MINUTES OF THE MEETING OF THE AMENITIES AND OPEN SPACES COMMITTEE HELD ON 4th APRIL 2006 AT 7.30 p.m. AT THE PAVILION, MANOR FIELD

Present: Cllr Mr A Barnett (Chairman)
Cllr Mrs Oxtoby
Cllr Mr V Sewell *(arrived at 7.40 p.m.)*
Cllr Mrs M Solman

In Attendance: Mrs J Hoad (Clerk)
2 members of the public

1. Apologies for absence

Apologies for absence had been received from Cllr Mr J Gaywood, Cllr Mr A Tremain and Cllr Mr C Ward.

2. Declarations of Interest

Cllr Mrs A Oxtoby declared a personal and prejudicial interest under minute item 12 in respect of matters relating to Hartley Wood, as her private residence is located adjacent to the woods and withdrew from the meeting during discussion and voting on the item.

Cllr Mr A Barnett declared a personal and prejudicial interest under minute item 14 in respect of the allotments, as he is an allotment holder and withdrew from the meeting during discussion and voting on the item.

3. Minutes of previous meetings

RESOLVED: That, the minutes of the meeting of the Amenities and Open Spaces Committee held on 2nd March 2006 be approved and signed by the Chairman as a correct record.

Cllr Mr V Sewell arrived at the meeting at 7.40 p.m.

4. Football at Manor Field

There was no report from Hartley De Sales FC.

The Clerk reported that Hartley De Sales FC had informed the Council that the last fixture for its U18 team was not until 7th May 2006. The New Ash Green and Hartley CC had confirmed it had no objection to the match being played on the 7th May, provided the footballers cleared the ground by 1.00 p.m. The football club had agreed to take the posts from storage, put up, dismantle and return the posts to the storage container. The pitch would require an additional marking out, but as the fixture formed part of the team's normal league fixtures, the Committee considered it would be unfair to charge the club for the additional marking out.

RESOLVED: That, arrangements be made for the pitch to be marked out in advance of the fixture to be held on 7th May 2006 and that no charge be levied on Hartley De Sales FC.

5. Cricket at Manor Field

There was no report from New Ash Green and Hartley Cricket Club.

The Clerk reported that the depression in the outfield had been filled with top soil and that the cricketers had been informed that the work had been completed. It was hoped the Cricket Club would undertake the necessary rolling and seeding as soon as possible as the current weather conditions were conducive for successful germination.

It was reported that the worming of the cricket square had not taken place in the autumn in conjunction with the worming of the outfield, as that time an order had been placed with a

contractor to undertake end of season repairs to the square. However, this work had not taken place due to adverse weather conditions. It was explained that Weed Management Ltd were prepared to undertake the worming of the square in conjunction with the worming of the ground at Longfield Hill for an additional £50 plus VAT and that this order had been accepted. The worming should take place during week commencing 3rd April 2006, subject to suitable weather conditions.

RESOLVED: That, the report be noted and the additional expenditure of £50 plus VAT for control of worms on the cricket square at Manor Field be approved.

6. Cricket at Longfield Hill

(a) There was no report from Meopham Cricket Club.

(b) The Committee considered two quotations in respect of fencing works at Longfield Hill.

RESOLVED: That, (1) the quotation for the sum of £128.00 from T D Munday to repair the fence located on the western boundary, fill in the gap with spiral fencing and re stake where the fence is leaning be accepted and (2) the quotation for the sum of £85.00 from T D Munday to seal the gaps in the hedge located on Manor Road with chestnut paling fence and posts be accepted.

7. Financial Report

The Committee examined a financial report setting out the net financial position of the allotments, open spaces and the Pavilion as at 29th March 2006.

RESOLVED: That, the financial report indicating the net position of the allotments, open spaces and the Pavilion as at 29th March 2006, attached as appendix 1 to these minutes, be received and noted.

8. Playgrounds

(a) The Committee considered the following correspondence:

(i) a letter dated 9th March 2006, from the Council's insurers informing that it was a condition of the Council's policy that all areas graded in the RoSPA safety inspection report as a medium risk must be attended to within 60 days of receipt of report,

(ii) the Clerk's response in a letter dated 13th March 2006,

(iii) an undated letter (received 27th March 2006) from the Council's insurers advising that they accept the action taken so far by the Council in respect of the faults identified in the RoSPA safety inspection report dated 13th February 2006, but requests that the Parish Council should endeavour to complete the necessary repairs within 3 to 4 months. The insurers stated in their letter that if an accident should occur caused as result of fault highlighted in the report which had not been attended to, it would be difficult for the insurers to dispute any claim for injury.

(iv) a letter to Playground Management Ltd dated 13th March 2006, informing of the policy condition imposed by the Council's insurers in respect of medium risk items. To date no response had been received.

It was reported that advice had been received from RoSPA in respect of the provision of a road barrier at the pedestrian entrance to Longfield Hill recreation ground, which had been identified as being a medium risk in the safety inspection report dated 13th February 2006. RoSPA advised that the barrier should be 1.2 m high and should be un-climbable, fabricated in steel and installed at the road edge, extending at least 2 m beyond each side the pedestrian entrance. The Committee questioned whether there was sufficient space on the highway verge to install such a barrier.

The Committee expressed its dissatisfaction with the service provided by RoSPA and suggested the Council should investigate the possibility of employing the services of

another playground inspector. The Committee was reminded of an article contained in the KAPC's Parish News 315 advertising the services of a company known as Craigdene Ltd, who offer a playground inspection and consultancy service. It was confirmed that the playground inspector Maria Cook, the proprietor of Craigdene Ltd, is a member of the Register of Play Inspectors and a member of the Institute of Leisure and Amenity Management.

RESOLVED: That,

(1) the correspondence referred to in paragraphs (i) to (iv) above be noted,

(2) further investigation be undertaken to establish whether there is sufficient space to install a barrier on the road side at the pedestrian entrance to Longfield Hill and,

(3) enquiries be made with the Council's insurers to confirm whether it would be acceptable under the terms of the Council's insurance policy to employ the services of Maria Cook to inspect the Council's playgrounds

(4) enquires be made on the cost of employing the services of Maria Cook to undertake inspections of the Council's playgrounds and that Ms Cook be asked to provide the Council with a copy of a typical inspection report to enable the Council to view the style of her reports.

9. Manor Field

(a) The Committee expressed its satisfaction with new entrance arrangements at Manor Field and suggested further improvements could be made by the provision of some planting to the earth bank at the side of the kissing gate.

RESOLVED: That, a sum of upto £75 for the supply and planting of a mixture of blackthorn and holly on the earth bank be authorised.

(b) The Committee agreed the position of two benches currently stored in the Calor Gas compound, on Manor Field in front of the "Orchard" and overlooking the field.

RESOLVED: That, a quotation be sought for the fixing of two benches currently stored in the Calor Gas compound on Manor Field in the positions as agreed by the Committee.

(c) The Committee considered works in front of the concrete path leading to the Pavilion to improve the drainage of surface water to prevent the area from becoming waterlogged and muddy.

RESOLVED: That, the expenditure of £40.00 for the supply and delivery of hogging at the end of the concrete path, plus the labour cost of spreading and compacting the material be approved.

10. Pavilion

At the last meeting of the Committee it was reported that one quotation had been received in respect of the installation of a PIR operated floodlight to be fitted to the lighting column in the car park to illuminate the path leading to the Pavilion. The Committee had expressed some concern over the amount of the quotation returned and so had decided to modify the work in an effort to contain the costs. This being the case, the Committee had agreed a quotation be sought to supply and fit a PIR unit on the corner of the Pavilion over the boiler room.

It was reported that this quotation had now been received, but the electrical contractor had advised that the light produced by the new unit would shine directly into the face of person/s approaching the building, which would not be advisable and, if located on the corner of the building, would be more sensitive to person/s walking across the beam.

The provision of additional lighting had been considered necessary by the Committee as it believed the installation of a collapsible bollard to prevent unauthorised vehicular onto the

field would be dangerous without adequate lighting. The Committee considered a number of alternative measures to prevent unauthorised access onto the field and suggested the existing stock fence behind the beech hedge could be extended to the edge of the path. In addition new stock fencing could be installed on the other side of the path extending from the edge of the path to the corner of the beech hedge. The Committee considered that if the new fencing was installed it would not be necessary to provide an additional lighting.

It was reported that the existing PIR unit over the entrance door to the Pavilion was not working.

RESOLVED: That, (1) a quotation be sought for the supply and installation of new stock fencing behind the beech hedge to prevent unauthorised access of vehicles onto the field and (2) arrangements be made for the existing PIR unit over the door to be repaired or replaced as soon as possible.

11. Rectory Meadow

(a) The Committee considered the purchase of a "Countryside" seat from Glasdon Manufacturing Ltd at a cost of £356.73, plus £12.12 for ground fixing bolts, plus VAT. The Committee noted that the delivery was free for orders over £50. The Committee agreed the position of the seat on Rectory Meadow, in the centre of the meadow at the intersection of the footpath looking towards Longfield.

RESOLVED: That, the expenditure of £356.73 plus £12.12 for ground fixing bolts plus VAT for the supply and delivery of a "Countryside" seat from Glasdon Manufacturing Ltd be approved and a sum of upto £100 be authorised for the installation costs.

(b) The Committee considered the design of the interpretative panels, the draft text to be included on the panels and the draft text for the leaflets. The Committee came forward with a number of suggestions on improvements to the panels and the two draft texts. It was reported that the artist was in the process of preparing a draft of the interpretative panels, which would be forwarded to the Committee for consideration within the next two to three weeks.

RESOLVED: That,

(1) the report be noted and,

(2) the North West Kent Countryside Project be advised of the suggested improvements to the interpretative panels and texts.

(c) The Committee considered a letter dated 21st February 2006 from the Rural Payments Agency (RPA) in respect of the single payment scheme, enclosing an entitlement statement in respect of Rectory Meadow. The RPA advised that validation of the Council's claim had yet to be completed and that payment would not be made until the application had been fully validated. The Committee noted that the entitlement statement showed an entitlement of €28.20.

RESOLVED: That, the letter dated 21st February 2006 from the Rural Payments Agency and entitlement statement be noted.

(d) The Committee considered a letter dated 7th March 2006 from DEFRA outling a number of points in respect of the draft byelaws for Rectory Meadow Local Nature Reserve which had been submitted to DEFRA for their comments and referred to a copy of the guide on making Local Nature Reserve Byelaws published by DEFRA.

RESOLVED: That, (1) the letter dated 7th March 2006 from DEFRA, enclosing a copy of a guide to making Local Nature Reserve Byelaws, be received and noted and, (2) a map to accompany the byelaws be provided indicating the boundary of the Reserve in red and any footpaths in green.

RECOMMENDED: That, the byelaws as set out in appendix 2 attached to these minutes, be approved and the Clerk be authorised to undertake what ever action necessary to secure their confirmation.

(e) The Committee examined a newsletter entitled "Agri-Environment Matters" giving details on the latest news in respect of Entry Level Stewardship and Higher Level stewardship.

The meeting was adjourned at 9.15 p.m. to allow a member of the public to speak on the new stewardship schemes.

The meeting resumed at 9.25 p.m.

The Committee considered that it would be worth pursing further investigations on the new stewardship scheme, particularly as it believed Rectory Meadow may be looked upon favourably for entry into the higher level stewardship scheme because of its chalk grassland.

Before submission of an application for higher level stewardship, it would be necessary for the Council to commission a Farm Environment Plan, which would be an environmental audit of the meadow and would be designed to identity the condition of the environmental features already present and identify opportunities to create new habitats. Funding for a Farm Environment Plan should be available from DEFRA and the fund available would depend on the size of the holding. However, the Committee noted the comment raised by a member of the public during the adjournment in which she stated the funds recoverable from DEFRA for commissioning a plan would not be sufficient to meet the cost of the employing a land agent to undertake the work involved in preparing a plan. The Committee also noted her advice that it would be necessary to join the entry level stewardship scheme before an application could be put forward for entry into the higher level stewardship scheme.

RESOLVED: That, further investigation of the entry level stewardship scheme and the higher level stewardship scheme be undertaken.

12. Hartley Wood

It was reported that the first phase of the survey work on land owned by the Council in Hartley Wood had been completed by Glen Surveys Ltd and the ground markers identifying the extent of the plots of land had been installed. The next stage of the survey work would involve the commissioning of a tree survey which was a requirement of the Council's insurers as set out below:

"in order to provide public liability in respect of the 3 new plots of woodland we confirm that the Parish Council must have a maintenance and inspection programme for this area and all details must be logged and recorded. Further we will require a professional tree inspection to be completed and then again at intervals recommended by the professional"

It was reported that the Clerk and the Chairman of the Amenities and Open Spaces Committee had inspected the ground markers installed by Glen Surveys Ltd and explained it would not be easy for the tree specialist to locate the markers when undertaking his survey work. This being the case, it would be necessary to install highly visible stakes to enable the tree specialist to readily identify the extent of the land owned by the Council, thus ensuring he only surveyed trees belonging to the Council. It would also be necessary to programme this work so it took place immediately in advance of the work to be undertaken by the tree specialists.

The Committee noted that the quotations provided by the tree specialists last year had probably elapsed and therefore it would be necessary for the quotation prices to be confirmed.

RESOLVED: That, (1) a quotation be sought from Glen Surveys Ltd to supply and install stakes along the boundaries to enable the extent of the land owned by the Council to be easily identified by the tree specialist whilst undertaking the tree survey and, (2) the tree specialists who submitted quotations last year in respect of the tree survey work required by the Council's insurers be asked to confirm their quotations.

13. Appointment of Chairman

RESOLVED: Cllr Mrs A Oxtoby be appointed Chairman during consideration of minute item 14 relating to the allotments, as Cllr Mr A Barnett had declared a personal and prejudicial interest on the item and had withdrawn from the meeting.

14. Allotments

(a) The Committee considered a report setting out details of bad debts in respect of two allotment holders. The total value of the bad debts amounted to £49.25 and therefore the Committee considered it would not be prudent for the Council to pursue these debts through the courts.

RESOLVED: That, (1) the allotment agreement with the two allotment holders be terminated, (2) the two allotments holders be advised their allotment agreements had been terminated and asked to return their keys to the Parish Office and, (3) an article be included in the next edition of the Council's newsletter advertising the vacant allotments plots.

RECOMMENDED: That, the debts of the two allotment holders be written off.

(b) The Committee considered the purchase of herbicide to be applied to the vacant plots in the allotments to control the spread of weeds and bramble. The Committee expressed some concern over the bramble encroachment behind the fence line running along Woodland Avenue.

RESOLVED: That, (1) the expenditure of £16.57 plus VAT for the purchase of herbicide be approved and, (2) if any herbicide was left over after the application of herbicide on the vacant allotment plots, the area behind the fence line along Woodland Avenue be sprayed for the control of bramble.

15. Pond

The Committee considered an e mail dated 21st February 2006 from the County Councillor to a local resident in respect of an application for funding towards the cost of refurbishing the pond. The County Councillor had advised the local resident that a number of criteria needed to met, as set out below:

1. The project has to be for the benefit of the community
2. The project has to be sustainable i.e. the objective will need to last
3. The project will need to be match funded
4. The project will need to be undertaken by a recognised and responsible body.

The County Councillor suggested that the Parish Council may be willing to act as an agent for the receipt of any grant monies.

The Clerk reported that the pond warden had called into the Parish Office on 3rd April 2006 to offer advice on the pond. He believed the difficulties with the level of the water in the pond were due primarily to the lack of recent rainfall. He explained that the pond contained considerable amounts of mud and if the pond dried up during the summer it may be worth considering removal of the mud, but would not advise any works to drain the pond to remove the mud during the current water shortage. He advised that he had undertaken some minor clearance in the pond and that consideration could be given to some clearance on the bank next to the Burial Ground, possibly with some additional planting.

He further advised that he intended to undertake some pond dipping to establish what wildlife was present in the pond.

The meeting was briefly adjourned at 9.35 p.m.

The member of the public who had submitted a request to the County Councillor for funding to improve the pond explained she would not be suitably qualified to respond to the issues raised by the County Councillor in his letter,, but would do all she could to assist. She explained that one person had expressed a willingness to serve on a committee to look at the refurbishment of the pond. The member of the public explained she had contact details of two persons able to offer advice on ponds and the Clerk agreed to follow up these two lines of enquiries.

The meeting resumed at 9.38 p.m.

The Committee noted that the problems associated with the water in the pond was due to the fact that the pond did not have a natural water source, but the Committee was advised that this could be introduced by artificial means.

RESOLVED: That, the advice of the pond warden be noted and further advice be sought on the pond.

16. Date of next meeting

Monday 15th May 2006 at 7.30 p.m.

The meeting closed at 9.45 p.m.

Signed:..... Date:.....

Hartley Parish Council
Summary of Receipts and Payments
Amenities and Open Spaces

Cost Centre	Receipts		Payments		Net Position Underspend (+) /Overspend (-)
	Estimated	Actual	Estimated	Actual	
5 Allotments	300.00	353.14	700.00	451.51	301.63
6 Open Spaces	2,790.00	6,936.60	25,550.00	23,579.85	6,116.75
7 Manor Field Pavilion	1,200.00	1,374.50	6,125.00	6,308.45	-8.95
NET TOTAL	4,290.00	8,664.24	32,375.00	30,339.81	6,409.43
Total for ALL Cost Centres		112,185.73		120,001.86	
V.A.T.		8,738.85		8,503.58	
GROSS TOTAL		120,924.58		128,505.44	

HARTLEY PARISH COUNCIL
RECTORY MEADOW NATURE RESERVE

Hartley Parish Council in exercise of the powers conferred upon them by Sections 20[1], 21(4)[2] and 106[3] of the National Parks and Access to the Countryside Act 1949 in accordance with section 236 of the Local Government Act 1972 hereby make the following bye-laws for the protection of the Local Nature Reserve at **Rectory Meadow** in the Parish of **Hartley** in the County of **Kent** .

1. In these bye-laws:

a. "The Reserve" shall mean the pieces or parcels of land containing in the whole 2 hectares or thereabouts and situated in the Parish of **Hartley** in the County of **Kent** declared to be managed as a Local Nature Reserve by the Declaration dated the 19th day of October 2005 made by **Hartley Parish Council** in pursuance of Section 21 of the National Parks and Access to the Countryside Act 1949, and the Reserve is for the purpose of identification shown as nearly as may be on the map annexed to these bye-laws and thereon edged black;

b. "The Council" shall mean **Hartley Parish Council;** and

c. "Firearm" shall have the same meaning as in Section 57 of the Firearms Act 1968.

2. Within the Reserve the following acts are hereby prohibited except insofar as they may be authorised by a permit issued by the Council in accordance with Bye-law 4, or are necessary to the proper execution of his or her duty by an officer of the Council or by any person, or servant of any person, employed or authorised by the Council.

Damage to or Disturbance of Things in the Reserve

iii. Spreading or using any net, or setting or using any lamp or other instrument or any snare or lure, for the taking, injury or destruction of any living creature.

iv. Taking, molesting or intentionally disturbing, injuring or killing any living creature.

v. Taking or intentionally disturbing or destroying the eggs, larvae, pupae or other immature stages, or the place used for the shelter or protection of any living creature.

vi. Intentionally removing or displacing any tree, shrub, plant, fungus or part thereof, or any unfashioned mineral thing including water.

vii. Climbing or ascending any tree or climbing or placing a ladder or steps against any tree.

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[1] **Amended by Nature Conservancy Council (NCC) Act 1973, Telecommunications Act 1984 & the Water Act 1989.**
[2] **Amended by the NCC Act 1973**
[3] **Amended by the NCC Act 1973 and the Environmental Protection Act 1990**

Bringing Animals into the Reserve

viii. Intentionally bringing, or permitting to be brought, into the Reserve any living creature, or the egg of any living creature, or any plant, or any seed or any other part of any plant, in such circumstances that it is likely that such creature or plant will reproduce or propagate itself, or such egg will hatch, or such seed will germinate.

ix. Bringing into, or permitting to remain within, the Reserve any dog unless it is kept either on a lead or under proper control, or any other animal unless it is kept under proper control, and is prevented from worrying or disturbing any animal or bird.

x. Turning out any animal or poultry to feed or graze.

Areas of Water

xii. Committing any act which pollutes or is likely to cause pollution of any water.

xiii. Obstructing the flow of any drain or watercourse.

Use of Vehicles

xiv. Driving, riding, propelling or leaving any mechanically propelled vehicle elsewhere than on a highway or road, or in a place indicated by a notice as being available for the purpose, except for maintenance purposes and with the express permission of the Council, except for maintenance purposes and with the express permission of the Council.

xv. Landing any aircraft except in case of emergency.

xvi. Launching or landing a hang glider except in an emergency.

xvii. Operating any aircraft, including hang glider, motorised glider or microlite craft, at such a height that persons on the ground or in buildings may be inconvenienced or annoyed or animals may be disturbed.

Use of Certain Equipment

xviii. Using any camera or any apparatus for the transmission, reception, reproduction, or amplification of sound, speech or images by electrical or mechanical means, except apparatus designed and used as an aid to defective hearing.

xix. Using any device designed or adapted for detecting or locating any metal or mineral in the reserve.

Use of Firearms etc.

xx. Being in possession of a firearm, (with ammunition suitable for use in that firearm) otherwise than on a public paved road, or discharging a firearm or lighting a firework.

xxi. Projecting any missile manually or by artificial means (including by means of crossbow or catapult).

General Prohibition

xxii. Erecting, occupying or using any tent, shed, caravan or other structure for the purpose of camping.

xxiii. Flying any kite or model aircraft.

xxiv.Erecting any post, rail, fence, pole, stand, building or other structure unless by a person duly authorised by the Council.

xxv. Neglecting to shut any gate or to fasten it if any means of doing so are provided.

xxvi. Posting or placing any notice or advertisement unless by a person duly authorised by the Council.

xxvii. Selling or offering, or exposing for sale, or letting for hire or offering or exposing for letting for hire, any commodity or article, or selling or offering for sale any service.

xxviii.a) Engaging in any activity which is causing or likely to cause a disturbance or
b) Holding any show, performance, public meeting, exhibition or sports or the playing of any organised games.

xxix.Intentionally or recklessly removing or displacing, any notice board, notice exhibited by order of the Council, apparatus, wall, boundary, bank, fence, barrier, railing, post or hide.

xxx.Roller skating, skiing, tobogganing or skate-boarding.

xxxi. Lighting of any fire, stove, heater or other appliance capable of causing a fire.

xxxii.Letting fall or throwing any lighted match or lighted substance in a manner likely to cause a fire.

xxxiii.Intentionally leaving items in a place other than a receptacle provided by the Council for deposit of litter and refuse.

Interference with Duly Authorised Officer

xxiv.Intentionally obstructing any officer of the Council or any person, or the servant of a person, employed or authorised by the Council in the execution of any works including research or scientific work connected with the laying out, maintenance or management of the Reserve.

4. PERMITS

i. The Council may issue permits authorising any person to do any act or class of acts within the Reserve or any part thereof which would otherwise be unlawful under these bye-laws; and

ii. any such permit shall be issued subject to the following conditions:

a. that it must be carried whenever a visit is made to the Reserve, and produced for inspection when required by a person duly authorised by the Council in that behalf; and

b. that it may be revoked by the Council at any time.

5. BYELAWS

These bye-laws shall not operate so as to interfere with the exercise.

i. by a person of:

a. a right vested in him or her as the owner, lessee or occupier of land in the Reserve;

b. any easement or profit a prendre of which he is entitled; and

c. any public right of way.

ii. of any function of a local authority, statutory undertaker or drainage authority; and

iii. by a constable or a member of the armed forces or of any fire brigade or ambulance service of the performance of his or her duty.

6. PENALTY

Any person who offends against any of these bye-laws shall be liable on summary conviction to a fine not exceeding level 2 on the Standard Scale and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.

7. It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty to the extent that those actions are permitted by law.