

Alvington Parish Council

Meeting Pack: February 2020 Full Council meeting (05/02/20)

7b) To note any update on a potential complaint regarding alleged planning breach.

Planning Enforcement advised that they are looking into this as of 17th December. I have requested an update but have not yet received one; I will circulate any updates as and when they come in.

8c) To receive any updates on improvements to Public Rights of Way in the parish

13/12/19: 3 wooden stiles delivered to Court End Farm for installation on FAL18

Jeff advised at the end of Nov 2019 that he would be writing to landowners in the parish re broken stiles. I have requested an update on this matter; pending.

8g) To note an update from the Clerk on Neighbourhood Watch and policing

29/01/20, Tom Oliver's email reads: 'It went very well, the community were very responsive, due to the popularity on the day we have decided to have the van in Alvington once every other month, the community seemed very happy with that, we will park it in the car park again if that's ok? We have booked it but I haven't got the dates with me, when I do then I will let you know.

If you could feed this back to the parish council then that would be great and can you pass on our thanks for letting us use the car park.'

9b) To consider applying to the Woodland Trust for trees to plant on site

FoDDC has made us aware that Woodland Trust are offering free tree packs to communities, to be delivered and planted in November 2020. Council will need to:

- Consider care and maintenance costs
- Consider the type of pack(s) required. The smallest is a 30-sapling pack, available in copse and hedge type packs. 30 saplings will cover a tennis court-sized area, so quite a commitment. An alternative is the urban pack, made up of trees designed for compact spaces. They come in packs of 15 but we can apply for more than one, i.e. to make up to 30 if desired. However, applying for urban packs means we would not be eligible for any other types of pack in future. Other packs are only available in 105 trees and up.
- Consider whether there are other groups/agencies who need to agree, e.g. GCC archaeology team, check overhead/underground cables/pipes.

Pack options and further info: <https://www.woodlandtrust.org.uk/plant-trees/schools-and-communities/>

Tree siting advice: <https://woodlandtrust.org.uk/plant-trees/advice/where/>

11 a) To receive any updates on Highways matters

Issue	Comments
Need for trimming of vegetation on A48 between Alvington and Woolaston (first reported Oct 2019)	Some trimming carried out to overhead trees late 2019 but veg is encroaching onto footpath, so Clerk chased this up. 20/01/20: Brian wrote: "I will follow this up with the safety inspectors, I had asked them to carry out an inspection and report back to me on their findings. As soon as I have had some feedback I will send you an update."
Clanna Lane / A48 Double yellow lines – feasibility query (originated 20 th November 2019)	As previously circulated at end of 2019: Brian Watkins advises that this is feasible and has requested photos of parking issues that the TRO (traffic regulation order) would aim to resolve. Funding is an issue: around £10K which Highways cannot currently commit, though maybe in 20-21 or after. Process would take around 12 months from instructing the TRO team.
Lower end of Knapp Lane requires resurfacing	I wrote to Brian Watkins on 20 th November 2019 to request this. I have just chased him up, having not heard anything yet.
Raised manhole on A48/Court Lane junction	Assigned to the local Highways Safety Inspector on 20/11/19. I have requested an update.
Potholes near Blacksmiths Arms	Reported to Highways 13/01/20. Should be dealt with within 28 days.
Broken guardrail by petrol station	Brian wrote on 20/1: "Just to update you on the items below. The safety inspectors visited the site last week and have raised a job to have the railings repaired. This should be completed within the next 28 days from the date of the inspection."

11b) To note and consider official application for proposed stopping up of part of Knapp Lane, outside of Hillcroft, Knapp Lane, Alvington

Circulated on 20/01/20 to all councillors:

Our ref: F/363/1744/S116/GN

I understand that my colleague Karen Pearman has already contacted you regarding this matter but as this proposal has been taken forward, I am contacting you again as part of the formal consultation process.

It is possible for public highway rights to be formally and permanently removed from highway land in accordance with a statutory process under Section 116 of the Highways Act 1980. This statutory process is commonly referred to as a "stopping-up".

The County Council cannot actually grant an Order itself under Section 116 to remove (and/or downgrade) public highway rights from highway land; it is only a Magistrates' Court who can do this. However, it is the County Council, as the Highway Authority, who processes the application in order to take it to Court, and it is as part of the processing of one of these applications that I am writing to you now.

We have recently received an application from Mr Nick King of Hillcroft to request the extinguishment of all public highway rights (i.e. vehicular, pedestrian and equestrian) over part of unclassified road no. 40013, near Hillcroft, Knapp Lane, in the parish of Alvington. The area under application is as shown crosshatched on the attached Drawing numbered TA249, and the applicant has agreed to pay all associated costs.

The section of road was taken into the highway as a result of a former 'new street order' (NSO) dated 1966, which had originally intended to allow for highway widening along Knapp Lane. Under the NSO, there was a requirement to set the property boundary back the distance prescribed under the 'order', but the requirement was only triggered when development took place. As only the section by Hillcroft was triggered, the overall widening wasn't able to take place, leaving the 'odd' boundary.

If the Magistrate consents to grant the Order, then the public highway rights will be removed and responsibility for the land will revert to the owner of Hillcroft and they have stated that they will only use the land as garden. Any subsequent enclosure & use of the land by the owner would be subject to usual planning considerations, but it should be noted that it would be outside the direct jurisdiction of the Local Highway Authority.

Important: This email is to advise your Council of the application for the permanent loss of highway land and to notify you that your Council has a power of veto over this application. There is a 2 month statutory consultation period starting from today, and I would be grateful to receive your Council's confirmation as to whether or not you object/choose to exercise your power of veto by 20th March 2020.

If your Council does choose to object to this proposal & exercise that power of veto, the application will not be taken forward; however, your reasons for objection will be passed to the Applicant, who may wish to discuss your concerns with you.

If your Council does not choose to exercise the power of veto, any representations made will be passed to the Magistrates' Court for their consideration in deciding whether or not to grant the Order to stop-up the highway land.

If you have any queries regarding the above, please let me know.

Yours sincerely, George Nichols, Highway Records, Asset Data, GCC

Meg Humphries, Clerk

29th January 2020