

THE PUBLIC AND PRESS ARE CORDIALLY INVITED TO BE PRESENT
Please note that meetings may be recorded

WEST MOORS TOWN COUNCIL

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There will be a meeting of the **ENVIRONMENT COMMITTEE** to be held on **THURSDAY 14th MARCH 2024** at **7.30pm** in **The Pavilion, Fryer Field**, to transact the following business:

J Weedon

Judi Weedon
Town Clerk

6th March 2024

Committee Membership

Cllr Mrs C Holmes – Chair

Cllr M Hawkes – Vice Chair

Cllr Mrs R Burke

Cllr A Clarke

Cllr D Green

Cllr J Randall

Cllr T Salt

Cllr D Shortell

Cllr Mrs P Yeo

AGENDA

1. To Receive Apologies for Absence
2. To Receive Declarations of Interests on any Matter on this Agenda
3. Questions from Members of the Public (Public to submit questions a minimum of 24 hours prior to meeting. Any questions/representations will be read out) Public session is limited to 10 minutes.
4. To Receive Clerks Report
5. To Approve Updated Flood Plan and Flood Warden
6. To Consider Footpath Proposal
7. To Consider Replacement Fence at the front of Oakhurst Play Area
8. To Request Dorset Council, consider a Keep Clear/Yellow hatched box at the junction of Pennington Road and Station Road.
9. To Receive Update on Cemetery matters
10. To Receive update on Public Toilets
11. To Receive update on Allotments
12. To Receive Correspondence

Environment Committee Meeting Thursday 14th March 2024

AGENDA ITEM 4 – Clerks Report

- a) Legionella: The cold-water tanks in the pavilion loft have now been cleaned out.
- b) Skatepark: Still waiting on Canvas to carry out some repairs to cracks.
- c) Cemetery: Scottish and Southern Electricity have approached the council for access through the cemetery to get into the woodland to change an electricity pole. Permission has been granted, SSE will make good any damage caused.
- d) Cemetery: A few rotten fence posts have been replaced. Work has begun on clearing lots of green debris for the left hand side of the cemetery adjacent to the nearest neighbour. Thanks to Cllr Burke and her husband for their hard work.
- e) Parking at Arnold Close, minute no 23/256 refers: A request for a TPO has been submitted to Dorset Highways and a letter has been sent to the landowner adjacent to railway to see if a small car parking area can be provided.
- f) Oakhurst Play Area: The annual play inspection report highlighted a number of issues with the equipment and fencing. The most serious being the birds nest swing frame. HAGS have been instructed to install a new beam and at the same time will carry out a few minor repairs to other pieces of equipment. Once completed the play surface will be cleaned thoroughly.
- g) Gym Equipment at Fryer Field: Damage has been inflicted to the signage for the equipment, with the Perspex being broken. Replacement is being sought for repairs.
- h) Fryer Field: The adverse wet conditions have meant that lots of football fixtures have been called off to protect the field from damage.
- i) Fryer Field: A new fence has been erected at the edge of the car park adjacent to the pavilion.
- j) Pavilion: the taps in the men's toilet have been replaced with auto shut off taps to try and save water, two old shower heads have been replaced. The floor in certain areas is now in a bad state of repair due to various water leaks, so the painter has scheduled to repaint all the floors in June.
- k) Car Park at Park Way: This has been cleared of all leaf and vegetation debris.

AGENDA ITEM 5 – Flood Plan and Flood Warden

It has been many years since the councils flood plan has been reviewed. The officers have been through the plan and made appropriate amendments to phone numbers etc that were out of date.

Members are asked to review the attached flood plan to ensure it meets their requirements.

The Flood Plan mentions a Flood Warden, this voluntary position was carried out for many years by a local resident, however they have now left West Moors. There is no legal requirement to have a flood warden, but it may be helpful if one did exist.

The Flood Warden Scheme

The Flood Warden scheme is an initiative of the Environment Agency. It's objective is to involve Parish and Town Councils and through them the local community, in all aspects of local flood defence and particularly with the two way flow of information on the subject. The Flood Warden is appointed by the Parish or Town Council. It is a volunteer post with no fixed hours and may involve activity during weekends or at night. With the approval of the appointing Council, the Flood Warden may recruit assistants having special knowledge or abilities.

The Flood Warden Scheme has proved to be a useful tool in the fight against flooding with the scheme continually growing. There are approximately 500 flood wardens throughout the Wessex, which West Moors is part of.

Even where there is no obvious risk, surface water runoff, sewerage discharge etc can all be mitigated by planning and local awareness. We encourage flood wardens to be officially recognised or even appointed by parish or town councils. This allows the flood warden to function under the public liability insurance of the council.

The role of the Environment Agency and local authorities is to act as the co-ordinators of the scheme, advising and supplying the flood warden with information, to assist them during times of flooding.

Flood wardens are a first point of contact for residents during a flood event and give advice and information during dry periods. Flood wardens are also the local response co-ordinators during times of flooding and are a conduit for dispensing information from the Environment Agency and emergency services to local residents, and vice-versa.

Members are asked if they wish to advertise for a new volunteer flood warden.

AGENDA ITEM 6 – Footpath Proposal

Local resident Pete Holden has asked if the council will consider a proposal for a new public footpath from Station Road as shown on the attached document.

The route suggested is not currently on the definitive map and as such is not protected by legislation.

The Clerk has been in touch with the Definitive Map Team and asked the best way to proceed, their advice is shown later in the report.

Information from Dorset Council website about DMMO.

Definitive Map Modification Order (DMMO)

Under the provisions of the Wildlife and Countryside Act 1981, a modification order may be applied for by any person who wishes the definitive map to be amended by either the addition, deletion, upgrading or downgrading of a route. In addition, the accompanying definitive statement containing the particulars of a right of way may be varied. Claims can be based on usage (user evidence) and/or documentary evidence.

Anyone may apply to Dorset Council to modify the definitive map and statement of rights of way and we have a legal duty to investigate their claims, examine the evidence and, in the light of the evidence, decide whether or not the claimed rights exist.

Please note that this procedure is not used:

- where you think it would be a good idea to have a public path in a particular place
- if you think that the path is not suitable for its current classification and should be changed
- if you think that the path is not needed for public use

A DMMO may be used where:

- there may be a path that is not shown that you and others have been using as a public right of way for years and may wish to have recorded
- a path shown with a particular description should be shown as a highway of a different description, for example where a footpath has been used for many years by horseriders and you wish to apply to have it recorded as a bridleway
- there is no public right of way over land shown in the map and statement of any description, or it is in the wrong place
- any other particulars in the map and statement require modification

Applying for a DMMO

- check the definitive map
- talk to the Definitive Map Team - we may be able to help with plans
- check our [online Register of DMMO applications](#) to see whether a claim has already been made for this route
- download the DMMO application pack and forms: [DMMO application pack Feb 2022](#), [DMMO Forms A B C D G Feb 2022](#), [DMMO user evidence form E Feb 2022](#), [DMMO landowner evidence form F Feb 2022](#)
- download [Natural England guidance](#)
- gather your evidence, both documentary and from users of the route - a separate DMMO user evidence form can be used by witnesses; [DMMO user evidence form E Feb 2022](#)
- complete the forms carefully, we will help if you have any questions
- identify all the owners and occupiers of all land to which the application relates (this includes anyone that has land next to the route in question and anyone who may have access along it)
- tell them that you are making the application by giving them a completed 'Form B' - the Notice to be sent to all occupiers and owners affected by the application
- send in your application to the Definitive Map Team
- we will deal with your application subject to our statement of priorities

Statement of Priorities for applications for Definitive Map and Statement Modification Orders

Applications will be prioritised according to the following categories:

Priority	Category
1	The application is supported predominantly by user evidence which may be adversely affected by lengthy delays
2	The application route will be adversely affected or lost due to development
3	Where, if recorded, the application route will provide significant public benefit e.g., the route is an alternative to using a busy road or forms an important strategic link
4	The application route is in the vicinity of another claimed route and will be affected by substantially the same evidence, such that it would be efficient to consider the applications simultaneously
5	The application is supported by historical documentary evidence only

Applications which are supported by documentary evidence only, but where the landowner has not yet been formally notified of the application will remain in a separate queue pending completion. Notification must be served on the landowner by the applicant as part of the statutory application process. The Council can accept an application where notification has not taken place but is unable to start the investigation process until notice is served.

On receipt, each case will be prioritised in accordance with the above categories and will be added into the list in the appropriate position. Cases already received and prioritised may therefore move down the list awaiting investigation if subsequent applications are given a higher priority. Cases will be re prioritised on receipt of information which shows that the circumstances of the case have changed, such as a development being granted planning permission. Once

prioritised, cases will be investigated when an officer with the appropriate experience becomes available.

Within each category applications will be dealt with in order of date of receipt. The Council will process duly made applications in order of the ranked priority at the time the case is started. Cases started and / or prioritised before the onset of the new prioritisation scheme will continue to be processed.

Decisions on prioritisation will be taken by the Definitive Map Team Manager.

Reply from the Definitive Map Team at Dorset Council

There are several options to consider. Potentially, the most straight forward way is to seek a dedication if the landowner/s are known and agreeable to a dedication. Where a landowner is not known, it is possible to seek a Creation Order. Another possibility is a Definitive Map Modification Order application which would require evidence from people's use of the route and/or historic documentation that supports the use of the route.

In the first instance, I would suggest a conversation or possibly a meeting on site of the routes, with the Rangers that cover the West Moors area to discuss the options. It would then be possible to consider which of the above may be most suitable at which point, you could come back to the Definitive Map Team.

Members are therefore requested to discuss whether they wish to pursue this matter with Dorset Council.

AGENDA ITEM 7 – Oakhurst Play Area Fencing

The annual play area inspections came back with various issues relating to the fencing around the play area. The frame and gate at the entrance to the front of the play area, had excess bolt threads showing, this has been rectified. There are some fixings missing and some finger traps, no buffer on the gate and some of the chain link is now in a poor condition with the fence looking quite untidy.

A quote has been sought for new solid fencing (similar to the fencing around the MUGA) with a new gate, that will be safer and easier to lock.

The quote from Kendrick Fencing is £1984 plus VAT

Members are asked if they will consider replacing the fencing at the front of the Oakhurst Play area, to make it safer and tidier and most aesthetically pleasing.

Funds are available in the earmarked fund for Play equipment.

AGENDA ITEM 8 – Station Road/Pennington Road junction

The Council Office has received a few complaints about vehicles blocking the junction of Pennington Road where it meets Station Road, when the traffic lights are red, making it difficult to exit the junction.

It is quite difficult to exit Pennington Road turning right due to the junction opposite with Park Way.

The Clerk has been in touch with Highways at Dorset Council to ask if they could paint a 'KEEP CLEAR' or a yellow hatched box in the road at the junction.

For this to be considered by Dorset Council, WMTC have to approve that they are happy for this request to go to Dorset Council.

Members are therefore requested to discuss this matter.

AGENDA ITEM 9 – Cemetery Matters

1. One new bench has been ordered for a family and should be installed soon.
 2. Cllr Burke and her husband along with Terrafirma have worked hard at the cemetery clearing the left hand side adjacent to the neighbouring property after they had complained about a build-up of debris against the fence. The neighbours also wish for a tree to be removed, however when this was last inspected it was found to be healthy and therefore not a good idea for the council to be removing it. The neighbours have been advised that if they wish to bear the cost they can have the tree removed. It is a very large Fir tree.
 3. The new footpath is not installed yet, mainly due to the inclement weather.
 4. Some new shingle type product will be put on the footpath between the hedge line at the front of the cemetery and all the tree roots are pushing through the pathway.
 5. There have not been any signs of badgers encroaching back into the cemetery.
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AGENDA ITEM 10 – Update: Public Toilets

The stalls in the men's toilet both had issues with the flush system, creating a toilet that was constantly running for a long period of time, this had a major impact on the water bill for January. Both flush systems have now been repaired and appear to be operating normally.

AGENDA ITEM 11 – Update: Allotments

During January and February, 4 people gave up their plots due to various issues. These plots have already been re-let.

The waiting list stands at 47.

AGENDA ITEM 12 – Correspondence

1. Allotment and Leisure Gardner Issue 1 2024