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To: Members of the Amenities Committee

Mr J Bennett

Vice Chairman

Mr B Uglow

Mr R Guy

Mr A Wade

Mr G Jones

Mr M Wade

(ex officio)

Mrs M McLean

Chairman

Mr D Smith

(ex officio)

Mr M Short

and remainder of the Council for information

AGAME136

31 March 2009

Members of the Amenities Committee

are hereby summoned to attend the **AMENITIES COMMITTEE** to be held in **The Grove, 25 St John's Street, Hythe on Monday next, 6 April 2009 at 8.00pm**

Yours faithfully

Clerk to the Council

AGENDA

1. Apologies for absence.
2. To sign the Minutes of the meeting held on 9 February 2009.
3. To note any declaration of interest made by Members in connection with an Agenda item. The nature of the interest must be specified.
4. Public Participation Period.
5. Notification of any other urgent business to be raised at the end of the meeting.
6. Vandalism Report 23 January 2009 – 20 March 2009 - To receive and note the Report.
7. Licences – to review the Council's policy. (Minute no. 101/05 refers)
8. Young Sports Person of the Year Award 2009 – Update (Minute 356/08 refers)
9. Forest Front Nature Reserve – update on maintenance works.
10. Replanting – to note an update.
11. Tree Management Scheme - to note an update.
12. Any other urgent business concerning this committee.



HYTHE AND DIBDEN PARISH COUNCIL

AGENDA NOTES

AMENITIES COMMITTEE – 6 April 2009

Item 6 **Vandalism Report – 23 January 2009 – 20 March 2009 – To receive and note the report.**

The following is a list of vandalism suffered for the period shown.

Beechwood Way Pond

The Life buoys have been thrown into the pond twice during this period. On each occasion they have been replaced.

Cost to the Council £20.00

Forest Front Skate Park

A section of fencing surrounding the skate park was damaged by persons unknown. The rails were removed and replaced with new timber.

Cost to the Council £19.75

Forest Front Open Space

A large amount of fly tipping was removed from the public open space.

Cost to the Council £30.00

Ewart Recreation Play Area

Two safety end caps have been removed from the Low Rider. Both caps have been replaced from stock.

Cost to the Council £20.00

Jones Lane Skate Park

A section of safety barrier was removed from one of the ramps. The barrier was bolted back into place.

Cost to the Council £20.00

Graffiti

Graffiti was spray painted on the swings at **Forest Front**, the dog bin at **Fern Hill** and the safety barriers at **Noads Way Play Area**. All the graffiti has been removed.

Cost to the Council £20.00

The total confirmed cost of vandalism for the period shown is £129.75

Comparison

The Total cost of vandalism for this financial year is £3728.12 compared to £2430.50 in the previous financial year and £2648.90 for the financial year 2006 / 2007

Members are asked to note the report.

Item 7 Licences- to review the Council's policy (Minute no.101/05/ refers)

Prior to 2005 the Parish Council granted licences (sample copy attached) to some householders enabling them to enter onto parish council public open spaces directly from their property. The licences which were renewable every seven years provided the Council with legal protection from householders claiming a Right of Way.

Licences were issued to residents whose properties abutted Noads Way Recreation Ground, Ewart Recreation Ground, Langdown Lawn Open Space and at Highlands Way. The Licenses at Noads Way were revoked in 2002 as part of the Noads Way Play Area redevelopment which included the locking of the recreation ground at night, therefore it is suggested that this area is excluded from the review.

In 2005 and following a routine inspection by Officers, concerns were raised about accesses from properties in Highlands Way. The issue surrounded the proximity of resident's gates to the stream which runs at the back of the properties through parish council open space. The concerns are still current and therefore it is suggested that Highlands Way is also excluded from the review.

Further concerns were raised about the condition of some of the access paths in Langdown Lawn Open Space and Ewart Recreation Ground leading from properties onto the open spaces. The defects could have resulted in an increased liability for the Council should an accident occur. Following the receipt of legal advice on the matter the Council decided to withdraw the privilege of issuing licences. All current licences would be allowed to run until their expiry dates.

During 2005 letters were sent to licence holders informing them of the decision. A number of licence holders were unhappy and the decision was formally challenged. Members subsequently upheld the decision (Minute number 101/05 refers) and a policy was adopted (copy attached).

A number of licences have expired since then however a number are due to expire over the next twelve months or so.

Residents local to Langdown Lawn Open Space have gathered a petition which has 72 signatories. The petition states;

"We the undersigned, object most strongly to the decision of Hythe and Dibden Parish Council not to issue licences, or renew existing licences, permitting access to Langdown Lawn Open Space. We also object to the obligation to remove gates from properties and reinstate boundary fences and hedges. We feel that the Parish Council has with regard to liability could be resolved by a clause in the licence stating that entry into Langdown Lawn open space from the rear of a property would be at one's own risk".

A few of the petitioners have licences granted by the Council. In addition 4 residents have written to the Council raising objections (letters attached).

In response to the residents concerns further up to date legal advice has been sought and is attached for information. As a way of gathering further information the views of some other local authorities across the district have been sought.

New Forest District Council issues licences to residents whose properties abut public car parks at a cost of £103.00 for a five years plus an administration charge of £50.00. One Authority does not issue any licences and has a policy in place. The final Authority does not issue licences however it does write to

householders who have a gate next to a public open space stating that the Council will not give the resident "Right of Way". An up to date copy of the letter should be resent to the property at least once every 20 years in order to prevent the householder from claiming a legal Right of Way.

If Members decide to allow the practice of reissuing licences it may be possible to include visual checks of any licensee's access pathways into the current open space and boundary checks which are carried out on a regular basis by Officers. Any defects which are noticed can be remedied in a short period of time in consultation with the licensee. Clause (2d) of the current licence already places the responsibility to repair any damage caused to Council land on the Licensee.

Members are asked to consider whether or not to amend the current Licence and Lease Policy Statement to allow the re issuing of Licences.

If Members decide to amend the policy it is requested that consideration be given to an appropriate cost and length of time of a licence. Prior to revoking the issuing of licences the cost was £7.00 for seven years plus an administration cost of £3.00. At present the Council charge £7.00 for seven years and a £15.00 administration charge to renew a Lease.

Item 8 Young Sports Person of the Year Award 2009 (Min no. 356/08 refers)

Yasmin Chalmers was chosen as this years Young Sportsperson of the Year and was presented with a trophy and prize at the Annual Parish Meeting.

Item 9 Forest Front Nature Reserve – update on maintenance works

During February and March the following works were carried out in partnership with Natural England.

- Willow and scrub removal from the small pond
- Vegetation clearance and channel widening of the small pond
- Scrub removal from heath land
- Mulching of gorse and scrub
- Scraping of vegetation

The work was carried out to help promote heather regeneration and to create suitable ground conditions for Coral Necklace to grow. All of the work has been agreed with the Hampshire Fire and Rescue Service as part of the partnership working arrangement work taking place with the Arson Forum. All works carried out are in accordance with the Wildlife Enhancement Scheme Management Agreement for this land.

Members are asked to note the report.

Item 10 Tree and shrub planting – to note an update

Members will be aware that the Council has been carrying out a tree and shrub planting programme with local schools. Currently sessions have been attended by school children of Hythe Primary and Oak Lodge Schools together with Members of this council. Replanting has taken place at Hythe Primary School and Tates Copse Open Space.

Further sessions are planned with the children of Wild Ground Junior School and are to take place in the school grounds. In addition a planting session is scheduled to take place at Noads Way Play Area with children from Orchard School as part of the creation of a butterfly garden. (A report to update Members

on the butterfly garden project will be presented at the next meeting of this committee).

So far in total 54 large trees, 25 small trees and 80 shrubs have been planted at the 7 planting sessions.

An article including photographs will appear in a future edition of the Parish Picture.

Members are asked to note the report.

Item 11**Tree Management Scheme**

The next phase of the Tree Management Scheme has been completed by the councils approved Arboricultural Consultant. Trees located in the following areas have been inspected for health and safety. A summary of the results is attached.

- Tates Copse
- The Grove garden
- Mullins Lane closed section
- Orestone Copse
- Purlieu House sector 3
- Sandford Park

The estimated cost to carry out the remedial works is £3910.00 and the work will be completed in the early part of this financial year.

Members are asked to note the report.

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