

Shorne Parish Council

— Borough of Gravesham —



THE PARISH COUNCIL MATTERS

February 2020

Consultation on a Proposal for a Mobile Phone Mast at Shorne Common

As reported in the December edition, Shorne Parish Council has received a formal proposal from Galliford Try, on behalf of Cornerstone and Telefonica, to install a 25 metre high lattice tower in an 8 metre x 8 metre compound on Shorne Common, off Mill Hill Lane.

This proposal was not initiated Shorne Parish Council. It is on parish land which was granted to the the parish council by the Earl of Darnley for the purpose of providing “a Recreation Ground intended for the use of the inhabitants of the Parish”. Whilst we recognise the need to improve mobile phone coverage in Shorne, we feel that their proposed location is insensitive and inappropriate, irrespective of ownership of the land, and have asked them to look for alternative solutions.

They have now formally requested to enter into negotiations with the Parish Council to reach an agreement to lease the land for their proposed base station. We have informed them that we do not consider it would be appropriate to enter into negotiations without first consulting with residents. In view of their refusal to consult with residents, the Parish Council is carrying its own consultation to gain an understanding of the views of local residents. Residents are invited to take part in this consultation, which can be found on our website at:

<http://www.shornepc.kentparishes.gov.uk/consultation-mobile-phone-mast>.

On completion of the consultation, the Parish Council will consider the responses and come to a decision on whether to enter into negotiations or not. Residents need to be aware that if we refuse to enter into negotiations, or fail to reach an agreement, the infrastructure companies have the right to apply to a court to impose the agreement to acquire the land for their equipment, as provided for under Schedule 3A of The Electronic Communications Act 2003.

In the event of an agreement with the infrastructure company, consensual or imposed, the infrastructure companies will need to apply for planning consent from Gravesham Borough Council to install a 25 metre high mast in a conservation area. GBC will then carry out a formal consultation before making a decision on whether to permit the mast.

Shorne Parish Council’s local consultation runs until Friday 28th February 2020.

Shornemead Level Crossing Closure

Further to our report on the closure in the December issue of the Parish Magazine, the Parish Council is seeking a meeting with Network Rail and Kent County Council to discuss Network Rail's proposals for improving safety at the crossing. Our preference is for a footbridge. Robin Theobald has produced a comprehensive report into the background leading up to the current situation, which you can find separately below.

Shorne Sign

High winds during the night of 15th-16th January resulted in the village sign at Post Office green falling over. On inspection, it was found that the wooden post had decayed and snapped. The sign has been removed for safe keeping, and will be reinstalled in due course.

Speed Indicator Device (SID)

Residents may have noticed the appearance of steel poles on the verges alongside Tanyard Hill, Pear Tree Lane at the corner of Bowesden Lane, and in Thong. KCC has erected these in readiness for Shorne's community speed indicator device (SID), which will be periodically moved between these three locations. We are seeking volunteers to assist with these movements, and to help with replacing batteries. If you would like to lend a hand at any of these locations, please let us know by emailing to speedwatch@shorneparishcouncil.org.

Brewers Road Overbridge

During December, the road surface on the joints of the overbridge across the A2 started to break up, creating deep potholes. Despite KCC repairing the potholes on an almost daily basis, the filler failed to adhere, and there were reports of damage to vehicles. As a result, in early January KCC took the decision to close the bridge until permanent repairs could be carried out. These needed to be agreed with Highways England, who are responsible for the structure. The work was finally carried out on 16th and 17th January. Let's hope this proves to be a durable solution.

Drop In Session, Saturday 7th March

Shorne Parish Council intends to hold a drop-in session in the Village Hall, from 10.00am on Saturday 7th March. This is your chance to drop in to discuss any issues of concern with your Parish Councillors. Put the date in your diary.

Parish Council Meetings in February

Thursday 13th February - Footpaths, Properties & Greens Committee

Thursday 27th February - Parish Council Meeting

The meetings will commence at 7.45pm in the Committee Room in Shorne Village Hall.

Bob Lane
Shorne Parish Council

Shorne Mead Level Crossing

There was a news item on national television on 24th October 2019 showing two boys with motor cycles venturing onto the Shorne Mead Level Crossing whilst high speed trains were passing. Network Rail have the crossing under surveillance on close circuit television and it is likely the pictures came from them. This was obviously a serious incident and, as a result, Kent County Council as the Highway Authority made an order temporarily closing the section of the right of way which goes over the crossing, on safety grounds.

This is not the first time the crossing has been closed. In January 2010 the Parish Council became aware that 'Rail Track' (Network Rail's predecessor) had arbitrarily closed the footpath over the crossing. When the Council investigated, they were surprised that the length of path between the end of Queens Farm Road and the canal towpath was not on the Definitive Map. If a right of way is on the map it is legal proof that it is a right of way. The Council was advised that if it wanted to get the crossing re-opened, it would have to get the footpath added to the Definitive Map.

This required a Definitive Map Modification Order. The Council assembled historic evidence of the right of way and evidence of use and made an application to the County Council for a Definitive Map Modification Order. It took three years for the application to be processed and the submission of additional information use. The application was rejected. There was evidence on file that when the original map was being drafted in the 1950's, the Parish Council had included the right of way with the crossing as a Bridle Road. This was objected to by British Rail who submitted that it was only a footpath. Rather than downgrading the route to a footpath, it was deleted altogether.

Following the rejection of their application, the Parish Council decided to appeal to the Secretary of State against the County Council's decision. The Council assembled further evidence. Research was undertaken at the House of Lords Library to examine the Plans and Books of Reference from the various canal and railway acts. Visits were made to County Archives at Maidstone History and Library Centre to examine historical maps, and also the Medway archives in Strood and the British Library in St Pancras. It was evident that a right of way existed before either the canal or the railway were built. When the canal was built, a swing bridge was provided and when the railway was built, a level crossing was provided.

The Parish Council's appeal was allowed. The findings of the Secretary of State's inspector were not challenged by Network Rail. The right of way was added to the map, and the crossing re-opened in August 2015.

The Parish Council recognises there may be safety issues at the crossing and considers that it is Network Rail's duty to address these. In the Council's view, the ability of the public to cross the railway at this point must be maintained. The right of way, Footpath NS 368, gives access from Shorne to the Marshes (including the canal towpath) and the river wall. There is no viable alternative. The current closure period is for six months from 20 November 2019.

The Council is seeking a meeting with Network Rail and the County Council in order to discuss Network Rail's proposals for increasing safety at the crossing. In the meantime, the Council has notified the Chairmen of the Kent County Access Forum, Thames and Medway Canal Association, Gravesham Rights of Way Committee, Meopham Footpaths Group, as well as The Ramblers Association (Head Office), and Gravesham B.C.

If you wish to object to the closure of the crossing, please write to:-

Mr G Rusling
Public Rights of Way and Access Service
Kent County Council
Invicta House
County Hall
Maidstone
Kent ME13 1XX

The following telephone number was given on the site notice to contact KCC:
Tel: 03000 417 171

The Council would like to know if you are a user of the crossing and/or if you have objected to its closure. Please will you contact Robin Theobald, the Council's Vice Chairman, on 01474 823674 leaving your telephone number so that we can get back to you.

Robin Theobald
Vice Chairman, Shorne Parish Council