

KINGSWEAR PARISH COUNCIL

Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on Tuesday 13 December 2016 at 7.00pm (for formal approval at the next Meeting of the Council)

Present: Councillor J Henshall – Chairman

Councillors: E Jones, L Maurer, H Newcombe, M Trevorrow, E Parkes, R Searle and L Payne.

Apologies: Councillors E Essex and J Hawkins
Police Constable A Vaughan
District Councillors H Bastone and R Rowe

In Attendance: Mr David Edwards – Clerk to the Council

There were 6 members of the public present.

C/368/16 – Welcome

The Chairman welcomed everyone to the meeting.

C/369/16 – Declaration of Interests

The Members were reminded that any changes to their Declaration of Interests should be notified to the Clerk.

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

Questions from the public:

Reference was made to the problems of contractors who are working on properties obstructing roads with their vehicles and equipment. This causes unnecessary inconvenience to many residents who are experiencing delays and could be more serious if an emergency vehicle is unable to access a property.

The Clerk would refer to the Highways Officer (DCC) and the Localities Officer (SHDC) on future directives to contractors and enforcement.

The Chairman welcomed Sophie Fitzgerald from the National Trust to the meeting to receive information on the work and plans of the Trust that impact on Kingswear.

Sophie gave a brief outline of her role and advised that the Trust were keen to work with the local community on issues that would be of benefit to residents. This would be particularly relevant with regard to the Neighbourhood Plan.

Some of the members of the public attending mentioned the traffic problems occurring on the access roads to Collaton Fishacre. The road is very narrow and there are few passing places causing many delays. The summer period is particularly bad when there are many more visitors and vehicles have to reverse quite a distance to allow other cars to pass.

It was made known that an agreement had been put in place that the house would have limited opening times whilst the road was unsuitable to take large volumes of visitors. The National Trust appear to have disregarded this agreement and Sophie confirmed that she would take this back to her Manager and report back to the Council.

Councillor Jones arrived and joined the meeting.

The other issues raised:

- related to its work as a Land Agent and that its properties are available at affordable rents to local people, it uses renewable forms of energy and endeavours to achieve energy efficiencies in all its properties.
- A discussion on whether the Trust can be involved with the installation of a public footpath linking the Noss Development with the village.
- The agreement that three meetings are held with the Council during the year.

The Chairman thanked Sophie for her attendance.

Sophie and 5 members of the public left the meeting.

County and District Councillors Reports.

The report from County and District Councillor Hawkins was circulated. (It is attached and forms part of the minutes)

There was no Police report.

The Council Meeting was reconvened.

C/370/16 - To resolve to approve the following minutes subject to any amendments:

- i. Full Council Meeting – 08 November 2016
- ii. Planning Committee Meeting – 04 October 2016 (omitted from last agenda)
- iii. Planning Committee Meeting – 22 November 2016

Matters Arising:

C/358/16 – Lighthouse Beach – The Chairman reported that the landowner had agreed to remove the old iron works to the right of the public footpath. Investigations and a meeting had been arranged with an officer from the Devon County Council (Lee Avery) on the location and flow of a drain and the ongoing stability issues of Beacon Road.

Amendments:

i. Full Council Meeting – 08 November 2016 – the list of apologies is incorrect. Councillor E Payne should read Councillor E Parkes.

Subject to the above it was RESOLVED to approve the Minutes as listed above.

C/371/16 - To discuss the proposed amendment to the Standing Orders that the position of Chairman of the Council can only be held by an individual Member for a maximum of two years during the 4 year term of office.

It was RESOLVED to make the amendment to Standing Orders

C/372/16 - To receive a report on the investigations that have taken place with regard to the setting up of a recycling of garden waste scheme in Kingswear. (Cllr Payne)

With the agreement of Councillor Jones a suitable site at his property, Fountain Violet Farm, has been located and the following comments were made:

- The Environment Agency needs to give its approval – this relates to the affect the composting might have on the land and watercourses.
- A hard standing will be required
- A secure shed will be required for equipment and tools.
- The District Council will make a payment to the Parish Council according to the volumes (Stoke Fleming PC receive £5000 pa)
- The service will be included in the Neighbourhood Plan questionnaire for comments from residents – if there is no support it will not be progressed.
- It will not affect the current “Brown bin” collection.
- The opening times are normally March to November.
- Formal agreements will need to be completed to protect the landowner and the Council.
- It was noted that Kingswear residents can use the Paignton recycling centre rather than travel to Totnes or Kingsbridge.
- A budget is required to cover the set up costs.

It was RESOLVED that the appropriate investigations take place and a budget of £500 be set aside to be used if the scheme is progressed.

C/373/16 - To receive (if available) the Neighbourhood Plan/ Resident’s Parking Report from Councillor Payne and to discuss and approve the actions and any expenditure detailed in the report. To include a proposal that further research/ work be carried out concerning the allotments on the south side of Higher Contour Road.

The details and plans for the scheme as designed in consultation with Devon County Council were circulated and form part of the minutes.

- The plan will be distributed to residents for comment.
- An additional cost for distribution/printing of maps and questionnaire will need to be paid – Councillor Parkes to obtain a quote.
- Any scheme will need to have the commitment from Devon County Council that it will be enforced.
- Further research to take place on the lay by on Higher Contour Road as to its potential use for residents parking.

It was RESOLVED that the report and actions be approved.

C/374/16 - To discuss the outstanding deposit payment of the former tenant of the Cemetery Lodge where the Letting Agent failed to register the deposit with any of the Deposit Protection Agencies. This is an illegal act and the Council should obtain legal advice to obtain direct recourse from the Directors.

It was RESOLVED that the Clerk contact a solicitor to obtain the appropriate advice to recover the amount owing (£1000) but the solicitor costs be limited to a maximum of £300.

C/375/16 - To receive (if available) a report from Councillor Trevorrow on any action or outstanding issues relating to the Moorings (to include the option of the sale of an abandoned boat) and to discuss and approve the actions and any expenditure detailed in the report. To also obtain legal advice on the removal of any boat that has not complied with the terms and conditions and/or paid the required fees.

The longstanding issue of the abandoned boat at Waterhead Creek has been resolved with a resident from Brixham taking over the ownership and the mooring fees.

The Clerk explained that the Council requires legal advice to ensure that it acts correctly if it is to proceed with the removal of any boat. The Council does not have the resources or infrastructure to remove and impound a boat pending its disposal or its return if the dispute is settled.

It was RESOLVED that the Clerk contact a solicitor to obtain the appropriate advice.

C/376/16 - To discuss the up to date situation on the purchase of BT phone boxes. (Cllr Parkes)

The Clerk explained that the District Council is negotiating the sale of the phone boxes with BT.

Councillor Parkes confirmed that she had contacted the Heartbeat Trust and a reply is awaited.

C/377/16 - To discuss the changes to the Cemetery regulations and procedures with the option for the detail to be analysed by the General Purposes Committee. (See attached). The Council to agree immediately the following:

- **In view of the limited plots available that the purchase of Exclusive Rights be available only to Parishioners.**
- **Marker stones are purchased for all plots where Exclusive Rights have been granted.**
- **The Council to contract and arrange the digging of any grave.**
- **The Clerk and a Councillor to mark graves for any interment of a body.**

It was RESOLVED to approve the 4 items listed above.

The Members in agreeing the details of the Regulations noted that the access to the cemetery was not clear and there was a gap in the hedge at the far end of the cemetery. This was not a formal access point and a quote had been obtained to install a fence. The quote from Whiterock Services Limited was £548.00 inclusive of Vat. The contractor was known to some Members and there was general consensus that it would be difficult to obtain a much better quote for this type of work.

It was RESOLVED that the Clerk instruct Whiterock Services Limited to install the fence in accordance with the quote provided and the other details set out in the proposed Regulation document be referred to a meeting of the Cemetery

Committee.

C/378/16 - To receive (if available) the Neighbourhood Plan Report from Councillor Parkes and to discuss and approve the actions and any expenditure detailed in the report.

Councillor Parkes gave the following report:

We have had 4 meetings. The grant money of £5383 has been received and is in the Council account. We have been working with Devon Communities together to produce the questionnaire; a draft is provided. We are awaiting an opportunity to speak to South Hams District Council about its approach to setting the number of housing units and the cost of putting forward specific sights. It has been difficult to get contact or meaningful dialogue with South Hams DC as its focus is the Local Plan. The Neighbourhood Plan Group has sent in a response to the Village Housing Sustainability Assessment. I do not know if the Parish Council decided to comment?

It was noted that the maps would be revised and the questionnaires would be posted out in the 2nd week in January and there will be a two week time to respond. Reference was made to page 4 and the option to include a safe pedestrian pathway from Higher Contour Road to the Creek.

The Carlow Lunch was mentioned and the questionnaire might include how the lunch is organised in the future. The 2 to 4 Club can also be consulted.

The main focus of the NHP is on Land use and Planning. It was noted that the 2011 Census provides some background information but it required updating.

Comment was made that there is a danger of misleading people into believing that all the proposals that receive support will be actioned. Clearly the Parish Council has limited powers and the NHP is just the start of future consultations.

To get the questionnaire publicised it was thought that it could be put on the parish website, the Facebook page and an entry in By the Dart Magazine

C/379/16 - To resolve to approve the Expenditure of the Council for the period 02 November 2016 to 06 December 2016 – see attached.

It was RESOLVED to approve the expenditure and that a donation of £150 be made to the Royal British Legion – Poppy Appeal.

C/380/16 - To agree the use of Jubilee Park for the Shakespeare Play on Sunday 25 June 2017 and to cover the cost of the portaloo.

It was RESOLVED to approve.

C/381/16 - To receive an update on the Wishing Well Funds and to agree the beneficiaries. (Cllr Henshall)

It was noted that the Wishing Well donations amounted to £750 approximately and that the Council make a donation to the 2 to 4 Club. There have been discussions with Dartmouth Caring to introduce a similar scheme for Kingswear. Volunteer drivers take

elderly and other residents in need to doctor and hospital appointments or to other places as and when required. Dartmouth Caring would administer the scheme but some costs may be passed on to the 2 to 4 Club.

To assist with fundraising a raffle will be organised at the forthcoming Carlow Trust Lunch.

It was RESOLVED that a donation of £500 be made to the 2 to 4 Club.

The Meeting ended at 21.25

Minutes Approved:

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Councillor J Henshall - Chairman