

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

<b>Date:</b> 16 <sup>th</sup> November 2016		<b>Venue &amp; Time:</b> The Annexe, 19.30hrs
<b>Present:</b> Cllr Gill Boyce Cllr Lucinda Goodhead Cllr Kathy Harrod Cllr Ann Kendall Cllr Keith Makepeace Cllr Paul Pedrick Cllr John Sampson Cllr John Yeoman (in the Chair)	<b>In Attendance:</b> Debbie Ede (Clerk & Minute Taker)  Part Meeting Dist Cllr Simon Wright	<b>Apologies:</b> PCSO Dave Gibson County Cllr Rufus Gilbert Dist Cllr Judy Pearce PC Jo Pengilly Cllr Kevin Yeoman
<b>Ref 2016/17 Minutes</b>		<b>Action</b>

**101 INTERESTS** – Cllr J Yeoman declared an interest under Finance and withdrew from those discussions.

**102 MESSENGER** – Cllr J Yeoman agreed to summarise the meeting for the next edition of the Messenger.

### 103 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the Parish Council meeting of 19<sup>th</sup> October were agreed and signed, proposed by Cllr Pedrick & seconded by Cllr Boyce and voted through unanimously.

### 104 MATTERS ARISING (from previous minutes only)

- A. re. the refurbishment of Jubilee Seat/Monkey House: Cllr Kendall reported that she would organise the pressure washing to take place asap.
- B. The School wall has been repaired.
- C. Re. the salt for the gritter (5 tons for each Parish – Malborough & South Huish) Cllr Sampson has obtained a cost for 1 tonne dumpy bags to transfer the salt in due course at c. £9.64 each. The meeting agreed to purchase a couple of half tonne bags (at c. £5.50 each) pro-tem to see if they are up to spec. If fit for purpose then a further 10 will be purchased, if not 1 tonne bags will be bought.
- D. Air Ambulance Landing Lights; the Parish Council have now submitted a planning application for these lights. Cllr J Yeoman is liaising with the Air Ambulance team to book in the work. Donations are still welcomed to fund the balance of the cost (50% being funded by Rotary Club grant).
- E. The mobile Vehicle Activated Sign (VAS) has been ordered – lead time awaited. In the interim DCC are proceeding with the installation of 3 sockets and reducers plus the post which enable the unit to be moved between the three SCARF assessed sites – to be followed up as not yet installed.
- F. BT have now mended the light in the red phone box in the Square but the inside of the box still needs cleaning!
- G. o/s Parishioners and Councillors raised concerns about the response times of ambulances following 999 calls and that 1<sup>st</sup> responders were also not being deployed. Cllr Pedrick is compiling a compile list of incidences (from the log at the Coastguard Station) which will then be fed back to the South Western Ambulance Service NHS Foundation Trust and to Sarah Wollaston.
- H. SHDC are converting existing Dog Control Orders into Public Protection Orders; however the existing Village Hall rules are not necessarily enforceable by SHDC. The Council have written to SHDC asking them to address/include the Village Hall provisions.
- I. Cllr Kendalls and Boyce reported that the padlock on the Alston Gate orchard (provided through the Section 106 agreement) is still in place. SHDC enforcement are following this up. Cllr Pedrick queried what is the status of this community land – is it a wild life area or an area to enjoy a picnic etc, walk the

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dog for example? Cllr Yeoman said it had never been clarified despite questions about it at the time of the Alston Gate development. It is classified as biodiversity/community amenity open space – Cllr Wright undertook to find out exactly what this means.

J. The new footpath sign at Collaton has been erected.

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#### **105 POLICE BUSINESS & NEIGHBOURHOOD WATCH:**

PC Pengilly and PCSO Gibson were unable to attend: They reported:

*“Apologies as neither Jo nor myself will be on duty this evening to attend the meeting*

*There is 1 x crime to report for the last month – which is a dog dangerously out of control - a dog leaving its garden to attack another dog being walked on its lead. This will be dealt with by way of a voluntary control order which will entail measures being put into place to prevent a re-occurrence.*

*Jo has been liaising with SVRA and DCC, dealing with issues around the parking in Cumber Close and has received the following response from DCC Highways: “The highway authority really only has the introduction of parking restrictions as a tool to use in this situation. So, if there is a majority of locals and interested parties supporting the introduction of yellow lines we could do something in time. If there isn’t a majority but there is an overwhelming road safety (or just safety) justification we could still consider doing something. It would have to be carefully considered to ensure the problem doesn’t just migrate along the road. And without enough off-road parking it’s hard to see where it could end. They really need more off-road parking.”*

*Community Speedwatch may now have some support in Salcombe, so if volunteers are forthcoming it may be possible to combine it with Malborough. If anyone would like to volunteer please make contact with us - we will contact the gentleman in Malborough who previously volunteered – hopefully we will now have enough to begin a scheme”*

Cllr Harrod reported that, tonight, Cumber was completely obstructed and could not be accessed by an emergency vehicle.

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#### **106 COUNTY COUNCILLORS REPORT:**

Cllr Gilbert was hoping to attend the meeting but, as he had commitments at East Allington Parish Council, he had sent his apologies.

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#### **107 DISTRICT COUNCILLOR REPORT:**

Cllrs Wright reported that:

- A. Last week he gave a report to the Overview and Scrutiny committee outlining how the Council is addressing the backlog of work that exists across many departments. Progress is being made; for example car park permits are now being issued in a timely fashion and 90% of Planning Applications are being processed on time. The backlog for issuing disabled facilities grants has halved and the Planning Enforcement backlog should be cleared by Christmas.
- B. On average 25,000 calls per month received by SHDC call centre – the new digital lines, some 200 of them, are now in operation.
- C. The SHDC website will be transferred to ‘the Cloud’ so unlikely to fail again
- D. Re the Whitestrand consultation; Cllr Wright reported that he and Cllr Pearce had found this challenging at times but they welcomed were some fabulous responses that came forward and some very productive ideas for the future. He has to report back to Salcombe Town Council as the next step but was able to say that – the decking had proved very unpopular as had proposals to tweak the car parking. SHDC are now tasked to deliver a Master Plan to cover the Batson area, the slip ways and employment

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units as well as car parking throughout Salcombe. On Whitestrand itself the car parking machine now has number plate recognition leading to a more rapid turnover of cars. There had also been demand for a drop off and pick up zone.

- E. Re. Hope Cove and its Harbour Commissioners; the income is reported as slightly up from last year. This is essentially due to the fact that kayaking is a growing sport and the introduction of chain mooring facilities for Kayaks at £25 each had added to the revenue. Cllr Pedrick said another chain was required.

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#### 108 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.

[Planning Case - Received on 27 September 2016](#)

3, Malborough Park, Malborough, Devon, TQ7 3SR - 3134/16/CLP

Certificate of lawfulness for proposed porch extension in back garden.

[Planning Case - Received on 20 October 2016](#)

Field at SX 712 398, East of Malborough Village Hall, Salcombe Road, Malborough - 3366/16/FUL

To erect 10m high pole with two downward facing lights to enable the Devon Air Ambulance to land at night

Cllr Yeoman queried why SHDC are sending him Planning Applications now as 3134 was sent directly to him and not the Clerk. Re. **3134** there was some confusion as to why a certificate of lawfulness was being asked for a proposed extension – if it is proposed then surely it is permitted development rights. A Certificate of Lawfulness is for something that already exists? However, that aside, **MPC gave their approval.**

**2894/16/ADV** The Co-Operative Group Salcombe Road Garage Salcombe Road Malborough TQ7 3BU. Advertisement consent new signage and illumination: Following the Parish Council's objection last month, SHDC have responded to say: *With regard to planning application 2894/16/ADV, please see the attached revised plan showing the reduction in height of the proposed totem, to 5.5m (the same height as the existing totem sign). The Local Ward Members have echoed your concerns about the impact of additional lighting on the nearby zebra crossing. Following discussions with the Highways Authority, the applicant has now been asked to supply additional lighting assessments, to show that the level of illumination outside of the forecourt area will not be increased by the proposal. If they cannot do this, they will need to enter into a legal S106 agreement to provide £5000, requested by the Highways Authority, to carry out improvement works to the crossing to increase its prominence. As such, a decision will not be made by Monday and an extension will be agreed once the applicant has decided how to proceed. Please note that this information is only to update you on the progress of the application, in light of Parish Council concerns. There will be no re-consultation and so there is no need for additional comments from the Parish.*

Tides Reach; an approach had been made to the Parish Council to ask them to support the on-going campaign against the development. We replied *"Yes Malborough were not keen on the design but the Parish's main reasons for objecting to this were because of the way the build impacted/could impact on the Parish of Malborough. Specifically concerns were raised about the sewerage capacity and extra sewage, the additional traffic and the drainage of land behind the hotel. Thus the emphasis is a little different from the angle you are pursuing.*

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Cllr Yeoman queried what had happened to the planning decision re Hi Ho (outline planning permission having been applied for in May). It is known there is a breach of existing planning conditions and Cllr Wright believes the application is waiting on this. Cllr Wright undertook to follow this up and clarify. Cllr Kendall queried how many Shepherds Huts can be sited on the land?

**B. Decisions;** none received

**C. Enforcement Issues**

- a. SHDC continue to progress these. Progress on existing enforcement cases CANNOT, as advised by SHDC, be discussed in open meeting. Cllr Pearce undertook to continue to follow up one case with the Parish Council providing information.
- b. The Parish Council would be reporting another alleged breach of planning conditions at Cross Parks. Cllr Pearce was also liaising with SHDC Enforcement about this, including the advertising of the business and the obstruction of the cycle path.

*Cllrs Wright left the meeting.*

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#### **109 NEIGHBOURHOOD PLANNING**

- A. The Plan is in its 6 week pre-submission consultation period. This runs from the 8<sup>th</sup> October to the 19<sup>th</sup> November. The final drop in event takes place tomorrow, 17<sup>th</sup> November between 16.00 and 19.00 hours, as another opportunity for parishioners to discuss the draft plan. Comments need to be received by 19<sup>th</sup> November. The Plan and its appendices can be found on the village website at : <http://www.malboroughvillage.org.uk/>. Once the consultation has ended, all responses will be considered and collated. A consultation response will show how the draft plan has addressed the comments.
- B. SHDC are continuing to progress their Joint Local Plan and have now published a Village Sustainability Assessment matrix which identifies Malborough as one of the most sustainable villages (in terms of facilities, access etc.) in the South Hams. It remains to be seen how this affects any proposed housing allocation. However our Neighbourhood Plan should override any top down target as our own demographic modelling and Housing Needs Assessment inform what we want in terms of housing for LOCAL people.

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#### **110 HIGHWAYS**

Issues reported include:

- A. Re the Council's request, outstanding since last winter, to have more double yellow lines (DYL) along Collaton Road and our re-iterance that we believe they are necessary DCC advise: *"The Traffic Team are not keen to advertise removing all of the parking to Portlemore Lane at this HATOC. We can try again at the next HATOC though, once there's been time to fully consider the impact. They are proposing that attached restriction should be advertised now. The background is that this first HATOC TRO was for small, easy to introduce restrictions that were unlikely to be controversial. It is, for us, a new way of trying to get these types of work done. If the process doesn't work very well, because of complications or objections etc., it is unlikely to continue. So let's get this done for now and re-visit it next year."* However what they are proposing to advertise already exists – the DYL proposed were in place last year!
- B. Re. our complaints about the erosion and the potholes in Broadmoor Lane, Cllr Gilbert has advised that: *"The bit between White Cross and Broadmoor Cross will be done by end of year."* He will raise the question of the other bit with Adam Keay shortly although some rudimentary patching has now been done from Broadmoor Cross to Valley Cottage.

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- C. Following our report to DCC of a DCC contractor annihilating three footpath/road marker signs at Soar Peter Guy (DCC PROW officer) replies that: *" I would be most annoyed and concerned if a contractor employed by DCC has caused this damage. I replaced the footpath fingerpost at the stile you mention on FP 17, a month or so back. I will get the fingerpost for FP 10 down to Furzedown replaced as soon as possible."*
- D. A query has been received from a resident of Alston Gate again asking for the 30mph limit to be moved further away from the entrance to the estate. This has been repeatedly requested by the Parish from DCC Highways but to no avail. However Cllr Gilbert and Adam Keay (DCC officer) have recently visited the site again and agree that it should be moved, especially with the advent of more new houses. It is hoped that Cllr Gilbert will pursue this with Highways and it may be included in a future s106 agreement.
- E. Cllr Kendall reported that houses in Bolberry have received a letter advising that the Guy Fawkes motor rally will take place around Broadmoor Lane at the end of the month. This is an annual event and it will be properly marshalled. Only 20 cars are likely to participate, between 23.00hrs and midnight. They are also going to use Rook House Lane.
- F. Street Signs; Fine Shine have now cleaned all the street signs around the village (excluding the outlying hamlets).
- G. The SHDC Street Cleaning Reflections exercise has been completed and the roads within the village are all classified as zone 3 – ie: a 2 week turnaround for reported problems. However this does NOT mean our roads will be swept every two weeks only that SHDC will respond to a reported problem within 2 weeks. Cllr Sampson reported that Salcombe is in chaos with the new machine and the new regime. This initiative also includes a review of all litter and dog bins (10 in Malborough) (and their servicing) and we have to submit maps of where our bins are to ensure their records are correct.
- H. Cllr Boyce reported that SHDC workers had been told to clear all accesses to car parking and toilets within the South Hams and she saw this being done in Malborough this week.
- I. There is a Highways Self Help scheme which is looking for volunteers to undertake highway improvements!
- J. Cllr Makepeace queried the erection of an outsize new brown information sign sign-posting East Soar. We presume the NT paid for it to be installed but all felt it was very out of place and too big. However the broken signs – below – are outstanding.
- K. Cllr Kendall reported that residents along Shute Lane have let their hedges overgrow the road and obscure the lights and requested that a letter from the Council be sent to the house owners. Cllr Kendall will deliver the letters.
- L. o/s and reported to DCC and awaiting their action:
  - a. a Hope Cove directional finger needs to be reinstated on the signage at the Broadmoor Lane junction in Bolberry.
  - b. Blocked drains by the Well in Shute, by Springfields (some buddleholes were cleaned last week).
  - c. the A381 a drain cover approaching the Malborough sign was damaged.
  - d. drain cover about 50m up from Combe Down house, is also damaged.
  - e. the road erosions in the narrows are deteriorating again despite recent repairs.
  - f. the lights at Eastacombes (on all night)

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#### 111 FOOTPATHS, TREES, GRAVEYARD & ALLOTMENTS

- A. There are allotments available for 2017. Please contact the Clerk or Tony Lyle ([anthoneyllyle@tiscali.co.uk](mailto:anthoneyllyle@tiscali.co.uk))
- B. DCC's PROW officer has now walked the local footpaths and bridle paths that were causing problems (overgrown) in Salcombe and has written to 9 landowners requesting action.

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- C. Re: the cut back of cycle track hedges from Churchill to the narrows. Jack Stone has been asked to progress this and the waste will be collected or blown off the path.
- D. Portlemore Lane has had a good cut back. Thank you.
- E. Re the new Access for All Path; **the opening of the new path is being organised by Cllr Harrod for 22<sup>nd</sup> November at 09.30.** MVH&PFA, SVRA and Parish Council reps will be at the opening.  
Cllr Harrod reported about 3 tree stumps along the length of the path which could become hazardous and Cllr Boyce said it was quite muddy and slippery with the cut growth mulching down. Cllr Kendall reported that, at the VH meeting, Tony Lyle did have a list of maintenance issues that he would address. One complaint had been received by the VH, and copied to the Council, about a children's den and opening onto the track from Cumber – this could allow dogs to run through if off lead. Brush trimmings from the wood will be placed across this entrance. However it is an access from public land onto public land – the Green.
- F. Earlier in the month, a parishioner had reported an 'angry cow' which had got separated from its herd on the Warren and was loose in Middle Soar. The NT have since liaised with the livestock owner to make sure that field gates are fit for purpose and that the livestock is checked regularly. Councillors raised concerns about the state of the large gate from Middle Soar to the Warren as it is in a poor state of repair and is not an effective livestock barrier. It also needs to open easily for Coastguard and emergency vehicle access. The Parish Council would liaise with the National Trust as the gate is their responsibility (the footpath gate is DCC's PROW responsibility).

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#### 112 VILLAGE HALL

- A. Cllr Kendall attended the last meeting and the full Minutes of MVH&PFA are on: <http://www.malboroughvillage.org.uk/group/villagehall>. Of note:
- B. The use of social media needs to be reviewed to ensure that any messages going out from the VH are cleared by Committee.
- C. Discussions were on-going about the possible sale of VH land although the VH recognised that a full public meeting would have to be held if this was progressed. Hearing this Councillors re-iterated that this should not be allowed to happen. No precedent should be set and it is a Field in Trust. The Council unanimously agreed to write to the MVH&PFA formally outlining the Council's strong objections to any piecemeal sale of land; it was for the village in perpetuity.
- D. MVH are looking at possible solutions to the on-going parking problems at the Village Hall and the overspill into Collaton Road at their next meeting. This may necessitate a bid to the Community Reinvestment Fund (however the deadline for bids to this fund is 7<sup>th</sup> January 2017).
- E. The Parish Council and MVH&PFA will be working together to run a tender exercise for the grass cutting and grounds maintenance of the playing fields and playground. The Parish Council would be placing a contract in due course - of equivalent value to its current grant to MVH&PFA.

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#### 113 MISCELLANEOUS

Cllr J Yeoman reported that:

- A. The deadline for bids to the Community Reinvestment Fund is 7<sup>th</sup> January 2017; projects need to be identified.
- B. Re. the Local Action Group; monies are now available for projects that provide employment; more information can be found at: [carol@drcompany.co.uk](mailto:carol@drcompany.co.uk)
- C. Following notice about a possible external fault in some brands of defibrillator Cllr J Yeoman has checked and our defibrillator is not affected. The pads have now been renewed but the defibrillator itself is showing red and bleeping – this means it is out of action. This was seen and reported today at c. 16.30 and our First Responder was on site within 30mins of reporting the fault! A low battery has been

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identified as the problem and it should be repaired by 19.00 hrs tonight. Thank you to the First responders for this extremely prompt and efficient service! The Council would write to this effect.

*Post meeting note; the DEFIBRILLATOR is in full working order again*

- D. The Estuary Forum minutes have been received.
- E. A new First Aid & Heart Start Course is being arranged for the New Year, dates t.b.c but the next Messenger would carry information about how to reserve a place.
- F. A Town & Parish Council event will take place on 30<sup>th</sup> November at 18.30 to include a DCC update and SHDC briefing about current initiatives.
- G. Community Composting; a new consultation is taking place on waste management – to participate in by 23<sup>rd</sup> December. Comments to: [waste@devon.gov.uk](mailto:waste@devon.gov.uk)
- H. Cllr Boyce reported that No. 3 street light is out in Higher Town, opposite the school.
- I. Cllrs Boyce and Harrod queried the light timings at the entrance to Cumber – these seem to be out of kilter.
- J. A letter had been received from the South Hams Society requesting volunteers to help with their work.
- K. Cllr Kendall reported that the Messenger advertising revenue is coming in although some adverts have been lost due to retirement.

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### 114 FINANCE & GOVERNANCE

The monthly accounts, cash book and bills to pay were received for month 8 of the financial year, 2016/17, shown as year to date Appendix A. With Cllr Yeoman withdrawing from the discussion the proposal to approve these was made by Cllr Boyce and seconded by Cllr Makepeace and unanimously agreed. A mandate sheet and transaction record was introduced and duly signed to authorise the e-payments.

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### 115 CORRESPONDENCE

Received from: DALC October Newsletter, Health Watch Devon.

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### 116 OPEN FORUM

There being no further business the meeting closed at 21.05 hrs

**DATES FOR THE DIARY:** The next Parish Council meeting is on Wednesday 21<sup>st</sup> December, 7.30pm, Venue Village Hall Annex.

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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 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 Debbie for distribution) together with their apologies.

**Distribution List:**

Cllrs Boyce, Goodhead, Harrod, Kendall, Makepeace, Pedrick, 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), Reverend T Skillman, 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

**MALBOROUGH PARISH COUNCIL**  
**Minutes of Parish Council Meeting;**

**APPENDIX A**

Category	Descriptor	Paid In	Paid Out	Cash Book Balance
<i>Balance b/f</i>				<b>27,564.92</b>
Payment	Malb Garden Services (Sept)		- 216.00	27,348.92
Payment	G Hocking - allotments 2nd tranche		- 250.00	27,098.92
Payment	Locality grant - return of underspend re SAE		- 500.00	26,598.92
Payment	Parish Magazine Printing (Neighbourhood Plan)		- 153.50	26,445.42
Payment	dje consulting (3 invoices for Neighbourhood Plan work - funded by Locality grant)		- 1,782.00	24,663.42
Payment	D Ede - Salary arrears		- 118.55	24,544.87
Payment	D Ede - stationery		- 5.20	24,539.67
Payment	T G Stone (cycle track september)		- 75.00	24,464.67
Payment	Messenger - A Kendall		- 70.45	24,394.22
Payment	Messenger - P Cole		- 5.00	24,389.22
Payment	Messenger - M Kendall		- 33.60	24,355.62
Payment	SH Newspapers (Neighbourhood Plan)		- 45.00	24,310.62
Payment	Viking		- 127.34	24,183.28
Receipt	Messenger advertising	315.00		24,498.28
Receipt	Messenger Printing	41.60		24,539.88
Receipt	Messenger Donation	10.00		24,549.88
Payment	Wildowrk		- 2,715.00	21,834.88
receipt	Messenger advertising BACS	170.00		22,004.88
Payment	Air Ambulance Lights planning application		- 97.50	21,907.38
<b>TOTALS YTD Financial year 2016/17</b>		<b>£ 27,578.82</b>	<b>-£ 17,504.05</b>	<b>£ 21,907.38</b>
<b>RECONCILIATION CASH BOOK TO BANK</b>				<b>£</b>
Cash book balance b/d		<b>FY 2016/17 month</b>		<b>8</b>
				<b>£ 21,907.38</b>
Balance at bank at end :			<b>31-Oct-16</b>	
Revenue Accounts			<b>21,258.67</b>	
Unpresented Items			receipts	<b>1,059.10</b>
			payments	<b>- 410.39</b>
			<b>£ 21,907.38</b>	<b>-</b>
<b>ACCOUNTS FOR PAYMENT</b>				<b>Variance</b>
D Ede (Salary)	<u>November</u>	paid on 15th of the month by standing order & included in the above balances		<b>692.39</b>
	<u>Air Ambulance Lights planning application</u>	agreed by email and included above		<b>97.50</b>
	<u>Wild Work</u>	agreed by email and included above		<b>2,715.00</b>
Plus	RBL Poppy Appeal			34.00
	RBL Donation			16.00
	PCA consulting engineers (photocopying NP - refund to J Yeoman)			13.56
	Fine Shine			132.00
	Malborough Garden Services			144.00
	MVH grass for the year			2,150.00
	D Illingworth			115.40
	All Saints Church (Neighbourhood Plan venues)			265.00
	<b>Meeting Sub Total</b>			<b>2,869.96</b>
	<b>BACs total</b>			<b>5,682.46</b>
<b>RECEIPTS &amp; PAYMENTS REPORT TO COUNCIL</b>				
<b>MEETING DATE</b>		<b>16 November 2016</b>		
Prepared By:		<i>Debbie Ede, Clerk to the Parish Council</i>		
Date:		<i>16/11/2016</i>		

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