

HALLING PARISH COUNCIL

The Community Centre, High Street, Lower Halling, Rochester, Kent ME2 1BS

www.halling-pc.co.uk

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Clerk: Roni Jones

Prior to the meeting, from 7pm, Halling's PCSO Carrie-Anne Boswell will be in attendance to offer a Police Surgery

I hereby give notice of a meeting of Halling Parish Council to be held the at Jubilee Hall on Monday 4 December 2017

Agenda

1	Apologies for absence
2	Disclosure of any other business Additional items to be discussed that have arisen since the publishing of the Agenda <i>No votes on these issues to take place</i>
3	Declaration of any Pecuniary and/or Prejudicial Interests Register of Interest and Code of Conduct update for relevant Councillors
4	Adjourn meeting for Public Questions Allow up to 30 minutes for members of the public to address questions to the Chair in relation to Finance
5	Reconvene meeting
6	Minutes of Previous Parish Council meeting To receive and approve minutes of the meetings on 30 th October 2017 To receive and approve minutes of the meeting 26th June 2017 to rectify an omission
7	Information arising from the minutes not on the agenda
8	To receive a nomination for Mrs A Butterfield to the Council To be Proposed and Voted
9	Planning Applications since the last meeting Report by Richard Thorne on any applications received since the last meeting and MC/17/3288 Rolled over from November
10	Estates Matters since the last meeting Report by George Wenham on the Footpaths, Recreation Grounds and Marsh including <ul style="list-style-type: none">• Permissive Path Agreement - 'Whittings path'• Zurich Insurance Report
11	HPC Working Groups Structure (Finance, Personnel, Estates, Events, Neighbourhood Plan) Update from the Clerk and agreement to the proposed structure with allocation of 2-3 Councillors to the various working groups proposed - To include representation from the HPC to HCC

12	Halling Fire Station Update by the Chairman
13	Christmas in Halling Update from the Community Working Party <ul style="list-style-type: none"> Request from student to film the fair
14	S136 Applications Halling Youth Club A request from the self financing youth club for £200 towards running costs Community Rail Partnership £100 request for support
15	Receipts and Payments <ul style="list-style-type: none"> To discuss receipts received since the last meeting To discuss and approve for payment any invoices received since the last meeting. To approve any regular payments made since the last meeting. To note the increase in rent from HCC
16	Any Other Business (No votes may be taken)

Dates of forthcoming meetings of the Parish Council

Tuesday	9	January 2018	Community Centre
Monday	5	February	Jubilee Hall
Tuesday	13	March	Community Centre
Monday	9	April	Jubilee Hall
Tuesday	8	May	Community Centre
Monday	4	June	Jubilee Hall
Tuesday	10	July	Community Centre
Monday	6	August	Jubilee Hall
Tuesday	11	September	Community Centre
Monday	1	October	Jubilee Hall
Tuesday	13	November	Community Centre
Monday	3	December	Jubilee Hall
Tuesday	8	January 2019	Community Centre
Monday	4	February	Jubilee Hall
Tuesday	12	March	Community Centre
Monday	1	April	Jubilee Hall

SECTION 39 THE WILDLIFE AND COUNTRYSIDE ACT 1981

MEDWAY COUNCIL

Dated.....December 2017

PERMISSIVE PATH AGREEMENT

Whittings Path

Halling, Kent

Land on existing access track between public right of way RS218 and Whittings Farm entrance.

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Between Tarmac

And

Medway Council / Halling Parish Council

THIS PERMISSIVE PATH AGREEMENT is made on the day of
December 2017

BETWEEN Tarmac (the landowner) and Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4
4TR / Halling Parish Council

WHEREAS

(1) Title

The Landowner is the fee simple owner of the land between public right of way RS218 at NGR 570362
163723 and National Grid Reference 570383 163612. Permissive path to run from public right of way
RS218 to Whittings Farm entrance NGR 570389 163341 delineated on the plan in red.

Permissive path from National Grid Reference 570383 163612 to Whittings Farm entrance crosses
unregistered land.

(2) Permission

The Landowner has no intention of dedicating to the public any rights of
way on or over the Property but has agreed subject to the conditions of this
Agreement to grant to Medway Council and Halling Parish Council such permissions as are hereinafter
mentioned in order to enable members of the public to walk on the permissive path specified below.

(3) Enabling Statute

Medway Council enters into this Agreement in accordance with its powers
under section 39 (1) Wildlife and Countryside Act 1981.

NOW IT IS HEREBY AGREED as follows:

1. THE Landowner hereby grants to Medway Council and Halling Parish Council for itself and its servants
and agents and all persons authorized expressly or impliedly by Medway Council:

(a) permission to enjoy access on foot only over and along a strip of land 2.5
metres wide shown between points A and B on the Plan (the
"Permissive Path");

(b) permission to enter onto the property to a distance of one metre on either side of the permissive path
for the purpose of clearing undergrowth and maintaining the Permissive Path as hereinafter provided; and

(c) permission to execute the works set out in the Schedule hereto (the
"Works")

2.

THE Landowner hereby reserves the right (subject to the undertakings set out
in Clause 3 hereof) temporarily to withdraw the permissions set out in clause 1 hereof and close the
Permissive Path where it is expedient to do so in view of agricultural or other land management operations
or sporting events or for security or seasonal weather reasons PROVIDED that before doing so the
Landowner shall except in an emergency give notice Medway Council and post notices of the intended
closure at points A and B on the Plan at least 48 hours before the intended closure.

3.

THE Landowner undertakes that:

(a) he will not close the Permissive Path during daylight hours under the provisions of Clause 2 above for more than 25 days, in any one-year;

(b) on the reopening of the Permissive Path he will remove the notices of intended closure, which he had displayed in accordance with Clause 2 above.

4. THE COUNCIL COVENANTS

Medway Council and Halling Parish Council hereby covenant with the landowner as follows:

(a) forthwith to execute the Works to create the way.

(b) on the termination of this Agreement to remove all signs and anything else erected or installed by Medway Council and or Halling Parish Council;

(c) Medway Council to install and maintain two finger posts at National Grid Reference 570365 163722 stating; 'Permissive Path to Whittings Farm' and at National Grid Reference 570382 163343 stating; 'Permissive Path to RS218 Plough Path'.

Halling Parish Council to facilitate installation and maintain one arc kissing gate at Whittings Farm National Grid Reference 570382 163345.

(d) not to do anything in connection with the permissions hereby granted which may be or become a nuisance or annoyance or cause damage to the Landowner or to the tenants or occupiers of the Property or to the owner's tenants or occupiers of any adjoining or neighbouring property.

(e) the agreement may be terminated by either party in writing with notice of two months;

(f) subject to (g) below, Medway Council will undertake necessary works to clear growing crops and other vegetation along the entire route of the Permissive Path whether growing from the surface sides or above and to keep the permissive path clear of other obstructions and in all respects in a suitable condition for use by those permitted to use it;

(g) not to cut down or maim or injure any tree or sapling without the prior consent in writing of the Landowner;

(h) not to assign or part with possession or control of any of the permissions hereby granted;

5. THE LANDOWNER COVENANTS

The landowner hereby covenants with Medway Council and Halling Parish Council as follows:

a) to keep the Permissive Path clear of growing crops and other vegetation whether growing from the surface sides or above and to keep the Permissive Path clear of other obstructions and in all respects in a suitable condition for use by those permitted to use it;

(b) to keep the Permissive Path in a reasonably clean and tidy state;

(c) to erect and maintain any stock proof fencing pertaining to the Permissive Path;

(d) to erect notices warning users of the Permissive Path of any dangers on or near the Permissive Path;

6.

THE Landowner excludes himself from the liability, which the Occupiers Liability Act 1957 imposes on an occupier to a visitor.

7.

The Landowner hereby gives notice to Medway Council pursuant to section 31 of the Highways Act 1980 THAT nothing herein contained shall amount to or be construed as a permanent grant demise or dedication or agreement to make a permanent grant demise or dedication of any part of the Property to Medway Council or to any members of the public as a public right of way.

Signed by representative of **Medway Council**

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Print Name.....

Occupation.....

Signed by representative of **Halling Parish Council**

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Print Name.....

Occupation.....

Signed by representative of **the landowner**

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Print Name.....

Occupation.....

Signed in the presence of **witness**

Witness Signature:.....

Print Name.....

Witness Address:
.....

Witness Occupation:
.....

The Schedule

The works

Finger Post to be erected at point A reading **“Permissive Path to Whittings Farm”**.

Finger Post to be erected at point B reading **“Permissive Path to RS218 Plough Path”**.

Additional sign attached to each Finger Post;

“This path is not a public right of way - members of the public are permitted to walk along this path until such time as the Landowner withdraws permission. The Landowner may withdraw, permission permanently or temporarily but will give advance notice. People using this path do so entirely at their own risk. Please remain on the path and keep the path clear of litter and dog fouling”

One kissing gate to be installed at Whittings Farm.

HPC Working Groups Structure (Finance, Personnel, Estates, Events, Neighbourhood Plan)

To include representation from the HPC to HCC

Decision Making	Council					Chair - Chris VC - Matt
Working Groups	Finance	Personnel	Estates	Neighbourhood Plan	Events	
Recommend and bring to HPC	Kelly Chris	Richard Paul Trevor	George Les Maria Barry Assessors	Trevor Andy	Chris Les Anita Sally David	
Action	Tasks	Tasks	Tasks	Tasks	Tasks	
Output	Develop case for the Precept	Regularise	Health and Safety	Assessment of needs	Christmas	
	Develop Budget in line with Precept	Appoint	Maintainance SSSI	Consultation	Community Engagement	
	Monitor	Contract	Land management and Development	Plan development	Poppy Day	
	Internal Audit	Support	Monitoring	Community Safety Partnerships	Halling View	
	Bank Signatories John May	Risk Register Team Training	Rail RLC	Planning MEASS	November 5th Easter	
	KALC	HCC Representation JH Representation			Competitions Halling Assoc	
Office	RFO	Clerk	Clerk	Clerk	Clerk	