

KINGSWEAR PARISH COUNCIL
Minutes of the Full Council Meeting held at the Village Hall (Lower Room)
on Wednesday 13th September 2023 at 7.00pm

Present: Cllrs L Maurer (Chairman), J Hawkins, G Webber, H Newcombe, S Pearson, P Burnell, T Burnell, C Dawes, A O'Rourke, M Bentley, District Cllrs G Yardy, B Cooper

In Attendance: Sue Balsdon (Clerk)

Members of public present: 12

C/069/23 – Welcome from the Chairman

The Chairman welcomed everyone to the meeting.

C/070/23 – To receive any apologies for absence from the Meeting.

None.

C/071/23 - To receive any Declaration of Interest. [Councillors are also reminded that they must register any new interest or change in any interest already registered within 28 days of that new interest or change].

There were no declarations of interest noted.

The Council Meeting was suspended to allow members of the public to ask questions and make representations to the Council:

Representation was made in regard to:

a) Kingswear Primary School:

The following matters regarding the closure of Kingswear Primary School were raised:

- Representatives from the school have actively discouraged parents sending their children to the school. The school have been saying things like 'We are very small and will be closing soon' and 'We don't think your child is a good fit.' It was noted that three parents have been discouraged in this way.'
- A second parent said they have evidence (letters) which prove parents were discouraged in joining the school. They advised that a meeting has been arranged for 26th September at 4pm in Kingswear Village Hall with Anthony Mangnall MP to discuss the school closure.

b) Overgrowth and Weeds in the Village:

Concerns were raised regarding the weeds and rubbish around the Village and in the lanes. It was noted that the Council are in the process of recruiting to a Lengthsman post and the possibility of getting together a Volunteer Group to help was discussed.

c) Lower Ferry Public Toilets:

The lack of cleanliness of the public toilets was raised. It was noted that the Council have previously informed South Hams District Council of this issue and District Cllr Ben Cooper agreed to follow this up.

d) Beacon Lane Wall Repair

A resident made representation regarding the cost of the repairs to the Beacon Lane Wall and questioned the necessity for the Council to apply for a PWLB loan.

The Council will receive the following reports if available:

a) Paul Britton – Cruise Ship Consultation (If available to attend).

Apologies received.

b) Hannah Pearson – Friends of the Dart

Hannah Pearson from the 'Friends of the Dart' volunteer group, gave a presentation to the Council in regard to their work to gain Designated Bathing Water Status for the River Dart and their Community Designated River Health project.

The Council unanimously agreed to support the group's application for Designated Bathing Water Status for the River Dart and Community Designated River Health. The Clerk to send a letter of support on behalf of the Council.

c) Devon County Councillor

Cllr Hawkins provided an update in regard to the stabilisation of the cliff below Beacon Road. The works were halted several months ago, whilst what was thought to be a live electrical cable issue was

resolved. Western Power have since established that the electrical cable is not live, therefore the stabilisation works can now proceed.

d) South Hams District Councillors

Please see Kingswear Parish Council website (Full Council Minutes) for District Councillor reports.

e) Police

None.

f) Sustainable Kingswear

Sustainable Kingswear have been involved in supporting local groups and recently attended the Warfleet Creek event to help support it being designated as a bathing site. They have also been helping with the Community Growing Space at the allotments and have been assisting with the set up of the group. They have also been assisting South Dartmoor Community Energy in following up with the Western Power grant applicants to see if any further help can be provided. The group have also been trying to facilitate progress with regards Community Energy.

The Council will reconvene to discuss the following items:

C/072/23 - To consider and agree Council's response in regard to the Dart Harbour Cruise Ship Consultation.

Cllr Maurer read out a statement from the Harbour Master, Paul Britton as follows:

'At our recent public meeting we noted that a number of people wanted more detail with regard to environmental impact, financial benefit to Dartmouth and Kingswear, exact impact on views, and safety. We have taken this onboard, and in the next few weeks we will conduct a series of studies to cover these areas, which we will publish in an enhanced consultancy document. We can of course add any queries that Kingswear Council may have into this update as well.'

The Chairman agreed to allow representation to be made by members of the public regarding this agenda item.

The following points were raised:

- In regard to the Harbour Master's statement, it was felt that until the studies regarding environmental impact and financial benefit to the area were known, that it would be impossible to provide a view on the consultation.
- Concerns were raised regarding the environmental impact of allowing more cruise ships to visit Dartmouth, for example the detrimental effect on the local bat colony. There has been no research carried out and there is no data to ascertain the impact of allowing additional cruise ships in the river.
- There will be a heat discharge from the ships which will impact what is happening underneath the water and also an issue about the prevailing winds bringing fumes towards Kingswear.
- There has not been sufficient evidence provided to the public on the economic benefit of the proposal.

The Council agreed to defer any decision regarding the cruise ship consultation and to invite the Harbour Master to their October Full Council meeting.

C/073/23 - To make comment to the Planning Authority with regards to the following planning applications (Hector).

a) Ref: 2809/23/TPO Proposal: T540: Ash – Fell and leave 3m stem for wildlife due to decay in main union & Ash die back present Site Address: Fountain Violet Farm, Mount Ridley Road, Kingswear, Devon, TQ6 0DU

OBJECT - The Parish Council understand that the SHDC Tree Officer has attended the site and has advised no action needs to be taken in regard to the ash tree.

C/074/23 - To resolve to approve the following minutes subject to any amendments:

a) Full Council Meeting – 12/07/23.

b) Finance Committee Meeting – 26/07/23.

All Minutes were approved without amendment.

C/075/23 - Financial Matters (Clerk).

a) To resolve to approve the expenditure of the Council for the period 01/07/23 – 31/08/23.

It was resolved to approve the expenditure of the Council for the period 1st July 2023 to 31st August 2023.

b) To present for review the month end finance report and bank reconciliation as at 31/08/23.

All Councillors have received a copy of the payment list for the period 1/7/23 to 31/08/23. All receipts and payments have been reconciled against the Council's bank statements and no differences have been identified. The Council have £82,869 in total across all 3 accounts as of 31st August 2023. £20,816 of this balance relates to bequest funds or money that has been ringfenced by the Council.

The Clerk has sent to Councillors a forecast showing the Council's income and expenditure for the remaining part of 23/24, which includes the estimated cost of the repair to the Beacon Lane Wall (cost based on first quote received). The Clerk has forecast that the balance remaining in the Council's current account at the 31.3.24 will be £16.1k, which compares with £50.2k held at 31.3.23.

The Parish Council will be using its general reserve to help fund the cost of the repair to the wall, so this will need to be reinstated. The Finance Committee have proposed that this is increased to 50% of expenditure as recommended previously by the Council's Internal Auditor. This is to ensure the Council have sufficient funds to pay for any unplanned expenditure if required again in the future. An increase in precept for 2024/25 will therefore be required.

C/076/23 - Audit - To receive and note the External Auditor Report and Notice of Conclusion of Audit for 22/23 (Clerk).

PKF Littlejohn LLP have completed the annual review of the Council's Governance & Accountability Return (AGAR) for the year ending 31.03.23. They have found these are in accordance with proper practices and no other matters have come to their attention giving cause for concern that relevant legislation and regulatory requirements have not been met. A notice of conclusion of audit has been posted on the Council's website and noticeboards.

C/077/23 - To resolve to approve Scheme of Delegation decisions made 01/07/23 to 31/08/23 (Clerk).

It was resolved to approve the Scheme of Delegation decisions for the period 1st July 23 to 31st August 23.

C/078/23 - Chairman's Report.

None.

C/079/23 - To approve quote received in regard to the Council's tree survey report 2023 (Clerk).

A quote in the sum of £895 from Dart Forest Trees to undertake a tree condition assessment was approved by Councillors.

C/080/23 - In regard to the Beacon Lane wall repair (Clerk):

a) To provide summary of works undertaken to date.

At the end of April 23, a resident reported a 'bulge' in the retaining wall on Beacon Lane. Building Control inspected the wall and have been kept up to date as the Council have progressed. The Council's Public Rights of Way Warden and Highways Officer, each recommended a structural engineer to inspect the wall and to provide a quote to undertake a ground investigation survey, topographical survey, pre-construction design service and to obtain technical approval from Devon County Council (DCC) Structures team. The design for the AIP (Approval in Principle) was submitted to DCC mid-August. The Council have obtained one quote for the repair from the Structural Engineer who produced the design. Once approval for the design has been given by DCC, the Clerk will obtain two further quotes for consideration and approval by the Council.

The Clerk to contact the Council's Neighbourhood Highways Officer, to ask if they could contact the DCC Structures Team to ascertain a timeframe for approval of the preconstruction design.

b) To consider whether to seek approval of the Secretary of State for Levelling Up, Housing and Communities for a PWLB loan to pay for the repairs to the Beacon Lane wall.

The Clerk advised that they had contacted the Department for Levelling Up, Housing and Communities who have confirmed that the repair of the Beacon Lane wall is well within the scope of what the Council could borrow for.

The Clerk has provided Councillors with costings, showing the impact on the budget if the Council were to pay the repair bill from general reserves, compared with if they were to obtain a loan to cover the cost. A draft budget for 24/25 has also been prepared to show the impact of both options on the precept for next year.

The Council deferred the decision to apply for a PWLB loan, until the cost of the repair is known. It was agreed for the Clerk to prepare the necessary documents (Business Case, Cash Flow Forecast, Consultation Document), pending a decision at the next Full Council meeting.

C/081/23 - To consider and agree future actions in regard to the following Amenities & Recreation items (Jonathan/Clerk):

a) Conversion of Red Telephone Box

The Council voted not to proceed with installing planters on the red telephone box at the bottom of Wood Lane.

b) Post & Rail Fence Repairs Jubilee Park

The Clerk to obtain a quote for the repairs to the fence.

c) Lime Kiln – Repair to Handrail and steps

A contractor recommended by the Public Right of Way Warden is to carry out a further site visit and will hopefully carry out the repair works before the end of the month.

d) Garden of Remembrance – Planting of Tree

The Council agreed for a memorial tree to be planted in the Garden of Remembrance.

e) Cemetery Lodge – Structural Report

The Clerk to obtain quotes for a structural survey report to be carried out at Cemetery Lodge.

f) Drains Clearance

Councillors Webber and Bentley to ascertain which drains and gullies are blocked in Kingswear and at Hillhead. The Clerk to then obtain a quote from Glanville's environmental for these to be cleared.

g) Parish Paths Partnership Scheme (P3)

The Parish Paths Partnerships Scheme (also known as the P3 scheme) is an initiative to ensure that the rights of way network is properly maintained and well publicised. It has the support of the National Association of Local Councils and is Devon County Council funded. Devon County Council was one of the first 15 Highway Authorities to participate in this scheme, which encourages community involvement and enjoyment of public rights of way. Devon County Council is working in partnership with parish/town councils, landowners and local voluntary groups. The main aim is to improve the condition of the local rights of way and keep them open and used properly. The Clerk to invite the Public Rights of Way Warden to the October meeting, to provide further information as to how this scheme could be implemented in the Parish of Kingswear.

h) Creek Pontoon – Preparatory Assessment Report.

A preparatory assessment report was undertaken of the Waterhead Creek Pontoon to ascertain what maintenance works are required. The Clerk to contact Dart Harbour to ascertain whether they would be able to undertake a full survey of the pontoon.

i) Christmas Trees / Switch-On Event

The Clerk to obtain quote for Christmas Trees. The trees to be offered for sponsorship by local businesses and residents.

C/082/23 - To discuss and agree future actions – Brixham Road Drain (Jonathan/Chris).

Cllrs Webber and Bentley to review drains and gullies and to notify the Clerk of those which require attention. The Clerk to obtain quotes for the work to be undertaken.

C/083/23 - To approve amendments to the moorings policy and draft letter to permit holders (Chris/Clerk).

It was agreed for the revised moorings policy to be sent to permit holders in September, advising that

C/084/23 - To agree arrangements for the Remembrance Sunday service on 12th November 2023 (Clerk).

The Clerk has sent out invites to all wreath layers, for both the service at the Church and at the slipway. Refreshments will be served at the Church following the Remembrance Service. The Clerk to liaise with the Church regarding the Order of Service.

C/085/23 - To consider membership renewal of the Countryside Charity (CPRE) (Clerk).

The Council agreed to renew its membership with CPRE (Membership Fee £60).

C/086/23 - To consider commemoration event for D Day 80th Anniversary - 6th June 2024 (Clerk).

The Council proposed that a beacon lighting event be held at Fountain Violet Farm to celebrate the event.

C/087/23 - To note Clerk's September annual leave (Clerk).

Dates of Clerk's annual leave – 18/09/23 to 22/09/23.

C/088/23 - To propose agenda items for the next Full Council meeting.

100th Anniversary Paddle Steamer Event; Owner/Occupier's responsibility to ensure that trees, hedges etc bounding the land they own or occupy do not overhang the highway; Public Toilets; Dart Harbour Cruise Consultation; Residents parking update.

C/089/23 - Urgent Items – For information.

A resident has requested access to the Light House Beach files held by the Council. Councillors requested that the Clerk contact DALC to ascertain whether legal documents held by the Council can be shared with residents.

C/090/23 - Confidential Agenda Items:

a) To consider rent increase – Cemetery Lodge.

The Council agreed a rent increase to £900 per month with effect from 1st April 2024. An annual rent review will take place thereafter.

b) To consider and approve tender/quote for Grounds Maintenance Contract.

A quote in the sum of £11,735 per annum from West Country Landscapes was approved by Councillors. The Contract period is 1/10/23 to 30/09/25.

c) To consider and approve applications – Coronation Community Fund:

The Parish Council awarded the following grants from the Coronation Community Fund:

- i) Orchard Group - £250
- ii) Kingswear Historians - £150
- iii) 2 to 4 Club - £120

Sue Balsdon

Sue Balsdon
Clerk to the Council

The Meeting ended at 9.10pm.

Minutes Approved: Councillor L Maurer – Chairman