

MINUTES OF THE MEETING OF NEWTON & NOSS PARISH COUNCIL

Held on 10 February 2011

PRESENT Mr. Young Mr. Cooper Cllr Cooper Mr. Tubb Mr. Gough
(Chairman) (Vice-
Chairman)
Mr. Taylor Mr. Hussell Mr. Carter Mr. Stitson Mrs. Hinchliffe Mr. Matthews Mr. Buckland
ALSO Mrs. McDonough
PRESENT (Clerk)
3 parishioners were present for part of the Meeting

OPEN FORUM

Police- apologies had been sent by PCSO Sid Lawrence and PC Robert Batchelor. There had been 1 crime to report for the month. J1/11/92 referred to the theft of lead flashing and a lead roof from an attached shed in Noss Mayo between the 8th and 9th Feb 11. Enquiries were continuing.

PCSO Lawrence wished to highlight the increase in metal thefts throughout the South Hams area. Metal had a very high second hand value and all residents should be extra vigilant in regards to this. They had recently seen an increase in the thefts of catalytic converters from vehicles due to the high value of the metal used in manufacture. General policing issues in the parish had been fairly quiet. They continued to monitor the speed of vehicles travelling into the village and various vehicle obstruction issues around the parish.

Public Tap at Pillory Hill- a parishioner reported that the tap was not working. The Clerk would report the matter to South West Water.

Noss Hard- a parishioner advised that concrete blocks had been left near the canoe rack. Mr. Stitson said he would remove them.

Broadmoor Wood- a parishioner expressed concern about builders' rubble left near the entrance to Broadmoor Wood. The Clerk would check with the landowner and report back to the parishioner.

37/11 APOLOGIES FOR ABSENCE – there were no apologies for absence. The Chairman was running late. In his absence, the Meeting was chaired by the Vice Chairman.

38/11 MINUTES – The Minutes of the Meeting 13 January were confirmed and signed as a correct record

39/11 INTERESTS TO BE DECLARED

Members were invited to declare interests in the items for discussion during the course of the Meeting. Mr Hussell declared a personal and prejudicial interest in matters relating to the Primary School due to his partner's employment.

40/11 PROPOSAL TO VARY THE AGENDA –

RESOLVED: that items relating to consideration of quotations for notice board refurbishment and railings for the Donkey Steps should be considered in Committee. (*Vote: Unanimous*)

41/11 COUNTY and DISTRICT COUNCILS

41.1 County Councillor's Report.

i) **Bridgend Hill-** a request had been made for a new "Passing Place" sign.

ii) **Budget-** Devon County Council was required to save 28% over the next four years, 11% having to be saved in the first year. The final figures would be available the following week. Funding per pupil had improved slightly. Devon County Council had had to assume responsibility for concessionary bus fares from the District at a cost of 5 million pounds. Vacancy management practices had saved 1000 jobs to date. Senior managers had been reduced from seven to five this year. There would be a complete reorganisation of the Council working practices in terms of people and place. The consultation undertaken through the "Tough Choices Road Show" had assisted Devon County Council in reprioritising matters for their budget. Non Statutory services could be diminished or extinguished. *The Chairman arrived at 7.05pm.*

iii) **Modbury-** Modbury High Street would be closed to through traffic from the end of half term for three weeks from 9.30am-11.30pm.

41.2 Butts Park Bus shelter- the Chairman made a report of the Meeting with Gary Streeter M.P. Mr. Streeter had been advised of the history of the matter and the options which had been explored with Devon County Council. Mr. Streeter had since written to confirm that he was contacting the Highways Authority and would keep both the Chairman and Cllr Mumford advised of the position.

Highways-

41.3 Road closure- the proposed road closure 37- 42 Pillory Hill 3/5/11-9/5/11 was noted

41.4 Gritting- Members considered possible amendments to the gritting route following the difficulties experienced in December 2010. It was agreed that Devon County Council would be requested to include in the existing gritting route;

1. From The Green along Yealm Road to the Co operative by Newton Hill- to assist the delivery vans.
2. From St Peters Church, down Revelstoke Road to Hillhead.

41.5 Bridgend Hill- Devon County Council's Highways Department had confirmed that it hoped the Passing Place Sign would be placed within the next week. Members confirmed that they would request double yellow lines for two passing places –one being below "Barnicott" and the other below "The Green House".

41.6 Collaton-Butts Park Link – It was hoped completion of the transfer of the verge outside 1 Butts Park would take place shortly. **RESOLVED:** To authorise the Chairman and Vice Chairman to sign the Transfer deed transferring ownership of the verge outside 1 Butts Park to the Parish Council. (*Vote: Unanimous*)

RESOLVED: To authorise a cheque payment made payable to Ashfords LLP being the consideration due to Tor Homes for transferring ownership of the verge outside 1 Butts Park. (*Vote: Unanimous*)

41.7 District Councillor's Report- Cllr Cooper had no report

41.8 Village Housing Initiative- the Design Workshop had had to be postponed. A response had been received from South Hams District Council outlining the Local Connection Criteria. Planning permission would be subject to a planning condition or obligation to ensure that the affordable housing would remain available in perpetuity to meet local housing needs. Whilst the letter was unclear it was believed just one of the Local Connection Criteria would need to be met to be eligible. SHDC Housing Department had confirmed to Mr Buckland that there were currently 282 people who had expressed a wish to live in Newton Ferrers, nine of whom lived in Newton Ferrers. There were currently 279 applicants who had expressed an interest to live in Noss Mayo four of whom lived in Noss Mayo. They had however confirmed that these figures also included those who had requested "whole of South Hams" as this automatically selected all of the individual areas. It was agreed the Clerk would write to SHDC to ask them to confirm that on the basis there were to be 14 units of affordable homes proposed, comprising 8 rented dwellings and 6 shared ownership dwellings, and as the existing housing list stood, how many of those units would be taken up by people with Local Connections from the Parish of Newton & Noss.

41.9 Noss Play Park-

i) Drainage- Mr. Buckland advised that the contractor was waiting for a weather window to perform the work.

ii) Play Park Improvements- Mrs. Hinchliffe advised that there had been a productive meeting with Ross Kennerley, SHDC Landscape and Leisure. SHDC had agreed to provide all the necessary consents and public liability documents to meet the funders' requirements. SHDC had also agreed to transfer the balance of the funding held for the play park improvements to the Parish Council and to provide keys to the play park.

The Landscape Architect had presented a contract for the work she was to undertake. The Parish Council were asked whether it would be prepared to sign the contract as they, and not the Play Park Improvement Group, would be receiving part of the funding. It was agreed that the Parish Council would consider the contract once the latest planned drainage work had been assessed.

The hedging could be laid before the end of March or in the autumn. The hedge planting would be a community event. The hedging would need to be ordered by the end of February in order to plant before the end of the planting season. It was agreed to review matters at the next Meeting in view of the potential drainage work.

All the agreements from SHDC needed to be in place and a detailed plan drawn for the improvements by 2 April in order to satisfy the funding requirements of Community Spaces.

41.10 South Hams District Council Asset Transfer- a meeting had taken place with Mr. Ross Kennerley, SHDC Landscape and Leisure and Ms Lorna Wilson SHDC Property Services on 4 February. Mr. John Young, Cllr Suzie Cooper, Mrs. Sue Hinchliffe, Mr. Andrew Matthews, Mr. Rodney Carter, Mr. Alan Cooper and the Clerk attended from Newton & Noss Parish Council. Apologies had been from Mr. Hussell and Mr. Stitson.

i) BUTTS PARK play area/sports field- there were no existing covenants affecting the title to the land. Were the transfer to proceed SHDC would look at placing a Restriction on the Title limiting use to horticultural, sports, play, and open space. The same would apply to Noss Mayo. If the land were to be put to any other use, application for approval would need to be made to SHDC. SHDC would also require 50% of any resultant increase in the land value.

SHDC would agree to early access arrangements so that the Sports Pavilion refurbishment, orchard plans (for Noss Mayo) and allotments could proceed assuming the Parish Council were in favour.

The possibility of the area being entered for the Queen Elizabeth 11 Fields Challenge was raised. Mr. Kennerley had agreed to investigate.

SHDC were asked if the play equipment would be improved/refurbished prior to transfer. Mr Kennerley had referred to the sum of money which had been allocated for play park improvement for both play parks in Newton & Noss. There were 110 play parks across the District. £10,000 was at the

top end of the allocations made. SHDC had no further capital available at the moment. There was a possibility that any future funds raised by Section 106 agreements could be allocated. Mr Kennerley would look at repairs and funding for a minor upgrade to extend the equipments' life in the event a transfer was to be agreed. The Parish would then be in a better position to budget and precept for the future. SHDC Insurers Allianz was currently inspecting all play areas.

ii) AREA BY DILLONS- the car park had been built specifically for the Parish and was thought to have been erroneously transferred to Tor Homes as part of the Dillons development. SHDC was asked if this could be rectified and included in the transfer to the Parish Council due to concerns about the risk of Tor Homes restricting public use. It was agreed that were a transfer to take place, SHDC would write to Tor Homes and ask for the car park to be transferred back to SHDC to enable the entire site to be transferred to the Parish Council. SHDC did not believe there were any subsisting covenants but Ms Wilson would check. SHDC would want a covenant limiting the land to certain usage.

iii) NOSS PLAY PARK- SHDC agreed to provide a key for both gates. SHDC confirmed the balance of agreed allocated funding could now be paid over to the Parish Council as the improvement project was about to begin. Mr. Kennerley would write on behalf of SHDC consenting to the commencement of the improvement works and would send a copy of SHDC public liability insurance. If SHDC relinquished the lease, future responsibility for maintenance would lie with the Parish Council.

If SHDC retained the leasehold, SHDC would continue to meet its current maintenance obligations. Responsibility for any additional facilities arising from the play park improvements would lie with whoever installed it. SHDC would be prepared to bring the play park under their own insurance. They could offer monthly inspections by SHDC Inspectors and two per annum by the Allianz Inspector together with any minor repairs costing less than £20 for a fee of £100 pa. There was no "dowry" available unless a Section 106 agreement scenario arose. SHDC were prepared to look at transitional maintenance arrangements- possibly by looking at undertaking grounds maintenance on a declining basis for 2-3 years whilst the Parish Council looked at budgeting. Existing Grounds maintenance costs were sensitive as they were currently being tested on the open market. It had been suggested that the Parish Council talk to 2/3 local contractors to assess annual maintenance costs. Mr. Kennerley would send the current maintenance specification to the Clerk. The current rate of maintenance would be reduced drastically for a number of sites in the District in view of budget restrictions.

A suggestion was made that the Parish Council could look at potential income from the assets e.g. Tennis Courts, car parking fees, the pitches at the Pavilion, allotments, boat parking, events at Noss Green

SHDC were under no statutory obligation to provide open spaces for play and were actively looking at disposal of land assets.

Ownership of new facilities at Brixton was a mix of SHDC/private ownership. Facilities at Wembury were all on SHDC land. Mr. Kennerley had confirmed SHDC were covering the maintenance costs. It was made clear that NNPC would not want to be less advantaged than other Parish Councils.

iv) NOSS GREEN- No subsisting covenants on use of the land but SHDC would seek to issue similar Restrictions on use as those referred to for their land at Butts Park.

TENNIS CLUB - Members had referred to the courts requiring resurfacing with insurance difficulties if the surface deteriorated. Mr. Kennerley suggested that the Parish Council could lease the tennis courts to the Tennis Club in which case responsibility for maintenance and insurance would fall to the Tennis Club. It was suggested that the Tennis Club be contacted to clarify the costs of the repairs required and to investigate external funding in their capacity as a sports club. Mr. Kennerley would then look at the repairs and maintenance budget but were unlikely to have funding for the entirety of the repairs. Mrs. Hinchliffe said she would discuss this with them.

Mr. Kennerley suggested that the transfer of the land assets could be undertaken in phases if the NNPC had concerns about taking on particular assets.

v) PUBLIC W.C.'S - there were no plans to transfer the W.C.'s. If closure was proposed SHDC would be likely to consult with the Parish Council.

vi) GENERAL- Disposal of a public open space would need to be advertised with a consultation period. This would take at least one month. The Parish Council would need to budget for the additional responsibility. There would be a Parish Meeting on 15 March which would give the opportunity of consulting with the Parish. The Freehold interest would be transferred. Mr. Kennerley would recommend to the appropriate department that collection from dog bins and litter bins continue. Site plans of the areas to be transferred were requested. Each party would bear their own legal costs. Mr. Kennerley confirmed that he would write to the Parish Council summarising the key points and the proposed transitional arrangements.

ACTION:- Mrs. Hinchliffe had spoken to the Tennis Club who had advised the costs of resurfacing would be approximately £20,000. They were in the process of joining the Lawn Tennis Association which would enable the club to apply for grants. Cllr Cooper advised that there may be some SHDC funding available. The tennis club felt that SHDC should refurbish, the tennis club then applying for funding and would defray the costs.

Were the proposed transfers to take place, maintenance costs and responsibility would move from the District Council to the Parish Council and would increase the Parish Precept needed significantly. The Parish Council would need to address a budget for the following 5 years. It was agreed SHDC should be pressed for the maintenance works schedule to enable costs to be established. A sinking fund would need to be considered to take into account asset replacement. There were management issues and costs to be taken into account. It was agreed that the manner in which the budgeting exercise would be performed should be placed on the Agenda for the next Meeting.

RESOLVED: To authorise reimbursement of the costs incurred by the Clerk for the provision of coffees for the Meeting with SHDC on 4 February (£18) **Agenda 24 February**

42/11 ALLOTMENTS: Cllr Cooper would arrange a Meeting of the Allotment Association to review the present position.

43/11 ADMINISTRATION

.1Bishops Court- Service Charges - Mrs Hinchliffe was reviewing matters. **Agenda March**

43.2 WIC Hall- the increase in hire fees to £22 for Parish Council Meetings was noted and agreed

.2Standing Orders and Financial Standing Orders- the review of both sets of Standing Orders was in hand. **Agenda 10 March.**

44/11 CORRESPONDENCE RECEIVED

The Royal British Legion- the suggestion of Poppy Parties for the Great Poppy Party Weekend over 10-12 June 2011 was noted. The Clerk had contacted the Yealm Branch and was waiting to hear from them.

45/11 FOOTPATHS AND SEATS

Definitive Map Review-Mr. Taylor provided an update on the encouraging progress made obtaining evidence of use. There had been an emphasis on paths in Noss Mayo- the following week footpaths in Newton Ferrers would be concentrated upon. The Devon County Council PROW Officer had walked, photographed and made notes of the suggested paths for inclusion. **Agenda 24 February.**

46/11 MAINTENANCE

46.1Noss Hard- four invitations to tender to complete resurfacing had been sent out. **Agenda 24 February 2011.**

46.2 Yealm View Road- the Council considered a request for a dog bin at the Yealm View Road end of the "Pathfields" footpath. It was agreed that a note would be put up in the area inviting any objections. **Agenda March.**

46.3 Other areas for consideration- a suggestion was made that the National Trust be asked to put a dog bin in the Warren car park. The loose granite setts in the verge abutting Parsonage Road opposite Yealm Kitchens had been reported to Devon County Council previously. The **Clerk** would ask for an update.

47/11 TREES –

47.1Broken Way- the Clerk was waiting to hear from Devon County Council with respect to their Arboriculturalist Report.

47.2 Court House, Yealm Road 37/0175/11/TW- the application for permission for work to Tree Preservation Order Trees. South Hams District Council (Parish of Newton &Noss) (No.23) Tree Preservation Order 2004.Register Number of Notice: 3128 was considered. The Tree Warden was in support of the proposed work.DECISION; Support (*Vote: Unanimous*)

Mr. Hussell and Mrs. Hinchliffe (who declared a personal and prejudicial interest) left the Meeting whilst the following item was considered

48/11. GRANT REQUESTS

Newton Ferrers Primary School- the Members considered a request for financial assistance for planting outside "The Burrow". It was agreed the **Clerk** would contact the Chairperson of the Yealm Garden Society to see if they could assist. If the Garden Society were not able to help, the **Clerk** would write to the School to find out what plants were needed.

49/11 EMERGENCY PLANNING-

49.1 Emergency Plan- Mr. Carter gave an update on its preparation.

49.2 Flooding- completion of the Parish Flood Survey Form for Devon-wide assessment of surface water and local flooding in order to produce a strategy to deal with significant flood risks was discussed. It was agreed to send a "Nil" return.

49.3 Community Flood Plan- Mr. Carter advised that he had a list of 42 houses at risk of flooding from Seiches.

50/11 MEETINGS ATTENDED: To receive brief reports regarding the following:-

.1 Harbour Authority Mr. Carter advised that the new Harbour Master was to start on 1 March 2011 working in tandem with the existing Harbour Master for 4 months.

50.2 Halls –Mr. Stitson had no report from Newton & Noss Village Hall. The Chairman advised that the WIC Committee continued to investigate refurbishment and funding options.

.2 Primary School- some year two/year three children would be visiting the Elizabeth Svensden Donkey Sanctuary in Ivybridge.

.4 Ivybridge and Surrounding Area Parish Cluster Meeting- the Chairman had advised the cluster meeting about the Village Housing Initiative and that there were some concerns with the design. Cllr Mike Saltern had said that the planners had been in discussions with Tor Homes. Policing Conservation Areas had also been discussed but the meeting had not come up with any answers to the problem. The new SHDC Chief Executive had been at the meeting.

50.5 Ivybridge and District Association of Parish Councils- the Vice Chairman advised that the meeting had been told about changes to financial regulations for Parish Councils enabling them to move to electronic payments with cheques being abolished. Transfer of assets to Parish Councils had also been considered with care needing to be taken over such matters as Health and Safety issues and insurance. The group would be looking for a new Chairman and secretary at the Annual Meeting. Surprise had been expressed at the Council's decision to hold the Precept at its current level.

51/11 AUTHORISATION OF PAYMENTS – Cheque payments were authorised and signed in accordance with the schedule prepared by the Clerk, checked by Mr. Hussell and listed in Minute 52/11

52/11 FINANCIAL SUMMARY

Alliance & Leicester Current Account : Total balance at 1.2.11

£44721.62

**The balance includes: Hedge Cutting Bond
£3000**

**The following cheques were authorised totalling:
£1740.48**

Chq No	PAYEE	DETAIL	AMOUNT
1260	Newton & Noss Village Hall	Hire NNPC Meeting 10 February 2011	£20.00
1261	Newton & Noss Village Hall	Hire NNPC Meeting 24 February 2011	£20.00
1262	J Allen	Cleaning: Noss Voss & Popes Quay January 11	£47.00
1263	S McDonough	Net salary-January Contribution to Chairman's Expenses 2011	£939.63
1264	J Young	(apportioned)	£37.50
1265	S. McDonough	Contribution to Office Expenses 2011	£400.00
1266	S. McDonough	Expenses: postage, stationery & meeting expenses Expenses: travel & storage	£115.37
1267	T. Taylor	boxes Cleaning: Newton Voss & steps January	£43.98
1268	M. Hingston	2011	£82.00
1269	The Information Commissioner	Data Protection Registration	£35.00
		Total	£1,740.48

*Section 137 Local Government Act 1972 payments: Nil

Total to date:£1335

In Committee

53/11 NOTICEBOARDS- two quotations had been received for refurbishment. It was agreed the Clerk would review the quotations and clarify prices for any missing items. **Agenda March**

54/11 DONKEY PATH HANDRAIL- a quotation for a handrail was considered. It was agreed two further quotations would be invited for production in galvanized/stainless steel. The company providing the existing quote would also be asked to give a price for galvanized steel. **Agenda March**

5/10February2011.....Chairman

The Meeting closed at 9.05pm