

KILMINGTON PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MEETING ON MONDAY 8th JANUARY 2024 AT 7.00PM IN THE CRICKET PAVILION

Present: Cllrs. P. Ball (Chair), K. Veberth, A. Dare, M. Jones
S. Seward, A. Collier, B. Reed, N. Bayley, O. Miller

In Attendance: A Jenkins (Clerk/RFO),

Members of Public: 0

The Chair welcomed everyone to the Council meeting and outlined / reminded everyone of the Covid-19 measures which had been adopted for Council meetings.

OPEN SESSION

No matters raised.

COUNCIL BUSINESS

1. To receive apologies for absence and to approve reasons given (LGA 1972 S.85 (1))

Cllrs. O. Miller, N. Bayley & B. Reed

2. To receive any declarations of interest relating to items outlined in this agenda (this does not preclude the duty to declare further interests as applicable)

None

3. Minutes of the Meeting held on 11th December 2023

The minutes were declared a true record of the proceedings, proposed by Cllr. Seward seconded by Cllr. Collier, all in favour.

4. Matters arising from the Minutes

None

5. Planning Applications

a) Ref. No. 23/1800/FUL - Kilmington Cross Service Station Kilmington Axminster EX13 7RB

Removal of associated structures and the creation of charging zone, erection of EV chargers, erection of canopy, sub-station enclosure, LV panel, meter cabinet and associated forecourt works.

Cllr. Ball advised that the applicants had submitted revised site layout plans.

Cllr. Seward proposed that the Parish Council continue to uphold their objection to the planning application. Stating that following the August 2023 consultation, the Parish Council raised several concerns in their response dated 11 September 2023, which should

be read in conjunction with this new response. The concerns primarily focused on the access into and out of the site and the provision of adequate parking.

The existing layout in use today frequently results in vehicle queues extending back onto the A35 carriageway, which creates a safety hazard.

The proposed new site layout reduces the number of parking spaces and could also result in slowing the vehicle movement and access, particularly for larger vehicles and vehicles towing trailers and caravans.

Seconded by Cllr. Collier, all in favour.

b) Ref. No: 23/2435/LBC - New Inn The Hill Kilminster Devon EX13 7SF

Siting of defibrillator on exterior wall on front elevation

The Clerk advised that the Listed Building Officers were still considering the application but that a decision should be made shortly.

6. Finance

a) Current Financial Position

The Clerk advised that the present balance in the Lloyds Account was £4,495.93

This includes payments to be approved at this meeting on the 8th January 2024.

NSI Account £38,397.33

Santander Account £ 1,095.66

b) Expenditure to be ratified

None

c) Expenditure to be approved for which bills have been received

- 1) Payment of £463.00 to A. Jenkins for the Clerk's salary for the month of January 2024 (28/12/2023 to 01/02/2024)
- 2) Payment of £145.40 to HMRC for PAYE
- 3) Payment of £51.77 to Kilminster Playing Fields Committee for room hire 13/11, 30/11 & 11/12/2023.
- 4) Payment of £330.00 to Shute Parish Council for the 50% contribution by Kilminster Parish Council towards the Hitchcock Trust Insurance Premiums for January 2022/23 and January 2023/24 years.
- 5) Payment of £96.00 to REJ Wareham for hedge trimming from the road of the allotments hedge side and top.
- 6) Payment of £270.00 to Scott Barton's Company for arboriculture work to remove hung up torn limb from willow tree and remove brash.

Payments proposed by Cllr. Miller, seconded by Cllr. Bayley, all in favour.

d) Closure of Santander account and transfer of closing balance to Lloyds account.

The Clerk advised that he was waiting a reply from Santander.

e) Change of bank signatories

The Clerk advised that he was waiting for the Bank to confirm the changes had been processed.

f) Section 106 monies

Cllr. Ball advised that he was trying to seek a meeting with the EDDC Section 106 officer to ascertain what Section 106 monies the Parish Council are entitled to, what planning applications the monies had arisen from, explore the limitations on what the monies can be spent on and a number of other matters relating to Section 106 and CIL. He would advise further at the next meeting.

g) Grant application - Axe Valley and West Dorset Ring and Ride Service.

Deferred to next meeting

h) Parish Council contributions for Devon Highways Community Self-Delivery of Highway Improvements Trial Scheme – 20mph

The Clerk reported that Minor Highways Improvements could also now be funded by Town & Parishes Communities who ask to use their own money to make minor improvements to roads in their area will soon be able to do so after DCC cabinet gave a trial scheme the go-ahead.

Self-delivery schemes could be for a 20mph zone or traffic calming for instance.

In December the cabinet approved recommendations for a Community Self-Delivery of Highway Improvements trial, a proposal that had cross-party support. A step-by-step guide or ‘checklist’ will be published enabling communities to understand the steps that are required before any work is carried out. Highways service receives requests from communities for permission to pay for and make small improvements to a highway in their area. These requests are where communities have funding in place, but our highways service lacks the capacity to deliver it on their behalf as quickly the community would like. The results of the trial will then help us determine if the proposal should be turned into a permanent scheme.

The guide itself has been co-authored by the Highways and Traffic Management Service with the support of the Engineering Design Group and lays out the typical steps that need consideration before work is carried out.

Steps include appointing a competent designer, environmental considerations, road safety and maintenance audits, consultation with affected parties and any changes to Traffic Regulation Orders.

The Clerk pointed out that whilst this is a welcome initiative by DCC the legislative powers of Parish Councils only enable it to contribute towards traffic calming measures and does not allow it to pay the whole costs. In his opinion DCC Highways would have to pay a proportion of the costs.

He had spoken to DALC asking them to confirm his interpretation of the power to contribute. They referred the matter to NALC who had advised “There is no legal definition of contribute and a court would look to apply the normal meaning of the word. The Oxford Dictionary definition includes “give towards a common purpose” and “help to bring about a result”.

DALC believe that a court would be likely to conclude that to contribute means to play a part but not the only part. Therefore, DALC think that it would not meet the normal meaning of contribute if the Parish Council were to pay the entire cost of the traffic calming works. However, a payment of the full amount less a small amount would be a contribution as it would leave the other party to provide some funding.

An alternative argument could be that the Parish Council is contributing money while the other party is contributing work and expertise, but I think that this would be less likely to find favour at a Court.

i) Budget & Precept

The Clerk gave Councillors a budget report based on an Excel spreadsheet document (as attached). The spreadsheet, showed the Annual budget amounts for 23/24, the amounts paid up to the 8th January 2024, any balances due to be paid by the year end on the 31st March 2024, the expected total payments for the year 23/24 and the estimated annual 2024/25 budget amounts.

The Clerk gave a verbal presentation of the various year costs, the projected year end spends and balance and the 24/25 budget and gave Councillors a detailed report on the various annual costs during the 23/24 year and the various budget matters to be considered for the coming 24/25 year.

In January 2023 the Council accepted a budget of £23,308 and had kept the precept at £21,000. The total projected spend for 2023-24 is £22,294 which is under budget.

The Clerk said that the Council had for a period of 4 years maintained the precept at £21,000 but now needed to consider the precept for the coming year in relation to the draft 24/25 budget of £24,720.

Councillors discussed the draft budget. Cllr. Veberth proposed setting a budget of £25,000, seconded by Cllr. Collier, all in favour.

Councillors then discussed the matter of the precept. Cllr. Seward proposed setting the 24/25 precept at £24,000, seconded by Cllr. Miller, all in favour.

The Clerk said that for illustration a £24,000 precept will mean that a Band D property in Kilmington would pay an amount of £58.68 for the Parish Council Tax. This would be an increase of £7.34 annually (or 61 pence monthly) on the 23/24 amount based on last year's precept of £21,000.

(The Band D property calculations based on the Kilmington tax base of 409 were:-

£24,000 Precept divided by 409 = £58.68 for a Band property

£21,000 Precept divided by 409 = £51.34 for a Band D property)

The Chair thanked the Clerk for his work in producing the report and budget forecast.

The Clerk to submit the completed precept form.

7. Reports:

a) Police

None

b) District and County Councillors

None

c) Clerk

None

d) Highways Matters

1) 30 to 20 mph Speed limit

Cllr. Ball advised that he would speak to Devon Highways to confirm the costs for completing the 30 to 20mph scheme following on from the design work which had been paid for by the Parish Council. He would bear in mind the earlier conversation as regards the NALC/DALC interpretation of the Power to Contribute. The matter to be further discussed at the next meeting.

2) Speed Watch Scheme

Cllr. Seward advised that the Speed Watch Scheme was now operational and would be operating at least 4 speed watch sessions in Kilmington during January.

3) A35

Cllr. Ball said that he was seeking to arrange another meeting to be held in Kilmington with Highways England and all the various Parishes

4) Other matters

None

e) Playground

None

f) Allotments

None

g) Trees – Safety Survey report – action plan

Cllr. Jones advised that some recent arboricultural work had been completed to remove hung up torn limb from willow tree and remove brush as per the invoice from Scott Barton's Company. Further work is required to attend to the matters identified in the recent Arboricultural Safety report and he would advise a timetable for this work to be carried out.

h) Footpaths Report.

Kilminster Footpath 22- The Clerk reported that the Secretary of State for Transport has approved the extension of the temporary closure of Axminster Footpath 58 and Kilminster Footpath 22 where they cross the "Isle of Man" footbridge over the River Axe. The closure would have expired on 23rd December 2023 and has now been extended until 23rd December 2024 or until the works are complete, whichever is the sooner.

The closure is necessary due to a dangerous bridge. The County Council is exploring options for a more resilient crossing point.

i) Defibrillators

defibrillator at The New Inn

The Clerk advised that the defibrillator had been delivered to the New Inn and was ready to install pending approval of the Listed Building consent application.

Cllr. Ball advised that the Awareness training session was due to be held in the Cricket Pavilion on the 16th January 2024. He said that 22 persons were due to attend.

j) Any Other Reports

Noted

8. Correspondence

a) EDDC Community Resilience Network

Noted

9. Councillor training

The Clerk reminded Councillors that the training session for new Councillors would be held on the 24th January 2024 with a 6.30pm start in the Cricket Pavilion. The Clerk will also be attending along with new Councillors from Offwell, Shute and Widworthy Parish Councils.

12. Agenda Items for Next Meeting

Grant application - Axe Valley and West Dorset Ring and Ride Service.

Grass Cutting Contract

War Memorial

The Green water course

13. Date and Time of Next Meeting

Monday 12th February 2024 at 7.00pm

The meeting closed at 9.05pm

Signed *P. Ball*

Date *19/02/2024*