



Kington Town Council

The Old Police Station, Market Hall Street, Kington HR5 3DP

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Minutes of the Town Council Meeting held on Monday 4th September 2023 at the Old Police Station, Market Hall Street, Kington

MEMBERS PRESENT

Cllr. E. Banks
Cllr. R. Banks
Cllr. N. Cornish
Cllr. A. Dixon

Cllr. M. Fitton
Cllr. J. Gardner
Cllr. K. Greig
Cllr. E. Rolls
Cllr. P. Sell
Cllr. R. Widdowson
Cllr. M. Woolford

IN ATTENDANCE

Liz Kelso – Town clerk
Ruth Robinson – Assistant clerk
Cllr. T. James – Ward Councillor, Herefordshire
Council
2 members of the public

Agenda

- | Item | Minute | |
|------|--------|---|
| 1 | 133-23 | To note apologies for absence, declarations of interest and requests for dispensation
Apologies were noted from Cllrs. T. Bounds and R. Warne. Cllr. P. Sell declared an interest in agenda item 15 relating to the Churchyard as a member of the PCC.
There were no requests for dispensation |
| 2 | 134-23 | Minutes of the meeting held on 3rd July 2023
The Minutes of the meeting held on 3 rd July 2023, having been previously circulated, were adopted and the Chair authorised to sign on behalf of the Town Council as a true record of proceedings at that meeting. |
| 3 | 135-23 | Public Participation |
| | a) | Police Report
There was no representative from West Mercia Police in attendance at the meeting but the clerk read a written report received from the Safer Neighbourhood Team. |

b) Ward Councillor Report

Cllr. Terry James reported concerns within Herefordshire Council resulting from the poor financial position with a reduction in expenditure of some £24m needed. The move of the library to Maylord Orchards will not now take place but the library may now move to the Shirehall; the building itself requiring substantial repairs before this can take place.

In response to a query raised about planning and response times in the planning department Cllr. James advised that an improvement board is being set up to address these issues.

c) Matters raised by members of the public in attendance

There were no matters raised during this agenda item.

4 136-23 Mayor's Report

The Mayor having been on leave, there were no items to report.

5 137-23 Clerk's Report

The Clerk's report as attached was noted.

6 138-23 Financial Matters

a) Payments made in August

Payments made in August under delegated powers were noted with no queries raised by members.

b) Payments now due

Payments totalling £8,058.78 (inclusive of VAT where payable) as attached to these Minutes were approved.

c) Christmas Lights Budget

Following due consideration, it was agreed that the budget for Christmas Lights be increased by £1,000 to £12,000 to include provision for the switch on event in late November.

d) Payments on behalf of Kington Recreation Ground Trust

Members noted and agreed to meet the cost of a structural survey of Recreation Ground Cottage from the annual grant awarded to Kington Recreation Ground Trust at a cost of £2,800.00.

e) Cash Management

The proposal from the Finance and General Purposes Committee to open an investment account with the Public Sector Deposit Fund from CCLA was duly considered. It was agreed to defer this agenda item to the October meeting so that a query regarding the fund investment strategy could be clarified.

7 139-23 Town Council Vacancies

The Clerk confirmed that there has been no request for an election to fill the vacancy created by the resignation of Cllr. J. Cooke so the vacancy can now be filled by co-option. Notices will be placed on notice boards in due course.

A vacancy notice for the vacancy created by the resignation of Cllr. F. Hawkins is still awaited from Herefordshire Council Elections Office.

8 140-23 Market Towns Maintenance Fund

a) Membership of the Market Towns Maintenance Fund working group

It was agreed that the following councillors would form the Market Towns Maintenance Fund working group with authority to discuss current and future projects within this fund prior to agreement by full council: Cllrs. R. Banks, M. Fitton, M. Woolford, P. Sell and R. Widdowson

b) Update on recent works

It was noted that some elements of the recent work in Church Street required improvement and would be discussed with Herefordshire Council/Balfour Beatty at the forthcoming meeting.

9 141-23 Town Council Committee Structure

Members noted the recommendation of the Scrutiny Committee with regard to committee structures going forward and considered a proposal to amend that recommendation. After due consideration, the following committee structure was agreed.

- Planning and Environment: to meet monthly
- Scrutiny: To meet as and when necessary but no less than once per year
- Finance, personnel and general purposes: To meet every other month or as required to incorporate the current finance committee, services committee and personnel committee

Drafting of terms of reference for all committees was referred to the October meeting of the Scrutiny Committee with a view to consideration by full council in November.

10 142-23 Planning Matters

a) Applications now due for consideration

The following planning applications were considered:

- Ref: 232549
Site: Tumbledown, Headbrook, Kington
Dev: Works to trees in a conservation area
Members had no objections to this application.

- Ref: 232479
Site: 2 Castle Hill, Kington
Dev: Works to trees in conservation area
Members had no objections to the proposed works
- Ref: 232163
Site: 43 Hergest Road, Kington
Dev: Proposed replacement windows, porch, repair works and external boiler housing
Members had no objections to the proposed works

The clerk was instructed to pass this to Herefordshire Council accordingly.

b) Update on application 181494

It was noted that having been referred back to Herefordshire Council's planning committee this application has been approved. The signed s106 agreement refers to the provision of public open space within the development and indicates that management of that space could be passed to the Town Council. It was agreed in principal that the Town Council would discuss this with the developers/owners if approached at some point in the future.

c) Herefordshire Local Heritage List

Cllr. Fitton, having attended a meeting on this subject, explained that the purpose of the Local Heritage List was to identify assets within communities not currently listed but felt to be of importance to the local community, the list being included in the Local Plan revision currently being worked upon by Herefordshire Council. It was agreed that the Toll House off Headbrook and the Burgage Walls around the Town should be proposed for this list.

11 143-23 Post Office Petition

It was agreed that the Town Council support the petition against the removal of DVLC services from Post Offices, which might jeopardise the future of rural post offices.

12 144-23 Update on request for play area on Garden Close

Members noted that the working party had met with residents in Garden Close regarding the request for a play area on a small area of open space, currently owned by Herefordshire Council. Ward Councillor James is to take this project up with Herefordshire Council Property Services. Property Services has confirmed that there is a restriction on structures on that site due to storm water drainage systems at that location.

13 145-23 Bradnor View Close

This item was to consider a request for signage on the junction of Bradnor View Close, requested by a member of the public. However, the item was deferred

pending a budget price indication from Balfour Beatty under the Community Commissioning Model.

14 146-23 Mortimer Trail Sign

Members noted that advice received from Herefordshire Council Planning Services by Kington Walks on the installation of signage to provide information on the Mortimer Trail suggested that the Town Council could facilitate the installation of the sign but that advice appeared to assume that the Town Council is the landowner for the location identified, which it is not. It was agreed that the Clerk seek further guidance from Planning Services before any further work or decision on this proposal.

15 147-23 Churchyard Trees

Members noted a request by St. Mary's PCC regarding work to trees within the Churchyard. It was agreed that Cllrs. E. Banks and P. Sell conduct a site visit to review the request and report back to full council at the next meeting.

16 148-23 Electric Vehicle Charging Points

a) Update on proposals by Herefordshire Council

The clerk confirmed that Herefordshire Council are proposing installing additional electric vehicle charging points at the Mill Street car park and are currently in discussion with the operators of the Breast Screening Unit to ascertain if this can still be located in the car park. Members were asked to consider where this unit could be placed if it were no longer able to use the Mill Street Car Park.

b) Alternative EV Charging Points

It was agreed that additional EV charging points should be located away from the current charging points such as Hatton Garden or possibly within the Co-op car park. The Clerk will pass this on to Herefordshire Council.

17 149-23 Training

The following training requests were approved:

- Cllr. R. Warne
Engagement with Local Communities Through Digital Engagement
Provider: NALC
Cost: £60.00
- Cllr. J. Gardner
Finance for Councillors
Provider: Mulberry & Co.
Cost: £45.00

(c) Environmental Training - NALC

Members noted the report from Cllr. Fitton on training attended with the National Association of Local Councils on Town and Parish Councils response to the climate

emergency. It was agreed that this be referred to the Environment Committee for further consideration.

18 150-23 Reports from Committees

The following reports were noted:

- a) Scrutiny Committee held on 10th July 2023
- b) Planning Committee held on 17th July 2023 and 21st August
- c) Services Committee held on 17th July
- d) Finance and General Purposes Committee held on 17th July
- e) The Environment Committee scheduled for 21st August did not take place as the committee was inquorate

19 151-23 Reports from Councillors

The following was noted under this agenda item:

- Cllr. E. Rolls noted issues with cars parked across the footpath at the entrance to the garage on Headbrook.
- Cllr. Woolford reported on a meeting with Herefordshire Council on s106 funded projects and in particular on the proposed crossing opposite the primary school. This will be a separate agenda item at the next meeting.

20 152-23 Next meeting

The next meeting of the Town Council will take place on Monday 2nd October 2023 at 7.00pm in the Old Police Station. There were no additional items raised for the agenda.

21 153-23 Exclusion of the public

It was resolved that due to the confidential nature of the business of the next agenda item, that members of the public be excluded from the following agenda item in accordance with the provisions of the Public Bodies (Admission to Meetings) Act 1960 (3)

22 154-23 Use of the Market Hall

a) Update on discussions on licence to occupy

The clerk provided an update on responses by Herefordshire Council to queries raised regarding the draft Licence. A revised draft is now due.

b) Community Use of the Market Hall

The Clerk was instructed to seek further guidance from Herefordshire Council on costs associated with community use of the Market Hall and report back to the next meeting.

There being no further business, the meeting was declared closed.

Kington Town Council
Meeting held 4th September 2023
Appendix 1
Clerk's Report

1. Code of Conduct Statement of Financial Interests

Members are reminded that any change in matters reported in the Statement of Financial Interests must be notified to the Monitoring Officer within 28 days of the change. Failure to do so could, in some circumstances, incur criminal penalties. If you are unsure whether you need to include something on the form, please check with the Monitoring Officer or ask the Clerk. Copies of your existing form/declaration may be available from the Clerk.

Members may recall that a month after the 4th May elections, when most parish/town councillors had already completed their Registers of Interest and delivered them to the Monitoring Officer (in accordance with their legal obligation) Herefordshire Council unilaterally declared it wasn't going to undertake the work required to comply with its statutory requirement to maintain and publish Registers of Interest for all parish/town councillors across Herefordshire, but would now expect part-time parish council clerks to do all that background work for them. The 2023 version of Herefordshire Council's own notes on Registrable Interests quotes: *"A member must, within 28 days of becoming aware of any new Table 1 disclosable pecuniary interest or other registrable interests, send a revised form to Herefordshire Council's Monitoring Office and notify their parish clerk"*.

Advice from the National Association of Local Councils confirms that Town and Parish councils have no obligation to undertake work which is the legal responsibility of Herefordshire Council - they simply need to have a link from their website (if they have one) to the Registers of Interest on Herefordshire Council's website.

The Governance Team at Herefordshire Council are currently refusing to discuss this issue with Clerks

2. Casual Vacancies

Similarly, in relation to Casual Vacancies, Herefordshire Council has unilaterally required that clerks calculate relevant dates for possible by-elections, rather than this being carried out by the Elections Office in accordance with their statutory duty. Furthermore, on co-option of a candidate, clerks are being asked *"To confirm that the notice of registrable interest form has been completed within 28 days"*. Advice from NALC is that Clerks should not be signing this statement because the responsibility for that statement remains solely with the individual councillor. Again, dialogue about this change has not been discussed with Town and Parish Councils and Herefordshire Council is refusing to discuss this further.

3. Market Towns Investment Plan

Members may recall that a meeting was proposed by Herefordshire Council to review the Market Town Investment Plan for Kington. To date there has been no progress on this item.

4. Market Towns Clerk's meeting

The Clerk 's meeting Herefordshire Council on 6th July with the other market town clerks where the relationship between town and parish councils and Herefordshire Council through the Parish Charter was to be discussed, did not take place. The next meeting is scheduled for later this week.

5. Telephone and Broadband Service

In preparation for the withdrawal of analogue telephone lines, the town council main telephone line has been switched to a digital service, retaining the former landline number but upgrading the broadband service to a faster speed. The mobile phone has also been changed to EE which will provide a slightly cheaper service in future. Again, the number has been retained so there is no disruption to the public's ability to call the Town Council staff.

6. External Audit

External auditors, PKF Littlejohn, have now returned the Annual Governance and Accounting Return with no serious matters raised which they felt should be brought to the attention of the public. In the section on "Other matters not affecting our opinion which we draw to the attention of the authority", they have drawn attention to the points raised by the internal auditor and reminded the council that these need to be addressed. A conclusion of audit notice will be placed on notice boards as soon as possible.

Kington Town Council
Meeting held 4th September 2023
Appendix 2
Agreed Payments under delegated powers during August

Kington Town Council

[illegible]

Kington Town Council
Meeting held 4th September 2023
Appendix 3
Agreed Payments for September

Kington Town Council

[illegible]