

**To Councillors: J Aldridge, A Baker (Chairwoman), S Compton, B Cummings, M Gemmell Smith (Vice-Chairman), C Jacques, A Layland, S McGregor, J Streets, S Sumner.**

Notice is hereby given of an Open Spaces Meeting to be held in Rickards Hall on 3 June 2024 at 7:30 pm, which Councillors are summonsed to attend.

Town Clerk  
29 May 2024

To assist in the speedy and efficient dispatch of business members wishing to obtain factual information on items included on the Agenda are asked to enquire of the Town Clerk prior to the day of the meeting.

Council Meetings may be recorded. Any person intending to make recordings is advised to notify the Clerk in advance so that appropriate arrangements can be made

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# Meeting Papers & Report

## 1 **Elections of Chairman and Vice Chairman for the ensuing year**

### 1.1 **Election of Chairman**

### 1.2 **Election of Vice-Chairman**

## 2 **Apologies for Absence**

## 3 **Declarations of Interests, or Predeterminations**

The disclosure must include the nature of the interest. If an interest becomes apparent to a member during the course of a meeting that has not been disclosed under this item, the member must immediately disclose it.

## 4 **Public Questions**

Members of the public, and Members with prejudicial interests on items on the Agenda, may make representations, answer, ask questions and give evidence at this meeting in respect of items on the Agenda. (This is the only opportunity for the public to make a contribution during the meeting.) Both public and Members are limited to three minutes each to speak, and the total time allocated for public questions shall not exceed 15 minutes unless directed by the Chairman of the meeting.

## 5 **To receive and sign minutes of the Open Spaces Committee 15 April 2024 - 2023-045/01-7**

 Open Spaces | 15 April 2024 v.1 - Minutes (Pages 2023-045/1-7)

## 6 **To Receive Analysis of income and expenditure April & May**

Attached is a copy of the income and expenditure for the first two months of the financial year (April, May). To note:

3145 - 30 year maintenance plan: some of the UKPN costs have been processed to enable the replacement column programme

3070 - OS Vehicles: includes vehicle insurance paid £2,287.85; diesel delivery for the tractor £1,192; tractor service; examination of old Kubota.

311 - market rents: are processed on iZettle and transferred to Edge with reconciliation yet to be done; est income £1,500

### **Do Members have any further comments?**

 Annex 1: 240529 OS Financial Comparison.pdf

## 7 **To Ratify Operational Decisions for Open Spaces Activity**

The following decisions, and expenditure have been made in consultation with the Chairman of the Committee:

- Replacement waste bin for Cemeteries expenditure £619.99 plus vat. New location outside cemetery gate
- Urgent tree felling Stangrove Park £800 plus vat. The 2-yearly tree inspection identified a tree for felling due to disease; works carried out early May
- Marsh Green village picnic - hiring of Marsh Green for 5 May (bank holiday weekend)
- Picnic bench, Stangrove Park - replacement slates (all) £327.98 plus vat
- Replacement skate ramps £590 (part of 10-year maintenance programme)

**Members to confirm and ratify the above operational decisions?**

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**Correspondence**

8.1 **To receive a resident's request to consider permitting them to metal detecting at Council sites**

A resident has approached the Council asking if he could have permission to do metal detecting at Council owned open spaces; this would be surface detecting and would not dig or remove any ground surface. They understand Byelaws and concerns, hence requesting Committee to consider on individual case(s).

Extract from the new Model Byelaws approved by Committee, awaiting DLUHC confirmation:

**Metal detectors**

39. No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

**Protection of structures and plants**

4. (1) No person shall without reasonable excuse remove from or displace within the ground: (a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.

NB: Current byelaws item 4 above covered in item 18.

**How do Members want to consider?**

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**Cricket Club, Blossoms Park**

9.1 **Request to permit a commercial waste container**

As the Cricket Club pavilion gets ever greater usage, it is generating more rubbish than it used to. The Club has been looking into the options for commercial waste collections. The best option found is via a broker called Waste Managed. They will supply a 660litre wheelie bin for rubbish and recycling, plus a 240litre wheelie bin for glass bottles. The bins would be collected fortnightly and they need to be stored within easy reach of the road, the most obvious place being the public car parking area by the entrance to Blossoms. The Club has checked with Waste Managed and they confirmed that their lorry will reverse into Blossoms to empty the bins from the car park.

For this option to work, the Club need permission from the Town Council to store the two bins within that parking area, probably tucked up close to the metal boundary.

Just for background, the commercial waste option from Sevenoaks District Council is slightly cheaper than Waste Managed but Sevenoaks does not collect glass or plastic for recycling, so unfortunately it's a poor alternative as too much of the rubbish would be wasted rather than recycled.

**Do Members support to allow the Cricket Club to have two commercial waste bins sited just off the car park?**

9.2

**Request for a Memorial Tree at Blossoms Park**

At the annual Lease meeting, the Club raised a question about memorial trees at Blossoms Park. The Club President, would like to have a tree planted at Blossoms in memory of her late husband who had been a long term member of the club, as well as a former Chairman & Captain. Ideally this would be a Beech Tree. The Club are aware that that trees with berries have not been permitted previously, but ask for consideration for a Beech tree. They are happy to be guided by Committee and location.

**Do Members permit a memorial tree at Blossoms Park, in memory of its late Chairman and Captain? If so, would permission for a Beach tree be given? If not, could guidance be given to the type of tree.**

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**Head Groundsman's Report**

Routine seasonal work:

- Grass cutting, all sites
- Weed treatment
- Maintaining planters through town, including Doggetts Barn, and flowerbeds in cemetery
- Topping up sunken graves
- Rose pruning
- Flail mowing water meadows and town field

The team have been taking down the football goals at the recreation ground and re seeding the worn areas on all of the councils football pitches.

After the unfortunate felling of a tree in Stangrove park that had been condemned as dangerous, the team have spent some time distributing the left over wood chip across our beds and planters as a weed suppressant.

The pitch decompaction finally took place in the week commencing the 29/05 at both the Recreation Ground and Mowshurst. The ground being slightly firmer isn't a bad thing as this will aid in breaking up the soil profile and also with aerating the ground.

The team spent some time building brush piles in the millennium wood. We will continue to top these up in the coming months with a view to creating habitat for bugs and smaller animals.

Two new bins have been installed. One in the Market Yard car park, and the other in Stangrove park.

The team have now planted the summer plants in the planters through the town and in the courtyard at Doggetts Barn.

**Items for the future:**

The new ride on mower (Kubota) approved at the last meeting has now been ordered and should be arriving within the next 2 to 3 weeks. The pedestrian mower approved has already been delivered and is being put to work. Many thanks for your support on this.

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**Open Spaces Business**

The Open Spaces Officer vacancy is currently advertised with a recruitment agency and it is hoped interviews will be taking place first couple of weeks in June. The Town Clerk and Head Groundsman continue to monitor and implement necessary works, with help of office staff and minutes officer (temp).

**Children's Fun Fair (24 May - 2 June):** The company running the Children's Fair have maintained contact with the office and liaised with the groundstaff re access. Currently, there have been no issues, and they have been accommodating with arrangements to protect the ground at Stangrove Park. They have also agreed to help with the D-Day commemoration event providing a chip van, refreshments, and just a couple of inflatables.

**Flower Baskets for High Street:** Amethyst delivery of these 30 May.

**Mill Leat:** We have an arrangement with the property owner of 92a (Tanyard Cottage) to provide the water for the Mill Leat. There is a separate meter to read water usage which is provided with a copy of the bill which Council then pays. Recent months rain or the Ground staff have filled the Mill Leat. The property has recently been sold, and the new owner has been in touch. Electrics for the pump are with the Tattoo shop.

**Pavilion replacement windows and new electric shutters update:** The contract has been confirmed, necessary electrical works have been carried out (approved by Council), the aluminium doors and window frames, and shutters ordered - they will be pine green. Works are scheduled to take place 1-15 July. (The guttering and pipework will need repainting; this will be costed and presented to Council).

**Seesaw replacement, Stangrove Playground:** Approved September and April Committee. New replacement glow worm seesaw and wetpour surfacing has been ordered - 8 week lead time. (Reminder cost £3,595.65 funded through the 30-year maintenance; £5k annual allowance for equipment replacements.)

**Saturday Waste Freighter collections:** The next collection is 22 June. SDC has been contacted regarding the issues in February - a combination of advance fly-tipping (particularly Spitals Cross), and/or delayed pick-up due to quantity of materials filling the freighter, and delaying collection times whilst it had to empty and return. SDC has replied that they will have two freight vehicles this time and continuation with the same four locations: Church Street (9.15-9.45 am), Skeynes Road (10.00-10.30 am), Stangrove Park (10.45-11.15), and Spitals Cross (11.30-12 noon). However, SDC has suggested that ETC has someone at each location in advance to see if there is any waste left from the night before and to ensure people stay with their waste. The bulky waste collections will be advertised from this week.

**Tree Survey - 2-yearly report:** In April the company who carried out a survey of all trees on Council sites was done. The full report is still awaited, but we were notified of one diseased tree requiring urgent felling - this work has been completed.

**Re the bulky waste collections, are there any councillors who can attend any of the of collection sites to monitor and prevent potential fly-tipping?**

11.1

**To receive the Burial Report**

Burials and ashes for:

April 3 burials; 3 ashes

May: 1 burials; 2 ashes (1 of these is date tbc)

Cemetery queries ranging from Grant of Right questions; memorials and Wall of Remembrance plaques; research on family members in the cemeteries; are ongoing.

11.2 **To receive an update on memorials in cemeteries which are not compliant with memorial regulations**

**Outstanding Memorial issues:** The office is in the process of preparing and sending out letters to Grant of Right (GOR) holders with memorials who are in breach of the memorial regulations having expanded the permitted size, area, and/or placed photos, badges, artificial flowers/plants and other items. This has been an ongoing matter since September, with work paused due to staff shortages and other projects. Information has been sent to the Council's solicitor to also assist with advice on certain issues.

Notices are on display in the cemeteries to advise artificial flowers are not permitted and will be removed. The new notice board signage we plan to proceed with over the summer period.

**Do Members have any further comments?**

11.3 **Allotment matters**

11.3.1 **Allotments updates**

**Forge Croft Allotments:** the renewals and new tenancy agreements have been issued by the Edenbridge Allotment Gardens Association (EAGA).

**Swan Lane Allotments:** the renewals and new tenancy agreements have been issued and returned, with the exception of one person and notice to vacate has been issued. There is a waiting list, and so this plot is likely to be filled quickly.

**Agreement between the EAGA and Council** has been finalised with both parties agreeing the document. This was being presented to the EAGA's AGM and I am still awaiting confirmation.

**New Community Group** (2 plots) at Forge Croft site: Committee and the EAGA have agreed to pilot this initiative. The Group has completed the tenancy agreement and provided its public liability insurance, risk assessment, and details for managing volunteers. I have had a conversation with the lead person about safeguarding policy and expectations, a draft policy has been provided. The Group is now being overseen by the Plot Officer.

11.3.2 **To receive a request to keep ducks**

A plot holder Forge Croft Allotments has asked if Committee could give consideration to them keeping ducks. This tenant currently has chickens and is looking to add ducks. They currently use a patch of land not suitable for an allotment plot.

The current Tenancy Agreement (reviewed February 2024) says: no. 8. During the tenancy, the Tenant shall:

(c) not keep livestock or poultry on the Allotment Plot other than reasonable numbers of hens or rabbits which shall not be kept for a business or a trade;

(f) not, except for buildings or structures which are reasonably necessary for the keeping of hens and rabbits referred to in c) above, erect a shed, greenhouse, or other building or structure on the Allotment Plot, other than in accordance with the Council's Temporary Structures policy.

Powers of councils in relation to the provision of allotment, does allow councils, subject to the provisions of the Small Holdings and Allotments Act 1908 and 1950, it may make such rules as appear necessary or proper for regulating the letting of allotments. The 1950 Act says:

## **12. Abolition of contractual restrictions on keeping hens and rabbits.**

*(1)Notwithstanding any provision to the contrary in any lease or tenancy or in any covenant, contract or undertaking relating to the use to be made of any land, it shall be lawful for the occupier of any land to keep, otherwise than by way of trade or business, hens or rabbits in any place on the land and to erect or place and maintain such buildings or structures on the land as reasonably necessary for that purpose:*

*Provided that nothing in this subsection shall authorise any hens or rabbits to be kept in such a place or in such a manner as to be prejudicial to health or a nuisance or affect the operation of any enactment.*

Looking at the National Society of Allotments & Leisure Gardeners it says: Other livestock - If you are considering keeping any other livestock please ensure that it is permitted by your allotment authority and keep up to date with current concerns about disease [www.gov.uk/government/organisations/animal-and-plant-health-agency](http://www.gov.uk/government/organisations/animal-and-plant-health-agency)

The EAGA have also tried to research if ducks are permitted, and have found only that, it looks as if all livestock was originally prohibited but later legislation lifted the ban on hens, bees and rabbits. After looking at the websites of other Councils and the National Allotment Association it would seem to be rather hit and miss across the country and very much at the discretion of each Council. The EAGA has said that in principle it would have no objection, but it is a decision for the Council.

### **How do Members want to proceed?**

11.4

#### **To receive an update on the Annual Works Programme**

##### **The annual works programme includes:**

**Weed selective spraying** - sports pitches specific: for council open spaces (Nomads, Blossoms Park, Recreation Ground). Budget had allowed £1,610 actual quote £1,650. These works have been booked for June.

**Playground Inspections:** Blossoms Park skate park; three playgrounds (Recreation Ground, Marsh Green, Stangrove Park). The playground at Spitals Cross will depend if SDC are ready to remove the items (and awaiting the new location). Budget allowed £350 (£70 per inspection).

**Skate park repairs** - replacement sheets (£6,393 budgeted). Repairs per sheet quoted at £324 plus vat. Currently need two (maybe three) replaced. Fearless Ramps will attend and repair as need. Booked for June.

**High Street street furniture 4-year repaint** (£4,959 budgeted). Quote £6,270 plus vat. This would be an over spend of £1,311. NB: the budgeted figure would have been based on 2019/20 cost.

**Interim tree works** - we are awaiting the 2-year tree survey report and will then ask the Tree Surgeon (RWE) to quote for these works. Budget has allowed £5,710. We have had emergency tree works already cost £800, remaining budget £4,910.

#### **Are Members satisfied to continue with the above planned annual works, and approve the overspend on budget for the four-yearly street furniture repaint?**

Works on the annual schedule but for later in the year, will be reported back to future committee:

Blossoms Park - skate park chainlink fencing replacing. Budget £5,600

Playground repairs following playground inspection report. Budget £691

Pitch decompaction, verti-drain and sandslit works usually in the autumn, also will be part of PitchPower works. Budget £2,311 (costs will be higher but we do have PitchPower grant). Some works were carried out in March, having been delayed due to weather.

### **Do Members have any questions?**

11.5

#### **Vandalism report**

Bin at the cemetery misuse so was removed. Replacement, new style ordered.

Bin at the Rec, missing lid - had a spare so replaced.

Picnic bench, Stangrove Park - set alight. All slates table and bench damaged beyond repair; frame cleanable. Replacement slates ordered; cost £327.98 plus vat

11.6

#### **Byelaws update**

The Department for Levelling Up, Housing and Communities (DLUHC) confirmed receipt in February and raised a couple of questions, which I have responded to and confirmed the Town Council owns (some are on long leases and two the Council are sole managing trustee) and maintains all sections of land referred to in the draft proposed byelaws. Therefore, the application is being made under powers in both section 164 of the Public Health Act 1875 and sections 12 and 15 of the Open Spaces Act 1906.

We have been asked to submit an accompanying report summarising Council's reasons for the updates and the processes undertaken in preparing the revised/updated Byelaws. Once this has been submitted, hopefully the byelaws will be confirmed.

11.7

#### **Gardening Competition**

The Competition is open, with several entry forms already collected from the office, but entrants can also complete the online form via the website. The competition is advertised in the Council's newsletter in the Edenbridge magazine, noticeboards, Council's website and Facebook.

Neil Miller, Head Gardener for Hever Castle is our guest speaker and present the prizes to the winners at a special afternoon awards presentation on Monday 2 September, 4.00 - 6.00 pm. The Community Warden (CW) and Planning and Admin Officer (P&AO) have secured some fabulous prizes including days out at Penshurst Place, Wakehurst Place, cinema tickets and other local attractions as well as some vouchers.

This year's Edenbridge Garden's In Bloom competition categories are: allotment, front & back garden, youth/school groups, young gardener, window boxes & hanging baskets, and the strangest/unique space to create a colourful display. Closing date for entries 12 July.

Judges are: Cllrs Baker, Layland and McArthur.

Please confirm to Debbie if you can attend the award presentation.

11.8

#### **Summer Family Fun Days**

Family Fun Days are run by Play Place, one session is funded by SDC and three funded by the Town Council. Activities provided include everything from crafts and games to sports and face painting in a friendly, safe environment for children up to 12-years old, and must always be supervised by a parent or guardian.

The Town Council is also funding an extra activity, we have invited back Mr Hiccup as is very popular with the children with his magic and balloon modelling.

Dates for Edenbridge, Thursdays in August, 2.00 - 5.00 pm Stangrove Park: 1st (with Mr Hiccup); 8th (funded by SDC); 15th, and 22nd. Details will be published in due course and included in the newsletter (Edenbridge Magazine).

11.9 **Site visit/inspection date**

Proposed date for open spaces walkabout, Tuesday 10 July, 10 am meet at the Recreation Ground Pavilion.

**Can Members confirm they are available to attend?**

11.10 **Kent FA Grass Pitch Maintenance Fund award for Mowshurst**

In April Kent FA emailed to advise the Town Council is eligible for a 6-year grant to the value of £25,600 for the pitch improvement works at Mowshurst, following soil samples and forms submitted by the Head Groundsman. I have now completed the Grass Pitch Maintenance Fund application, and await confirmation of the award. The funding allocation is as follows:

	Grant	Applicant Contribution	Total	%
Year 1	£6,400.00	£-	£6,400.00	100%
Year 2	£6,400.00	£-	£6,400.00	100%
Year 3	£4,266.69	£2,133.31	£6,400.00	67%
Year 4	£4,266.69	£2,133.31	£6,400.00	67%
Year 5	£2,133.38	£4,266.62	£6,400.00	33%
Year 6	£2,133.38	£4,266.62	£6,400.00	33%
<b>Total</b>	<b>£25,600.13</b>	<b>£12,799.87</b>	<b>£38,400.00</b>	<b>67%</b>

The Council already carries out some maintenance works which would cover this over the 6-year period, and council contribution. However, it may be that some specialist works when quoted may require further Council contributions. The Kent FA /PitchPower report was too large as an attachment, (circulated separately). The grant which will be managed similarly to the Recreation Ground award.

**Do Members have any questions?**

11.11 **Market Yard car park - surface and drain repairs expenditure £680**

There is a sunken drain and cracked tarmac surround in Market Yard car park. To repair this, the tarmac needs to be cut around the drain and rebuild under the drain to correct the height. The area would need to be closed for 5-days to allow the area the materials to cure.

**Do members approve the expenditure of £680 plus vat for repair the sunken drain and tarmac?**

11.13 **Stangrove Park: to consider a planting programme**

There has been some discussion in the past to perhaps have some colour at the front of Stangrove Park, as the towns signature park. However, this hasn't happened for a number of reasons including ongoing running costs and groundstaff time. The Office, Community Warden and Head Groundsman have been thinking about a couple of flower beds, possibly raised or flat which could be planted with some perennial and annual plants, as well as some bulbs.

The Head Groundsman and team could create a suitable area at the front area to the park, near the railings, which the Community Warden and volunteer bulb planters could also help to maintain. This would be low cost to create, the plants could be funded from the hanging baskets budget surplus (£503); and if needed soil/compost/peat and additional costs funded by small projects or Open Spaces materials which has an allowance for planting. In addition, the Community Warden usually applies for a grant from the Great Stone Bridge Trust for bulb planting.

### How do Members want to proceed?

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## Streetlights maintenance plan and works update

12.1

### Update on proposals for 2024-25 replacement programme

**2024-25 replacement programme (budget £45k):** Committee has confirmed the streetlights for replacement; including removing number 55 (outside Elmwood) Four Elms Road as exceeded budget. In the meantime, the Town Clerk has spoken to Streetlights and it has been agreed to remove number 51 which is in the layby Four Elms Road, as is right where the new development site is. 126 Marsh Green Road is a pole box and not a column so there is no UKPN costs, saving £3,922. Replacement programme is now:

Column No.	Road	UKPN costs £	Streetlights £	Total £
25	Church Street	1,707	1,300	3,007
111 (A&B)	MYCP	2,695	2,050	4,745
109	MYCP	2,596	1,300	3,896
31	Croft Lane	2,697	1,300	3,997
32	Croft Lane	1,511	1,300	2,811
33	Croft Lane	1,511	1,300	2,811
117	Marsh Green Road	1,489	1,300	2,789
118	Marsh Green Road	2,574	1,300	3,874
120	Marsh Green Road	3,922	1,300	5,222
122	Marsh Green Road	1,634	1,300	2,934
126	Marsh Green Road	0	1,300	5,222
85 Pole box	Lingfield Road	0	610	610
87 Pole box	Lingfield Road	0	610	610
<b>TOTALS</b>		<b>22,336</b>	<b>16,270</b>	<b>38,606</b>

2024-25 programme now looks to have a saving/surplus of £6,394. **Do Members want to consider further LED conversions (est. cost £350 each, would allow for up to 18), or transfer the excess to earmarked reserves for 2025-26 replacement programme?**

**2023-24 programme outstanding** - columns 137 (damaged in RTA December 2022) and 139 Mill Hill: UKPN had attended site to carry out the works, but were unable to proceed. These works are in the process of being rescheduled.

**Insurance claim:** The outstanding claim for the damaged streetlight (137) following a RTA December 2022 is still with the insurance company. The claim is for a paid invoice for KCC emergency attendance and UKPN to isolate the power £1,775.27; plus the costs (quotes) from UKPN and Streetlights to reconnect these.

### Do Members have any questions?

14

**Assets: Benches from the old War Memorial Hospital**

The Council owns/has on its assets register two benches which were at the War Memorial Hospital:

- Coronation bench (King George) – all metal, green, located at the front and could be seen from the road
- 1918 War ending – black metal with soldier and poppy.

The new Medical Centre were under the impression that the black bench with soldier and poppies was donated by the Friends moved to tits memorial garden; they now know that this was not the case and is Council owned. The other bench remains at the old hospital site.

**Are Members happy to donate the 1918 War ending memorial bench the new medical centre, and thus remove from its Assets register?**

**Where do members want to site the Coronation bench? Do Members want to nominate a new location, or to store until the location of the War Memorial is confirmed and place with?**

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**News Release**

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**Date of next meeting - 22 July**