

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

<b>Date: 23<sup>rd</sup> June 2021</b>		<b>Venue &amp; Time: Malborough Village Hall, 19.00hrs</b>
<b>Present:</b> Cllr Lucinda Goodhead Cllr Vanessa Harris Cllr Richard Harrod Cllr Ann Kendall Cllr Paul Pedrick Cllr John Sampson Cllr Janey Syrett Cllr John Yeoman (in the chair) Cllr K Yeoman	<b>In Attendance:</b> <b>Katharine Harrod – Clerk &amp; Minute taker</b>  <b>Part Meeting:</b> <b>Dist. Cllr Mark Long</b> <b>Dist. Cllr Judy Pearce</b>  <b>County Cllr Rufus Gilbert</b> <b>Parishioners/Guests Present: 2</b>	<b>Apologies:</b>

### REF 2021/22 MINUTES

- 16 WELCOME & APOLOGIES**  
Cllr Syrett was welcomed to her first face to face meeting, having attended virtually for the last 12 months.
- 17 MINUTES OF PREVIOUS PARISH COUNCIL MEETING:**  
The minutes of the Parish Council meeting of 5<sup>th</sup> 2021 were agreed without alteration and signed accordingly. Proposed: Cllr Harris, seconded: Cllr Harrod and agreed unanimously
- 18 DECLARATIONS OF INTEREST** Declarations of interest were received in respect of finance by Cllrs Harrod & J Yeoman. The Councillors withdrew from these discussions.
- 19 MESSENGER – Cllr Kendall**
- 20 CLERKS REPORT**
- Cycle Track & Signage: The new signage is now in place. The remainder of the path has not yet been scraped back by Highways.
  - Complaints were received regarding animals escaping onto the burial ground and nearby housing estate, these have been passed to the managing land agent.
  - Various reports have been made to Highways regarding potholes, road markings and overgrown verges affecting sight and road signs/markings.
  - A SCARF request was made for Higher Town, we have been advised that this cannot take place until summer 2022, this being three years from the date of the last one.
  - The gritter has been serviced as previously approved.
  - There was a delay on getting the new “20 is Plenty” road signs, the new signs will be ready shortly and will be installed once received.
  - Details to take part in a project on landscape change in the South Devon AONB have been forwarded to Councillors and added to social media.
  - The annual VAT Claim has been submitted.
  - S171 Application for works to cycle path/driveway. The original submission was not received by DCC, Cllr Gilbert has now followed this up and we have received confirmation that permission will be given but we await dates from the contractor.
  - Malborough Park Play Area, we’ve started the consultation regarding what people want to see at that site, we’ve had a good number of positive suggestions to date and more to come from the school. All data will be collated and provided at the July meeting.
  - The Multi Use Games Area for tennis and netball has now been finished and it looks great!
- 21 PARISHIONERS OPEN FORUM** Nothing Raised.
- Devon County Council Report & Highways, Cllr Rufus Gilbert:**
- ome points of interest regarding Devon:
- Population 802,000 excluding Plymouth and Torbay

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2. 440 Parishes
3. 5 x AONB's
4. 2 x National Parks
5. 4<sup>th</sup> oldest population of any County excluding Dorset, Cornwall and East Sussex.

Some points of interest about DCC:

- Gross spend =£1.5 Billion. Net Spend £578 Million. The difference being school spending coming from Government.
- 70% of budget gets to 3% of population being most disadvantaged and vulnerable.
- £282Million spent on adult social care.
- DCC still has 180 schools = 94,000 children
- Highways transport and waste spends £57 Million a year and disposes of ¼ million tons of waste.

1. Within the parish, Pinheys Road has now been dealt with.
2. Enforcement is worse this year than it has been because DCC are struggling to recruit new employees.
3. Higher Town is on the list for resurfacing.
4. Noted that there is an issue with picking up signs, this can be reported for collection via the below link.
5. If junctions need cutting as they are a hazard to traffic this can be reported via the below link.
6. Cllr Gilbert will report concerns re Sorley Cross.
7. The turnoff to the new estate is becoming dangerous with people parking too close to the junction and also blocking the drop kerb. Details will be forwarded to Cllr Gilbert to obtain enforcement.
8. A traffic order has been received which would see a road closure between Malborough and Galmpton between 29<sup>th</sup> July to 4<sup>th</sup> August. The timing of the works and alternate routes given are totally inappropriate for the area during the peak season. Revised dates will be requested.

POST MEETING NOTE: It has not been possible to revise the dates, the following Traffic Order WILL BE proceeding:

#### **THE COUNTY OF DEVON (TEMPORARY RESTRICTION) (GALMPTON TO MALBOROUGH, MALBOROUGH) ORDER 2021**

#### **TEMPORARY PROHIBITION OF THROUGH TRAFFIC**

**NOTICE** is hereby given that Devon County Council has made the above titled order.

From **THURSDAY 29 JULY 2021**  
for a maximum of 18 months

Anticipated Finish **WEDNESDAY 4 AUGUST 2021**

No person shall cause or permit any vehicle to proceed on the sections of Affected Roads.

Roads affected -  
**GALMPTON TO MALBOROUGH, MALBOROUGH**

The alternative, signed, route for vehicles will be via - SOUTH FROM GALMPTON CROSS, BURLEIGH LANE, A31 BURLEIGH LANE END TO LUCKHAMS LANE, A381 LUCKHAMS LANE END TO SALCOMBE ROAD. HIGHER TOWN, MALBOROUGH GREEN TO HIGHER TOWN

This temporary restriction is considered necessary to enable -  
**PROVIDE NEW WATER SUPPLY**

For additional information contact:  
**KIER MG LTD**  
Telephone: **0844 346 2020**

Cllr Gilbert left the meeting.

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**PLEASE report all highways issues ONLINE at:**

<https://new.devon.gov.uk/roadsandtransport/report-a-problem/>

**If you do not have internet access, please contact the Clerk on 07704 941150**

### **South Hams District Councillors Report, Cllrs Judy Pearce & Mark Long: See APPENDIX B**

A lengthy discussion then took place regarding the new waste collection service provided by FCC.

Questions raised included the following:

- Why are FCC still in place and not removed due to breach of contract? Cllr Pearce advised that if FCC were to be removed there is currently no one to take their place and the county would be in a far worse situation.
- This system was supposed to give a £400k saving, will this still be realised? Cllr Pearce stated that all costs for the additional works are being met by FCC and there has been no negative impact on the finances of SHDC.
- If bins and lids/bags go missing following collection, will they be replaced free of charge? Cllr Pearce advised yes.
- Assisted collections are being requested via the correct channels and followed up with Ward Councillors but are still not being actioned, why not? The Ward Councillors advised that ALL missed collections of any nature, assisted or otherwise must be reported within 24 hours on every occasion.

Councillors also raised concerns that there will be further problems to come due to the number of staff who appear to be handing in their notice. Morale is particularly poor amongst the workers.

Noted that SHDC paid for the boxes, FCC pay for replacement boxes and DCC own the vehicles.

The next meeting at SHDC takes place on 22<sup>nd</sup> July, by which time it is expected that significant improvements will have been made.

The Monterey pine in Malborough Park was removed on Monday, a sizable chunk of the main trunk has been left on the green for MPC to turn into a bench or similar. The tree was planted in the 1970's and had grown to a good size, however, as reported in February 2020, large branches had been falling off and it was considered only a matter of time until serious damage was sustained. Furthermore, there were concerns that the tree was more likely to fall having had the roots disturbed with the building on the new estate. Native trees will be planted to replace the felled tree.

**It takes two minutes to report a problem, please help keep our community beautiful**

<https://apps.southhams.gov.uk/webreportit>

Abandoned Vehicle, Damaged or Full Dog Bin, Damaged/Full Litter Bin, Damaged/Full Recycling Bank, Dead Animal, Dirty Beach, Fly Tipping, Litter/Dog Mess, Planning Breach, Stray Dogs, AND MORE...

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## 22 PLANNING:

- a. **Applications** received by the Parish Council and under discussion and consideration for the last period. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion.
1. 1390/21/FUL, Higher Broadmoor Farm, Temp Ag Building. **MPC Support 8:1 subject to the building being tied to agricultural use.**
  2. 1695/21/HHO, 27 Malborough Park, Single Storey Extension. **MPC Support.**
  3. 2065 & 2066/21/HHO, Stable End, Portlemore Barton, Proposed conversion of outbuilding. **MPC Support.**
  4. 2358/21/HHO, 2 Alston Gate, Erection of detached garage & Store. **MPC Support.**
  5. 1915/21/HHO, Seaways, Coombe, New larger garage. **MPC Support.**

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### RATIFICATION ONLY

6. 1485/21/CLP, Salcombe Retreat, lawful development certificate for siting 57 caravans. **MPC Object.** Noted there is a problem at this site with the sewage and smells from the system. Also noted that the hedge has been cut down again, this is a breach of condition.
7. 1329 & 1330/21/FUL, The Cottage, Chapel Lane, right of way access. **Withdrawn.**
8. 1902/21/CCN, Chestnut Fields, temporary Camp Site – INFORMATION ONLY no ratification required.
9. 1666/21/FUL, 1 Three Gables, Replacement Garage. **MPC Support.**

**NOTE: When providing a response to applications, the Malborough Neighbourhood Plan will be referenced.**

### **b. Decisions:**

1. 0715/21/HHO, 3 Mimosa, extension & new garage. **SHDC Conditional Approval.**
2. 1008/21/HHO, West Soar Barn, replacement decking & rail. **SHDC Conditional Approval.**
3. 0779/21/ARC, Parrots Corner, approval of details reserved by condition 3. **SHDC Discharge Approved.**
4. 1018/21/VAR, Little Maryknowle, variation of condition 2. **No Decision.**
5. 1321/21/HHO, 105 Cumber Close, rear extension. **SHDC Conditional Approval.**
6. 0929/21/FUL, Broad Downs, construction of sand school. **SHDC Conditional Approval.**
7. 0477/21/HHO, 5 Coastguard Cottages, Alterations & Extension. **SHDC Conditional Approval.**
8. 3656/20/TCA, 3 Alma Terrace, Cherry crown reduction on all sides by 0.5m. **No Decision.**
9. 2842/20/ARC Alston Gate, Discharge of Conditions. **No Decision.**
10. 0314/21/VAR Hi Ho, Variation of Condition Two. **SHDC Conditional Approval.**
11. 0910/21/ARC, Malborough Village Hall, Discharge of Conditions. **SHDC Discharge Approved.**

### **c. Enforcement issues:** Continue to be dealt with.

Please will all parishioners provide the Clerk with full details of any violations that do not adhere to the original application for which permission was granted. ALL violations can be reported to Enforcement via [www.southhams.gov.uk/article/3043/Report-a-Planning-Breach](http://www.southhams.gov.uk/article/3043/Report-a-Planning-Breach)

**Cllr Pearce left the meeting.**

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### **14 BUSINESS TO BE RATIFIED:**

- a) Proposal to take over maintenance of Public Rights of Way as identified by DCC.  
Note: Works are due to start on the footpaths this week.
  - b) Proposal to purchase galvanised posts for signage and wet pour for roundabout repair.
  - c) Proposal to alter the Baker Estates S106 agreement to allow for a percentage of the monies to be used for maintenance.
  - d) Proposal to install a bench base on the side of the cycle path.
- Items a, b, c & d proposed Cllr Kendall, seconded Cllr Goodhead, approved unanimously.**

### **BUSINESS TO BE DISCUSSED:**

- a. Proposal to request involvement in any pre-application discussions in respect of the potential planning application for the Nuclear Bunker.  
**Proposed Cllr K Yeoman, seconded Cllr Harris, approved unanimously.**
- b. Proposal to allow for annual purchase of plants at The Pound to a maximum of £50 per annum.  
**Proposed Cllr K Kendall, seconded Cllr Harris, approved unanimously.**
- c. Proposal to allow the Clerk to approve annual cuttings of the Collaton Road banks by the Village Hall and Cumber Close verge by Parish Maintenance Operatives when required.  
**Proposed Cllr K Yeoman, seconded Cllr Harrod, approved unanimously.**
- d. Proposal to allow for up to five cuts of the Malborough to Salcombe Cycle Path by Parish Maintenance Operatives with further cuts requiring Councillor approval.  
**Proposed Cllr Sampson, seconded Cllr Harris, approved unanimously.**
- e. Proposal to investigate amending our Neighbourhood Plan to ensure that all Principal Residence Restrictions are confirmed in a S106 agreement. Cllr Pearce offered her support in achieving this.  
**Proposed Cllr Kendall, seconded Cllr Harrod, approved unanimously.**
- f. Proposal to investigate a potential land swap re Malborough Park play area with Fields in Trust  
**Proposed Cllr K Yeoman, seconded Cllr Syrett, approved unanimously.**

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- g. Proposal to commence the works in respect of application 3863/17/FUL to prevent the permission lapsing following confirmation of the discharge of conditions.  
**Proposed Cllr Sampson, seconded Cllr Kendall, approved unanimously.**
- h. Proposal to support the request from Anthony Mangnall MP to change the name of the Totnes Constituency to South Devon.  
**Proposed Cllr Sampson, seconded Cllr Kendall, approved unanimously.**
- i. Proposal to approve commencing the tender process in respect of the new Access Path as per the MVH & PFA June Draft Minutes which state:  
*Access path: there was a consensus in committee that a 4-foot strip from the boundary should be sufficient, that three gates should be installed for access onto the playing field, and that the fence should stop at the cutting that runs down to the bus stop where a gate would be fitted, which would provide access for wheelchair users and pushchairs.*  
The path will be pegged out to clearly show the route, if this is agreed by the VHC we will commence the process.  
**Proposed Cllr K Yeoman, seconded Cllr Goodhead, approved unanimously.**
- j. Climate Emergency: Cllr Syrett. A litter pick was arranged for four different sites around Malborough and South Huish. More events of a similar nature will be arranged for future months.
- k. VAS Report: Cllr Sampson had provided The first lockdown showed a massive reduction in traffic, more recently June 2021 has seen 13% more traffic than in a comparable period in 2019. A third VAS unit has now been erected on the road opposite Great Park.  
Observations re traffic numbers as follows:  
**April 2019 to April 2020** saw massive reduction in numbers by 72%  
**April 2021** saw an increase but 8% less than 2019 levels  
**May 2019 to May 2020** saw 50% reduction but a near doubling of numbers from April 2019  
**May 2021** levels were above 2019 by 8%  
**June 2019** (first 17 days) compared to **June 2021** (first 17 days) increase of 13%
- l. Village Hall Update: Minutes can be found on the website one month in arrears.
- m. Monthly Checks: Defibrillators, Skate Park, Play Area, Toilets & 3 Utilities Meters. Completed.

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### 15 FINANCE & GOVERNANCE:

- The accounts for 2021/22 month 3 was received, shown as year-to-date **Appendix A**. A mandate sheet and transaction record were produced and signed in respect of all payments:

**Accounts to pay** – Clerks Salary £779.07, Came & Co Insurance £870.70, First Serve £6,868.80, Martin Pears Engineering Ltd £312.79, Malborough Garden Services May £473.19, Malborough Garden Services April £485.79, South West Water Allotments £32.51, TG Stone £90, Nick Walker Printing £315, Gill Boyce £21.44, Zoom June £14.39, Online Playground £422.40, Wickes £24.40

The Chairman explained that the payment to Gill Boyce for £21.44 was in respect of receipts for plants at The Pound.

**Accounts to pay proposed by Cllr Kendall, seconded by Cllr K Harris, approved unanimously.**

- **Governance:**
  - i. 2021/22 Internal Audit: Alison Marshall has confirmed that she will undertake the next internal audit.
  - ii. Code of Conduct: A proposal was made to accept the updated code of conduct recently adopted by South Hams District Council.  
**Proposed: Cllr J Yeoman, seconded Cllr Harris, approved unanimously.**

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For discussion on the next agenda:

- **1557 & 1558/21/VAR, Alston Gate, Variation/Removal of Conditions. Response date 22<sup>nd</sup> July. Noted that part of this application is to remove the affordable housing obligation.** There is currently a significant amount of information missing from the application, this is required prior to the next meeting to enable Councillors and the Parishioners to consider the application.
- **Consider the number and duration of future grass and maintenance contracts.** Our contract for the Burial Ground and Play Area falls due in 2022. We are now responsible for significantly more long-term maintenance; how do we want to split these contracts?
- **SCARF Requests for Collaton Road and Alston Gate**

**DATES FOR THE DIARY:** 21<sup>st</sup> July, Venue TBC, 19.00 hrs.

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

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

Agenda Items and Updates; where possible please could these be submitted to Mrs Katharine Harrod 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 Mrs Katharine Harrod for distribution) together with their apologies.

**Distribution List:** All current Parish Councillors

**For Information: e-circulation to:** County Cllr R Gilbert, Dist. Cllr Mark Long, Dist. Cllr Judy Pearce, Salcombe Police Station, Jamie Rundle (Tree Warden), Mr Tony Lyle (Climate Emergency Sub-Committee), Malborough Parish Council Notice Board,, Malborough Primary School, Malborough Village Hall Committee, National Trust, SVRA

### APPENDIX A: Malborough Parish Council Finance

Category	Descriptor	Date	Month No. of Report to Council	banked	Paid In	Paid Out
<b>Cash Book Balance b/f from last financial year</b>				<b>1</b>		
Payments	ElanCity Vas Unit	13/05/2021	3	Y		- 2,176.13
Payments	DALC Renewal	13/05/2021	3	Y		- 229.21
Payments	SHDC Toilet Cleaning	13/05/2021	3	Y		- 5,404.90
Payments	G&J Hocking Allotments	13/05/2021	3	Y		- 250.00
Payments	Harris Bldg Services	13/05/2021	3	Y		- 1,000.00
Payments	Nick Walker Printing	13/05/2021	3	Y		- 287.00
Payments	The Plastic Company	13/05/2021	3	Y		- 1,146.00
Payments	ICO Renewal	01/06/2021	3	Y		- 35.00
Payments	April & May Zoom	13/05/2021	3	Y		- 28.78
Payments	Malborough Garden Svs March & April	13/05/2021	3	Y		- 879.78
Payments	A Kendall Messenger	13/05/2021	3	Y		- 62.28
Payments	Salcombe DIY Paint	13/05/2021	3	Y		- 37.00
Payments	Public Toilets Electricity	13/05/2021	3	Y		- 45.01
Payments	Public Toilets Water	13/05/2021	3	Y		- 103.64
Payments	Alison Marshall Internal Audit	13/05/2021	3	Y		- 175.00
Receipt	Palmer Messenger 500128	20/05/2021	3	Y	18.00	
Receipt	SHDC S106 Second Tranche	28/05/2021	3	Y	63,723.63	
Receipt	VAT Refund	01/06/2021	3	Y	8,826.27	
Receipt	May Gross Interest	10/05/2021	3	Y	1.09	
Receipt	June Gross Interest	09/06/2021	3	Y	1.22	
Payments	Clerk May Salary	28/05/2021	3	Y		- 779.07
<b>TOTALS YTD Financial year 2021/22</b>					<b>£ 89,248.84</b>	<b>-£ 13,273.67</b>