**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 16 April** **2018** 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.

1. **Pre-application consultation Kitewood - INFORMATION** (7.32)

To receive an update from Kitewood on the land at Impton Lane

1. **Minutes of the Meetings 12 March 2018.**  (7.55)

To consider the minutes (previously circulated) and if in order sign as a true record.

1. **Matters Arising from the Minutes** (7.56)

5.1 Minute 3091/5.1. Development Land Adjacent Wildfell Close. See report (page 3).

5.2 Minute 3091/5.2 Ancient Woodland and TPOs. Maidstone KALC did not place this on the MBC liaison meeting agenda. It will be taken to the next meeting 09/04/18.

5.3 Minute 3091/5.3 Boxley Road, Walderslade, KCC tree/verge maintenance. Update to be supplied at meeting.

5.4 Minute 3091/5.4 Traffic Speeds, Boxley Road/Beechen Bank Road. See report (page 3).

5.5 Minute 3091/5.5 Flooding Boxley Road near junction Longwood. KCC has undertaken drain clearance in the area but not yet responded to the initial query of whether any road changes are needed.

5.6 Minute 3091/5.6 Obscured signage Boxley Village. Request for maintenance made. Cllrs are asked to check whether the work has been undertaken.

5.7 Minute 3091/5.7 Fixed plate pedestrian crossing signs Grovewood Drive North. Awaiting installation.

5.8 Minute 3091/5.8 Solar powered sign south of M2 bridge Lidsing Road. KCC reminded that an update is still outstanding (e-mail 05/04/18).

5.9 Minute 3091/5.9 KCC Tree Maintenance Beechen Bank Road. Awaiting report on maintenance from KCC, website shows work being programmed.

5.10 Minute 3093/8.1 Yellow lines at junctions along Provender Way. Junction names submitted to KCC awaiting response from KCC.

5.11 Minute 3093/9.3 Chatham Road Sandling new road layout. Work is expected to commence in April. Residents have received letters from KCC.

5.12 Minute 3093/8.5 Provender Way snow and ice. See report (page 3).

5.13 Any other matters arising from the minutes not on the agenda.

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

1. **Planning Applications for Consideration - DECISION** (8.10)

To receive and decide on responses to planning applications. See reports (page 3).

1. **Planning Decisions, Appeals and Appeals Decisions - INFORMATION** (8.15)

One appeal decision received. See report (pages 3).

8. **Highways and Byways - DECISION** (8:17)

8.1 Cat Claws. Item requested by Cllr Dengate. See report (page 3).

9 **General Data Protection Regulation -INFORMATION AND DECISION** (8.23)

To consider the report and requirements for change. See report (pages 4-5).

1. **Franklin Drive Play Area.** (8.30)

Update will be provided at the meeting.

1. **Policy and Procedures - REVIEW** (8.32)

11.1 BPC Planning Information Leaflet (review). Enclosed for committee members and also available on the website.

11.2 Parking in the parish. See report (pages 5-6).

1. **National Planning Policy Framework & Developer Contributions** (8.40)

To consider whether to respond to the consultations. Briefing note to be forwarded before the meeting.

1. **Members Reports - INFORMATION** (8.50)

To receive any reports or notification of issues from members.

12.1 Planning Inspector Appeal Street Farm attended by Cllr Clarke.

12.2 M20 Jct 3-5 Smart Motorway Scheme Consultation undertaken by Cllr Bob Hinder

1. **Volunteer Groups - INFORMATION** (8.55)

To receive any reports.

1. **Matters for Information – INFORMATION** (9.00)

To receive any received.

1. **Items for Next Agenda**  (9.02)

Requests for items to be included on the agenda to be submitted no later than 8 May 2018.

1. **Next Meeting** (9.04)

Next Environment Committee meeting 14 May at Beechen Hall commencing at 7:30pm.

1. **Enforcement and Section 106 updates from MBC** (9.05)

To receive confidential update. Enclosed.

Pauline Bowdery

Pauline Bowdery

Clerk to Boxley Parish Council Date: 9 April 2018

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 3031/15.1 MC/17/2341 Proposed development Darland Farm (checked 28/02/2018).

April 2018 T&MBC Local Plan update (checked 28/02/2018).

August 2018 Minute 3028/4.6 Speed Reduction Walderslade Woods Road.

September 2018 minute 3093/8.6 Lidsing Roads. Return to agenda to consider safety record and members wish for chevrons at junctions; KCC refused request for these as the crash records do not show there is a problem at junctions.

Minute 3011/8.3 Westfield Sole Rd/Yelsted Lane/ Harp Farm Rd, return if any fundamental changes. Minute 3028/4.1. Land to the rear of Tesco Grove Green. Parish office will undertake the work when it is able.

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 16th April 2018. 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 5. Matters Arising from the Minutes**

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5.1 Development Wildfell Close. The application is going before MBC Planning Committee on 26 April 2018.

5.4 Traffic Speeds, Boxley Road/Beechen Bank Road. Cllr Bob Hinder has written to Helen Whately MP and Tracey Crouch MP asking for their help in getting the matter resolved.

5.12 Provender Way snow and ice. KCC has been approached about making classifying Provender Way as a primary route to ensure that it is gritted during bad weather and its status will be reviewed in September when KCC confirm what routes will receive winter maintenance

**Item 6 Planning Applications for Consideration** - DECISION

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18/501296/TPO/PAHE. TPO application to fell one Ash, one Chestnut and one Hawthorn tree.

Beechen Hall Wildfell Close Boxley ME5 9RU. Deadline 26 April 2018.

**Item 7 Planning Decisions, Appeals and Appeals Decisions** - DECISION

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17/502122/TPO Tree Preservation Order for 2no. Sweet Chestnut (T01 and T03) and 1no. Field Maple (T02) – to fell trees and grind stump and 1no. Hornbeam (T04) - sectionally remove North Western stem to remove leaning branches to ground level and remove deadwood. Spenlow Drive Walderslade. APPEAL: Dismissed.

**Item 8 Highways and Byways - INFORMATION**

8.1 CatClaw. Item requested by Cllr Dengate. The Catclaw deploys a metal spike when driven over, puncturing the tyres of any motorist who tried to mount the kerb.

[](https://www.google.co.uk/url?sa=i&rct=j&q=&esrc=s&source=images&cd=&cad=rja&uact=8&ved=2ahUKEwil58CtgKPaAhXIQBQKHSfhDmgQjRx6BAgAEAU&url=https://pickle.nine.com.au/2018/03/13/09/51/cat-claw-parking-advice-punctures-tyres&psig=AOvVaw1tXcw9MUqaLXydjdCSCOaK&ust=1523013127940264)[](https://www.google.co.uk/url?sa=i&rct=j&q=&esrc=s&source=images&cd=&cad=rja&uact=8&ved=2ahUKEwjN_auZgKPaAhVIuRQKHVLjAPYQjRx6BAgAEAU&url=https://www.express.co.uk/life-style/cars/905925/terror-attacks-cars-pavement-parking-device-CatClaw&psig=AOvVaw1tXcw9MUqaLXydjdCSCOaK&ust=1523013127940264)

**Item 9 General Data Protection Regulation**.

The GDPR require that the parish council to only gather and keep personal data for only as long as it needs it. It has to safeguard the information it collects or is given and members views are sought on the following suggestions to change current procedures. The MBC website will be monitored for any changes to the way it is processing or displaying information relating to planning applications.

**9.1 Planning application documents.**

MBC is attempting, currently with some mixed success, to remove personal data from planning applications displayed on the website. If an agent is being used then the home owners name is removed, if the person applying for the development is the property owner than it appears that they are removing just the first name. The actual site address is being retained (4. on the form) but if it is different from the applicants address then it is assumed that the address at 1. on the form will be redacted.

As BPC receives paper copies of the planning application (with no personal data redacted) it must identify a procedure for ensuring compliance with GDPR. The Clerk considers that there is no issue with members seeing the unredacted form as the parish council is a legal consultee however no member of the public can have access to the plans without the personal data being redacted. The following policy/procedure is therefore recommended for adoption.

Planning applications can no longer be made available to a member of the public without it being GDPR ‘processed’.

* The Planning Application Form must have the name/telephone number of the property owner properly redacted. This may require the original being masked by paper and a photocopy taken for the viewing;
* The applicant’s full address and any contact details must be redacted if it is different from the site address;
* Supporting reports, letters or any submissions must have names, addresses, contact details and signatures redacted.

MBC does not redact agent’s details do members wish to have these redacted?

The agenda will still reflect the full address of the planning application as notified to the parish council by MBC.

**9.2 Reporting of Planning Appeal Decisions.**

It is suggested that when the council receives notification of a decision it is reported on the agenda as

17/502122/TPO Tree Preservation Order for 2no. Sweet Chestnut (T01 and T03) and 1no. Field Maple (T02) – to fell trees and grind stump and 1no. Hornbeam (T04) - sectionally remove North Western stem to remove leaning branches to ground level and remove deadwood. Spenlow Drive Walderslade. APPEAL: Dismissed.

Currently MBC does display the full decision including names and full address and postcode, on its website but should the parish council retain the personal data (e.g. home address) in its minutes which are kept and archived?

On complicated or controversial sites, the full planning appeal decision notice will be retained for possible future consultation.

**9.3 Retention of planning applications.**

Currently the parish council retains the full set of plans for 18 months and they are available on the MBC website. Members views are welcomed on the following possible change to this current policy, an element of common-sense will need to be used.

* Simple and non-controversial plans kept for six months from the last correspondence with MBC. This will allow for the receipt of amended plans and notification of an appeal etc.
* Large scale developments such as Marks and Spencer’s, Eclipse Park, 77 dwellings at Maidstone Studio and for sites that have a controversial or complicated planning history when they will be kept for up to three years. As large-scale application are generally submitted by agents there is often no personal data included in the Application Form.

Alternatively members may wish to remain with 18 months.

**9.4** **Lobbying e-mails and letters**.

Current procedure is that should an applicant or members of the public wish to lobby members via e-mail or letter then they are asked whether they wish the full (therefore unredacted) e-mail/letter to be passed to members or a personal data redacted e-mail to be forwarded.

Parish Councillors must also comply to GDPR, and issues relating to this will be dealt with separately, however it is suggested that from now on the only lobbying correspondence passed to members will have the personal data of the author redacted. It should be noted that in certain circumstances it may not be possible to take out all the identifying data e.g. they live next door to the applicant and GDPR does identify that removal of all identifying data may not be possible. By always redacting personal data it will be easier for the parish office to manage the process.

**9.5** An on-going review of any planning decision information included in the Downs Mail will be required. Care will need to be taken as sometimes the DM journalist includes snippets.

**Item 11 Policy and Procedures - REVIEW**

**11.2 Parking in the parish (review). Current statement**

Policy Parking in the Parish

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.

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. The parish council recognises that sufficient space must be left on the footways for pushchairs, mobility scooters etc.

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 would be 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 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 ask 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 the 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 after considering the merits of each situation.