

SHORNE PARISH COUNCIL

**Minutes of the Footpaths Properties & Greens Committee
Meeting held on 20 November 2014 in Shorne Village Hall**

PRESENT Mr R Dinnis (Chairman)
 Mr R Theobald
 Mr D Hart
 Mr G Dent
 Mrs S Lindley

APOLOGIES for absence were received from Mr M Brett
 and Mr R Cooper

32 Minutes of the Meeting held on 11 September 2014

The minutes were AGREED as a true record.

33 Matters Arising from the Minutes

There were no matters arising from the Minutes.

34 New Siting of Notice Board in Thong (14)

The Parish Council would like to re-site the notice board in Thong as the present location is a hazard to get to, due to the speed of traffic. Alternate locations proposed are to move the notice board to the rear of the post box going south in Thong or on the verge at No 1 Thong Cottages. Mr Hart suggested the notice board should be sited at the start of FP167 on the west side. Mr Dinnis, Mr Theobald and Mr Hart will meet up to investigate a suitable site. If no suitable site can be found, it was suggested residents in Thong be asked for their preference.

35 Shorne Village Hall - Drain in Car Park (15)

Mr Bugg has contacted two contractors to take up the cover to the gully but has been unsuccessful in finding someone to carry out the work.

36 Football Club - Lease (16)

Mr Theobald reported that the documents have been passed onto Mr Ron Pryor, a Notary Public (Commissioner of Oaths) to get the certificates signed by representatives of the Football Club and the Parish Council. This will be carried out towards the end of December 2014.

Mr Theobald reported that a letter is to be sent to Shorne Football Club regarding the Club's lease of the Recreation Ground which is due for renewal on 20 December 2014. The Parish Council has reviewed the position and would like to offer the Club a new lease for a term of fifteen years on a similar basis to the previous lease that is, for an annual rent of £1.

Since the land used at the Recreation Ground was gifted for the benefit of the parish it would not be appropriate for the Council in effect to grant a lease in perpetuity. As with the previous lease the Council does not wish the lease to have an automatic right of renewal. Accordingly, the Council is to give fourteen day's notice in accordance with article 21 and 22 of the Regulatory Reform (Business Tenancies) (England and Wales) Order 2003.

The formal notice under Schedule 1 of the Order and the accompanying notes are to be sent as well, asking for them to sign a copy of the Notice and to return this to the Parish Council. On the expiry of the fourteen day's notice period the Council will contact them to arrange a meeting for the lease to be formally signed.

37 Crabbles Bottom - Clearance of Vegetation on Bridlepath (17)

Mr Dinnis reported that he has contacted two contractors for the works for the ongoing maintenance at Crabbles Bottom. A decision is to be made at the next Footpaths, Properties & Greens Committee meeting on 5 February 2015 for the proposal for the work. He hopes to have the footpaths cleared by the end of April 2015 including the official footpath to the north which is the responsibility of KCC.

Mr Nick Lance has recommended a farmer about cutting the grass in the meadow. It was thought the farmer is Mr Cutler. The area in question is the piece of land between Great Crabbles Wood and the A2. Mrs Lindley suggested grazing animals be kept there to keep the vegetation under control but it was thought that this could create other problems.

Mr Dinnis also reported that NS321 (Crutches Lane to Bowesden Lane) will be cleared by volunteers/KCC PROW.

Mr Theobald reported that he had attended the last few meetings of GROWC and it was thought that Mr Dinnis should represent the Parish Council at these meetings. Mr Theobald will advise Mr Dinnis as to the dates of future meetings.

38 Rights of Way (18)

Shornemead - Re-Opening of the Level Crossing (18a)

Mr Theobald gave a resume of the history at Shornemead Crossing. The gate was locked in November 2009. Sometime in 2010 it was opened but in December 2010, the gate was locked again. A meeting was held a few years ago at the Village Hall for people to sign affidavits saying that they have walked the footpath. Having got the official KCC form, Mrs Hornby suggested that the form be sent to people who had signed the affidavits. She has

undertaken to send out the forms. It was agreed to reimburse Mrs Hornby for the postage and stationery.

39 Landscaping Strip off Michael Gardens (19)

Two letters have been received from David Hughes, the Chief Executive at the Borough Council in reply to the Parish Council's letter with regard to the landscaping strip off Michael Gardens. In his first letter, he advises that a joint inspection by planning and property officers has confirmed that an adjoining owner to the site, has, with permission from the Borough Council, removed the fence between the garden and the amenity area and erected a large marquee. This is being pursued with the owner by planning officers.

In his second letter, he advises that the Michael Gardens residential development was permitted in 1992 with an s52 agreement which required the developer to maintain the landscaped and play area for 2 years before it was handed over to the Borough Council. The planning condition which required maintenance of the landscaped strip expired in 2002. However, alterations such as removing the boundary fence and inclusion of the landscaping strip within an adjoining owner's garden would require planning permission for change of use. There is also a restrictive covenant on the land in favour of the original developer restricting the use of the land to open space or amenity area for a period of 80 years. The Senior Planning Enforcement Officer does not consider there to be a breach of planning control at the present time.

As referred to in Mr Miller's letter to the Parish Council of 27 January 2012, the Borough Council did seek advice from the Kent Wildlife Trust on biodiversity issues relating to the land's ongoing management and upkeep. In summary the advice received was "the habitat is not likely to be of great biodiversity value especially considering the close mown amenity grassland adjacent".

Whilst the Borough Council will seek to ensure that adjoining residents comply with planning controls and the restrictive covenant on the land, it does not have the resources (staff or financial) to pursue enforcement/re-establishment of the shelter belt in its original form. As such, the Borough Council considers that working with adjacent residents on a licence basis is the most pragmatic solution as the Borough Council retains a degree of control for minimum expenditure. This also helps with the potential 'conflict' between the 'Michael Gardens' residents some of whom are concerned with the lack of daylight into their gardens/houses because of the landscaping strip and the 'Riverview Park' residents who like the fact that the landscaping strip screens the newer development from view.

He concludes that he appreciates that this is not the response the Parish Council was seeking but the Borough Council's resources are finite and reducing. There is also the issue of the restricted access to the site for maintenance purposes. However, if the Parish Council has any proposals for the future management of the land which does not involve the Borough Council in additional resources, then he would be pleased to consider them.

Mr Theobald will contact the Planning Dept at GBC for the plans of the development. Mr Hart and Mr Dent will pay a site visit.

40 Obstruction of Footpath in Court Wood (20)

Mr Theobald reported that he had walked the path in Court Wood with the Borough Councillor for Higham. The problem is that most of the walkers are from Higham even though the footpath is in Shorne, so it is difficult to get information and evidence from walkers who have walked the footpath for more than ten years. Someone had complained that a gate had been erected. Mr Theobald will check to see if he has copies of the affidavits taken years ago. He also reported that he could not identify where he had walked and that he would contact the Footpaths Committee for Higham Parish Council. It was agreed to keep the matter under review.

41 Bus Shelter on A226 Adjacent to Pear Tree Lane (21)

Mr Dinnis reported that he had been in contact with the Arriva Bus Co. They have cleaned the bus shelter on the A226 adjacent to Pear Tree Lane but it is not satisfactory. The matter is to be kept under review.

42 Bus Shelter in Tanyard Hill - Refelting to Roof

The roof to the bus shelter in Tanyard Hill needs to be re-felted. A contactor is to be found to carry out the work. The Clerk will pass on the information received from contactors following a response to the Parish Council's advertisement in the parish magazine a while ago.

43 Bus Shelters at Shorne Crossroads (23)

The police are patrolling the bus shelter following being advised by the Parish Council that it is believed that a vagrant is sleeping in the bus shelter and urinating in there.

44 Responsibility for Boundary Fencing on A2 at Claylane Woods (26)

Mr Dinnis reported that there was noise coming from the area. He will check on this and report back.

45 Responsibility for Maintenance of the Footpath Opposite the See Ho Pub (27)

Mr Dinnis reported that KCC has cleared Footpath NS156.

46 Replacement of Pear Tree in Tanyard Hill (29)

Mrs Hornby has been in contact about the costs for the replacement "ornamental" pear tree in Tanyard Hill and advising that this will be planted in the next three to four weeks. Urban Spaces will be carrying out the work to dig out and removing the Pryus tree, obtaining a replacement tree from the nursery and digging and planting the new tree at the cost of £410.00.

47 NatWest Bank Bond for Crabbles Bottom - Expiry on 24 February 2015

Mr Dinnis reported that he would be attending a meeting of the KALC the following Saturday when he will take the opportunity to seek advice on this.

48 Request by Parishioner to Plant an Oak Tree

A request has been received from Mrs Smailles to plant an oak tree as she wishes to scatter her late husband, Ben's, ashes under it. It was thought a nice idea but that it would have to be a reasonably substantial tree. Also the Parish Council would need to check KCC as it is on their land. Mr Dinnis will contact Cllr Sweetland about this.

49 Footpaths, Properties & Greens - Budget

Mr Dinnis reported that a resolution is needed for the expenditure for the properties and greens in the parish to produce an audit trail. The Clerk is to forward Mr Dinnis the Minutes of the Finance & General Purposes Committee meetings and figures for the last few years.

50 Update on the Use of Volunteers to Clear Footpaths in the Parish

Mr Dinnis reported that he had about seven to eight volunteers to clear footpaths in the parish. KCC's PROW Team will be providing equipment, gloves etc and Health & Safety guidance. It is hoped to commence this in March/April 2015, one day a fortnight. Mr Dinnis will take responsibility for this.

51 Red Telephone Payphone at The Ridgeway/Tanyard Hill - Repairs

The red telephone payphone at The Ridgeway/Tanyard Hill is in a Conservation area. It is K6 payphone and belongs to BT. Mr Dinnis spoke to Customer Services about the payphone as it is not working.

52 Parish Website

Mr Theobald commented that the website did not appear to have been updated since July 2013. Mr Hart explained that his computer had developed a fault and that he had been without a computer for about six months. KCC had modified parish portal and it was not altogether clear what changes had been made. Mr Hart commented that he had asked for assistance, particularly with regard to the provision of material to be placed on the website. It was noted that the Clerk would provide copies of all agreed minutes and Mr Dinnis would supply a copy of the Parish Report to be placed on the website.

There being no other business the meeting closed at 9.50pm.