

MALBOROUGH PARISH COUNCIL

Minutes of Parish Council Meeting;

Date: 18 th March 2015		Venue & Time: The Church, commencing at 7.30pm
Present: Cllr Kathy Harrod Cllr Ann Kendall Cllr Keith Makepeace Cllr Paul Pedrick Cllr Roger Rendle Cllr John Yeoman (in the Chair) Cllr Kevin Yeoman	In Attendance: Debbie Ede Clerk & Minute Taker <u>Part meeting</u> Dist Cllr Paul Coulson Dist Cllr Judy Pearce Dist Cllr Simon Wright	Apologies: Cllr Gill Boyce PCSO Dave Gibson County Cllr Rufus Gilbert Cllr Lucinda Pedrick PC Jo Pengilly

Ref 2014/15 Minutes Action

Dist Cllr Simon Wright took the floor to introduce himself as the candidate for the new enlarged ward (which includes Malborough given the recent boundary changes) for the forthcoming elections on 7th May.

At 7.40 Cllr Wright left the meeting.

154 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the Parish Council meeting of 18th February were agreed and signed, proposed by Cllr Harrod & seconded by Cllr K Yeoman and voted through unanimously.

155 INTERESTS – No interests were declared

156 MESSENGER – Cllr Harrod agreed to summarise the meeting for the next edition of the Messenger.

157 MATTERS ARISING (from previous minutes only)

- A. Re. the problem of parking in Lower Town the Parish Council has now delivered a letter to all households in Lower Town pleading for common sense and good neighbourliness to prevail.
- B. Cllr Kendall reported that the overgrown area at Horseypool had now been cleared.

158 POLICE BUSINESS & NEIGHBOURHOOD WATCH: apologies had been received from PC Pengilly.

- A. One crime was reported by PC Pengilly which was a Public Order offence.
- B. Cllr Kendall reported an incidence of verbal abuse when 2 girls were asked not to walk their dogs on the Playing Fields. This will be mentioned to the police.

159 COUNTY COUNCILLORS REPORT: apologies had been received from County Cllr Rufus Gilbert.

Progress on any DCC concerns are taken under the relevant agenda items.

160 DISTRICT COUNCILLOR REPORT

- A. Dist Cllr P Coulson reported that the Lidstone plans for their potato store were ‘pulled’ from today’s Development Management Committee meeting due to late submissions from a complainant’s barrister. It was accepted that these delays were causing financial hardship to the business but the planning department needed to be 100% sure of their position to prevent the scheme going forward to Judicial Review as more and more decisions are being decided in the Courts.
- B. Re the s106 Education monies - last month Cllr Pearce was asked to take forward the query with SHDC planning officers. To recap: Did the allocation of the Education element of the s106 monies for Alston (both phases) include the Alston Gate houses given that ‘all planning applications are deemed to be built’ when applying the formula? Cllr Pearce pledged to follow this up.
- C. Cllr Pearce reported that:
 - a. Regarding recent National policy changes on Affordable Houses where developments of less than 10 houses no longer have to have Affordable housing, there is a rurality clause that says that, in rural or designated AONB’s, with developments of between 6-10 houses Affordable

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Housing can be asked for but their provision is not mandatory. Pro-tem SHDC will adhere to this National Policy but are waiting on the outcome of a Judicial Review 'Up Country' which may allow a change in policies.

- b. Because of T18 changes the planning department at SHDC is in a state of transition as staff members have to re-apply for their jobs and there are also a number of vacancies/staff off sick. This means that deadlines and process are being, somewhat, compromised.
- c. Re. Alston Gate: A decision notice has been made approving the changes on plots 6-17 but this will not prejudice the outcome of the appeal hearing on plots 1-5. **The appeal hearing is on 21st April 2015, 10am, at Follaton House** and Cllr J Yeoman will attend for the Council and Parish. **Any parishioner that has an interest is also welcome to attend as it is a Public Meeting/Event. Anyone wishing to speak should register with the Inspector at the start of the meeting at 10 am.**

The Parish Council has also made a submission to the appeal hearing which reads: "...Malborough Parish Council supports the stance taken by South Hams District Council and would urge the Inspectorate to refuse this Appeal. Malborough Parish Council's main concern is the movement of the plots on the site so that the built houses do not correspond to the approved plans. The Parish Council's attention was drawn to the discrepancies in the plot positions in early May 2014. This was passed to South Hams Planning department, at the time plots 1-5 were below damp course. The Parish Council was quite incredulous as the build proceeded, albeit at the developers 'own risk', and the houses were completed before the matter was decided in the application to regularise the changes in December 2014. The movement of plots 1-5 two metres closer to the A381 has caused:

- The houses to be more overbearing to the road.
- Appear more obtrusive in the landscape.
- There is a much greater effect on the neighbouring properties than was expected by the original plans.
- The removal of most of the road hedge.
- The need to build the unsightly gabion wall to retain the land for plots 1 and 2. Had the houses been built in the correct position this would not have been needed and the hedge could have been retained.
- Also the high voltage electricity cable running very close to plot 1 could well be compromised. The presence of the cable was one reason a proper retaining wall could not be built.

Plots 1 and 2 are the most obtrusive, being the closest to the road and having the worst effect on the neighbours. This has been a controversial site from the beginning with overwhelming opposition from the majority of Parishioners due to its position, access both pedestrian and vehicular and visibility in the AONB. Once the planning permission was granted it was accepted by the village. The movement of the plots has caused anger and a feeling of apathy in the village towards planning decisions and the whole planning process. Especially one of disbelief that the approved plans are not checked against the plans for building regulations to ensure that the houses are built in the right place.

As a controversial site, indeed any site, the least that the villagers should expect is that the houses are built in the correct position instead of completing the build which makes remedy difficult..."

There may also be a site meeting but this is unlikely to provide an opportunity to speak although observers are welcome. The Parish Councillors were perturbed that the appeal was to be held at Totnes which was inconvenient for many parishioners and Cllrs Pearce & Coulson undertook to investigate whether the appeal could be moved; other appeals had been held within the Parish so this was a change of custom & practice for Malborough. After T18, there would be more officers moving to 'the client' rather than centralised in Totnes.

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161 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

[33/0341/15/CLE](#)

Certificate of lawfulness for existing use of building for general storage (B8)

Crown Building, Soar, Malborough, Kingsbridge

No papers would be coming to the council but the basic application was available online. The Council agreed that storage had taken place for a number of years.

[33/0558/15/LB](#)

Listed building consent for alterations to include new floor, removal of stair and reinstatement of floor, bathroom ensuite and repair to annex (Tabbs Cottage)

Moonrakers, Lower Town, Malborough, Kingsbridge TQ7 3SE

B. **Decisions;** [0337](#) Trees in a Conservation Area, Malborough Primary School. **Approved**

C. **Enforcement Issues;** Although Cllr J Yeoman had provided detailed feedback on the list of outstanding enforcement cases received from SHDC, the latest list had not been updated or any progress reports received. Cllr Pearce undertook to continue to take this forward but SHDC Officers were in short supply to follow up.

162 NEIGHBOURHOOD PLANNING

A. The next meeting of the Forum was confirmed as Monday 13th April (the Church, 19.00 hrs) and more volunteers/interested parties are always welcome. Contact can be made with the group via the contact form/dedicated email on the website or through any Parish Councillor. A call for sites exercise is planned and draft press releases and articles were shared with the group and the advertising (and funds for) was approved by the meeting. The Call for Sites is to ensure all landowners with potential sites to develop get an opportunity to submit them and for them to be assessed for possible inclusion in Malborough's Neighbourhood Plan.

B. We also plan to do a Housing Needs Survey (HNS) as soon as possible hosted by SHDC at zero cost; we would like to timetable this for the autumn (or possibly June) but would like a funding guarantee from SHDC that they will pick up the cost. Again the meeting gave an OK for the Neighbourhood Planning Forum to proceed with the HNS.

C. Cllr Pedrick again raised the problem of Shared Ownership Affordable Housing simply not being affordable for the local wage earner. Mortgage, legal costs and repairs made the packages unviable. Thus the percentage of shared ownership properties should be reduced as rental properties were what was needed and are more economically viable for local young people. He asked what SHDC is doing about this? Their ideas to average costs of properties across the District were thrown out by Central Government and the only concession to date is a preferred bidder status for those with a local connection. Can the Neighbourhood Plan stress a preference for Housing Association Provider or at least stipulate the must do's required of a Housing Association?

D. Correspondence previously received from Salcombe resident & Town Councillor David Cohen re. a project to improve Localism especially w.r.t. planning would be considered after the Elections. He wishes to initiate a campaign to push this forward and would like to attend a Malborough meeting to discuss.

163 HIGHWAYS

A. Adam Keay, in actioning the issues raised last month, reported that:

- a.*"The speed survey was carried out by the police rather than the county council. I have now requested our own speed survey to be carried out via an Speed Data Recorder placed on Lamp Column 16 which is the third lamp column coming in from Salcombe. This will put the survey at approx. 85m from the speed limit. It was kind of Mr Towne to volunteer his land for people to*

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stand and monitor speed, but that is not the way speeds are recorded nowadays. A little black box on a lamp column is more accurate and more representative.

Do you know if a speed survey was done for the new development at Alton Gate?

The meeting agreed that this needed to be done

- b. WRT 'Single Track Roads' signs. These are not regulatory or mandatory signs so not easy with current budgets to get replaced. I believe a budget for replacing other types of sign is no longer available this year (which ends March). We may get a small budget in the next financial year....."
- c. Re the ponding outside the burial ground DCC say that they found...."A bit more ponding today after heavy downpour but not what I would call a safety defect. I'll add a small job to my Neighbourhood Requests for a bit of patching money but it won't be until next financial year"
- B. Re the parishioner's complaint about the state of Portlemore Lane down to the sewage works; SWW are sending a contractor down to quote for the work and hope to action repair work soon after.
- C. DCC are now actioning the replacement of the Bolberry Village sign near Overdowns; SHDC had raised a work order for it but then decided it was not their area of responsibility.
- D. DCC have been asked to remove the disabled bay in Lower Town.
- E. Cllr Pedrick reported that along Collaton Road, near Collaton Down, there is road edge erosion/pothole.

164 FOOTPATHS, TREES, GRAVEYARD & ALLOTMENTS

- A. A new bench for Collaton Down has been ordered from Rattery Sawmills
- B. Jonathon Hawtin of Malborough Garden Services successfully won the tender for both the hedge cutting and on-going maintenance of the Council's graveyard. The hedge-line has already been restored and the footpaths re-edged
- C. We need to contact the grave-digger to move the spoil to make it easier to maintain the land. Cllr K Yeoman undertook to take this forward.
- D. Cllr J Yeoman, having investigated the broken seat at the Pound, suggested we purchase some 10ft long wood and the meeting agreed to this.
- E. FPs No 9 & 10; the Council will write to the landowner about the drop/undercut that still exists along FP 9 but the first part of FP 10 near Portlemore previously reported as being very muddy and wet has now dried and does not need pursuing.
- F. Cllr Pedrick reported that FP 10 (Salcombe) still needs cutting and Dist Cllr Paul Coulson will pursue this.
- G. We are still awaiting the .pdf file from the NT re the Council plaque at East Soar.
- H. Dog mess has been reported at the East Soar Car Park; the NT would be asked what could be done.
- I. We have received, from DCC, .pdf file for printing on an acrylic panel complete with our PSMA licence number. Cllr J Yeoman will ask Mrs Rossiter if one could replace the sign on the Post Office. Cllr Makepeace undertook to take this forward if Mrs Rossiter agreed.
- J. There are:

Three allotments still available for the 2015 growing season.

These vacancies are advertised in the Messenger and on the Notice Boards.

Please contact the Clerk or Tony Lyle (anthoneylyle@tiscali.co.uk)



165 VILLAGE HALL

- A. The full Minutes of MVH&PFA are on: <http://www.malboroughvillage.org.uk/group/villagehall>. The meeting was attended by Cllr John Yeoman.
- B. Re the village hall roof, we have now successfully secured £33,000 for this and the contract can now be placed.
- C. The village fete is on the 20th June.
- D. Parking remains a problem but, until there is more money, nothing can be done.
- E. It is the 40th anniversary of the Hall.

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- F. Gail Allen queried the bramble clearing on the bank outside the hall but nothing can be done until the end of August due to nesting birds, bulbs etc. We believe the bank is owned by DCC not the Hall.

166 PARISH COUNCIL ELECTIONS

Cllr J Yeoman reminded the meeting about the process and key dates for the **2015 Elections**:

- a. On 7 May 2015 there will be elections for both District and Parish/Town Councils within the South Hams. These elections will, for the first time ever, be combined with the Parliamentary General Election.
- b. **There are nine places on Malborough Parish Council – parishioners are urged to start thinking about whether they wish to stand for election.**





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The 7th May is ELECTION DAY for your
NEW PARISH COUNCIL

WE NEED 9 COUNCILLORS

NOMINATIONS HAVE TO BE RECEIVED BY SHDC BY
4:00 pm Thursday 9 April 2015

Please contact us a.s.a.p. if you feel you have
something to offer and something to say!

Nomination Packs available from Debbie Ede, Parish Clerk
debbieede@btinternet.com / 01548 560963
Or
Talk it through with
John Yeoman, Chairman, Malborough Parish Council
01548 561232 / tjyeoman@btinternet.com

Notice dated: 25th March 2015





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7th May is ELECTION DAY

WE NEED 9 COUNCILLORS

NOMINATIONS HAVE TO BE RECEIVED BY SHDC BY
4:00 pm Thursday 9 April 2015

**If you wish to stand and wish to
advertise your candidacy in the
Messenger please contact Ann
Kendall by 28th March**

Ann: 01548 561283
annatbolberry@gmail.com

These posters were approved by the meeting and **it was agreed all potential candidates be invited to advertise their candidacy in the Messenger**. Notices would be posted and information put on the website, emailed via Malborough In Touch and on Village Voice in the Gazette.

- c. Notice of the Local Elections is expected to be published on 25 March 2015 – this is the date that persons can become candidates and may submit nominations (between the hours of 10am and 4pm excluding weekends and bank holidays) up until 4pm on 9 April 2015. The nominations **MUST** be delivered by hand and **no** exceptions can be made for late submissions.
- d. If there are more candidates than seats, the election is contested and a poll is held. If there are the same number or less candidates to vacancies then those candidates are elected uncontested. If there are insufficient candidates to the number of vacancies, providing there is a quorum of elected councillors, the Parish/Town Council may fill any outstanding councillor vacancies by co-option. Parishes/towns should be aware that if there are insufficient nominations for the parish/town to form a quorum then a fresh election will be ordered to be held 35 days from the date of the 7 May.
- e. Legislation requires that poll cards must be sent out if there is a District Election and that parish/town councils must notify the district council if they wish poll cards to be produced in the event of an uncontested district election. On this occasion poll cards will be sent out for the Parliamentary election and will state that there will also be local elections if

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contested. **However SHDC are asking parish/town councils if they wish to have poll cards sent out separately – this cost would have to be met by the parish/town council.** Notification that the parish/town council require separate poll cards is required by 4PM on 9 April 2015.

- f. The costs of the parish/town elections will be calculated and notified to parishes/towns for payment in the next financial year after the election is held.
- g. Key dates
 - Polling Day 7 May 2015 – 7am-10pm
 - Notice of Local Election – expected to be published on 25 March – must be published by 30th March.
 - Nominations to be hand delivered upon publication of Notice of Election between 10am and 4pm (excluding Weekends and bank holidays) up to 4pm on 9 April 2015
 - Notification by Parish/Town council of separate poll cards to be issued - by 4pm on 9 April 2015
 - Electors can register up to 20 April 2015 – online at www.gov.uk/registertovote
 - Applications for postal votes – up to 5pm on 21 April 2015
 - Applications for proxy votes – up to 5pm on 28 April 2015

167 MISCELLANEOUS

- A. Blood Doning occurs again on 7th April
- B. There is a DCC transport review. Kingsbridge TC want to object to some of the cuts as does South Huish as the late buses to Hope Cove and Loddiswell are being affected.
- C. Cllr Harrod reported that she has now joined the SVRA committee and can act as liaison. The reinstatement of the bowling green was raised as a possible project and future village resource. Cllr Kendall asked whether Cumber could reinforce the message that dog walking is not allowed on the Playing Fields and ensure that notices are in place.

Cllr J Pearce left the meeting at 21.15hrs

168 FINANCE & GOVERNANCE

- A. Re the TAP fund and cycle track, the recent Cluster meeting agreed we could retain the TAP fund money, awarded last year, for the physical barriers. This can now be used for funding additional vegetation cuts. Salcombe, as the joint applicants, will have a percentage for maintenance of their part of the track and have accepted our provisional offer of 2/3rd to Malborough and 1/3rd to Salcombe subject to the consent of this meeting; this was agreed unanimously, proposed by Cllr Kendall and seconded by Cllr Harrod . The monies will be paid over by BACS; £1910.57 was received so £637 (1/3rd) is due to Salcombe. Future work might be way of a joint working party.
- B. The bid to Cllr Pearce's Locality fund for artwork/mosaic within the Jubilee Bus Shelter had been successful and the Council has now received £280 as a pump prime fund for the competition and design, prior to confirming costings for the project. The repair to the back wall needs to be made and the meeting agreed to ask Mr D Jarvis to do this ASAP. Re the design Cllr Harrod reported that she had met with the school and that they're very keen to be involved. They've suggested that, instead of a mosaic, they look to put in a big bold mural with lots of bright colours and patterns - perhaps incorporating a number of different artworks from other countries i.e. India & Africa. There was a strong concern that by trying to incorporate the Parish or elements of the Parish that the end design would be too fiddly, very time consuming (the school would not be able to give sufficient time to complete the project) and would not be seen properly by passing vehicles. The feeling was that by painting a patterned design it would brighten the bus stop and would become a good focal/talking point. If we go down the mural route, Jackie is happy to take the children in small groups during the summer to paint the design and she also believes that, if we ask parents for their unused masonry paint, we could reduce the cost of the overall project. So, if we were prepared to supply any other materials and to ensure that the bus stop was painted white before the project starts (to give a blank canvas) the school would happily build the

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project into the curriculum for summer. Removable panels were thought to be preferable for maintenance. Cllr Harrod undertook to put together an article for the Messenger. Another thought was to have another acrylic map panel in there if there was room.

- C. The monthly accounts, cash book and bills to pay were received, shown as year to date Appendix A. The £637 due to Salcombe was added in. The proposal to approve these was made by Cllr Harrod, seconded by Cllr Kendall and unanimously agreed. A mandate sheet and transaction record was introduced and duly signed to authorise the e-payments.
- D. The timetable for External Audit has been received
- E. *Post Meeting note: Re. TAP Fund – As previously reported we have been awarded 77% of our 2 bids to the TAP fund; one for outside improvements at the school and another for the purchase of a towable grit spreader to allow the Council to introduce a volunteer led service under the ‘snow warden’ programme at DCC. In future SHDC are suggesting the money is paid across to us AFTER we have implemented the scheme. They are also asking for feedback on the TAP process itself. Our reply suggests some improvements to the process and concerns about cash flow for smaller parishes. We can now start researching the gritter purchase and need to liaise with the school as to their programme of works. The meeting noted that, for the school, two additional sums of £1k each had been received from our District Councillors after a successful bid from the parish. £1k was expected and has been previously reported (Cllr Pearce), the other is an apparent bonus (Cllr Coulson) but one that makes the schools’ funding target easier to achieve. Thank you.*

169 CORRESPONDENCE

In addition to that taken under the agenda, the meeting received:

- Newsletters from DALC
- Clerks & Councils Direct
- Letter from Pebbles offering their services in any future Parish tenders.

170 OPEN FORUM

There being no further business the meeting closed at 21.30 hrs

DATES FOR THE DIARY: The next Parish Council meeting is on Wednesday 15th April 2015, 7.30pm, Venue Village Hall Annexe. **This will be preceded by, at 7pm, the ANNUAL PARISH MEETING under the Chairmanship of COUNCILLOR JOHN YEOMAN, (Chairman of Malborough Parish Council). ALL PARISHIONERS ARE INVITED TO ATTEND this meeting which may, by law, discuss all Parish affairs and pass resolutions about them.**

Signed as a true record: _____

Print Name & Date: _____

Actions default – unless otherwise specified the Clerk takes forward any agreed actions Agenda Items and Updates; where possible please could these be submitted to Debbie by the 1st Wednesday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Debbie for distribution) together with their apologies.

Distribution List

Cllrs Boyce, Harrod, Kendall, Makepeace, L Pedrick, P Pedrick, Rendle, J Yeoman, K Yeoman

For Information: e-circulation to: District Cllr. Paul Coulson, County Cllr R Gilbert, Dist Cllr Judy Pearce, 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

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APPENDIX A

Category	Descriptor	Paid In	Paid Out	Cash Book Balance
<i>Cash book balance b/d</i>				13,927.21
Payment	SHDC winter toilet cleaning	-	871.00	13,056.21
Payment	Messenger expenses - Ann Kendall	-	241.65	12,814.56
Payment	D Ede - petty cash	-	13.80	12,800.76
Payment	D Ede - Salary	-	582.72	12,218.04
Receipt	Interest gross	0.55		12,218.59
Receipt	Community Development Grant NP balance	158.00		12,376.59
Receipt	P Coulson Grant	1,000.00		13,376.59
Receipt	J Pearce £1k & £500 Grant	1,500.00		14,876.59
Receipt	Western Power	3.00		14,879.59
TOTALS YTD Financial year 2014/15		£ 27,144.92	-£ 18,544.59	£ 14,879.59
RECONCILIATION CASH BOOK TO BANK				£
Cash book balance b/d	FY 2014/15, YTD month		12	£ 14,879.59
Balance at bank at end :			16-Mar-15	
	Revenue Accounts		14,676.48	
	Unpresented Items	receipts	307.02	
		payments	- 103.91	
			£ 14,879.59	0.00
ACCOUNTS FOR PAYMENT				Variance
D Ede (Salary)	for current month	<i>paid on 15th of the month by standing order & included in the above balances</i>		582.72
Plus	D Ede - stationery petty cash			12.99
	J Hawtin Graveyard hedge			375.00
	Salcombe TC - Tap fund cycle track share			637.00
				1,024.99
RECEIPTS & PAYMENTS REPORT TO COUNCIL				
MEETING DATE		18th March 2015		
	Prepared By:	<i>Debbie Ede, Clerk to the Parish Council</i>		
	Date:	<i>16/03/2015, updated 19/03/2015</i>		