

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

<b>Date:</b> 17 <sup>th</sup> September 2014		<b>Venue &amp; Time:</b> The Church, commencing at 7.30pm	
<b>Present:</b> Cllr G Boyce Cllr Ann Kendall Cllr Lucinda Pedrick Cllr Paul Pedrick Cllr R Rendle Cllr K Yeoman Cllr John Yeoman (in the Chair)	<b>In Attendance:</b> Debbie Ede Clerk & Minute Taker Dist Cllr Paul Coulson PCSO Dave Gibson County Cllr Rufus Gilbert part meeting Dist Cllr Judy Pearce 4 members of the public	<b>Apologies:</b> Cllr Kathy Harrod Cllr Keith Makepiece	

### Ref 2014/15 Minutes Action

#### 054 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the Parish Council meeting of 16<sup>th</sup> July were agreed and signed, proposed by Cllr Kendall & seconded by Cllr Boyce and voted through unanimously.

055 INTERESTS – Cllr Boyce declared an interest re finance and withdrew from that topic.

056 MESSENGER - Cllr Kendall agreed to do this in Cllr Harrod's absence

#### 057 MATTERS ARISING (from previous minutes only)

- A. The renovation of the war memorial has been completed, Adrian (Mundy) having just repaired and repainted the lettering today.
- B. Cllr J Yeoman has put up a notice near our Defib box at the Post Office to make it more obvious that it does NOT need a code to open it.
- C. The rubbish bins in the graveyard have been moved further away from occupied plots.
- D. o/s The new footpath map is now up and we need to ask Dave Rundle to paint the notice board as agreed last year. *Post meeting note: The varnish on the other notice board by the Post Office also needs a touch up and a new cork backboard is required for the one on the bus shelter.*
- E. o/s Feedback and costings are awaited from the AONB for a village sign, the AONB will also invite DCC to contribute
- F. o/s Responding to complaints about the positioning and quality of adverts for the bunker open days, the organisers have invited Councillors to meet them and discuss concerns.

#### 058 POLICE BUSINESS & NEIGHBOURHOOD WATCH

PCSO Gibson gave his report: from 1<sup>st</sup> August there has been 1 theft (firewood from a remote farm), 1 criminal damage (scratched car) and 1 complaint of a dog not under proper control, the latter dealt with by words of advice. This being the same dog as previously discussed by the Council and reported to the dog warden.

PCSO Gibson said the police had been approached by a member of the public keen to set up a community speed watch scheme within the village; this necessitates a band of 6-7 volunteers to act as speed monitors with support, kit and training from the police. Any volunteers please contact PCSO Gibson or the initiator (who will be in contact shortly). Monitoring will probably take place along the A381 and Collaton road as the main hotspots. Records of anyone exceeding the speed limit will be passed to the police who will then write to the perpetrators.

Cllr P Pedrick reported two Hope Cove incidents of theft of outboard motors and/or fuel tanks.

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Cllr Boyce queried whether proposed request for double yellow lines fell under police jurisdiction; no, only if the parking necessitating them was causing a dangerous obstruction. PCSO Gibson said if pavements were blocked (with not enough room for a mum and pushchair) then they could intervene.

*PCSO Gibson left the meeting at 19.50*

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### 059 COUNTY COUNCILLORS REPORT

Cllr Gilbert reported that:

- The coastal footpath is now open with the bridge at Hope Cove built. Further work remains to be done. SW Coast Path Association are still fund raising. We should expect some changes in future years in how the paths will be run and funded.
- £3k has been promised to the Village Hall roof out of the Invest in Devon monies. The bid needs to be expedited as it is set aside for this financial year. The balance of funds, we hope, will be funded from a bid to the New Homes Bonus. Note there is a 2 week lead in for the release of the DCC funds.
- Re Cumber Close – any proposed yellow lines have to go through a traffic regulation order subject to Parish Council support. There is a TRO pending which we could piggy back onto. (See below under Highways.)
- DCC Parking enforcement is not happening effectively due to staff pressures and 16 more officers have now been recruited.

Other items will be covered under the agenda.

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### 060 HIGHWAYS

The meeting noted that:

- DCC, after contact from the disabled bay's instigator, have posted a notice informing the village of their intention to remove the bay in Lower Town. However the bay is only advisory.
- Margaret Pearce, from the floor, asked for double yellow lines in the turning bay at Cumber and on the entrance corners as emergency vehicles and utility vehicles cannot get through. Recent parking plans have been withdrawn (temporarily?) due to lack of information/architectural issues. However some Councillors were concerned that, with double yellow lines, the parking problem would be driven out into Collaton Road. Cllr J Yeoman invited the SVRA to submit formal plans re the suggested sites for yellow lines and these could then be discussed and considered. Adam Keay can give early informal advice as to scheme viability.
- A new Bolberry sign (the previous one having been damaged by DCC) has been ordered from SHDC.
- The Shute Hill sign has been commissioned by SHDC and is with their teams ready for fitting.
- DCC advise that the Parish lengthsman programme and emphasis has been changed. In the short term at least the dates for parish visits will not be stated. They say: The Parish Lengthsman will undertake a programme of minor road grip, buddlehole & easement cleaning. Main road grips, buddleholes & easement cleaning will be undertaken by dedicated gangs which may on occasion be supplemented by use of the Parish Lengthsman. Ditching works will be undertaken mechanically
- Re complaints about a footpath in Cumber, DCC write "....**Re - CIV14713002 - Cumber Close, Malborough – Footway** I can confirm that most of the footways in Cumber Close are Highway Maintained at Public Expense (HMPE). I will visit the footpath outside 138 Cumber Close to see if there are any safety defects. If there are, then I will raise an order to have them dealt with. If there are not any, or if there are defects but not what we consider a safety issue, then I will let you know.....o/s – no updates received. Cllr Boyce said there were other routes the complainant could use.
- Re. October Cottage where oil had been reported on the road following car maintenance – it is understood the tenants have moved out.
- DCC highlight a new website initiative, dedicated to Town & Parish Council users. There is an engagement survey to be completed by 19<sup>th</sup> September. <https://new.devon.gov.uk/devonhighways/>

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- DCC are hosting a Highways Matters Conference on 29<sup>th</sup> September with a focus on community self-help. Volunteers to attend?
- After extensive liaison with DCC and work by their officer Adam Key in driving our position forward, a major cut has taken place on the cycle track. Signage around Churchill has been agreed and WILL BE DONE – promised by Cllr Gilbert. DCC suggest that the on-going maintenance of the track including major revamps, such as re-tarmacking as and when necessary, is kept within their regular programme. Cllr Gilbert suggests we run with this for another season (to end of Autumn 2015) and then revisit if, once again, DCC have not delivered. We would then have an evidenced case with a clear audit trail back to their commitments. Reluctantly this was agreed but poor maintenance cannot be tolerated for much longer. What is the jurisdiction/boundary between cuts and maintenance – who is actually responsible at DCC? The winter is an ideal time to cut back the sides, trimming back to the edge of the tarmac. The fencing (already reported by the MVH&PFA) still needs repair. Cllr Gilbert undertook to facilitate this programme of winter maintenance.
- Cllr Harrod had brought a Facebook petition to the meetings attention – requesting that the zebra crossing is changed to a pelican crossing....this has been mentioned to the police for many years. The meeting noted there are no 30mph repeater signs within the village and little warning about the presence of a zebra crossing round the corner. The angle of the sun does not help visibility. It is hoped that the speed monitoring initiative may give weight to the argument for change. An evidenced case of continuous speeding needs to be presented for DCC to take any action – we need hard statistics, a reactive rather than proactive response by Highways. John Cole, from the floor, said we needed flashing warning signs on existing poles – these can be applied for from DCC although these are likely to be temporary. Cllr Pearce advised they can be bought and powered from 12v batteries (approx. cost £2k) and they are mobile. Cllr Gilbert suggested the signage in Malborough should be reviewed as fit for purpose (there being a prescribed ‘menu’ of requisite signing for the start of a 30mph zone). Cllr Gilbert would ask Adam Key to action this and review the case for a pelican crossing (at their next monthly meeting in October). Any new Pelican crossing costs b/n £10-£20k depending on power supplies. What however would be the impact of traffic lights though on congestion? Speed bumps are no longer fitted across the County (and nationally). Cllr Pedrick also urged some education was required to convince people to use the crossing (but better sight lines do exist on the corner itself...)
- A useful leaflet on Roadside hedge and tree management was available from DCC. A reminder that the dates for trims/cut backs – from 1<sup>st</sup> October to 31<sup>st</sup> March

*Owners and occupiers are required to:*

- *trim hedges and trees to ensure growth does not obscure the view of road signs.*
  - *trim roadside hedges to maintain visibility for road users, particularly at junctions and on the inside of bends.*
  - *trim any hedge that directly abuts a road, footway, cycleway or public right of way so that growth does not prevent the passage or affect the safety of the highway user, including cyclists and pedestrians.*
  - *remove dead or decaying trees and other growth that may fall across the highway.*
  - *remove branches and other growth that may prevent the passage of high sided vehicles or obstruct light from a public lamp (street light).*
  - *ensure the highway (including the footway and drainage features) is left clear of debris from the cutting operations (Section 148, Highways Act 1980).*
- Cllr Gilbert had advised that further remedial road work would be undertaken soon due to additional capital funds made available by Government to DCC. These are:

C8 O/S Dor-Ka-Joy Cottages MALBOROUGH	Drainage
C265 Malborough (Joined)	Surface Dressing
Z3638 Salcombe rd - Ilton X, Malborough	Surface Dressing
Z3802 Bolberry X - Bolberry Down, Malborough	Surface Dressing

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C265 Higher Soar farm, Malborough

Surface Dressing

- The street light, no 2, between the school and the square is out of action and will be reported.
- Cllr L Pedrick reported appalling parking in Collaton Road again. Cllr Kendall said she had received requests that yellow line should be extended. Problems were on the brow of the hill and visibility was obscured. With driveways and garaging common place on one side of the road it was thought that extending the lines on the left (towards North Sands) might be feasible. Although this might speed the traffic up the congestion problems were thought to be more dangerous. Cllr P Pedrick proposed and Cllr L Pedrick seconded the extension of yellow lines, the meeting agreed unanimously and this would be added to the 'wish list' for DCC to action in their next TRO.
- *Items o/s and c/f to next meeting: Re the unsatisfactory primary gritting routes - Collaton Road was still not included – the school bus route. Dist Cllr Coulson is awaiting a response to his query.*

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### 061 FOOTPATHS TREES & ALLOTMENTS

A. Overgrown areas reported include:

- The school greenery around Lower Town as overgrown (now cut since the school term has started)
- Chapel Lane is apparently 'in hand'
- Re. the overgrown sycamore on Collaton Road. Alan Benstead has cut limbs off to aid visibility and will cut back further after the leaves have dropped.
- The bridlepath, Collaton to North Sands – FP 15, Salcombe is very overgrown from the stile up to Collaton; Cllr Coulson has reported this to Salcombe TC and Cllr Gilbert would liaise with DCC.
- The green lane, Combe Lane, from Combe to Collaton Road is still very overgrown; Cllr J Yeoman will liaise with the landowner(s).
- Cllr Kendall has commissioned work to sort the overgrown hedge at the corner of Jubilee Road and the hedge adjacent to 25 Collaton Road, by the seat. Some reimbursement is due to Cllr Kendall.

B. The estimated bill for allotment water (£17.23) had been queried with SWW but a recent meter reading suggested that water for the last quarter could total £177. It is unlikely that SWW would agree to waive this amount and the Council would need to discuss the way forward with allotment holders. It was agreed some warning needed to be given to allotment holders and the Council would carry the cost for this financial year. Proposed by Cllr K Yeoman and seconded by Cllr Kendall this was agreed. It was suggested and agreed that we write to the plot holders to inform them and encourage them to preserve water and discuss the way forward for 2015/16.

C. Great Park Maintenance; Hastoe report that they met with the new contractor on site yesterday and a programme of work had been agreed.

D. John Cole, reported that the hedge on the western edge of graveyard is overgrown and obstructing the path. A one off cut was agreed...subject to agreeing a cost. But a new tendering exercise in 2015 will set out a more comprehensive spec for maintenance.

*o/s the process of registering ownership of the Pound and the Green pends on the Chair attending the Land Registry Office in Plymouth*

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**062** Bringing forward **Alston Gate item from the Planning Agenda** to allow Cllr Gilbert to participate before he left the meeting at 21.15hrs:

Re Alston Gate Phase II: Cllr J Yeoman advised there was a site meeting after the last meeting with the majority of SHDC planning committee visiting. (Several discrepancies were again reported on the existing build and brought to the attention of the Committee– these are o/s and need to be subject to a new planning application).

For phase II the meeting was reminded that we, the Parish Council, had conditionally approved the 2<sup>nd</sup> phase on the provision that our worries were acted on. However permission has been granted without further condition being imposed.

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During the site visit congestion and dangerous access were well demonstrated but despite this the committee, in reaching their decision, did not address these concerns of the Parish Council. The developers said that if they had to do extra for safety reasons (at c. £80k) the number of affordable houses would be reduced from 8 to 6. This was unacceptable. Since then we have raised with County the possibility of using the £5k footpath money in the s106 to fund the moving of the 30mph sign which 'by the book' DCC Highways have decided does not need to be moved. Cllr Gilbert undertook to take forward the idea of using the £5k to fund the moving of the 30mph signage.

A member of the planning committee also suggested we apply to the new homes bonus to build a footpath and crossing but, given DCC do not support crossings that do not have a high footfall, by building a footpath are we then setting up a dangerous/vulnerable situation? The Council will investigate the details to bring forward this application for next years' round after we have (hopefully) secured monies for the village hall roof this year.

Re the education element: we wrote outlining the problems re Malborough school but again, DCC education, threw our case out directing the funding to Kingsbridge school. Despite the premise that you cannot use s106 monies to put historic things right that seems to be how it is being deployed in Kingsbridge. How the s106 monies are allocated has to be on existing stats and figures and does not allow for future proofing or take account of the impact of any development. Cllr Pedrick argued there is a case for holding back the s106 money – but it has to be returned if not spent. Cllr J Yeoman remarked that it was unacceptable that there have been 3 separate s106 allocations of £48k each none of which had been invested locally. SHDC hold the monies and have a payment schedule against which DCC claim back their spend. Ross Kennerly holds this Ward schedule; Cllr Pearce undertook to obtain this and look for any slippage opportunities to invest locally.

Re the phase I issues about the build being too close to the road and too high, the Planning Enforcement Officer from SHDC gave the council a statement:

*"The Council has entered into discussions with the developer regarding the gabion wall and they have been advised that the Council could not support the wall in its current form. The Council has also investigated the position of the properties on the site. The road fronting properties are located closer to the road than approved; this has exacerbated the issues with the retaining wall and the restricting amount of land for screening. The developers have been advised that works on site are entirely at their own risk and that an application for a minor material amendment will be needed. At the current time no application has been received."*

Cllr Pearce said the infringements were not minor and had to be the subject of a new planning application. Building control should have picked up these discrepancies but there is no onus on the developer to use county or district inspectors. The floor felt that there was some fault to be found by SHDC not enforcing or being 'on the ball' about this.

Re the reported discrepancies/off plan incidence of the window heights and heat pumps – no details or clarification have been forthcoming from SHDC. Whilst it was, apparently, a non- material amendment, no reply to our query from SHD C was unacceptable.

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#### 063 VILLAGE HALL

- A. Cllr Boyce attended the last meeting of MVH&PFA. The next meeting will be attended by Cllr Yeoman. Of note is the inability of the hall to balance their books, attracting insufficient income. The full Minutes of MVH&PFA are on: <http://www.malboroughvillage.org.uk/group/villagehall>
- B. Re the village hall roof, MVH&PFA are working up details of their bid and receiving quotes against the SHDC new homes bonus. Gail Allen will liaise with the Parish Council to draw up a bid before the December deadline. County Cllr Gilbert has already promised £3,000 from the County funds.
- C. The play area has been inspected and Geoff Allen has undertaken some work – our thanks again. Volunteers are required for 3<sup>rd</sup> October to help with some remedial work.

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- D. The Clerk has worked up a bid for MVH&PFA against the Active Villages Initiative for tennis and netball funding – new monies having been announced.

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### 064 MISCELLANEOUS

Cllr J Yeoman took the meeting through the following:

A. **Malborough Toilets** – the way forward

Our options are:

**Option 1- Do nothing (seasonal closure)**

The District Council will arrange for the facilities to be prepared for a seasonal close down between W/C 3<sup>rd</sup> November 2014 and W/C 2<sup>nd</sup> March 2015. Information regarding the closure, and the nearest available facility, will be placed outside of the toilets.

**Option 2 – Seasonal Contribution**

The Parish or Town Council may wish to contribute towards keeping the facility open during the above period. This contribution will ensure that the facility is kept open and maintained to the same current standards.

**Option 3 – Local Contribution**

The Parish or Town Council may wish to approach local businesses with an interest in keeping the facility open all year round, attracting sponsorship/advertising opportunities. The Parish or Town Council would be expected to pay the contribution in Option 2 to the District Council, and the District Council would arrange for advertisements to be placed at the facility. All advertisements would be considered by the District Council to ensure they meet the requirements of the District Council's advertising and sponsorship framework.

**Option 4 – Reduced Service Contribution**

The Parish or Town Council may wish to contribute towards a reduced cleaning service over the closure period, from 7 to 3 days per week. The contribution is based on the required cost saving less the saving from reducing the number of days cleaning takes place. All parties would have to accept that a reduced service may lessen the standards currently achieved, and that this would have to be closely monitored. We would not at this stage consider cleaning once or twice per week.

**Option 5 – Cleaning transfer (4 months)**

The Parish or Town Council may wish to provide a cleaning service for the seasonal closure period, and make a small contribution towards other facility costs. The District Council would continue to maintain and manage buildings and their liabilities, pay utility costs, and provide cleaning materials. The Parish or Town would provide a local person or solution for cleaning to an agreed standard.

**Option 6 – Cleaning transfer (all year round)**

The Parish or Town Council may wish to provide a cleaning service all year round for the facility. The District Council would continue to maintain and manage buildings and their liabilities, pay utility costs, and provide cleaning materials. The Parish or Town would provide a local person or solution for cleaning to an agreed standard. The District Council would make a contribution taking into account the saving in annual transport and employee costs, and the required cost saving.

**Option 7 – Full Asset Transfer**

The District Council would be willing to negotiate a Freehold Transfer, without charge, of the facility to the Parish or Town Council, subject to agreed terms and conditions over its future use. The District Council would contribute a sum to the Parish Council fixed over a 5 year period for the running costs of the facility.

Early feedback from the Neighbourhood Plan suggests that the toilets are not a priority for villagers (but are of more use to visitors both tourists and workers). Rather than pre-empt the decisions that will come out of the actions agreed for the Neighbourhood Plan it was agreed to buy time and accept a reduced cleaning service for the 2014/15 season. Option 4 as a pilot was proposed by Cllr Kendall and seconded by Cllr Boyce and carried by the meeting.

- B. The next blood doning session is on the 14<sup>th</sup> October

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C. A discussion paper on the future of Malborough's website was discussed. Website members having recently met to look at the way forward following Chris Musgrave's resignation from the day to day management of the project and his overseeing of the bank account. It was agreed to accept the recommendations from the website steering committee such that:

For the website to survive and develop it is recommended that it becomes a village resource under the auspices of the parish council. The existing steering group will continue to administer and develop the site.

To both attract more advertisers (by making it an easy and attractive marketing proposition) and minimize the paperwork, admin etc it is proposed to develop a package whereby ALL those that sign up to advertise in the Messenger automatically get a FREE listing in the business directory on the website. There are then enhanced advertising packages available delivering greater coverage and exposure.

### How would it work?

The starter package for the joint Messenger & Website adverts increases from £26 to £30.

The advertising years are aligned to 1<sup>st</sup> December.

The Parish Council could:

(1) Propose to the shareholders that the website accounts are subsumed into the PC finances. The initial share capital could be

(a) paid back to the 17 shareholders or

(b) shareholders could be invited to donate their original shares into a ring fenced development fund for the website

(2) Agree to maintain and administer separate accounts for the website on behalf of the original stakeholders. This would involve some apportionment of income between the Messenger and the website.

If the Council decide to assume responsibility for the site there are additional costs in staff – Clerk time – to be considered together with expenses/honorariums possibly payable to steering group members. It is currently maintained and developed by Martin Gautier of Fear of Mice who has indicated he is willing to continue. Gail Allen (MVH&PFA) & David Hemming (History Society) have also agreed to be part of the steering committee. **More volunteers are required especially those who have an interest in website development, design and potential.** The alternative: no website. In 2014 the Parish Council need to be able to publish their information, minutes, events etc on line, like it or not we are now in the digital age.

The Parish Council voted to endorse option 2 above but would review this decision and the future after a 12 month trial period. Again the recently completed Neighbourhood Plan questionnaire identifies a need, and demand, for more information about what goes on in the village, details of how people can get involved and what facilities we actually already have. The website is ideally suited to help with this. Proposed by Cllr K Yeoman and seconded by Cllr Rendle and agreed unanimously by the meeting.

D. Re the communities' reaction to the proposal to set up or trial a water ski area within the Salcombe-Kingsbridge estuary, up the Bag. Council feel it is unacceptable and unenforceable but agree facilities should be made available for them, reinstating the channel off Bar Lodge. Starehole is not thought to be suitable. Proposed by Cllr P Pedrick and seconded by Cllr L Pedrick the meeting agreed this.

E. A parishioner has reported having trouble getting repairs to her housing association property in Sparrow Park. Dist Cllr Coulson and the Parish Council agreed to write to the Guinness Trust to try to expedite the work.

F. SHDC have announced changes to electoral administration. None directly affect Malborough.

G. Totnes One Way Up announce a protest march on 20<sup>th</sup> Sept about DCC instigated changes to the traffic flow up Totnes High Street.

### For information & post meeting notes

H. *Nigel Mortimer, Estuaries Officer, asks "Are you interested in the South Devon freshwater catchments? Do you have increasing pressure on limited budgets and resources? Do you want to make the most of our combined efforts? If the answer is 'yes' then the Westcountry Rivers Trust and South Devon Area of Outstanding Natural Beauty team would like to invite you become part of the South Devon Catchment Partnership. ....we want to bring together all of the individuals, groups and organisations that are interested in the wider environment of South Devon to find out about the main issues affecting this precious landscape and to work out what we can do together to protect and conserve it. To focus the discussions at these meetings, we will be especially interested to hear your ideas about how the partnership should spend the*



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Defra funding that has been announced for 2014/15. The aim is to produce a more effective and better funded Action Plan that delivers more environmental benefits, not just in water quality or biodiversity, but in flood risk management, drought protection and recreation as well..." A **start-up meeting is being held in October for Avon, Salcombe & Kingsbridge** (9/10 at the Crabshell Inn in Kingsbridge) – <http://south-devon-avon-salcombe.eventzilla.net/>

I. South West Resilience campaign updates us re their cry to improve the connectivity of the South West w.r.t. road and rail links. Please have your say on [www.resiliencesouthwest.co.uk](http://www.resiliencesouthwest.co.uk)

J. Devon County Council is in the final stages of preparing a new waste plan which will cover the period to 2031. The plan will ensure there is adequate waste management capacity for Devon, guide the location of future waste management facilities and provide the policies which will inform decisions on waste planning applications. These modifications are now subject to consultation: **all representations should be received no later than 5pm on Friday 19<sup>th</sup> September 2014**; to view these proposed modifications to the Devon Waste Plan, the guidance notes on how to respond to the consultation and further information, please visit: [www.devon.gov.uk/dwpmmodifications](http://www.devon.gov.uk/dwpmmodifications)

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### 065 PLANNING

A. The following **applications** have been received by the Parish Council and are/have been under discussion and consideration. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion within the Parish

[33/2113/14/F](#) Householder application for construction of garage with games room above Little Orchard House, Collaton Road, Malborough, TQ7 3SH

Date registered: 14 Aug 2014 **MPC approval**

[33/2076/14/F](#) Householder application for replacement conservatory Hi House, Silver Hill, Malborough, Kingsbridge, TQ7 3RR

Date registered: 12 Aug 2014 **MPC approval**

[33/2068/14/F](#)

Householder application for erection of garage

110 Cumber Close, Malborough, Kingsbridge TQ7 3DG

Date registered: 12 Aug 2014 **MPC conditional approval**

The Parish Council noted a parishioners' response re this application. The applicant has also been asked to submit a formal request to the next meeting of the SVRA.

[33/1840/14/F](#)

Erection of temporary occupational worker's dwelling

Alston Farm Caravan & Camp Site, Malborough, Kingsbridge, TQ7 3BJ

Date registered: 16 Jul 2014 **MPC approval**

Cllr Pearce asked whether the bungalow on site was for the manager but this was for the shop.

### B. Decisions

None received

C. **Enforcement Issues** - an updated list has again been shared with the Parish. It was remarked that more background rationale/reasons for the cases would be helpful

- A report had come from SHDC enforcement (1<sup>st</sup> September 2014) re earth works at Alston Cottage; they conclude that the work does not require planning permission.
- SVRA are complaining that one of the garages was being used as a workshop again. They say that "... residents down that end say the noise from the garage/workshop is constant and is driving them mad...." SVRA say they have themselves mentioned this to garage owner before but ask if the Parish Council could do something. This would be reported to SHDC Enforcement to investigate whether a change of use from garage to workshop had occurred and also to Environmental Health re noise abatement.



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- The direct action taken at Cross Park was noted but outstanding problems were raised, a new caravan having been moved in, some equipment not removed and the unauthorised access not blocked up. Dist Cllr Coulson is taking this forward. Cllr Pedrick queried the land registry status/ownership of the verge.

**D. Call for Sites.** SHDC have recently published the results of their call for sites exercise. This looks at what land might be available for development and how we are considering sites which may have potential for development in the future. [www.southhams.gov.uk/siteassessment](http://www.southhams.gov.uk/siteassessment) gives more information about the process and the summary of our assessment. We are asked to note that this exercise does not make any decisions about where development will or will not go. Further consideration will be given to this through the preparation of Our Plan and any Neighbourhood Plans which may be prepared. Town/Parish Council are invited to make any comments on the sites which have been assessed by the revised deadline of 3<sup>rd</sup> October. The meeting discussed the 5 sites put forward for Malborough and made the following observations which will be fed back to SHDC and picked up as part of our Neighbourhood Plan exercise.

<b>Site</b>	<b>SHDC comments</b>
Malborough Glebe	access constraints, no development potential
Alston Gate phase II site	already permitted
The balance of the Eastacoombes field	access prohibits
<i>Parish Council say mention needs to be made about the nature reserve/amenity land as part of the phase II development at the top of Eastacoombes</i>	
The Downs, field below Glebe field	access does not allow potential for development
Field below Moorside	access constraints

Proposed by Cllr L Pedrick and seconded by Cllr K Yeoman Malborough Parish Council unanimously agree with SHDC's initial assessment that they are non-viable for development. In addition to sever access issues. Eastacoombes is thought to be inappropriate as would give ribbon development, Glebe field might, in the longer term, be required for an extension of the graveyard and Moorside would only have possible potential for very low density housing – access was thought to be totally unsuitable for a large development.

**E. Neighbourhood Planning.** A 166 page report from all the questionnaires entered into the Survey Monkey database was now completed and had been copied out to members of the NP steering group and the Council. These responses were being analysed and a summary report prepared which identifies the main themes and starts to formulate an action plan. All Councillors were asked to read through the documents and return initial thoughts and comments to Debbie by 26<sup>th</sup> September. Many ideas had come forward from parishioners and there was a huge amount of information to digest. A summary would be published in the coming Messenger and a more comprehensive and précised report included in a later edition. The actions would need to form part of any future parish plan (identifying investment and priorities for the work of the Parish Council). The meeting was reminded of the need to draw two lucky questionnaires from the completed children and young adults' surveys. Our District Councillors made the draw and tokens will be going to the winners. The meeting agreed to purchase the two gift tokens, £10 and £25 respectively. Proposed by Cllr Kendall, seconded by Cllr Boyce and carried unanimously.

SHDC have a "Our Plan workshop" which takes place on Friday 19<sup>th</sup> September in the Council Chamber at Follaton House between 10 a.m. and 1 p.m. This workshop will focus on the options for growth, including type and location, and the role of neighbourhood planning. It was agreed that the Chair and the Clerk would attend.

**F.** SHDC report that a new Local Validation Checklist document has now been adopted. This document formalises the submission of information that is required before applications can be registered and should

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

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now be referred to and followed for any planning or related application submitted to South Hams or West Devon Councils'. As a consequence, everyone involved in the planning application process will enjoy greater certainty and consistency as to what information is required to accompany different applications. The Validation Checklist does not place new burdens on applicants; it simply brings together in a single place the requirements stemming from national legislation and policy, together with industry standards. The document can be found on the "What to submit with an application" Planning pages of the Councils' websites.

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### 066 FINANCE & GOVERNANCE

- A. The monthly accounts, cash book and bills to pay were received, shown as year to date Appendix A. With Cllr Boyce withdrawing from discussion, the accounts to pay were proposed by Cllr Kendall, seconded by Cllr Rendle and voted through unanimously. A mandate sheet and transaction record was introduced and duly signed to authorise both the cheque and e-payments.
- B. The meeting noted that monies were owed to the Clerk w.r.t. additional project time for the Neighbourhood Plan initiative from November 2013 to May 2014, this will be carried forward to the October meeting. Work from June re the questionnaires, analysis and reporting would also be invoiced but this would be funded from the recent Grant award.
- C. SHDC have recently amended their Members' code of conduct which Malborough Parish Councillors have previously adopted. The changes were noted and the new code unanimously adopted, proposed by Cllr K Yeoman and seconded by Cllr Kendall. The revised code would, again, be copied out to all members for their action and information.
- D. Following the introduction of the Openness of Local Government Bodies Regulations 2014, which came into force on 6th August 2014, parish and town councils will be required to revise their standings orders and practices. Councillors are asked to read:
  - a. [Open and accountable local government - a guide for the press and public on attending and reporting meetings of local government](#). This is a very useful plain English guide. Parts 1 and 4 apply to town and parish councils.
  - b. [Amendment to NALC's 2013 standing orders](#). This legal briefing outlines changes to standing order 31.
  - c. [NALC Legal Topic Note 01: Councils powers to discharge their functions](#). Updated to take into account the requirement for written records of officers' decisions
  - d. [NALC Legal Topic Note 05: Parish and Community Council meetings](#). Updated rights of public and press.
  - e. **Other actions which we will need to address are:**
    - i. It is highly likely we will need to amend the standing orders as per guidance from NALC
    - ii. It might be useful to put the Guide on the website to help members of the public.
    - iii. We will need a simple notice to put up at meetings notifying people that the meeting may be recorded for audio or video.
    - iv. We need a straightforward policy about the recording of meetings. An example was tabled – this will need to be adopted at the next meeting and displayed/available at all subsequent meetings. It reads:

#### [Protocol on the filming and recording of Local Council and Committee Meetings](#)

*The right to record, film and to broadcast meetings of Local Councils, committees and sub committees was established following the Local Government Audit and Accountability Act 2014. The "Openness of Local Government Bodies Regulations 2014" became active legislation in August 2014. This is in addition to the rights of the press and public to attend such meetings. This documents sets out the protocol for the filming of recording the meetings of Malborough Parish Council.*

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*The right of the council to exclude the press and public from parts of Council meetings for contractual and staff confidentially reasons remain unaffected.*

*Members of the public are permitted to film or record Council meetings, to which they are permitted access, in a non-disruptive manner. The Chairman of the meeting has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.*

*The use of digital and social media recording tools, for example Twitter, blogging or audio recording be allowed as long as it is carried out in a non-disruptive way and only to the extent that it does not interfere with any person's ability, including where he or she has a disability, to follow the debate.*

*While those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of others people attending under the Data Protection Act 1998. This will include the particular rights of any children or vulnerable adults attending the meeting.*

*Any person or organisation choosing to film, record or broadcast a meeting of the Council or a committee is responsible for any claims or other liability from them so doing.*

*The councils asks those recording proceedings do not to edit the film or recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.*

*The council will display requirements as to filming, recording and broadcasting at its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.*

*The Council may itself photograph, film, record or broadcasting at its meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies.*

*D Ede, Clerk to Malborough Parish Council  
17/09/2014*

- v. The council should review its delegation arrangements. Where the clerk or other officer has authority to make spending or other decisions, these are in fact implementation of council policy. An example could be that allotments are only let to residents of the parish – so the decision not to let to a non parishioner is implementation of council policy, not the officer coming to that view themselves. Where this is the case it is recommended that council ensures that it has clear policies and/or terms of reference so parishioners can understand the logic behind decisions.
- vi. Where officers make decisions (as opposed to implementing council policy) these should be recorded in line with the guidelines.

The meeting noted that, although there is a lot of information here, in practice, it should not make a great deal of difference and should be manageable if our paperwork is up to date. Any proposed amendments to the Standing Orders would be brought to a subsequent meeting.

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### **067 DISTRICT COUNCILLOR REPORT:** Dist Cllrs Paul Coulson & Judy Pearce reported that:

- SHDC are hosting an Our Plan workshop on 19<sup>th</sup> September
- Balances remain on the Sustainable Locality funds; we are invited to apply to these (within a month if possible) for any likely project funding eg: website development. The meeting ascertained that other bodies could apply including the Church and the PTA.
- The budget setting process for the next financial year, 2015/16, is underway. Again we are likely to experience a 10% reduction in the Council Tax Support Grant (subject to consultation) which may mean we need to make further adjustments in the parish precept to preserve our spending power.

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

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- Cllr Pearce suggested it would be useful to review all o/s cases on the enforcement list (outside of the meeting)
- Cllr Coulson remarked that the K5 development in Kingsbridge was an 'interesting' decision. Whilst SHDC was found to be deficient in its 5 year land supply provisions, damage to the AONB through extension of the site was given more weight by the inspectorate. Conversely the application for the solar farm was approved
- BT have met with SHDC re their planned broadband role out across Devon. The 2016 target is for fast broadband coverage to be 90%. However fast is now defined as 2 Mb and it is possible that Salcombe and its environs may be in the 10% where the exchanges are not updated. BT have invited all the District Councils to make further financial contributions, SHDC are cautious without guarantees (something BT will not do) as to who will be the excluded 10%. New (housing) developments will not be covered and will be expected to put in their own trunking etc.
- SWW were due to review systems and sewerage in Salcombe but there had been, as yet, insufficient water to do the flow tests due to a dry summer.

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### 068 CORRESPONDENCE

Received and not taken under the agenda:

- Free Highway Code education available through [rightdriver.co.uk](http://rightdriver.co.uk)
- DALC Annual Report 2013-14
- South Hams Society Bulletin
- The Great South West Walks – guided walks in September, visit [www.greatsouthwestwalks.co.uk](http://www.greatsouthwestwalks.co.uk)

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There being no further business the meeting closed at 22.30 hrs

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**DATES FOR THE DIARY:** The date of the next Parish Council meeting is **Wednesday 22<sup>nd</sup> October 2014** (*back one week from normal*), **7.30pm, Venue The Annexe, Malborough VH.**

Signed as a true record: \_\_\_\_\_

Print Name & Date: \_\_\_\_\_

Actions default – unless otherwise specified the Clerk takes forward any agreed actions Agenda Items and Updates; where possible please could these be submitted to Debbie by the 1<sup>st</sup> Wednesday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Debbie for distribution) together with their apologies.

#### Distribution List

Cllrs Boyce, Harrod, Kendall, Makepiece, L Pedrick, P Pedrick, Rendle, J Yeoman, K Yeoman

**For Information: e-circulation to:** District Cllr. Paul Coulson, County Cllr R Gilbert, Dist Cllr Judy Pearce, Mr Tony Lyle (allotment rep), Mr E Putt, Salcombe Police Station, Mr Allan Benstead (Tree Warden), Mrs E. Bond (Asst. Tree Warden), Reverend T Skillman, Malborough Parish Council Notice Boards (2), Malborough Primary School, Malborough Village Hall Committee: Mr A Morgan, Mrs Gail Allen, Mr A Purchase, National Trust, SVRA

**MALBOROUGH PARISH COUNCIL**  
**Minutes of Parish Council Meeting;**

**APPENDIX A**

Category	Descriptor	Paid In	Paid Out	Cash Book Balance
<i>Cash book balance b/d</i>				<b>15,485.07</b>
Payment	MVH&PFA		- 1,075.00	14,410.07
Payment	D Ede		- 14.00	14,396.07
Payment	Grant Thornton		- 240.00	14,156.07
Payment	CVS		- 11.00	14,145.07
Payment	Saltaire		- 65.00	14,080.07
Payment	South Hams Newspapers		- 70.20	14,009.87
Payment	G Boyce		- 7.99	14,001.88
Payment	D Ede - Salary August		- 545.20	13,456.68
Payment	D Ede - Salary September		- 545.20	12,911.48
Receipt	messenger	27.50		12,938.98
Receipt	Allotment fees	75.60		13,014.58
Receipt	interest	0.55		13,015.13
Receipt	interest	0.61		13,015.74
<b>TOTALS YTD Financial year 2014/15</b>		<b>£ 14,350.50</b>	<b>-£ 7,614.02</b>	<b>£ 13,015.74</b>
<b>RECONCILIATION CASH BOOK TO BANK</b>				<b>£</b>
Cash book balance b/d	<b>FY 2014/15, YTD month</b>		<b>6</b>	<b>£ 13,015.74</b>
Balance at bank at end :			<b>15-Aug-14</b>	
	Revenue Accounts		<b>13,468.35</b>	
	Unpresented Items	receipts	<b>102.74</b>	
		payments	<b>- 555.35</b>	
			<b>£ 13,015.74</b>	
				<b>Variance</b>
<b>ACCOUNTS FOR PAYMENT</b>				
D Ede (Salary)	<u>for current month</u>	<i>paid on 15th of the month by standing order &amp; included in the above balances</i>		<b>545.20</b>
Plus	Saltaire July			<b>90.00</b>
	Saltaire August			<b>45.00</b>
	Hocking - 2nd tranche allotments			<b>250.00</b>
	D Ede - stationery/printer inks			<b>91.66</b>
	G Boyce - plants for pound			<b>19.43</b>
				<b>496.09</b>
<b>RECEIPTS &amp; PAYMENTS REPORT TO COUNCIL</b>				
<b>MEETING DATE</b>			<b>17th September 2014</b>	
	Prepared By:	<i>Debbie Ede, Clerk to the Parish Council</i>		
	Date:	<i>17/09/2014</i>		