards to this consultation?

Suggested response. ?

## Item 11 Policy and Procedures - DECISION

### 11.1 Parking in the Parish.

To consider a draft policy outlining the parish council's position.

Draft

The parish council, whilst appreciating the damage that can be caused by cars parking on highway verges and the inconsiderate parking by a few residents, nevertheless recognises that in residential areas there is often a lack of available parking for the number of cars owned by residents. On narrow roads vehicles are often bumped up onto the kerb to allow other vehicles and emergency vehicles to pass but this can cause problems for people using the adjacent footway.

In view of the numerous complaints being made to the parish council and also in recognition of the parking issues residents face the parish council has agreed the following intervention guidelines.

Direct action e.g. paying for bollards to be installed, will only be considered if there is an obvious health and safety risk to pedestrians or other road users. It is therefore likely that physical measures will only be considered at junctions.

Requests for intervention where there is no immediate health and safety risk will not be considered if the result is that the problem is just moved elsewhere.

The parish council will support requests for yellow lines at junctions to ensure that the vision splay is sufficient to allow pedestrians to cross safely and for cars to exit safely.

The parish council does not condone parking on verges or bumping up on kerbs however it does recognise that in some areas it is the only way to keep narrow roads clear for emergency vehicles.

The parish council will work with residents to help highlight problems to the relevant authorities and also to try to identify alternative arrangements to alleviate the problems being experienced.

The parish council will only consider physical measures on highway verges where there is a persistent problem of cars being parked when there is sufficient parking provision in the area.

The parish council will attempt to deal with inconsiderate parking by;

- contacting companies, if it is a company van, to ask that they speak to the driver and asked them to park elsewhere.
- writing to residents who persistently park in what is perceived as an antisocial way or by placing an advisory note on the windscreen of the vehicle.
- Notifying KCC and PCSO to see if their help can be obtained.

Prior to undertaking any of the above parish council will investigate any complaints and should physical measures be proposed undertake a letter delivery explaining what the parish council is considering to local houses close to the area in question.

The parish council reserves the right to amend its approach as it will consider the merits of each situation.

*Clerk's note: complaints have been received about vehicles parking close to the junction by Pinewood Drive.*

**11.2** Pre application discussions procedure and Annual Competency. Due to the length and complexity of the agenda the Clerk has deferred these reviews to the October meeting.

**Item 12 Grounds Maintenance - DECISION**

**Grounds maintenance briefing note 25 August 2016.**

The following report has been produced due to the consistent and rising number of complaints from residents and councillors concerning the KCC grounds maintenance schedule, especially in the Walderslade and Lords Wood area. Councillor Wendy Hinder, who is also a Borough Council, has requested a review and update on the situation.

*Clerk's note: The following is an in-depth briefing note as the issue being considered is complicated. Further work can be undertaken by the parish office but as the Clerk is currently unsure of what members' views might be no additional work will be started until further guidance is given.*

**Current situation.**

**Information taken from KCC website**

<b>Location of grass</b>	<b>What we cut</b>	<b>When we cut</b>
Rural grass	We cut a 900mm (3 foot) strip next to the road edge using a tractor mounted mower.	A single cut between May and September.  In urban grass areas we wait until 6 weeks after the flowering period before cutting spring flowers, such as daffodils, so they will grow the following year.
Urban grass	Grass located next to roads or footpaths, normally within the town or village centre and 30 mph limit.	8 cuts a year between March and October (about once a month).
Visibility areas	Grass that is adjacent to a road junction and is within the sight line for drivers turning in or out.	3 cuts a year between April and October (about every 2 months).

**Weeds**

We spray weeds on roads and pavements once a year between mid-May and end of July. The timing depends on weather conditions.

It takes 2 to 4 weeks to spray roads in one district. Some roads will be treated after others and could have more weed growth by the time they are sprayed.

**Shrubs**

We prune and weed our shrub beds once a year during the autumn or winter months.

*Clerks note: in the North Ward of the parish (Lords Wood and Walderslade) the cut takes place during the months of June, July and September. Unfortunately it is not done in one go and so it is difficult to work out when it has been completed or even started. Shrubs cut in June, if there is then a period of rainfall, will by August have bramble runners, weeds etc. giving the appearance that they have not been attended to.*

**KCC Soft Landscaping** (which does not include trees).

Clerk's notes. This department is responsible for the grounds maintenance and the grounds maintenance contracts. The frequency of cuts for grass and shrubs is a political decision in that the budget each department has is set by the County Council. Due to the financial cutbacks shrub cuts have been reduced from two to one per year. When KCC initially reduced the cuts from two to one it did, as it could see there was a special case, continue to undertake two cuts in the Walderslade Woods area but this only lasted for about three years.

Overgrown vision splays, the areas immediately adjacent to highway junctions, have additional maintenance if it is judged a safety/critical issue. Requests for work to be undertaken on footways or pathways because of encroaching vegetation and for additional cuts to highway junctions are referred to the highway steward who visits the site to decide whether there is a need. In 2015/2016 the highway steward had a small budget to pay for such work however it appears that this is no longer the case as recently any requests for work on footways etc. to clear encroaching vegetation have been referred on to the KCC soft landscaping department.

In 2014 the Environment Committee approached KCC Soft Landscaping Department about whether the parish council could pay for an additional cut at Walderslade. The following information was received from KCC and an update *in italics* has been added to show the position as at August 2016.

### **October 2014 report to the Environment Committee.**

1. KCC does allow parishes to undertake the maintenance work and a grant will be paid. Currently 2 or 3 town councils undertake the work.  
*2016 – 3 or 4 town and parish councils undertake the work and there is some fluidity each year with some contracts being returned and others taken up by parish councils.*
2. The grant for undertaking the work is worked out on a benchmark average (average of all the tenders) x square metre footage of the area being maintained by a parish. Every time KCC renews contracts this sum would be amended.  
*2016-this still remains the situation.*
3. Currently the financial cost of maintaining 15,000 metre square of the parish is £13,500 per annum. The benchmark sum provided to the parish to do the work is likely to be less than the current cost for maintaining the soft landscaping (grass and shrubs) in Boxley. *2016 - no figures were requested however the officer did state that Boxley is still expensive to maintain. The 2014 benchmark grant was in the region of £10,200. If the parish council had taken on the KCC contract in 2014 it would have paid out in the region of £27,000, for two maintenance cuts per year, having subsidised the service by £16,800 per annum.*
4. A minimum standard would be set by KCC e.g. for shrubs this would be one cut per year to an agreed standard, and if a parish wants to have more cuts it can arrange this with its appointed contractor but must cover the cost.  
*2016-this still remains the situation.*
5. If BPC takes on the responsibility then it would have to meet tendering and contractor suitability conditions e.g. cleared to work by the highway.  
*2016-this still remains the situation.*
6. It is likely that KCC would require Boxley to take on all the work within the parish but there might be scope to negotiate just Walderslade but he wasn't sure about this. If Boxley does take on the responsibility then all complaints would be directed to the parish office.  
*2016-this still remains the situation.*
7. BPC could approach (and pay) KCC for an extra cut at Walderslade however it would have to be for the whole area and not individual roads and would have to be done by KCC's contractor. The cost will also be subject to a 10% uplift payment to cover KCC's management costs.  
*2016 - KCC will now allow an extra shrub cut if BPC pays for it, previously they required the parish council to take on the annual contract. If the extra cut covered the whole parish then KCC has stated that it would "probably be at the programmed rates". If however areas were cherry picked then "depending on total quantity and actual locations KCC may or may not be able to use programmed rates, we may have to use the schedule of rates, which are more expensive. If you were to choose, for example Walderslade/everything north of the M2, then the quantity is probably big enough to use our programmed rate. Alternatively, we could simply ask the incumbent contractor to quote."*

*"Using your own contractors becomes more difficult, but not insurmountable. BPC would become responsible for their work and ensuring they are competent to work on the highway (Risk Assessments, Insurances, Traffic Management and pesticide certificates etc). We would have to provide authorisation to the PC to allow it to work on the highway. You could then choose where / what you wanted to do. We would want to know in advance and agree to any work you proposed to carry out and check it didn't clash / compromise our own operations. I know there is a lot of KCC land around Walderslade, as opposed to KCC Highway Land, and we could only provide authorisation and assist with highway land. The PC would need to consult with KCC Property Group regarding working on other KCC land".*

*Clerk's note: With the KCC shrub cuts being undertaken over a three-month period, roughly in the middle of the growing season, it might be difficult to undertake an extra cut as the majority of the complaints come around during June/July.*

### **Continuation of the 2014 report.**

Clerk's note: The suggestion made at the parish council about a pilot scheme appears to be ruled out by 7 above. Members could judge residents support by putting an article in the Downs Mail etc. For this to happen the actual cost of additional work would need to be obtained from KCC. *2016-if the parish council was looking to undertake additional cuts it would need to take any decision in an open and accountable way stop*

With regards to the parish office taking on complaints concerning maintenance it already receives these on a regular basis anyway.

BPC currently has a maintenance bill for its own land and a roundabout of approx. £7,500 per annum it would be sensible if BPC takes on responsibility for all soft landscaping to have one contractor as generally the larger the contract the more financially beneficial it is.

If BPC took on responsibility for soft landscaping it could identify strategic areas that needed a second cut so might not have to do the whole of the Walderslade area. This may not save much money as it is likely that other areas in Sandling or Grove Green would need extra cuts.

*2016 - figure in items 3 (above) is for a second maintenance cut across the whole of the parish this sum would be reduced if the parish council cherry picked which areas have a second cut. It would however lay the parish council open to complaints from residents who feel their area should have an additional maintenance cut but which has not been included in the BPC cut schedule.*

*The parish council also receives numerous complaints from residents about foot paths that connect the roads and closes in Grove Green, Lords Wood and Walderslade. Sometimes these paths belong to KCC highways, are public rights of way, nobody owns them or are the responsibility of adjoining properties or buildings. Should the parish council take on the soft landscaping responsibility it is likely that some residents will request/demand that these areas are maintained as well. The parish council could decide to take on responsibility for most of these areas but there would be additional costs.*

The parish council would have to agree strict maintenance schedules, policies and procedures to ensure it works and most importantly can be seen to work in an open and accountable way.

*Clerk's note. If the parish council decides to proceed with either taking on the contract or arranging for an extra cut in some areas it is vitally important that it has a strict and concise policy on what areas will be maintained. It should ensure that once a decision is made that it operates and makes decisions in a consistent manner and any deviations from the agreed list of maintenance will need to be agreed at a meeting. By doing this the parish council will be operating in an open and accountable manner ensuring that councillors and office staff will be protected from undue public pressure and stress. the parish council, as a whole, could then defend itself against unfair complaints.*

Could the parish office undertake the work that might come its way? With the support of councillors yes it could manage the responsibility but there would obviously be office related expenditure so when considering any action *members should include a +10% management costs to any bill to cover this.*

Guidance is needed on what members want investigated and how to proceed.

*Clerks note: it has been suggested that the parish council could use its reserves to fund additional maintenance and the parish council would have to judge whether this would be a prudent use of its funds. The parish council could decide to raise the precept to cover some of the costs (a single precept bill is set for the whole parish and it is not possible to change this). Previous discussions on paying for extra cuts has raised double taxation concerns among some members.*

*Currently the situation with regards to devolution is unclear and the principal councils are waiting to*

*see the impact of Brexit. But if devolution does happen KCC has already indicated that it will work with parish councils to devolve responsibility and parish councils are being advised by KALC that it is possible to put together partnership working amongst themselves a) to take on responsibility e.g. for the grounds maintenance and b) to reduce costs by contracting out as a single package.*

*RFO comment: The parish council is required to act prudently with the public purse. This does not mean that it cannot allocate funds to projects it feels fit, but which some people may see as money wasting, but if it chooses to do so it must be done in an open and accountable way. This may require going to the F&GPC and then onto the parish council to make a decision, the procedures and systems exist to allow this type of consideration and the first step is for the Environment Committee to decide what it might want to do. This will allow the RFO to put together a financial briefing note to show financial impact and how funding could be allocated.*



### **Maintenance Issues**

**Provender Way** – highlighted by a resident (letter RB 09.08.2016)

Shrubs at the back of a small mown area are taking over and not being maintained impeding his access to the back of his property for maintenance purposes.

**Weaving Heath** - highlighted by a resident (e-mail 31.08.2016)

“can you advise me who is responsible for the fields in Grove Green (the ones with the basketball hoop). The area is well kept and well used but the one rubbish bin is constantly

overfilled and not emptied frequently enough. It really makes sense to either add another bin or increase the frequency of emptying.”

Clerk’s note for the comments above and below. MBC Parks and Leisure has informed me that it cannot increase the frequency of emptying of litter bins at Timber Tops (currently once a week) due to cost.

### **Lords Wood Maintenance issues- highlighted by Cllr Dengate.**

Overgrown pathways, heading from play area to Timber Tops, this is representative of a number of the alley pathways in the vicinity.

Clerk's note. The office has just received a complaint about an overgrown footway between Birch Drive and Yew Tree Close.

The parish council receives many complaints about the lack of maintenance of footpaths and in the Lords Wood area these are generally privately owned footpaths between the backs of properties and garage block areas. Neither MBC or KCC are responsible for them.



The dog waste bin and sign directly behind the play area, nowhere near the paths where people walk their dogs, I observed three people walking dogs in a 30 minute space, they all used the path. One for the environment meeting

*Clerk's note: Members attention is bought to item 7 Litter and the section dealing with Community payback (page 8).*

### **Item 13. Budget 2017/2018 – consideration/DECISION**

13.2 Cllr Dengate Timber Tops Play area seats and bins.

**Project title or description of project: Timber Tops, Lords Wood Additional Seating to Toddler Play Area**

**Project applicant/leader: Cllr Paul Dengate**

**Date: 16/08/2016**

**Details:** I recently visiting Timber Tops, Lords Wood Play Park that has recently been refurbished by MBC it became apparent that there was insufficient seating for parents that were supervising their children. They instead were sitting on the swings and or the see saw thus acting as a barrier to younger children who were apprehensive to approach. This was further exasperated by the fact

that there were also a number of older youths sitting on the apparatus (this is being addressed in a separate project request).

Currently there is one bench in the park with no bin facility which is close to one of the two entrance gates. I would like the Parish Council to consider funding one possibly two additional benches at the opposite side of the park along with a refuse bin. Ideally these benches would need to be mounted on a concrete apron to preserve the base and avoid grass/weeds growing under to ensure there continued use.

As this is adding value to the park I don't consider there is a need to obtain public consultation, however it would be prudent to canvas the immediate properties as providing such facilities could be seen as encouraging older youths to gather and subsequently be perceived as being an anti-social gathering. Even considering the potential problem I would actively encourage member to see beyond that to ensure that we actively encourage as many parents and toddlers to visit this valuable resource, one that has been long overdue.

There is no time frame associated with this request, although it would be a shame not to actively encourage parents to visit with their children.

Discussions of the proposed application has taken place with Cllr Matthew Radcliffe-Godfrey who would support the application.

#### **Budget being applied for:**

I would appreciate it if the Parish office can obtain a quotation for:

- Consultation with MBC to establish the viability of undertaking such a proposal, prior to obtaining costs
- One/two benches
- One/two concrete hard standing aprons
- One refuse bin located between the two benches or next to one and appropriate fixings
- Details relating to the ongoing upkeep and maintenance of the proposed benches and the emptying of the refuse bin

*Clerk's note: MBC would welcome more seating and bins.*

### **Item 16 Kent County Council Local Transport Plan 4: Delivering Growth without Gridlock 2016 – 2031 consultation.**

#### **Kent County Council Local Transport Plan 4: Delivering Growth without Gridlock 2016 – 2031 consultation.**

##### **Clerks briefing note 11 August 2016.**

##### Clerk's Introduction.

The consultation draft is [www.kent.gov.uk/localtransportplan](http://www.kent.gov.uk/localtransportplan) and the consultation will run until 30 October 2016. Based on the feedback received KCC will develop the final version of LTP4 in late 2016, with the aim to launch in early 2017.

The consultation document has general and then specific sections dealing with the countywide issues and then the various areas of Kent. This briefing note has been produced to focus on the impact on Boxley Parish and only refers to countywide issues if the Clerk considers there is a direct impact on the parish. If members wish to have more generalised briefing note then there is time, before the deadline, to produce such a document.

Using previously agreed Environment Committee responses and discussions on issues relating to transport impact the Clerk has prepared the briefing note and highlighted possible issues that members may wish to discuss. Where the Clerk considers that members may wish to make a response a comment is made in a greyed textbox.

.....

**Extract. Explanation from consultation document**

**What is the Local Transport Plan?**

We have a statutory duty under the Transport Act 2000, as amended by the Local Transport Act 2008, to produce a LTP for the administrative county of Kent. This strategy clearly identifies our transport priorities for the county, as well as emphasising to national Government and the South East Local Enterprise Partnership<sup>3</sup> (SELEP) the investment required to support growth. The LTP is informed by national and local policies and strategies, and is delivered through supporting strategies, policies and action plans, as summarised in Figure 1.

The SELEP is a business-led, public/private body set up to drive economic growth in the South East. In partnership with business groups, Kent County Council, Medway Council and the district councils form the Kent and Medway Economic Partnership (KMEP). As part of a federated SELEP, KMEP has been integral in producing the Strategic Economic Plan (SEP), which includes the transport schemes required to support growth. The SEP forms the basis of bids for Government funding through the SELEP, including the Local Growth Fund (LGF).

The Kent and Medway Growth and Infrastructure Framework<sup>4</sup> (GIF) provides the evidence base for LTP4. It has identified the scale of growth expected in Kent in the coming years and therefore what infrastructure investment is required to support it and to help grow the Kent economy. We will work closely with all Local Authorities both within and neighbouring Kent to plan our future transport

needs, and work with the districts to identify better ways of working.

LTP4 sets out our policies to deliver strategic outcomes for transport and is accompanied by a series of implementation plans for our funding streams and a methodology for prioritising funding. It details our key transport priorities and our longer term transport objectives. With this plan we have a clear, evidenced basis from which to bid for funding and deliver infrastructure to support housing and economic growth. LTP4 is designed to deliver 'Growth without Gridlock'.

**Extract.** Funding will be allocated as follows:

<b>Outcome</b>	<b>ITP budget allocation (once CRM budget has been top sliced)</b>
Economic growth and minimised congestion	40%
Affordable and accessible door-to-door journeys	15%
Safer travel	15% (in addition to top slicing for safety critical schemes)
Enhanced environment	15%
Better health and wellbeing	15%

**Extract. New Lower Thames Crossing**

We are clear that a new Lower Thames Crossing, to the east of Gravesend, is required to unlock growth, improve journey time reliability, improve network resilience, and enable opportunities for regeneration. In the 2016 consultation, our response was adamant that the Western Southern Link should be chosen and that with careful route alignment and tunnelling, the environmental and heritage impacts could be substantially minimised. **As part of the project to deliver the new Lower Thames Crossing the A229 between M2 Junction 3 and M20 Junction 6 should be upgraded (what has previously been called Option C 'variant') along with improvements**

<sup>3</sup> The SELEP has been established to drive economic growth in Kent, East Sussex, Essex, Medway, Southend and Thurrock. See: <http://www.southeastlep.com/>

<sup>4</sup> Kent and Medway Growth and Infrastructure Framework, September 2015. Available at: [www.kent.gov.uk/gif](http://www.kent.gov.uk/gif)

to the A249 as another link between the two motorways and the upgrades identified for ‘bifurcation of port traffic’ set out in the next section [Clerk’s bolding. Bifurcation means the splitting of ‘port’ traffic between the M2 and M20].

**Extract. To deliver bifurcation, the following upgrades are required:**

- M2 Junction 7 (Brenley Corner) improvements to improve capacity and provide free-flow between the M2 and A2.
- Dualling sections of single carriageway on the A2 north of Dover along Jubilee Way to Whitfield and near Lydden.
- M20 Junction 7 improvements to provide ease of access between the A249 and M20.
- M2 Junction 5 Stockbury improvements to provide free-flow between the M2 and A249.

*Clerks comment: members will have noted that there is no specific mention of the A229 being upgraded. Do members wish to make a comment on this?*

**Extract. A Solution to Operation Stack**

*Clerks comment: funding has been identified for this work.*

**Extract. Provision for Overnight Lorry Parking**

Kent has a high demand for lorry parking spaces because of its connectivity to continental Europe attracting high volumes of cross-Channel freight. We are developing a strategy for a network of small lorry parks at suitable locations across Kent and a partnership approach with the Districts and the Police to address enforcement. The proposed Operation Stack Lorry Area adjacent to the M20 at Stanford should be integrated with this overall strategy. This strategy should also include improved management of freight traffic through Kent utilising technology to direct HGVs to parking sites and available cross Channel services, i.e. ‘ticketing’ flexibility between Eurotunnel and ferry operators to ensure optimum fluidity of freight movement.

Combined with a multi-agency approach to enforcement, the provision of additional lorry parking capacity will reduce antisocial behaviour on the public highway, including littering. This will also reduce unsafe lorry parking, such as vehicles overhanging laybys, and so improve road safety.

*Clerks comment: do members wish to make a comment on this?*

**Extract. Maidstone transport priorities**

*Clerks comment: two schemes of been identified.*

Funding from development - M20 Junction 7 improvements.

Possible future Schemes - Bearsted Road corridor capacity improvements.

**Extract. Medway transport priorities**

Transport infrastructure requirements to support growth in Medway are also explored in the GIF, with key schemes being:

- A289 Four Elms to Medway Tunnel improvements,
- Improvements to the A229 corridor between Maidstone and Medway [Clerks bolding],**
- Strood and Chatham Town Centre Improvements,
- Public Transport Improvements through the Medway Integrated Transport Project,

- Rail improvements at Strood and Chatham Stations,
- Tackling congestion hotspots along the A2 corridor through Medway, Improved cycling facilities throughout Medway.

*Clerk comment: with junction 3 of the M2 within Medway district it would be easy for the problems to be overlooked by KCC.*

*The Medway transport priorities map does not, unlike the KCC maps, show if funding is available or would be found through other sources.*

*Do members wish to make a comment on this?*

### **Item 17 Matters for Information**

Notice of Adoption of the Kent Minerals and Waste Local Plan Town and Country Planning (Local Planning) (England) Regulations 2012

The Kent Minerals and Waste Local Plan was submitted to the Secretary of State on 3 November 2014. Inspector Jonathan G King BA (Hons) Dip TP MRTPI was appointed to examine the Plan and issued his report to the County Council on the 26 April 2016 and concluded that the Plan was legally compliant and sound, subject to certain modifications.