

KIRTON PARISH COUNCIL

MINUTES OF PARISH COUNCIL MEETING HELD ON TUESDAY 09 APRIL 2024 AT THE CANTEEN ,FORTERRA BRICKWORKS, KIRTON.

PRESENT R FEGAN (CHAIR), T WILDGUST, H ATHERTON, N BATTY, R BATTY

IN ATTENDANCE K HALL (CLERK)

THE MEETING COMMENCED AT 19.28 HOURS

NUMBER	AGENDA ITEM	DISCUSSION/DECISION/ACTIONS	ACTION POINTS
1	APOLOGIES FOR ABSENCE	Apologies were received from Cllr D Surgey and Cllr D Beard and accepted by the meeting.	
2	DECLARATION OF INTEREST	None	
3	TO APPROVE MINUTES OF LAST MEETING	The minutes of the Parish Council meeting held on 06 February 2024 were agreed by all and signed off by the Chair.	Minutes have been posted onto the Parish Council website.
4	PUBLIC PARTICIPATION	Mr Derek and Mrs Heather Storton attended the meeting and Mrs Storton read out the attached statement . At the Parish Council meeting held on 06 February 2024, the hedge at Leaside was discussed as it was overhanging onto the pavement. Cllr N Batty, as the appointed Lengthsman under the NCC Lengthsman scheme contacted the residents regarding cutting the hedge back to clear the path. A contractor was employed to cut back the hedge, but once this work was completed sharp twigs were still on the hedge and the Lengthsman along with Cllr Fegan tidied these sharp pieces and whilst doing this remedial work went back into the remaining hedge which mainly consisted of ivy and hawthorn. The Lengthsman was working with a map which had been provided to her by VIA and this differed from the Land Registry document in the	This item to be put on agenda for May meeting once answers have been received to queries and a plan can be formulated to resolve this issue. The Clerk has contacted VIA to enquire if they have access to nay hedge plantings that may be available to us. 16 April.

		possession of the owners of Leaside. Due to this mis match the work crossed the landowners boundary. This situation has caused distress to the residents who were also concerned they would have to rectify the loss of hedging which had reduced their privacy. The Parish Council considers that a local resolution is the best way forward and will now research the replanting of the hedge vegetation.	
8	LENGTHSMAN SCHEME	This item was moved up the agenda as it follows on from the discussions held under public participation. One of the main discussion points in Item 4 was the boundary of the footpath in relation to Leaside house. Cllr N Batty as the Lengthsman for the Village had obtained a map from VIA which showed the boundary according to their records, this did not match the boundaries as recorded by the Land Registry and thus disputed by Mr and Mrs Storton. The Parish Council wishes to put this matter right as soon as possible in a manner that is agreeable to all concerned. There is a discrepancy between the VIA map and the Land Registry map and it needs to be ascertained which one is correct. Then the Parish Council has offered to restore the hedge at Leaside with some quick growing plantings to improve the privacy of the residents. This will be a quicker solution than endeavouring to get VIA involved with the replanting which will only prolong the situation. However the Parish Council did agree that nothing can be planted until there was agreement by all on the actual boundary of the property. As part of this discussion it was also agreed that in future, all discussions between Councillors and residents where an action was required would be followed up in writing via the Clerk and only once a written response had been received would actions move forward. .	Mrs Storton to send Clerk a copy of the communication she has from VIA for Parish Council to follow up on boundary issues. (Received 11 April) Cllr Fegan to obtain costings for Laurel bushes for the reinstated hedgerow. Clerk to prepare update to standing orders to reflect this item Draft sent to Chair & Vice Chair 10 April.
5	DISTRICT COUNCILLOR UPDATE	Cllr Wildgust advised the Parish Council that a plan for developing a battery site at Staythorpe Power station had been rejected, mainly on the grounds of possible flooding in the area. He also confirmed the main changes that came into effect on 08 April regarding planning applications and comments from Parish Councils.	

		Until recently if a Parish Council raised an objection to a planning application, it went directly to the District Council. Under the new process, the objection will go to the District Councillor who will then take it forward. Another change is that objectors and residents will be able to speak at Planning Meetings rather than these meetings being closed. Although just outside of our Parish, Cllr Wildgust also confirmed that the tree that has been cut back outside Shirepods has been inspected and because of the nature of the cutting back it will never regrow properly and Shirepods could be fined and will have to replant too.	
5.1	RESPONSE FROM VIA RE LANDSLIPS ON TUXFORD ROAD	Cllr Wildgust had hoped that with the recent road closures for the resurfacing of the road to Tuxford, there may have been an opportunity for VIA to look at some remedial work on the hillside at the Church. However the road closure did not come into the village that far and currently no work has been done to alleviate this problem during rainy weather. Cllr R Batty raised a concern regarding drainage at the top of the hill on the road to Tuxford, although the ditch has been dug out the drains are all still sand blocked so excess water is laying on the road and not draining away. He has tried to obtain a drainage map from VIA but without success.	
6	THE PLAYING FIELD	The Playing Field is still closed as it is completely waterlogged and will not be fit to reopen until there has been a long dry spell of weather.	
7	PROPOSAL FOR DOG EXERCISE AREA ON PLAYING FIELD	This suggestion will not be followed through as the Parish Council does not have the resources necessary to undertake the project.	
8	LENGTHMANS SCHEME	See item after Public Participation.	
9	PARISH COUNCIL AND RESIDENT INVOLVEMENT	Cllr Fegan has been approached by residents regarding certain aspects of the management of the Parish Council including decision making and financial planning. A resident raised a query regarding the AGAR end of year accounts and the information these contain, Cllr Fegan confirmed that this is the	

		information required by law for all Councils who all follow the same guidance. He also reiterated that all discussions are recorded in the minutes and these are published on the website and welcomed residents to attend Parish Council meetings to become more involved . In response to these requests, Cllr Fegan has decided to put together on an ad hoc basis a newsletter on a specific topic which will then be published on the website.																	
10	D DAY 80-06 JUNE UPDATE	The Fox at Kirton has taken over the organisation of the D Day 80 event. Formerly the Parish Council had discussed subsidising fish and chips at the Fox ,as it is also National Fish and Chip Day on 06 June 2024. This would be at a cost of £5.00 per resident who register for the event and pays a deposit to go to the Fox, this deposit is non refundable. The first 100 residents who register will receive a voucher for the discount(the discount is ONLY available to residents) All applications for this scheme will be administered by Cllr Fegan. The Parish Council agreed to buy a D Day 80 commemorative flag from the Royal British Legion.	D Day 80 flag ordered 10 April.																
11	HEDGEHOG HIGHWAY PROJECT	An email was received by the Clerk regarding this project which looks to protect hedgehogs as they are becoming an endangered species and as we are a rural community she brought this idea to the meeting. The charity offers hedgehog doors for fences to allow them to travel from garden to garden. The Clerk suggested that this information be put onto the Facebook page and if residents are interested they can contact her first . The more residents who take part the cheaper it will be for them.	Information sent to Cllr Surgey for inclusion on the Facebook page 10 April.																
12	ACCOUNTS PAID	<table><tr><td>NSDC Election Expenses 4.5.23</td><td>67.14</td></tr><tr><td>Hugo Fox Website Charge</td><td>11.99</td></tr><tr><td>Mutts Butts Dog Waste Bags</td><td>76.02</td></tr><tr><td>N Batty Fuel for Mower</td><td>72.02</td></tr><tr><td>NSDC Dog Bin Contract</td><td>137.28</td></tr><tr><td>Community Heartbeat Defib Battery</td><td>267.00</td></tr><tr><td>Hugo Fox Website Charge</td><td>11.99</td></tr><tr><td>J Rose Accountants</td><td>118.20</td></tr></table>	NSDC Election Expenses 4.5.23	67.14	Hugo Fox Website Charge	11.99	Mutts Butts Dog Waste Bags	76.02	N Batty Fuel for Mower	72.02	NSDC Dog Bin Contract	137.28	Community Heartbeat Defib Battery	267.00	Hugo Fox Website Charge	11.99	J Rose Accountants	118.20	
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	INCOME RECEIVED	Lengthman Scheme Rebate	1 150.00
13	END OF FINANCIAL YEAR 2023/4 OVERVIEW	The Clerk presented the attached document to the Council and confirmed that the end of year AGAR forms will be completed this week. Cllr Fegan proposed that the document be included with the minutes. This proposal was agreed by 4 and 1 Councillor voted against the proposal.	
14	DATE FOR PARISH MEETING 2024	The next Parish Council meeting is scheduled for 07 May 2024 and it was agreed that the Parish Meeting should be held before this meeting commences. The Parish Meeting will therefore commence at 7pm on 07 May 2024.	
15	VILLAGE CONTRIBUTIONS	The Parish Council would like to pass on their thanks to Kay Toole for organising the Easter Egg Hunt and Colin Haywood for his continued support with grass cutting and gardening.	
16	CORRESPONDANCE RECEIVED AFTER THE PUBLICATION OF THE AGENDA	None	
17	DATE OF NEXT MEETING	The next meeting will be a joint Parish Meeting followed by the Parish Council meeting and will commence at 7pm in the canteen at Forterra.	
	MEETING CLOSED	The meeting closed at 21.30 hours.	

Minutes prepared by Kate Hall, Clerk to Kirton Parish Council on 10 April 2024.

Statement to Kirton Parish Council Meeting, 9th April 2024

Destruction of the hedgerow outside Leaside, Station Road, Kirton

Our hedge was well established when we bought the property over 25 years ago and those who have known the village longer will know it going back more than 50 years. What now remains of the hedge, is of the same character and bears testimony to the nature of the hedge which has been removed. This hedge was a living boundary to our property, providing colour, all year-round protection and security of our property, together with being a home for wildlife, a trap for pollution and defining the character of the landscape. On this basis it is 'an important and protected hedge' under the terms of the 1997 Regulations, and that the damage inflicted on it constitutes an offence under the act. In addition, destruction of wildlife habitat is a criminal offence.

Friday 26th January 2024

Councillor Nicola Batty (NB) approached us regarding our hedge being pruned back to the edge of the path to allow better access. We agreed an acceptable line with her, close to the edge of the path, and that she would arrange a contractor to carry out this work as it had become beyond the capability of our tools which, we have been using to maintain the hedge for many years. Subsequently a contractor came and mechanically cut the hedge back to the line agreed, after which we cleared debris.

Tuesday 6th February

Item 10 of the Kirton Parish Council (KPC) meeting wrongly reports that we considered 'the hedge to be the responsibility of NCC', at no time did we state that and latterly a letter from VIA (received four weeks after hedge decimation) supports our ownership, as do the Land Registry documents. Indeed, on speaking with Darren Pirog from VIA on 21st March he confirmed their only requirement had been for the hedge to be trimmed back from the footpath and was surprised to hear that it had been cut back almost to the roots with a chain saw.

Friday 23rd February

The hedge at the front of our property was decimated to the present condition without our consent and without either written notice in advance, a telephone call or the courtesy of a call at the door to inform us that it was about to occur. We were at home, initially unaware of the activities being carried out, until we saw a large branch being dragged past our driveway.

On our arrival outside we were appalled and devastated to see the extent of the damage. Indeed, it was only our intervention that prevented further decimation.

The destruction was **NOT** our doing nor done with our permission / on our behalf. Should action be taken by authorities in future we wish it recorded that those who undertook this activity acted independently of ourselves.

It has come to our attention that villagers think we were responsible for damaging the hedge ourselves. If those we have spoken to think this, it is likely to be the general opinion of most villagers, after all nobody expects someone's hedge to be destroyed by third parties.

Monday 26th February

It was clear that offences under numerous acts had occurred to the important and therefore protected hedge. To protect ourselves from prosecution, which incur unlimited financial penalties, we contacted (on his immediate return from holiday) Vice Chairman (VC) Tim Wildgust (TW) to witness the destruction, which he did that afternoon and said he would contact NB about the situation.

Wednesday 28th February

On further examination of our hedge, we discovered that cut material had been forced back in an attempt to disguise the damage that had occurred. This material was removed by us and no further work has been undertaken.

NB suggested that she could plant, 'some hawthorn saplings' in a small area and some 'heras' metal fencing, NOT in any way an acceptable replacement for our mature hedgerow.

Thursday 21st March

We arranged a meeting with VC TW & Chairman Reg Fegan (RG) at Leaside when all the above was discussed. A suggestion was raised that in order to pursue a satisfactory outcome to the issue, TW and RG would forward the proposal to KPC that, advice should be sought from hedgerow specialists regarding the satisfactory reinstatement of the hedgerow, at the earliest opportunity and this would be at no financial penalty to ourselves.

Land Registry documents, subsequently supplied to TW, indicate our boundary to be where we have set out marker posts. Trespass on to our land and criminal damage to our property has occurred.

We are a couple in our seventies, and we should not have been subjected to the considerable stress and trauma involved in the aforementioned third-party actions which, could have been avoided by both proper consultation and due diligence.

Heather & Derek Storton, Leaside, 09 April 2024