

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

Date: 16 th March 2016		Venue & Time: The Church, 19.30hrs
Present: Cllr Gill Boyce Cllr Lucinda Goodhead Cllr Ann Kendall Cllr Paul Pedrick Cllr M Wesley Cllr John Yeoman (in the Chair) Cllr Kevin Yeoman	In Attendance: Debbie Ede Clerk & Minute Taker <u>Part Meeting:</u> County Cllr Rufus Gilbert Dist Cllr Judy Pearce PC Jo Pengilly Dist Cllr Simon Wright	Apologies: Cllr Kathy Harrod Cllr Keith Makepeace

Ref 2015/16 Minutes **Action**

160 INTERESTS – Cllr Boyce declared an interest under Finance and subsequently withdrew from that discussion.

161 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the Parish Council meeting of 17th February 2016 were agreed and signed, proposed by Cllr Wesley & seconded by Cllr Pedrick and voted through unanimously

162 MESSENGER – Cllr Wesley again undertook to summarize the meeting for the next edition of the Messenger. Copy date for the next edition is 23rd March.

163 MATTERS ARISING (from previous minutes only)

- A. o/s re. the refurbishment of Jubilee Shelter, Alison Lees has missed the weather window for the year and is working to complete the work before the summer holiday season.
- B. o/s The new Acrylic Footpath Map is up outside of the Post Office and Cllr Boyce will remind Mr Jarvis about the remedial painting of the surround now we have a suitable weather window.

164 POLICE BUSINESS & NEIGHBOURHOOD WATCH;

PC Jo Pengilly, on duty, dropped in to give her report:

- One crime took place in the month; a making off w/o payment from the garage
- The police are holding a crime prevention for marine staff day on Wednesday 30th March at Whitestrand car park from 10.00 -15.00hrs. Free micro selecta - dot kits to mark property are being given out on the day. These are normally very expensive and 50 will be made available. A single kit can mark multiple items. Cllr Pedrick asked whether Hope Cove could acquire 1-2 tubes to mark the Hope Cove boat engines. He will attend the session.
- A further Crime Prevention event will be held in August during Regatta week
- The traffic theme for the month is seatbelts and prosecution will follow after warnings.
- There has been an issue about boy racers in the area and the traffic team have had a higher profile
- There has been an increase in thefts of marine fuel.

She left the meeting at 19.55 hrs.

165 COUNTY COUNCILLORS REPORT:

Cllr Gilbert joined the meeting at 20.15 following his attendance at another Parish.

Cllr Gilbert and DCC had progressed the Parish's o/s queries w.r.t. Highways and Traffic Management.

- A. We asked can the Parish purchase their own VAS. If you recall we have been through SCARF for both approaches to the village and there was Level 2 intervention in one direction, Level 3 in the other? If the answer is yes, what is the likely cost? DCC reply:

Yes they can if each location has been through SCARF with an outcome of level 1 or greater. They will be responsible for funding the sign (approx £2,200 with 6yr warranty for a 30 roundel and SLOW DOWN text) and the erection costs. We can help with finding suitable sites and order the erection of any required posts. See attached draft guidance on VAS.

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

Although many parishes are now purchasing mobile battery operated units, so that they can be moved between approved sites, I'm not sure that A381 is a suitable environment in which to deploy and maintain a battery powered Vehicle Activated Sign requiring professional traffic management. Of course for any battery operated VAS the parish would need to provide the necessary training, insurance and risk assessments associated with this type of operation. The training is normally provided by the manufacture of the chosen unit. A static/fixed solar or mains powered unit may be more suitable. The advantage of a static sign is that once erected it can generally be forgotten about however there is some debate as to whether a static sign loses its effectiveness overtime.

The Parish needs to decide the model and power and take the initiative forward.

- B. Notwithstanding (A), can the Parish request the DCC VAS to be stationed in the village at Easter and during August? DCC reply:

The programme is already set and is too late to change it at this late date.

- C. Can the Parish talk to the Traffic Team at DCC or can they provide advice about what (if any) traffic calming is permitted in the village. For instance, we would like to introduce gateways (as in 5-bar gates or similar) at the entrances. We know that DCC have no money but would consider paying for it ourselves? DCC reply:

We would not have an issue with 5 bar gateways if they can find a suitable location and come up with. All schemes would need to be safety audited and without a budget this cost would need to be allowed for. As for other types of traffic calming I guess we could consider give and takes but this does not come cheap apart from the cost of materials and construction this would need to be designed by EDG or Jacobs so their design fees need to be included.

- D. We asked can the zebra crossing signs be upgraded? DCC reply:

I have said no. Signs are not required on the approach from Salcombe as the beacons can be seen. And there is already a sign on the approach from Kingsbridge. A review of the accident data does not support any changes. The only change we could consider is replacing the existing warning sign if faded or damaged under sign maintenance.

We continue to wait for news of our bid for new Belisha beacons. NO other change of signage is permissible or possible even if the Parish were to self-fund.

- E. Collaton Road DYL – confirmed as in hand, waiting for the next TRO
- F. Collaton Footpath verge cutting/maintenance/path repair – the County Council will ONLY cut/trim/repair if there is a proven safety defect and to protect visibility splays. Thus any future cuts along the top will have to be commissioned and paid for the Parish Council. A funding bid for a 'slurry seal' of the path to improve its surface has been submitted by DCC.
- G. Cycle Track – we would like the track to be patched and maintained but DCC will only make pre-emptive repairs for safety considerations. Cllr Yeoman will walk it and identify hot spots for patching. DCC have said they can liaise with Channings Wood prison on our behalf to see if we can get a community works programme organised for ongoing annual maintenance - the clearance of encroaching vegetation. From the track to Ms Freeman's to Combe Down is thought to be the worst affected. The meeting thanked Adam Keay for his offer for DCC to set this up and agreed to ask him to take this forward, proposed by Cllr Boyce, seconded by Cllr Goodhead, carried unanimously.
- H. Luckhams Lane junction o/s and Luckhams Lane surface water run off o/s
- I. Alston Gate footpath and s106; DCC have agreed to the release of approx. 10% of the phase 1 s106 (10% of £5.5k) to effect a temporary and immediate improvement of the footpath from the back of the estate through to Great Lane. ie: £550. The Parish Council undertake to commission the materials (membrane & chippings/planeings), the machinery and labour to expedite this improvement, necessitated by the incessant wet weather this. We hope to now progress this asap.
- J. Cllr Yeoman reported that the gritting scheme had gone well and had asked DCC for extra salt supplies if needed for the gritter. Their reply was:

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

The Snow Warden concept was introduced to facilitate a community response to some of the winter weather we had in 2010 & 2011. In those winters communities reported afterwards that they would have liked to do more but hadn't been organised enough or were nervous about the insurance implications. The free salt is provided to deal with major cold events. It's not really supposed to be used for every cold night. This was explained at the meeting and training I had with your Parish Snow Warden's. No other parish across Devon has used much of their salt in what has been a quiet winter. As far as I'm aware there haven't been any messages from our control centre that the Snow Plans should be put into action. I've had a message from the officer dealing with salt orders. The lead delivery time is 3 to 4 days. If you purchase the salt yourselves, the cost per tonne for 25 kg bags is £115.08. Presumably a bit less for large bags. The Snow Plan is either a plan or a description of what is intended to be done by the Parish during a 'Snow Event'. I did ask for it at the meeting but I haven't received it yet.

Our response was "The gritter goes out only when there is risk of severe frost/ice acting on information from the Met Office. Given that we have purchased a mechanical gritter maybe our coverage is more extensive than other participants? We have agreed a route which addresses the main concerns about the lack of DCC gritting and the impact of icy country roads on local people including school bus routes! The response from the Parish has been more than favourable. I cannot believe we are not supposed to deploy unless in emergency/major conditions! If, as you say, others have not used their salt allocations - presumably you have excess stocks that could be made available at a better price??? No mention of a snow plan has ever been made to me and Paul Pedrick has no recollection. However I enclose a copy of our Policy and Risk Assessment matrix which I hope will prove sufficient."

DCC have accepted our 'snow plan' but continue to quote £94 for further 1 tonne bags of salt. Given this email trail a query was raised as to whether we are covered by the DCC Snow Warden Scheme – we will seek clarification by writing into DCC to say we assume we ARE covered under the scheme unless you say otherwise.

The Parish Council thanked Cllr Gilbert for his work and time in taking the Parish's concerns forward

166 DISTRICT COUNCILLORS REPORT

Cllr Wright reported that;

- A. Re. Planning enforcement; there is a backlog of 700 cases across the District. Additional monies are being invested to clear the backlog, allowing two teams to be in place for a year, one solely concerned with the historical cases, the other with new presentations. Both Cllr Wright and Pearce have reviewed the o/s cases in Malborough and identified, with us, the more urgent cases. These will be addressed first.
- B. Re Sewage. The problem at South Sands continues with a blockage necessitating continual tankage from the site to North Sands. The identification of the problem has taken time – pumps, collapse or blockage? and the diagnostics continue. The Parish continues to have major concerns about ongoing capacity and hope that a dedicated sewage works for Salcombe will be planned for soon, allowing the Malborough site to be used solely for this Parish. The District Cllrs continue to keep this under review and are visiting the flood prevention works in Salcombe on Friday.
- C. One stop shop registration now exists on the SHDC website. Thereafter your details are maintained and your complaints etc. can be tracked. The system will also hold a log of an individual's events eg: bins failing to be emptied. It does not yet hold Council Tax records. SHDC urge parishioners to register.
- D. SHDC have won an accolade for Best Council in the Country and also got a gold award for transforming through people.

Cllr Pearce then added;

- E. The bin regime is changing. The current black bag only residents will be collected fortnightly but there will be waste food collection on the alternate week. Some people are being moved from bags

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

to bins. All those affected will be contacted in due course. If, by next month, the District Councillors know who, they will advise us but it is unlikely that Malborough will be in the first wave. Letters are starting to go out to those paying business rates who are using the domestic waste service; this regime is being more strictly reinforced so that trade waste is paid for.

- F. There are duty planning officer changes; the service will be Mondays, Tuesdays and Thursdays including heritage specialisms on Thursday, appointment service – ring SHDC first
- G. Possibly of interest is that, in Totnes, on the old Dairy site there is a Community Right to Build scheme going ahead. Ie: If a community can satisfy the requirements it means that 'normal' planning permission is not then required...but you need the land.
- H. The lead times for planning decisions has improved at SHDC. Please advise the District Councillors of any problems.
- I. More monies have been voted into a feasibility study to set up a PLC taking most of the services from the Council. Currently the Council can provide services for other authorities but no profit is allowed to be made. The hope is that, if a company is formed, the profits made will be returned to SHDC as an extra income stream.
- J. Today's budget has given reductions in business rates which is welcome but the Government had previously intended for local councils to retain business rates as part of their funding package and Cllrs were unclear as to the implications. Cllr Pedrick remarked that rural relief has been stopped without warning....there are options available to reclaim however. Smoke and mirrors re the funding flows!
- K. Cllr Pedrick asked what rules exist about planning notices being posted near to the property in question. In this example, the nearest planning notice was posted ½ mile from the property and in a different ward! Similarly the neighbour affected had not been notified. Cllr Pearce said she would follow this up.
- L. Cllr J Yeoman then raised the issue of the s106 monies. Cllr Pearce said that s106 monies have to be targeted at/deal with additionalities (caused by the increased population) so the bid needs to be tailored to reflect this. Cllr J Yeoman then highlighted the fact that the recent Playing Pitch strategy published by SHDC does NOT reflect the views of this Parish Council. It is also out of date and incorrect. Cllr Pearce said that this report is only used as a default for s106 monies if the Parish itself has not come up with a list of projects, which it is certainly entitled to do. Our specific report/bid for section 106 monies can override this report. The Parish Council asked that the Playing Pitch Strategy should be amended as it is inaccurate and Cllr Pearce will follow this up. The Parish Council will also write to ask that this be corrected.
- M. Cllr Boyce raised the issue of the All Saints Church burial ground which is now full. The Church are looking to close the ground as monies are scarce and understand that the District Council have to take responsibility for future graveyard maintenance. Cllr Wright replied that he thinks it is a legal requirement for the District Council to take it on irrespective of budgetary pressures. There is no existing schedule of cuts for the graveyard round the church which might be applied to the burial ground if it closes. Cllr Wright will follow up.

167 PLANNING

- A. The following **applications** have been received by the Parish Council and are/have been under discussion and consideration. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion

[0199/16/FUL](#)

Application for provision of facilities building for existing campsite, hardstandings for caravans and extension to existing track. Ilton Farm, Salcombe Road to Ilton Cross, Malborough Devon TQ7 3BZ. **MPC Approval**

[0675/16/VAR](#)

Yarde Gate Nursery Variation of condition No.2 of planning consent 33/3095/14/F to allow change of design Yarde Gate Nursery Salcombe Road Malborough Devon TQ7 3BX . **MPC Approval**

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

B. **Decisions** – we have not been notified of any decisions but will check back through the SHDC website for any o/s cases.

C. **Enforcement Issues** – The records held by SHDC still appear to be incomplete and/or out of date. Cllr Pearce continues to investigate

D. **NEIGHBOURHOOD PLAN.**

Malborough recently (March 7th 2016) held a Public Consultation in the Parish. This considered potential site options to allocate for housing. We have a viable choice of 3 suitable sites for development to meet our immediate needs. The consultation has given Malborough's Neighbourhood Planning Forum a mandate to recommend Portlemore Downs as its' preferred option in the Neighbourhood Plan. The referendum date for the plan is 30th November 2016. The referendum can give a Yes or No vote to the adoption of the plan.

However we would wish the developers of any allocated site to demonstrate the site is:

- delivering what the Parish needs,
- at a time that when it needs it,
- is going a long way in meeting the design and build aspirations of the Parish &
- is addressing the major concerns of parishioners about the impacts of a new build scheme.

If any landowner and/or subsequent developer can work with us to achieve an exemplar development then the chances of the Neighbourhood Plan being adopted are enhanced. The site itself, although sitting with an AONB, thereby becomes compliant in terms of National Planning Policy and able to be developed.

Cllr Yeoman informed the meeting that members of the MNP forum are meeting with the land agent for Portlemore Downs next week to feedback the results of the consultation and to try and ensure any development fulfils the above.

A lively debate took place about the SHDC Local Plan and timeframes and the impact of it on Neighbourhood Plans, some recent judicial reviews having found in favour of developers. It is still unclear what and how housing targets or numbers will be allocated throughout the District. Cllr Pearce will liaise with SHDC strategic planning to try and clarify the situation and feedback. Our understanding is that our bottom up, evidenced plan will be integrated into the District Plan. *Cllrs Wright and Pearce left the meeting at 20.50*

168 HIGHWAYS

- A. Re the new sign for Bolberry, it has arrived and is up – although it is somewhat smaller than expected/or the original. Councillors expressed their opinion that we should check the size delivered against the spec. ordered (as measured by DCC) before settling any invoice.
 - B. Cllr Pedrick reported that the southern side of the road in the 'narrows' on the A381 is rutted and eroded. Furthermore 2 drains by Combe Down House on either side of the road are damaged.
 - C. Cllr Boyce reported rubbish dumped along the length of Pinhays Hill – this would be reported to SHDC.
 - D. Cllr Pedrick advised that the two bottom drains, coming into Malborough from Kingsbridge, had subsided. Others, having driven past, felt that they were acceptable.
 - E. The Old Vicarage drain is blocked as is Well Hill.
 - F. o/s Our compilation of the buddle holes map is ongoing to be overlaid with the DCC map. Actions Cllr Pedrick and Boyce.
 - G. o/s The Collaton Road sign opposite the bus shelter has been removed and needs replacing.
 - H. o/s The finger post at the top of Plympton Hill is still damaged.
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MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

169 FOOTPATHS, TREES, GRAVEYARD & ALLOTMENTS

- A. It was agreed to ask the Village Hall to obtain quotes to progress the new 'Access for All' path around the Malborough Wood, a joint project between the Village Hall and the Parish Council. The Council would pay for the work in due course.
- B. Re. Alston Gate footpath – now that the ground is drying two quotes are being got for scraping back the mud, compacting stone and membranes and laying slabs.
- C. Much of the overgrown Chapel Lane foliage has been cleared with a local parishioner taking the initiative and funding the cut back. A letter of thanks would be sent from the Council. However Cllr Pedrick reported that the lower end, in the dark, is still a problem. Personal letters would be written to each offending householder after Cllr Kendall has walked the route.
- D. o/s Cllr Boyce had queried the growth in weeds around the church wall together with the pavement outside of the post office. Cllr K Yeoman agreed to knapsack spray around the Pound and the Post Office.
- E. Cllr K Yeoman has sprayed the allotments
- F. o/s Burial ground; removal of earth spoil: Cllrs Yeoman are pursuing but it was proposed, by Cllr Yeoman, that we now ask another contractor for an estimate to progress this once the land has dried up.

170 VILLAGE HALL

- A. Unfortunately no councillor was free to attend the last Village Hall meeting – the full Minutes of MVH&PFA are on: <http://www.malboroughvillage.org.uk/group/villagehall>.
- B. Councillors decided, following a proposal by Cllr J Yeoman, to donate the residual stock of Jubilee mugs to the Village Hall, FOC.
- C. o/s Quotes have been received from Mr Illingworth re repair of the playground notice board - £80 re like for like replacement of marine ply (which has perished) or a maximum of £120 for hardwood. With Cllr Pedrick withdrawing from discussion, proposed by Cllr Kendall and seconded by Cllr K Yeoman the meeting agreed to commission a hardwood repair.

171 MISCELLANEOUS

- A. **Building on the discussions with District Councillors above in Minute ref: 166/m**
Section 106 Alston Gate phase 1; a consolidated bid to include priorities identified in the Parish Plan (via the questionnaire and consultations) had been previously circulated to Councillors. This to be set against the Alston Gate s106 monies due (£30k) and to meet the requirements of the latest SHDC OSSR plans. Schemes and projects identified to date total £116k and need to be discussed and prioritised to trigger the release of funding and to hold the balance in reserve of the next tranche. Bids that might be better targeted at other funds were also discussed.
- B. The next scarecrow trail takes place over the Spring Bank Holiday weekend, May 28, 29 and 30th. Look



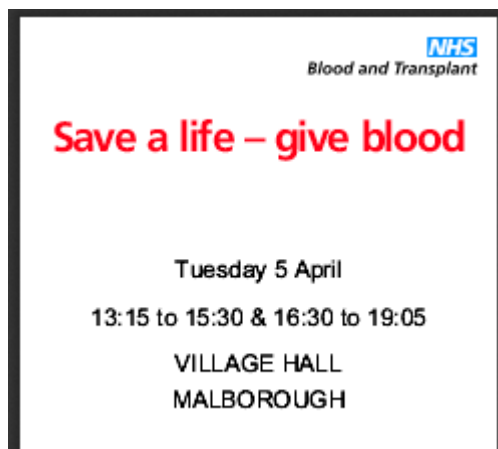
out for the entry form in the next Messenger.

- C. A complaint has been made about people feeding the bottle banks in the early hours and thus causing a noise disturbance. **Please could parishioners refrain from using the bottle banks at night.** Councillors thought that usage might have increased as the bottle banks are no longer screened and their request for a bund and/or hedge was repeated.
- D. The Chairman of the District Council, following the cancellation of his visit last year, has offered to attend the April Parish meeting. However, given it is also the night of our annual Parish meeting Councillors felt that, with the regular input of our District Councillors, his face to face updating of the village was unnecessary.

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

- E. Further to the Councils' decision to award a grant there has still been no response to a letter sent to the Youth Club advising them of this and asking for sight of their accounts.



F.

172 FINANCE & GOVERNANCE

- A. The monthly accounts, cash book and bills to pay were received for month 12 of the financial year, 2015/16, shown as year to date Appendix A. A mandate sheet and transaction record was introduced and duly signed to authorise the e-payments. The payments were proposed by Cllr Kendall and seconded by Cllr Wesley and carried unanimously. Cllr Boyce withdrew from these discussions.
- B. Councillors had previously received an updated Internal Controls document that identifies the risks the Parish Council faces and the procedures we currently have in place to mitigate these. It also included an updated list of our policies, procedures and contracts, their respective leads and review dates. Our Internal Audit due next month, requires us to have, amongst others:
- updated our standing orders in year - *done May 2015*
 - updated our financial regulations in year - *done May 2015*
 - undertaken a general risk assessment in year - now due
 - considered our statement of internal controls and risk management in year - now due
- Councillors reviewed and discussed the risks and the measures taken to manage these to a reasonable level. The statement of Internal Controls was considered and endorsed and the review timetable for our existing policies etc. was approved.
- C. Re the Internal Audit timetable for 2015/16 the meeting noted that all books, documentation are due in by April 28th. The April Council meeting will need to agree the year end position and endorse the accounts.
- D. o/s and c/f Cllr Makepeace advised that Devon Air Ambulance are now flying at night and looking for villages etc to offer landing areas which need to be lit. He and Cllr Pedrick advocated that some investment might be advisable if we wish to be able to access this service at night. Liaison with the football club is required as the pitch is already floodlit – but this might be too bright for the pilot, low energy flood lights are required. Cllr Makepeace will investigate further.

173 CORRESPONDENCE & OPEN FORUM

No correspondence was received In addition to that taken under the agenda.

There being no further business the meeting closed at 22.00 hrs.

DATE FOR THE DIARY: The next Parish Council meeting is on Wednesday 20th April, 7.30pm, at The Annexe This will be preceded by, at 7pm, the ANNUAL PARISH MEETING under the Chairmanship of COUNCILLOR JOHN YEOMAN, (Chairman of Malborough Parish Council). ALL PARISHIONERS ARE INVITED TO ATTEND this meeting which may, by law, discuss all Parish affairs and pass resolutions about them.

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

Signed as a true record: _____

Print Name & Date: _____

Actions default – unless otherwise specified the Clerk takes forward any agreed actions

Agenda Items and Updates; where possible please could these be submitted to Debbie by the 1st 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 Debbie for distribution) together with their apologies.

Distribution List: Cllrs Boyce, Harrod, Kendall, Makepeace, L Goodhead, P Pedrick, M Wesley, J Yeoman, K Yeoman

For Information: e-circulation to: County Cllr R Gilbert, Dist Cllr Judy Pearce, Dist Cllr S 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 A Purchase, National Trust, SVRA

APPENDIX A				
Category	Descriptor	Paid In	Paid Out	Cash Book Balance
<i>Balance b/f</i>				<i>13,886.07</i>
payments	Malborough Garden Services (Jan)		- 120.00	13,766.07
payments	SWW allotment water		- 44.84	13,721.23
Receipt	Interest - gross	0.74		13,721.97
payments	D Ede - Salary		- 648.92	13,073.05
Receipt	Western Power	3.00		13,076.05
TOTALS YTD Financial year 2015/16		£ 65,101.30	-£ 66,220.66	£ 13,076.05
RECONCILIATION CASH BOOK TO BANK				£
Cash book balance b/d	FY 2015/16 YTD month		12	£ 13,076.05
Balance at bank at end :			25-Feb-16	
Revenue Accounts			13,699.47	
Unpresented Items			30.50	
	receipts		30.50	
	payments		- 653.92	
			£ 13,076.05	-
ACCOUNTS FOR PAYMENT				
D Ede (Salary)	<u>for February</u>	<small>paid on 15th of the month by standing order & included in the above balances</small>		648.92
Plus	SHDC winter toilet servicing			888.42
	SH Newspapers (MNP Options)			105.30
	G Boyce (MNP expenses)			7.00
	D Ede (MNP expenses)			83.99
	DJE Consulting MNP (payment on account)			500.00
	Malborough Garden Services (Feb)			60.00
				1,644.71
RECEIPTS & PAYMENTS REPORT TO COUNCIL				
MEETING DATE			16th March 2016	
	Prepared By:	<i>Debbie Ede, Clerk to the Parish Council</i>		
	Date:	<i>15/03/2016</i>		