

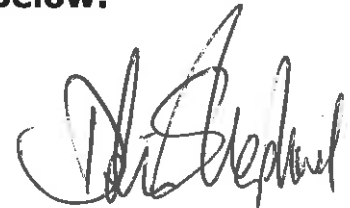
# Sandy Town Council

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**To: Cllrs N Aldis, J Ali, C Butterfield, W Jackson, K Lynch, A Maycock, M Runchman, R Smith, S Sutton, and S Walsh**

**Cc: Cllrs C Osborne, M Pettitt, D Sharman, M Scott and G White**

**You are hereby summoned to attend a meeting of the Community Services and Environment Committee of Sandy Town Council which will be held in the Council Chamber at 10, Cambridge Road, Sandy, Bedfordshire on Monday 10 June 2013 commencing at 7.30 pm. The items of business to be transacted are specified below.**



Delia Shephard  
Town Clerk  
10 Cambridge Road, Sandy  
SG19 1JE  
01767 681491  
4 June 2012

## **A G E N D A**

### **1 Election of Chairman and Vice-chairman**

### **2 Apologies for absence**

### **3 Declarations of interest and requests for dispensations**

*Under the Localism Act 2011 members of Council are not required to make oral declarations of interest at meetings but may not participate in discussion or voting on any items of business in which they have a Declarable Pecuniary Interest (DPI) and under Sandy Town Council's Standing Orders must leave the room for the duration of all discussion on such items. (All members' register of interests are available on the Sandy Town Council website or on application to the Clerk.)*

*This item is included on the agenda to enable members to declare new DPIs and also **those who wish to do so** may draw attention to their stated DPIs and also any non-declarable personal interests which they have declared under Sandy Town Council's adopted Code of Conduct and which may be relevant to items on the agenda.*

- i) Declarable Pecuniary Interests*
- ii) Personal Interests*

### **4 Minutes of previous meeting**

To receive the minutes of the Community Services and Environment Committee held on 22 April 2013 and to approve them as a correct record of proceedings.

# Sandy Town Council

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- 5 Potton/Sandy Cycleway**  
To receive information and to discuss joint working with members of Potton Town Council about the Potton/Sandy Cycleway
- 6 The Limes**  
To consider a request from a resident to purchase land behind The Limes.
- 7 Green Space Issues**  
To consider reports on
  - i) CBC Sandy Green Wheel/Arc Project (attached)
  - ii) Update on CBC work with Sandcast Woods (oral report at meeting)
  - iii) Update on CBC work with Bridleway 8 (oral report at meeting)
- 8 Beeston Green**  
To receive a report from the Clerk and to consider issues relating to future management of Beeston village green (attached)
- 9 Sandy Skate Park**  
To receive a report from Sandy Skating Association 2000
- 10 Watercourse Maintenance Programme for 2013/14**  
To note correspondence confirming planned watercourse maintenance programme advised by Bedfordshire and River Ivel Internal Drainage Board (attached)
- 11 Sandy Markets**  
To receive an oral report on the Sandy Farmers Market on Saturday 1 June 2013 (Cllr Jackson)
- 12 Allotments and Cemetery**  
To receive a report from the Town Clerk (attached)

# Sandy Town Council

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## **Reports for Community Services and Environment Committee meeting on Monday 10 June 2013 commencing at 7.30 pm**

### **5 Potton/Sandy Cycleway**

During 2012 Sandy Town Council was contacted by Potton Town Council and an informal meeting was held between some interested members from both councils to discuss plans for development of the Potton to Sandy Cycleway. Both sets of councillors agreed it was important to work together on this project. Since then there have been some further developments and Cllr Ian Clements (also Chairman of the Potton Town Plan) contacted Sandy Town Council to request a further meeting. Time has been allotted within this meeting to discuss future working arrangements and goals. A large part of the planned route for the cycle way falls within the Sandy parish ie from Carthagen Road to the RSPB gatehouse, within the reserve and then from the bottom gate of the RSPB to cycleway route 12. Officers from Central Bedfordshire Council Sustainable Transport Team have commissioned a feasibility study and it is planned to make a further funding application to DfT in order to progress this project. Gamlingay PC has also expressed interest in seeking funding to connect to the Potton end of the cycleway.



# Sandy Town Council

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## 6 Purchase of land behind the Limes

### Deputy Clerk's Report

The Town Council has been contacted by another elector about the land behind 1,3,5,7 Lime Avenue and 1-5 Ash Close (Copy of letter attached). (A map of the area is also attached)

Members may recall that they have discussed about the land behind 1,3,5,7 Lime Avenue and 1-5 Ash Close on the 20th August 2012 and the agenda of the Community Services and Environment Committee in concise summary were as follows.

Planning, Parks and Open Spaces meeting on the 9th January 2012 that the Limes was discussed and the committee resolved to approve in principle

1. That the piece of land behind 5 Lime Avenue be leased or sold to the owner of 5 Lime Avenue.
2. That the Town Council should investigate further to establish if all of the residents who border the small strip of land would like to lease or purchase the section of land directly behind their property.
3. That neighbours and Central Bedfordshire Council are consulted about the selling and leasing of the land behind 1, 3, 5 and 7 Lime Avenue and 1-5 Ash Close Beeston as marked on the title number BD265918.
4. That before the town council can sell or lease the land, the proprietor of BD214333 has to give permission by a certificate signed to approve disposition.
5. That if the town council sells the land to the homeowners it may make a charge for the land.
6. That the town council will pay no costs with regard to the selling or leasing of the land and the resident(s) will have to pay all the costs.
7. That the town council does not want any of the land to be inaccessible due to it being land-locked.

Central Bedfordshire Council have advised that planning permission would be needed to change the use of the land to residential garden.

The minutes of the Community Services and Environment Committee from the 20th August 2013 in concise summary were as follows.

The committee was minded to make no charge for the land because of its size. Members noted that permission for any land transactions would still be required from the proprietor of the land marked on the title deed BD214333.

**It was resolved:** to recommend to Council that the resident be

# Sandy Town Council

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given permission to formally acquire the land at no charge save the payment by him of all legal fees on both sides.

**It was resolved:** to write to all neighbours informing them that there might not be a cost in them acquiring the land (although it would be made clear that all legal fees on both sides, planning permissions etc would not be borne by the Council) and to ask whether this altered their views.

**Members are asked to consider the electors request.**

RECEIVED  
28 MAY 2013

Chris Cox  
20 Owen Road  
Godalming  
Surrey  
GU7 3EN

Mr Whitehurst  
Sandy Town Council  
10 Cambridge Road  
Sandy  
SG19 1JE

24<sup>th</sup> May 2013

**Re: Land Behind – Lime Tree Avenue & 1 – 5 Ash Close**

Further to our recent discussions I would like to formally apply to acquire the land behind the above properties.

Apparently, a couple of years ago this was offered to the local residents but at that time the take up was not sufficient enough and would have led to the land being land locked and therefore restrict access for maintenance.

Our enquiry was based on the fact that I own 1 Ash Close and my daughter owns number 5, it is our intention to extend our properties (if planning is granted) sometime in the future and the extra land would enable us to retain the same length of garden.

We are more than happy to acquire and maintain the land behind all the properties if this is the only way of acquiring the area we need and fully understand that there will be restrictions on the usage and can confirm we require it purely to be used as domestic gardens.

Our proposal would be to clear the land directly behind the gardens, which is mostly grown over with small bushes and saplings, down to the boundary, which we believe is the ditch, however, all large trees will be left and maintained accordingly.

I would be grateful if the Town Council would consider this application and if agreed advise of the terms of the acquisition

Thank you in anticipation

Yours sincerely



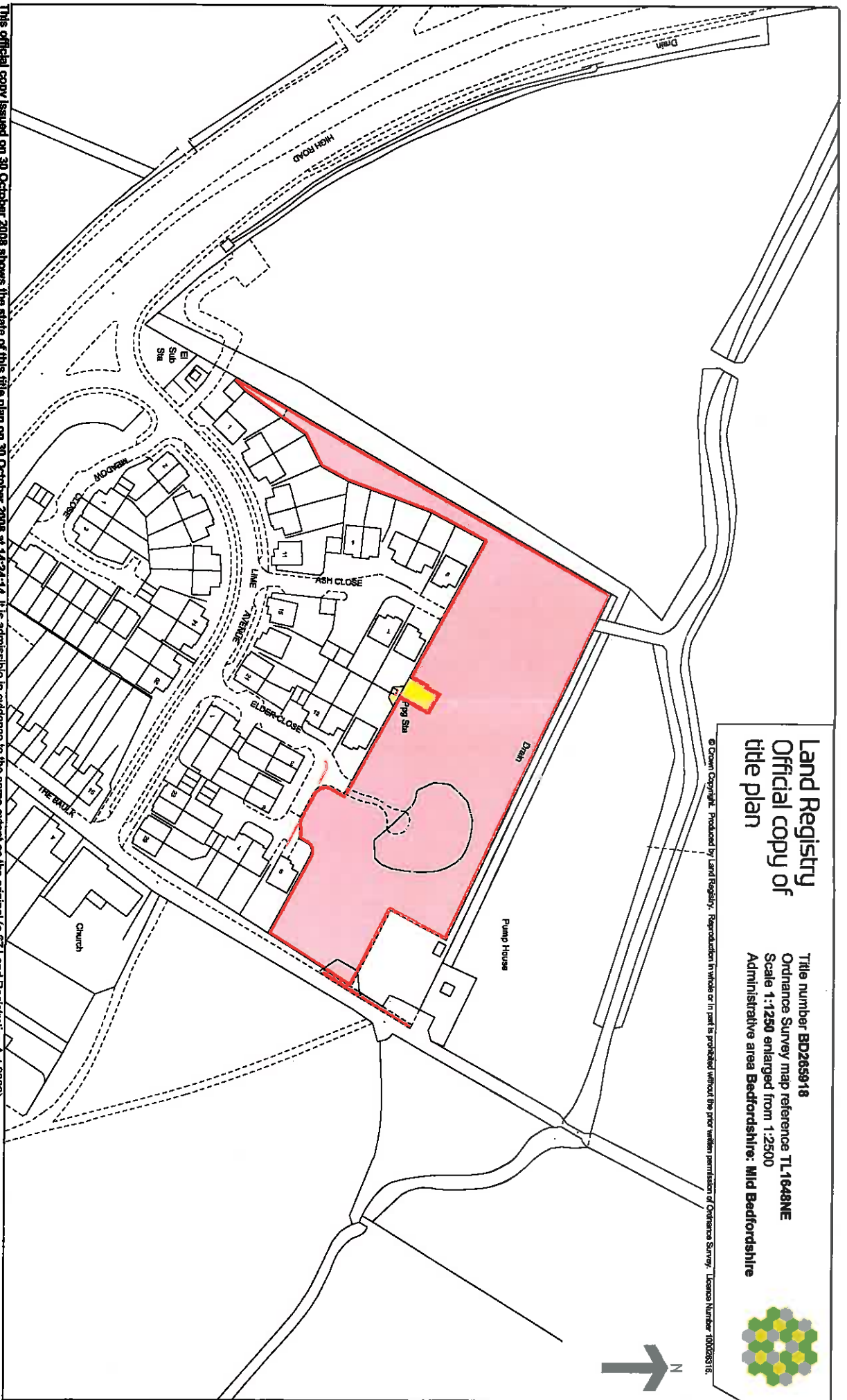
Chris Cox

**Land Registry**  
**Official copy of**  
**title plan**

Title number **BD265918**  
 Ordnance Survey map reference **TL1648NE**  
 Scale **1:1250** enlarged from 1:2500  
 Administrative area **Bedfordshire: Mild Bedfordshire**



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# Sandy Town Council

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## **7 Green space issues**

### **Clerk's Report**

#### **1 Sandy Green Wheel/Arc**

The Countryside Access Team of Central Bedfordshire Council is currently working on a vision for the long term development of a green wheel for Sandy, greening the area, promoting sustainable recreation and travel and increasing access to high quality green space. It is intended to commission BRCC to support the development of this vision which will result in a document which will influence the long term development of the area within Sandy as well as incorporating the development and promotion of outward links through walking and cycling out from the town for business, education and leisure purposes in the surrounding area.

The area of the project is yet to be finalised but is expected to include all of Sandy urban area, the Ivel river valley, north to the disused railway (National Cycles Route 51) and south to cross over with the Biggleswade Green Wheel, north edge of Biggleswade Common, RSPB Holdings and Greensand Ridge walk area.

The work will include identification of key links between strategic, local, town plan and CBC policies which can then be supported through adoption of the document. Existing green space will be reviewed and key priorities for access and green space will be drawn out, there will be a mapping element to the work so that new green space connections (especially cycle connections) can be identified and there will be discussions between CBC and landowners to discuss methods of working in the future. It is intended that potential improvements can be identified to increase use of the existing green space and to make it more engaging and accessible to a wider audience. The development of detailed financial costs and estimates will contribute to future funding bids and influence the Green Infrastructure Projects List and refine developer contribution strategies locally. The work will be undertaken with support from BRCC and there will be public consultation in developing the document. Following the document's approval by CBC and Sandy Town Council the document will be publically consulted upon and finalised, it will then be shared widely.

It is proposed that the consultation draft of this document is prepared by 30 September 2013, final alterations and sign off by partners will take place over the following 6 weeks, public consultation will run for 6 weeks from 31 October and the sign off and adoption by partners is planned for late January 2014.

# Sandy Town Council

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Sandy Town Council's role will be to work with CBC and contribute to the project through a steering group approach. The steering group will include Central Bedfordshire councillors and project officers and representatives from Sandy Town Council. It is critical that the final document is adoptable by both Central Bedfordshire and Sandy Town Council. This is an important opportunity for continued partnership working for the benefit of the community.

**The committee is asked to express its support for this work and members are invited to volunteer for the steering group.**

# Sandy Town Council

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## **8 Beeston Green Clerk's Report on Management of Beeston Green**

### **1 Background**

Beeston Green is a registered Village Green and is included in the register of Common Land and Town or Village Greens held by Central Bedfordshire Council which is the local Commons Registration Authority. The Green is therefore protected by a range of legislation dating back to the Enclosure Act of 1857 as well as including more recent acts of parliament such as the Commons Act 2006. This raft of legislation protects the rights of the community to enjoy the Green as a place for recreation but also provides protection for those inhabitants who have specific rights over the common ie graziers. (There are currently several individuals with registered grazing rights on Beeston Common although these rights do not appear to be exercised in practice.)

The management of the Green is vested in Sandy Town Council. Sandy Urban District Council acquired the rights of Lord of the Manor in 1952 and in 1972 a Scheme of Regulations under the Commons Act 1899 was made by that Council and approved by the then Secretary of State. As the successor authority, Sandy Town Council inherited this scheme and it remains in force. The Town Council is responsible for the maintenance, protection and upkeep of the Green and as custodian must ensure that the Green is protected against encroachment, damage and uses other than those consistent with normal enjoyment of the Green and the rights of the graziers.

In 1977 the Town Council conveyed two areas of land within the Green to Mid Bedfordshire District Council for development purposes (shown on the attached map) and these remain in the ownership of Central Bedfordshire Council as does a plot of land also marked on the map which previously has been considered for housing development, and more recently for community orchard and/or for allotments.

### **2 Current Management Arrangements**

In April 1988 Sandy Town Council entered into an agency agreement for the management of Beeston Green with Mid Bedfordshire District Council. This agreement conferred on the District Council the power to exercise all the rights, duties and responsibilities of the Town Council including the making and revoking of byelaws as permitted within the scheme of regulations (after consultation with the Town Council) but the Town Council retained responsibility for enforcement of any byelaws. This arrangement does not appear to have been

# Sandy Town Council

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revoked. As far as can be established at the time of writing there are no byelaws in force over the Green but the 1972 Scheme of Regulations remains in force and is itself capable of being enforced therefore bye laws may be unnecessary.

At present the grass on the Green is cut by CBC as part of the Town Council's grass cutting contract. The play area is inspected, maintained and managed by the Town Council. Town Council grounds staff also undertake limited inspections of the general condition of the Green. The total budget set aside by the Town Council for management of the Green is c £500 per annum (excluding grass cutting). Tree work has been undertaken during the last 5 years by Mid Bedfordshire District Council but there is no current formal agreement for management of the trees on the Green with Central Bedfordshire Council. The Town Council has no formal conservation management plan agreed for the Green, no written schedule of maintenance activities to be undertaken by itself or other agencies (other than the grass cutting agreement and play area inspections) and no documented policies in relation to use of the Green.

The residents of Beeston and in particular the Beeston Wildlife Group and Beeston Garden Group have been active in preserving and looking after the Green and engaging in practical work such as planting of containers etc. However, the Town Clerk has no direct knowledge of how much or how little work is currently done or what is planned for the future.

### **3 Management Issues**

During the past two years a number of issues concerning the Green have arisen from time to time and are gradually becoming more problematic. These are summarised below:

i) **Conservation and Maintenance** - The Town Council's insurers require that all trees in public open space are properly and regularly inspected and maintained. This is an issue on all Town Council land but the trees on Beeston Green are an important aspect of the ancient common and should be subject to a regular inspection and conservation programme. The area is rich in fauna and flora and mowing and management regimes should be taking this into account.

ii) **Maintenance and management of roadways** – Footpath 40 is believed to be adopted Highway and is the responsibility of Central Bedfordshire Council. There has been a general increase in vehicular traffic on this highway (not least but not only because of commercial

# Sandy Town Council

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activities at the Timberyard) and the verges are being affected. It is not clear who accepts responsibility for the other tarmac pathways over the Green and their maintenance.

iii) **Parking** – During the last two years parking problems have increased as numbers of cars owned by residents have increased and more visitors use the Green for dog walking etc. There is currently no enforcement activity to prevent parking on the Green and increasingly residents are either asking for permission to park on the Green or doing so without consent. There are specific areas of the Green being badly affected by vehicular incursions and it would be legal to introduce posts, bollards, stones etc to deter parking and protect key areas of grass.

iv) **Access** – There are distinctions to be drawn between different types of access across the Green and the existence of some specific rights of way. Some of the issues are not straightforward. Access on foot is available across all of the Green as part of the public right to use the Green; the problems arise with vehicular access.

A number of tripartite access agreements (dating from 2002 onwards) have been entered into by residents, Sandy Town Council and Central Bedfordshire Council. These written agreements confirm that residents will be allowed to access their properties over the Green. They do not confer any right of way and are of limited legal value. Previously these agreements have been provided without the charge of any fee to residents provided residents met the legal costs (a practice which should be reconsidered for the future). It is believed that in addition the deeds of some of the properties facing on to the Green also specify vehicular access rights but these are not known to the Town Council.

At the time of writing there are at least three other specific access issues which have been brought to the attention of the Town Clerk by residents who want to secure permission to drive a vehicle over the Green and/or park on the Green. Before dealing with these as individual cases and different issues it would seem sensible to review all the access arrangements and agree a formal policy.

v) **Enforcement of Scheme of Regulation** – some residents seem to be familiar with the scheme of regulations though many are convinced that there are other bye-laws pertaining to the Green and the Clerk has been quoted a range of different rules and regulations evidence for which is lacking in the Town Council records. Some residents profess to have no knowledge of any rules applying to the

# Sandy Town Council

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Green.

If the Green is to be well managed it is important for the details of the scheme to be well known to the community and for enforcement action to be a genuine possibility. For example, there has been a recent problem with metal detecting. There is no bye-law preventing metal detecting on the Green but the scheme of regulations states that the Council may prevent "nuisances" and may make a byelaw to "prohibit or regulate any act or thing tending to injury or disfigurement of the common or to interference with the use thereof by the public for the purposes of exercise and recreation". So a bye-law could be made, or alternatively and more pragmatically, a set of easily understood rules including one on metal detecting could be published to the community detailing what is expected and what is not allowed and then enforcement action could be undertaken under the scheme of regulation if these rules were breached. Although officers and grounds staff have talked to local metal detectors and tried to discourage them the Town Council does not currently have the capacity to issue enforcement notices etc and the rules do not expressly prohibit detecting activity in any case.

vi) **Community Orchard/Allotment Land** – local residents and the Town Council have expressed interest in the land owned by Central Bedfordshire close to the common for use as a community orchard. It is important to pursue this project whilst there is community interest and a positive approach from Central Bedfordshire Council. But it would be difficult to pursue this project in isolation from many of the other issues pertaining to the Green which have been raised above.

vii) **Dog Fouling** – the Green is increasingly popular for dog walking and the Town Council has no dog fouling enforcement capacities at present although recent legislative changes mean that both council staff and volunteers could be trained and empowered to issue notices.

#### **4 Action to date**

The Town Clerk has met with several individual residents to discuss specific access issues and complaints/concerns about other residents (none of the latter has been put in writing). The Town Council has received complaints from residents about the encroachments on to the Green caused by lorries from the Beeston Timber yard and photographic evidence had been provided. The Town Clerk has also searched the Town Council archives to seek relevant information.

# Sandy Town Council

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The Town Clerk has corresponded and met with colleagues from Central Bedfordshire Countryside Access team, Commons Registration Officer and others and on 29 May a preliminary meeting was held with CBC officers in the Town Council offices which Cllr Aldis also attended in his capacity as a Ward Councillor. The purpose of this meeting was to identify the main issues and explore possible solutions such as the introduction of a TRO, development of a management plan for future conservation etc. It was evident from this meeting that a large piece of work is required and that community engagement and input into the management of Beeston Green is essential. A public meeting to test interest in the community orchard project is desirable but it was felt that it was impossible to hold this without addressing other issues.

## **5 Recommendation**

It is proposed that the Community Services and Environment Committee should begin proactive work to tackle the problems above and develop a phased programme to improve management of the Green. The first steps would include:

- 1 Initial contact with local residents to explore their issues and aspirations in more detail possibly via a public meeting (the Town Clerk has asked Steve Halton of Central Bedfordshire Council who is already working with Beeston Wildlife Group to make a proposal about how this could best be done).

- 2 Research to investigate the history of the Green and surrounding properties and establish the existing rights over the Green (Central Bedfordshire Officers have suggested an approach to Kevin Ward, a former county archivist, to test his interest in undertaking this work and to obtain a costing).

## **6 Resources**

The resource implications of this project are considerable in terms of officer time and other expenses relating to the future management of the Green. It is difficult to estimate these costs precisely as further information is needed. It may be possible to secure grant funding if specific conservation projects are deemed necessary though this is uncertain.

## **7 Risk Assessment**

The risks to the Council if the work is **not** undertaken include potential liabilities for public injury (eg if trees not properly managed), potential damage and thus increased maintenance costs for the Green as erosion of the green continues, increased expense

# Sandy Town Council

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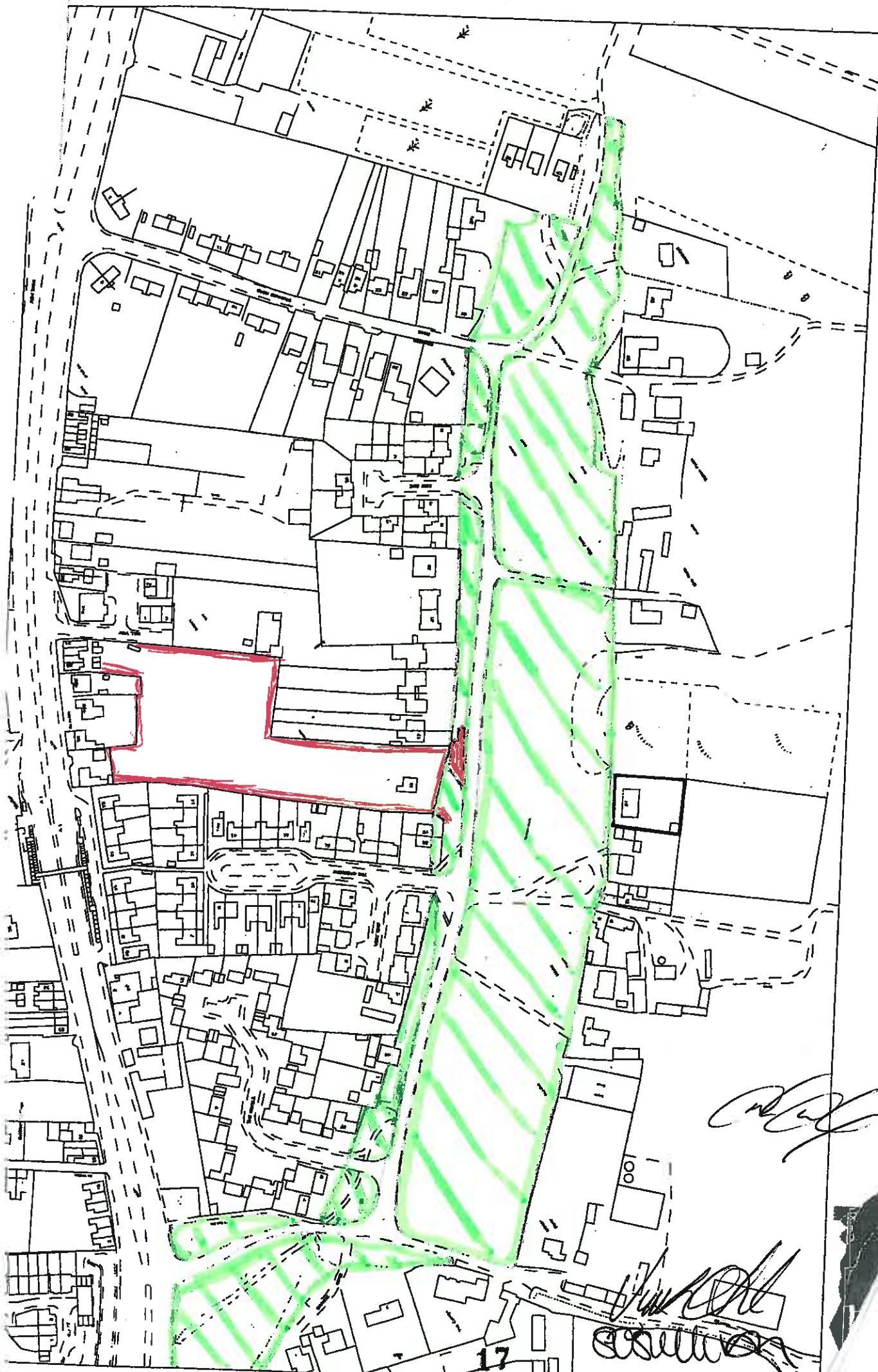
in officer time in resolving issues pertaining to the management of the Green and possible damage to reputation for failing to act as a responsible custodian.

The risks to the Council if this work **is** undertaken are predominantly financial (see paragraphs above) though again there may be some damage to reputation if community expectations are raised unrealistically and/or if residents' lifestyles are affected eg parking enforcement action taken.

Delia Shephard  
Town Clerk

3 June 2013





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Scale: 1:2500

**PRESTON GREEN, SANDY**  
STC  
CBC

PLAN 1

Date: 10/03/2003

17



# BEDFORDSHIRE AND RIVER IVEL INTERNAL DRAINAGE BOARD

Your ref:

Our ref: B1-Sandy Town Council- JO

Date: 13th May 2013

RECEIVED  
15 MAY 2013

Cambridge House  
Cambridge Road  
Bedford  
MK42 0LH

Tel: Bedford (01234) 354396

Fax: Bedford (01234) 328196

Email: [contact@idbs.org.uk](mailto:contact@idbs.org.uk)

Website: [www.idbs.org.uk](http://www.idbs.org.uk)

Ms D Shephard  
10 Cambridge Road  
Sandy  
Beds  
SG19 1JE

10.6.2013 Agenda Item 10

Dear Ms Shephard

## **Watercourse Maintenance Programme for 2013/14 in Sandy Town Council;**

(see attached plan)

Having finalised our maintenance programme for the coming year 2013/14, we have identified watercourses in your Parish where we propose to carry out maintenance works so that they are kept in serviceable condition to manage surface water and help reduce flood risk. We thought that this year it would be beneficial to send a letter to you so that the Parish Council is aware of the Internal Drainage Board's works plan in your area.

The proposed works will be similar to that of previous years consisting of: flailing, clearing, weed cutting, pollarding, and dredging, as necessary. These works will improve flow in the watercourse by removing obstructions and hence reduce flood risk. We will aim to use the same working bank as used in previous years where possible. A formal Notice of Entry letter will be sent to the relevant landowners prior to us starting the work in due course.

There is further information about the Bedford Group of Drainage Boards on our Website at [www.idbs.org.uk](http://www.idbs.org.uk). If you would like discuss the Board's maintenance programme further please do not hesitate to contact either myself or my Works Manager, Bob Spendlove on 01234 354396, particularly if you have any information you feel would be useful in scheduling the works programme, such as: access issues, problem areas and environmental constraints.

Yours sincerely

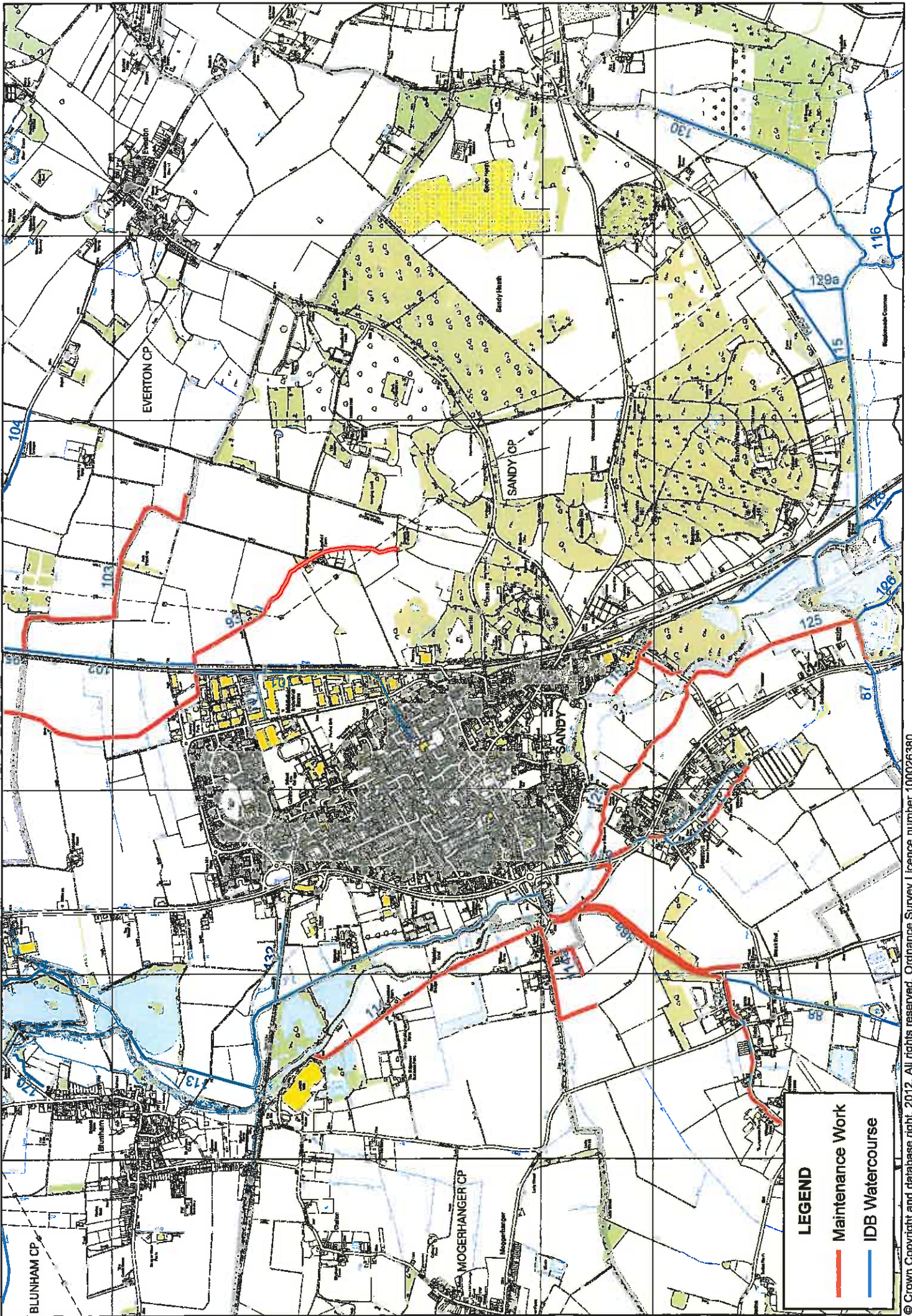


PP

John Oldfield  
Director of Operations  
[john.oldfield@idbs.org.uk](mailto:john.oldfield@idbs.org.uk)

Enc.

**BEDFORDSHIRE AND RIVER IVEL IDB WORKS PROGRAMME 2013-14**



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# Sandy Town Council

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## **12 Allotments and Cemetery**

### **Clerk's Report**

Following decisions at a meeting of Sandy Town Council on 15 May 2013 further instructions have been given to Central Bedfordshire Council regarding a potential new site and there is currently nothing further to report. The desk top study of the cemetery is on track and again there is nothing to report at present.

The Town Clerk attended the AGM of Sandy & District Allotment Association along with the Mayor and several Town Councillors. Although tenants expressed disappointment that a new site had not yet been found it appeared to be generally accepted by those present that efforts were being made to secure a new site. The association will continue with the goals of promoting allotment gardening locally and still working for the provision of a publicly owned site. It was proposed at the meeting that a barbecue should be organised at the site in the autumn to mark the end of allotment gardening in Stratford Road. A significant proportion of tenants have not renewed for the period from April to November 2013 and tenants are gradually moving away from the site although several have indicated their intention to continue gardening to the end of the season.