

ALKHAM PARISH COUNCIL

MINUTES - PLANNING AND OTHER MATTERS

MONDAY 8TH AUGUST 2016

1. Venue: Alkham Village Hall, 7:00pm
2. Present: Parish Councillors: Neil Burrows, Den Barnard, Peter Smith, Anthony Barrier, Fiona MacAskill, Geoff Hillier and Susan Lees. Clerk: Angela Miller.
County Councillor: Geoff Lymer.
District Councillors: Pauline Beresford and Nick Dixon.
Parishioners: 61
3. Apologies: None
4. Planning:

DOV16/00396 Land at Short Lane, Alkham: Outline application for the erection of three dwellings (with all matters reserved)

The Parish Council strongly object to the application for the following reasons:-

- The area suffers from severe flooding during wet weather. There is also very unpleasant sewage overspill when the ground water level becomes so high that the underground pipes are flooded. KCC, DDC, The Environment Agency and local residents are all well aware of this location and it's associated problems.
- The site is not within the village boundary. Alkham is in an AONB and any development on this site runs the risk of setting a precedent for the envelope of the village to be extended in all directions.
- When the low cost homes at the top of Short Lane were built, it is recalled that a special condition was imposed so that the boundary of the village was not permitted to extend any further to the east of Short Lane.
- The proposed bungalows would not offer affordable housing for young families to remain in the village. It is non-essential housing.
- Vehicle access to the site is not ideal and would impact on users of the adjacent public right of way.

5. Other matters:

Emergency temporary closure of ER25 and ER185 (Pimlico Way) & ER122 (The Bullrun)

Chairman Cllr Burrows welcomed everyone to the meeting and confirmed the discussion was regarding the emergency temporary closure of Pimlico Way ER185 and ER25, and the Bullrun ER122. He explained that Andrew Hutchinson from KCC PROW was unable to attend due to annual leave but introduced the County and District Councillors who could help with information in Andrew's absence. He introduced Alkham's Parish Councillors also.

. . . /cont over

Cllr Burrows invited Cllr Smith to begin the discussion by giving some background information as he is the leader of a local action group who have approached KCC PROW to get these byways downgraded to 'restricted byways' to exclude motor vehicles and motorbikes. Reference was made to two independent assessments and the conclusions were that in certain areas the byways were undoubtedly unsafe, primarily where the grass has overgrown the ruts and, in places, now obscures them. Cllr Smith disclosed an interest at this point, as he owns part of Fidges Wood through which The Bullrun runs for approx 100 yds.

Cllr Burrows reported that he has spoken with Andrew Hutchinson from KCC PROW and summarised that having identified a safety issue, the only way the orders will be lifted is if KCC PROW find the money to deal do repairs. There is no money available in KCC's budget this year and at the moment they have no provision in next years budget either.

Cllr Smith described how PROW's requiring repairs are logged with KCC and expressed his concerns over the shortcomings of temporary repairs. Cllr Burrows said it is important that the Parish Council discuss a plan to take the matter forward and to get KCC to spend the money required on the repairs and get the byways open again. He reminded everyone to bear in mind that the paths are currently closed to all users and then opened the meeting to questions from the audience.

The Parish Council was asked why the total ban was not foreseen and Cllr Smith replied that no one wanted the closure for all users. It's possible that some landowners might be prepared to put in their own efforts into reinstating the byways if they knew it would be worthwhile. Cllr Burrows referred to an email between the Parish Council and Edward Denne in 2012 where KCC approved the routes as fit for purpose at that time.

An audience member from Guston described her frustration that a route near Guston is still closed after 4 years and encourages local Parish Council's to join forces and lobby against KCC to get something done.

A landowner of part of Pimlico Way explained how KCC cannot prevent him from using the byway for access. He offered to allow anyone who comes recommended to him from equestrian centres in Alkham to continue using the byway on the understanding that it is at their own risk.

Cllr Burrows was asked whether he has a pecuniary interest in the closure of the byways that should be disclosed. Cllr Burrows replied that he owns a livery yard and some of his customers ride their horses in the local area. Following the meeting, advice was sought from the Monitoring Officer at Dover District Council and as a result Cllr Burrows is satisfied that he does not have a pecuniary interest in the matter.

A parishioner asked whether a claim could still be made against KCC if an injury occurred whilst using a byway that a landowner has given personal permission to use, but it was established that use would be at own risk.

The proprietor of a local riding establishment disagrees that the closure is necessary and expressed frustration that during what is effectively mid-summer, riders are now forced to use very busy roads.

The Parish Council was asked why this matter had not been referred to them and views were expressed concerning the dissatisfaction amongst the parish that the routes are now closed.

A parishioner recalled a situation a few years ago where a section of ER25 used for property access was very bad. KCC PROW had said at the time that KCC are not obliged to maintain the surface of the byway suitable for private vehicular access. Discussions established that it is an offence to continue to use a byway if it is closed.

A parishioner said the Parish Council should pressurise KCC to do full and proper repairs to also reduce the risks of flooding and talks continued about the possibility of external sources of funding. County Cllr Geoff Lymer agreed that this is a good idea but also took the opportunity to paint the picture of KCC's massive costs in other areas and suggested looking for local contractors to supply materials and labour at a smaller cost. He was asked if the review date of May 2017 could be brought forward and he said that he would try his best. A District Councillor offered to look onto options for funding also.

The audience seemed to support the idea of downgrading the BOAT's to 'restricted byways' although nothing official was confirmed.

The Parish Council was asked how much money is needed to get the routes repaired and opened up again. A figure of £130,000 has been reported by KCC to repair all three routes to the required standard. The most costly aspect of downgrading routes is the public consultation process and KCC only have enough money to fund two applications per year. A local landowner recently spent £1,000 restoring part of the byway that runs through his land but it is now in a poor state again.

Chairman Cllr Burrows said that the Parish Council would hold a meeting to formulate their response after having a meeting with Andrew Hutchinson. It was pointed out that according to the Ordnance Survey map, part of The Bullrun actually lies in the parish of Lydden and Swingfield and not Alkham. Cllr Burrows introduced Cllr Barrier as the Parish Council's PROW representative and Cllr Barrier spoke about KCC budget constraints.

Cllr MacAskill provided her contact details if people wished to help keep local byways clear of fallen branches etc and some members of the audience were very interested in this idea.

Cllr Burrows concluded the meeting by thanking everyone for their interest. He assured everyone that all points have been taken on board and that the Parish Council will urgently take the matter forward with KCC PROW to get the matter resolved for the benefit of the whole community.

The meeting closed at 9:25pm

Signed (Chairman)

Date