

## **MINUTES OF THE PARISH COUNCIL MEETING OF NEWTON & NOSS PARISH COUNCIL**

**Held on 22 September 2011**

PRESENT Cllr Cooper Mr. Cooper Mr. Matthews Mr. Carter Mr. Gough  
Mr. Taylor Mr. Barnett Mr. Stitson Mr. Lyndon Mr. Tubb  
ALSO Mrs. McDonough  
PRESENT (Clerk)  
23 parishioners were present for part of the Meeting

### **OPEN FORUM**

There was a public consultation regarding the potential transfer of South Hams District Council land assets to the community. A presentation was given by the Vice Chairman followed by a question and answer session. The presentation would be made available on the Parish Council web site. The land included the playground /playing field at Butts Park, the green area by the Primary School opposite Dillons (with the exception of the car park) at The Green, the land extending from Noss Green to Noss Play Park incorporating the green area, car park, tennis courts, field and play park. It was suggested control over assets, their usage and development for the community guaranteed the future of the assets for the villages and removed the risk of South Hams disposing of the assets via the open market. However, the Parish Precept would have to increase with no corresponding reduction in SHDC element of Council tax.

#### **Budget:**

1. All Costs presented were very high level estimates and would be detailed once agreement had been reached.
2. SHDC could (to be confirmed) be prepared to continue maintaining the assets for 2 years so that the Parish Council budget and Precept increase could be phased in.
3. It was proposed all assets were transferred in one tranche to avoid unnecessary transfer costs.
4. Revenue income had not been estimated

**Estimates:** Maintaining the assets (grass cutting, cleaning etc) £15,000. Sinking fund for improvement emergency repairs etc £5,000. Part time Asset Manager £5,000. Total estimated increased annual cost £25,000. This would mean an estimated increase in the precept in the region of £2 per householder per month or 46p per household per week.

**SHDC view of revenue opportunities-** included bookings for the pavilion / pitches together with allotment hire at Butts Park, boat parking/ car parking at Noss Green, Noss tennis court income together with events generally on the sites.

**Proposed organisation to manage the assets-** the Parish Council utilising the Parish Clerk or a part time asset manager. Community committees per asset were suggested with one Parish Councillor per committee. The Committee would be responsible for running and maintaining asset and reporting via Parish Clerk to the Parish Council. Where a committee could not be formed or was not operating successfully then the Asset Manager would take control / assist

#### **Next Activities**

Following the consultation the Parish Council would decide whether it should or should not take on the assets and would agree the approach to running the assets. Following from this, the Parish Council would actively seek volunteers to sit on asset committees, mobilise the asset committees producing terms of reference, roles & responsibilities etc, produce detailed budgets and evaluate revenue opportunities identified/ proposed by SHDC.

**Questions-** were raised by parishioners both by email and in person.

It was confirmed that the Parish Precept would need to increase if the Parish Council were to take over responsibility for maintaining the assets. SHDC would not give a corresponding reduction in their part of the Council Tax charged.

If SHDC kept the land assets the Council Tax could increase or their services reduce. It was accepted that SHDC could divert the savings to be used for other parishes who may have decided against taking on their land assets.

The budget figures given were thought to be worst case scenario. The Parish Council had tried unsuccessfully for 18 months to ask SHDC to provide details of the costs of running the assets. SHDC had prepared a maintenance schedule on the basis of which maintenance quotes had been obtained by the Parish Council.

SHDC were not proposing to transfer any monies to the Parish Council with the land assets.

There were concerns that as SHDC were looking to reduce their costs that the land could be sold on the open market. A parishioner suggested that Butts Park playing field had been leased to SHDC for 99 years at a peppercorn rent on condition that it was not built on. The parishioner was advised that SHDC had offered to transfer the freehold and that a condition of transfer would be that the land was used for its current purpose. The Meeting was advised that the Council did not believe, in light of its current constitution, that the land would be built if it were transferred to the Parish Council. The Members were not aware as to whether SHDC had any intention to build on the land.

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A question was raised about protecting the land by having it registered as a Village Green whether it was transferred to the Parish or remained with SHDC. A Member advised that this would be looked into.

The Council confirmed that volunteers would be sought to form groups to run the land assets- not to carry out the physical maintenance.

The Council confirmed that there would be contingency funds, the unused element of which would accumulate. Questions were raised in respect of insurance coverage for the pipes running under the playing fields.

The Parish Council was aware of the condition of the tennis courts. It was hoped that the courts would be transferred in a good state of repair. The Tennis Club was exploring funding opportunities.

SHDC revenue raising suggestions had been noted but no account had been taken of them for budgeting purposes.

A parishioner asked what changes to planning could lead to the land assets no longer being scheduled for recreation, suggesting that there was no reason to suppose that this would happen. Any change of use application would be put before SHDC.

The Parish Council confirmed that increased insurance costs and Play Park inspections had been taken into account. SHDC had offered fixed cost price to maintain inspections as part of the handover arrangements.

The Parish Council was endeavouring to include the transfer of the car park at Dillons, owned by Tor Homes, as part of the negotiations.

It was felt the transfer of assets was an opportunity for the Parish to have control over a valuable community asset.

No deadline had been given by SHDC to accept their proposal.

A vote was taken in respect of which 16 parishioners voted in favour of taking on SHDC land assets, with four against.

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**226/11 APOLOGIES FOR ABSENCE** apologies for absence had been received from Mr. Hussell and Mrs. Ansell.

**227/11 INTERESTS TO BE DECLARED** - Members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

**228/11 NEW COUNCILLORS**- Mr. Roger Barnett, Mr. Colin Lyndon and Mr. Peter Stitson were welcomed to the Parish Council and their Declarations of Acceptance of Office and Undertakings to Observe the Authority's Code of Conduct were noted. Mrs. Ansell's Declaration of Acceptance of Office and Undertaking to Observe the Authority's Code of Conduct would be taken before the next Meeting as she had been away on holiday since prior to the Election.

#### **229/11 PLANNING**

**SHDC planning decisions** –the most recent decisions received were noted in respect of:

**229.1 17 Yealm Road 37/1135/11/F**- resubmission of householder application 37/0168/11/F for extension and alteration to existing dwelling. **SHDC**: Granted

**229.2 2 Perches Close, Membland 37/1588/11/F**-householder application for single storey kitchen extension. **SHDC**: Granted

**229.3 Vine Cottage, Riverside Road West 37/1426/11/F**-Householder application for amendments to

37/0595/11/F for garden room/boat store/shed ancillary to dwelling. **SHDC**: Granted

**229.4 Crown Yealm, Bridgend 37/1384/11/F** -retrospective householder application for construction of gabion wall and platform at waters edge to prevent soil erosion and landslip. **SHDC**: Granted

**229.5 Mossgara, Pillory Hill 37/1587/11/F**- householder application for extensions alterations and improvements to include extension to family room, dormer window, replacement of timber decking and external landscaping. **SHDC**: Granted

**229.6 Globe Cottage, 15 Noss Mayo 37/1542/11/F**-householder application for fitting of photovoltaic panels

to east elevation roof. **SHDC**: Permitted development

**229.7 Applications withdrawn-Revelstoke, Noss Mayo 37/1941/11/F**-householder application for additional first floor provision to planning approval reference 37/1326/11/F.

**.8Enforcement- 99 Yealm Road**- South Hams District Council had been in communication with the landowner regarding the date of construction of the wall in 2007. Cllr Cooper advised that SHDC were undertaking enforcement action.

**230/11 PLAYPARKS**- a proposal was made to vary the agenda. **RESOLVED**: that items relating to consideration of tenders for Noss Play Park improvements should be considered in Committee at the end of the Meeting. (*Vote: Unanimous*)

**231/11 SHDC ASSET TRANSFER-** A member of the SHDC legal department had been in touch on 9 September enquiring into progress with respect to the Parish Council's response to terms sent out in October 2010. SHDC had been advised that the Parish Council had replied to SHDC by letter dated 18 July 2011. It was agreed that the **Clerk** should press again for a response. RESOLVED: to await the substantive response from SHDC before taking further action. (Vote: *Unanimous*)

**232/11. HIGHWAYS/TRANSPORT-**

**232.1 Winter Maintenance Community Self Help/ Snow Warden Scheme 2011-**

**i) Snow Warden Scheme-** Mr. Paul Clark and Mr. John Sexton, who were present and both from Noss Mayo, confirmed that they would be prepared to undergo Snow Warden training. The Chairman advised that Mr. John Anthony from Newton Ferrers had also volunteered. Mr. Clark was waiting for confirmation of a possible site to store the five tons of grit offered by Devon County Council and suggested that a grit bin was needed near Newton & Noss Village Hall. RESOLVED; Mr. Clark, Mr. Sexton and Mr. Anthony would be appointed Snow Wardens for the Parish and the **Clerk** would notify Devon County Council of the Council's decision to register for the Snow Warden Scheme. (Vote: *Unanimous*)

**ii) Proposed changes to the Primary Highway salting Network -** Devon County Council had proposed C76 Holbeton at Whitemoor Cross to Stoke Cross & Stoke Rd (Stoke Cross) to junction with Revelstoke Road be removed from the primary network. A379 junction Yealampton to A38 Smithleigh would be added to the primary network. It was agreed that the **Clerk** should request that the school bus route remain part of the Primary Salting Network.

**232.2 Grit bins-** it was understood that Devon County Council had approved the siting of a grit bin at Hillhead but that the Parish Council would need to purchase the bin at a cost of £300. Devon County Council would keep it filled with salting grit. Consideration was given to the purchase of a further grit bin for potential siting near the Village Hall- the site to be finalised upon receipt of advice from the Snow Wardens following completion of training. If the site was not approved by Devon County Council, the Parish Council would need to pay for it to be filled. RESOLVED: to purchase two grit bins, one for Hillhead and the other for potential siting near Newton & Noss Village Hall, from funding available from Councillor Mumford's Locality Budget. (Vote: *Unanimous*)

**232.3 Collaton Bus Shelter-** a quotation for repairs to the Perspex had been sought but not received. Mr. Stitson advised that he would look into the repair.

**233/11 COLLATON-BUTTS PARK LINK** –the gates/latches had been fitted and the hedges/grass trimmed. The Vice Chairman and Mr. Taylor were happy with the work undertaken. RESOLVED: To authorise payment of the invoice received from EG Hingston & son in the sum of £889.80. (Vote: *Unanimous*)

**234/11 CORRESPONDENCE**

**234.1 Collaborative master planning template—** it was agreed to make no response to the consultation.

**234.2 National Planning Policy Framework-** Members agreed that the CPRE's position had already been supported by the Parish Council.

**234.3 DALC/Community Council of Devon-** no Members were available to attend the AGMs and conference.

**235/11 AUTHORISATION OF PAYMENTS** – Cheque payments were authorised and signed in accordance with the schedule prepared by the Clerk, checked by Mr. Carter and listed in Minute 236/11.

**236/11 FINANCIAL SUMMARY**

**Alliance & Leicester Current Account :** Total balance at 1.9.11  
**£61751.64**

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

**Grant monies held for Play Park Improvement**  
**£14770**

**The following cheques were authorised totalling:**  
**£3494.44**

Chq No	PAYEE	AMOUNT	VAT
1359	Signpost Housing	Bishops Court Service Charges	

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	Association Ltd	2009/2010 £873.14		
		2010/2011 £714.15		
		2011/2012 budgeted to date		
		£171.36	£1,758.65	
1360	R. Barnett	Hedge cutting/clearing: Noss Green,		
		tennis courts & play park	£264.00	
1361	EG Hingston & Son	Collaton/Butts Park Path		
		Supply & fit 2 latches and rails	£505.80	
		Hedge/grass cutting	£384	£889.80 £148.30
1362	S. McDonough	Expenses: Postage	£82.00	
1363	Audit Commission	Audit Fee 2010/2011	£480.00	£80.00
1364	River Yealm Harbour Authority	Slipway Cleaning Fluid	£19.99	£3.33
		<b>Total</b>	<b>£3,494.44</b>	<b>£231.63</b>

*\*Section 137 Local Government Act 1972 payments: Nil. Total to date:£150*

In Committee

### **237/11 NOSS PLAY PARK**

Mrs. Hinchliffe addressed the Council regarding the Tender report prepared by Eden Design and the basis behind selecting Earth Wrights as the preferred Tender. They had provided the second lowest quotation of approximately £63,173.10 plus VAT and were almost £10,000 more expensive than the lowest quotation of £54,357.36 plus VAT. Mrs. Hinchliffe and the Play Park Improvement Group had followed the advice from Eden Design. The funding was in place. Earth Wrights had appeared to have looked at the project in detail and had taken care in the preparation of their Tender. They were designing and producing the equipment that was to be installed. They were reusing some of the existing equipment. It was felt that they would provide a better service and finished product, the lowest quoting company predominantly dealing with landscaping. Some of the elements provided in the Tender from the lowest quoting contractor had not appeared to be correct.

A cashflow forecast for the Parish Council current bank account had been circulated. Copies of the payment/funding schedule prepared by Mrs. Hinchliffe had been provided to the Members. Mrs. Hinchliffe confirmed that the maximum sum the Parish Council bank account would need to fund on a temporary basis, at any one time during the course of the project, would be approximately £15,000. Mrs. Hinchliffe advised that the main funder, Community Spaces, met alternate Thursdays to consider invoices submitted, which when approved, should be in the Parish Council bank account by the following Tuesday. The contractor would be made aware of the position and that his invoices would be settled once the claims had been submitted to and paid by Community Spaces. The Council would be in a position to reclaim VAT at the end of each month. Funds provided by SDCLAG would take longer to be paid.

Members considered the position carefully with particular reference to the tender process and to the possibility that the Parish could be taking over responsibility for the maintenance of the play park in perpetuity.

As the quotations had been less than expected there was a possibility funding could be available for extra equipment. Mrs. Hinchliffe would be contacting Community Spaces regarding potential uses for the surplus.

Mrs. Hinchliffe had checked with South Hams District Council that planning permission was not needed for the project; it having been a prerequisite to clarify this before funding applications were submitted.

RESOLVED: to accept the Tender quotation provided by Earth Wrights in the sum of £63,173.10 plus VAT. (Vote; 7 in favour, 3 abstentions.)

The standard form of contract had been made available for Members of the Parish Council to review. RESOLVED; to authorise the Chairman to sign the contract with Earth Wrights for the Noss play Park Improvement Project. (Vote; unanimous)

RESOLVED: A vote of thanks was made to members of the Noss Play Park Improvement Group comprising Mrs. Hinchliffe, Mrs. Burkett, Mrs. Carrick, Mrs. Sibson and Mrs. McDonough.

*The Meeting closed at 8.35pm*

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