



**MINUTES OF UPCHURCH FULL PARISH COUNCIL HELD ON
THURSDAY 1 FEBRUARY 2024 AT 19:30PM IN UPCHURCH
VILLAGE HALL**

Present: Cllr Ripley, Cllr Denny, Cllr Rosewell, Cllr Bodycomb, Cllr Lewin, Cllr Horton
Officer: Clerk, Nina Henley
External Attendees: None
Apologies: Cllr Sheppard, Cllr Berntsen, Cllr Boakes
External Apologies: Cllr Baldock,

149-FCM/02/24 To receive apologies for absence

Cllr Sheppard (Holiday), Cllr Boakes (Personal) Cllr Berntsen (work)

150-FCM/02/24 To receive declarations of interests and lobbying

None

151-FCM/02/24 Minutes

To receive as correct and approve for signature the minutes of the Full Council Meeting held on 4 January 2024.

Proposed by Cllr Lewin, seconded by Cllr Denny

Unanimous.

152-FCM/02/24 Public Participation

There were 8 members of the public present.

Residents from Plymouth Brethren Christian Church offered help and support to the community.

Member of public from Forge Lane discussed parking.

Member of public reported incident with a horse on public footpath.

Member of public reported difficulty reporting planning issues with Swale Borough Council.

Clerk to send link and offered assistance if needed.

Member of the public had concerns about traffic calming on Oak Lane – Cllr Ripley advised this was to be discussed on the agenda item 156FCM/02/24 IV d.

153-FCM/02/24 External Reports and Updates

PC Ryan Chase gave verbal report from PC Chittim. Written report. Appendix 1

Cllr R Palmer gave verbal report. Cllr Palmer offered his assistance to resident on accessing the planning portal and reporting issues.

Cllr C Palmer gave verbal report. Cllr Palmer gave thanks to Cllr Rosewell for attending the SBC Planning meeting on behalf of Upchurch residents. Cllr Palmer reported continuing complaints on highways issues including potholes and fly tipping. Cllr Palmer has been dealing with local housing issues with support for residents.

154-FCM/02/24 Correspondence

- I. Email correspondence from various residents regarding highways (Agenda item 156FCA/02/24 IV a). Noted.
- II. Email correspondence from resident regarding parking in Forge Lane. Noted
- III. Email correspondence from Swale Borough Council regarding Joint Transport meeting 04.03.24 Noted.
- IV. Email correspondence Swale Borough Council Precept request received. Noted.
- V. Email correspondence Prime maintenance contract (Agenda Item 156FCA/02/24 IV b). Noted.
- VI. Email correspondence KCC Winter Support Scheme. Noted.

- VII. Communication received from developers 116 Oak Lane (Agenda item 156FCA/02/24 IV d) Noted.

155-FCM/02/24 Planning

To receive urgent updates on planning matters

- I. 23/504947/FULL Land at Gore Farm Chaffes lane erection of one new dwelling with associated detached workshop / games room, parking, access and landscaping.
UPC objects to this application. Cllr Lewin to write report appendix 2.
- II. Report from Cllr Rosewell regarding the Rural Housing Policy. Cllr Rosewell to investigate affordable housing and report back to full council. Noted.

156-FCM/02/24 Upchurch Parish Council Reporting

- I. General Purpose & Planning Committee.
 - (a) To agree next meeting Wednesday 21 February 2024. Agreed unanimous.
- II. Paddock and recreation ground
 - (a) Update for repairs to access road. Expected February 2024 weather dependant.
 - (b) Update on trees in The Paddock. Cllr Ripley reported waiting for date, imminent. Request from Cllr Denny for contractor to cut back around the recreation ground gate before work commences. Cllr Ripley reported contractor to look at fence repair in The Paddock. Noted.
- III. Burial Ground & Churchyard
 - (a) Update on bank works. Work started. Noted.
 - (b) Cllr Horton reported the church clock chime mechanism has been disengaged. Clerk to investigate with PCC if it's safe to resume following the works and review the risk assessment. Noted.
- IV. Highways and street lighting
 - (a) Verbal report from Cllr Horton on highways suggestions from residents – appendix 3
 - (b) Email from Prime regarding Maintenance Contract – Clerk to email to decline.
 - (c) Breach Lane damaged street sign reported. Noted.
 - (d) Communication received from developer 116 Oak Lane. It was resolved for UPC to adopt the lighting column and associated luminaire for the 116 Oak Lane development. Proposed by Cllr Horton Seconded by Cllr Lewin. Unanimous.
- V. Footpaths
Nothing to report.
- VI. Environment
 - (a) Cllr Horton reported the posts in Chaffes Lane and by the Recreation Ground still need replacing. Cllr Ripley to ask contractor to add this to work schedule.
 - (b) Cllr Lewin reported he had reviewed the Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-2039 - Regulation 19 Public Consultation January 2024. Cllr Lewin concluded that the only place this would affect Upchurch is the bottom of Susans Lane and they will look to do some work there in about 5 years' time. Noted.
 - (c) Cllr Horton reported resident complaint regarding dog waste. Clerk to investigate costs from Swale for a new waste bin by Bradshaw Close. Proposed by Cllr Horton, seconded by Cllr Denny. Unanimous.
- VII. Allotments
 - (a) Fence repair works – Cllr Ripley reported this work will start in the next 2 weeks. Noted.
 - (b) Request from allotment holder to plant dwarf fruit tree. Cllr Bodycomb proposed this was declined seconded by Cllr Denny due to lack of space in the allotments and this setting a precedent. Clerk to advise resident.
- VIII. Village Defibrillators
Nothing to report. The Circuit to be updated Clerk to co-ordinate with Cllr Sheppard.

157-FCM/02/24 Finance Reporting

- I. Financial review – bank statement and reconciliation were received signed by Cllr Bodycomb.. Noted.
- II. Payments received – car park fees £80.00
- III. Cheques for approval litter picker: £ 51.78
Noted.
- IV. Schedule of payments for approval:

Payee	Date	Method	Reference	Reason	Amount
Hugo Fox	18/01/24	PAID	4104	Website hosting	£ 11.99
Business Stream	01/02/24	BACS	4049326	Water Bill paddock	£ 23.20
Business Stream	01/02/24	BACS	4199489	Water Bill allotment	£ 55.41
CR&SJ Bearup	01/02/24	BACS	148	Hedge trimming	£ 216.00
DM Payroll	01/02/24	BACS	3361	Payroll	£ 90.00

Starboard Systems	01/02/24	BACS	5296	Accounts system	£ 331.20
The Country Way	01/02/24	BACS		Tree works	£ 120.00
The Country Way	01/02/24	BACS		Bank Works	£ 240.00
CSTL	01/02/24	BACS	19117	Landscape Services	£ 1890.46
L Balcombe	01/02/24	BACS		Caretaker	£ 141.70
Staff costs					

All Payments agreed proposed by Cllr Horton seconded by Cllr Lewin.
Members resolved to approve the schedule of payments.

158-FCM/02/24 D-Day Anniversary

Update provided. Cllr Rosewell to approve event management plan and risk assessment to be sent to Swale Borough Council.

159-FCM/02/24 Items to be considered for inclusion on the next Full Council agenda

Nothing to add.

160-FCM/02/24 Date of next meeting

Full Council Thursday 7 March 2024

161-FCM/02/24 To agree to the public's exclusion from the confidential part of the meeting. That in view of the confidential nature of the business (employment/legal issues) about to be transacted it was resolved under the provisions of Public Bodies admissions to meetings Act 1960 s.1 that the press and public be temporarily excluded.

Proposed by Cllr Horton seconded by Cllr Ripley. Unanimous.

KALC Community awards.

Following a review and discussion of all 6 nominations, it was resolved for Clerk to send the proposed nomination for the award from UPC to KALC. Unanimous.

162-FCM/02/24 Meeting closed 20.58pm



Kent Police

Upchurch newsletter

Get the latest crime statistics by visiting: www.kent.police.uk/yourarea

February 2024

Drop-in surgery

- I have not got a police surgery set this month other than the VAWG surgery held at Holywell Primary School on 05.02.24 and specifically for parents and staff of this school. I may have arranged with Bryn a further surgery in February but this hasn't been confirmed.

Your local officer is Police
Officer

Jez Chittim

Good work story/stories

I continue to hold speed checks in Upchurch along Oak Lane. Most people are driving under the speed limit along this road, however there have been a few drivers I've pulled over and given words of advice owing to travelling above 35mph. All those I have pulled over though have been under 40mph and all barring one tradesperson, have been local residents. I am open to other areas to be suggested for speed checks, however I am trying to be seen as much as possible in one area so that it naturally reduces the speed of all those travelling through the village. Please feel free to advertise in Upchurch matters that I will be holding random monthly speed checks each month in Upchurch and remind locals to drive safely. My aim is to do a minimum of two speed checks a month in Upchurch.

Incidents of note

- There have been a few further reports of a local resident shoplifting from the local shops. I am aware of the suspect. However, owing to a lack of evidence, police are unable to progress the investigation. I am however, continually trying to work with partner agencies to support the suspect and hopefully amend their ways.
- There was a burglary other than dwelling on 26/01/2024 from stables in Upchurch. I have obtained some CCTV footage of the incident and circulated amongst colleagues in an attempt to ID the suspect. The security at the stables was good and spooked the suspect. There have been no further reports of similar incidents.



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**Kent
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Upchurch newsletter

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February 2024

Police Surgeries

I've now been to 2 UpARA events and held a surgery with them. These have been successful and I am linking in with Bryn as in the future I might bring someone along to offer crime prevention advice around fraud/cyber crime etc..... and tailored for those in attendance.

I continue to hold Violence Against Women and Girls surgeries as well as meet and greet with Trudy Shellard at Holywell primary school and have a surgery there for parents and staff with SETEDA on 05/02/2024.

I gave an input to Class R at Holywell as part of their learning about emergency services and people that help you. They were all given the opportunity to try on police uniform and all took home a certificate with their very own fingerprint on.



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APPENDIX 2

Response from UPC on planning application - 23/504947

"Land at Gore Farm Chaffes Lane Upchurch Kent ME9 7BE

Erection of 1 no. new dwelling with associated detached workshop/games room, parking, access, and landscaping, including change of use of land to residential garden."

UPC object most strongly to this application as follows:-

[A] It conflicts with Local Plan policy [see below].

[B] The last Appeal decision on this site should be given lesser or no weight because of the passage of time and the current application is not similar to that at the Appeal [see below].

[C] Recent decisions, granting permission on unallocated sites in the Parish, give residents little confidence in the planning process other than that they are being asked to take more than a "fair share" of the quantum of housing required to top up the LPA's unmet 5 year housing supply throughout the Borough. This application falls into this category unless refused.

[A] Some Local Plan policies supporting refusal

- ST2 paras – 4.3.21-23
- 4.3.21 Upchurch is defined a Tier 5 village
- 4.3.22 Tier 5 villages are not required to help meet the Local Plan housing target...
- 4.3.23 Tier 5 villages will be protected from sporadic development outside of the Built Up Area boundary... some minor development may be essential for social, economic or environmental health and vitality of a community but are not necessary to meet the Local Plan housing target. The application does not achieve these objectives nor is needed to.
- The current application would not enhance the intrinsic value character, beauty, wildlife value or tranquillity of this area of the countryside.

[B] The last Appeal decision

- The Appeal decision, started in July 2021, came into force on 21st November 2021.
- Within the decision the Inspector concluded on the Main Issue [para 26] that "the site was not suitably located" when judged against the Local Plan. UPC argues that the previous application is significantly different to the current application in a way that it causes more demonstrable harm in this location.
- Nevertheless the Inspector granted the Appeal because of the shortfall in the LPA's five year housing supply at the time of the Appeal. The figures used by the Inspector [para 34] "were 4.6 years or around 400 homes per year".
- UPC argues that this last Appeal decision should carry lesser or no weight because recent announcements by the LPA indicate the five year housing supply is close to being satisfied. Therefore the minor addition of one large dwelling at this time does not outweigh the harm it would cause to satisfy unmet housing need.

APPENDIX 3 HIGHWAYS report Cllr Horton

Suggestions from residents following the HIP consultation last year:

Reduce the speed in Horsham Lane and Oak Lane to 20mph.

Horsham Lane

Upchurch Parish Council have conducted two surveys of the vehicle speed in Horsham Lane in consultation with KCC. Following the first survey, 30mph Roundels were placed on the road surface and 'Slow' painted to highlight the Crozier Court junction. Feedback from residents was that these had an impact on vehicle speed, an observation confirmed with the second speed survey, which shows that the speeds of vehicles using Horsham Lane are well inside the tolerances for a 30mph speed limit. This position can now be monitored remotely by KCC using vehicle telemetric monitoring, and they confirmed at the last site meeting that the speeds remain within the accepted tolerances, but are above the threshold for a 20mph limit without the installation of speed mitigation measures (bumps or chicanes). There is no accident data to justify the expense of speed bumps and the impact on local residents suffering the continual noise has proven to be a significant obstacle in previous installations, so KCC do not support a reduction in the speed.

Oak Lane

The preferred solution for speeding in Oak lane is the installation of a chicane and 'priority' installation just north of the junction with Wallbridge Lane. This installation will require vehicle entering the village to give priority to those leaving the village, thereby slowing the vehicles entering the village from the A2. The current design for the works is awaiting approval from KCC Highways. Upchurch Parish Council have agreed to fund and maintain the sign for which they would be responsible, and it is anticipated that once approved the developer will complete the works. The Parish Council will continue to monitor speed in Oak Lane and determine the impact of the changes. Our local police officer has conducted and will continue to conduct speed checks in Oak Lane, interestingly the only vehicles found above the limit have been local village residents.

Install Yellow Lines outside the Co-op.

Double yellow lines outside the Coop or indeed at the junction of The Street and Horsham Lane have been discussed in detail in three site meetings with KCC. There is a strong view among residents that they do not want the centre of the village, which is a conservation area with double yellow lines on the roads, so there is far from universal support for the suggestion. It is important to note that double yellow lines allow a limited time for loading and unloading and dropping children off at school (or a nursery) so parking for shopping and the nursery would still be permitted, and it is largely those activities which cause the congestion. To be effective, parking restrictions require enforcement activity, or they cease very quickly to deter drivers, who consider the likelihood of getting caught as low and are prepared to accept the risk. KCC did not feel that yellow lines would resolve the issue at the shops, a view supported by the Parish Council.

Stop the parking in The Street, opposite the Horsham Lane junction, they are committing an offence under S 137 of the Highways Act 1980.

The Parish Council accept that parking opposite the junction contravenes the Highway Code, and should not take place. The specific offence mentioned, however, S.137 Highways Act 1980, relates to a person who in any way 'wilfully obstructs the highway'. KCC Highways and UPC consider that the actions of the residents fall short of a wilful obstruction, and the fact that the police have not prosecuted residents for the offence would tend to support that view.

Parking restrictions were considered for the houses opposite Horsham lane, which KCC advised could be an option from the north end of the nursery to the road junction/bend. The application process is expensive, and the same loading and unloading/enforcement complications described above could still circumvent the road remaining clear. The Parish Council conducted a survey of the immediate residents who clearly do not support the proposal. The level of response would mean that a Traffic Regulation Order would be contested and incur further expense. The Parish Council felt that the expense to residents for very little benefit and certainly not a clear road was unjustified and decided not to pursue this option.

Accident statistics do not support significant road improvements at the junction, indeed the view of KCC was that the parked cars usually found at the junction slowed vehicles which probably made the junction safer than it otherwise would be, notwithstanding that vehicles heading toward Rainham frequently cut across the front of vehicles in Horsham lane.



Issue a Parking Permit to the residents of the Street and prevent others from parking.

The Parish Council are clear that parking opposite the junction causes congestion and contravenes the Highway Code, it would be inappropriate to consider a scheme that 'authorised' such behaviour. As a general point, whilst we all like to do so, residents do not have a right to park on the road outside their house, nor to prevent other residents from parking there, except in the case of a designated 'disabled space' provided by the local Authority (Swale BC).

Provide Car Parking at the Village Hall, Paddock or the Coop Garden.

The Village Hall owns their car park and the Coop owns their garden, the decision whether to provide local parking or not is theirs to make and the Parish Council respect their position. The Parish Council rent the Paddock on behalf of the residents as a green space and recreation area, it is designated a 'green space' in the Swale Local Plan and that remains the case.

Village wide 20mph.

This proposal has not been supported by residents in the previous surveys, it is a controversial and expensive undertaking that can take a great deal of time to complete. The intent of a 20mph zone is that they are not policed and relies upon a change in driver behaviour, it is clear that above a certain vehicle density one compliant driver slows the traffic, intermittent traffic does not produce the same 'traffic train' and relies upon each individual drivers' compliance. The Parish Council are aware of the schemes in Lower Halstow, Newington and Hartlip, and are currently monitoring the option and keeping it under review.

Right Hand turn from Forge Lane into Holywell Lane (Cricket Ground) reduce the hedge.

KCC have attended the junction with Parish Councillors and assessed the signage and the height of the hedge, the current configuration whilst not ideal was the best they could achieve, following the site visit an engineer attended and concluded the hedge height was acceptable.

Make Canterbury Lane and Wallbridge Lane one way in opposite directions.

This suggestion was first made in the village appraisal over 20 years ago and met with significant resistance from the residents who would be affected. There are other complications in that once a road is one way the average speed is likely to increase as drivers anticipate the road is clear, this has the potential to increase the risk for other road users including pedestrians, and riders. The Parish Council do not support this option, the traffic conditions have deteriorated since the original suggestion over 20 years ago and Canterbury Lane in particular is unsuitable for the current volumes of traffic and the complication that having the road 'owned' by two different Highways Authorities would further complicate the project.

Sort out the communications on roadworks and synchronise them better.

The Parish Council totally sympathise with the intent of this suggestion, however, the issue is one for KCC as the Highway Authority. The difficulty is often that the 'utilities' have to undertake emergency work and KCC are obligated to facilitate the road closures necessary. Another question often heard on this topic is why don't the utilities work together and do the work in the same trench at the same time? The best answer I ever got on this one was - would you want to work on a gas main or stand in water when the worker beside you was sparking electrical wires?

