

# BORDEN PARISH COUNCIL



All members of Borden Parish Council are summonsed to attend the Full Council meeting of Borden Parish Council to be held on **Thursday 15<sup>th</sup> February** in the Pavilion, Wises Lane at 7 pm

Teresa Millum

Teresa Millum, Parish Clerk clerk@bordenparishcouncil.gov.uk

9th February 2024

## **A G E N D A**

### 133. APOLOGIES FOR ABSENCE

### 134. DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS

### 135. CHAIR'S ANNOUNCEMENTS

### 136. TO APPROVE FOR SIGNATURE:

The minutes of the Parish Council meeting held on 18<sup>th</sup> January 2024 (Appendix A).

### 137. PUBLIC PARTICIPATION SESSION – The period designated for public participation at a meeting shall not exceed 10 minutes unless directed by the chairman of the meeting, a member of the public shall not speak for more than 3 minutes. A question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

- Police/PCSO.
- Parishioners.
- County/Borough Councillors (a written report must be submitted three days before the meeting).

### 138. FINANCE

- To approve the accounting statement and reconciliation for January 2024 (Appendix B).
- To note the payment list for December showed a payment due to EDF of £8.22, instead the normal direct debit of £13 was taken. The January payment list showed a payment due of £21, this was also not taken due to the changeover in tariff. The £ 8.22 debit is now included along with a credit of £30 (a gesture of goodwill for missing an appointment), in the payment of £30.25 due to EDF due on or after 19<sup>th</sup> February.
- To approve the following BACS list of accounts for payment in February 2024.

Payee	Budget	Description	Gross	VAT	Net
Staff	Payroll	Staff salary	£ 994.02	n/a	£ 994.02
Staff	Expenses	WFH allowance	£ 29.05	n/a	£ 29.05
HMRC	Payroll	PAYE	£ 310.50	n/a	£ 310.50
Treecraft	Tree Maintenance	2nd installment of 4	£ 2,200.00	n/a	£ 2,200.00
Fryer Cleaning & Maintenance	Centenary & Memorial Gdns	Maintenance	£ 426.00	£ 71.00	£ 355.00
Kings Commercial	Open Spaces	Toilet Cleaning (11/Nov - 11 Dec)	£ 173.33	n/a	£ 173.33
J England	Health & Safety	Playstool insptctions	£ 60.00	n/a	£ 60.00
Lumley Designs	Event Planning	Coronation oak tree plaque	£ 170.00	n/a	£ 170.00
<b>Total BACS payments</b>			<b>£ 4,362.90</b>	<b>£ 71.00</b>	<b>£ 4,291.90</b>
Direct Debits	Budget	Description	Gross	VAT	Net
Waveney IT	IT Costs	Monthly Mailbox charge	£ 18.17	£ 3.03	£ 15.14
Hugo Fox	Office	IT Support - Website	£ 11.99	£ 2.00	£ 9.99
O2	Office	Mobile	£ 13.20	£ 2.20	£ 11.00
EE	Office	Broadband	£ 19.20	£ 3.20	£ 16.00
EDF energy	Electricity -Feeder pillar	Electric	£ 30.25	£ 2.48	£ 27.77
N Power	Electricity - Unmetered supply	Electric	£ 175.33	£ 8.35	£ 166.98
Lloyds Bank	Admin	SD	£ 758.02	£ 125.85	£ 632.17
<b>Total DD payments</b>			<b>£ 1,026.16</b>	<b>£ 147.11</b>	<b>£ 879.05</b>
Credit Card Payments	Budget	Description	Gross	VAT	Net
Euroloos	Toilet servicing	1st Dec - 31st Dec	£ 159.44	£ 26.57	£ 132.87
Defib Store Ltd	Health & Safety	Defib pads for The Maypole	£ 80.40	£ 13.40	£ 67.00
Amazon	Office	Stationary - general	£ 66.24	£ 11.05	£ 55.19
John Lewis	Office	Stationary - Cartridges	£ 86.99	£ 14.50	£ 72.49
Moonpig	Administration	Chairs Allowance	£ 5.14	£ 0.86	£ 4.28
Euroloos	Toilet servicing	Credit for missed December service	£ 108.00	£ 18.00	£ 90.00
Defib Store Ltd	Health & Safety	Defib pads for the Pavilion	£ 145.20	£ 24.20	£ 121.00
Eco Green Communities	Open Spaces	General Maintenance - Dog waste bags	£ 88.20	£ 14.70	£ 73.50
Euroloos	Toilet servicing	1st Jan - 31st Jan	£ 123.41	£ 20.57	£ 102.84
Lloyds Bank	Credit Card Charges	Monthly fee	£ 3.00	n/a	£ 3.00
			<b>£ 758.02</b>	<b>£ 125.85</b>	<b>£ 632.17</b>

# BORDEN PARISH COUNCIL

- d. To note the precept of £75,687.40 for 2024/25 agreed by the Parish Council at the January meeting will equate to an increase of £1.32 per week for an average Band D property.
- e. To consider the 2024 contract renewal for the Playstool maintenance.
- f. To consider quotes for the annual Playstool, Woodland Area, and Nature Reserve tree survey.

## 139. BUSINESS ITEMS

- a. The Neighbourhood Plan Steering Group's Terms of Reference require a minimum of two Cllr's, and there is currently only one. To consider a second Cllr to join this group, volunteers to confirm their interest at the meeting.
- b. To review and agree to the Terms of Reference for a new Community Travel Working Group.
- c. To agree members of the Community Travel working group which was agreed in January under item 154e.
- d. To review and agree to the Terms of Reference for the new Designated Nature Reserve working group as agreed in January item 155a.
- e. To review and agree to the Anti-Fraud and Corruption Policy, which is a requirement of the Community Ownership Fund Grant.
- f. To review and discuss the NALC guidance for Parish Council Meetings, in relation to the Parish Council's current committees and working groups.
- g. To consider any further items for the next Borden Broadside.

## 140. COMMITTEE AND WORKING GROUP UPDATES

- a. Wises Lane Monitoring & Liaison Group update (attachment 1)
- b. New Build Playstool Convenience Committee update.
- i. To consider and agree on the sum of £10,575.00 from the s106 Playstool fund to form part of the 20/80 match funding along with the £7,000.00 SBC grant.
- c. Neighbourhood Plan Steering Group update (attachments 2 & 3)

## 141. OPEN SPACES

- a. To receive an update on the request to have bins installed at the junction of Wrens Road and Hearts Delight and also beside the dog bag dispenser at Maylam Gardens.
- b. To receive an update on the location for the bench being considered at Maylam Gardens (attachment 4).
- c. To receive an update on contact made to Swale Environmental to protect a hedgerow near the Wises Lane Development.
- d. To receive an update on a potential new defibrillator from the British Heart Foundation (BHF), including installation costs and suggested locations.
- e. To consider and agree on a date to plant the Coronation Oak tree during March, and how this will be achieved.
- f. The Parish Council has signed up to Making Space for Nature. LNRS would like feedback to understand if they are reviewing the priorities against the right considerations. Does the Parish Council wish to give any feedback.

## 142. HIGHWAYS

- a. To receive an update from the Highways Working Group (attachment 5).
- b. The following six recommendations for proposals are made by the Highways Group to the Full Council.
  - i. Wises Lane Closure by Coinford from 18<sup>th</sup> March;-
    - **Proposal 1** - The Parish Council writes to Kent County Council with the following points included, and posts the letter on the Parish website and Facebook page.
      1. Consider that the TRO may not be lawful.
      2. The road Closure completely shuts the connection between Lower and Upper Borden for an unreasonable period.
      3. We understand the benefits to the developer of the joining of two separate sites for the moving of materials and machinery.
      4. What is the reason the work cannot be operated under a 2-way traffic control system.
      5. Could they have direct liaison with the other utility companies so that the road is not closed again at a later date, as has been seen on other parts of Wises Lane in recent times.
    - **Proposal 2** - The Parish Council copies the letter sent to KCC to Kent County Councillor Mike Baldock.

# BORDEN PARISH COUNCIL

- ii. The Proposed 20 mph speed limit consultation;-
  - **Proposal 3** - The 20 mph speed limit as outlined in the resident's consultation is progressed via the Highways group with KCC. The Highways Group reports back to the Full Council with progress and for agreement on decisions and costs.
  - **Proposal 4** - A response to all of the residents who responded to the 20 mph consultation is placed in the next edition of the Borden Broadside. This will include the recommendations and rationale for dealing with other pertinent resident suggestions.
- iii. Environmental Land Management schemes and grants;-
  - **Proposal 5** - The Parish Council writes to KCC to understand what steps KCC has taken to work with landowners to utilise the DEFRA Environmental Land Management schemes and grants to ameliorate flooding, reduce pollution and enhance the environment on land adjacent to highways.
- iv. The 6' 6" width restrictions through Borden;-
  - **Proposal 6** - The Parish Council writes to KCC Highways for the area of width restrictions and where it starts in Borden. This information is to understand if there is a legal right, and if not how to enforce it.

## 143. CORRESPONDENCE

- a. To consider a resident's request for a bin at Lower Wises Lane.
- b. To consider a request from Bobbing Parish Council to jointly hire a drain-cleaning lorry.

## 144. PLANNING MATTERS

- a. To consider submitting comments on the Kent Minerals and Waste Local Plan (KMWLP) consultation which is taking place from Wednesday 17th January 2024 to midnight on Thursday 29th February 2024 (attachment 6)
- b. To note regarding the new KCC PROW link from ZR121 there is an aim to do the work in February this year, to complete the groundwork before the bird nesting season. The work will involve vegetation clearance of undergrowth and overhanging branches, a path of 2m width with timber edging and MOT Type 1 surface, some excavation, and a new ramp where the new path will meet Wises Lane and we envisage the works could be completed within a week.
- c. To note KCC notice of confirmation of public footpath order for ZR117 order (attachment 7).
- d. To note KCC notice to temporarily close public Footpath ZR117 from 10<sup>th</sup> February 2024, for a maximum of 6 months (attachments 8 & 9).
- e. BDW has approached Swale Borough Council (SBC) to name and number phase 2 of the Applegate Park development, and SBC requires the Parish Council's consultation on the following suggested names, all of which are British-grown varieties of apples to continue the apple theme on phase one of the site – 5 are required.
  - 1. Baldwin
  - 2. Rubens
  - 3. Evelina
  - 4. Cameo
  - 5. *Blenheim*
  - 6. Oaken
  - 7. Greensleaves
  - 8. Sturmer
  - 9. Winston
  - 10. Peasgood

## 145. PLANNING APPLICATIONS – view on <http://pa.midkent.gov.uk/online-applications/>

*Please note the following, unless otherwise stated are a discharge of condition application and not a formal consultation for the Parish Council.*

- 1. **Application: 23/505769/FULL PROPOSAL:** Demolition of existing conservatory and erection of a single storey rear extension, first-floor side extension and insertion of rear dormer. Amendments to the front elevation including insertion of two dormer windows and roof light. Widening of driveway to the front to create appropriate parking and turning area, and erection of a refuse store. ADDRESS: Langley Chestnut Street Borden Sittingbourne Kent ME9 8DB

***Consultation comments are due by 9<sup>th</sup> February 24, and an extension has been agreed.***

# BORDEN PARISH COUNCIL

2. **Application: 23/505422/ADV** Grid: 588553/163571 Address: Land At Wises Lane Borden Kent ME10 1GD  
Proposal: Advertisement consent for 2no. signage boards and 2no. double-sided flagpoles.  
**Consultation comments are due by 6<sup>th</sup> February, and an extension has been requested.**
3. **Application: 24/500320/SUB** Grid: 588553/163571. Address: Land At Wises Lane Borden Kent ME10 1GD Proposal:  
Submission of details pursuant to condition 67 (archaeology) of application 17/505711/HYBRID (partial discharge relating to phases 2B and 2C).

146. **REPORTS AND MINUTES FROM EXTERNAL REPRESENTATIVES** (Reports to be circulated before the meeting).

- a. Kent Association of Local Councils – Cllr Baldock, reports circulated as received.
- b. Borden Sports Association – Cllr Sims.
- c. Borden Parish Hall – Cllr Hepburn (attachment 10)
- i. Borden Parish Hall has requested an update on the removal of filing cabinets from the Barrow room.
- d. Borden Heritage Group – Cllr Harrison (attachment 11).
- e. Local Councils Liaison Forum – Cllr Butlin (attachment 12).

**NEXT MEETING TO BE HELD ON 21<sup>st</sup> March 2024**

WISES LANE MONITORING GROUP

Report to Council Feb 24

The Monitoring Group Meet on 29<sup>th</sup> January 2024 with – Cllr Brian Jemmett, Cllr Geoff Broughton, Cllr Brian Steadman, Cllr Nicola Butlin Present. Absent - Cllr Vivien Smith

The Meeting that we were due to have with the Developer on 1<sup>st</sup> February was cancelled. These notes are therefore what the WLMG were going to take to the meeting for discussion with them.

1. The new Chairman of the WLMG is to be Cllr Jemmett. Vice Chairman was to be Cllr Butlin. Following the resignation of Cllr Cole.
2. To re-enforce the Mandate that the WLMG have and further explain the issues we both face with timing of Planning applications going on the Portal, the full council meeting dates and posting its response on the Portal. This does not allow the WLMG time to brief the developer before the portal submission.
3. The box of plans and Directories that George had are now with Brian. It is not clear if the developer would fund additional runs as new phases are introduced?
4. The Advertisement Consent applied for was for 2 signage boards and 2 flagpoles. These are already in situ opposite the old Sales Suite carpark in Wisers Lane. The original Consent was for 12 months, and DHA were asking for the Consent to be renewed. The Group would question if they were necessary?
5. Parking on Wisers Lane the issue raised by Cllr Cavanagh
6. The school footprint material change
7. 2D eastern Link – the issues raised by FC and why?
8. How will construction traffic get to the site with Wisers Lane shut from Grove Park Avenue and Chery Fields? And then shut in both directions from Maylam Gardens and the Oast house?
9. Geof reported that construction traffic are starting work again before 7.30am
10. Update on construction traffic using Ashmeads Rise
11. We have not seen the letter from KCC requesting the Hedge to be thinned.
12. A Complaint from a Wisers Lane resident re the Parking area opposite being modified to hold Green and Blue Bins in the hedge, privately by a new resident. Is this area part of the development and would this be acceptable as it's in the newly planted hedge?

## BORDEN NEIGHBOURHOOD PLAN

### February 2024 Report

For the benefit of the new Councillors to the Parish Council, the Neighbourhood Plan has been laying dormant for quite some time. This in the main has been due to a leading member of the group resigning from the Parish Council and then recently another member resigning.

Fortunately, no cost has been spent by the Parish Council for the work carried out so far, i.e. the Survey delivered to all residents of the Parish, but time lost is excessive.

It would be a shame for the Plan to come to nothing, it is an important document that would benefit the Parish now and in the future. More and more Parish Councils across the Country are working on Neighbourhood Plan's for their Parishes.

The Terms of Reference state there has to be 2 Councillors on the working group, currently there is just me! ToR are available on the Parish Council's website.

I am asking for support from Councillors, new and old. If you have any questions, please contact me.

This will be discussed at Full Council's February meeting and hopefully at least one Councillor will come forward.

Nicola

## NEIGHBOURHOOD PLAN

Yearly Report  
May 2023

This last year saw the completion of the parish wide Survey that was carried out to get feedback on what Borden residents found important and what they would like to see Developers committed to when considering building in Borden in the future. This Survey was carried out with no financial cost to the Parish Council.

The countryside and wildlife were at the top of the list for being important. 99% felt that wildlife habitats were very important features in the landscape.

Traffic was also a big concern, 63% said the volume of traffic was a major problem, and 68% felt that traffic speed was a major problem.

A staggering 80% would be happy for the whole of Borden Parish to be a 20mph zone.

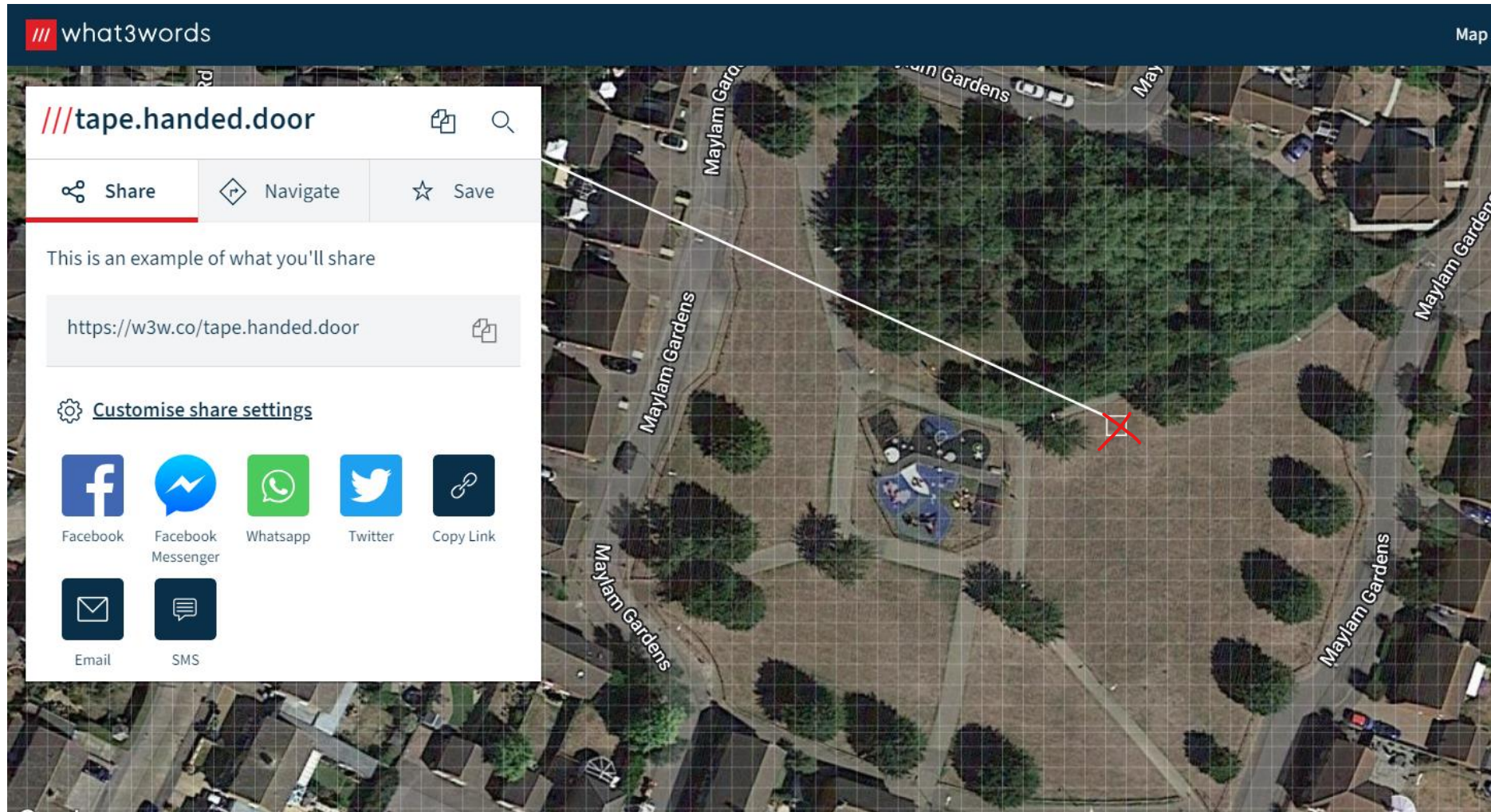
Individual comments made by residents was very promising and the Working Group have only got as far as Question 1! The reason for this is because the main factors of question 1 are speed and wildlife. Provision of facilities in Borden, not Sittingbourne was a priority and more consultation with the Parish Council from developers. Every written comment has been read and notes taken.

This is a slow running project, but the Working Group hope to achieve and make big strides in moving forward during the coming months.

Cllr Nicola Butlin  
May 2023



Attachment 4  
Suggested location for Maylam Garden bench





## BORDEN HIGHWAYS GROUP ADVISORY COMMITTEE

### NOTES OF MEETING ON 8<sup>TH</sup> FEBRUARY 2024

1. Apologies for absence were accepted from Cllr Tumber.  
In attendance: Cllr Bolas, Cllr Sims, Cllr Baldock and the Clerk.
2. Actions from the previous meeting were reviewed and it was noted that there has been no progress on the 20mph or other suggestions.
3. To discuss a possible meeting with Graham's regarding road closures for the next stage of the J5 works.  
The information has now been sent out to the public by Graham's and put on the Parish Council Facebook page along with their Q&A's, so no further action at this time.
4. To discuss the TRO planned closure of Wises Lane from 18<sup>th</sup> March until the estimated completion date of 30<sup>th</sup> June 2024. Coinford has requested the closure to allow the installation of new apparatus and S278 development works to be carried out.

The clerk has contacted the KCC Streetworks Coordinator regarding the TRO, asking if this is a 'made' order or still under consultation. If a 'made' order when was the consultation period and who was notified?

The response advised that *this is a Temporary Traffic Order, and there is no consultation required for this to be processed, this is only the case when permanent traffic orders are issued. We always ask the developer/contractor to contact the local area and notify them of intended works, this is in the form of advanced warning boards and letter drops.*

The Clerk will investigate further to understand if the Temporary TRO has been correctly implemented by KCC.

The Group recommends the Full Council consider the following points to formulate a letter to KCC Highways regarding the elongated planned closure of Wises Lane for 3 months for the foul installation;-

1. Consider that the TRO may not be lawful.
2. The road Closure completely shuts the connection between Lower and Upper Borden for an unreasonable period.
3. We understand the benefits to the developer of the joining of two separate sites for the moving of materials and machinery.
4. What is the reason the work cannot be operated under a 2-way traffic control system.
5. Could they have direct liaison with the other utility companies so that the road is not closed again at a later date, as has been seen on other parts of Wises Lane in recent times.

The Group recommends the following proposals for consideration by the Full Council;-

- Propose that the Parish Council write to Kent County Council which will include the above-mentioned points, and post the letter on the Parish website and Facebook page.
- Propose that the Parish Council copy the letter to KCC to Kent County Councillor Mike Baldock.

## **BORDEN HIGHWAYS GROUP ADVISORY COMMITTEE**

5. The responses to the consultation in the last issue of the Borden Broadside regarding the 20mph scheme were reviewed.

From 20 responses only 1 was a firm NO and another unclassified (10%).

18 responses in agreement to 20 mph (90%).

Out of the 18 who agreed the 20 mph 6 (33%) have reservations over the monitoring and enforcement of a reduced limit.

From the responses to the consultation, the group recommends that the Full Council agree to the progression of the 20 mph speed limit with KCC.

The Group recommends the following proposal to the Parish Council;-

- The 20 mph speed limit as outlined in the resident's consultation is progressed via the Highways group with KCC. With the Highways Group reporting back to the Full Council with progress and agreement on decisions and costs.
- A response to all of the residents who responded to the 20 mph consultation is placed in the next edition of the Borden Broadside. This will include the recommendations and rationale for dealing with other pertinent resident suggestions.

Cllr Baldock will be surveying the parish lines for reporting purposes.

All Highways issues can be reported by residents on the KCC fault finder

<https://www.kent.gov.uk/roads-and-travel/report-a-problem>

6. New and emerging Highway issues.

- a. Drains – the Highways group has recognised that there are blocked drains throughout the parish and these should be reported by individuals on the KCC fault finder

<https://www.kent.gov.uk/roads-and-travel/report-a-problem>

- b. The Group discussed how KCC works with landowners regarding mudflow on roads i.e Pond Farm Road, under the Environmental Land Management Schemes, and recommends the following proposal to the Full Council;-

- The Parish Council writes to KCC to understand what steps KCC has taken to work with landowners to utilise the DEFRA Environmental Land Management schemes and grants to ameliorate flooding, reduce pollution and enhance the environment on land adjacent to highways.

- c. Regarding the 6' 6" width restriction the Parish Council needs to understand where the restrictions are so that they can be enforced, and recommends the following proposal;-

- The Parish Council writes to KCC Highways for the area of width restrictions and where it starts in Borden. This information is to understand if there is a legal right, and if not how to enforce it.

The meeting ended at 14:30



## **Kent Minerals and Waste Local Plan 2024-39**

### **Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 19**

#### **Pre-Submission Draft**

#### **Guidance Notes on Making a Representation**

**January 2024**

The Pre-Submission Draft Kent Minerals and Waste Local Plan 2024-39 (the Plan) has been published in order for representations to be made before submission to the Secretary of State for Levelling Up, Housing and Communities for Independent Examination. The following notes are to guide you in making a representation, which should be made on the representation form. See the end of this document for details of how to obtain the representation form.

#### **Introduction**

In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations)<sup>1</sup>, Kent County Council has published the version of the Kent Minerals and Waste Local Plan 2024-39 that it intends to submit to the Secretary of State for Independent Examination. The Planning and Compulsory Purchase Act 2004<sup>2</sup> (PCPA) states that the purpose of the Examination is to consider whether the Plan has been prepared in accordance with legal requirements, including the 'Duty to Co-operate', and is sound. The Plan will be examined by an independent Planning Inspector who will take into account the representations received when reaching a decision on the soundness and legality of the Plan. The purpose of the public consultation is to invite comments on the Plan's 'legal compliance' and 'soundness' prior to submission to the Secretary of State.

#### **Legal Compliance and Duty to Co-operate**

The Inspector will first check that the Plan meets the legal requirements associated with plan making under s20 (5) (a), and the Duty to Co-operate under s20 (5) (c) of the PCPA, before moving on to the tests of soundness.

---

<sup>1</sup> <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/2004/5/contents>

You should consider the following before making a representation on compliance with the Duty to Co-operate:

- Any plan submitted will be examined for compliance with the Duty to Cooperate. Local Planning Authorities are expected to provide evidence of how they have complied with any requirements arising from the Duty.
- The PCPA 2004 establishes that non-compliance with the Duty to Co-operate cannot be rectified after the submission of the Plan and so if the Duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

Before making a representation on legal compliance, you should consider the other legal requirements associated with plan making which include the following:

- A description of the Plan and key stages in its preparation should be included in a Local Development Scheme (LDS). If the Plan is not detailed in the current LDS it should not have been published for representations. Publication of the Plan should also be in accordance with the LDS timetable. The latest Kent County Council (KCC) LDS is available on the County Council website<sup>3</sup>.
- The process of consultation on the Plan must be in accordance with the Council's Statement of Community Involvement (SCI). KCC's SCI sets out the strategy for involving the community in the preparation and revision of its Plans and is available on the County Council website<sup>4</sup>.
- Preparation of the Plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the Regulations). On publication, KCC must publish the documents prescribed in the Regulations, and make them available at its principal office and on its website. The Local Planning Authority must also notify the Local Plan bodies (as set out in the Regulations), and any persons who have requested to be notified, of the Plan's publication.
- KCC is required to provide a Sustainability Appraisal (SA) Report when it publishes a Plan which should be consistent with the Environmental Assessment of Plans and Programmes Regulations 2004. SA is a tool for appraising policies to ensure they reflect social, environmental, and economic factors. The SA report should identify the process by which the SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. The SA and related Non-Technical Summary is available on the County Council's consultation portal<sup>5</sup>, and at the main County Council office listed below.
- The Plan should be in general conformity with the adopted District and Borough Local Plans.

---

<sup>3</sup> [https://www.kent.gov.uk/\\_data/assets/pdf\\_file/0014/130541/Kent-Minerals-and-Waste-Local-Development-Scheme-November-2023-accessible.pdf](https://www.kent.gov.uk/_data/assets/pdf_file/0014/130541/Kent-Minerals-and-Waste-Local-Development-Scheme-November-2023-accessible.pdf)

<sup>4</sup> [https://www.kent.gov.uk/\\_data/assets/pdf\\_file/0017/120491/Statement-of-Community-Involvement.pdf](https://www.kent.gov.uk/_data/assets/pdf_file/0017/120491/Statement-of-Community-Involvement.pdf)

<sup>5</sup> <https://letstalk.kent.gov.uk/hub-page/mineralsandwaste>

## **Soundness**

Soundness is explained in paragraph 35 of the National Planning Policy Framework 2023 (NPPF)<sup>6</sup>. The Inspector must be satisfied that the Plan is 'positively prepared', 'justified', 'effective' and 'consistent with national policy' as explained below:

- **Positively Prepared:** This means that the Plan should be prepared based on a strategy which, as a minimum, seeks to meet objectively assessed development and infrastructure requirements, and is informed by agreements with other authorities, such that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- **Justified:** The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- **Effective:** The Plan should be deliverable over their period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- **Consistent with national policy:** The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

If you think the content of the Plan is not sound you should go through the following steps before making representations:

- a. Is the issue with which you are concerned already covered specifically by national planning policy? If so, does it need to be included in this Plan.
- b. Is what you are concerned with covered by any other policies in any other Plan including the adopted Local Plans of the Kent District, City and Borough Councils?
- c. If the policy is not covered elsewhere, in what way is the Plan unsound without the policy (or particular text)?
- d. If the Plan is unsound without the policy (or particular text), what should the policy or text say?

## **General Advice**

If you wish to make a representation seeking a modification to the Plan you should make it clear how the Plan is not sound or not legally compliant having regard to the legal compliance, Duty to Cooperate and the four soundness requirements set out above. You should try to support your representation with evidence showing why the Plan should be modified. It will be helpful if you also say precisely how you think the Plan should be modified. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made

---

<sup>6</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

at publication. Bear in mind that the Inspector will read the representations and will need to understand the reasoning behind them. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised. Note that the Inspector will be more concerned with the quality of a representation on a particular matter than the quantity of representations made on that matter.

### **Viewing the Plans and supporting information**

The Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39 and supporting information are available for inspection via the County Council's online consultation portal: [www.kent.gov.uk/mineralsandwaste](http://www.kent.gov.uk/mineralsandwaste).

A hard copy of the Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39 and supporting documents are also available to view at the main County Council office - Sessions House, County Hall, Maidstone, Kent ME14 1XQ between the hours of 9am and 5pm Monday to Friday for the duration of the consultation.

In addition, the County Council has computer access available via its libraries (excluding mobile libraries) where the consultation documents are available to be viewed in an electronic format during their normal opening hours.

If you require any of the documents in an alternative format or language please email [alternativeformats@kent.gov.uk](mailto:alternativeformats@kent.gov.uk) or call 03000 42 15 53 (text relay service number: 18001 03000 42 15 53). This number goes to an answering machine, which is monitored during office hours.

### **Representations Deadline**

Representations must be received by KCC by **midnight on Thursday 29<sup>th</sup> February 2024. Late representations will not be accepted.**

You are strongly recommended to make representations by completing and uploading the online representation form at: [www.kent.gov.uk/mineralsandwaste](http://www.kent.gov.uk/mineralsandwaste).

Representations can also be made by completing the representation form<sup>7</sup> and submitting the form to:

- Email to: [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk), or
- Post to: Minerals and Waste Planning Policy, Planning Applications Group, Invicta House, Maidstone, Kent, ME14 1XX

---

<sup>7</sup> Download from: [www.kent.gov.uk/mineralsandwaste](http://www.kent.gov.uk/mineralsandwaste)



If you have any queries about the process of submitting representations, please contact the Minerals and Waste Policy team by email at [mwlp@kent.gov.uk](mailto:mwlp@kent.gov.uk) or telephone via 03000 422370.

### **Mineral Sites Plan**

Work on a potential review of the Kent Minerals Sites Plan is ongoing and subject to detailed technical assessment of the submitted hard rock site. Until that assessment is complete, no decision can be taken on whether the site will be allocated or not in a revised Kent Mineral Sites Plan. For the avoidance of doubt, the Mineral Sites Plan work does not form part of the current consultation for the Pre-Submission Draft of the Kent Minerals and Waste Local Plan 2024-39.



## **NOTICE OF CONFIRMATION OF PUBLIC PATH ORDER**

### **TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 AND PARAGRAPH 7 OF SCHEDULE 14**

#### **SWALE BOROUGH COUNCIL (PUBLIC FOOTPATH ZR117 (PART) BORDEN) PUBLIC PATH DIVERSION ORDER 2023**

On the 18<sup>th</sup> January 2024, Swale Borough Council confirmed the above Order under section 257 of the Town and Country Planning Act 1990.

The effect of the Order, as confirmed, is to divert the entire width of that length of public footpath ZR117 which commences at its junction with public footpath ZR118 at NGR TQ 8813 6400 (Point A on the order plan) and runs in a north-north-westerly direction for 153 metres to NGR TQ 8807 6414 (Point B) where it meets the highway boundary of Chestnut Street. as shown on the order plan between Points A-B and will add a new length of public footpath ZR117 with a width of 2.0 metres which commences at the Point A and runs in a northwesterly direction for 174 metres to NGR TQ 8803 6413 (Point C) where it meets the highway boundary of Chestnut Street. As shown on the order plan between Points A-C.

All directions are general, all distances are approximate.

A copy of the confirmed order and the order map have been placed and may be seen free of charge at Offices of Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT or the Kent County Council, History & Library Centre, James Whatman Way, Maidstone, Kent, ME14 1LQ, from 10am-5pm. The documents can also be viewed online at [www.kent.gov.uk/prownotices](http://www.kent.gov.uk/prownotices) or a copy can be obtained by contacting William Barfoot on 03000 418674 or email [william.barfoot@kent.gov.uk](mailto:william.barfoot@kent.gov.uk)

The Order comes into force on the date upon which the Kent County Council, on behalf of the Swale Borough Council certifies that the terms of article 2 of the Order have been complied with, but if any person aggrieved by the Order desires to question its validity or that of any provision contained in it on the ground that it is not within the powers of the above Act, or on the ground that any requirement of that Act, or any regulation made under it has not been complied with in relation to the confirmation of the Order, he or she may apply to the High Court for any of these purposes under section 287 of the Town and Country Planning Act 1990 within 6 weeks from the date on which notice is first published as required by paragraph 7 of Schedule 14 to that Act.

**PROW & Access Service  
Kent County Council  
Invicta House  
County Hall  
Maidstone, ME14 1XX**

**TEL: 03000 418674  
DATE: 9<sup>th</sup> February 2024**

**This document is available in alternative formats and can be explained in a range of languages**

**This Notice can be removed after 23<sup>rd</sup> March 2024**

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**

**SWALE BOROUGH COUNCIL  
(PUBLIC FOOTPATH ZR117 (PART) BORDEN)  
PUBLIC PATH DIVERSION ORDER 2023**

This Order is made by the Swale Borough Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out (in accordance with planning permission granted under part III of the Town and Country Planning Act 1990), namely the Reserved Matters of appearance, landscaping, layout, and scale for erection of 50 dwellinghouses (Ref: 22/505735/REM).

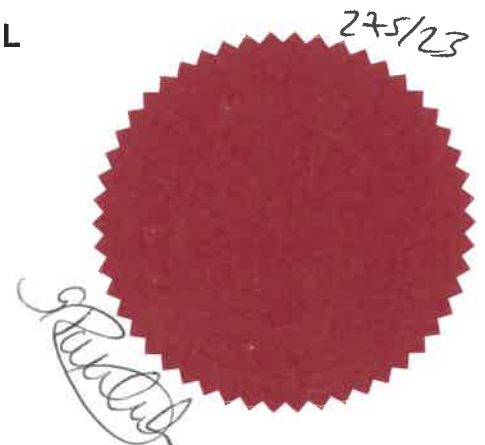
**BY THIS ORDER:-**

1. The footpath over the land shown by a bold black line on the attached map and described in Part I of the Schedule to this Order shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of the Kent County Council – on behalf of Swale Borough Council - an alternative highway for use as a replacement for the said footpath as provided in Part II of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which the Kent County Council - on behalf of Swale Borough Council- certify that the terms of article 2 have been complied with.
4. Abbey Developments is hereby required to pay for the costs of bringing the new route into a fit condition for public use.
5. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

**GIVEN UNDER THE SEAL OF SWALE BOROUGH COUNCIL THIS  
DAY OF 16<sup>th</sup> November IN THE YEAR TWO THOUSAND AND TWENTY-  
THREE**

**THE COMMON SEAL OF SWALE BOROUGH COUNCIL  
WAS HERETO AFFIXED IN THE PRESENCE OF**

Authorised signatory



## **SCHEDULE**

### **PART I**

#### **DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

The entire width of that length of public footpath ZR117 which commences at its junction with public footpath ZR118 at NGR TQ 8813 6400 (Point A on the order plan) and runs in a generally north-north-westerly direction for approximately 153 metres to NGR TQ 8807 6414 (Point B) where it meets the highway boundary of Chestnut Street. As shown on the order plan between Points A-B.

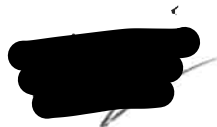
### **PART II**

#### **DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY**

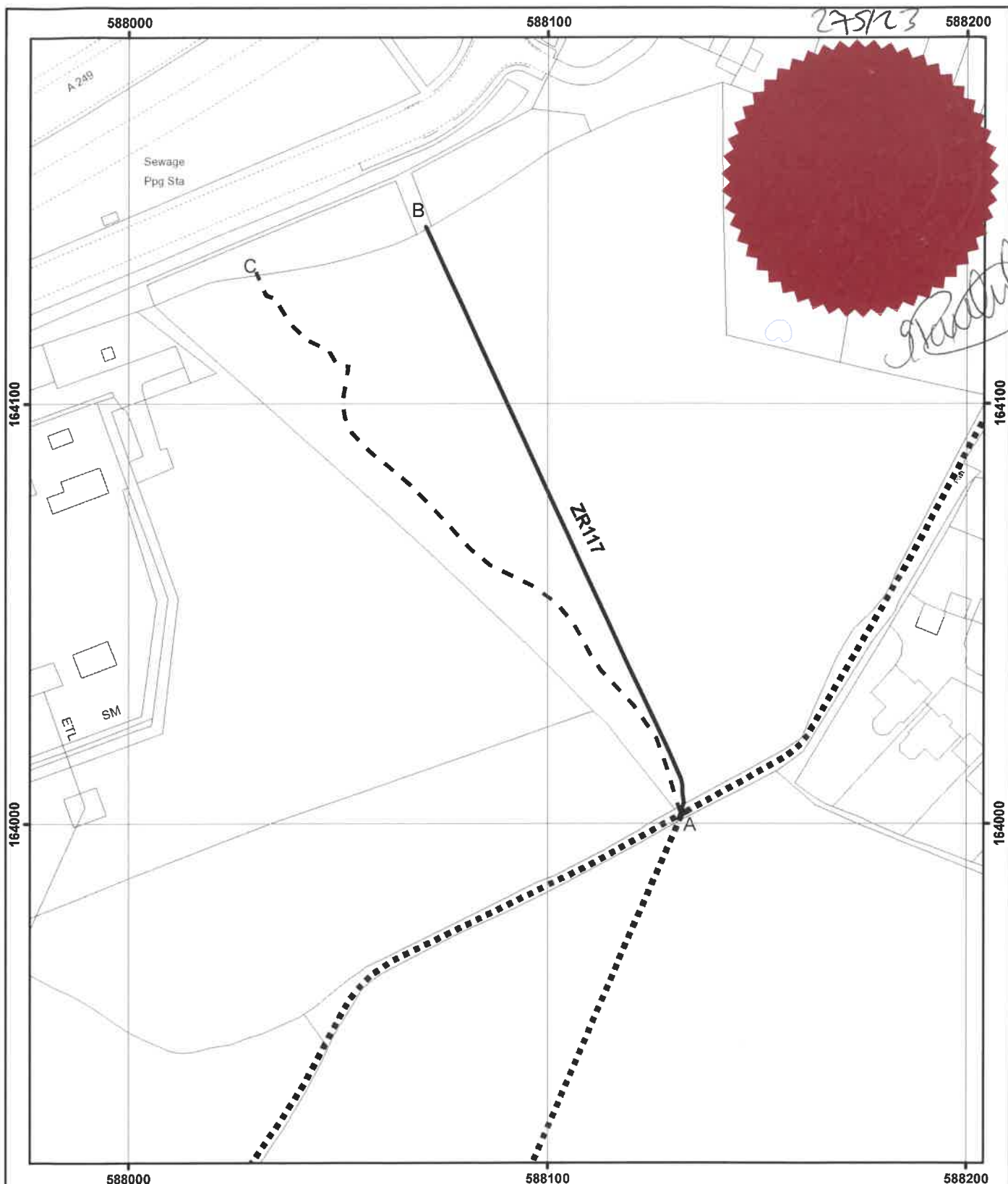
A new length of public footpath ZR117 with a width of 2.0 metres which commences at the aforementioned Point A and runs in a generally north-westerly direction for approximately 174 metres to NGR TQ 8803 6413 (Point C) where it meets the highway boundary of Chestnut Street. As shown on the order plan between Points A-C.

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257  
SWALE BOROUGH COUNCIL  
(PUBLIC FOOTPATH ZR117 (PART) BORDEN)  
PUBLIC PATH DIVERSION ORDER 2023**

This order was confirmed without any objection by the Swale Borough Council on the 18<sup>th</sup> day of January 2024.



AUTHORISED SIGNATORY



# Key

- Route to be stopped up
- Route to be Added
- Unaffected Routes

Town & Country Planning Act 1990  
Section 257  
Swale Borough Council  
(Public Footpath ZR117 (part) Borden)  
Public Path Diversion Order 2023

Created by:

WJB

Checked by:

MMcL

Date:

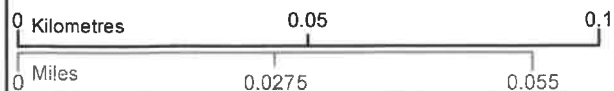
03/10/23

Reference:

PROW/ZR117/0134

N

1:1,300



Public Rights of Way and Access Service

Produced by the KCC Public Rights of Way and Access Service  
© Crown Copyright and database right 2023. Ordnance Survey 100019238

Notice of the making of an Order to temporarily  
close Public Footpath ZR117  
in the Parish of Borden

*In The Borough of Swale*

Kent County Council

(Public Footpath ZR117)  
(Prohibition Of Traffic) Temporary Order 2024

Road Traffic Regulation Act 1984, Section 14(1), As Amended  
By The Road Traffic (Temporary Restrictions) Act 1991

**Kent County Council intends to make an Order the  
effect of which is to temporarily close Public  
Footpath ZR117 between Chestnut Street and its  
junction with Public Footpath ZR118 from the 10  
February 2024**

The path will be closed for a maximum of six months.

The path is to be closed because works are planned on or near it.

The alternative route is via Public Footpath ZR118 and Key Street and will  
be signed for the duration of the closure.

For detailed enquiries please contact Denis Fogel  
Contact Centre no. 03000 41 71 71

Or for further details on temporary closures on the Rights of Way Network  
visit our interactive map: [www.kent.gov.uk/prowfaults](http://www.kent.gov.uk/prowfaults)

Alternatively, if you have a QR scanner you can scan  
the QR code using your smartphone:

Public Rights of Way and Access Service  
Kent County Council  
Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX

Dated 09 February 2024



**This document is available in alternative formats and can  
be explained in a range of languages.**

**This Notice can be removed after 10 August 2024**





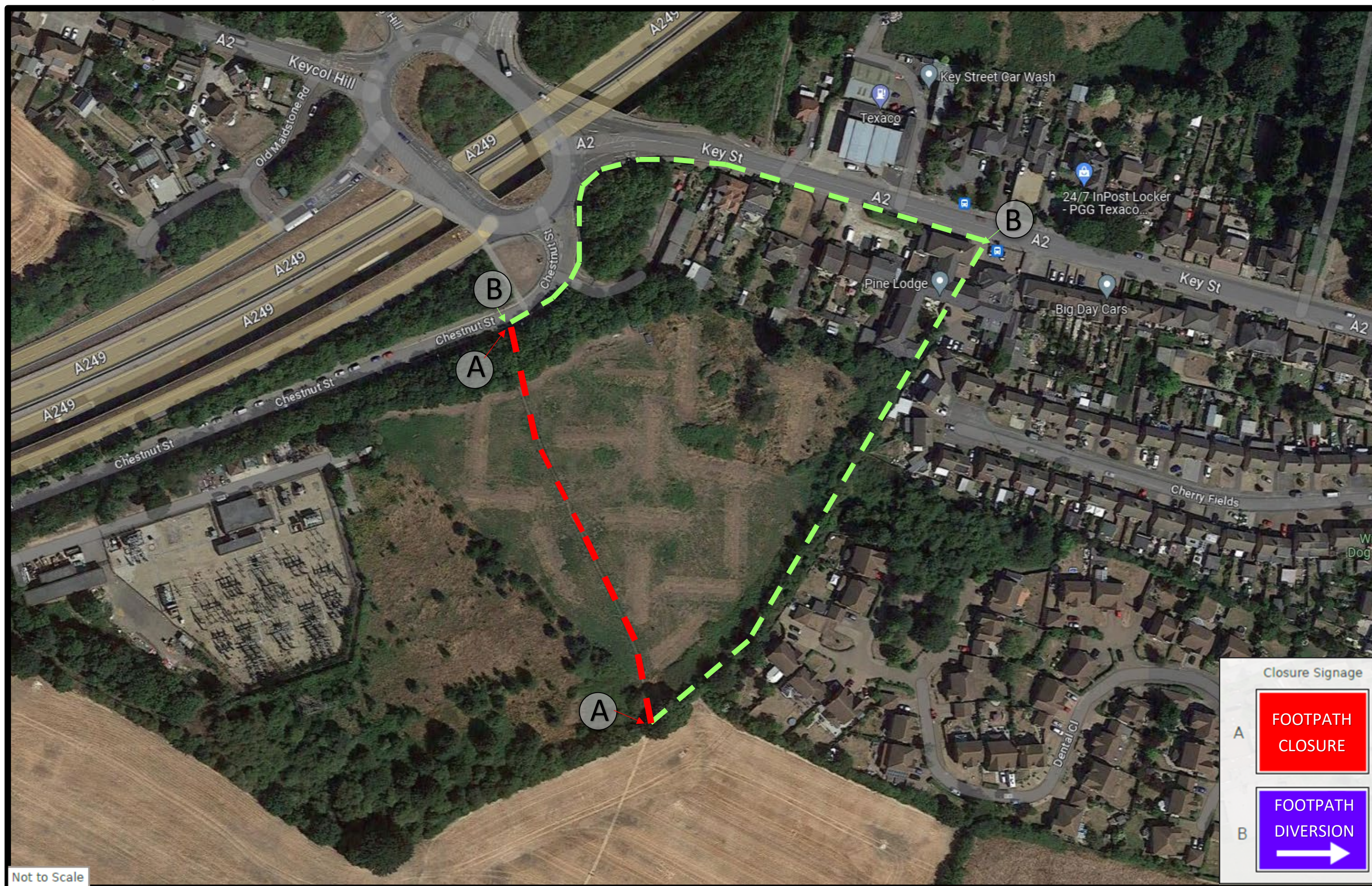
# Temporary Traffic Regulation Order

Land adjacent to Chestnut Street, South of Key Street to PROW 0031/ZR118/1.

Borden, Sittingbourne.

## KEY

-  Public Footpath to be utilised for diversion.
-  Public Footpath To Be Temporarily Closed.



Not to Scale



## BORDEN PARISH HALL REPORT FEBRUARY 2024

1. The bookings for the hall are continuing at a high level. So far this year there have been 20 casual hire new bookings for 2024;
2. There has also been a new regular hirer this year who is running two pilates classes a week;
3. A replacement Gas Smart Meter is being fitted in the outside box on Friday 16th February 2024;
4. A fire safety check is being arranged for the hall and I am awaiting a date from the engineer.

John Hepburn

Chairman Borden Parish Hall



**Borden Heritage Report for Parish Council meeting February 2024**

**Our Fundraiser Quiz night will be held on  
Saturday March 9<sup>th</sup> in the Parish Hall 7pm for 7.30pm  
£5 per person maximum of 8 per table.  
Phone Eileen 01795 479727 to book.  
We look forward to seeing you.**

Eileen Harrison

LOCAL COUNCIL'S LIAISON FORUM

23<sup>rd</sup> January 2024 Via Teams @ 7pm

I attended the above on behalf of the Parish Council.

Items of note are as follows :-

**1. New waste contract with Suez.**

- This will start on the 24<sup>th</sup> March 2024 and is for an 8 year contract, alongside Ashford and Maidstone.
- Waste and recycling will begin with Suez on the 25<sup>th</sup> March.
- Assisted Collections will continue
- All vehicles have cameras so can see if properties are missed.
- Suez will cover all street cleaning/cleansing
- SBC will no longer take WEEE, textiles or batteries
- Parish Councils are asked to share any information on SBC's website and Facebook page onto their own
- All properties will get a letter end of February notifying them when bins will be collected

**2. 5 year housing land supply**

- SBC still do not have one
- The slides shown and read out from the meeting are being forwarded to our Clerk and for accuracy I think it would be better to wait for those and for you to read the information provided.

**3. Parishes taking over Services from SBC**

- Larissa Reed, CEO of SBC, asked Parish Councils to come forward with any services they think they could run better than SBC!
- Parish Councils to write to Larissa regarding any land owned by SBC that Parish Councils would like to own and manage.
- Any services SBC decide to stop, Parish Councils will be given the opportunity to take over.
- SBC not in a great financial state, but there are a lot worse.
- SBC will be in touch further

Cllr Nicola Butlin