

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting

<b>Date:</b> 20 <sup>th</sup> October 2010		<b>Venue &amp; Time:</b> Village Hall Annexe, commencing at 7.45pm
<b>Present:</b> Cllr. Gill Boyce Cllr. Paul Pedrick Cllr. Edmund Putt Cllr. Roger Rendle Cllr. Ann Smallman Cllr. Tony Lyle (part) Cllr. John Yeoman (in the Chair)	<b>In Attendance:</b> Mrs Eva Bond (Tree Warden)(part) Mrs Debbie Ede (Clerk - Minute taker) PCSO Dave Gibson (part) PC Steve Mullen (part) Nine (9) Parishioners (part)	<b>Apologies:</b> Cllr. Ann Kendall Cllr. Mike Taylor (received 8.50pm)

Minute Ref	Minutes	Action
647	<b>INTERESTS</b> Cllr Putt declared an interest in Agenda item 7	
648	<b>MESSENGER</b> Cllrs Boyce and Smallman will write the Messenger report	GB/AS
649	<b>MINUTES OF PREVIOUS MEETING</b> The minutes of the September meeting were then agreed and signed as a true record.	
650	<b>MATTERS ARISING (from previous Minutes only)</b> There were no matters arising which would not be taken under Agenda items.	
651	<b>POLICE BUSINESS</b> a PC Steve Mullen commenced his report with good news citing a reduction in reported crimes; for the period 1 <sup>st</sup> Jan - 20 <sup>th</sup> October 2009 32 crimes were reported in the Malborough area. This year, over the same time period, the numbers had reduced to 13. This trend is reflected throughout the Kingsbridge area and, with Malborough having only 13 out of the total 750 reports for the area, means that our Village is at the lower end of the scale for crime. b PC Mullen alerted the Council as to on-going problems in the Sparrow Park and Cumber areas of the village with several youngsters now in receipt of 1 <sup>st</sup> stage anti-social behaviour warnings from Follaton House. Letters, in the 1 <sup>st</sup> instance, are sent to parents and the process then escalates culminating in Court appearances and Anti-Social Behaviour Orders being issued for repeated breaches. PC Mullen is making sure there is a visible police presence in the Village to deter further trouble. c The Police have run several speed check sessions at Townsend Cross with 30 vehicles checked that morning; only 8 were in the 30-40mph category with the remainder between 24-26mph. However the tests were carried out on cars coming into the village from Salcombe and it was suggested that the leg out on the Kingsbridge side was more problematical. This, however, is a little bit more difficult to assess as the topography makes it difficult for the speed equipment to be deployed. d PC Mullen alerted the meeting as to the continued drive to reduce marine crime and, using an unmarked car, gave an example of one car clocked at 94 mph entering West Alvington. e Cllr Pedrick asked the police to review the Collaton Road/Portlemore Lane junction as parked cars made this hazardous by blocking the view. f The Police, having been alerted from the last meeting of the fact that cars were not stopping for pedestrians on the zebra crossing outside Co-Op said that this was being reviewed at the same time as the speed checks were carried out. Non-compliance would result in immediate fixed term penalty notices. Witnessed incidents with car registration details, times etc can be reported by the public to the police for action. g Cllr Lyle queried the effect of the Public Spending Review but PC Mullen was unable to anticipate the effect on our area. h Ms. Freeman alerted the meeting to the presence of youngsters congregating alongside her boundary to the Playing Fields sharing concerns about items thrown	

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	<p>over the hedge and possible breach of hedge line onto her access lane. Whilst she reported no actual problems at present she did hand in a bag to the police which had been ‘flung’ over the hedge. PC Mullen surmised this could be the same group under review (as above) and hoped that the visible police presence, including late night shifts and patrols, would act as a deterrent. MS. Freeman requested that the Village Hall Committee consider a robust fence along the boundary. Cllr Lyle would take this forward.</p> <p>i Cllr Smallman queried progress on tracing culprits of recent car vandalism but PC Mullen said that this had not actually been reported.</p> <p>j PCSO Gibson queried progress on the Wheelspark and suggested another contact to approach for funding - Co-Op. PC Mullen also suggested Groundworks as a possible funder and agreed to supply the Clerk with contact details.</p> <p><i>PC Mullen &amp; PCSO Gibson left the meeting at 8.05pm.</i></p>	<p>TL</p> <p>SM/DE</p>
652	<p><b>ALSTON GATE</b></p> <p><i>Cllr Putt moved to the floor for this item</i></p> <p>a Cllr Yeoman introduced this item by stating that all the Councillors had seen the plans for this proposed development but wanted to hear views from the floor to inform any Council decision. It was noted that letters of objection to SHDC had been received by the Parish Council and that these would be copied out to each individual Council member to ensure they had seen them. These included responses from Roy &amp; Jenny Littlejohns, Hugh Mitchell, Ann Kendall, Edmund &amp; Jane Putt. The Council was also informed that a petition of c. 100 signatures had been collected against the development which would be sent to SHDC directly by Parishioners.</p> <p>b Mr Putt queried the absence of any District Councillor from the meeting to discuss this matter. It was noted that, although Alston Gate was an agenda item, no apologies had been received from our Dist. Cllrs. Mr Putt requested that a letter be sent to the Chairman of SHDC expressing disappointment at Dist Cllr engagement. Cllr Yeoman advised the meeting that Dist Cllr Carter had distanced himself from this development because of a declared interest.</p> <p>Mr Putt, and Cllr Smallman, raised concerns that pre-planning meetings had not been fully reported to the Parish Council. Cllr Yeoman, who attended one such meeting, reminded Council that he had talked them through the draft 106 agreement following same. However he stated he had not invited the applicants to address the Council or the Public at the time since the applicants needed to comply with the full planning process to allow proposals to be clearly set out and defined. This would then give all stakeholders something concrete to comment on especially as the applicants had earlier inferred that their proposals would not change after any consultation.</p> <p>c Lengthy discussions took place with views and issues raised by parishioners and Councillors alike. These included:</p> <ul style="list-style-type: none"> <li>Concerns over the sewage infrastructure w.r.t. both the pitch fibre piping (which was thought to be inadequate even with current levels of use) and the pumping station. It was noted that whilst the application contained an assurance over a contribution to a pump upgrade there was no mention made of renewing or upgrading the pipework. The meeting was also told that, throughout the peak holiday period, tankers ran 24/7 down Portlemore Lane pumping out raw sewage for transport to Gerston. Given the planned increase in local housing stock (Malborough &amp; Salcombe) views were shared about the inadequacy of the sewerage systems.</li> <li>Concerns over the complete absence of consultation with neighbours and stakeholders or publicity about the build. It was noted that the plans included a statement of strong support from the Parish Council - all Cllrs refuted this saying no such indication had been made and no decision had been voted on,</li> </ul>	<p>DE</p>

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	<p>made or implied by Council. No Council response would be made and no indication given of any preference pending feedback from the Community. Mr Putt requested that any return made by Council should highlight the apparent lack of openness and transparency.</p> <ul style="list-style-type: none"> <li>• The tight timescales for feedback were also queried and many participants stated that the process felt, and was, very different from that experienced for the Hastoe development which was for 100% affordable housing. Cllr Yeoman explained that he had been in touch with Malcolm Elliott at the Planning Department who was intending to take this to committee on either 3<sup>rd</sup> November or their December meeting. Cllr Yeoman stated that he thought the decision should not be made under delegated powers by SHDC officials but should go to Committee which would then allow Malborough Parishioners to attend and make their views clear. Recent feedback from Mr Elliott suggested that the December date was more likely but Cllr Yeoman would urgently check this together with ensuring the Planning Department would wait on the outcome of a <b>PUBLIC MEETING (see later)</b>. The Council would also make a holding return to SHDC to comply with the current deadline for comments of 22<sup>nd</sup> October.</li> <li>• Concerns over the escalation of the original plans albeit with the loss of affordable houses and more open market units.</li> <li>• Major concerns around the resultant increase in traffic and the inadequacy and danger of the exit roads and footpaths. Queries raised over the private road. Concerns over the misleading naming of roads/lanes on the plans, a dangerous corner being shown as a simple continuation for example.</li> <li>• Concerns that the development could compromise or stall the Hastoe build.</li> <li>• Concerns over whether the village actually needed more housing stock - the Housing Survey organized to inform the Hastoe build was now 3.5 years old. At the time a need for 21 houses was identified but the current position is unknown.</li> <li>• Concerns as to affordability were aired after an affordable home in Salcombe was repossessed and put on the open market by the mortgage company. How could we guard against this?</li> <li>• Concerns as to the appropriateness of the development and its affect on the character of the village. It was noted that a similar application in 1982 was turned down because of the effect of planned new bungalows on the skyline whereas this development includes 3 storey town houses.</li> <li>• Concerns as to the visibility of the development, the highest ridge heights being &gt;103 m with the build itself on a high contour line of 93m.</li> <li>• Queries as to how the management company would operate and be funded and what responsibilities might fall to Tor Homes.</li> <li>• Queries over the proposed allotments: do we need them? Citing of associated car parking and its inherent dangers. Management of and by whom? The Parish Council re-iterated that it had not agreed to take them on, would not be prepared to do so on those terms, they were not in the right place nor was the car parking. They would need to be let to the Council in perpetuity and the fact that the plans contained the right to move the allotments to any site on retained land was also unacceptable. Queries were also raised as to whether the citing of allotments would designate the land as brown field?</li> <li>• Concerns over the trees and ensuring the ones on the opposite side of the highway are not affected.</li> <li>• Concerns over the validity of the site surveys; for example the habitat survey was done outside of the breeding season, others performed in winter in inclement weather conditions.</li> <li>• Concerns over the affordability of the scheme. Cllrs raised the fact that the</li> </ul>	JY
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	<p>Section 106 monies had been apparently negotiated down between the applicants and District Council with the open spaces contribution of more than £60k eroded completely. Furthermore there were apparent discrepancies in the plans over the funding commitments and costs.</p> <ul style="list-style-type: none"> <li>Concerns over the development outside of the Local development Framework and queries as to when the earlier proposed designation of the site as potential light industry were changed. The need for the developers to prove (1) support for, (2) a need for and (3) deliverability of the scheme.</li> <li>Concerns over the effect of the build on the day to day business of Alston gate nursery due to the impact of works traffic etc on access roads.</li> </ul> <p>d Cllr Yeoman reminded the meeting that the 1<sup>st</sup> question to be addressed was whether the village actually needs the housing. It was accepted that all Parishioners participating in today's meeting were against the development. Rather than take a vote now Council proposed that a wider Public Meeting should be held to ensure all Parishioners had the opportunity to comment on the proposals and that their comments would then inform the Parish Council's response. It was agreed that</p> <p><b>A PUBLIC MEETING WOULD BE HELD AT 7.30PM ON WEDNESDAY 3<sup>RD</sup> NOVEMBER IN THE VILLAGE HALL.</b> The applicants and our District Councillors would be invited and posters would be produced as soon as possible to publicise the event together with an advert to the Gazette.</p> <p>e It was noted that SHDC can overrule any Parish recommendation in due course. Given this Council would need to (1) make a planning recommendation and (2) specifically detail the anomalies and queries in the plans requesting answers and clarification in the advent of the build proceeding. There was believed to be no appeal process if the development was passed although matters could be referred to the Ombudsman if it was felt that the process itself was compromised.</p> <p>f Jo Hocking gave an assurance that South Huish Parish Council would fully support Malborough in its final decision and was thanked by Cllr Yeoman for this total support.</p>	JY/DE
	<p><i>At 8.50pm apologies were received from Mike Taylor.</i></p> <p><i>At 9.10pm Cllr Putt rejoined the Council meeting from the floor for the remainder of the agenda.</i></p>	
653	<p><b>AFFORDABLE HOUSING</b></p> <p>Cllr Yeoman reported that the Hastoe development was waiting on a drainage report (although the test digs had been done some 6/12ths ago according to Parishioner Graham Hocking)</p> <p>The allocation of the housing stock was the subject of a question from the floor; would local residency but lower need take precedence over higher needs (A&amp;B) from outside the immediate catchment? Council replied that they had received several assurances, and indeed this was the reason for their support, that Malborough residents on SHDC housing list with proven need would have priority. It was noted that Hastoe do the allocations and, as an exception site, there are tighter rules to ensure Malborough residency is a priority.</p>	
654	<p><b>HIGHWAYS</b></p> <p>a Cllr Boyce queried whether litter picking was still taking place. It was.</p> <p>b Cllr Putt volunteered to mend the dog bin in Collaton Lane</p> <p>c <i>Cllr Lyle tendered his apologies through illness and left the meeting at 9.25pm</i> after agreeing to follow up outstanding allotment payments and progress the servicing of the communal allotments areas together with taking forward the cutting of the verge on Collaton Road via the Village Hall Committee.</p> <p>It was noted however that the proposed Service Level Agreement with SHDC had</p>	<p>EP</p> <p>TL</p>

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d	stalled due to staff illness at South Hams (the Stokenham Pilot).	
e	The meeting was informed that Mr R Bevis of DCC had left and there were new contacts who were exploring the possibility of improved signage and chicanes/barriers on the cycle track.	
f	Cllr Putt raised concerns, again, over the standard of verge maintenance at the Malborough end of the cycle track compared to the Salcombe end. There were also concerns raised by Cllrs Boyce, Smallman and Putt over the overgrown bramble hedge the Salcombe side of Churchill with several punctures reported and the advent of cyclists taking to the main road to avoid this stretch. Again this would be raised with the DCC officers.	DE  DE
655	<b>FOOTPATHS, TREES &amp; ALLOTMENTS</b>	
a	Following last meetings concerns over the state of repair of the Shute Hill Well steps Derek Jarvis had been asked to review and had provided a rough estimate of £300. It was agreed that this work should go ahead.	DE
b	b/f from last meeting: Cllr Kendall reported that the public seat at Horsey Pool was in need of attention: it was agreed that she should ask Matt Kendall and/or Tim Lucocq to inspect and advise.	AK
c	Mrs Bond reported that the ecogroup had a cherry tree available for planting in the village	
d	Cllr Boyce reported that Coombe Lane needs a cut	
e	b/f from last meeting : Cllr Yeoman undertook to walk the site and report back.	JY
f	Agreement was made to reimburse Cllr Boyce for bulbs purchased for the Pound and to supply weed killer for the area.	GB/JY
656	<b>VILLAGE HALL</b> Cllr Yeoman reported his attendance at a meeting to discuss the potential new build extension. A proposal for the Council (and, as queried by Cllr Boyce, potentially the history society) to take over the showers if de-commissioned due to the new pavilion is being considered. This would mean that the proposed first floor extension could be used by the Village Hall for storage only reducing any potential costs associated with disabled access. However the VHA could also consider a ramp up from the nearby bank to provide for disabled access if required. Cllr Yeoman asked for Council's view on contributing to the extension build cost (which would negate the need for future rental payments for the Hall). A £5k tranche was suggested (against a total of c £60K) and this was agreed in principle.	
	<i>Ms Bond left the meeting at 9.40</i>	
657	<b>FACILITIES FOR YOUNG PEOPLE</b> Malborough Wheels Park; six companies had been invited to tender and 5 tenders had been received. Cllr Yeoman and the Clerk had each reviewed them against the previously determined (and circulated) evaluation criteria. The tenders were made available to Council for their scrutiny together with some summary evaluations. The Clerk also reported a meeting with the User Group at the Youth Club on 15 <sup>th</sup> October and brought forward their views. An update was given on the financial position and permission for borrowing approval is going ahead, to be used if necessary. Once a provider is selected a financial regime could be agreed and ways of staging the payments to allow an incremental reclamation of VAT could be investigated. On review of the tenders a clear favourite emerged and Cllr Yeoman proposed and Cllr Pedrick seconded that Bendcrete be awarded the contract subject to (1) a site visit and (2) assurance on noise levels of the cast hollow concrete structures. This was unanimously agreed.	JY/DE
658	<b>BURIAL GROUND ; review of charges</b> A ten year review of burial charges took place and a new scale of fees and charges were agreed unanimously, proposed by Cllr Putt and seconded by Cllr Boyce. The Clerk to implement. It was agreed that grave adornments should be removed within appropriate	DE

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	timescales and liaison should take place with the undertakers to ensure compliance with these Burial Ground Regulations.	DE
659	<b>PLANNING</b>	
a	The over height trees at Chadders Shute remain; all stakeholders wish them to be cut back but Planning and the District Council Tree Warden are resisting. Mr Ross Kennerley has replied and remains against the cut. Cllr Yeoman to investigate further.	JY
b	<b>The following applications have been received by the Parish Council for consideration:</b> <b>2144</b> Cholwells Court - Mixed tenure residential development comprising 10 open market and 7 affordable dwellings, associated landscaping, access and other works including creation of allotments - Land adjacent to Alston Nursery, Alston Gate, Malborough, Devon <b>2258</b> Mr B J Ward - Householder application for first floor extension to dwelling - 21 Malborough Park, Malborough TQ7 3SR	
c	<b>The following decisions have been received by the Parish Council:</b> <b>2096 Dismissed</b> Appeal Mr P W Shepherd - Resubmission of 33/0416/09/F for expansion of existing camping and caravan site to allow for the provision of 11 additional static caravans and associated works - Alston Farm Camping & Caravan Site, Malborough, Kingsbridge, TQ7 3BJ <b>1670 Withdrawn</b> Householder application for construction of swimming pool - Brackenwood, De Courcy Road, Salcombe TQ8 8LQ <b>0035 Granted</b> Hastoe, Development of 17 affordable homes, land adjacent to Charnwood, Malborough, TQ7 3RR <b>1764 Granted</b> Mr & Mrs T R Millar - Resubmission of householder application ref 33/1123/10/F for alterations and extension to rear of cottage, Whitehall Cottage, Well Hill, Malborough TQ7 3SG	
660	<b>FINANCE</b>	
a	The Finances reported at Appendix A (with the late amendment of two additional accounts for payment) were agreed as a true record, proposed by Cllr Smallman and seconded by Cllr Pedrick and the request for payments passed with the resulting cheques raised and signed.	DE
b	The Chairman informed the meeting that the Annual Audit Report had been received and the Clerk read out the detail and explained the summary variances. Cllr Putt proposed and Cllr Boyce seconded the acceptance of the report. Statutory requirements mean that the notice would now be displayed in a public place for a period of 28 days.	DE
c	The Clerk informed the meeting that problems were still being experienced with Lloyds concerning the 3 Forms were presented authorised at the previous meeting, effecting the change of Clerk, address and signatory details with the bank.	DE
661	<b>BUSINESS UNDER THE DIRECTION OF THE CHAIRMAN</b>	
a	Cllr Pedrick outlined the outcome of the meeting with the Minister re the Hope Cove Rescue Boat. The plan was for the boat to be handed over together with the use of the existing building if Crown approval was forthcoming. The village would formulate proposals to run the boat as a private business and were in the process of visiting similar enterprises on a fact finding mission. A Limited Charitable Company would be formed. There was to be a <b>PUBLIC MEETING ON WEDNESDAY 27<sup>TH</sup> NOVEMBER AT GALMPTON VILLAGE HALL</b> to muster support. Annual running/revenue costs were thought to be in the order of £20k. Cllr Yeoman asked for comments on an increase in precept of £500 as a contribution from the Parish. If all stakeholder Parishes were to contribute it was thought that some £5k could be raised. This was agreed in principle.	
b	Carried forward from September to next meeting: Cllr Yeoman informed the Council	

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	of the need to have an Emergency Plan. The Clerk and Cllr Yeoman would attend a planning session on 23 <sup>rd</sup> Sept to understand the 'must-do's'.	
662	<p><b>CORRESPONDENCE</b></p> <p>Received and on circulation were: (from 16<sup>th</sup> September - 20<sup>th</sup> October 2010)</p> <ul style="list-style-type: none"> <li>NALC legal briefing 21-09-2010 Future of the Standards Framework (by email)</li> <li>STC confirmation skate park funding 21-09-2010</li> <li>SHDC Executive Forward Plan 23-09-2010</li> <li>NALC E-bulletin for County Associations and National Council 28/09/2010</li> <li>Wheels Park Tenders from:</li> <li>Lightmain, Gravity Engineering, Bendcrete, Full Circle, Evolution</li> <li>Completion of the Annual Audit; external audit certificate and report 23/09/2010</li> <li>SHDC The Knowledge and ward profile 02/10/2010</li> <li>NHS Devon : Transforming Community Services 04/10/2010</li> <li>Code of practice on local authority publicity, nalc 04/10/2010</li> <li>MVH &amp; PFA; Minutes 07/10/2010</li> <li>Cullompton Free IT Clinic <b>Thursday 21<sup>st</sup> October</b></li> <li>Minutes of a meeting of the Executive held at Follaton house on Thursday, 7 October 2010</li> <li>2011 Census Recruitment Flyer</li> <li>Email from Kathy Ireland as the new 'Village Voice' for the Gazette</li> <li>Emails from Lesley Freeman raising concerns re. Wheelspark adjacent to horses</li> <li>Tor Homes - Open Door Autumn 2010 issue</li> <li>Email and cc letter from Mr &amp; Mrs J Putt with objections re planning application 2144 - Alston Gate development</li> <li>Senior Council for Devon Newsletter October 2010</li> <li>South Hams CVS Newsletter Oct-Dec 2010</li> <li>c.c. 2 letters from Roy &amp; Jenny Littlejohns to SHDC Development Control, objecting to planning application 2144 - Alston Gate development</li> <li>Email from Hugh Mitchell /cc letter with objections re planning application 2144 - Alston Gate development</li> <li>Email and cc letter from Mr &amp; Mrs J Putt with objections re planning application 2144 - Alston Gate development</li> </ul>	
	There being no further business the meeting closed at 22.30	
	<b>Dates for the Diary</b>	
	<p>Public Meeting Alston Gate Development Wednesday 3<sup>rd</sup> November 7.30pm Village Hall</p> <p>Next Parish Council Meeting date Wednesday 17<sup>th</sup> November 2010 at 7.45pm, Village Hall Annexe</p>	

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

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

Agenda Items and Updates; where possible please could these be submitted to Debbie by the 1<sup>st</sup> Wednesday in the month to ensure time for inclusion, circulation and study.

If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Debbie for distribution) together with their apologies.

# **MALBOROUGH PARISH COUNCIL**

## **Minutes of Parish Council Meeting**

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### **Distribution List**

Cllr. Gill Boyce  
Cllr. Ann Kendall  
Cllr. Tony Lyle  
Cllr. Paul Pedrick  
Cllr. Edmund Putt  
Cllr. Roger Rendle  
Cllr. Ann Smallman  
Cllr. Mike Taylor  
Cllr. John Yeoman (Chairman)

### **For Information**

District Cllr. John Carter  
District Cllr. Paul Coulson  
County Cllr. Sir Simon Day  
Mrs E. Bond  
Reverends K. Haye & T Skillman  
Malborough Parish Council Notice Boards (2)  
Malborough Primary School  
Malborough Village Hall Committee  
[Malboroughvillage.org.uk](http://Malboroughvillage.org.uk)  
Salcombe Police Station