

KINGSWEAR PARISH COUNCIL

Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on Tuesday 14 March 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, R Searle, L Payne, M Trevorrow and J Hawkins.

Police Constable A Vaughan

Apologies: Councillor E Essex and E Parkes
District Councillors H Bastone and R Rowe

In Attendance: Mr David Edwards – Clerk to the Council

There were 7 members of the public present.

C/404/16 – Welcome

The Chairman welcomed everyone to the meeting.

C/405/16 – 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 Mr Payne to make a presentation and for members of the public to ask questions and make representations to the Council:

Ash dieback: to hear from Alan Payne, the Parish Tree Warden, Proposal: to institute an informal parish survey and monitoring scheme. (As a safety issue, once a tree gets infected branches fall off)

Mr Payne explained that he had attended a meeting at South Hams District Council. The meeting highlighted the problems now associated with Ash dieback. Many trees in East Anglia are affected and it is now being seen in this area of Devon.

The situation has to be managed before it has a devastating affect on the Ash Tree population. Ash trees have 3 gene pools, in one gene pool all trees are affected, in the second most are affected but in the third most live. The action now required is to identify all Ash trees and take out all the trees that diseased. The trees that remain will come from the unaffected gene pool and become the predominate form.

Mr Payne has asked that all parishioners take note of the location of all the Ash trees in the parish and e mail him with the location. If the tree is clearly diseased then to also let him know. He mentioned that Mountain Ash is not a member of the Ash tree family, it is a Rowan.

Mr Payne will draw up a map of the location of all the trees and a programme to fell the trees can be undertaken.

The Chairman thanked Mr Payne for his presentation.

Questions from the public:

The outcome of the Precept Meeting was questioned and why the Council had agreed an amount of £24299; increased from £18949 as brought forward from the Finance Committee. A statement was made that there are many residents who have low incomes and the Council should have considered reducing the Precept further.

The Council asked that the detail of the question be put in writing when a more informed answer can be made.

Reference was made to the potential affect the changes to the Darthaven car parking costs will have on the village, resulting in more on street parking. This is already being noticed with many residents unable to park near their properties or park at all. A request was made that additional residents parking areas be created.

In reply, the Council made several comments:

- A letter be written to Darthaven to suggest some form of arrangement with the Council
- The Residents Parking Group will look at the parking issues created by the marina.

Comment was made on the agreed parking arrangements at Darthaven for those with Moorings on the pontoon. It was advised that the original agreement had been with British Rail and the pontoon was put in place to replace the moorings along the embankment.

The Council will receive the following reports if available:

i. Devon County Councillor

Councillor Hawkins gave his report:

- A meeting with the Neighbourhood Highways Officer (Lisa Edmonds) to look at the signing and other highway matters related to safety.
- HATOC had signed off the Traffic Regulations
- Marldon Parish Council had been pushing for 20mph speed restrictions and will go to HATOC on Friday and the County Council may support. Central Government will need to agree that 20mph limits can be introduced and legally enforced. Decision will not be known until end 2017 or in 2018.
- Cycleways are being promoted and introduced to reflect the increase in the number of cyclists.
- The interactive sign on the Brixham Road is not working – the Clerk has contacted the contractor to repair.
- He advised that he and Councillor Maurer had met with the Torbay Council Highways officer (Mr Goodall) to look at pedestrian safety on the road from Hillhead leading down to Brixham. The area from the roundabout to the junction of Raddicombe Drive is particularly dangerous and vehicles speeds are too high. Agreement was reached that some cutting back of the hedge and painting of a white line (to encourage motorists to stay to the right of this line allowing room for pedestrians). The speed limit for this area would be looked at with a view to a reduction to 30mph.
- The footpath leading from Hillhead Park to Raddicombe Drive is overgrown and

the County Council officer, Paul McFadden, has agreed to action the clearance. A letter will be distributed to the neighbouring properties to remind householders of their responsibility.

- A letter has been received from Sarah Woolaston MP to advise that she will be hosting an Open Meeting at Townstall Dartmouth on 12 April at 7.30pm to discuss the local hospital closures.

Questions to the County Councillor:

Councillor Henshall enquired about the need for resident's parking permits during the Regatta period. This would be discussed with the Regatta Chairman.

It was noted that new members for the Regatta Committee are required.

Although Councillor Hawkins is a member of the Committee he is not officially the Parish Council representative – it would be helpful for the Parish Council to be represented.

ii South Hams District Councillors

Councillor Hawkins – report included as above.

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

iii Police Report:

PC Vaughan gave his report:

- He had met Lisa Edmonds (DCC Highways) and walked the village to review traffic signs – there are no speed limit signs when the cars leave the Lower Ferry – this needs action. It was suggested that some additional wording or fixing to the new "Welcome to Kingswear" to make known to drivers the speed limit.
- A new contract will come into place for the signing in the County and any improvements will be delayed whilst contract agreements/finance are put in place.
- The interactive sign at the Primary School is now working.
- Comment was made on the problem with cars exiting the Darthaven Marina and turning right illegally down the one way street. It was noted that additional signs are required.
- PC Vaughan will be meeting the Chairman of the Regatta Committee and he will raise the subject of the Resident Parking Permits.

The Council will reconvene to discuss the following items:

C/406/16 - 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. Planning Committee Meeting – 13 February 2017
- ii. General Purposes Committee Meeting – 13 February 2017
- iii. Full Council Meeting – 14 February 2017
- iv. Full Council Meeting (Confidential) – 14 February 2017
- v. Planning Committee Meeting – 28 February 2017

Amendments:

Full Council Meeting 14 February 2017 – C/397/16

The wording of the Resolution should read:

"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."

It was RESOLVED to approve the Minutes of the Meetings as detailed subject to the Amendment.

C/407/16 - The Clerk to provide an update on the playground equipment at Jubilee Park as to it conforming to the requirements of the play equipment inspection report recommendations and the implementation of the formal monthly inspection report (additional to the informal weekly inspections carried out by the clerk)

The Clerk advised that he had spoken to the representative from Caledonia Play, the installers of the equipment and he has agreed to a site meeting within the next 2 to 3 weeks. The outstanding items can be discussed. There is a dispute over the interpretation of the safety regulations and because there is a high step on the tower equipment it prevents small children gaining access to the top unless there is parental/adult supervision. A safety certificate should have been sent to the Council and Caledonia Play will check their files. It was noted that the Post Installation Report [PIR] stated that the outstanding issues were Low Risk. The question of what fittings need to be stainless steel or galvanised. The Warranty/guarantee periods can also be checked.

The Clerk explained that once the PIR has been completed the Council is required to contract a qualified organisation to undertake regular safety checks. The Play Inspection Company who completed the Post Installation Report have quoted £310 pa but South Hams District Council will charge £130 pa.

It was RESOLVED that:

- ***reference should be made to the Council insurers to obtain confirmation that the equipment is acceptable as it now stands or it is their view that adjustments are required.***
- ***South Hams District Council to be contracted to undertake the regular independent inspections.***
- ***The Clerk to provide the Members with sight of the guarantees.***

**C/408/16 - To discuss the action to be taken with regard to the safety and use of the pontoon at Waterhead Creek. (Councillor Payne)
(The risk assessment made by the marine surveyor stated that work needed doing soon)**

Therefore consideration should be made to addressing those items sooner rather than later but are not immediate concerns to stop the pontoon being used in its intended way. I would recommend further inspection at least quarterly from the date of this inspection; this should not negate the instigation of a repair plan and to fall back to reactive not proactive maintenance. If a further float frame assembly for example should fail, then the whole pontoon could be suddenly be compromised.

It was noted that the Council had previously agreed to contract for an independent periodic safety inspection of the pontoon. The author of the report commissioned in 2015 (Mr Ian Fenton) on the condition of the pontoon agreed at the time to undertake the inspections.

The Clerk advised that he had met with Mr Colin Bower of Docking Solutions. Mr Bower advised that a new system had recently come to the market that allowed more flexibility in design and at much lower cost, if the Council is considering a replacement pontoon. Depending on the size required a new pontoon could be installed for £3000/£4000.

It was RESOLVED to contract Mr Fenton to undertake the independent inspection of the pontoon. (It was noted that the Council had previously resolved to take this action).

C/409/16 - To discuss the implementation of a Community Orchard and to ask the Tree Warden, Alan Payne to make enquiries with specialists about possible sites in the parish. (Councillor Payne)

It was noted that an area behind the picnic table and the moorings has now been cleared and might be a suitable location for a community orchard; although this is reclaimed land and the viability of the trees is a doubt.

A broader debate on the use and potential improvements to Jubilee Park was required and several issues were brought to the attention of the Council:

- Allotment use or provide more space for community events
- Replace the gravel area with a different surface that allows grass to grow through
- Consider some form of new drainage system or consider other ways to improve the drainage of the Park.
- The fencing needs attention and some shrubs/overgrowth needs cutting back

It was noted that Mr Payne had made contact with some experts (Dartington Estate and Friends of the Orchards) during the course of his work as the Tree Warden and Alan was asked to consult about orchards.

it was suggested that an outside view on how the Park might be improved would also be helpful and looked at a later date.

It was RESOLVED that Mr Payne be asked to contact the experts and ask if they could provide suggestions on how best to create a community orchard and advise on the most suitable location. (In due course The Council, through the General Purposes Committee can undertake a full review and make some recommendations to the Council on how Jubilee Park can be improved)

C/410/16 - 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 responses to the questionnaire are awaited and will be analysed. The financial return in relation to the grant is to be completed. The responses will provide indicators and feedback on the parking issues. This will lead to discussions on the action required and the impact that the changes to the parking at Darthaven will have on the village.

C/411/16 -To resolve to approve the Expenditure of the Council for the period 08 February 2017 to 07 March 2017 – see attached.

It was RESOLVED to approve the expenditure.

C/412/16 - To receive a report from the Clerk:

- **on a meeting with the County Council Neighbourhood Highways Officer.**
- **Urgent works undertaken to the Septic Tank drains at Cemetery Lodge.**
- **Legal advice with regard to Cemetery Lodge and previous tenant's deposit.**

The Clerk explained that he had a site meeting of the village with the County Council Highways officer which in the main related to the confusion over the clearing of the drains. It, however, provided the opportunity to discuss other issues including the ownership of the verge opposite the Cemetery, the cleaning of the gutters and overgrowth and a query related to a "Stopping Up" Order on the road to Galmpton Mill.

The clerk explained that the pipe leading from the Cemetery Lodge had become blocked and a contractor was called out between Christmas and New Year to clear it. The drain blocked again recently and an investigation by the drain clearance company showed that there is problem with the pipe under a protruding part of the wall. Underneath the wall the drain has an inhibitor (a U bend to prevent rodents etc coming up from the septic tank). The advice is to remove the inhibitor and place a straight pipe through.

The Clerk has received a quote for £911.56 from Exjet and asked South Hams District Council to also quote. The District Council advised that the quote was much lower than it could provide as it would have to hire in a digger.

Comment was made that the blockage could be caused by the tenants disposing of unsuitable waste. From discussions with the contractor this would not be the case.

It was RESOLVED to accept the quote from Exjet and get the work undertaken as a matter of urgency.

The Clerk explained that he had spoken to a solicitor regarding the deposit of £1000 in respect of the previous tenant of the Cemetery Lodge. This had to be repaid by the Council due to Torbay Estates Ltd (the Council Letting Agent) entering liquidation. Torbay Estates had failed to place the deposit at a Deposit Agency.

The advice given is that it would be unlikely that these funds could be recovered and to commence any legal action would add to the overall debt.

It was RESOLVED that this debt of £1000 be written off and no further action taken.

C/413/16 - 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.(Contractual arrangements with regard to potential legal action)

Please see confidential minutes

The Meeting ended at 20.50

Minutes Approved:

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Councillor J Henshall - Chairman