

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

Date: 15 <sup>th</sup> June 2011		Venue & Time: Village Hall Annexe, commencing at 7.45pm
<b>Present:</b> Cllr. Gill Boyce Cllr. Ann Kendall Cllr. Lucinda Pedrick Cllr. Paul Pedrick Cllr. Edmund Putt Cllr. Roger Rendle Cllr. Ann Smallman Cllr. John Yeoman (in the Chair)	<b>In Attendance:</b> Mrs Debbie Ede (Clerk - Minute taker) Part Meeting: PC Steve Mullen PCSO Dave Gibson Andy Morgan (MVH&PFA)	<b>Apologies:</b> Ms Louise Tucker

Ref	Minutes	Action
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### 772 INTERESTS

Cllrs Kendall and Boyce declared interests under Finance and Cllrs P Pedrick and Yeoman declared interests w.r.t. discussions on the Hope Cove Lifeboat. Cllr L Pedrick (and the Clerk) stated they had personal interests in the Furzedown PROW discussions.

### 773 MESSENGER

Cllr L Pedrick will write the Messenger report

### 774 MINUTES OF THE PREVIOUS MEETING

With a change from 'late' to 'early evening' under 761D the minutes of 18<sup>th</sup> May 2011 were agreed and signed as a true record, proposed Cllr Putt and seconded by Cllr Kendall.

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

Cllr Yeoman reported that the National Trust had advised that repairs to the rotted gate post (which resulted in a metal gate bordering Bolberry car park being tied back thus permitting inappropriate vehicular access down a disabled footpath) would take some time as it was not a straight forward repair.

### 776 POLICE BUSINESS

- A. PC Mullen reported that "he had nothing to report!" This zero crime rate was welcomed by the Councillors.
- B. PC Mullen suggested to the meeting that some collaborative working with West Alvington and Salcombe would be beneficial w.r.t. safety on the A381. As a precursor to meeting with DCC highways the Parishes needed to collate incident and police reports to highlight hot spots, poor signage and lineage problems. The police themselves had the A381 as PSP status - problem solving plan - and an increased number of patrols from both the Kingsbridge force and traffic would be patrolling, ad hoc to address driving practices. Speed was highlighted as a key concern with 17 accidents reported in 3 years including one fatality between West Alvington and Cholwells. Cllr Yeoman undertook to liaise with Dist Cllr Wright (West Alvington) and Roger Moore from Salcombe.
- C. Councillors again brought up the damage to the Wheelspark signs and the police told the meeting how they had met with some of the suspected culprits and their families and that they also patrolled there on a regular basis. Cllrs advised PC Mullen that Ms Freeman was again concerned about youngsters congregating around the gateway to her land and it was hoped that the more visible police presence would allay her worries.
- D. Concerns were raised about 4 WD access to the playing fields - it is not allowed and would be monitored/stopped. Anyone seeing such access is asked to record the vehicle registration numbers and pass them on to the Village Hall Cmtt.
- E. Cllr Putt raised concerns about the number of boat trailers with no lights or number plates; PC Mullen said they would be monitoring this.
- F. It was remarked that the parking at Silverhill/Hastoe had improved somewhat.

JY

## **MALBOROUGH PARISH COUNCIL**

### **Minutes of Parish Council Meeting;**

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- G. Cllr Rendell queried whether street lights at Cumber would act as a deterrent to car crimes but it was thought (1) unlikely they would be installed and (2) can actually aid the perpetrators.

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#### **777A AFFORDABLE HOUSING**

- A. It was reported that Great Park houses were being advertised this week - notices had been posted by the Council around the Village and the Village Voice (SH Gazette) alerted. Hastoe were known to be ringing all those who had left their contact details with them and it was stressed again that to be considered for a house you **MUST** be registered with Devon Home Choice and you must bid. Bids close at 11.59pm Monday 20<sup>th</sup> June. Thereafter the Council understands that Jo Flint (from Hastoe) will be given the complete list of bidders and will remove all those without a local connection. The list will then be passed to the Parish Council for accreditation. The houses will then be allocated according to need to those proved to have a Malborough connection. Concerns were again expressed about the process and highlighted in a letter received from Mr Peter Smallman but Cllr Yeoman said he believed the Council has been given the information in good faith and we could only act on that; it was not within the Council's powers or remit to affect/change the allocation process.
- B. Cllr Yeoman reported that representatives from SHDC and Hastoe had met with the parishioner who had concerns that the build had departed from plan thus impacting on her privacy and view. Some concessions had been offered by Hastoe which included obscured glass, improved fencing and targeted planting. Cllr Kendall commended Hastoe for trying to alleviate the problems.
- C. Cllr Yeoman also told the meeting that the bank bordering the allotments was being pulled back as the developers had piled up the earth along the rabbit fencing with the result that the latter was under strain and bulging inwards.
- D. It was noted that the erroneous street light had now been removed and the second sited more appropriately at the start of the new estate.

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#### **777B HIGHWAYS**

- A. The safety review of the A381 was discussed as above.
- B. After an initial refusal to consider signage for Broadmoor Lane (re unsuitability for HGVs - to counter any sat nav routing) DCC had re-prioritised after further arguments from the Parish. However they had yet to identify any funding. Cllr Kendall advised the meeting that some local and temporary signs might be seen as the Bolberry residents were keen to prevent further disruption and accidents. Furthermore the campsite was changing its directions for travellers to make the routing more specific.

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#### **777C FOOTPATHS TREES & ALLOTMENTS**

- A. It was noted that DCC had now cut the verges including that from Alston Gate/Luckhams Lane to the Village. However DCC was known to be reducing the extent and frequency of its cuts and discussion took place about future responsibilities of the Parish in maintaining its verges etc and the cost of doing so.
- B. The possible re-classification over the footpath at Furzedown was discussed. The Clerk reported that 13 user evidence forms (with two more having been sent direct to DCC) had now been received by the Parish showing evidence of continuous use by horse riders for more than 20 years - all without any permissions from the landowner(s). The Council, having previously agreed to take forward a definitive map review if the evidence was forthcoming, asked for the process to be commenced. It was accepted that it may take some time and regret was expressed that the status quo of riders using the path had not been allowed to continue without recourse to a formal review. There was discussion about whether the Parish should ask for a bridleway or a byway (the user evidence forms giving details of other 2 and 4WD usage). The meeting concluded unanimously that there was no need for vehicular access and that the definitive map review process should ask

## MALBOROUGH PARISH COUNCIL

### Minutes of Parish Council Meeting;

---

for reclassification as a bridleway, voting on a proposal from Cllr Boyce, seconded by Cllr Putt.

- C. Cllr Putt requested a copy of the map charting Malborough's footpaths.
- D. Cllr Putt reported that he had received complaints about part of the new routing of Footpath 66 being overgrown with thistles etc. It was believed the South Huish part of the path was clear but the Malborough section overgrown.
- E. Following the reported 'butchering' of the trees at the approach to the Village - Alston/Luckhams area - last month the Council had received some requests to officially top these trees to allow residents to maintain their view. Cllr Boyce reminded the meeting that we did undertake to do this when the trees were first planted. It was agreed that we would consult with Mrs Eva Bond (tree warden) in the autumn as to the best way forward. Cllr Putt raised concerns about the overgrown trees bordering Luckhams Lane - this had already been brought to the Clerk's attention by another parishioner ( Mr Dick Stone). It was agreed that the two landowners involved be contacted and asked to prune their foliage.
- F. Cllr Putt again lamented the state of the cycle track from Coombe Down House to Malborough with the encroachment of stinging nettles out from the base of the hedges.

All actions : DE

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#### 777D VILLAGE HALL

- A. Andy Morgan was welcomed as the MVH&PFA rep and he explained that their committee members hoped to attend, in turn, to learn/understand more about the workings of the Council. In turn he welcomed Cllr Smallman to their meetings which take place on the 1<sup>st</sup> Thursday of the month. Cllr Yeoman thanked Andy for sight of the MVH&PFA minutes and reassured him that the responsibility for (1) the maintenance and (2) the insurance of the wheelspark was the Parish Council's.
- B. Mr Morgan highlighted the open invite to the junior football presentation day on Saturday, 12-4pm with the official opening of the Pavilion at 3.15pm.
- C. Mr Morgan confirmed that the lights on the playing fields would be coming down shortly.
- D. Cllr Yeoman reported that the Clerk was collating the £3k Active Villages Initiative and it was hoped to submit this, in draft, by week end. Some details were still awaited from the Clubs, the bid currently including elements for badminton, tennis, cricket, football, sailing and street dance.

DE

- E. Discussion took place with Andy Morgan re the proposed increase in car parking spaces at the Village Hall. The Council explained they would like to see 'proper quotes' and have sight of the plans but reiterated their support in principle. Mr Morgan argued strongly that he wished to maintain as much green space as possible and the additional parking spaces would be for overflow only. He agreed to let the Council have a plan of the proposal and detailed costings for the next meeting.

AM

- F. The Clerk informed the meeting that quotes had been requested for a one off clearance of the overgrown bank surrounding the hall. It was also agreed that Cllr Pedrick would ask David Weymouth if he could flail the bank. This cut was to be 'without prejudice' to any on-going commitment as the land was in Village Hall ownership but all agreed that it was unsightly and earlier plantings of bulbs etc were being affected.

PP

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#### 777E FACILITIES FOR YOUNG PEOPLE

- A. Cllr Yeoman reported that he was organising a replacement Local Action Group sign for the wheelspark.
- B. c/f to next meeting: The Clerk advised the meeting of the need to adopt, for the future, the H&S, risk assessment and safeguarding children policies prepared and in place for the opening event. These would be brought forward as soon as finalised.

Actions: DE

## MALBOROUGH PARISH COUNCIL

### Minutes of Parish Council Meeting;

---

#### 778 PLANNING

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 within the Parish.

**1061** Mr & Mrs S Hassall- outline application with all matters reserved for the redevelopment for bar/restaurant, 11 holiday apartments, swimming pool, owners dwelling, store/workshop/staff bed sit - The Port Light, Bolberry, Malborough TQ7 3DY

*MPC - majority approval, with conditions, following site visit*

**1280** Malborough Parish Council (for MVH&PFA) - 1<sup>st</sup> floor extension to village hall - Malborough Village Hall, Collaton Road, Malborough TQ7 3BX

*MPC - full support but additional parking must be provided as condition*

**1313** Mr K Favis - Resubmission of retrospective application 33/0323/11/F for erection of general purpose agricultural building - Field to north of Malborough to Salcombe Road A381

*MPC - majority approval as long as any planning conditions set are complied with/enforced.*

#### SHDC Decisions

33/0893/11/F Lucy Hall Conditional approval

Case officer Decision: 24-May-2011

Site Address: Ilton Farm, Malborough, Kingsbridge TQ7 3BZ

Solar Photovoltaic Panel installation to roof of Agricultural Barn with maintenance walkway in between.

33/0780/11/F Mrs Clare Stewart Conditional approval

Case officer Decision: 17-May-2011

Site Address: Parking space for 148, Cumber Close, Malborough

Proposal: Householder application for erection of prefabricated garage

33/0778/11/F Mrs Clare Stewart Conditional approval

Case officer Decision: 17-May-2011

Site Address: Parking space for 99 Cumber Close, Malborough

Proposal: Householder application for erection of prefabricated garage

33/0779/11/F Mrs Clare Stewart Conditional approval

Case officer Decision: 17-May-2011

Site Address: Parking space for 95 Cumber Close, Malborough, Kingsbridge TQ7 3DG

Proposal: Householder application for erection of garage

33/1056/11/F Mrs Clare Stewart Conditional approval

Case officer Decision: 08-Jun-2011

Site Address: Wayside, Malborough, Kingsbridge, TQ7 3RH

Proposal: Householder application for alterations and extension to annexe

33/1020/11/CLP Mrs Clare Stewart Cert of Lawfulness (PROPOSED)Certified

Case officer Decision: 08-Jun-2011

Site Address: East Soar Farm, Malborough, Kingsbridge TQ7 3DR

Proposal: Lawful development certificate for proposed use of land for 28 days for camping

- A. A site meeting took place re application no. 1061 at 7.30pm on Monday 23<sup>rd</sup> May, Port Light, Bolberry. The Council then formulated and agreed its response.
- B. Correspondence had been copied to the Council from Mr Scott Rossiter re Alston Gate. The meeting noted that Mr Rossiter intended to withdraw the existing current application and re-submit at the end of this month.

## MALBOROUGH PARISH COUNCIL

### Minutes of Parish Council Meeting;

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- C. Concerns were expressed again about the Old Inn signs in the road; given their other signs had been refused the Council requested that this be followed up as the road was thought to be too narrow to accommodate these without incident.
- D. The Council queried the advent of the school sign without any obvious planning permission?

Planning actions: DE

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#### 779 FINANCE

- A. The Council received, from Ken Abrahams, a clean 2010/11 internal audit report. Given this the 2010/11 accounts were discussed and adopted, unanimously, in full following a proposal from Cllr P Pedrick, seconded by Cllr Kendall. The accounting statements were duly signed off by both the Chair and the Clerk.
- B. With reference to the internal audit report, the Council then agreed unanimously (proposed by Cllr P Pedrick and seconded by Cllr Putt), and the Chairman & Clerk signed, its key governance document - the annual governance statement. Both these statements form part of the Council's Annual Return to the Audit Commission which would be sent off by the Clerk immediately to comply with the Council's 20<sup>th</sup> June External Audit deadline.
- C. The Finances reported at Appendix A - including the addition of a late staged payment to the Hope Cove Lifeboat (as previously agreed and budgeted for) of £250 were discussed. Given the interests declared, Cllrs Boyce and Kendall and Cllrs Yeoman and P Pedrick selectively withdrew from discussion. Cllr Putt proposed and Cllr Smallman seconded approval of the accounts and payments, the late payment to the Hope Cove Lifeboat was proposed by Cllr Kendall & seconded by Cllr Boyce. The cheques were drawn.
- D. The draft protocol to ensure the safe and prudent management of Parish funds including by electronic means circulated and discussed last month was proposed for approval by Cllr L Pedrick and seconded by Cllr Smallman and adopted.
- E. *Post meeting note; The Clerk advises that the Council is now fully registered as a new Employer for PAYE purposes, is operating PAYE and the appropriate returns are being made to HMRC online.*
- F. *Post meeting note; The Clerk advises that the Council's Insurance premium is now with Aviva (through Came & Company Parish Insurance) offering, as they did, a more competitive policy and premium.*

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#### 780 BUSINESS UNDER DIRECTION OF THE CHAIRMAN

- A. The Chairman brought a NALC policy consultation re. the relaxation of planning rules for change of use from commercial to residential to the Council's attention. Whilst changes to buildings themselves would still need planning permission, the change of use from business to residential would be permitted development. For Malborough it was felt that the main query was w.r.t. the status of agricultural land and Cllr Yeoman undertook to raise this in his responses.
- JY
- B. The Chairman informed members of the forthcoming elections to DALC County Committee and sought views on the selection of up to five candidates.
  - C. Cllr Putt highlighted the fact that the Jubilee Seat needed refurbishment. This was agreed, quotes to be sought.
  - D. Cllr Putt highlighted the increasing problem of dog mess around the village; the dog warden would be contacted.
  - E. The Village Sign was reported by Cllr Putt to be severely faded; could it be touched up (enamel paint) or replaced? The meeting agreed to look into this.
  - F. Cllr Kendall asked for the Old Vicarage to be written to again re the on-going saga of their rubbish; could the bags etc not be stored inside the gate and so limit the unsightly overspill?
  - G. Cllr Kendall informed the meeting that she had been approached with a request for lines to be drawn outside a village property to stop other people parking. Her response had

## MALBOROUGH PARISH COUNCIL

### Minutes of Parish Council Meeting;

---

been to ask the proposer to write in with more details but she had intimated that it was very unlikely.

- H. The Chairman asked the meeting if we should bring the time of the Council meetings forward to 7.30pm ....by majority vote this was agreed.

Actions: DE

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#### 781 CORRESPONDENCE

- There was no correspondence in addition to items taken under the Agenda

Mr Morgan left the meeting

The meeting then moved to closed session.

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#### 782 POST ELECTION; COUNCILLOR VACANCY

Advertisements placed on the Council Notice Boards, the Messenger and in the Village Voice section of the Gazette had elicited a number of enquiries. Three potential candidates had finally put themselves forward and submitted summary details about their experiences and interest.

It was noted that, In the event of a casual vacancy occurring, public notice must be given by the Parish Council (Section 87(2) of the Local Government Act 1972). The notice must be displayed in conspicuous places within the Parish/Parish Ward. An election, to fill the vacancy, will be held if ten electors of the Parish/Parish Ward write to the returning officer at SHDC, asking for an election to be held. The notice must be displayed for fourteen days (excluding Saturdays, Sundays and Bank Holidays). If no request for an election is made, then the Parish Council must fill the vacancy by co-option as soon as practicable after the expiry of the fourteen days referred to above. Once an election has been requested, the vacancy must be filled by election, and the Parish Council cannot fill it by co-option, even if there are insufficient candidates. Where the casual vacancy occurs within six months before the day on which the councillor whose office is vacant would have retired, an election to fill the vacancy shall not be held.

The Council therefore asked for the relevant notice to be posted as soon as possible (*post meeting note: done 16<sup>th</sup> June 2011*). If no election is requested the Council would hope to have a co-optee in place in time for the July meeting. To facilitate this, a secret ballot was taken with the voting slips then sealed in an envelope with the results unknown. If, at the end of the 14 day period, the Council is required to co-opt the envelope will be opened and the majority candidate invited to join the Council. If there is no clear majority the Council will reconvene.

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There being no further business the meeting closed at 10.25pm

#### **DATES FOR THE DIARY**

Wednesday July 20th; the next **Parish Council Meeting** would commence at **7.30pm**, Village Hall Annexe.

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

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

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**  
Cllr. Gill Boyce  
Cllr. Ann Kendall

**For Information**  
District Cllr. John Carter  
District Cllr. Paul Coulson

# **MALBOROUGH PARISH COUNCIL**

## **Minutes of Parish Council Meeting;**

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Cllr. Lucinda Pedrick  
Cllr. Paul Pedrick  
Cllr. Edmund Putt  
Cllr. Roger Rendle  
Cllr. Ann Smallman  
Cllr. John Yeoman (Chairman)

County Cllr. Sir Simon Day  
Mrs E. Bond  
Reverends K. Haye & T Skillman  
Malborough Parish Council Notice Boards (2)  
Malborough Primary School  
Malborough Village Hall Committee  
    Mr A Morgan  
    Ms Da Einon  
    Mr C Musgrave  
Malboroughvillage.org.uk  
Salcombe Police Station  
Mr Tony Lyle  
Mrs Wendy Taylor (youth club)  
Ms Louise Tucker

