

Note: Subject to approval at next meeting

FAVERSHAM FOOTPATHS GROUP

MINUTES OF EXECUTIVE COMMITTEE MEETING ON 23 MAY 2018

Present: Trevor Payne (Chair)
Brian Caffarey (Secretary)
Julian Saunders (Treasurer)
John Coulter
Andrew Osborne
Anne Salmon
Nick Williams

MINUTES OF EC MEETING ON 22 MARCH 2018

1. The minutes were approved.

MATTERS ARISING FROM THE MINUTES NOT ON SUBSTANTIVE AGENDA

(i) Forthcoming walks (para 3)

2. Walks had taken place on 15 April (starting from Oare Gunpowder Works) and 20 May (starting from Teynham Station). The next walk would be on Sunday 3 June, starting from the car park near Selling Primary School at 10.00am. The dates of two more walks had just been agreed: Sunday 1 July, which would be a longer walk from Selling station led by Brian Caffarey, and Sunday 22 July, led by Linda Harrison: more details to follow.

(ii) Website hits (para 4)

3. Brian Caffarey said that he had now been able to obtain information again about the use of the Group's website. In the last 30 days 121 users had accessed the site for a total of 144 sessions, looking at 336 pages.

(iii) Social media etc (para 5)

4. The Group's website had been updated regularly but he would check to see if the page on the England Coast Path needed to be revised.

ACTION: BRIAN CAFFAREY

(iv) Proposal for a path from Jubilee Way to the Rec (para 5)

5. There had been no further developments. The outcome of the bid for further HLF funds was expected to be known at the end of June.

(v) The bund on the Front Brents (para 6)

6. Andrew Osborne said that he had checked that there had been no alteration to the order regarding the temporary closure of footpath ZF 5 and the use of flood gates. He understood that

aluminium gates would now be used instead of wooden ones and that they were being stored at Sittingbourne. He mentioned that a public inquiry would take place in June/July concerning sea defences on town greens in Whitstable and Herne Bay. The key issue was the apparent incompatibility between the respective legislation governing town greens and coastal protection. The outcome of the inquiry could be very relevant to the Brents situation. He remained dissatisfied with the present position on several grounds, including the inadequate arrangements for predicting flooding at the Brents, which resulted in the unnecessary closing of the footpath, the poor repairs to the bank and the failure to act in accordance with the agreed procedures. He had now been informed that his complaints had to be pursued with the Local Government Ombudsman rather than the Parliamentary Ombudsman.

(vi) Planning application in respect of former Oil Depot at Standard Quay (para 7)

7. Anne Salmon said that the application for 10 houses was due to be discussed by Swale BC's Planning Committee the following evening and was recommended for approval. (Later: The Committee deferred a decision.) The proposed conditions regarding a Creekside path appeared very satisfactory, requiring level access to adjoining sites and unrestricted public access. This ought, in due course, to enable the England Coast Path to be routed along the Creekside from Standard Quay through to Provender Walk. Assuming approval was given, Brian Caffarey would alert Natural England to this development.

ACTION: BRIAN CAFFAREY

(vii) Expansion of East Kent Recycling Ltd at Oare (para 8)

8. It was not known whether Uproare and the Kent Law School had taken forward the suggested application for a Definitive Map Modification Order in respect of the existing track. No date had been fixed for discussion of the overall application. (Later: the previous planning application has been withdrawn and a new one submitted (KCC/SW/0090/2018). EKR continue to maintain that the track is not a public right of way.)

(viii) Affiliation to Ramblers (para 10)

9. A meeting was due to take place with Ramblers regarding the suggestion that the Group might take over from Swale Footpaths Group the task of commenting on Ramblers' behalf on footpath issues in the Faversham area.

10. As agreed, Brian Caffarey had checked to see whether affiliation to Ramblers made it feasible for the Group to take out public liability insurance. He had established that the Group was not eligible for the cover provided for Ramblers' own groups but could benefit from an 'advantageous rate' which affiliated groups could take out with the same insurance company. This would cost £217 (for £5m cover for one event). In discussion it was felt that it would be best, on balance, to take out this insurance. Although every effort was made to guard against any mishap and the risk of a claim was probably very small, any such claim would have serious implications for the Group, not least in terms of the legal costs. While the cost of the insurance premium was high in relation to the Group's annual income from subscriptions, it could be afforded in the light of the Group's healthy bank balance. It was agreed therefore that this insurance should be taken out now for a year but that enquiries should be made in the coming months to see if a less expensive option was available for the future. If necessary, consideration could be given to increasing the annual subscription, asking for voluntary contributions or making a charge to take part in walks.

ACTION: BRIAN CAFFAREY

(ix) Replacement Swing Bridge (para 12)

11. It appeared from newspaper reports that the legal advice which KCC had received confirmed the view which Andrew Osborne had always taken that it was Peel Ports' responsibility to ensure the right of navigation. The Group would continue to keep an eye on the two aspects which it had specifically raised: the width of the footways and the need to ensure that nothing was done which would make it more difficult in future to prevent adding more Creekside public rights of way.

(x) Perry Court (para 13)

12. As agreed at the previous meeting, Brian Caffarey had written to express the Group's concerns – shared by KCC's Rights of Way officers – about the location, and angle of entry, of the proposed replacement footpath (ZF 18) at Brogdale Road. Anne also updated the meeting on the provision which it was proposed to be made for pedestrians and cyclists near the planned Ashford Road entrance.

TREASURER'S REPORT

13. Julian Saunders said that the Group had ended 2017 with £470 in its account and it had so far collected £330 in 2018 subscriptions. Expenditure to date had been £30. Final reminders would be sent to the few members who, for one reason or another, had not so far renewed their membership for 2018. Present membership, at 66, was on a par with the membership at the end of 2017, thanks to a number of new members who had joined.

14. Julian said that because of the priority which he had had to give to data privacy issues he had not made any progress so far in reclaiming gift aid. He would aim to take this forward in time for the next meeting.

ACTION: JULIAN SAUNDERS

15. In view of the decision to take out public liability insurance, the meeting agreed that there was no need to have any further discussion at this point about the potential use of the Group's funds.

DATA PRIVACY

16. The meeting thanked Julian Saunders for the work which he had undertaken in preparing a data privacy policy and a note for members. It was agreed that, as proposed, the Group's systems should be reviewed from time to time and assurance sought from members that they were content. It was also agreed that when Brian Caffarey next wrote to non-members to update them, following their representations in support of the Creekside path at Faversham Reach/Waterside Close, he would specifically ask them if they wished to receive further communications.

ACTION: BRIAN CAFFAREY

CREEKSIDE PATH AT FAVERSHAM REACH AND WATERSIDE CLOSE

17. It appeared that the residents had not appealed against the Inspector's decision to approve KCC's Orders: the deadline for any appeal had been 20 April. KCC and SBC were understood to be concentrating now on formally settling any compensation issues and dealing with any minor mitigation (e.g. additional fencing, signs etc). It was believed that they were also considering whether a less complex and cheaper option could be devised for the footway at the slipway between the two estates. The meeting noted the rebuttal which the Group had issued of the absurd claims made by residents, in a Daily Mail piece, about the cost of the project. The Group would continue to keep in touch with KCC about progress.

ENGLAND COAST PATH

18. There was no indication of when the Inspector would reach decisions on the objections/representations which had been made about the route which NE had recommended for the England Coast Path between Whitstable and Iwade. Brian Caffarey had written to NE again to ask for an estimate of the timescale. (Later: NE say that the Inspector will be starting site visits in July, so decisions aren't expected till the autumn.)

LOST WAYS INITIATIVE

19. Trevor Payne and Anne Salmon had attended a workshop which Kent Ramblers had arranged on 21 April to take forward the 'Lost Ways' initiative. This largely covered the ground which Neville Machin had set out in the talk which he gave following the Group's AGM last November. The Group would now wait to hear which preliminary field surveys Neville wished it to undertake regarding potential 'gaps' (e.g. paths which unaccountably stopped at parish boundaries).

DESIGNATION OF LOCAL PATHS

20. It was agreed that the Group should now proceed with seeking the designation of a couple of local paths which had been used for many years but which were not formally shown as public rights of way on the Designated Footpaths Map. Brian Caffarey would pursue this.

ACTION: BRIAN CAFFAREY

CLEVE HILL SOLAR COMPLEX

21. The second phase of consultation on the project had begun, with a meeting taking place in Faversham on 16 June. It seemed clear that the company would not be able/willing, for financial and other reasons, to substantially alter the scale of the project or to make other than minor mitigations of its impact. Accordingly, it seemed appropriate for the Group to take a view now on the plans. In discussion the clear view of the EC was that the visual impact of the proposal, bearing in mind its location, huge scale, height and visibility from many paths and other vantage points, rendered it unacceptable. It was agreed that a note would be sent to members setting out the Group's proposed comments and seeking their comments and approval.

ACTION: BRIAN CAFFAREY

DUCHY OF CORNWALL WORKSHOPS RE LAND SOUTH OF SELLING ROAD

22. Anne Salmon had attended the first of the public and 'by invitation' workshops regarding the Duchy's plans to put forward to Swale BC, for inclusion in the review of the latter's Local Plan, a proposal for a 'garden village' on land which it owned south of the Selling Road. As far as public rights of way were concerned, the Duchy were advised to check that the existing public rights of way did not fall into the 'lost ways' category since they seemed to peter out. It was agreed that there was no action for the Group to take at present but, if the proposal to develop the site was pursued, it would be important to ensure that adequate public rights of way were provided.

LOG OF ISSUES RAISED

23. The Committee noted a revised version of the log of issues raised with, or pursued by, the Group. This would be updated as necessary following the meeting.

ANY OTHER BUSINESS

24. The following matter was raised:

- Land at Ham Road/ZF 33 – the Group had been contacted by a member of the Faversham Future Forum about the need to ensure that ZF 33 (the footpath from Ham Road through to Goldfinch Road/Fostall Road in the Upper Brents) provided an adequate link with the development taking place off the Ham Road (17/506352), thus encouraging pedestrians and cyclists to use this route to reach the town centre. The footpath was currently in a poor state. It was agreed that this was a desirable objective, although upgrading the footpath could not be paid for from s106 funds from the present development and might have to await development of the adjoining parcel of land. Brian Caffarey and Anne Salmon would arrange to meet the representative of the Forum.

ACTION: BRIAN CAFFAREY/ANNE SALMON

DATE OF NEXT MEETING

25. The next meeting will take place at 7pm on Wednesday 22 August 2018 at 130 Athelstan Road. The 2018 AGM will take place at 7.30pm on Thursday 15 November 2018 in the Alexander Centre.

26 May 2018