

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

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<b>Date:</b> 20 <sup>th</sup> February 2013		<b>Venue &amp; Time:</b> The Annexe, commencing at 7.30pm
<b>Present:</b> Cllr Gill Boyce Cllr Ann Kendall Cllr Lucinda Pedrick Cllr Paul Pedrick Cllr Kevin Yeoman Cllr John Yeoman (in the Chair)	<b>In Attendance:</b> Debbie Ede Clerk & Minute Taker  Dist Cllr Rufus Gilbert } part meeting Sgt David Green }	<b>Apologies:</b> Dist Cllr Coulson Cllr Kathy Harrod  <b>Absent:</b> Dist Cllr Carter Cllr Roger Rendle Cllr B Sweetman

**Ref 2012/13 Minutes** **Action**

**134** Dist Cllr R Gilbert was in attendance; he asked whether he could do more to facilitate the parking problems? He mentioned that he was unlikely to be able to attend again before the election (for County Cllrs). He asked whether he could do/progress anything else? It was noted that the light in the toilet had now been mended. Dist Cllr Gilbert mentioned that, for the fiscal year 2014/15, SHDC were looking to close some toilets around the South Hams for 4/12ths of the year, those that are under used. All public toilets are currently under review with water consumption as the primary gauge of use. (So the Parish Council advise you to use it or lose it!) If, as a result of the review, the toilets remain open for those 4/12ths, then the frequency of cleaning might be reduced as some £80k savings are being targeted by SHDC for this initiative. Cllr Gilbert mentioned that the South Hams had the highest incidence of public conveniences in the country with 48 within its boundaries.

At 7.45pm Dist Cllr Gilbert left the meeting

**135 INTERESTS** - none were initially declared but, see Minute Ref. 145(G), w.r.t. Morrisons application for fuel outlet, when this was raised Cllr P Pedrick declared an interest and left the room whilst discussions took place.

**136 MESSENGER**

Cllr L Pedrick volunteered to write the Messenger report

**137 MINUTES OF THE PREVIOUS MEETINGS**

The minutes of the Parish Council meeting of 16<sup>th</sup> January were agreed and signed as a true record, proposed by Cllr Boyce and seconded by Cllr Kendall.

**138 POLICE BUSINESS & NEIGHBOURHOOD WATCH**

In attendance was Sgt David Green the police team leader for Kingsbridge and Dartmouth who had been in office for less than 12 months. He gave his apologies for not attending sooner but Cllr J Yeoman stressed that PC Steve Mullen and PCSO Dave Gibson looked after us very well. Sgt Green said he was glad to have opportunity to visit especially since it was the first meeting since the recent dreadful event; he said policing such an event required a delicate balance to be struck, allowing Malborough to re-establish the status quo with a deliberate decision by the police to keep a low profile. He said he was here to reassure us and that, whilst it was an unfortunate event, it was no way connected with the local community.

Reporting on the crime figures year to date (1st Jan to date) 5 crimes had been committed; the murder, 1 cannabis warning for personal use and one individual in possession of 3 illegal items. This outturn matched that of last year so Malborough was on an even keel w.r.t. crime. There is no discernible pattern however as last years' crimes included a spate of damage to vehicles and a couple of assaults. He also informed us that a search warrant had been executed in Collaton Road under the Misuse of Drugs Act where the occupant was given a warning in line with CPS policy. If that person transgresses again there will be a step up in response. This investigation

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was sparked by the local community feeding intelligence into the police. For information this can be done through PC Mullen & PCSO Gibson or by ringing CRIME STOPPERS on 0800 555 111. This is a confidential 24/7 crime information helpline which people can ring.

Regarding PC Steve Mullen's retirement on June 20<sup>th</sup> Sgt Green could give no guarantees on his replacement given the current fiscal situation but said "...there was a strong likelihood that we would be replacing him....I would anticipate I would be able to, if not providing a direct replacement for Steve, have some local dedicated support - something similar, if not identical, is envisaged." Cllr Yeoman said that continuity was very important and all agreed the village had been very well served by Steve. Sgt Green went on to say "I completely understand and agree with your wish for continuity, Steve will be a hard act to follow. If it is within my power to source someone that will remain around for a long time, than I will do my best". Cllr K Yeoman stressed too the importance of local knowledge.

Cllr J Yeoman queried the new Licensing applications by the Co-Op. The current hours are 08.00-23.00 weekdays and 10.00 -22.30 on Sundays. The application is to extend the license to 05.00 - midnight seven days per week. Some complaints have already been made to Councillors from immediate neighbours. Sgt Green replied that, as with all licensing changes, SHDC will consult with the community and police. It was the first he had actually heard of it, normally the Police Licensing Dept will take a view, referencing any history of disturbance etc. Sgt Green had not been asked for an opinion. Cllr L Pedrick said residents had reported problems with people rummaging in and around the bins in the Co-op car park late at night - would this be exacerbated by longer licensing hours? Cllr Yeoman said we would reflect the village views back into the consultation. *At 20.05 Sgt Green left the meeting.*

Discussion continued about the Co-Op application; the meeting decided that the hours in Malborough should match those proposed for Totnes ie: 07.00 - 23.00 Mon-Sat with Sundays unchanged at 10.00-22.30.

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

- A. The First Aid course on the 23<sup>rd</sup> January was attended by c. 16 people and the meeting expressed its thanks to Steve Mullen and colleagues for arranging it; a letter would be written acknowledging this. It was thought to have been very successful (feedback forms received). A further session had been suggested during the summer (June).
- B. Re. the Community Right to Buy; the four assets previously discussed have been submitted to SHDC for consideration. However the Right to Buy protocol seeks to protect assets in current public use and not any aspired future use. A decision on whether we have successfully registered the four assets will be received within 8 weeks.
- C. Regretfully there have been no more returns of the Emergency Planning forms but existing data is on file and will be used to identify resources and vulnerable households as necessary in any emergency. Any additional information etc can be sent to the Parish Clerk at any time.
- D. Re the defibrillator; following communications from the Ambulance Trust it was agreed that we ask them to widen the 'inform area' to at least 2 miles: when someone dials 999, they be told of the availability of the local defib even if they are reporting an incident more than ½ mile away.
- E. Fireworks at the Old Vicarage have been referred to SHDC Environmental Health and Devon & Somerset Fire Brigade for guidance - SHDC have requested specific

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details to be able to progress the enquiry. All members were asked to record details re future incidents.

- F. Whilst a quote had been received to redecorate the Noticeboard outside the Post Office it was still leaking suggesting remedial repairs are needed. Dave Illingworth would be asked for a quote since he had just replaced the cork and identified the leak. It was noted the cork on the new noticeboard had blown in the wet weather and also needed attention.
- G. A response had been made to The Boundary Commission re their electoral review of the South Hams, with Malborough recommending that the number of Councillors should remain at 40 but that boundaries should be redrawn such that Salcombe is separated from the rural outlying Parishes.
- H. Specific 'culprit' information had been passed onto the dog warden in the hope that fines etc would be levied which would encourage dog owners to clean up after their pets. The situation was worsening but more parishioners were coming forward to report incidents.

**BE WARNED - the dog warden will be visiting YOU if you continue to allow your pet(s) to foul the village!**



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#### 140 HIGHWAYS

- A. The leak by the Green had been mended as per the scheduled road closure 12-14<sup>th</sup> February.
- B. A parishioner had sent in details of the extensive potholes in Broadmoor Lane and the meeting will liaise with DCC for their repair. Mud had been cleared around Bolberry lane by David Lidstone (Iron Railings Corner). A marking post had been requested for the unprotected buddle hole there. Cllr J Yeoman also reported significant pothole/erosion damage along the Soar Road especially around Broadowns and towards Furzedown. The buddle hole between Broadowns and Bolberry Lane End was noted as a traffic and pedestrian hazard given it was unprotected and of significant size. Given the water was draining into an arable field discussion took place as to whether the drain could be piped across the field to a watercourse.
- C. DCC have responded to the query about the gritting position to Hope Cove given the siting of the 24/7 Rescue Services at Hope Cove - lifeboat/coastguard station and two 1<sup>st</sup> responders. We are told that there is no obligation on them to grit the route from Malborough to Hope. The argument being the rescue services have to fully manned, 24/7 to merit primary route gritting. Cllr P Pedrick asked that we respond saying that the Hope Cove Coastguard was no different from the retained fire service and, with 50% of the coastguards coming from Malborough gritting was considered a priority.
- D. Fly tipping down Collaton Lane was reported by Cllr L Pedrick.

#### **For Information:**

- Fly-tipping is the illegal dumping of waste and is a criminal offence. Fly-tippers can be fined up to £50,000 in Magistrates' Courts and face unlimited fines in higher courts, as well as community punishment orders or prison sentences of up to five years.

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- If you have any information concerning the identities of individuals responsible for fly tipping, please contact the [The Environment Agency at www.environment-agency.gov.uk](http://www.environment-agency.gov.uk), who are responsible for enforcing the law regarding waste disposal.
  - SHDC has a responsibility to collect fly tipping from public land such as highways etc. If you see any fly tipping which looks like it may be on public land please report it to [customer.services@southhams.gov.uk](mailto:customer.services@southhams.gov.uk)
  - Where waste is fly tipped on private land it is the responsibility of the land owner to arrange its collection and disposal.
  - Advice to the public and landowners on tackling and reporting fly-tipping can be found at: [www.tacklingflytipping.com](http://www.tacklingflytipping.com)
- E. Outstanding with DCC are the reinstatement of the cycle track sign, the traffic speed restriction sign on Collaton road and the finger post at Soar. The Shute Park sign has also not been resurrected, reminders have been sent. DCC are following this up.
- F. The meeting noted that the Collaton Road sign has been damaged and is askew; this will be added to DCC's works list
- G. Cllr Boyce queried whether the NT sign advertising Overbecks would be on the verge coming into Malborough all year and Cllr Kendall mentioned that the Gull Perch/Bunker advertising signs were 'tacky'. The meeting discussed their response to this ad hoc signage and agreed that, as long as the signs were temporary (given it was half term week), no immediate action would be taken but a watching brief would be kept.
- H. Cllr Boyce asked that the buddle hole in Collaton Lane be dug out (before the garages).
- I. A response is still awaited from DCC about the new disabled bay in Lower Town

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#### 141 FOOTPATHS TREES & ALLOTMENTS

- A. The school had clarified the position re the felling of the two sycamores at the school. They say "Although school organised and had to fund the removal, it was only done following our three yearly tree inspection, which is implemented and carried out by DCC themselves, so it was they who advised us to remove it and with reference to the wall damage.... We also used a contractor that is listed on the DCC preferred contractors list so as far as we are concerned, we did everything correctly!"
- B. Tony Lyle, responding to the last Minutes, advises that the Allotment holders are members of the National Allotment and Leisure Gardens Association.
- C. The meeting noted that one allotment plot is becoming vacant on 31<sup>st</sup> March with one potential tenant on the waiting list. If this was not let it would be advertised.
- D. Re the cycle path the continuing problem with thorn hedge - response is still awaited from DCC to ascertain the current position and their agreement with the landowner.
- E. A parishioner and keen horse rider had queried the progress of the establishment of the Furzedown Track as a bridleway. DCC have again advised that this would be considered as part of the next Definitive Map Review (DMR). However the Parish do have to right of appeal to the Secretary of State given no progress has been made for more than 12 months. The meeting discussed this and agreed to find out when the next DMR is scheduled. Cllr Pedrick said an appeal should be pushed if the DMR is more than 12 months down the line.
- F. Cllr Boyce said she had received a request from a parishioner for more dog friendly stiles round Withymore/Burleigh Lane (but noted that this is the responsibility of South Huish Parish Council).
- G. Cllr Harrod had reported that along Collaton Rd (as you walk from Westerlings up to Cumber) there is an area of wall that has plants/bushes overhanging. Cllr Boyce will investigate.
- H. o/s and c/f : Cllr J Yeoman is obtaining quotes for the resurfacing of the Pound Path and the cut of the Collaton bank is waiting on the weather.

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#### 142 VILLAGE HALL

- A. The VH&PFA have sent out their revised tariff for the use of function rooms; these were noted.
  - B. The Councillors' request for a key is being taken to the next VH&PFA committee meeting
  - C. Cllr Harrod had advised that Myra would very much like to put a bench in the childrens' play area in memory of Alan Cooper and asked whether this can be agreed or does it also require permission from the VHC? Given the land belongs to MVH&PFA it is suggested Myra liaises directly with them, the Parish Council would certainly support the idea.
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#### 143 FACILITIES FOR YOUNG PEOPLE

The success or otherwise of the grant applications to St Austell Brewery Charitable Trust and the Devon Community Foundation are o/s, now expected in March. If these are successful we will have reached our funding target and the 3<sup>rd</sup> phase can be commissioned! Draft safety signs have been designed and are pending on identifying the final funding partners and Cllr P Pedrick is liaising with Dave Illingworth re display options. Costs for c. 2'6" by 3'6" notice board on two legs have been requested. The Clerk advised that the balance of the SDCLAG funding had now been received, their support totalling £14, 957 for this project.

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#### 144 FINANCE & GOVERNANCE

- A. The monthly accounts and bills to pay were received, Appendix A. A proposal to accept the accounts and authorise the payments was made by Cllr Boyce, seconded by Cllr Kendall and passed unanimously. The cheques were drawn.
  - B. Thank you letters had been received from the CAB and the Horticultural Society for their recent grant awards.
  - C. An inventory of mugs was required and a final price would be calculated; Cllr J Yeoman agreed to speak to Gail Allen.
  - D. A notice had been received from SHDC re allowances for Councillors - albeit Malborough Parish Councillors have never claimed them.
  - E. Cllr Harrod had queried whether SVRA had ever contributed to village fund raising given their healthy bank balance? Their upcoming AGM was felt to be the time to make such enquiries.
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#### 145 PLANNING

- A. No applications had been received since the last meeting and only one decision had been made by SHDC. This was :  
**33\_46-0126-13-MIN** Conditional approval. Site Address: Land adjacent to Alston Nursery, Alston Gate, Malborough, TQ7 3BT. Proposal: Non material amendment to planning consent 46/1890/11/F (site boundary).  
Given this was a non- material amendment, as per custom and practice, the Council had not received any prior notice or information regarding this. However it was stressed by South Hams that this was a small boundary change and did not materially affect any of the previously granted planning permission or conditions. Malborough Parish Council however had requested specific information so that they could answer any queries that might be raised.
- B. Re. the Batson Cross development; a summary of discussions etc to date is available with the full transcript of meetings available at [www.batsoncross.com](http://www.batsoncross.com). Cllrs L & P Pedrick had attended the drop in session. Concerns were raised about the supporting infrastructure,

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specifically sewerage and Cllr P Pedrick suggested that we write to SWW with our concerns. What is the capacity of the local sewerage treatment and when do they anticipate it will reach capacity?

- C. Enforcement matters outstanding include:
  - a. The height of the new build barn at Higher Soar.
  - b. On-going problems at Cross Park
- D. Re the number of movements out of the Bolt Head airstrip, SHDC had inspected the flight log which recorded less than the permitted 210 movements. Whilst this was at odds with the records kept by parishioners themselves, with less than 210 officially recorded no increase in movements could be applied for on the grounds that higher usage was now the norm. A watching brief would be kept. Another parishioner had also queried the increased usage.
- E. The crab processing query had been looked at by SHDC but no further action was being taken as it is for home use (as long as no advertising notices are displayed).
- F. There was an on-going query about work being done at Westerlings in Collaton Road; it was not thought to be a like for like replacement - the meeting requested that planning review this (Dist Cllr Coulson had been taking this forward).
- G. Cllr K Yeoman asked the meeting about their opinion on the planning request by Morrisons for a fuel outlet. Cllr P Pedrick expressed an interest and left the room whilst discussions took place. Concerns were expressed about the increased traffic, the effect on existing businesses (would they still be viable, would jobs be lost etc?) There was a school of thought that the area was allegedly oversubscribed with petrol stations. Cllrs decided to make a representation to SHDC planning about their concerns.
- H. With both Parish & Neighbourhood planning to discuss, work had started on drafting a Parish plan for consultation, this to be available for the March meeting and to be then shared at the Parish's Annual Meeting in April. Unfortunately however, 2011 census data is not yet readily available at ward/parish level and up to date demographic information is essential for any plan. Three Malborough representatives would be attending the Neighbourhood Planning Seminar (FOC) on 7<sup>th</sup> March (Ann, John & Debbie). o/s with Dist Cllr Coulson was his undertaking to get a SHDC representative to brief the Council and the arrangement of a local seminar about Masterplans. There is also a planning workshop at South Hams on the 27<sup>th</sup> March in the morning - this was thought to be totally unrealistic timetabling as most Councillors work.

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#### 146 BUSINESS UNDER DIRECTION OF THE CHAIRMAN

Cllr J Yeoman raised the following issues;

- A. A letter has been received from Hastoe's Regional Administrator re – Great Park, Malborough, Devon, TQ7 3BS. This notifies us that...  
**“A tenant is moving out of one of the one bedroom houses at Great Park during the next few weeks. If the Parish Council knows of any families who are in need of local rented accommodation I would be very grateful if you would refer them to the Housing Register at South Hams District Council....”**  
Could any interested parishioner please take note and contact SHDC asap.
- B. Cllr Yeoman had been told that the housing allocations policy had been altered such that people with a local connection would receive priority. No official confirmation has been received as yet.
- C. In response to concerns about the current, and proposed future levels of fire service cover for the district of South Hams, and in particular, the level of cover provided by stations manned by retained fire personnel, the Community Life and Housing Scrutiny Panel at South Hams District Council, has requested the attendance of the Group Commander for South



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Devon, from Devon and Somerset Fire and Rescue Service, to its next meeting on Thursday 14 March 2013 (a.m.) Parish and Town Councils are asked to email any concerns or questions you may have about future fire service provision, or any examples you have experienced, where provision has fallen short of what was considered acceptable.

- D. Cornish Mutual were advertising 4 grant awards ( 1 for Devon) for communities showing 'good community spirit'
- E. An enquiry had been received from a relative of the pilot of a WW2 airplane which crashed in Malborough. In summary, referencing research done and a report compiled by Brian Taylor, three liberators were known to have taken off from North Cornwall to drop mines off Germany but, with the weather closing in, one decided to circle lower and lower round Malborough. Attempting to land without radar in the fog it came up from Blanks Mill, hit an electric cable and a mine detonated. This blew up the plane and the debris scattered amongst the neighbouring houses, with engines landing in adjacent fields, one hitting the nearby water tower that supplied the village. It apparently burnt for days and if the plane hadn't hit the electric cable all of Higher Town would have been taken out. Cllr Boyce said it would be nice to have some sort of commemorative plaque for the nine airmen, maybe in the Church, and also to gather more eye witness accounts – please could anyone feed information into the History Society. It was hoped to put together a full account for a future edition of the Messenger. This also to include the story of Stan Yeoman who was blinded in the crash. The pilot's relatives were planning a visit to Malborough so this would be an ideal opportunity to recognise the event.

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### 147 CORRESPONDENCE

In addition to that taken under the agenda correspondence had been received from;

- SW Path Association
- Marine Conservation Zones - consultation

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There being no further business the meeting closed at 21.45hrs

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**DATES FOR THE DIARY:** the next Parish Council Meeting would be held on Wednesday MARCH 20th at 7.30pm at **the School.**

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

Cllr. Gill Boyce  
Cllr. Kathy Harrod  
Cllr. Ann Kendall  
Cllr. Lucinda Pedrick

Cllr. Paul Pedrick  
Cllr Kevin Yeoman  
Cllr Barry Sweetman

Cllr. Roger Rendle  
Cllr. John Yeoman (Chairman)  
Morgan, Ms Da Einon, Mr A Purchase

#### For Information

District Cllr. John Carter

District Cllr. Paul Coulson  
County Cllr. Sir Simon Day  
Dist Cllr R Gilbert  
Mr Tony Lyle, Ms Louise Tucker, Mr E Putt

Salcombe Police Station  
Mrs E. Bond  
Reverend T Skillman  
All Saints Church  
Malborough Parish Council Notice Boards (2)  
Malborough Primary School, Malborough Village Hall Committee: Mr A

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Appendix A

Category	Descriptor	Paid In	Paid Out	Cash Book Balance
	<i>Cash Book Balance b/f from last month*</i>			10,630.65
Payment	D Ede petty cash		- 6.76	10,623.89
Payment	Malborough with South Huish School (£325 TAP/£75 MPC)		- 400.00	10,223.89
Payment	All Saints Church (Jubilee Fund)		- 125.00	10,098.89
Payment	MVH&PFA (Room Hire)		- 216.00	9,882.89
Payment	WRVS		- 100.00	9,782.89
Payment	CAB		- 100.00	9,682.89
Payment	Horticultural Society		- 100.00	9,582.89
Payment	D Ede Salary		- 520.46	9,062.43
Receipt	Messenger	141.15		9,203.58
Receipt	zumba	70.00		9,273.58
Receipt	Messenger	84.80		9,358.38
Receipt	zumba	85.00		9,443.38
Receipt	balance of LAG funding	1,957.00		11,400.38
Receipt	Interest (gross)	0.38		11,400.76
<b>TOTALS YTD Financial year 2012/13</b>		<b>£ 57,423.86</b>	<b>-£ 67,104.51</b>	
<b>RECONCILIATION CASH BOOK TO BANK</b>				<b>£</b>
Cash book balance b/d	<b>FY 2012/13, months</b>		<b>11</b>	<b>£ 11,400.76</b>
Balance at bank at end :			<b>19th February</b>	
	<b>Revenue Accounts</b>		<b>11,358.42</b>	
	<b>Unpresented Items</b>	receipts	<b>169.80</b>	
		payments	<b>- 127.46</b>	
			<b>£ 11,400.76</b>	<b>-</b>
				<b>Variance</b>
<b>ACCOUNTS FOR PAYMENT</b>				
D Ede (Salary)	<u>for February</u>	<i>paid on 15th of the month by standing order &amp; included in the above balances</i>		<b>520.46</b>
Plus	D Ede petty cash (stamps and dog fouling notices)			16.14
	Viking			93.53
	Malborough Forge			102.00
	Gill Whitmore			120.00
				<b>331.67</b>
<b>RECEIPTS &amp; PAYMENTS REPORT TO COUNCIL</b>				
<b>MEETING DATE</b>		<b>20th February 2013</b>		
	Prepared By:	<i>Debbie Ede, Clerk to the Parish Council</i>		
	Date:	<i>19/02/2013</i>		