

## KINGSWEAR PARISH COUNCIL

### Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on Tuesday 11 October 2016 (for formal approval at the next Meeting of the Council)

*Present:* Councillor J Henshall – Chairman

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

*Also present:* Police Constable A Vaughan  
Devon County Council Officers John Fewings & Lisa Edmonds

*Apologies:* Councillor M Trevorrow  
District Councillors H Bastone and R Rowe

In Attendance: Mr David Edwards – Clerk to the Council

There were 8 members of the public present.

#### **C/345/16 – Welcome**

The Chairman welcomed everyone to the meeting.

#### **C/346/16 – 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:***

The Chairman welcomed John Fewings and Lisa Edmonds (Devon County Council Highways Officers) to the meeting and advised that the agenda item would be dealt with now to allow the Officers to leave as early as possible and to enable members of the public to ask questions.

The following statements and questions were made:

Reference was made to:

- parking problems and speeding on Higher Contour Road. Parked cars cause obstruction for refuse vehicles and potential obstruction for emergency vehicles.
- Vehicles are being parked in the area set aside for the visibility display. (PC Vaughan agreed to look at the problem and possibly contact the owners)
- Resident's parking schemes as many residents have difficulty parking because of the number of non residents coming to Kingswear and leaving their cars for long periods.
- The need to have joint discussions with Dartmouth Town Council and DHNA as people park in Kingswear when going to work or attending events in Dartmouth. The moorings and other activities on the river also increase the numbers parking in the village.
- The overall parking places and the time restrictions need to be reviewed. The waiting time outside the Station is an example.

- It was noted that the Resident's Parking Working Group as part of the Neighbourhood Planning process were compiling a questionnaire to go to all households.
- The future availability of Section 106 funding (Waterhead Brake Development) to enable a Resident's Parking Scheme to be implemented.
- The expectation that the government will approve legislation that will allow the introduction of legally enforceable 20 mph speed restrictions.
- The need to commence work now on a Resident Parking scheme for next year's Regatta.
- Any Resident's Parking Scheme will require proof that a consultation has taken place with the residents and there is clear support for it. There is a proposed plan put forward by Neil Oxton (Devon County Council Highways Officer).
- Questionnaires to be distributed to each household by the Councillors. The Neighbourhood Plan will also require separate questionnaire although this will be separate from the Parking and Traffic questionnaire.
- The Neighbourhood Plan questionnaires are being collected by a contractor.
- The proposed County Council Traffic Order to extend the no parking restrictions specifically around the Waterhead Creek area and Raddicombe Drive. HATOC meetings taking place to agree Traffic Orders. This will provide an opportunity to get many of the signing, parking and traffic speed restrictions altered or corrected.
- There is an issue with Traffic signs especially the Road Markings at the junction of Higher Contour Road and Lower Contour Road where the "No Entry" markings have been lost following the resurfacing work. At the junction of Slappers Hill and Brixham Road the road markings and signing have been altered and the "Give Way" signs are on the wrong side. The white lines have also been extended which causes confusion on where the one way system starts.
- The installation of additional signs making people aware of pedestrians/children to be implemented and the Primary School to be approached to see if it is possible to include paintings by the children on the signs.
- Mr Fewings stated that residents with off street parking could not be excluded from any Resident's Parking scheme. It was noted that normally 2 permits are issued per household.
- It had been discovered that a strip of land along Higher Contour Road, that might be available for parking, was formerly used for Allotments. The problem is how the current ownership of the land is ascertained. (*The Agenda has an item related to this land and a search has been undertaken on the Land Registry records. It has been confirmed that the land is not Registered Land*). The option is to include a question in the questionnaire asking residents if they are aware of who the owner might be.
- It was noted that there have been accidents at the roundabout at Hillhead but this part of the highway comes under the jurisdiction of Torbay Council.
- There appears to be some motorists turning right toward Kingswear at the top of the road coming from the Higher Ferry, crossing over the white lines and cutting the corner. The correct procedure is to continue to the roundabout and come back on the other side of the road. It was thought that this is drivers not adhering to correct rules of the road and many are local people who should know better.
- There could be better signing to prevent large vehicles driving down to the Higher ferry.

The outcome of the discussions:

The Residents Parking questionnaire would constitute a separate section in the Neighbourhood Plan Questionnaire. Councillors would distribute them in January 2017 and they would be collected by a contractor, paid for by Neighbourhood Plan.

Mr Fewings and Ms Edmonds to:

- walk around the Village and look at how all the issues might be resolved.
- To provide costings for any new Road Signs or items of infrastructure.

*The Devon County Council officers left the meeting.*

Other questions from the public:

The issue of Planning policy and Planning Law was raised particularly in relation to Kittery Quay. There is some frustration regarding planning applications which have been refused, but the applicants are not abiding by the decision. This is leading to the enforcement officer not sufficiently pursuing the case or the applicant is making small amendments and submitting a new application.

It was noted that there could be more cooperation with Dartmouth Town Council on planning issues and it was recognised that only Councillor Fyson and the Clerk represented the Council at the recent Noss Development presentation.

Councillor Hawkins stated that the planning legislation is very complex and he highlighted a recent case at Upper Wood Lane where there seemed to several reasons for refusal but the District Council Committee voted 11:1 in favour.

In view of the need for Councillors to understand the Planning Process, the District Council would be contacted to make arrangements for some training to be given.

A question was raised regarding the Council Financial Accounts for 2015/2016. It was noted that the Clerk had sent revised figures to Messrs Grant Thornton and a response was awaited.

#### **Report from Devon County Councillor – Councillor Hawkins :**

Councillor Hawkins reported on the NHS Consultation which closes on 23<sup>rd</sup> November 2016. The main issue is the replacement for Dartmouth hospital and the lease for the new Wellbeing Centre at Riverview is expected to be signed shortly.

All the District Councillors and the MP are not satisfied that enough dedicated beds will be available. The proposed figure is 4 but 8 to 12 are needed.

The issue of blocked drains was mentioned and Councillor Hawkins reminded the Members of the availability of the TAP fund.

Councillor Hawkins attended several meetings included the HATOC.

He stated that there is a need for the Council to be aware of the schedule of the new small Road Sweeper. It was noted that are particular areas of concern around Brixham Road. The landowner of the field running down from Brixham Road to Waterhead Creek needs to be asked to cut back the hedge and ivy. Enquiries need to made of the District Council.

#### **Report from South Hams Councillor – Councillor Bastone:**

A report was provided and is attached.

### **Report from P C Vaughan – Police Report**

PC Vaughan advised that there had been several thefts from unlocked cars which had been left in the owner's driveways.

He also reported that he had arranged a visit (with the Fire Officers) to the Primary School to discuss matters of personal safety and to open up a line of communication between the children and the emergency services.

He had discussed Marine security with Darthaven Marina, RNLi and DHNA with a view to arranging regular safety and awareness events.

It was noted that several arrests had been made with regard to the theft of outboard motors and other marine related equipment.

It was mentioned that the school be approached regarding the Road Signs as mentioned previously.

The action being taken with regard to an abandoned car in Higher Contour Road was discussed.

### **The Council will reconvene to discuss the following items:**

#### ***C/347/16 - To resolve to approve the following minutes subject to any amendments:***

- i. Full Council Meeting – 13 September 2016
- ii. Full Council Meeting – 13 September 2016 (Confidential)
- iii. Carlow Trust Meeting – 13 September 2016

*An amendment was made to C/334/16 to read "It was noted some residents who have off road parking objected to a suggestion by another resident that they be excluded from the permit scheme"*

***It was RESOLVED to accept the Minutes subject to the amendment.***

#### ***C/348/16 - To note that a letter has been received from Kingscliffe Property Company regarding Waterhead Brake Kingswear. The letter provides information on some planning proposals to be made with regard to this area of land. The Council to make a response.***

The full implications of the letter was discussed and the potential timescales for the benefit of any S106 funding. The Applicants are submitting a Full Planning Application to reduce any delays within the planning process.

It was suggested that the Planning Officer at the District Council could also explain how the S106 funding would be allocated.

#### ***C/349/16 - To note the response from The Land Registry with regard to the strip of verge/land at Higher Contour Road. The land is unregistered therefore ownership is not known. The Council to make a decision on future action.***

It was agreed that it would be difficult to ascertain ownership, however, enquiries can be made through the Neighbourhood Plan or by contacting residents with property adjacent to the land.

***C/350/16 - To receive (if available) the Neighbourhood Plan/ Resident's Parking Report from Councillor Parkes and to discuss and approve the actions and any expenditure detailed in the report.***

Councillor Parkes gave a report which is attached and forms part of the Minutes.

- The Grant application has been submitted.
- An invitation to the representative from the National Trust to attend the December Council Meeting.
- It is hoped that the questionnaire will be available for the December meeting.
- It was noted that the school has started a session for small children (Tots school), in addition to a "Forest School".

***It was RESOLVED to accept the report.***

***C/351/16 - To receive (if available) a report from Councillor Trevorrow on any action or outstanding issues relating to the Moorings and to discuss and approve the actions and any expenditure detailed in the report.***

In the absence of Councillor Trevorrow there was no report.

The Chairman provided an update on the situation regarding the dispute with Dr Hawthorne following a meeting with him, the Chairman and Councillor Maurer. The Council records show that he is two years in arrears with his fees, but he had provided evidence (cheque number and bank statement) to show he had made a payment in May 2015.

There is still the question whether this is the payment for 2014 not 2015.

Dr Hawthorne has agreed to make repairs to his boat and fit a new engine.

***It was RESOLVED that the Clerk and Councillor Trevorrow check the Mooring records to see how many payments are in arrears.***

***C/352/16 - To receive an update from Councillors Henshall and Hawkins on Lighthouse Beach and the action being taken to resolve the situation.***

The Chairman advised that she had contacted the residents involved. The 3 residents would meet on 20<sup>th</sup> October and contact the Chairman after this date. Further discussion took place with the following points made:

- The County Council stated that the route via Castle Road is acceptable as the means to link the coastal footpath.
- The residents have accepted the County Council specification for the repair and stabilization of the cliff.
- To ensure that the footpath is opened there must be a community contribution. This will be through a grant application.
- The Council needs to petition the County Council to make clear that the original coastal route should be maintained.
- There is a deadline that needs to be met to ensure that the access is maintained, thought to be March 2017.

**C/353/16 - To receive a report on the arrangements being made for the Remembrance Service on 13 November 2016.**

The Clerk advised that the Service will involve the unveiling of a plaque to commemorate the involvement of the Free French Forces in the war during 1943 and 1944. The plaque will be unveiled by Admiral Lugan, who is the French equivalent of the Captain of BRNC.

There will several other dignitaries attending from France who have family connections with those who served with the Free French.

The Clerk asked for confirmation of attendance so that seats can be reserved in the Church.

The Royal Dart Yacht Club are providing complementary tea and coffee but it was thought that the Council should contribute to towards some additional refreshments. The Clerk would make enquiries.

**C/354/16 - To resolve to approve the Expenditure of the Council for the period 14 September 2016 to 27 September 2016 – see attached.**

***It was RESOLVED to approve the expenditure.***

**C/355/16 - To RESOLVE** that the Council reconvenes in Committee to discuss items of a confidential nature – staff matters. The Clerk will read out the following statement:  
*Pursuant to section 1 (2) of the Public Bodies (Admissions to Meetings) Act 1960 it is resolved that, because of the confidential nature of the business to be discussed, the public and press leave the meeting – Cemetery issue of private concern.*

*Comment was made at the Meeting that any recording of the Council Meetings are not allowed, unless prior approval of the Council has been obtained.*

Minutes Approved:

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Councillor J Henshall - Chairman