

KINGSWEAR PARISH COUNCIL

Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on Tuesday 14 February 2017 at 7.00pm (Please note that all Minutes are approved at the next Meeting of the Council. These Minutes have been approved. A resolution would have been recorded in the Minutes of the following meeting to show any amendment that has been made)

Present: Councillor J Henshall – Chairman

Councillors: E Jones, L Maurer, H Newcombe, E Parkes, R Searle, L Payne, E Essex and J Hawkins.

Apologies: Councillor M Trevorrow
Police Constable A Vaughan
District Councillors H Bastone and R Rowe

In Attendance: Mr David Edwards – Clerk to the Council

There were 3 members of the public present.

C/393/16 – Welcome

The Chairman welcomed everyone to the meeting.

C/394/16 – Declaration of Interests

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

Councillors Hawkins and Maurer completed "Form of Amendment" to register that they were now members of the Kingswear Hall Committee.

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:

Comment was made regarding the amount of litter in many areas but particularly around the Cemetery entrance and Higher Contour Road. There was a need to also clear the build up of spoil and other waste that is blocking many of the drains and gullies. The gully at the junction of Higher Contour Road and Ridley Hill is particularly bad. Drains have also been blocked in areas where there has been building work.

South Hams District Council and Devon County Council to be contacted to undertake sweeping and gully clearance.

The Council will receive the following reports if available:

i. Devon County Councillor

Councillor Hawkins gave his report:

- The County budget would be set on Thursday and it was anticipated that there would be at least a 3% increase, resulting in an additional £60 approximately per annum for a Band D property.
- The increases to provide the additional funding for Adult Social Care and Children Services.
- Government cuts in funding has resulted in a further £21M coming from reserves.

- Savings had been made from a new contract for Highway Maintenance which will now be provided by Svanska
- Devon receives substantially less from Central Government for Schools with areas in the South East receiving up to £100 per pupil compared to £7.50 in Devon.
- The Government are providing a grant of £4M to improve the highways with regard to repair of potholes.
- Devon is one of the most successful authorities for Recycling Waste but could see a 25% reduction in the funding grants available that were previously reward for success.
- The Community hospital closures are of great concern and it is, likely that should they close, the new services (providing care in the home) will not be in place in time.
- There has been some difficulty in arranging meetings with representatives from the NHS and the regional lines that have been drawn do not always provide a joined up integrated service. Kingswear has this specific problem where it is part of South Hams and Devon County but health services are provided at Torbay hospitals and Brixham GP surgeries.
- It was noted that the new health centre in Dartmouth was now in Townstal which would mean many residents coming from the lower part of the town would have to arrange transport.

ii South Hams District Councillors

Councillor Hawkins – report included as above.

Councillor Bastone – report provided and circulated – to be attached to the minutes.

iii Police

There was no report.

The Council reconvened to discuss the following items:

C/395/16 - To resolve to approve the following minutes subject to any amendments: [Amendments to the Confidential Minutes to be noted and documented in Part II :

- i. Full Council – 10 January 2017
- ii. Full Council (Confidential) – 10 January 2017
- iii. Planning Committee Meeting – 24 January 2017
- iv. Precept Meeting – 24 January 2017

It was RESOLVED to approve the Minutes

C/396/16 - To decide on the next course of action to be taken with regard to the reopening of Beacon Road:

- **A proposal to accept DALAG as working with the Council to ensure there is a group actively working with the community for the necessary grants**

It was noted that the stabilization of the cliff had to be actioned by the property owners of the adjoining premises and it was understood that a specification and quote was

being obtained. This had to be approved by Devon County Council for it to agree to open the road.

The Chairman advised that a letter had been received from a resident, Mr Tony Brown, who has had a good deal of involvement with the issue and it set out some of the history.

The Chairman and clerk have attempted to meet with the landowners to progress the works and to come to some agreement as to the shared funding. One landowner made it clear that he did not see any reason to involve the Parish Council and one landowner was considering legal action against the County Council where he is of the view that a drainage pipe had caused the destabilization of the cliff.

It was made clear that if the landowners proceed to stabilize the cliff without considering the requirements of the County Council, it would result in the road not reopening and the loss of grant/community contributions through match-funding.

Mr Brown also stated that he would try and talk to the landowners to see a way forward. Councillor Henshaw had also received information from Mr Southwick's solicitor (Mr Chris Wills) stating that Mr Southwick was prepared to sign the Agreement to reopen Lighthouse Beach, although access would not be allowed until the stabilization works had been completed.

- **A proposal to accept DALAG as working with the Council to ensure there is a group actively working with the community for the necessary grants**

The second part of the Agenda item was discussed:

Comment was made that a link to the Neighbourhood Plan process would add value to any grant/funding application and Mr Richard Whittaker (who has had previous experience with grant applications) a member of the NHP Group had agreed to help.

It was RESOLVED that DALAG, the Council and the Neighbourhood Plan Group, through their respective representatives, work together to raise the funding as the community contribution required. The funding to be based on the previous quote held which showed a funding requirement from the community of £40000 but this may alter should revised quotes be forthcoming from the landowners.

C/397/16 - To discuss the agreement between the Council and Mr David Southwick concerning the opening of Lighthouse beach (Cllr Parkes)

It was explained that the Agreement had been arranged before any knowledge of the new legislation that had come through from Natural England. Mr Southwick had removed the dangerous ironworks and as stated was prepared to sign the Agreement. There was comment that investigation should be made to ensure that the signing of the Agreement would not subsequently affect the decision of Natural England. It was suggested that Mr Simon Clancey, the County Council Solicitor, could be consulted.

It was RESOLVED that the decision about signing the agreement with reference to Lighthouse beach between the PC and Mr Southwick be taken after consideration of the report by Natural England This report includes consideration of access to Lighthouse Beach. The report is expected at the end of March.

C/398/16 - To receive (if available) the Neighbourhood Plan Report from Councillor Parkes (General) and Councillor Payne (Residents Parking) (if available) and to discuss and approve the actions and any expenditure detailed in the report.

The Report is as follows: "David Macilraith and Councillor Parkes have had several meetings to refine the final draft questionnaire. The quote from AC Print was accepted as the lowest quote and the company is known to the Council as a reliable supplier.

Quotes and Expenditure:

AC Print £937.20 inc Vat for 700 copies and £78 for extra 50 copies

Partington Print £1200 but no collating or envelope stuffing.

Partington Print for Banner £72 inc Vat.

Photocopies and paperclips £5.10

Councillor Payne £31.97 to cover cost of Printing Posters

Printing was completed and we believe that every household has received a copy over the last 2 weeks.

The deadline for return is 28 February and please may I ask all Councillors to respond and encourage residents to do the same.

We will be putting up posters and a banner this week to remind people and hope to have an article/ advert in the local press. After the questionnaire was designed we realised that the original allowance in the grant would not cover the printing costs so we decided to change from a house to house collection cost for in the grant of £2000 to have prepaid envelopes, the cost of which is £40 approx. For supply and 40p for every returned envelope (Maximum £288) . We are sure that all the costs for the questionnaire will be covered by the grant obtained.

Devon Communities Together are analysing the results and hope to get the report to us by the end of March. We will present it to the Council Meeting in April. Dawn Eckhart from DCT is willing to attend the Parish Meeting on 15th May to present an overview of the results to residents.

Our plan during the next few months of March and April is:

- to research other plans that have passed referendum stage.
- Gather relevant data of planning permissions and review policies that may affect our area.

After the report is received we will look at the results and progress our plan.

Councillor Parkes offered apologies for the next two Council Meetings but she will send any reports as necessary to the Clerk.

Resident's Parking survey:

A letter from a resident of Ridley Hill was noted and it is intended that this area be included. It was noted that the survey is not dictating or imposing any specific plan but is trying to obtain all the residents feedback and ideas on how best to resolve the current issues.

The survey was included with the main questionnaire.

It was RESOLVED to accept the report and approve the expenditure items as listed.

C/399/16 - To resolve to approve the Expenditure of the Council for the period 05 January 2017 to 07 February 2017 – see attached.

A letter of thanks from the 2 to 4 Club for the grant of £500 was noted.

It was RESOLVED to accept the report and the expenditure items as listed.

C/400/16 - To receive a report from the Clerk on a meeting with residents regarding the use by members of the public of the Cemetery as an access route.

Report – Meeting with residents on 23 January 2017 to discuss the Cemetery access.

Present: Councillors E Jones and L Maurer, Mr and Mrs R Lovell, Mr M Simpson and Mr J Price.

David Edwards (Parish Clerk)

Preamble:

The meeting has been arranged to allow the residents to voice their views on the installation of a fence at the cemetery to fill in a gap in the hedge.

The gap has up until this time been used by the residents to cut through the cemetery when walking to and from the village centre.

The fence has been installed to complete the cemetery boundary and make it secure. The Council duty is to those using the cemetery and on a risk assessment analysis the option to prevent access through the hedge ensures that the Council has completed its duty of care.

When there is any risk the Council has to take appropriate action to, in the first instance, take measures to completely prevent the risk.

If this is not possible, the Council has to look at actions that will mitigate the risk.

In this instance it was possible for the Council to prevent the risk.

The Council is not the Highway Authority, therefore, it does not have a duty to provide footpaths or footways. The Parish Council does have the power to install and maintain footways.

Outcomes:

The verge opposite the cemetery was identified as an option for safe passage to and from the village.

Mr Simpson agreed to investigate ownership and would contact the farmer who owned the adjoining field.

The Council would investigate the option to include the cutting of this verge within its existing maintenance budget.

It would also investigate the cost and option to cut back parts where the verge does not exist and pedestrians are forced on to the road.

Subject to Council approval – these investigations would be actioned.

An apology was made to the residents for the oversight by the Council to not consult with the residents or make it clear that the item was to be discussed.

It was RESOLVED to approve the report

C/401/16 - To discuss the Council contribution to additional road signs at Hillhead (see attached letter from Torbay Council) (Councillor Hawkins)

It was noted that there is a footway through the estate but this is not known to all and it would be helpful if a footpath sign could be installed.

It was RESOLVED that Councillors, Hawkins, Essex and Maurer meet on site with the Torbay Council Highways Officer to discuss the most appropriate actions and obtain costings.

C/402/16 - To discuss the option of Councillors or members of the community undertaking Defibrillator training (see attached)

A report from Jeff Gregory (jeff@lifesavertechnology.co.uk) was circulated which offered training for £70 (2 hours) and servicing of the Defibrillator equipment at a cost of £28 per annum.

It was RESOLVED to obtain information from other suppliers and sources and Councillor Jones agreed to investigate.

C/403/16 - To discuss items of a confidential nature and resolve that in accordance with the Public Bodies (Admission to Meetings) Act 1960 Sub section 2, and the Local Government Act 1972 Section 100A sub sections (2) and (4) that the public and press be excluded from the Meeting in view of the items to be discussed, obligation of confidence and contracts.

Please see confidential minutes

The Meeting ended at 20.30

Minutes Approved:

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Councillor J Henshall - Chairman