

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

<b>Date:</b> 18 <sup>th</sup> April 2018		<b>Venue &amp; Time:</b> Village Hall Annexe, 19.30hrs
<b>Present:</b> Cllr Gill Boyce Cllr Lucinda Goodman Cllr Ann Kendall Cllr Keith Makepeace Cllr Paul Pedrick Cllr John Sampson Cllr John Yeoman (in the chair) Cllr Kevin Yeoman	<b>In Attendance:</b> Kathy Harrod – Clerk & Minute taker  County Cllr Rufus Gilbert Dist. Cllr Judy Pearce Dist. Cllr Simon Wright  Part meeting	<b>Apologies:</b> Cllr Hayley Rutherford  PC J Pengilly PCSO P O'Dwyer

**REF 2018/19 MINUTES**

### 151 WELCOME & APOLOGIES

### 152 ELECTION OF CHAIRMAN & VICE CHAIRMAN

This being the AGM of the Parish Council, District Cllr Simon Wright taking the Chair whilst the 2018/19 Chair of the Parish Council was elected. Cllr John Yeoman was proposed as Chairman by Cllr A Kendall, seconded by Cllr Pedrick and voted through unanimously. Cllr J Yeoman took the Chair

### 153 ELECTION OF VICE CHAIRMAN

The Chair then called for nominations for Vice Chairman. Cllr K Yeoman proposed Cllr Boyce; this was seconded by Cllr Kendall and again approved by all.

### 154 ACCEPTANCE OF OFFICE & ADHERENCE TO THE CODE OF CONDUCT

Cllr J Yeoman signed his acceptance of Office as Chair of the Parish Council for the 2018/19 year. All Councillors again undertook to abide by Malborough Parish Councils' Code of Conduct.

### 155 APPOINTMENT OF COUNCILLORS TO COMMITTEES/LEAD ROLES

The mandate of the Clerk as Responsible Financial Officer for the Council was renewed after a proposal by Cllr K Yeoman, seconded by Cllr Pedrick and voted unanimously. This gave the mandate solely to Katharine Harrod with the previous clerk having now been removed from the banking arrangements. The Chairman outlined the following roles/liasons/leads on outside bodies and asked whether those concerned were content to continue. Proposed by Cllr Boyce and seconded by Cllr K Makepeace.

- Estuary Forum - Cllr K Yeoman
- Police Liaison - Cllr Pedrick
- Feoffees - Cllr Boyce
- Tree Warden - Mr Alan Benstead (Assistant: Mrs Eva Bond)
- Footpaths - Cllr Boyce & Cllr Goodhead
- Allotments - Mr Tony Lyle, with Cllr K Yeoman as Council lead
- Skate Park/Sundries/Defib - Cllr Hayley Rutherford
- Street Furniture (incl VAS) - Cllr Sampson
- Messenger - Cllr Kendall and David French
- Village Hall - By Rotation
- Safeguarding Children - Cllr Goodhead
- Recycling - Cllr Kendall
- CVS lead - Cllr Kendall
- Neighbourhood Plan - All Councillors
- Snow Wardens - Cllrs Pedrick and K Yeoman
- GDPR Officer - Cllr Hayley Rutherford

### 156 MESSENGER: Cllr J Yeoman

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157 DECLARATIONS OF INTEREST: Cllrs J Yeoman and Kendall noted an interest in respect of Finance and withdrew from these discussions.

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158 INVITED SPEAKERS: BAKER ESTATES - Graham Hutton, Tom Biddle & Kate Durrans.

Baker estates the developers came back to the Council to explain how they had changed the development at Portlemore to accommodate the views of the Village put forward in the recent consultation.

1. Parking – more parking has been achieved, all properties have two or more spaces other than a one-bedroom property which just has one space. Additional parking has been achieved without the loss of green space.
2. The visibility splay at the junction with Collaton Road has been increased to 50m and is agreed with the landowner and DCC Highways.
3. Path through the play area will be properly surfaced and fenced off to keep dogs out.
4. Garage covenant to be incorporated to ensure no garage can be sold off independently from the property. MPC asked that this be extended to include parking spaces.
5. Hastoe have been contacted and have been asked to bid for the management of the properties.
6. The overall layout has evolved, broadly as before with the same mix of houses. Images have also been updated.
7. Entrance to the site incorporates the affordable block of one and two bed apartments, same materials will be used in construction of all parts of the site. Technical approval has been received for the raised footpath at the entrance into the estate.
8. Public open space through the centre of the estate is ensured and the road layout will control traffic. Key buildings around the open space are stone faced.
9. The view from the edge of the AONB will show Devon banks, rural materials and plenty of foliage. The Devon Bank incorporating trees will be owned by the management company so that it can be managed in perpetuity.
10. The outfall of the pond becomes the responsibility of the Management Company. Concerns were raised that this pond will include runoff from Collaton Road, it was explained that the Management Company will have authority for the drainage from the pond and the runoff will be properly catered for.
11. Management Company will be set up as LTD company, residents then appoint a managing agent. Affordable housing tenants will contribute to the Management Company through their rent subject to a payment cap.
12. Until the Neighbourhood Plan is finalised there is no exclusion to second home owners, HOWEVER, Baker Estates are going to sell exclusively to locals for the period of one month prior to the properties being sold on the open market.
13. 6 properties will be sold at 80% to market value in perpetuity.
14. Concern was raised by the residents of Malborough Park about street lights on Portlemore Lane. Planning conditions are that if part of the development is lit it all must be lit. The whole development could be unlit if that is what the village would prefer. Highways would like the entrance to be lit. If lighting were installed it would be new LED lighting. Councillors will consider the lighting options and provide their opinion in due course. **ACTION: Councillors**
15. Could the site office give way to additional parking once it is no longer required? **ACTION: Clerk to raise question.**

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The application will be ready to progress to a full application soon.

Councillors were invited to see the properties being built by Baker Estates in Totnes to see how our development could look like, a date will be provided by the Clerk. **ACTION: KH**

Baker Estates were thanked for their understanding of local concerns and for the changes they have made to their application to meet those concerns.

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### 159 MINUTES OF PREVIOUS PARISH COUNCIL MEETING & ANNUAL PARISH MEETING:

The minutes of the Parish Council meeting and Annual Parish Meeting of 18<sup>th</sup> April 2018 were agreed and signed without alteration.

Proposed: Cllr K Yeoman      Seconded: Cllr Pedrick and agreed unanimously

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### 160 MATTERS ARISING:

- A. A donation of £100 has been received from MVH & PFA in respect of the new defibrillator sited at the Village Hall. A claim of £875 will now be made to the TAP fund. **ACTION: Clerk**
- B. The Allotment water supply continues to be investigated, we await a visit to ascertain if the meter is faulty as suspected. Once the situation has been resolved we will arrange for a monthly reading to be taken by the water board.
- C. Collaton Road Bus Stop – the bus stop is in poor condition; the metal work has rusted through and the Perspex requires replacement. **ACTION: Clerk to investigate options re replacing/repairing.**
- D. Horseypool Pond – We currently await a response re the removal of the main trunk of the tree from the pond.
- E. Post Office – A letter has now been sent to Marie Tighe in support of Malborough Post Office.
- F. South West Outdoor Festival (SWOF) – volunteers are being requested for the festival. Contact Patrick Kinsella at [pat@adventuretypes.com](mailto:pat@adventuretypes.com) / 07415 512631
- G. Gritter & Salt: We are still awaiting 1.5t of free salt, we have not received the 3t ordered and request that the free 10t be delivered with the 3.5t. The new gritter is on order, funding received to date £500 Cllr Pearce, £400 Cllr Wright. South Huish Parish Council will donate £850 in June. We also await payment from Thurlestone re the purchase of the old gritter as well as donations agreed from other sources. We need to find an additional £550 from our resources, proposed Cllr Pedrick, Seconded Cllr K Yeoman and agreed unanimously.  
We have been offered 1.5t of salt from South Huish Parish subject to collection. We will establish how to transfer the salt. **ACTION: Clerk**

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### 161 POLICE BUSINESS & NEIGHBOURHOOD WATCH:

No report received.

A letter has been received from a parishioner that will be forwarded to the police.

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### 162 COUNTY COUNCILLORS REPORT:

- A. Cllr Gilbert will be on the cabinet at DCC responsible for Economy Portfolio from next week.
- B. The pothole issues continue, the main issue is not finance, it's currently capacity!

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- C. SCARF (Speed Data Analysis) – a speed data analysis has been ordered by Adam Keay for Collaton Rd and the two sites as before (entry/exit from village).
- D. Townsend Cross, the patching of the hole at Townsend Cross was poor and new patching must be undertaken before peak season. Adam Keay is going to inspect the area.
- E. Vicarage Corner and Higher Town also in need of repairs. **ACTION: Clerk to report again**
- F. Traffic Regulation Orders – can the 30mph road markings be put in where the 30mph limit is – we've been advised it can't be added by street lights? Cllr Gilbert suggests yes. **ACTION: Clerk**
- G. 30mph limit extension – can the extension be added on to the highways contribution re Portlemore? MPC need to establish if it is permissible to move it? If yes, contact Richard Jackson DCC highways. **ACTION: Clerk**
- H. VAS – continues to be investigated. **ACTION: Clerk to provide Cllr Sampson details.**

**PLEASE report all highways issues ONLINE at:**

<https://new.devon.gov.uk/roadsandtransport/report-a-problem/>

**If you do not have internet access, please contact the Clerk on 07704 941150**

**Cllr Pedrick & Cllr Gilbert leave the meeting**

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### 163 DISTRICT COUNCILLORS REPORT:

- A. Public Toilets – the councillors advised Cllr Pearce that there is a requirement for public toilets in the village. If the Post Office toilets were to be sold off it is essential that alternate arrangements were provided elsewhere in the village. Also noted it's essential that the Post Office is retained in the village.
- B. Great Park – **ACTION: Clerk to investigate further.**
- C. Permission in Principle – unlikely to affect Malborough as there are no known brownfield sites. This is a method of obtaining planning permission quicker without going through the usual planning application. Details of the Permission in Principle have been provided to all councillors. Concerns were raised re the timings and the fact that all parish councils should be made aware, can councils all come under a blanket application to ensure that no applications are missed?
- D. Bottle Banks – Please ensure that the correct bottles are placed in the correct holes.

**Cllrs Pearce & Wright leave the meeting**

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### 164 PLANNING:

#### A. Neighbourhood Development Planning:

**To view the full plan proposal please visit**

**<https://www.southhams.gov.uk/article/3882/Neighbourhood-Development-Plans-andOrders> or if you wish to view a hard copy of the plan contact the Parish Council.**

- B. No **applications** have been received by the Parish Council and are/have been under discussion and consideration for the last period. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion.

**Remaining under SHDC Discussion:**

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### **1118/18/HHO Mr J Thomson – MPC Objection**

Retrospective application for retention of relocated vehicle access, gates and new single garage.  
Hi Ho White Cross To Malborough Green Malborough Devon TQ7 3RR

The Western entrance must be dealt with as previously agreed by the applicant before MPC will consider the application.

### **0489/18/FUL Soole – MPC Approval**

Demolition of existing boat storage building and replace with new, purpose built storage building  
Winters Marine Lincombe Boat Yard Salcombe TQ8 8NQ

A licensing application was received in respect of Pretty Local for off premises sales of alcohol between the hours of 9am to 5pm Monday to Sunday.

### **0608/18/FUL Mr J Sampson – MPC Approval**

Change of use, agricultural building to residential affordable dwelling

### **0280/18/FUL Mrs J Tucker – MPC Approval**

Change of use from games room to bed and breakfast accommodation  
35 Collaton Rd, Malborough, TQ7 3SN

### **3577/17/ARM Mr S Rossiter – MPC Conditional Approval**

Readvertisement application for approval of reserved matters for erection of 16no. dwellings, appearance and landscaping following outline approval 33\_46/0918/14/O  
MPC consider that there is insufficient parking in addition to concerns re traffic and pedestrian safety.

### **3863/17/FUL Mrs Katharine Harrod – MPC Approval**

To create 52 additional new parking spaces at the Hall including 4 disabled spaces on a permeable hardcore and block surface with one-way exit system to be in operation, and an extension on the north side of the Hall.  
Malborough Village Hall Collaton Road Kingsbridge

### **1391/16/OPA Mr T Thompson – MPC Objection**

READVERTISEMENT (Revised Location Plan) Outline application with all matters reserved for three new detached dwellings  
Hi Ho White Cross To Malborough Green Malborough TQ7 3RR

#### C. Decisions:

#### **0804/18/HHO Mr G Allen – MPC Approval. SHDC Conditional Approval.**

Householder application for single storey extension to rear  
Highland Salcombe Road Malborough TQ7 3BX

#### **0747/18/LBC Mr & Mrs C Harvey – MPC Approval. SHDC Conditional Approval.**

Listed building consent for replacement rear/side extension

#### D. Enforcement issues: Continue to be dealt with.

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#### **165 FOOTPATHS, TREES & ALLOTMENTS:**

- A. Cycle Track: Jack Stone has been asked to undertake several cuts of the cycle track.
- B. Cllr Kendall has people willing to contribute to a sign to prevent lorries from turning at Broadmoor Lane. **ACTION: Clerk to obtain costings**

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- C. Reminder letter to be sent to relevant parishioners re cutting overhanging hedges. **ACTION: Clerk**
- D. Seat maintenance – benches require assessment and volunteers required to provide maintenance. Handyman required for odd jobs. **ACTION: Clerk to provide insert to Messenger.**

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### 166 VILLAGE HALL:

- A. Cllr J Yeoman attended the meeting.
- B. Monthly update: Two quotes have been received for the shower room. The overall cost amounts to £3,855. These alterations will provide a dedicated storage room for the Parish council and the Messenger machine and a private interview room if necessary. Proposed that MPC give a donation of £1,500 towards the works. Proposed Cllr J Yeoman, Seconded Cllr Boyce, agreed unanimously.
- C. Stakes: Have now been placed to secure the fencing along the side of the cycle track. A Community Enhancement Fund Application will be placed re ongoing costs. **ACTION: Clerk**
- D. Car Park: Quotations are being obtained for percolation tests. Cllr Sampson will also investigate options and will advise MVH & PFA. **ACTION: Cllr Sampson**
- E. 106 Monies: The 106 policy is currently being rewritten with consideration being given to Malborough Park.
- F. Golf Practice Area: A proposal has been made for a double bay golf practice area, the costing of which is not expected to exceed £2,500. This will be added to the updated 106 monies policy.

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### 167 MISCELLANEOUS:

- A. AONB: Request for survey completion received at this address: <https://surveynuts.com/surveys/take?id=164767&c=4372257129JRVR>
- B. Recycling Bottle Lids: Lids can now be left on bottles for recycling.
- C. Horseshoe Bats: Dartmoor National Park, Devon County Council, South Hams District Council, Teignbridge District Council and Torbay Council are consulting on a draft **South Hams SAC Greater Horseshoe Bat Supplementary Planning Document**.

This Supplementary Planning Document is being prepared to provide guidance on the implementation of policies relating to the South Hams Special Area of Conservation, specifically on the population of greater horseshoe bats for which the site is (in part) designated. The document updates and replaces the *South Hams Special Area of Conservation Greater Horseshoe Bat Consultation Zone Planning Guidance* published by Natural England in 2010. The document is aimed at those preparing to submit and those determining and commenting upon planning applications across the five Local Planning Authorities including: land owners, developers, planning agents, ecological consultants, Council Members and other organisations.

Details of the consultation can be found online at: <https://new.devon.gov.uk/planning/planning-policies/other-county-policy-and-guidance/south-hams-sac-spd-consultation> .

The consultation runs from **Monday 16<sup>th</sup> April** until **Wednesday 30<sup>th</sup> May** at **5pm**.

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### 168 FINANCE & GOVERNANCE:

- A. The accounts for 2018/19 month 2 were received, see **Appendix A**. A mandate sheet and transaction record were introduced and duly signed to authorise the e-payments. The payments were proposed by Cllr Makepeace and seconded by Cllr Goodhead and carried unanimously. Noted that an April payment in respect of Viking supplies for £29.30 was raised in error, this has been made void. Further noted the annual DD for the ICO will be taken from the account on 1<sup>st</sup> June as agreed when setting up the initial agreement.
- B. Martin Pears Account Credit now received. Allotment monies are now coming in.
- C. New Data Protection laws are operative from 25<sup>th</sup> May 2018. The Allotment holders have been advised that they need to provide their consent for MPC to continue to contact them. This will be extended to those on the MPC minutes distribution list. Councillors are reminded that their email address must be

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one specific to them, password protected and unable to be accessed by third parties. It has been established via the SLCC that a Data Protection Officer is not a Parish Council requirement. Messenger contacts will need to provide their consent for their information to be added to the back page.

**ACTION: Clerk to provide information to Cllr Kendall for Messenger.**

- D. According to the documentation and review timetable (previously adopted) the Council confirmed that it had reviewed the following documents:
- Code of Conduct
  - Standing Orders
  - Financial Regulations
  - Records Management
  - Freedom of Information Regs.
  - Environmental Policy

All members, having previously had the opportunity to go through the documentation, believed that these policies, and the new Complaints Policy, were in order and remained fit for purpose. Proposed by Cllr J Yeoman and seconded by Cllr Sampson, a unanimous vote confirmed their continued use/abidance. The policies and procedures adopted by MPC will be added to the parish website.

- E. Ratification of Clerks Salary: The NALC annual increase has been received, councillors were asked to consider a further increase to the salary levels on the basis that the work entailed is more than the standard ten hours per week. Proposal for salary to be increased to £7k per annum, proposed Cllr Kendall, seconded Cllr K Yeoman and agreed unanimously.

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169 **CORRESPONDENCE:** No additional correspondence received.

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170 **OPEN FORUM:** No further items were raised.

**MEETING ENDS 21.48 Hrs**

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**DATES FOR THE DIARY:** The 2018 Parish Council meeting dates are: 20<sup>th</sup> June, 18<sup>th</sup> July, 19<sup>th</sup> Sept (Church), 17<sup>th</sup> Oct, 21<sup>st</sup> Nov and 19<sup>th</sup> Dec. Unless otherwise stated meetings commence at 7.30pm and are held at The Annexe, Malborough Village Hall.

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

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

Agenda Items and Updates; where possible please could these be submitted to Mrs Katharine Harrod 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 Mrs Katharine Harrod for distribution) together with their apologies.

**Distribution List**

Cllrs Boyce, Goodhead, Kendall, Makepeace, Pedrick, Rutherford Sampson, J Yeoman, K Yeoman

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

## APPENDIX A

### Malborough Parish Council Finance: Month 2

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Category	Descriptor	Date	Paid In	Paid Out	Cash Book Balance
<i>Balance B/F</i>					<i>35,881.34</i>
Payments	Malborough Garden Services Grass	25/04/2018		- 249.00	35,632.34
Payments	Malborough Garden Services Graveyard	25/04/2018		- 144.00	35,488.34
Payments	Viking Stationery Order	24/04/2018		- 60.65	35,427.69
Payments	Messenger Expenses - Cllr Ann Kendall	24/04/2018		- 74.63	35,353.06
Payments	Messenger Expenses - Cole	24/04/2018		- 5.00	35,348.06
Payments	Messenger Expenses - Kendall			- 33.60	35,314.46
Receipts	MVH Defibrillator Donation	19/04/2018	100.00		35,414.46
Receipts	Funeral Fees	02/05/2018	340.00		35,754.46
Receipts	Western Power Rent	02/05/2018	3.00		35,757.46
Receipts	Martin Pears Refund	03/05/2018	49.15		35,806.61
Receipts	Cllr Pearce Gritter Donation Locality Fund	08/05/2018	500.00		36,306.61
Receipts	Allotments Number 8	10/05/2018	27.50		36,334.11
Receipts	Allotments Number 15	10/05/2018	27.50		36,361.61
Receipts	Allotments Number 9	10/05/2018	27.50		36,389.11
Receipts	Cllr Wright Gritter Donation Locality Fund	11/05/2018	400.00		36,789.11
Receipts	Interest (Gross)	09/05/2018	1.41		36,790.52
Payments	May Clerk Salary & Facilities Recharge	15/05/2018	-	- 487.01	36,303.51
Payments	HMRC NIC	15/05/2018	-	- 12.00	36,291.51
Payments	D Ede Neighbourhood Plan Fees/Expenses	03/05/2018	-	- 914.98	35,376.53
					35,376.53
					35,376.53
<b>TOTALS YTD Financial year 2018/19</b>			<b>£ 19,498.38</b>	<b>-£ 2,479.88</b>	<b>£ 35,376.53</b>
<b>RECONCILIATION CASH BOOK TO BANK</b>					<b>£</b>
Cash book balance b/d					<b>£ 35,376.53</b>
Balance at bank at end :					<b>16-May-18</b>
Revenue Accounts					<b>35,856.53</b>
Unpresented Items					receipts
					payments - 480.00
					<b>£ 35,376.53</b>
<b>ACCOUNTS FOR PAYMENT</b>					<b>Variance</b>
					Gross is £499.01 incl. £20 facilities recharge, paid and incl. above
<a href="#">K Harrod Salary &amp; HRC NIC</a>					497.01
<a href="#">D Ede Neighbourhood Plan Fees/Expenses</a>					914.98
Plus					
Malborough Garden Services Grass					249.00
Malborough Garden Services Graveyard					144.00
C Wrangles C/O Cllr Kendall					75.00
DALC Training GDPR					48.00
Hocking Allotment annual fee					250.00
Came & Co Insurance Renewal					665.29
Messenger Expenses - Viking					106.72
J Yeoman Stakes					265.32
<b>Meeting Sub Total</b>					<b>1,803.33</b>
<b>Receipts &amp; PAYMENTS REPORT TO COUNCIL</b>					
<b>MEETING DATE</b>			<b>16/05/2018</b>		
Prepared By:			<a href="#">K Harrod for Malborough Parish Council</a>		
Date:			16/05/2018		