

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

Date: 20 <sup>th</sup> March 2013	Venue & Time: The School, commencing at 7.30pm	
<u>Present:</u> Cllr Gill Boyce Cllr Kathy Harrod Cllr Ann Kendall Cllr Lucinda Pedrick Cllr Paul Pedrick Cllr Roger Rendle Cllr B Sweetman Cllr Kevin Yeoman Cllr John Yeoman (in the Chair)	<u>In Attendance:</u> Debbie Ede Clerk & Minute Taker Dist Cllr Carter Dist Cllr Coulson	<u>Apologies:</u>  <u>Absent:</u>

Ref 2012/13 Minutes	Action
<b>148 INTERESTS</b> - none were declared	
<b>149 MESSENGER</b> Cllr L Pedrick volunteered to write the Messenger report	
<b>150 MINUTES OF THE PREVIOUS MEETINGS</b> The minutes of the Parish Council meeting of 20 <sup>th</sup> February were agreed and signed as a true record, proposed by Cllr Boyce and seconded by Cllr Kendall.	
<b>151 POLICE BUSINESS &amp; NEIGHBOURHOOD WATCH</b> <ul style="list-style-type: none"> <li>A. Cllr K Yeoman reported on-going parking problems, on the double yellow lines around Lower Town especially on Vicarage Corner. This would again be reported to Dist Cllr Gilbert for liaison with SHDC Street Scene.</li> <li>B. Cllr K Yeoman asked whether parking can be stopped in turning circles in Shute Park; given it's causing an obstruction then it is a traffic offence and is a police matter. Cllr P Pedrick undertook to raise this with PCSO Gibson</li> <li>C. Discussions took place about PC Mullen's pending retirement in June (19th) - all Councillors agreed that we should mark the occasion as he had served the parish well. Dist Cllr Carter suggested we might think of joining with South Huish and it was agreed we would also put collection tins in the Malborough &amp; South Huish Post Offices.</li> </ul>	
<b>152 MATTERS ARISING (from previous minutes only)</b> <ul style="list-style-type: none"> <li>A. Re the house to let in Great Park - local families are liaising with SHDC. There is also a potential house swap pending, an occupant wishing to swap with a tenant in Kingsbridge - within the terms of the s106 this IS allowed as Kingsbridge is a named Parish within the s106. The meeting abhorred this as the housing development was specifically for those with a local connection but it is an anomaly within the legal agreements for social housing and there is absolutely nothing that can be done. The meeting again said there should be far more involvement of the Parish in the drawing up of any future s106.</li> <li>B. Re. the Community Right to Buy; the four assets previously discussed have been submitted to SHDC for consideration. Note however, that the Right to Buy protocol seeks to protect assets in current public use and not any aspired future use. SHDC have come back and said that, given the Pound and the Green are not registered to anyone, it might be better for the Parish to register ownership. The costs of doing this will be investigated.</li> <li>C. Re the defibrillator; following communications from the Ambulance Trust we asked them to widen the 'inform area' to at least 2 miles, ie: 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. However they have refused to do this. Cllr P Pedrick suggested we contact Ian Knight to query this as he believed it should be down to local arrangements. Also Cllr</li> </ul>	

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Pedrick advised that national policy had changed and it was recommended that cabinets are left unlocked. He felt that the Malborough cabinet should be either exchanged or left unlocked. It was agreed to query whether we could have a new cabinet. Cllr Pedrick also asked whether anyone checks the device regularly - there is an indicator light on the front of the box that turns red to indicate a fault. It was believed that the Post Office staff check the equipment daily but all Cllrs agreed to look check it whenever they pass by. Maybe it would be possible to ask local residents around Church Gate to keep an eye on it too?

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### 153 HIGHWAYS

- A. DCC have responded to our further 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, again, told that there is no obligation on them to grit the route from Malborough to Hope. With examples of other villages getting gritted - Bigbury on Sea for instance, the meeting queried how the eligibility criteria were applied? It was hoped that the new County Councillor, when elected in May, might take this forward.
- B. Still 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 and DCC are progressing some but they are now saying that road signage is SHDC's responsibility .
- C. Cllr P Pedrick said the recent road repairs done in Collaton were breaking up already and the standard of workmanship was very bad, the joints were not sealed and the frost had already lifted the patches. He asked who monitors this? South West Highways are the contractors for DCC so complaints would be fed back to County.
- D. Cllr P Pedrick said the drain in the splay on Vicarage Corner was sinking/low; this would be reported.

### 154 FOOTPATHS TREES & ALLOTMENTS

- A. The meeting noted that one allotment plot is becoming vacant on 31<sup>st</sup> March, this will now be advertised in the Messenger.
  - B. A parishioner and keen horse rider had previously 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) but, on further enquiry, DCC could give no indication of when this review would take place. It was therefore agreed that the Parish would look into what has to be done to initiate an appeal and the costs thereof.
  - C. Cllr J Yeoman is awaiting a visit from contractors to look at the resurfacing of the Pound Path - it was agreed to give Cllr Yeoman the OK to proceed with repairs if the costs would be less than or equal to £175. If the estimate was more than this any decision to proceed would be brought back to the meeting, proposed by Cllr K Yeoman, seconded by Cllr Sweetman.
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### 155 VILLAGE HALL

- A. MVH&PFA have agreed that the Parish Council can be a key holder for the hall, thank you.
- B. Cllr Harrod reported that the committee are drawing up short & long term plans, to include;
  - a. The removal of the tennis court trees
  - b. The refurbishment of the gents toilets
  - c. An extension, new chairs & flooring

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- d. The installation of solar panels, considered to be an income generator for the hall. The VH will be funding £5k, but will be looking for other partners (SHDC, Parish Council etc) in due course.
  - e. The installation of a memorial bench for Alan (Postie) to tie in with phase 3 of the playground
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### 156 FACILITIES FOR YOUNG PEOPLE

- A. Cllr Yeoman informed the meeting that the grant applications to the St Austell Brewery Charitable Trust and the Devon Community Foundation have been turned down as their funds are oversubscribed and we are so nearly at our target. Updating the meeting the Clerk advised that, with the utilisation of the 2012/13 zumba profits, we are £1,400 short on funding for the final module. However Wicksteed have been approached to see if they would fund the RoSPA accreditation and have offered us a further discount if we can place the order before the end of the financial year. This would mean a shortfall of only £415 before any distribution of the website profits (c. £300 agreed in principle). The VH&PFA has indicated they would agree to a draft proposal to fund the balance 50:50 with the Council to enable us to take advantage of the discount before 31<sup>st</sup> March. Proposed by Cllr Kendall and seconded by Cllr Harrod, the meeting agreed to place the order for Module 3 and Dist Cllr Coulson pledged to investigate whether he could help bridge the final funding gap. At worst the Parish Council needs to fund 50% of the £415. The safety signs will also now be ordered and, o/s, 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.
  - B. Cllr Kendall reported that zumba is now finished for the summer as the hall cannot be made available at 6pm for the next 6 months or so because of MAD kids. The class moves to Salcombe for the summer but will hopefully revert to Malborough in September as no other night is available. Malborough was a popular venue because of the sprung floor and ease of parking.
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### 157 FINANCE & GOVERNANCE

- A. The monthly accounts and bills to pay were received, Appendix A. A proposal to accept the accounts and authorise the payment was made by Cllr Harrod, seconded by Cllr P Pedrick and passed unanimously. The cheque was drawn.
  - B. The meeting noted that the Internal Audit commences 20<sup>th</sup> May 2013 for the 2012/13 financial year.
  - C. A thank you letter had been received from the WRVS for their recent grant awards.
  - D. An inventory of mugs was required (a mug stocktake was requested for the next meeting) and a final price would be calculated; Cllr J Yeoman agreed to speak to Gail Allen.
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### 158 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 within the Parish.
    - a. 33/0355/13/F Householder application for extensions and alterations to dwelling - The Bolt Hole, Malborough, Kingsbridge, TQ7 3DS, Mr R T Hanham of The Bolt Hole Malborough Kingsbridge TQ7 3DS. *MPC approval*
    - b. 33/0636/13/F Householder application for new entrance and gates to property for Mrs B Forshaw-Wilson & Mrs C Ford. - Pipers Moon, Bolberry, Malborough, Kingsbridge TQ7 3DY *MPC approval*
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- c. 33/0631/13/F Provision of stables in barn and use of land for horses with new access track for C F Drabble. Stable at SX 7165 3977, Salcombe Road, Malborough, Kingsbridge, TQ7 3BX . *MPC approval with condition that use be restricted for equestrian use, proposed by Cllr Boyce, seconded by Cllr Harrod and carried by majority vote.*

B. SHDC Decisions - None have been received since the last meeting

C. Other Planning Issues

- a. SHDC have replied re the Alston gate minor amendment query to say that it was merely an alignment of boundary details across two maps.
- b. Re the planning workshop on 27<sup>th</sup> March 10-12 noon, comments have been fed back to SHDC that the times are inconvenient for working Cllrs.
- c. Cllr Kendall queried why the planning lists published on the SHDC website, albeit very useful, were often some 2 weeks behind the actual applications/decisions? Dist Cllr Carter agreed to investigate.
- d. MP Dr Sarah Woolaston is hosting the housing minister, Nick Boles, at an open meeting/planning surgery at Dartington Hall, in the Great Hall on the 10th April from 11.30 am - 12.30pm.
- e. Re. the Co-Op's application to extend their License to sell alcohol, a hearing is being held on 9<sup>th</sup> April. Malborough's previous response has to be sent in again to inform the outcome of the hearing. To recap 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. The Parish Council's recommendation is that the hours should match those proposed for Totnes ie: 07.00 - 23.00 Mon-Sat with Sundays unchanged at 10.00-22.30.
- f. Enforcement matters outstanding include:
  - i. The height of the new build barn at Higher Soar.
  - ii. On-going problems at Cross Park - progress was again queried, and both Dist Cllr's reported matters are still in hand with SHDC's legal department and the police now accompany officers on all site visits. Given the trading was taking place on DCC land Dist Cllr Carter undertook to pursue progress and to liaise with County to ensure all aspects of alleged breaches were covered by SHDC and DCC.
  - iii. 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 - Dist Cllr Coulson continues to pursue this.

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### 159 NEIGHBOURHOOD PLANNING.

Cllrs Yeoman, Kendall and the Clerk had the Neighbourhood Planning Seminar (FOC) on 7<sup>th</sup> March and a briefing note had been circulated prior to the meeting. In summary:

#### THE DECISION; DO WE WANT A NEIGHBOURHOOD PLAN?

*Government is placing emphasis on planning at the local level because it believes that local people know best what local needs are and how they can be met. Make no mistake about it however, development IS going to happen and Malborough will need to both develop and grow over the coming years.*

*We should currently be drawing up a new Parish Plan since Malborough has achieved all it set out to do in the last one. A Parish Plan sets out what we want and what we aspire to but it has no legal standing and, in planning terms, does not set out where we might want any development.*

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We also need to do a new housing survey to determine the current and future housing needs of the village. Linking this in with the latest demographic data from the 2011 census should then give us a better understanding of our parishioners' needs into the next decade.

However there then comes a choice - we can sit back and do nothing with respect to the development of the village and its environs or we can be more pro-active.

South Hams District Council has a rolling and strategic planning policy for the area, the Local Development Framework (LDF), for all 64 town councils and parishes within its boundaries. We cannot conflict with any strategic policies within this plan or prevent development included within it **but we can decide where and what type of development should happen and/or include policies that take precedence over those in the LDF**. These could include policies that set out the design of new buildings, protect open spaces, encourage more local employment opportunities, provide clear must have criteria for transport, parking and access etc. To do all this we need to have a Neighbourhood Plan which will encompass any detail we might have included in the Parish Plan (you can never have enough plans!). However if we do it right and follow 'due-process' then our Neighbourhood Plan should be formally adopted as part of the LDF for Malborough. It then **HAS to be considered**, as a statutory document, when determining the outcome of any planning application. There may be elements within it that we choose to be non-statutory and it can be as broad, or narrow, as we wish.

Remember there is currently a presumption in favour of development - it is going to happen and it is the major strategic driver and target for South Hams District Council.

Cllrs John Yeoman and Ann Kendall and I attended a seminar on 6<sup>th</sup> March 2013 about neighbourhood planning. Going with open if somewhat sceptical minds as to both the rationale for having a neighbourhood plan and the wisdom, costs, viability and value of such we came away with a **strong recommendation that Malborough needs to do this**. We need to be pro-active w.r.t. planning for our area - as far as possible - and work with the local community and South Hams to ensure we maximise the opportunities to have more influence and control over development.

However we need to be realistic - a Neighbourhood Plan will not stop or prevent development from happening nor can it or conflict with the strategic policies already determined by SHDC. The Neighbourhood Plan has to be in 'general conformity' with the LDF. That said we know that there are no other sites earmarked for housing within the LDF as the Great Park and Alston Gate developments have already been agreed. Therefore the next round of development could be down to us, through a neighbourhood plan, to determine.

But a neighbourhood plan is not just about more housing, **we have to have a vision for what we want Malborough to look like and be in 20 years' time**. There is no point having new housing if there are no employment opportunities for locals or nothing to attract them back to, or keep them in, the village.

Original concerns about whether or not to proceed with this initiative also centred around cost. 'Due Process' has to be followed and this involves **extensive stakeholder consultation, an independent examination of the plan and, finally, a formal referendum to get it accepted (or not) by the community/parish**. District Councils will receive £30,000 per plan from Central Government to fund these elements and a further grant of, up to, £7k is available for us to apply for to reimburse our costs. These might include meeting venues, stationery, advertising, additional hours worked etc. If the plan is adopted we would also be entitled to 25% of any future Community Infrastructure Levy (a development levy set by SHDC on most new builds)

....And in Conclusion

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The probable timeframe from inception to getting a plan through a referendum is 2 years. Some of the greatest benefits from doing this exercise will come from ensuring we have dedicated time to think, define and re-define what we want Malborough to be in the future. Although we have, very successfully delivered the last Parish Plan, we now need to look forward strategically. As a local council we are close to our community and try to take care of it by improving the quality and range of local services. This latest Government initiative now allows us to have more influence and control and it will give us a framework within which to act and a stronger voice on decisions that affect our day to day lives.

Prepared by: (Mrs) Debbie Ede, Version: 1, 12<sup>th</sup> March 2013

The meeting discussed this new Government initiative at length, looking at the pros and cons of the planning exercise. It was concluded that we need to have a Neighbourhood Plan, and proposed by Cllr Sweetman and seconded by Cllr Harrod, Council unanimously agreed to start the process. The Annual Parish Meeting in April would be used to introduce the concept to the Parish and agree a project plan and timescale for delivery.

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### 160 DISTRICT COUNCILLORS REPORT

Dist Cllrs Carter & Coulson brought the meetings' attention to:

- A. A SHDC briefing document re the impact of the recent welfare changes which gives useful background and impact analysis on the housing benefit changes & bedroom tax for example. *For further information and detail on the individual measures please see: <http://www.dwp.gov.uk/policy/welfare-reform/> or contact Paul Eells, Housing Services Manager 01803 861186*
- B. An on-going consultation re. Devon Home Choice, including the advent of a somewhat bias population sample for a satisfaction survey. SHDC were considering whether housing allocation might be brought back to local/District level to improve accountability and responsiveness.
- C. A further Batson Cross development drop in surgery - scheduled for this weekend, at Cliff House, Salcombe, On: Friday 22nd & Saturday 23rd March, From: 2pm - 8pm Friday & 10am to 4pm on Saturday. The main display will still be up (and comments sheets available) at the Salcombe Library from 25th March to 5th April (except Good Friday and Easter Sunday/Monday). Most of the material, and a comments sheet, will be on the project website till 8th April: [www.batsoncross.com](http://www.batsoncross.com)
- D. SHDC are evaluating the effect of the Community Infrastructure Levy (CIL) v S106 agreements and are also refining their Masterplan to expedite planning processes.
- E. SHDC are refining their draft Dog Control Order which will provide umbrella legislation, making powers available across the District, an empowering order subject to local consultation. Each parish can then decide whether to put in particular controls on specific sites. However any control order is only as good as enforcement and there are limited personnel across the South Hams. There will be the potential for local parishes to recruit dog wardens (but at additional cost). District aim to have the Dog Control Order implemented by September 2013.
- F. In Autumn 2014 SHDC are looking to close village toilets across the South Hams for 4 months of the year in a bid to save £80,000, despite Dist Cllr Gilbert's previous assurance that Malborough's toilet if well used and would not be shut. There would be a consultation exercise run by SHDC in due course but it was suggested we register early

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disapproval. Through raising the precept there might be a possibility that the Parish Council could keep them open.

### 161 BUSINESS UNDER DIRECTION OF THE CHAIRMAN

- A. Cllr Yeoman reported that the Bishop of Exeter is visiting to bless the new Hope Cove Life Boat on 12 noon Sunday 31<sup>st</sup> March, all are welcome to attend.
- B. The meeting noted that the next blood donor session would take place on March 28<sup>th</sup> at the Village Hall

### 162 CORRESPONDENCE

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

- South Hams Society, advertising their AGM on 26<sup>th</sup> March at Kings Arms.

There being no further business the meeting closed at 21.40hrs

**DATES FOR THE DIARY:** The next Parish Council meeting is on Wednesday, 17<sup>th</sup> April 2013, The Annexe. The ANNUAL Parish meeting commences at 7pm under the Chairmanship of Cllr John Yeoman (Chairman of the Parish Council) and will be followed by the Council meeting. ALL PARISHIONERS ARE INVITED TO ATTEND; the Annual Parish Meeting may, by law, discuss all Parish affairs and pass resolutions about them.

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)

#### 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 Morgan, Mrs Gail Allen, Mr A Purchase

## APPENDIX A

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

Category	Descriptor	Paid In	Paid Out	Cash Book Balance
	<i>Cash Book Balance b/f from last month*</i>			11,400.76
Payment	D Ede petty cash (stamps and dog fouling notices)		16.14	11,384.62
Payment	Viking		93.53	11,291.09
Payment	Malborough Forge		102.00	11,189.09
Payment	Gill Whitmore		120.00	11,069.09
Payment	D Ede Salary		520.46	10,548.63
	cheque cancelled		cxd	10,548.63
Receipt	refund of bank charges	70.00		10,618.63
Receipt	Interest (gross)	0.40		10,619.03
Receipt	zumba	45.50		10,664.53
Receipt	zumba	130.00		10,794.53
Receipt	Western Power	3.00		10,797.53
<b>TOTALS YTD Financial year 2012/13</b>		<b>£ 57,672.76</b>	<b>-£ 67,956.64</b>	
<b>RECONCILIATION CASH BOOK TO BANK</b>				
<b>Cash book balance b/d</b>	<b>FY 2012/13, months</b>	<b>12</b>	<b>£</b>	<b>10,797.53</b>

Balance at bank at end :

	Revenue Accounts	Unpresented Items	receipts	payments	19th March
					11,023.99 3.00 - 229.46 £ 10,797.53

Variance

**ACCOUNTS FOR PAYMENT**

D Ede (Salary)	for March	<i>paid on 15th of the month by standing order &amp; included in the above balances</i>	520.46
Plus	MVH&PFA (zumba room hire)		52.00 52.00

**RECEIPTS & PAYMENTS REPORT TO COUNCIL**

MEETING DATE	<b>20th March 2013</b>
Prepared By:	<i>Debbie Ede, Clerk to the Parish Council</i>
Date:	<i>19/03/2013</i>