

KILMINGTON PARISH COUNCIL

MINUTES OF THE MEETING HELD AT 7.30pm ON TUESDAY 14th JANUARY 2020 IN THE CRICKET PAVILION

Present: Cllrs B. Trott (Chair), M. Collier (Vice Chair) M. Jones,
S Huscroft, J. Mear, A. Dare, S. Seward, P. Ball, E. Styles

In Attendance: A Jenkins (Clerk/RFO)

Members of Public: 2

OPEN SESSION

Mr John Watts thanked the Clerk for the work he had done in seeking and advising on funding opportunities for Kilmington Moviola.

Questions were asked about the tree felling being carried out at Gapemouth Corner. Cllr. Ball advised that he had been in contact with the Arborist Officers at EDDC and the Forestry Commission. He said the owner of this site had applied for and been granted a tree felling license by The Forestry Commission. This had been granted to ‘harvest’ the crop of conifers within the centre of the woodland.

A number of large broad leaf trees on the site are protected by Tree Preservation Orders (TPOs) and are not included in the felling license.

The Parish Council were originally told the entire site was protected by an ‘area tree preservation order’ and had already included this “buffer” to the A35 in our draft Neighbourhood Plan. The Council were therefore surprised when contractors arrived to fell trees.

EDDC have now told the Parish Council that their records show that this order was in fact only provisional for some six months from the date of application, which was over a decade ago, it then lapsed.

The Council have also been advised that EDDC would not now consider placing an ‘emergency TPO’ on the Conifers as they are considered a crop ready for harvesting and as such a Forestry Felling License would override any such TPO.

Cllr. Ball said he is in continuing discussions with The Forestry Commission and EDDC to explore and understand what replanting has been requested and how it will be enforced.

COUNCIL BUSINESS

1. Apologies

DCC/EDDC Cllr. I. Chubb

2. Declarations of Interest

Cllr. Styles and Cllr. Dare declared an interest in Item 7 Planning application DCC/4163/2019 – Land at Former Kilmington Quarry.

Cllr. Seward declared an interest as owner in Planning 7 Planning application 19/2678/FUL – Fernwood Farm, Gore Lane, Kilmington. Cllr. Collier and Cllr. Jones also declared an interest in this planning application.

3. Minutes of Council Meeting 17th December 2019

The minutes were declared a true record of the proceedings, proposed by Cllr. Mear, seconded by Cllr. Ball, all in favour. The Chair signed the minutes.

4. Matters Arising from the Minutes

The Clerk reported that the A35 joint parish councils meeting with Highways England was going to take place on Thursday 6th February and would be held in Kilmington.

The Clerk advised that the date for the Defibrillator training is yet to be confirmed.

Councillors all confirmed that their new official email addresses were now set up and working. The Clerk advised that he was setting up a direct debit for payment of the £6.50 increased email data charge to Freeola.

The Clerk reported that the Highways Neighbourhood Officer had inspected the posts and metal railings on the road side of the stream along the Street. He had advised that it isn't something that DCC would take action with at this current time. He said that the budget for fencing is very limited and funds tend to be directed to areas where the issue(s) is much greater and/or those which have been deferred, that said, he will add it to a list for when future funding becomes available.

5. Reports

a) District & County Councillor

None

b) Police Report

The Clerk reported that PCSO30413 Bolsover had sent a report for the period 1st December 2019 to 31st December 2019 which showed there were no reported crimes.

c) Any other Reports

None

6. Finance

a) Current Financial Position

The Clerk reported that the present bank balances were as follows: -

Lloyds Bank Account 00092185

Bank Statement dated 31-12-2019 balance as at 31-12-2019 £ 3,554.99

Santander Bank Account 04146212

Bank Statement dated 27-08-2019 balance as at 27-08-2019 £ 1,091.27

NS&I Account 138414235

Bank Statement dated 11-09-2019 balance as at 12-09-2019 £ 56,721.51

b) Requests for Financial Support

None

c) Intervening Expenditure to approve

None

d) Expenditure to approve

Cllr. Huscroft proposed, Cllr. Dare seconded, all in favour that the following payments be approved.

Chq. No.	Payee	Amount
1. 2054	M. Lawson (Website Maintenance December 2019)	£ 50.00
2. 2055	Kilmington Playing Fields Committee (Room Hire 12/11, 02/12 & 17/12)	£ 39.00
3. 2056	A Jenkins (Clerk) (Clerk's salary 14/12/2019 to 18/01/2020 and 6 excess hours during the same period)	£458.16
4. 2057	C S Garden Services (Work carried out 13/11)	£155.00

The payments 1-4 above will reduce the Lloyds Bank account balance to £2,852.83

The Clerk advised that the cheque payment approved last month to Sonic Fireworks was not required and the cheque had been voided. The Fireworks had been picked up by Jeremy Waldon and that he had paid Sonic Fireworks and produced a receipt for £12.50. A payment of £12.50 from Petty Cash in reimbursement was given to Cllr. Collier to pass on to Mr Waldon. Cllr. Jones proposed, Cllr. Ball seconded, all in favour this payment be approved.

e) Forthcoming expenditure to approve

None

f) Allotments

g) VAT Return

The Clerk and Councillors reported that they were continuing to obtain copies of all the missing invoices in order for the Clerk to progress the VAT reclaim.

h) Budget & Precept

The Clerk presented a budget report for consideration by Councillors. He advised that the failure of the previous Clerk in not handing over many various files and documentation had created difficulties in preparing this budget report. This was also creating difficulties in submitting the VAT reclaim for the period 1st April 2017 to 31st December 2019 because of the missing invoices. He was still waiting on some suppliers to forward copy invoices so at the present time he could only estimate the amount of the VAT reclaim.

The Clerk presented a document (copy attached as Page 8 & 9 of these minutes). This showed the Annual estimate amounts, the amounts paid up to the 1st January 2020, any balances due to be paid by the year end on the 31st March 2020 and the estimated annual 2020/21 budget amounts.

Page 1 of the document showed all the various normal year costs.

Page 2 showed the normal type of one-off extra charges incurred in the last year and all the various costs incurred as a result of the Public Interest Report, the failure of the previous Clerk to hand over all documents and files, the HMRC penalties and all the additional Professional fees and extra work by the Clerk.

He had shown the costs in this manner so that the normal annual costs which reoccur every year are separated from one off payment costs. Council can then consider the normal annual 19/20 costings and the 20/21 budget figures for each category.

Once Council had discussed and agreed these amounts, then it can allow for any additional one-off costs that they anticipate for 20/21.

The money for the payment to the Village Hall for the windows renewal came out of the NS&I account but all the other one-off payments came out of the Lloyds account. He advised that the current balance in the Lloyds Bank Account is £3,554.99 and the balance to pay of the Normal Year costs up to April 2020 is £3,761 which would more than clear this account. There was however a current balance of £ 1,091.27 in the separate Santander Account which he understands is not set aside or ringfenced for any particular use.

Also, he estimates that the VAT reclaim should realise an amount of £4,754.26 if he is able to obtain copies of all the missing invoices. Hopefully, this should be the case and if the Claim is submitted shortly, we should receive the repayment by April 2020.

This should then give a projected estimated balance of £ 4,548.25 in the Lloyds account at the year-end on the 31st March 2020, with the Santander account balance remaining at the current amount of £1,091.27.

The present balance in the NS&I account is £ 56,721.51. It has reduced in the last year due to the large contribution the Council made to the Village Hall for the renewal of the windows. He understands that the money in this account is not used for general Council business but is set aside for making capital infrastructure grants.

He was aware that the Council need to consider funding the cost of new fencing around the Children's playground and that this likely to be a substantial sum. The Council has previously met with EDDC Council Officer Sulina Tallack to query whether the Section 106 monies of £4841.52 that EDDC presently hold for Kilmington Parish can be used for that purpose. Unfortunately, it cannot as it must be must be spent on any/all of the following: - allotment/amenity/sport/formal park/youth play.

There is however a possibility the Council may start receiving CIL (Community Infrastructure Levy) neighbourhood proportion payments this year from EDDC. CIL monies can only used for certain appropriate infrastructures but fencing around the children's playground would be an appropriate use. EDDC normally make CIL payments in April and September, so as he advised previously it would be advisable to defer consideration of the playground fencing until the Council's April meeting. Council would then be aware if there is any CIL monies due to be paid to the Council.

With regard to the Section 106 money the Council should consider in the next few months what would be an appropriate use of the monies within the aforementioned restrictions. EDDC have advised that best practice would ensure that spend occurred by May 2022.

With regard to the consideration of the budget and precept for 20/21, the Clerk said it was important to reflect on what the Council's precept has been in recent years: -

2015/16	£10,151	
2016/17	£10,584	4.3% increase
2017/18	£13,252	25.2% increase
2018/19	£13,296	0.3% increase
2019/20	£17,500	31.6% increase

The precept increased by a large percentage last year and also two years previously. The Council should take this into account and the impact on Parishioners of any further precept increase when considering the precept but should also take into account that 20/21 will be the third year when the Government has not applied council tax referendum principles. The Government only agreed this

for three years and it may not continue, so 20/21 may be the last year when council tax referendum principles do not apply to Parish Councils.

This allowance by the Government was on the understanding that Parish Councils would mitigate the need for precept increases by measures such as the use of reserves etc.

However, whilst the Council needed to consider both these factors, they also had to consider whether the precept should be increased due to the budget forecast and the reduction in the Council's general business account balance. He said that it is commonly accepted that a Council should have a prudent general business reserve.

The Chair thanked the Clerk for his work in producing the report and budget forecast. Councillors discussed and considered the budget/ precept and the matters raised by the Clerk.

Cllr. Collier proposed accepting the budget for 2020/21 and that the precept for 20/21 be set at £21,000. Cllr. Huscroft seconded, all in favour. The Clerk to submit the completed precept form.

Cllr. Seward left the meeting at this point

7. a) Planning Applications received prior to agenda publication

19/2781/FUL & 19/2782 – Spout Hill, Kilmington EX13 7RW

Cllrs. perused the application documents/plans. Council resolved that it had no objection to the application. Proposed by Cllr. Trott, seconded by Cllr. Jones, all in favour.

DCC/4163/2019 – Land at Former Kilmington Quarry, Kilmington EX13 7RG

Cllr. Styles and Cllr. Dare had both declared an interest in this application and took no part in the discussion or the decision by Council.

Cllrs. perused the application documents/plans. Council resolved that it had no objection to the application SUBJECT to approval of the application by the Environment Agency and close monitoring of the site and the works by all the appropriate authorities Proposed by Cllr. Ball, seconded by Cllr. Huscroft, all in favour.

19/2678/FUL – Fernwood Farm, Gore Lane, Kilmington EX13 7NU

Cllr. Seward had declared an interest as the owner of the property but had left the meeting at the conclusion of Item 6 on the agenda. Cllr. Collier and Cllr. Jones had both declared an interest in this application and took no part in the discussion or decision by Council.

Cllrs. perused the application documents/plans. Council resolved that it had no objection to the application SUBJECT to verification by the Planning authority that the reasons given for the application needs are justified and that the planning application is in accordance with all Local and National Planning Policies.

Proposed by Cllr. Trott, seconded by Cllr. Huscroft, all in favour.

b) Planning Applications received after agenda publication

None

c) Any Other Planning Matters

T1 Indian Bean Tree-Fell-Westgate Kilmington Axminster EX13 7RJ

The Clerk reported that the appeal (Ref: APP/TPO/U1105/7240) had been dismissed

8. Correspondence

The Clerk advised that he had forwarded onto Councillors all email correspondence received. The only items of any note were: -

- a) Email from EDDC asking for residents views in order to make 'Careful Choices' to protect services customers care about most. **Noted**

- b) Email and poster from Trip advising of the services they offer to Kilmington residents. **Noted**
- c) Email from DALC asking for a Parish Council nomination for the Royal Garden party 2020. **No-one nominated.**
- d) Email from EDDC Planning re East Devon affordable Housing SPD consultation. **Cllr. ball to reply.**

- e) Email re the Rural Bulletin which also included the Funding Digest with information and links to various sources of grant funding for local project or community groups.
- f) Email from EDDC re the Free workshops to help community and voluntary groups and other not for profit organisations access over £90,000 of funding available from EDDC through Crowdfunder. The Clerk said that EDDC and DCC are both actively promoting the use of Crowdfunding for this sector and possibly financially supporting a crowdfunding project. Free training sessions are presently being offered by EDDC and that the Parish Council need to make all such Kilmington organisations and charities aware of this as soon as possible, so that they don't miss the boat!!

The Clerk said the Council also need to consider how they can support the voluntary organisations and charities within the Parish to seek funding and grants for any present or future projects. He receives from time to time news of new grant funding opportunities. However, these usually have a very short and often immediate application opportunity before the closing date.

In order that the Council can support the organisations and charities, the Council needs to compile a database of all such organisations and charities within the Parish, no matter how large or small. This will then enable him to contact them about any grant funding opportunities.

He requested that Councillors assist him by providing the names, addresses, and telephone numbers of any voluntary organisation and charities they are aware of within the Parish. He would then be able to compile a database.

Cllr. Huscroft volunteered to attend the EDDC Crowdfunding session on Tuesday 18th February 2020.

- g) Email received from a resident asking to be added to the waiting list for an allotment and also asking if it was possible to keep a bee hive on the allotments. Cllr. Collier advised that bee hives were not allowed on the allotment site. **The Clerk to reply to the resident confirming that he could be added to the waiting list but would not be allowed to keep a bee hive.**
- h) Email from John Watts seeking funding advice for Kilmington Moviola to be able to purchase projection equipment in order to save rental costs and maximise Moviola income for the benefit of the Village Hall. **The Clerk said that he had researched and advised John Watts of possible grant funders.**
- i) Email from DCC re Parish Paths Partnership Finance forms. **The Clerk said that Elaine Penzer would be dealing with the matter.**

9. Trees

a) Landmark Trees

The Clerk advised that just before Christmas he had been notified of a DCC scheme offering two free landmark trees for Parish and Town Councils. There was a very short application time window, so he had taken the opportunity to register the Parish Council's interest. The trees would have to be planted in a prominent and publicly accessible place where the tree would have sufficient space to grow to its full mature size. The Clerk said that the Tree species details were not known as yet.

Cllr. Jones said that the Jubilee Green and the Common could be suitable planting sites but would advise which be the most suitable once it was known what tree species were available. The Clerk to liaise with Cllr. Jones when further details are available.

b) Tree Survey

Cllr. Jones advised that the Council has a duty of care to ensure that the trees on Council owned land or for which they are responsible are safe and should employ a qualified tree consultant to carry out a tree survey. The Clerk agreed stating that trees on public-sector land are a significant liability and that it is essential that the Council have such a tree survey carried out, so that it's tree-related liabilities are professionally assessed in order to ensure public safety.

Cllr. Jones to advise of suitably qualified Tree Survey consultants.

c) Felling at Gapemouth

This matter was discussed in the Open session.

d) Protection of Trees and woodland within the Parish

Cllr. Ball said that this should be considered in the future by the Council and also possibly be a consideration in the Neighbourhood Plan.

10. Parking on the Hill/Salisbury Terrace

The clerk reported that the Highways Neighbourhood Officer had investigated the matter. He had advised that the parking is a very difficult issue as provided the vehicles are Taxed, MOT'd & Insured, nothing can be done about them. Where a vehicle or vehicles are causing an obstruction, then this would have to be reported to the Police who are the only ones who can legally carry out enforcement.

He said that Double Yellow Lines maybe a possible option, however, as there aren't any in the village already, it probably wouldn't be 'in keeping' to mark any. Additionally, enforcement would be very rare as the parking enforcement team with their limited resources tend to patrol the larger (city/costal) areas where parking issues are more rife. He suggested that the Council discuss the matter with the local PCSO. Cllr. Ball said he would contact the PCSO and also write a Considerate Parking article for inclusion on the next Postscript magazine.

11. Proposal to consider registering Assets of Community Value

It was agreed to defer this item to a future meeting.

12. Matters of Urgency (for report only)

Cllr. Collier advised that the repair tar work was breaking up around the manhole on the A35 at Gammons Hill. The Clerk to report the matter to Highways England.

13. Agenda Items for Next Meeting

Suggestions for speaker at the Parish Meeting

14. Date and Time of Next Meeting

Council Meeting -Tuesday 11th February 2020 at 7.30pm

The Meeting closed at 10.05pm

Signed *B Trott*

Date *11/02/20*

COSTS 19/20	ANNUAL EST.	PAID TO 01-01-2020	BAL TO PAY TO APR 2020	EST ANNUAL FOR 20/21
NORMAL YEAR COSTS				
CLERK'S SALARY	4144	2869		4300
HOME OFFICE ALLOWANCE	168	126		168
ROOM HIRE KPFC	217	113		220
ROOM HIRE VILLAGE HALL	50	NIL		50
PRINTING/STATIONERY/ MEMORY STICKS	550	447		500
POSTAGE	50	34		50
COUNCIL INSURANCE	900	868		950
HITCHCOCK INSURANCE CONTRIBUTION	165	NIL		165
ALL SAINTS DEFIB. INSURANCE	11	11		15
DEFIB RENEWALS BUDGETING	NIL	NIL		200
DEFIB CHIDRENS PADS	125	NIL		NIL
ROSPA PLAY PARK INSPECTION	100	NIL		100
EDDC DOG BINS COLLECTION CHARGES	1200	1200		1200
C S GARDEN SERVICES WORK	3000	2535		4000
REJ WAREHAM WORKS	234	234		250
ALLOT. BORE HOLE ELECTRICITY CHARGES	250	80		250
AXE SKIP HIRE	144	144		NIL
TRAINING COSTS	400	NIL		300
DALC SUBSCRIPTIONS	202	202		220
ADOBE SOFTWARE SUBSCRIPTION	21	21		25
GEOXPHERE ONLINE MAPPING	90	90		100
ICO REISTRATION	40	40		50
INTERNAL AUDITOR FEES	510	510		600
EXTERNAL AUDITOR FEES	240	240		250
WEBSITE ADMIN (LAWSON)	800	618		900
FIREWORKS	13	13		15
POSTSCRIPT DONATION	250	NIL		250
AXE VALLEY RR DONATION	250	NIL		250
EAST DEVON CAB	40	NIL		40
KILM GARDENING SHOW	23	23		25
PETTY CASH	100	76		100
SUB TOTAL	14287	10494	3761	15543
	C/F			

Budget Jan 2020 Meeting

Kilmington Parish Council Minutes of Meeting

14th January 2020

NORMAL YEAR COSTS	SUB TOTAL	B/F	14287	10494	3761	15543
NORMAL ONE OFF EXTRA CHARGES						
NEW NOTICE BOARDS				1647.00		
REPAIRS TO ALLOTMENT SHED				690.00		
VILLAGE HALL WINDOWS RENEWAL				6498.00		
EDDC ELECTION COSTS				944.49		
SLCC LEGAL BOOKS				137.19		
HOUSING NEEDS SURVEY				300.00		
SUB TOTAL				10216.68		
COSTS INCURRED DUE TO PUBLIC INTEREST REPORT, PENALTIES, MISSING DOCUMENTS, EXTRA INT. & EXT. FEES & EXTRA HOURS BY CLERK						
HMRC PENALTIES				969.04		
INTERNAL AUDIT FEES				1030.80		
EXTERNAL AUDIT PUBLIC INTEREST REP				576.00		
SOLICITORS FEES				676.80		
CLERKS EXTRA HOURS				1085.64	120	
ROOM HIRE BAPTIST CHURCH				35.00		
SUB TOTAL				4373.28	120	