

4th September 2023

TO ALL MEMBERS OF FAVERSHAM TOWN COUNCIL

Dear Councillor

YOU ARE HEREBY SUMMONED TO ATTEND the Meeting of Faversham Town Council to be held on **Monday 11th September 2023** at **7.00pm** in The Guildhall, Faversham.

Yours sincerely

Louise Bareham

Louise Bareham FSLCC
Town Clerk

The Mayor will allow a maximum of thirty minutes for Members of the Council to receive questions from registered electors of the Town before the formal meeting commences. When providing your name and address prior to addressing the meeting, please confirm or otherwise, that you consent to your personal details being recorded in the Minutes. Your personal data will be processed as directed by GDPR Article 5. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed or audio recorded. The whole of the meeting can be recorded, except where there are confidential or exempt items. If any member of the public has an objection to being filmed, please make yourself known to the Mayor or the Town Clerk before the start of the meeting.

AGENDA

1. Apologies

To receive apologies for absence.

2. Declarations of Pecuniary and Non-Pecuniary Interests

Members who have an interest to declare on any items on the Agenda, must declare the existence and nature of it at the start of the meeting and act in accordance with the Council's Code of Conduct (s27 Localism Act 2011).

3. Faversham Town Council
To receive and accept as a true record the Minutes of the Town Council Meeting held on 14th August 2023 and any matters for report.
4. Mayor's Announcements
To receive the Mayor's Announcements.
5. Heritage Working Group
To receive the Minutes of the Heritage Working Group dated 7th June 2023 and approve any recommendations.
6. Policy and Resources Committee
To receive the Minutes of the Policy and Resources Committee dated 15th August and 4th September 2023 (tabled) and approve any recommendations.
7. Faversham HWRC Working Group
To receive the Minutes of the Faversham HWRC Working Group dated 19th July and 7th September 2023 (tabled) and approve any recommendations.
8. Community Transport Working Group
To receive the Minutes of the Community Transport Working Group dated 9th August 2023 and approve any recommendations.

To consider the tenders (tabled) and approve the motion that "*the Town Council enters into a 3 year lease agreement for a minibus to facilitate the community transport scheme, from funding provided by KCC grant.*"
9. Faversham Creek Working Group
To receive the Minutes of the Faversham Creek Working Group dated 6th September 2023 (tabled).
10. KCC Transport Local Plan Consultation
To approve the draft response to the LTP5 consultation.
11. DMMO Application for Footpath from Flood Lane to North Lane
To approve the following motion "*That the Town Council applies to Kent County Council for a Definitive Map Modification Order (DMMO) claiming the pathway running from the section of Flood Lane that is a public highway and from Brent Hill in front of the Purifier building, along creekside to North Lane is a public highway and should be added to the definitive map.*" See attached report.
12. Perry Court
To consider and approve what open space areas on Perry Court Faversham Town Council would like ownership transferred, in addition to the proposed

allotments, as highlighted on the attached map. The area includes a designated community orchard, woodland and sports pitch.

13. T S Hazard and Town Quay

To approve the following motion “*that the Town Council accepts the Report to Swale Borough Council requesting the transfer of T S Hazard and Town Quay into its ownership.*”

14. Bike APP

To consider and approve the conclusion of the bike hire trial giving one month’s notice, as SBC funding has been expended.

15. Swale Borough Council Eastern Area Committee Representative

To approve the representative on the Eastern Area Committee for Faversham Town Council.

16. Receipts and Payments

To resolve to agree receipts and approve payments for September 2023.

17. Private Session

To Resolve *that under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

18. Staffing Committee

To receive the Minutes of the Staffing Committee dated 4th September 2023 and approve any recommendations.

Agenda Item 10 - DMMO Application for Footpath from Flood Lane to North Lane

Background

The Countryside and Rights of Way Act 2000 charges KCC with protecting a network of public rights of way which appear on the Definitive Map of Public Rights of Way which KCC hold.

In addition to public rights of way there are a large number of other pathways crossing private land which are regularly used by the public. The Act states that if the public uses a path without interference for some period of time – set by statute at 20 years - then the owner may have intended to dedicate it as a right of way.

Over the last few years, members of the Faversham Footpaths Group have been identifying paths within the Town Council area which fall into this category, where it would be desirable to make an application to the County Council for a DMMO which registers the pathway as a public right of way, so that the rights of the public to use

these pathways is protected. In February 2023 the Town Council agreed to support applications in relation to pathways at Abbeyfields and at Ham Farm which were in obvious need of modification and the Footpaths Group is currently gathering evidence to support applications.

It is normal for Parishes to make these applications, although any work that is requested by KCC to 'prove' requirements after the initial application has been made would be likely to be undertaken by members of the local community. If KCC agree to the DMMO it would then be advertised to allow objections. If KCC decline to make a DMMO the Town Council would then have to decide whether to object to the decision.

The pathway on the Morrisons site

The path has been used by the public for more than thirty years, since the Coop store on the site was built. It was on a list of footpaths presented to Town Council officers for potential DMMO applications, but not prioritised when a proposal came to the Town Council in February. The current Faversham Creek Neighbourhood Plan and Faversham Town Neighbourhood Plan which is currently being consulted on, both have a requirement for developments to have a publicly accessible Creekside path and getting this pathway added to the definitive map will ensure that the public can access an already existing piece of Creekside pathway, regardless of any development plans for

Cllr Julian Saunders

Join Zoom Meeting

<https://us02web.zoom.us/j/86046500302?pwd=Q1I3eU0yY25za3VidERyaWNhRHdmZz09>

Meeting ID: 860 4650 0302

Passcode: 511664