



# BOXLEY PARISH COUNCIL

www.boxleyparishcouncil.org.uk

Clerk – Mrs Pauline Bowdery  
Assistant Clerk – Mrs Melanie Fooks  
Tel – 01634 861237

Beechen Hall  
Wildfell Close  
Walderslade  
Chatham  
Kent ME5 9RU

E-mail – bowdery@boxleyparishcouncil.org.uk

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

2<sup>nd</sup> July 2012

There will be a meeting of the **Environment Committee** on **Monday 9<sup>th</sup> July 2012** at **Beechen Hall, Wildfell Close, Walderslade** commencing at 7.30 pm when it is proposed to transact the following business;

1. **Declaration of Interest or Lobbying.** (7.30)  
Members are required to declare any interests or lobbying on items in this agenda.
2. **Apologies and absences** (7.31)  
To receive and accept apologies for absence.
3. **Minutes of the Meetings of 18<sup>th</sup> June 2012.** (7:32)  
To consider the minutes of the meetings and if in order to sign as a true record (already circulated).
4. **Matters Arising From Minutes.** (7.35)
  - 4.1 Minute 2407/4.1 marker at Cossington Lane. Investigation into type and location of post is underway.
  - 4.2 Minute 2407/4.2 PRow Round Wood valley. The parish office is in consultation with KCC to have a deed of dedication (the most cost effective route for officers) submitted rather than a lengthy form.
  - 4.3 Minute 2407/4.3 Lidsing Road. Request for additional signage etc. has been chased for a reply.
  - 4.4 Minute 2407/4.4 Noise pollution at Walderslade. Mitigating work was completed on 23<sup>rd</sup> June 2012 and since this date MBC and the parish office have received no further complaints or comments.
  - 4.5 Minute 2408/8.1 Boxley Road/Grange Lane speed restriction. The Maidstone Joint Transport Board's next meeting is 18<sup>th</sup> July 2012 Cllr Bob Hinder to attend to highlight the issue.

## To adjourn to allow members of the public to address the meeting.

5. **Planning Applications and Appeals for Consideration.** (7.55)  
To consider planning applications. Members' are reminded to consider possible section 106 requests or to suggest any conditions.  
MA/12/0923 erection of two storey extension to replace existing garages at 10 Lombardy Drive, Vinters Park 18/07/12.

MA/12/0997 ground floor side and rear extensions with raised roof terrace at Frantom, Grove Green Road, Weaving 18/07/12.

MA/12/1002 erection of a two storey rear extension at 8 Barncroft Close, Weaving 17/07/12.

MA/12/0526 amended details for the construction of new sport hall at Valley Community School, Huntsman Lane – a letter confirming the situation with regards to Sports England and details on the condition of the current areas 12/07/12.

MA/12/1092 erection of a single storey rear extension and side porch at Grove End, Vintners Way, Vintners Park 26/07/12.

MA/12/1078 erection of a single storey side extension at 12 Olivine Close, Walderslade 26/07/12.

6. **Planning Applications and Appeals Decisions** (8.10)  
Planning rota, circulated to members.
7. **Walderslade Woods and Volunteer Group** (8.15)  
To receive a report/update on the Group's activities.
8. **Highways and Byways.** (8.25)  
To discuss any relevant information.
9. **Policy and procedures review.** (8.30)
  - 9.1 Annual Competency report, see report (pages 3-6).
  - 9.2 Planning application response, to review the responses allowed these are on the yellow laminated advice note that is available at the meeting.
10. **Neighbourhood Development Plans** (8.38)  
To receive 2 draft audits, enclosed, and receive an update on the situation.
11. **Saracen Fields open area.** (8.55)  
To discuss the situation with regards to ownership and maintenance, see report (pages 6-7).
12. **Matters for information.** (9.05)
  - 12.1 KCC Consultation Kent Lane Rental Scheme (runs 25<sup>th</sup> June – 17<sup>th</sup> September, letter enclosed for committee members (available to other members on request). Do members consider that they should respond to this consultation?
13. **Next Meeting.** (9.10)  
Next environment meeting 13<sup>th</sup> August 2012 at Beechen Hall commencing at 7.30 p.m.

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.

14. **Enforcement and Section 106 updates from MBC.** (9.11)  
To consider a confidential update if received in time.

Clerk to Boxley Parish Council.

Items to be returned to agenda: Minute 2368/5.1 Walderslade Woods road/A2045 – work to obtain speed reduction –KHS awaiting plans (04/12).

**Item 9 Annual Competency Report.** *Purpose of report: to consider the report, decide on any changes needed submit report to Parish Council for 'adoption'.*

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

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

The Environment Committee uses the following in its work:

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

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

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

Procedures.

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

Housekeeping can range from reporting white lines that need refreshing to getting very involved with residents (before notifying the committee) to get MBC to deal with and resolve the noise issue in Walderslade.

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

- Lack of complaints from the public.
- Visual clues (potholes not being filled, development being advertised that the committee hasn't been notified of etc.)
- Discussions with public, Borough Councillors, information from MBC will notify Councillors that a problem exists or is brewing.

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

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

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

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

#### Decision making.

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

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

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

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

### Other issues.

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

Items for inclusion in the agenda need to be submitted in good time.

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

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

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

### Competent.

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

- Councillors keep abreast of developments through the KALC Parish News, newspapers, Television etc. They should be willing to check with the parish office that they have noted that something is happening and whether it is going to the committee. *Clerks comment – the office is signed up to many e-mail notification systems (including MBC's Items of Interest notification system) and also pays to have the Direct Information Service which is a NALC run service giving briefings on changes to legislation, Ministers press releases, other organisations and NALC press releases/statement etc.*
- Read and study all the documents received and using their experience and knowledge judge whether it is correct. *Clerk's comments – the strength of a Quality Parish Council comes from the variety of Councillor serving on it. Their individual experiences, common sense etc. means that there is generally someone with in depth knowledge.*
- Members may have noted that last year the Clerk, on important reports and documents, started to add a statement to prove that she was competent to make the report or any suggestions/recommendations (see last section of this over view for an example of how such a competence statement can be presented). She has for many years been stating where Councillors could find more information (generally a website address) and this allows Councillors access to and knowledge of what was being considered/required. This gives the opportunity for Councillors to judge whether the work submitted has depth and breadth and comes from relevant sources.

The Assistant Clerk is due to commence long distance training in 2012 which will expand her knowledge and experience. The Clerk will also continue to undertake training and plans to complete the Planning on line training recently made available on-line.

MBC has previously offered planning training but basically regurgitates the same planning examples. The recent change to the planning laws and potential changes due to the draft Core Strategy and The Localism Bill means that councillors will need to be re-educated. There is a need to start planning for training, be it either formal or informal, and the Committee should make a commitment to do this, en masse, when the opportunities arise.

#### Health Check.

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

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

#### Weaknesses/opportunities identified by the Clerk whilst undertaking the report

- Agenda – recently after making a decision, at a meeting, members then indicated that they were unhappy/felt rushed. The situation was discussed at a subsequent meeting and members amended the way they operated. This is an indication of a) members willing to speak out and amend a way of working (healthy) and b) members not speaking up at a meeting when they feel something is wrong (unhealthy). Do members now feel that they understand that they control the decisions and should not feel pressurised by the agenda/parish office?
- New website. This is currently being set up and once the work has been completed it is suggested that this include a section on planning and the environment in an attempt to engage the residents.
- It has been a very busy year are some members in danger of slipping into a little bit of complacency and just accepting things without independent checking/further reading?
- Individual responsibilities. Committee members have agreed to take responsibility for certain things, and only involve the office if they cannot get a result. For instance they agreed to report potholes or poor maintenance and if they cannot attend a MBC planning committee they should approach other members to arrange cover rather than contact the office asking them to do it. This is slipping a little bit.

Statement of Clerks competency to produce such an overview.

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

**Item 11 Saracen Fields open area.** *Purpose of the item; to consider the information and give guidance or decide to release street maintenance budget.*

An area of land previously maintained by KCC, between 11 and 15 Saracen Fields, is now no longer maintained leaving it extremely overgrown and residents have complained to the parish office. Investigations have shown that the areas (identified in the enclosed map) 1, 2, 4 & 5 are not owned by KCC (although it has maintained them for approximately 20 years. Enclosed is a letter from a resident concerning the issue.

Representations have been made to Kent Highways but as it does not own the land it has refused to maintain it, even though it has been doing so for so long.

*Clerk's comment. The parish office has appealed to KHS and Kent Property Services to maintain the area but they have declined to do so. The company that do own the land (and which it is likely were due to transfer it over to KCC 20 years ago) has gone into administration. An appeal could be made to the County Councillor but failing that it is considered that the only way to get the area maintained is for the Parish Council to do so and perhaps after 12 years of maintenance claim it as its land. The Parish Council does maintain grassed land it does not own (2 areas at Sandling) however this plot has substantial trees so there would be an issue about maintaining them in the long term. The Environment Committee has a street maintenance budget that could be used to pay for temporary maintenance whilst it considers the issue further. Members' guidance is sort.*