

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

**Held on 21 May 2015**

PRESENT Mrs. Ansell Mr. Tubb Mr. Carter Mrs Evans Mrs. Cooper  
ALSO Mr. Hussell Mr.Green Ms Adams Miss Cove Mr. Lyndon  
PRESENT 3 Parishioners Mrs. McDonough  
(Clerk)

**113/15 ELECTION OF THE CHAIRMAN AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE-**

RESOLVED: Mrs. Alison Ansell was elected as Chairman of the Parish Council to serve until May 2016. (*Vote; 8 in favour, 2 abstentions.*) Mrs. Ansell signed the Declaration of Acceptance of Office.

**114/15 ELECTION OF THE VICE CHAIRMAN AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE-**

RESOLVED: Mr. Alan Cooper was elected as Vice Chairman of the Parish Council to serve until May 2016. (*Vote; 9 in favour, 1 abstention.*) It was agreed the Vice Chairman should sign the Declaration of Acceptance of Office at or before the next Meeting

**115/15 MEMBERS' DECLARATION OF ACCEPTANCE OF OFFICE -** the Clerk advised that all Declarations of Acceptance of Office had been received from Parish Council Members.

The Chairman, on behalf of the Parish Council, thanked Mrs. Cooper for all her hard work whilst Chairman of the Parish Council.

**OPEN FORUM**

Mr. Jeremy Brown expressed thanks to Mrs. Cooper, on behalf of the Parish, for her previous chairmanship of the Parish Council.

**116/15 APOLOGIES FOR ABSENCE-** there were apologies from the Vice Chairman.

**117/15 NEW PARISH COUNCILLORS-** Ms. Adams and Mr. Green were welcomed to the Parish Council.

**118/15 INTERESTS TO BE DECLARED** - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

**119/15 DISPENSATION REQUESTS-**

**119.1 RESOLVED:** the Chairman, Vice Chairman, Mrs. Evans, Mr. Green, Mr. Tubb, Mr. Hussell, and Mr. Carter should be granted dispensations to speak and vote on the following matters;

- i) To consider and settle the Precept
- ii) To consider allowances, travelling expenses and indemnities for Members
- iii) Moorings/outhauls
- iv) Matters relating to the Yealm Yacht Club

For four years or until the next ordinary elections whichever was the earlier. (*Vote; 9 in favour, 1 abstention*)

**119.2 RESOLVED:** that Mr. Lyndon and Ms. Adams should be granted dispensations to speak and vote on the following matters;

- i) To consider and settle the Precept
- ii) To consider allowances, travelling expenses and indemnities for Members.

For four years or until the next ordinary elections whichever was the earlier. (*Vote; Unanimous*)

**119.3 RESOLVED:** Miss Cove should be granted a dispensation to speak and vote on the following matters;

- i) To consider and settle the Precept
- ii) To consider allowances, travelling expenses and indemnities for Members
- iii) Moorings/outhauls

For four years or until the next ordinary elections whichever was the earlier (*Vote; Unanimous*)

The grounds for the dispensations were; that so many members of the Council had disclosable pecuniary interests in the matters that it would impede the transaction of the business (i.e., it would otherwise be inquorate), that the Council considered that the dispensations were in the interests of persons living in the Council's area, that without dispensations no member of the Council would be able to participate on the matters and that the Council considered that it was otherwise appropriate to grant dispensations.

**120/15 MINUTES** –the Minutes of the 6 May Meeting were confirmed and signed as a correct record

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**121/15 VARIATION OF AGENDA-** RESOLVED: matters relating to consideration of a quote for Sport Pavilion electrical inspection/PAT Testing and pre planning applications/ planning enforcement matters should be considered in Committee. (Vote; 9 in favour, 1 abstention)

## **122/15 COUNTY and DISTRICT COUNCILS**

**122.1 County Council-** Cllr. Hosking had sent apologies. He had sent a report regarding the following;

i) Devon County Council Children's Services had moved from "inadequate" to "requiring improvement" in the Ofsted report published on 14<sup>th</sup> June. This was felt to be very good news and the County team would be continuing with improvements aiming for "good" status in future years.

ii) The results of Transport Survey would be published in June/July.

It was agreed Mr. Green and Ms. Adams would review the Local Government Boundary Commission's draft recommendations on future electoral arrangements and report back to the Council at 11 June Meeting.

**122.2 District Council –** Cllr. Keith Baldry offered congratulations to the Chairman on her election. He had attended the first meeting of the new District Council that day. Cllr. Ian Bramble from Kingsbridge had been elected Chairman and Cllr. Peter Smerdon from South Brent Vice Chairman. Members had been appointed to committees. Staff cuts had been introduced with 85 administrative staff leaving by the end of July. New staff were to be trained. Cllr. Baldry referred to the new 2 member shared ward which was three times the size of his previous ward. He would be working with Cllr. Ian Blackler. They would try to ensure that one of them attended the main Parish Council Meeting if not the second meeting which concentrated on planning. With respect to the planning application made in respect of 97 Yealm Road 37/0569/15/F he had noted the Council's recommendation to approve subject to a traffic management plan. The planning officer had not considered a traffic management plan appropriate for a small single household development and that they were relevant to much larger schemes. Cllr. Baldry was referred to the width of roads, visitor impact and the number of developments which had led to the request for traffic management plans.

### **122.3 Highways/Transport-**

i) **Verges/splays-** it was noted that many had been cut.

ii) **Public transport-** Cllr. Baldry advised that he had spoken with Cllr. Hosking who thought the news may be positive in respect of the No. 94 bus service. It was also understood the section of A379 between Brixton and Yealmpton was being surveyed. The decision with respect to the work being undertaken would be made in the next few months. The work was likely to take 6-8 months. The traffic lights were likely to be there for the rest of the year at least. There were implications for Yealmpton Show traffic.

### **122.4 SHDC Asset Transfer/Parish Asset Land Registration-**

i) **Legal-** RESOLVED; Curtis Whiteford Crocker should be given authority to complete the Agreement for Sale and transfer of the SHDC land assets to the Parish Council. (Vote; *Unanimous*).

The lease between SHDC and the Parish Council in respect of Noss Play Park had now expired and the land had reverted back to the Parish Council. Curtis Whiteford Crocker had advised that they would go through the surrender process in any event. The Clerk had obtained confirmation from SHDC that it would continue to insure and inspect Noss Play Park under the same terms proposed within the Agreement for sale up to and after Agreement for Sale/transfer had been completed

ii) **Events-** the draft booking form for events to be held on Parish Council land remained to be reviewed and completed. The Clerk would recirculate. The lady who had enquired about booking for a child's birthday party in July on Noss Green had advised that she had booked a bouncy castle for 18 July and would prefer to wait to see if the land would be transferred to the Parish Council. It was agreed the Clerk should advise the parishioner that there would be booking procedures to go through with the Parish Council.

iii) **Licences-** Mr. Andrew Matthews had been assisting the Chairman in negotiating Licence terms with the Boules and Tennis Clubs. It was agreed the Chairman and Mr. Matthews would be authorised to meet with representatives from the Tennis Club and Boules Clubs.

## **123/15/ PLANNING**

### **Planning decisions**

**123.1 Toad Hall 28B & Coach House 28C Court Road 37/0221/15/F-** division of 1no. dwelling to 2no. single dwellings and formation of 1no. on site parking space and access. Affected the setting of a Listed Building. **SHDC:** Granted.

**123.2 The Orchard, Bridgend 37/0834/15/tw-**South Hams District Council (Parish of Newton & Noss), (No 906) Tree Preservation Order 2014. Work to Tree Preservation Order Trees. Trees within woodland x 2 Elm. Fell. Elm x1. Lop top and removal of growing ivy. **SHDC;** Grant of Exemption.

### **Planning applications received:**

**123.3 The Sheilings, 97 Court Road, 37/0903/15/F-**demolition of existing building and erection of replacement dwelling. Mrs. Cooper declared an interest and would not take part in the debate or vote. Concerns were raised regarding the aspect of the house. The majority of houses in the area were set back to allow a grass roadside verge. The proposals would affect the street scene. Concerns were also raised about over fenestration with comments made that there were large areas of glazing which could be considered unattractive and lead to light pollution. A suggestion was made that it did not enhance the AONB. A proposal was made to object on the basis

of over fenestration, light pollution and alteration of the street scene. Two were in favour, three were not in favour of objecting with 4 abstentions. The proposal was not carried.

DECISION; No objection. (*Vote; 4 in favour, 3 in favour of objecting, 2 abstentions.*)

**123.4 The Poolhouse, West Park, Netton Farm, 37/1015/15/F-** conversion of poolhouse to ancillary accommodation/annexe with garaging. DECISION; No objection. (*Vote; 6 in favour, 4 abstentions.*)

**123.5 Newton & Noss Neighbourhood Plan** –the Chairman had been provided with an update by Mr. Christopher Lunn. The Newton & Noss Neighbourhood Plan was still progressing but not as rapidly as hoped. The main reasons were likely to be the absence of key players, insufficient volunteers to share the work load and concentration on the website. A huge amount of effort had gone into the website which once launched would explain what the Neighbourhood Plan was about to as wide an audience as possible, would keep everyone advised of progress, attract new volunteers and allow everyone to contribute. It was anticipated the next steps would be to

i) Confirm membership of the Steering Group- 5 Parish Councillors and 5 non Parish Council Members. He would pursue the non-Council Membership.

ii) Arrange an initial meeting of the Steering Group to agree its own terms of reference, how it would link to the Parish Council and which would need to be endorsed by the Council.

iii) Launch the website.

iv) Carry out a simultaneous campaign to attract more involvement from all sections of the community particularly the younger groups who would be most affected by what the Neighbourhood Plan ultimately recommended.

It was agreed to authorise the Chairman and Vice Chairman to meet the Neighbourhood Plan Group and to report back to the Council.

**123.6 Brixton Neighbourhood Plan-** an application had been received to designate a neighbourhood plan area for Brixton, following the parish boundary but not including the area designated for development of Sherford. As the application adjoined with the Newton & Noss parish boundary, the Council was asked to consider the proposed plan area and to advise of any comments as to whether it was an appropriate area. DECISION; Newton & Noss Parish Council had no comments in respect of the application made to designate a neighbourhood plan area for Brixton. (*Vote (9 in favour, 1 abstention).*)

**123.7 Parsonage Road-** the Chairman and Ms. Adams had gone to the public consultation event on Wednesday 13<sup>th</sup> May in respect of development proposals for land at Parsonage Farm. Different options had been put forward for the affordable housing element which was understood to be up for discussion.

**123.8 Newton Downs Farm-**

i) Good Energy had provided an update following their public consultation on 30 April. Despite a relatively modest turn-out at the event on April 30<sup>th</sup> (around 20 attendees over the course of the afternoon and evening), Good Energy had found it useful to be able to share more information about their proposals, and very helpful to hear people’s feedback. Based on their conversations with attendees and responses to a questionnaire circulated on the day, they considered the proposed project was particularly well received. The most frequent comments related to the minimal visual impact of the solar farm due to the concealed location, and proximity of the site to the point of grid connection (helping to reduce the need for potentially disruptive earthworks during construction). There was a high level of interest in the potential community investment opportunity alongside other local benefits that could be provided through a community fund. A summary of the questionnaire responses had been provided and circulated to Parish Council Members. In terms of timescales, they anticipated submitting the planning application in the next week or so and would notify the Council of the planning application number once it was registered with South Hams District Council.

ii) Mr. Peter Brown from Yealm Community Energy had responded to the Parish Council’s request for information as to what benefits the community should be seeking from Good Energy as part of their proposals. Mr. Brown had advised that the group was negotiating to get a better offer than their usual £1,000/MW/Yr. which the group felt too little considering the profits Good Energy were likely to make over the next 20 years. The question was how much work on the Parish’s part was worth the extra money, which could be up to £1M (profit) over 20 years, and how much risk was the Parish prepared to take to obtain this. At one extreme the Parish could offer to raise the £5M or so through a share offer to buy Good Energy out once the facility was permitted. Good Energy would therefore undertake the Planning risks, and after buy out the parish would sell them all electricity generated. The group emphasised that they were still negotiating, and getting legal and BenCom specialist advice, as well as consulting with various people within the Parish. Options were still fluid.

Mr. Lyndon commented that Butts Park residents would be most affected by the increased traffic. Miss Cove suggested Good Energy should make a contribution to any road repairs needed.

## **124/15 ADMINISTRATION**

**124.1 End of Year accounts**–the dates for the exercise of electors’ rights to inspect the Annual Return and accounts had expired on 18 May. No enquiries had been received. The Annual Return and supporting papers had been sent to Grant Thornton for external audit.

**124.2 Members’ Responsibilities** –responsibilities for the forthcoming year to April 2016 were agreed and would be made available on the Parish Council website.

**124.3 Banking arrangements-** RESOLVED; to approve the existing Parish Council banking arrangements with Santander. To confirm Mr. Rodney Carter, Mr. Anthony Tubb and Mr. Colin Lyndon as signatories, with the removal of Mr. Tom Taylor and the addition of Mrs. Fiona Evans as signatory to the Parish Council's two accounts with Santander. *(Vote; 9 in favour, 1 abstention.)*

**124.4 Risk assessment review-** Mr. Carter and Miss Cove would review the draft risk assessment schedule prepared by the Clerk and report back to the Council.

**124.5 Insurance** – the Chairman and Mr. Carter had reviewed the insurance renewal quotations from Came & Co and Zurich. The Parish Council had already agreed to include insurance of the play park equipment in Noss Mayo. RESOLVED; to accept the quotation from Zurich in respect of the Parish Council's annual insurance arrangements and to authorise payment of the premium payable of £837.91. *(Vote; Unanimous)*. It was agreed not to enter into a Long Term Agreement with Zurich at this stage to enable the Parish Council to monitor the service provided by Zurich.

Details of the services offered by the Local Council Advisory Service through Zurich, offering local councils assistance with risk management was considered. RESOLVED; to undertake the policy with the Local Council Advisory Service and to authorise payment of the premium payable of £95 plus VAT. *(Vote; Unanimous)*

**124.6 Policies-**it was agreed policy reviews would be delegated to the following Members- Mr. Green (Environmental Policy), Mrs. Evans (Equal Opportunities Policy), the Chairman (Affordable Housing Policy), Ms. Adams (Complaints procedure). The Freedom of Information Policy and Data Protection & Information Security Policy would be reviewed by the Clerk. Members agreed that they were satisfied with the Code of Conduct (which had been revised in November 2014). RESOLVED: To approve and adopt the Parish Council Tree management policy. *(Vote; Unanimous)*

**124.7 Financial Regulations/Standing Orders-**Members were satisfied with the Financial Regulations and Standing Orders which had been revised and adopted in February 2015.

**124.8 Bishops Court-** the Clerk had received an indication from Dr. Hirst at Yealm Medical Centre that there was an intention to withdraw from using the Consulting room at Bishops Court. Confirmation in writing was awaited. A Member expressed concern that this local service was to be lost. It was agreed the Chairman and Mr. Green would arrange to meet with representatives from Yealm Medical centre to discuss the matter and would report back to the Parish Council. The opportunity for the Parish Council to give notice on the lease entered into for the use of the Consulting Room with Spectrum Housing Association would be reviewed after discussions with Yealm Medical centre.

**124.9 Parish Council vacancy-** Members were advised that they were able to co-opt to fill the vacancy on the Parish Council. If the power of co-option was not exercised within 35 days (excluding Saturdays, Sundays and Bank Holidays), the principal authority could then exercise its powers to hold a further election (the costs of which the Parish Council could be charged) or to take other steps to fill the vacancy. One parishioner had already expressed interest to the Clerk. It was agreed to advertise the vacancy via Parish Council notice boards, the website, Parish Council email database and "Up the Creek" primary school newsletter. Applications would be invited by Monday 22 June, the Parish Council considering applications at their Meeting on 25 June. It was agreed applications would be considered in the Meeting and not in Committee, voting taking place by ballot.

**124.10 Councillor Training-** RESOLVED; to book and authorise payment for the Chairman to undertake training in Chairmanship by DALC ( £25 plus VAT) and for Ms. Adams and Mr. Green to undertake courses in "Being an effective Councillor" through DALC ( £25 plus VAT per person) *(Vote; 7 in favour, 3 abstention.)*

### **125/15 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 126/15

### **126/15 FINANCIAL SUMMARY**

<b>The following cheques were authorised totalling:</b>			<b>£869.91</b>
<b>Chq</b>			
<b>No</b>	<b>PAYEE</b>		<b>AMOUNT</b>
1946	South Hams Garden & Property Services	Grass cutting; The Green 9 & 23 April 2015	£32.00
1947	Zurich Municipal	Insurance renewal 2015-2016	£837.91
		<b>Total</b>	<b>£869.91</b>
DD	BT	Broadband charges	<b>£70.80</b>

\*Section 137 Local Government Act 1972 payments:£0 total to date;£75

### **127/15. MAINTENANCE**

**127.1SHDC TAP funding 2015/2016-** to date it had been agreed that warning signs adjacent to Butts Park playing field and Collaton footpath partial resurfacing should be included. Mr. Green suggested advisory signs for Membland

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to assist with speed reduction. The Clerk would make enquiries with DCC Highways Department. The Parish Asset Inspection schedule would be sent out shortly from which further items could arise.

**127.2 Annual spring maintenance-** the invitation to tender had been circulated. It was agreed to add Broken Way verge trimming and the removal of an earth/wood ramp from Noss Green. The relative who had been approached for approval for the work to be conducted on the Revington seat had confirmed he was happy with the proposals. Mr. Carter would meet with potential contractors.

**127.3 Other areas for consideration-** South West Water had confirmed to the Clerk that morning that the grass area around the water tower would be cut but that there were no plans to improve the appearance of the water tower itself.

**In committee**

**127.4 Sports Pavilion-** RESOLVED; to accept the quotation from JB Electrical to conduct an electrical inspection/PAT testing at the Sports Pavilion in the sum of £100. (*Vote; Unanimous*)

**128/15 PRE PLANNING APPLICATIONS/PLANNING ENFORCEMENT**

No matters were considered.

*The Meeting closed at 9.00pm*