

PARISH COUNCIL DECISIONS HOW TO SPEND THE QUINN DONATION MONEY 19/3/18

	Probable
	Possible
	Unlikely

	SUGGESTION	VOTES	LEGAL POSITION	LATEST POSITION
	1 - Purchase a ground source heat pump for the church.	1	No legal power. S137 Local Government Act 1972 might be possible but only as a capital project with ceiling of £2826.24 which is unlikely to be enough (This is the total for the year across all projects)	Not to be pursued
	2 - Christmas decorations	1	Yes – Probably s145 1972 Local Government Act. If not s.137 as a one off spend	Successful event on 24 th November 2018 Same again in 2019, but higher budget. Scheduled for 30 th November
	3 - If we are unable to use all funds we should help a neighbouring Parish with a project for which it needs funds.	1	s. 137 possible but will only be able to donate £2826.24, so unlikely to use up the funds	Not to be pursued
	4 - Support the shop and pub to keep them open.	1	s. 137 possible but KALC advise consulting NALC legal first and	Not to be pursued

			will only be able to make one-off donation of £2826.24	
	5 – Connect broadband to all houses in Parish not now connected	7	S.137 might be used but KALC advises that this rarely fits due to the limitations surrounding this power and potential ongoing obligations	Not to be pursued
	6 - Purchase the village green	5	Yes – Local Government Act 1972 ss124,127 top up with s.111 LGA for additional expenditure	Awaiting decisions regarding future of the Kings Head. Cllr Collins and Brown to talk to the landlord and report back before deciding to contact the freeholder. Successfully registered as a community asset.
	7 - A children’s obstacle course around perimeter of village green, and upgrade fencing with gates.	1	YES – Public Health Act 1875 s164; s.19 Local Government (Miscellaneous Provisions) Act Provided we obtain the agreement of the land owner	Not to be pursued
	8 - Make a donation to Platts Heath Primary School for an essential item.	2	s.137 but only up to £2826.24	£2500 grant agreed and presented to the school
	9 - Finance the Platts Heath Primary School Annual Prize	1	s.137 but only up to £2826.24	Covered in number 8
	10 - Repair the QE1 yew tree wall.	1	No – as the tree and wall are on private land. Can only proceed if the land is purchased from the	Not to be pursued

			<p>current owner Would need to purchase the land first using land acquisition powers (s. 124 1972 Local Government Act) and top this up with s111 1972 LGA for additional expenditure. Could only do any works on this site using s137 powers which only yields £2826.24 which may not be sufficient</p>	
	<p>11 - Purchase QE1 tree wall and tree plus surrounding land, fence it with road access and repair wall.</p>	<p>4</p>	<p>Could use s137 powers which only yield £2826.24 which is unlikely to be sufficient unless the land is donated to the council. There are land acquisition powers (s. 124 1972 Local Government Act) and top this up with s111 1972 LGA for additional expenditure. In any event could only do any works on this site using s137 powers which only yield £2826.24 which may not be sufficient KALC have clarified that if the tree is donated and we use it for recreational purposes we have :</p>	<p>Cllr Galton has contacted the landowner who has confirmed that their land is not available for purchase or use by the Parish Council. NFA</p>

			(i) Powers to receive a donation of land, and (ii) Powers to spend money on that land (s.19) to develop and maintain it for recreational	
	12 - Car park for village hall and village.	6	Yes – Road Traffic Regulations Act 1984	Site is not suitable. Abandon for now
	13- Improve car parking facilities.	1	Yes – Road Traffic Regulations Act 1984 Would also require purchase of land?	This was explored alongside suggestion 12
	14 - Install traffic calming through the village.		Yes – power to make payments to KCC Highways under Highways Act 1980 s274A. Also s. 30 Local Government and Ratings Act 1997 Would need KCC Highways to agree	Draft proposals submitted to KCC, being amended. Consultation with residents undertaken inc public meeting. Changes to be discussed with KCC following public meeting
	15- Put slow sign in Woodcock Lane near Ash Tree Farm.	1	Yes – Road Traffic Regulations Act 1984 s72	No action at this stage as need is not proven
	16 - Put white imitation gates and name signs in Headcorn Road at village boundaries. Similar to other villages.	1	Yes – Road Traffic Regulations Act 1984 s72	This is included in the agreed actions referred to in item 14

	17 - Convert grass verge to pavement from corner of Woodcock Lane to bus stop to avoid criss-crossing road when walking.	1	Possible s.137 but very difficult in terms of consents etc and £2826.24 ceiling	Not to be pursued
	18 - Improve road drainage at Headcorn Road / Crumps Lane junction.	1	Possible s.137 but very difficult in terms of consents etc and £2826.24 ceiling in which case it could be a cross subsidy with the Highways Authority if they wanted to act.	Not to be pursued as not seen to be necessary
	19 – Street lights at each end of footpath beside Kings Head.	1	YES – Parish Council’s Act 1957; Highways Act 1980 Possible onerous long-term responsibilities?	Solar lights purchased and operating
	20 - A playground	1	YES – Local Government (miscellaneous Provisions) Act 1976 s19	Not to be pursued
	21 - Purchase land in Woodcock Lane from local resident for use as a playground, playing field, fete venue, village green, car park and adult fitness equipment centre, all enclosed in fencing and gates.	2	Yes - Public Health Act 1875 s164 Local Government (miscellaneous Provisions) Act 1976 s19 Road Traffic Regulations Act 1984 Local Government Act 1972	Not achievable within funds available

			ss124,127 (purchase of land)	
	22 - Village hall maintenance and improvements.	2	Yes – can make a grant to the Village Hall Committee under Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Respond if Village Hall Committee put forward suggestions
	23- Refurbish village hall.	2	Yes – can make a grant to the Village Hall Committee under Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Respond if Village Hall Committee put forward suggestions
	24 - Extend village hall at back for new larger kitchen, convert present kitchen to cloakroom.	2	Yes – can make a grant to the Village Hall Committee under Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Not to be pursued. Funds unlikely to be sufficient
	25 New village hall.	1	Yes – Local Government Act 1972 s 133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	Not to be pursued. Funds unlikely to be sufficient
	26 - Sell village hall plot with planning permission & use proceeds to buy larger plot and build new hall with lottery	2	The Village Hall does not belong to the Parish Council so any sale	Not possible as Parish Council does not own the Village Hall

	fund finance.		is not within its gift. However, the Parish Council could receive a donation from the proceeds of the sale under s 139 Local Government Act 1972 and use this with other funds (loan, lottery or donations) to build a new Village Hall under the Local Government Act 1972 s133 and s.19 Local Government (Miscellaneous Provisions) Act 1976	and funds are insufficient
	27.Support the shop to conduct marketing study	1	Possible grant using s.137 but £2826.24 ceiling	Not to be pursued This is a matter for the shop
	28. Outdoor Gym	1	This would require the Council to acquire land, therefore could be linked to suggestion 20	Not to be pursued. No land available
	29. Half can go to a one-off project or more than one project, the other half set aside with nominal spend of, say, £2000, a year re upkeep of the village which could include litter picking, odd jobs etc including keeping road signs clear. Possibly another two speed indicators – one at the bottom of Liverton Hill and some kind of reminder at the village green.	1	All of these have a legal basis	Both are being pursued either as ongoing programmes of the council or under other suggestions. Enquiries are being made about speed signs and this has led to a speed survey

Phase 2 ideas

	SUGGESTION	STATUS
	1. Path through closed area of the church for funeral processions	Clr Collins to obtain a price and report back
	2. Wifi in the village hall	Abandoned
	3. Make a contribution towards a Commemorative Stone to mark 100 years since the 1 st World war	Agreed to contribute funding proposal currently with the landowner
	4. Village Hall improvements	Request submitted by Village Hall Committee to be discussed on 4 th November 2019

Spending to date

Project	Spend to date	Notes
Platts Heath School	£2,500	
Traffic Calming	£ 6,150	Feasibility work. Estimated total cost £15-20K
Total	£8,650	
Total remaining	£91,350	

Updated 29/10/19