

Notice of Meeting Amenity Committee



Notice Date: 27 November 2024

Members of the Amenity Committee

Clrs Paul Day, Katie Dover, Hilary Doyle (Chair), David Ellis, Andy Fish, Katherine Giles, Ian Leake (Deputy Chair), Amanda McLean, Kiran Meka

Dear Councillor,

You are hereby summoned to attend a meeting of the AMENITY COMMITTEE to be held on **Tuesday 3rd December 2024** commencing at **8:00pm**. This meeting will be held in the meeting room at the Parish Office, Benetfeld Road, Binfield, RG42 4EW. The public and press are most welcome to attend.

Yours sincerely

A handwritten signature in black ink that reads "Ceri Rance".

Ceri Rance

Clerk to Binfield Parish Council

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Agenda

Amenity Committee



The meeting will be held at Binfield Parish Council Office at 8pm on Tuesday 3 December 2024

No. Item

1 **Apologies for Absence**

2 **Declarations of Interest**

To declare any interest in relation to matters to be considered at this meeting.

3 **Public Participation**

The meeting will be adjourned for 15 minutes, which is set aside for the public to ask questions or make comments.

4 **Reports for Decision**

4.1 Allotment Review – The committee are asked to consider a report regarding the allotment rent review for 2005 and to approve the amendments to the Allotment Rules following

4.2 Wicks Green Pathway – Further Improvements – To consider a recommendation from the contractor who carried the recent pathway improvements at Wicks Green and Silver Jubilee.

4.3 Repair play tunnel play equipment on Foxley Fields – to approve the replacement of the wooden posts around the play tunnel.

5 **Reports for Information**

5.1 Update Report – to receive a report covering ongoing contract work and other miscellaneous updates to do with the Parish estate.

5.2 BFBC Public Rights of Way report – to receive a report from BFBC regarding Public Rights of Way

6 **Future Agenda Items**



Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 4.1 Allotment Rental and Rules Review

Purpose of Report: Decision

1 Purpose

To decide the rent charges for the Red Rose and Pocket Copse Allotments and approve the amendments to the rules.

2 Decision

- To consider and decide on the annual allotment rent increase.
- To approve the rule amendments following the results from the consultation with all allotment tenants.

3 Background

The last renewal period ran for 15 months for Red Rose, from October 2023 to December 2024. This was to allow the renewal period to be the same for both sites. The last renewal period for Pocket Copse ran from January 2024 to December 2024. Both renewal dates are now in line and the next renewal period will run from 1 January 2025 to 31 December 2025.

4 Red Rose Renewals

4.1 Current income and expenditure

2024 RR Allotment Costs and Income (01.10.23 – 31.12.24)		
Expense – Cost Actual & Forecast	Value	Comments
Water	£298.36	£64.59 x 4 and £5.00 x 8
Tap replacement	£40.00	
Plot clearances	£348.00	£300 cross charged to outgoing tenant
Tall Oaks	£540.00	Create new part plot (27D)
Total Expenditure	£1,226.36	
Income – Annual Rentals from Set Up	Value	Comments
01/10/23 -31/12/24*	£2,024.00	
New starters paid this year	£86.04	
Total Income	£2,110.04	
Difference	£883.68	

4.2 Rental charges

Allotment Size	No. of Plots	Current Rental Charge	23/24 rent for 15 months (1 Oct 23 to 31 Dec 24)	Expected income in 23/24 FY
Full Plot	4	£55.50	£69.00	£276.00
Half Plot	22	£30.50	£38.00	£874.00
Part Plots (1/3 or 1/4)	43	£23.50	£29.00	£1218.00
Half + Part Plot	1	£54.00	£67.50	£67.50
Total	70			£2435.50

Please note that the income received from the previous year is greater than income expected due to the changeover of plots; if a plot is given up mid-year, rent is not refunded but the incoming plot holder will pay a pro-rata amount of rent (up to next annual renewal).



Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 4.1 Allotment Rental and Rules Review

Purpose of Report: Decision

5 Pocket Copse Renewals

5.1 Current income and expenditure

2024 PC Allotment Costs and Income (01.10.23 – 31.12.24)		
Expense (Cost Actual & Forecast)	Value	Comments
Water		Have not received any bills
Tap replacement	£60.00	
Plot clearances	£45.00	
Total Expenditure	£105.00	
Income – Annual Rentals from Set Up	Value	Comments
01/10/23 -31/12/24	£732.00	24 Plots at £30.50 per plot
New starters paid this year	£64.01	
Total Income	£796.01	
Difference	£691.01	

Proposed increases for rental costs

The parish has operated the allotments on a 'cover cost' basis.

6 Legal & Financial Implications

Provision of allotments is a duty, where it is reasonably practical, and not a power. There are restrictions on using allotments to generate profit and rental levels/increases should be "reasonable" and reflected in the services provided/comparable to similar local authority charges.

The rules now include provision to Health & Safety Legislation and The Occupiers Liability Acts (1957) and (1984). The National Allotment Association produces a helpful leaflet about these responsibilities. This is provided for all new plot holders and with the renewal documentation.

7 Financial Considerations

The Committee are asked to consider the following options regarding a rent increase.

<u>Red Rose Allotment Sizes</u>	No. of Plots	Current Rental Charge & Total Income	Raise with Inflation (2.3%)	Rounding based on inflation increase
Full Plot	4	£55.50 x4	£56.78 (£1.28)	£57.50 (£2.00)
Half Plot	22	£30.50 x22	£31.20 (£0.70)	£32.00 (£1.50)
Part Plots (1/3 or 1/4)	43	£23.50 x43	£24.05 (£0.55)	£25.00 (£1.50)
Half + Part Plot	1	£54.00 x1	£55.24 (£1.24)	£56.00 (£2.00)
Total	70	£1,957.50	£2,001.91	£2,065.00

<u>Pocket Copse Allotment Sizes</u>	No. of Plots	Current Rental Charge & Total Income	Raise with Inflation (2.3%)	Rounding based on inflation increase
Half Plot	24	£30.50 x24	£31.20 (£0.70)	£32.00 (£1.50)
Total		£732.00	£748.80	£768.00

Binfield Parish Council

Allotment Rules



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Interpretation of Terms

1. Throughout these rules, the expression:

“Allotment Plot” or “Plot” means a defined area of land within each allotment site that is available to rent for an annual sum.”

“The Council” means Binfield Parish Council and includes any committee of the Council. The Council will appoint such employees or others to carry out **checks/inspections** or works at its sites as it thinks fit.

“Tenant” means a person who holds a tenancy of an Allotment Plot.

“Clearance” means that all weeds, overgrown grass and vegetation must be removed.

“Cultivation” means the act of preparing land and growing crops

Acceptance

2. By accepting the tenancy of the Plot, the Tenant agrees to observe and abide by the rules set out by the Council. The Tenant also agrees to abide by any other terms and conditions which the Council may implement from time to time.

Rental Fees

The annual rent for each plot must be paid in full by the specified due date (e.g., annually at the start of each calendar year). Failure to pay rent by the due date may result in the loss of the plot

In addition to the regular annual rent, from January 2025, new tenants will be required to pay an extra year’s rent before a plot is allocated to them. The extra rent will be credited once they vacate their plot, pending a successful final inspection

Use

3. The allotment garden is to be used to produce fruit, vegetables, and flowers for domestic consumption (not commercial) only. The level of cultivation on the plot forms part of the ~~inspection~~ **regular checks**.

4. No livestock or poultry of any kind shall be kept on the allotment.

Cultivation

5. The allotment plot (plot shaded green on attached plan) must be kept clean, free from weeds, in a good state of cultivation and fertility, and otherwise maintained in a good condition.

6. At least ~~80%~~ **two thirds** of the allotment plot must be cultivated and in active use during the main growing season (~~March to September~~ **April to October**). The Council will allow new Tenants a reasonable period to reach these standards especially if they have taken over a Plot in poor condition.

7. Only small fruit trees may be planted on the Plot. These must be of a dwarf variety and kept suitably pruned so as not to encroach on any pathway or adjoining Plot. However no more than ~~40%~~ **one third** of the Plot should be set aside as a fruit orchard. Other species of trees are not permitted.

8. If the Tenant is otherwise and temporarily incapacitated and unable to manage the Plot, the Council **must** be informed in writing. The Tenant must put in place measures to have the plot maintained at their own expense for the duration of their incapacity.

Boundary Paths

9. For the Red Rose allotment site, the Tenant shall maintain, as far as possible, any ditch bordering the allotment plot (marked in yellow on attached map) as well as ensure the furthest path from the main gate bordering the allotment plot (marked in red on attached map) is regularly cut or mown. This will form part of the ~~inspection~~ **regular checks**.

For the Pocket Copse allotment site, the Tenant shall maintain, as far as possible, **ensure the nearest path from the gate**, bordering the allotment plot (marked in red on attached map). Paths must always be kept clear of weeds, grass and rubbish or any other obstruction and available for access by neighbouring Tenants. This will form part of the ~~inspection~~ **regular checks**.

Sheds and Other Structures

10. No building or other structure must be erected on the Allotment Plot without the prior written consent of the Council. This includes sheds, greenhouses, and poly tunnels. Tenants must comply with the separate regulations for these structures (which are set out in Schedule 1).

Fencing, Gates and Access

11. To help maintain the security of the site, Tenants must ensure that the allotment gates provided by the Council for general access are closed and locked after entry and exit by those Tenants using such means.

Rubbish

12. Unwanted plot refuse and discarded rubbish must not be left on Plots or communal areas at the site nor dumped into or over hedgerows or against boundary fences or on unused Plots. The Council recommends that all green waste should be composted by individual Tenants or disposed of safely at the local refuse centre. Anyone having a picnic or similar should ensure that all rubbish is disposed of correctly and not left on the allotment site.

Nuisance and Mechanical Tools

13. The Tenant shall cause no nuisance or annoyance to the occupier of any other Allotment Plot or neighbouring properties.

14. Damage must not be caused to other Tenants' property, crops, nor to the infrastructure of the site.

15. In the interests of good relations with other Tenants or nearby properties, strimmers, rotovators or other mechanical equipment may only be used between the hours of 09.00am to 8.00pm Monday to Saturday, and 9.00 am to 4.00pm on Sundays. The use of mechanical diggers requires express permission of the Council.

Watering

16. The Tenant must exercise due and proper care of the water supply to prevent waste and must prevent contamination thereof and must not wash produce or tools in the water tanks.

17. No sprinklers are allowed. The use of hand-held hose is permitted. Hose users must give priority to watering can users. For the Pocket Copse allotment site, the water butts supplied are suitable for watering cans only. Hoses must not be used if a hose pipe ban is in effect.

Chemicals and Weed Control

18. Tenants must not bring on site or use any non-approved toxic chemicals as per HSE regulations. Tenants must safeguard the use of any approved fertilisers/chemicals and must not leave discarded items of this nature unprotected. Any chemical which is stored on site, must be stored in compliance with the control of Pesticides Regulations Act (amended) (1997) and the control of Substances Hazardous to Health Regulations (2002).

19. When using any type of chemical spray, a Tenant should speak to the Tenants on neighbouring Plots before use and be mindful of drifting chemicals in windy conditions. Organic sprays are preferable where possible.

20. The Council does not recommend the use of old carpet to suppress weed growth. The Council will charge for removal of old carpet or other bulky items of waste abandoned on any plot. It is recommended that biodegradable materials be used for suppressing weeds.

Dogs / Leadable Pets

21. Dogs must be kept under strict control and be always kept on a lead when on the site of the Allotment Plot. All dog faeces must be removed from the site. All dogs/leadable pets must be kept securely within the Tenant's own plot.

Children

22. Children and young people, whether individually or in family groups, whilst visiting any of the Council's allotment locations must be fully supervised in the interests of their own safety and those of others. Under no circumstances should children be allowed to wander around any site un-supervised. Permission will be required from the Council prior to any young person visiting a site or working on a plot without supervision.

Other Important Terms of Agreement

23. Children's swings and slides and household furniture are not permitted on Site.

24. Ball games are not permitted on the allotment sites.

25. No timber or trees belonging to the Council must be cut or pruned, nor must any mineral, gravel, sand or clay, be taken, sold or carried away.

26. Fireworks are not permitted on allotment sites, nor must fireworks be ignited within the curtilage of the allotment site at any time.

27. The use of tyres is not permitted.

28. Bonfires are not permitted.

29. The tenant will have regard for all relevant health and safety guidelines and legislation, such as the Occupiers Liability Acts (1957 and 1984) and work with the Parish Council to ensure allotments are managed in a safe way for all those that visit them. A copy of the leaflet from the National Allotment Association can be provided upon request.

Vehicles

30. For the Red Rose allotment tenants, the use of the York Road car park is permitted.

For the Pocket Copse allotment tenants, parking is available in the shared parking area opposite the allotment site. Vehicles must NOT be parked on the allotment plot path, except for loading/unloading.

Tenants must not park at the entrances to the allotment plots or prevent access by others. Plots are not permitted to be used for parking space.

31. No overnight or long-term parking is permitted on any allotment site.

Criminal Damage

32. The Council does not accept responsibility for stolen items or vandalism. All incidents should be reported to the police and a crime number be obtained. The Tenant's own insurance should cover these eventualities.

Assignment

33. The Tenant must not assign, sublet or part with possession of all or part of their Allotment Plot.

Power to Inspect Allotment Plots

34. An Officer or any nominated elected member of the Council must be entitled at any time to enter and inspect an Allotment Plot for the purpose of managing or inspection. Failure to maintain the allotment plot or abide by these rules, will result in an email/written request for improvement.

An Officer or any nominated elected member of the Council will carry out monthly checks during the growing season (April – October) If after a second check, the plot is unsatisfactory, an email will be sent, to request improvements.

If a Tenant fails to respond after the next inspection, then a first warning will be issued along with a date for improvement (**usually two weeks**). If by that time, no improvement is seen, a final warning will be issued. If the Tenant has not taken appropriate action following the final warning, the Tenant will be held to have broken their Tenancy Agreement and will automatically lose their tenancy.

Termination of Tenancy/Relinquishing a Plot

35. Once granted, a tenancy will normally continue from year to year, subject to the following:

A tenancy may be terminated by the Tenant by giving one month's notice to the Council in writing at any time.

In the event of permanent incapacity, or the death of a Tenant; wherever possible surviving family members should advise the Council if they wish to continue or terminate the tenancy or right of occupation. Each case of tenancy succession will be considered individually.

The Council also has the right to terminate any tenancy if the due rent is in arrears for more than 40 days, the Tenant is not duly observing the rules affecting the allotment made by or in pursuance of the Allotments Act 1908, or any other terms or conditions of tenancy, or if the Tenant becomes bankrupt or by default, compounds with creditors.

The allotment plot will be available to Binfield residents only. If a tenant moves out of the area, then once the allotment year is completed, they will be expected to vacate the plot.

If a tenant is vacating a plot, either by relinquishing or termination, an end of tenancy inspection will take place. If the Council determines that a clearance is required, the plot holder will have to the end of the notice period (as outlined above), to clear the plot. If a plot clearance has not been completed satisfactorily, a contractor will be asked to clear the plot and the costs incurred will be passed directly to the outgoing tenant. **In the case of a new tenant from 2025, the deposit will be retained, and any further costs will be reimbursed.**

Appeal Against Termination

36. Appeals against a notice to quit must be made in writing to the Amenity Officer within 10 days of the date of the notice. The Council may uphold or revoke the notice to quit.

37. In the event of the notice being upheld and the tenant remaining unsatisfied, the tenant may appeal to the Parish Clerk. This should be communicated to the Parish Clerk in writing within 10 days of the date of the notice containing the Council's decision. The Parish Clerk will review all evidence relating to the matter and consult with the Chairman of the Amenity Committee before making a final decision against which no further appeal will be permitted.

Change of Address

38. The Tenant must immediately inform the Council in writing of any change in their address.

SCHEDULE 1

This schedule contains the regulations for sheds and other structures which the Council, as landlord, may grant the Tenant permission to erect or retain on their Allotment Plot.

Existing Structures

1. The Council honours pre-existing approved sheds, greenhouses on all Allotment Plots prior to January 2023, subject to these complying with current safety and insurance requirements.

Permission for Structures

2. No structural installation must take place until the proposal is agreed, and written permission is obtained from the Council. All requests must be submitted via email to the Amenity Officer.

3. Applicants will be notified in writing, of the decision to grant or refuse permission. Appeals may be submitted in writing to the Parish Clerk and will be determined at a meeting of the Amenity Committee.

Sheds and Greenhouses

4. Sheds should be no bigger than 6ft x 8ft and not exceed 8ft in height. Anything stored on the plot or in the shed are at the allotment holder's own risk. No more than ~~25%~~ a quarter of the area of a Plot shall be occupied by a shed or greenhouse.

5. Sheds and greenhouses must not be built with permanent foundations. Any base material, such as paving slabs should be removed by the Tenant on vacation of the Plot if the shed or greenhouse is so removed.

6. Sheds and greenhouses shall only be permitted on the boundary sides of the allotment sites accordingly. Where a plot is divided into parts, the Tenant nearest the hedge must agree to allow the holder of the other parts to either share the one facility or erect their own.

7. Greenhouses may be of treated wood or metal framework, with either safety glass or polypropylene sheeting. All greenhouses constructed of safety glass must be sited away from main access paths to reduce the risk of damage.

8. The Parish Council recommend that plot holders take out a public liability insurance policy prior to the erection of any structure.

Polytunnels

9. Polytunnels may be erected with the prior written consent of the Council and would be dependent on the number of previously approved structures on the Plot.

Storage

10. Tenants are advised not to store valuable equipment in their sheds or structures. Anything stored on the plot or in the shed are at the Tenant's own risk.

Monitoring and Compliance

11. Tenants shall be notified in writing of requirements to repair, maintain or remove any structure that does not comply within the conditions set out or is believed to be unsafe or insecure.

12. On receipt of such notice the Tenant will have one month to comply with the notice.

Risk and Vacation

13. All installations are at the risk of the Tenant. The Council accepts no liability for loss, damage or vandalism however caused.

14. In the event of a Tenant giving up a site, it is the responsibility of the Tenant to remove any construction from the Plot prior to vacation and termination of the agreement. The Council reserves the right to recharge the Tenant at cost, of any charges incurred during the removal of an abandoned structure because of the failure of the Tenant to clear the Plot to the satisfaction of the Council.

15. A Tenant can part with any structure to another Tenant on completion of a fresh set of applications being made to the Council under the above rules.

Data Protection: *Your details will only be used by Binfield Parish Council to contact you regarding your allotment plot, unless you advise us that you would like to receive additional communications. The personal data we hold is that which is necessary to administer your contract with the Parish Council and will be retained during the lifetime of your contract - it will be deleted six years after the contract ends. You may express a preference to be contacted by email, telephone or post, and the Parish Council will seek to act on this preference - however if we need to contact you urgently, we may need to use phone or email to do so.*



Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 4.2 Wicks Green pathway – further improvements

Purpose of Report: Decision

1 Purpose

To inform members of the additional works which have been recommended to be carried out following the reinstatement of the Wicks Green Path.

2 Decision

- Does the Committee approve the recommendation to carry out the additional works on Wicks Green path.
- If yes, the committee are asked to make a recommendation to full Council regarding the how the work should be funded.

3 Background

It was agreed at the October Council Meeting (dated: 08.10.24 Min: 63.3) to carry out works to reinstate the path around Wicks Green open space which were not fit for purpose for accessibility. It was agreed to approve the quote for £14,380 to be taken from the Open Spaces Reserves with a further resolution to increase the value by £5,000 to allow for drainage works, if required.

The additional drainage work came to £4,730, which included raising a section of the path by approximately 60mm.

The contractors had received an extra delivery of materials and asked whether the Parish Council would be willing for them to continue reinstating the path along Silver Jubilee Field as well. They would only charge for the labour and machinery cost as the materials would already be on site. The cost to reinstate the last section of the footpath was £1,470. An email was circulated to all Councillors on 20 November, to ask for agreement on this and the budget would be taken out from Line 24 Amenities Maintenance and Improvements, which had an underspend of £3,559.

The works were completed on 26 November. The Parish Clerk and Amenity Officer checked the works and noticed areas where there was standing water along the path and especially at the entrance to the field from the Wicks Green car park.





Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 4.2 Wicks Green pathway – further improvements

Purpose of Report: Decision

4 Quote

I would recommend raising this area in the same method as we did adjacent to the zip line, by introducing new timber path edging, subbase to build up an introduce new levels then top dress, finally retaining the timber boards with additional soil. (I would recommend doing this to any low or waterlogged areas, may be something to monitor over the next few months.) What would also help this area, is making a shingle bed around the base of the tree from the footpath leading up to the car park, this will help contain water allowing the water to puddle within the stone bed and drain away slowly, but keeping the area accessible and safe to pass. For this method we would cover the area with a terram membrane then introduce a square cut 14 mm stone, which will lay flat so safe to walk but it will still create an area that can retain water, similar to a soak away but without the excavations.

Section 1 - by the car park entrance.

- *Raising this section of footpath. Approximately 15 meters.
£1870.00 + VAT*
- *Adding drainage stone within the lowest section closest to the tree, to help support the footpath.
£830.00 + VAT*

Section 2 - from the Timber Bridge down to where we started raising the footpath towards the zip line.

- *Raising this section of footpath. Approximately 25 meters.
£2370.00 + VAT*

Both prices include all labour, machinery and materials.

5 Financial Implications

The project was funded out of the Open Spaces Reserves. The total cost of the above works comes to £5,070. This total cost can be funded from Open Spaces Reserves, which currently stands at £25,681. Alternatively, the cost could come from CIL or be split between either of these budgets AND the Amenities Maintenance and Improvements budget which currently stands at approximately £1,500.

In summary the options are as follows.

- a) To be funded purely out of Open Spaces Reserves
- b) To be funded purely out of CIL
- c) To be funded by Open Spaces Reserves/CIL and Amenities Maintenance and Improvements



Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 4.3 Repair Play Tunnel on Foxley Fields

Purpose of Report: Decision

1 Purpose

Members to receive a report regarding the replacement of the rotten timber posts on the play tunnel on Foxley Fields.

2 Decision

Members to approve the quote for £650 to be taken from the Amenities Maintenance and Improvements budget line, which currently has an underspend of £3,559.

3 Background

Over the past few years, some of the timber posts on the play tunnel in Foxley Fields have been replaced by the handy workers. The last play inspection which took place in April 2024 and one of the findings was that the timber posts had a few splits/shakes or air cracks which may affect the stability or allow water ingress which will accelerate the rotting process.

This piece of play equipment is about 14 years old and is very popular with the children. The plastic tunnel is still in good condition, so it is recommended that the timber posts are all replaced to extend the longevity of this play piece.

3.1 Quote

To supply all labour, materials and tools to remove existing posts on play tunnel at Foxley Fields and replace with new posts. Total amount £650 + VAT.



4 Financial Implications

The repair costs can be budgeted from Line 24 – Amenities Maintenance and Improvements which currently has an underspend of £3, 559.

5 Legislation/Legal

Parish councils have a duty of care towards employees, contractors and the public who use the play facilities they own or manage. Play provision is governed by the Health and Safety at Work Act 1974 and the Occupiers Liability Acts of 1957 and 1984.



Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 5.1 Update Report

Purpose of Report: Information

1. Purpose

To update members on any amenity related issues since the last meeting, for information only. Members would have received the Parish Warden and Open Spaces Maintenance log for reference.

2. Play Equipment Repairs and Safety

2.1 A spring on the trampoline on Foxley Fields has been missing and although it does not affect the use of the equipment, a replacement spring was ordered. At a cost of £68.69. Handy worker MT will be fitting the spring. The labour cost will be funded from line 24 Amenities repair and Maintenance.

3. Allotment Updates

The following sections focuses on any allotment issues on Red Rose and Pocket Copse

3.1 Waiting List

Allotment Site	Waiting List end of July 2024
Red Rose	19
Pocket Copse	41
Blue Mountain	67

NB: Numbers relate to residents choosing respective site as their first choice.

3.2 Inspections

4 Tree Updates

4.1 The Liquid Amber tree, which was purchased on behalf of the WI, within the approved budget of £600, was planted on 22 October. Many passersby commented on the new addition and it is hoped this tree will provide a lovely visual amenity to the open space over the coming years.



4.2 Some damage was reported to the Whitebeam tree on Foxley Fields, situated alongside Benetfeld Road. (28/10) This was one of the trees which were donated by the WI in 2023. Unfortunately, the CCTV range does not reach this part of the open space, so the cause of the damage is unknown. The Parish Warden had removed the broken section, and it was hoped that the tree would still survive as there was a shoot coming up. However, this has also been snapped off.

Amenity Committee Meeting

Date: 3 December 2024

Agenda Item/Title: 5.1 Update Report

Purpose of Report: Information



4.3 Tree work recommendations following survey

The recommended tree works following the tree survey which took place in July 2024, were completed on 22 October. As a reminder to members, these were:

SITE	ID	SPECIES	CONDITION	BRANCHES	ROOTS	STEM	RECOMMENDATION	PRIORITY	CATEGORY	TPO
Foxley Fields	13	Myrobalan Plum	Fair	No visual defects	Uprooting	No visual defects	Fell	3 months	2	N
Foxley Fields	33	Common Hawthorn	Fair	No visual defects	No visual defects	Ivy covered	Sever ivy only	6 months	3	N
Foxley Fields	34	Common Oak	Good	Old pruning wounds	Fungus or decay	Fungus or decay, old pruning wounds, ivy covered	Sever ivy only. A detailed inspection of this tree is recommended	6 months	3	N
Foxley Fields	44	Common Hawthorn	Poor	Major deadwood	No visual defects	Weak fork	Fell and replant in space	3 months	2	N
Foxley Fields	47	Common Ash	Fair	Damage / wounding, old pruning wounds	No visual defects	Fungus or decay, bark wounds, cavities	An ageing tree with eco value. A full risk assessment is recommended			
Foxley Fields	50	Common Oak	Good	No visual defects	No visual defects	Ivy covered	Sever ivy	6 months	3	N
Foxley Fields	57	English Elm	Dead				Fell to ground level	3 months	2	N
Foxley Fields	70	Prunus Avium	Poor	Minor deadwood	No visual defects	No visual defects	Fell and replant in space	3 Months	2	N
York Road	1	Goat Willow	Fair	Low hanging branches, minor deadwood, Apical die back	No visual defects	Ivy covered, old pruning wounds	Cut back growth. Crown reduce by 25%	3 months	2	N

The above works were carried out at the approved cost of £1,595 taken from Tree Budget line 21/5.

5. **Amenity related correspondence**

5.1 Resident comment on grass cut on Foxley Fields

An email was received on 01 October:

There are some small trees near our boundary with Foxley Fields where the grass doesn't get cut under the canopy, and where one tree nearest the road had died and was removed last year, the area also doesn't get cut.



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*The result is increasingly scruffy and overgrown with what looks like woody shoots.
Please could these areas be included when the grounds men come round on their regular work?*

An email was sent to the contractor to request cutting more into the boundary and trim around the trees on their next grass cut visit. This was completed.

5.2 Lamp posts in Foxley Fields Open Space not working

Two residents have informed the office that four lamp posts along the path within Foxley Fields are no longer working. They are particularly concerned as they use the path after evening events held in the Foxes Den building and as the nights are drawing in, they find it unsafe to use the path.

The office has contacted BFBC (Ringway) to see whether it could be repaired but they said that as they are an old design, getting replacement fittings would be difficult. They suggested in changing the lamp posts to having LED lighting instead.

5.3 Thanks to resident for clearing Knox Green Corner in readiness for Remembrance Sunday

On 8 November 2024, the Amenity Officer and the Parish Warden tidied up the borders on Knox Green Corner in preparation of the Remembrance Parade passing by on Remembrance Sunday. However, there were still many leaves on the ground and without a leaf blower, they could not be all removed. A local resident offered their help in clearing the area from leaves, which they completed on 9 November.



6 Binfield Environment Group

6.1 The Amenity Officer has joined the committee to help liaise between the group and the Parish Council.

The chair has been doing a bit of research on Binfield's bats for the Eco Church team. The Berks and South Bucks Bat Group have provided them with a lot of information. In the last 10 years, 9 different species of bats have been recorded within 1km of St Mark's church. The bats that have been recorded closest to the church are common and soprano pipistrelle, noctule and brown long-eared bat.

In the last 10 years, 8 different species of bats have been recorded within 1km of All Saints church. A survey was conducted in May / June 2018 which recorded 7 species within the immediate vicinity of the church. In total, 10 different species are recorded on the two lists. This is more than half of the bat species that are recorded in the UK.

BEG's autumn and winter work parties started with the annual guerrilla event on Saturday 19th October. They planted more than 1000 spring bulbs and people took tree seeds away to grow at home/nursery.

The November work party was clearance work in Farley Copse. They removed holly, bramble and laurel from the central section of the copse. Under the guidance of the ranger, Oscar, a bonfire was lit to remove the green waste. The clearance work allows for less competition for the existing trees and gives more chance for

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other plants to return to the woodland. By removing the holly, the hazel becomes accessible and can be coppiced which will promote vigorous new growth. While working, they found a lovely sweet chestnut tree and a few young yews.

There was also some work done within the ponds on site. Volunteers helped to clear duckweed and fallen vegetation. They found efts (larval newts), water-lice (they look like woodlice), and several fearsome looking dragonfly nymphs. This group also discovered that the pond plants they had put in last year had grown better than they thought despite the duckweed.

The next work party will be at Wicks Green on Saturday 21 December. All are welcome to join in.

7 Non play assets

7.1 Damage to Mosses Bench on FF



The Parish Warden noticed some vandalism on a memorial bench on Foxley Fields. It seems like someone had taken a saw to the bench as they were clean cuts. The bench has been cordoned off and will ask the handy worker to replace the cut off slats.

The handy worker replaced the damaged slats of the bench at a cost of £20 (third pic).

7.2 Request for removal of bin in Oakmede Place



As the last meeting (01.10.24) members were informed of an ongoing litter issue in Oakmede Place. Another email was received on 21 October with the below photo and a consideration to have the bin removed



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indefinitely. Sorbon Estates will inform us of their decision. are requested to give their views on whether they would be happy to have the bin removed which will reduce the cost of the BPC litter bin contract with the Borough.

7.3 Lamp posts along path on Foxley Fields

A couple of residents had informed the office that the lamp posts which run along the path in Foxley Fields were not working. They were concerned about the safety when working in this area, especially as the nights are getting darker. The office are monitoring this as they have come on since the original correspondence.

8 Litter Update

8.1 D of E volunteers for litter picking

Three more D of E volunteers have signed up to the Sponsor a Scheme to fulfil the volunteering section for their bronze award. The areas assigned to them are Binfield Road, off Forest Road, and Wood Lane, which includes the area around the Binfield Health and Community Hub.

8.2 Regular litter picker updates

Regular updates received from the volunteer who covers Oakmede Place, Wicks Green, Terrace Road North to Church Lane.

Numerous fly tips have occurred within the recycling point in Oakmede Place. The Parish Warden has emailed BFBC to inform them.



In the layby at the back gate to Binfield House, there has been regular fly tipping - garden waste/landscaping type waste and bags of children's toys. Have contacted Beechcroft House as it is on their land. All removed on 18 November

9 Resignation from Handy Worker John Jacobs

John Jacobs handed in his notice with immediate effect (30 October):

Good Afternoon Purveen

I need to make you aware I intend to cease any further task undertakings with immediate effect.

It is a nine mile round trip for me to tackle the marvellous variety of odd jobs that crop up but I rarely ever cover my costs and don't try to make a profit so I am calling it a day.



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I was shocked yesterday when I saw the state of Knox Green area but I can't simply pop by to look at the grass weekly you need someone local.

I want to wish all the team the very best for the upcoming festive season and one day when I win the lottery I will buy a nice pad in Binfield.

All the best

John

On behalf of the Councillors, the office staff have replied to John sending our thanks for all the tasks he has undertaken around the Parish. A voucher will be given to him with a card of thanks.

10 Risks Walks

The risk walks around parish owned land last took place in November 2023. These will now be done early next year, with a full report presented to the Amenity Committee in March 2025, unless some immediate risks are found in which case they will be taken to full Council beforehand.

Public Rights of Way

Parish & Town Council contributions to Bracknell Forest Council Rights of Way budget.

1.0 Introduction

The Parish/Town Councils contribute annually to the Borough Council's rights of way budget, and this short report is intended to outline the range of work carried out and what the benefits of this are to local communities.

The contribution received for 2023/24 was £2,684 across five councils. Using an inflation rate of 12.64%

The **contribution for 2024/25 is £2,371 across all six councils** using an inflation rate of 6%.

The contribution requested for 2025/26 is £2,442 across six councils using an inflation rate of 3%.

The borough council delivers economies of scale, and in benchmarking comparisons (IPROW / ADEPT) it has been shown to deliver good value for money in terms of costs and charges, compared to similar unitary authorities.

During 2024/25 the fees & charges set for right of way works were reviewed and in cases uplifted to better reflect those set by other authorities.

2.0 Staffing and resources

There are two main areas of work:

- 1) legal/regulatory including maintaining the Definitive Map and Statement, and delivering the Rights of Way Improvement Plan (ROWIP2), and
- 2) practical management and maintenance.

These are reflected in the staffing arrangements. All council officers involved are part of the Parks & Countryside Service. As Public Rights of Way (PRoW) in Bracknell Forest are primarily treated as recreational and leisure-based facilities these responsibilities are delegated from the Highway Authority to Parks & Countryside.

Legal and regulatory work is mainly undertaken by the Access & Countryside and Data & Communication Officers. This is supported by the Green Infrastructure Strategy Manager and Head of Natural Estates, and where necessary reporting to the Director of Place. In Bracknell Forest, there are no officers solely dedicated to rights of way, and this work is part of the varied functions involved in Parks & Countryside.

Maintenance and practical management of the network is managed by the Access & Countryside Officer (0.5 FTE SANG / 0.5 FTE RoW) where responsibilities include carrying out works directly, managing external contractors, organising work and inspections by volunteers.

Customer queries, comments and complaints are prioritised and dealt with. These are usually submitted through Customer Services or using a web-based form, but there are also

regular direct calls and emails to respond to, either to individual Officers or through the Rights of way dropbox account.

3.0 Legal and Regulatory framework

Rights of way work is carried out within a framework of Acts and Regulations, which impose duties on the Authority, and also provide certain powers:

To summarise, the most relevant of these are:

- National Parks & Access to the Countryside Act 1949
- The Highways Act 1980
- Wildlife and Countryside Act 1981
- Road Traffic Regulation Act 1984
 - Road Traffic Procedure Regulations 1992
- Wildlife and Countryside Act 1981
 - Wildlife & Countryside Regulations 1993
- Countryside and Rights of Way Act 2000 (CROW Act)
- Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements & Declaration) (England) Regulations 2013

Temporary and permanent Traffic Regulation Orders. Temporary closures are often required to enable statutory undertakers to carry out work within a path or way. They are also used to enable the council to undertake maintenance work and repairs. Permanent Orders can be used to restrict use of a byway by motorised vehicles (for example Avery Lane in Warfield) to protect the surface or impose a width restriction (for example Hawthorn and Hogoak Lanes in Warfield/Winkfield). Temporary Orders can be extended beyond the initial six months through approval by the Secretary of State. Information about the different types of closures that can be applied for, can be found on our [Temporarily close a right of way page](#) on our website.

Current/outstanding Temp. Orders include:

- Winkfield Footpath19
- Warfield Bridleway 26 (Hedge Lane)

Public Path Orders: These include applications for diversions, path creation Orders, or stopping up Orders. Applications for Orders can be generated by landowners, tenants or occupiers of the land, but also linked to residential development.

Current/outstanding public path orders include:

- Creation of Footpath – Mosses path
- Stopping up of Binfield Bridleway23A

Definitive Map Modification Orders (DMMOs): Generally supplied to the council through application from members of the public or organisations (such Ramblers, British Horse Society or parish/town councils). Applications are received to add unrecorded rights of way to the Definitive Map and Statement or record the correct classification. Applications are displayed on the council's online register.

Current/outstanding DMMOs include:

- Sandhurst Footpath12 (claimed bridleway)
- Peterhouse Close (claimed unrecorded footpath through 20+ years use)

Definitive Map and Statement, which includes keeping records up to date and major reviews. A review of the map and statement is currently underway, to be published during 2024/25. This involves incorporating all the changes and anomalies that have taken place since the previous review in 2013.

Register of Deposits of Statement. Regulations were modified in 2013. The register is updated and available on the BFC webpage.

Rights of Way Improvement Plan (RoWIP) is a duty under the CROW Act. Bracknell Forest RoWIP2 is the second plan to be produced for the borough. It has a ten-year lifespan, and a mid-term review has been completed in January 2023. ROWIP2 was published in 2017 incorporating new survey information and consultation. The plan provides a set of policies and actions which are monitored through the Local Countryside Access Forum. The physical accessibility of the rights of way network continues to be improved, including path resurfacing to provide year-round accessibility, removing, and improving gates and stiles etc.

See some of the work delivered, in our, Improving our rights of way page.

Local Countryside Access Forum (LCAF). Facilitating and administering a LAF is a duty under the CROW Act. Meetings are held three times a year and are now held in person with a hybrid meeting option for members to join online.

A full overview of our duties in relations to LCAF, can be found in this guidance from Natural England: Local Access Forums: role of the local authority - GOV.UK

Enforcement. Dealing with obstructions, ploughing, poorly maintained sites, misleading signs, etc. There are duties to deal with reported obstructions, and powers to issue notices, and if necessary, undertake works and reclaim costs, under the Highways Act.

4.0 Maintaining the network

Routine maintenance of rights of way. 82km total length in the Borough, including footpaths, bridleways, restricted byways and byways open to all traffic.

The surfaces of footpaths, bridleways, byways and restricted byways are the responsibility of the authority, even when on privately owned land. Surfaces vary from grass and soil on rural paths, to unbound gravel, hoggin, road planings, to tarmac on more urban paths. Boardwalks may also be used in boggy areas or where there is seasonal flooding.

Overhanging vegetation growing from within the right of way has to be maintained by the authority. Vegetation overhanging from adjoining land is legally the landowner's responsibility, but on many paths this is routinely trimmed back to ensure paths remain useable, particularly on footpaths which are narrow and restricted by fences and hedges. Maintenance works are contracted and completed twice per year as follows. Other ad hoc issues are completed by the Access & Countryside Officer with support from the ranger service.

- 15.44km of ROW strimmed.
- 3.2km of ROW with additional hedge cutting.
- 14.8km of ROW tractor flailed.
- Regular leaf clearance is completed through a series of urban FPs.

Landowners are also responsible for furniture – gates, stiles, fences etc... There has been a drive to remove unnecessary stiles where possible and replace these with kissing gates or bridle gates if required (i.e. for stock control). We are currently mapping all gates, stiles, kissing-gates, bridges, steps and other features that could restrict access, on a parish-by-parish basis.

Reactive maintenance and repairs are usually needed somewhere on the network, and fallen trees must be dealt with to remove obstructions and remove risks to health and safety from dead and hanging branches.

Fly-tipping is unfortunately a significant and costly problem. Bridleways and byways can be physically blocked, with illegally dumped waste. This is unsightly and can often pose a significant pollution risk, which can affect the land, watercourses and ditches or direct health risks to wildlife and people.

There is a duty to signpost PRoW where they meet surfaced highways, and these fingerposts must be maintained and replaced if damaged or missing, and of course added to new or diverted ways. Waymarker discs are also used along the routes of paths.

Volunteer footpath inspectors provide a very important function in helping to monitor the condition of rights of way. They submit regular reports, which assists the council being proactive in responding to any highlighted issues.

5.0 Capital projects:

Project proposals are drawn up for capital improvements, particularly where suitable S106 funding is available. Once costs have been estimated, an application to apply these developer contributions to a specific project will be consulted on with landowners, Councillors, residents (where affected) the Local Countryside Access Forum (LCAF) and other key stakeholders. Projects need to demonstrate an increase in capacity and improvements in inclusive access. Capacity can be increased by making a path more usable all year round, by making a path more accessible to those with restricted mobility, or by improving links to other facilities such as public open spaces or other types of paths within new developments. If there is support for the proposal, officers can put the recommendation forward for a decision from the cabinet member for Planning, Transport and Countryside, about releasing the funding.

6.0 Table of works completed:

		IMPROVEMENTS
Feb '24	Mosses Path	Dedication plaque (funded by SEBR)
Feb '24	War FP23	Grips stripe onto boardwalk and drainage improvements
Feb '24	War FP6	New 3m bridge
Feb '24	Sand FP24	Grip strips installed along long boardwalk (joint project with BBOWT)
Mar '24	Sand FP4	60m of veg. Clearance opening out narrow urban path
Mar '24	Sand FP5	Veg. clearance (tree works) cock-a-dobby steps
Mar '24	Sand FP4	Repairs to bridge over railway line (completed by NR)
Mar '24	War FP3	New metal pedestrian gate replacing old rotten kissing gate (gate required for future stock proofing of Frost Folly SANG)
May '24	War FP7	10m of stone laid along waterlogged section of path after boardwalk
May '24	Hazelwood Lane	10m of stone laid along waterlogged section of path prior to gateway adjacent Thames Water site
May '24	Hazelwood Lane	Reinstatement works completed by SSE on several sections north of Bottle Lane
May '24	Hawthorndale Lane	20 ton of stone installed to improve wet section of lane.
July '24	Sand FP13A	New boardwalk section

July '24	Mare Lane	New gate installed
July '24	Wink FP6	Removed large tree obstruction access to FP
Oct '24	Wink FP12	Replaced handrails along bridge
Oct '24	Berry Lane. War BW12	Surfacing to 20m and installation of 'grips'
Ongoing	Sand BW6	Surfacing of tarmacked highway
LEGAL		
May '24	Wink FP13/19	PPO diversion confirmed
May '24	Wink FP13	Short TTRO Order made
May '24	Bin FP2	PPO diversion confirmed
Aug '24	Hedge Lane TTRO - extension	Extension to TTRO.
Ongoing	DMS consolidation	DMS update
Ongoing	Mosses Path	PPO creation Order
June '24	War FP5	Unauthorised gate (obstruction) to FP
August '24	Wink FP22A	Damage, unauthorised vehicular usage of FP
Ongoing	Crow RB12	Clearance of drains resolving flooding to underpass of Foresters Way (through Highways contractors)

7.0 Benefits to the local community

In addition to social and health benefits afforded by using rights of way, they are also an important part of our heritage. They also provide opportunities for sustainable travel and help to boost tourism, thus contributing to the local economy. Rights of way have been utilised to link to new southern entrance into Frost Folly SANG.

8.0 Parish Council powers available:

Parish Councils have a range of existing powers that they could choose to exercise in appropriate circumstances.

- Path creation agreement, S30 of Highways Act 1980. Paths created in this way do not automatically become maintainable at public expense.
- Lighting of paths, with landowner consent
- Installing seats
- Warning signs can be erected to warn of danger.
- Parish Councils can undertake maintenance of rights of way. Legislation such as the Highways Act 1980 (sect. 43) provides powers for parish councils to undertake maintenance of footpaths, bridleways and restricted byways.

In many larger County Council areas, the Parish and Town Councils are often directly involved in helping to maintain and manage rights of way at a local level, and their local knowledge supplements the work of the County, where the County Council staff can be based a long way from the rural and village networks. However, Bracknell Forest is a relatively small unitary authority with some 82km of rights of way, and nowhere in the

Borough is very far. Therefore, it is possible for a compact team to manage, maintain (and improve) this network.

9.0 Consultations with Parish / Town Councils

Any proposed Orders are advertised and also sent directly to local councils, giving an opportunity to comment. Consultation also takes place if there is an appeal against a decision by the authority, as for example refusing to make a Modification Order that has been applied for.

10.0 Importance of funding support

The financial support from parish/town councils within Bracknell Forest is very important in helping to manage and maintain Public Rights of Way. The Borough Council's budget is under increasing pressure for efficiency savings and cuts to be made, and therefore the combined funding from the contributing parish / town councils, amounting to approximately 15% of the specific revenue budget is vital in helping the borough to continue to maintain, protect and manage the PRow network, alongside other duties, such as:

- Fulfil the statutory duties and functions
- Facilitate the Local Countryside Access Forum
- Keep web-based information and registers up to date
- Protect and enhance the network through the planning application process.

If you would like any additional information concerning any of the points above, or to discuss any other matters relating to public rights of way, please contact one of the following officers.



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