

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

Held on 12 December 2013

PRESENT	Cllr. Cooper	Mr. Cooper	Mr. Carter	Mrs. Evans
Mrs. Guy ALSO PRESENT	Mrs. Ansell 6 Parishioners	Mr. Matthews		Mrs. McDonough (Clerk)

OPEN FORUM

Land to east of 85 Court Road 37/2616/13/F- a representative from the RYDA read out a statement regarding the Parish Council's response to the application made at the previous Meeting on 28 November. Reference was made to the grounds for refusing previous planning application made for a new build on the site in March 2011 and the last Appeal judgment by the Planning Inspectorate in March 2006. It was submitted that the South Hams Core strategy, the Development Policies and the Local Plan were still in place. Central Government policy remained the same also reflected in the National Planning Policy Framework. The Village development Boundary had not changed. The applicant made further representations in support of his application. He confirmed the Village Development Boundaries had not changed. A copy of all application/appeal sites was shown to Members. Reference was made to a Planning Inspectors comments made on a 2003 Appeal when it was suggested that Lower Court Road was unsatisfactory for any further traffic.

256/13 NEW COUNCILLORS- Mrs Evans and Mrs Guy were welcomed to the Parish Council.

257/13 APOLOGIES FOR ABSENCE – there were apologies for absence from Mr. Taylor, Mr. Hussell, Mr. Lyndon, Mr. Tubb and Mr. Stitson.

258/13 MINUTES –the Minutes of the 14 and 28 November Meetings were confirmed and signed as a correct record.

259/13 INTERESTS TO BE DECLARED - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

260/13 DISPENSATION REQUESTS- RESOLVED: that a general dispensation would be granted to the Mrs. Evans and Mrs. Guy, to participate and vote in the following matters;

- i) To consider and settle the precept
- ii) To consider allowances, travelling expenses and indemnities for Councillors
- iii) Moorings/outhauls
- iv) Matters relating to the Yealm Yacht Club (*Vote: 5 in favour, 2 abstentions*)

261/13 PROPOSAL TO VARY THE AGENDA- RESOLVED; items relating to quotes for repairs and refurbishment to public benches should be considered in committee. (*Vote; Unanimous.*)

The planning officer in respect of the pre planning application for "Seagulls", Stoke Road had subsequently requested that the matter remain confidential and that the matter should not be considered in the Parish Council Meeting.

RESOLVED: That the pre planning application in respect of "Seagulls", Stoke Road would not be considered in the Parish Council Meeting. (*Vote: Unanimous*)

262/13 COUNTY and DISTRICT COUNCILS

262.1 County Councillor's Report Cllr. Mumford advised:

- i) Adult Care homes-** the County Council was engaged in consultation.
- ii) Youth Service-** engagement had been completed. A consultation proposal would be debated in January.
- iii) Budget-** One hundred and ten million pounds had to be saved in the next four years. There would be significant tasks that Devon County Council would not be able to undertake. Expectations would need to change. There was ongoing and upward pressure on demand led services such as Children Services and Adult Care Homes. There was an increasing challenge with no further funding from Central Government.
- iv) Barnicott-** Cllr. Mumford had had a number of emails regarding the creation of a new entrance from land at "Barnicott" onto Bridgend Hill opposite Yealm View Road. No formal request had been made to Devon County Council Highways Department for permission. It was understood that Highways had given the landowner informal advice to the effect that permission was unlikely to be granted.
- v) Parking difficulties-** Cllr. Mumford was to meet with Mr. Peter Brunt and Mr. Nick Colton the following day. There would be an update for the January Meeting.

262.2 Devon County Council Locality Budget- Cllr. Mumford advised that he would ideally like to have a firm proposal and the monies allocated in the current fiscal year. He was advised that an invitation to parishioners to put forward proposals would be in the Parish Magazine for January. It was thought Butts Park Play Park could also be considered.

262.3 Highways/Transport – including

i) Court Road flood prevention measures- it was understood South Hams District Council would be proceeding with the camera investigation of the drains in the area, Cllr. Suzie Cooper having allocated part of her Locality Budget Funding for the purpose and the Parish Council having agreed to contribute.

ii) Road surfaces- it was agreed the Clerk would report concerns regarding the condition of road surfaces at the bottom of The Fairway, top and bottom of Wright's Lane, Newton Hill, the hill to Membland with particular reference to the area outside Post Office Farm at Bridgend.

262.4 TAP Fund application- a draft application had been submitted for approval by Wembury Parish Council and circulated to the Members. The application was agreed, but on the basis of supporting Brixton and Yealmpton Parish Councils' suggestions that the Parishes did not have to contribute financially themselves. The funds should be divided equally between the Parishes and it would be necessary to devise a works plan. Cllr. Mumford would be asked for his support.

262.5 Draft Local Flood Risk management Strategy-Members had no comment.

262.6 Draft Devon Waste plan- Members had no comment.

262.7 District Councillor's Report- the Chairman advised that she had spoken with Mr. Malcolm Elliott SHDC Development control, Cllr. Hawkins, the Councillor with overall responsibility for Affordable Housing and Mr. Michael Saltern Chairman of Tor Homes, regarding the delays in progressing the Village Housing Initiative for the Parish. It was understood Tor Homes had not yet submitted a planning application for the attenuation tank. Plans were currently being drawn up. Gary Streeter M.P. had offered support.

The Chairman advised that there were less planning officers as SHDC increasingly worked with West Devon and Teignbridge Councils.

262.8 SHDC Asset Transfer/Parish Asset land registration- the fee earner at Curtis Whiteford Crocker had provided an update apologising for the delays in reporting back to the Parish Council. He had called his counterpart at the South Hams District Council who had undertaken to provide him as soon as possible the latest, travelling draft of the contract so that he would be able to provide the Parish Council with a copy. When addressing the Parish Council on 12th September last concerning the amendments sought to the draft agreement relating to the then proposed overage clause and other minor amendments to the contract, he had not appreciated, as he did now, that the South Hams Legal Department was instructed by the South Hams Assets Department who in turn took guidance from the South Hams Natural Environment and Land Usage department. He had been advised however that he should shortly have a substantive response to the proposals.

With regard to requests for copies of the Council's risk assessments undertaken for all the land assets to be transferred to the Parish Council, his counterpart at the Council was trying to track these down from either the Assets or Natural Environment and Land Usage Department. These would be provided Curtis Whiteford Crocker as soon as they were available to him.

262.9 Councillor Training- Mr. Matthews had attended the "Managing Public Spaces" TAP funded workshop at Tavistock. It was felt the Parish Council was on the right track in terms of preparation for the SHDC Asset Transfer.

262.10 Village Housing Initiative- *min 262.7 refers.*

262.11 SHDC Public Conveniences- Mr. Stuart Jellings, SHDC, had confirmed the following

1. If the Parish Council were to take over the cleaning of the toilets SHDC would still be responsible for repairs and maintenance although this could affect the level of saving achieved as repair and maintenance costs would still be incurred for the period. He thought this position would be negotiable as part of the next stage of discussions.
2. Insurance arrangements if the Parish Council decided to keep the toilets open would be confirmed at the next stage.
3. Training sessions for cleaners could be provided.
4. Whether cleaning materials would be provided was a point for negotiation.
5. Estimates of keeping the toilets open at Newton and Noss throughout the period, with SHDC maintaining the service, had been given. The figures were estimated full costs for the 4 month period November - February. SHDC would expect this to be re-numerated should the Parish Council wish to support keeping them open, if the toilets were selected as 'in-scope'.

Newton - £1,250 Noss - £1,900

6. SHDC was in the process of finalising the number of toilets 'in-scope' for seasonal closure. They were looking to confirm this at the end of the week.

263/13 PLANNING

Planning decisions.

263.1 Redlands, Court Wood 37/2337/13/F-replace extant householder planning approval 37/0112/10/F for summer house, extension to jetty, construction of slipway and refurbishment of existing boathouse. Affected a public footpath or right of way. **SHDC:** Granted.

263.2 Madge Point, Court Wood 37/2399/13/F-householder application for amendments to jetty design of planning approval 37/0643/12/F (timber jetty with steps.) Affected a public footpath or right of way. **SHDC:** Granted.

263.3 Hoarstone Cottage Bridgend 37/2290/13/F- renewal of extant planning approval 37/0624/11/F for extension.

The site adjoined/affected a public right of way. **SHDC:** Granted.

263.4 Adjacent To 73 & 75 Court Road TPO 898.South Hams District Council (Parish of Newton & Noss) (No. 898) Tree Preservation Order 2013. Serving of new order. **SHDC:** Confirmed as served.

Planning applications received:

263.5 The Oaks, Court Wood 37/2746/13/F-Conversion of existing dwelling to 2no.self contained flats including parking provision of two spaces in rear garden. Affected a public footpath or right of way. Members considered the additional traffic along Lower Court Road. DECISION: Objection. The available parking to the front of the property should be utilised. There should be no additional access or parking to the rear of the property. *(Vote; Unanimous)*

263.6 60 Junket Cottage, Pillory Hill, 37/2752/13/F-householder application for refurbishment of cottage and construction of annex. DECISION: Objection.

1. Visual impact.
2. Related planning history- development was refused on that site by the Planning Inspectorate.
3. AONB area. *(Vote; Unanimous)*

263.7 Redlands, Court Wood, 37/2762/13/F-replacement detached dwelling (amendment to planning approval 37/0011/11/F). Affected a public footpath or right of way. The Chairman, Mrs. Ansell and Mr. Carter had made a site visit on 10 December at the invitation of the applicants. Whilst Members did not have a difficulty with the design. Some Members felt that the proposal was very "land hungry". DECISION: No comment. *(Vote; 6 in favour, 1 abstention)*

263.8 Old Quay, 107 Yealm Road 37/2770/13/F-demolition and replacement of existing dwelling. Affected a public footpath or right of way. DECISION: Objection;

1. External appearance inappropriate in context.
2. Design inappropriate
3. Impact on an AONB area.
4. Visual impact.
5. Overdevelopment of the site in a very sensitive area.
6. Over fenestration.
7. Light pollution. *(Vote; Unanimous)*

263.9 Land to east of 85 Court Road 37/2616/13/F- erection of a single dwelling with vehicular access and parking spaces. Affected a public footpath or right of way. The Planning Officer had asked the Parish Council to clarify the response made at the Meeting on 28 November. DECISION: The Parish Council resolved to amend their decision to Objection. Objection based on the grounds for refusing permission to build on the site, previously, raised in previous objections by the Parish Council and given in reasons for refusal by South Hams District Council Development Control. The material issues did not appear to have changed. *(Vote; 4 in favour of objecting, 3 abstentions.)*

263.10 SHDC Planning Training Workshop- Mrs. Ansell and the Vice Chairman had attended. The Vice Chairman reported that SHDC had to develop plan of sites to be built upon. If sufficient houses were built at Sherford, within the SHDC boundary, it would mean fewer houses needing to be built elsewhere within the district. SHDC had to produce five year supply of land to satisfy the Government's new planning policy. SHDC was working on a new local plan. Adopted policies would still be used but in conjunction with the National Planning Policy Framework and its new guidelines. Parts of the new plan would update the old plan. Pre planning application procedure would be improved. Village Development Boundaries may not remain sacrosanct in favour of sustainable development. If a Neighbourhood Plan was to be prepared it would need to take into account the National Planning Policy Framework.

263.11 Planning Enforcement- potential dates for a meeting were awaited from Mrs. Helen Smart SHDC.

263.12 Planning concerns- the Chairman, Vice Chairman, Mrs. Ansell, Mr. Carter, Mrs. Guy and Mrs. Evans had met with Cllr. Robert Steer. Whilst sympathetic, Cllr. Steer had advised that SHDC needed to be able to give material considerations for refusing planning applications. He listened to concerns that planning applications were dealt with without planning officers being aware of context. The Parish Council gave reasons for defending applications, together with local opinion, but planning officers went ahead and recommended approval.

263.13 Design Panel concerns- the reply from Cllr. Hitchins to the Parish Council's letter of concern regarding the conduct of Design Panel Meetings and the diminished role of the Parish Council had been circulated to Members and was considered. Reference was made in Cllr. Hitchin's response to the fact that the Design Panel were obliged to take into account context. Responses from the Design Panel in respect of a number of recent applications suggested that the Design Panel did not take context into account and so did not undertake site visits. It was agreed to delegate the Vice Chairman to prepare a response to Cllr. Hitchins addressing why the Design Panel did not take into account context and that the Parish Council would like to take part in the decision making process.

263.14 Collaton development- the landowner had invited the Parish Council to attend a further public consultation for redevelopment of the former MOD site at Collaton and the proposed Master Plan. Members had been unable to attend falling the same evening as the Parish Council Meeting. SHDC Development Control had declined the invitation-iln order for District Council officers to attend the event the landowner would need to formally engage in pre-application discussion with the Local Planning Authority.

263.15 Planning application arrangements during Christmas break. RESOLVED: For those applications in respect of which the Parish Clerk was unable to secure an extension from SHDC planning control to 10 January 2014, for the Council to respond, Members should submit their comments to the Clerk, the Clerk then having delegated authority under Section 101, Local Government Act 1972 to submit those comments on the Parish Council's behalf to South Hams District Council. *(Vote; Unanimous)*

264/14. ADMINISTRATION

264.1 Budget 2014/2015- there were no further suggestions for future spending plans/contingency allowances to be included in the budget provision for 2014/15. The contingency plans and budget figures were agreed. The Parish Council had agreed to a Precept request of £39,245 in principle. South Hams District Council had provided an indication of the potential reduction in Council Tax Benefit to be passed on to Parish Councils reducing the sum for 2014/2015 from £1778-£1537. This was yet to be confirmed.

RESOLVED: To agree the contingency plans and budget figures and to request a Precept of £39245, less any Council Tax Grant Allocation from South Hams District Council, for 2014/15. (Vote: *Unanimous*)

264.2 Community Orchard Apple Day- the event had been well attended. A small profit had been made from the sale of cakes provided by volunteers, which would be held by Newton & Noss Network, and used towards next year's apple press hire.

265/14. CONSULTATION/CORRESPONDENCE

265.1 Energy Best Deal Campaign- details of the support offered by the Community Council for Devon and their offer to assist communities reduce fuel use and energy costs had been circulated to Members and the Newton & Noss Environment Group.

265.2 Newton & Noss Environment Group- Mr. Peter Brown, the leader of the Newton & Noss Environment Group, had forwarded details of their three projects aimed at helping people reduce energy requirements and improving comfort. In attendance at the Meeting, he advised that there was an attempt to engage lower income groups to encourage application for grant funding to undertake home improvements. There was also action that could be undertaken at low cost. It was hoped help could be given to reduce increasing fuel poverty. It was hoped the Parish Council would support the action in principle. Mr. Brown confirmed that his details could be passed on to the Community Council for Devon- it was possible their Energy Best Deal Campaign could have a presence at their Energy Fair organised for Saturday 1 February 2014.

266/14 AUTHORISATION OF PAYMENTS –. Cheque payments were authorised and signed in accordance with the schedule prepared by the Clerk, checked by Mrs. Ansell and listed in Minute 267/13.

267/13 FINANCIAL SUMMARY

Santander Current Account :	Total balance at 1.12.13	£69052.97
The balance includes: Hedge Cutting Bond		£3000
Monies held on completion of Newton & Noss Play Park Improvement Project		£36.02
Monies held in respect of the maintenance of the Revington Memorial Seat		£500

The following cheques were authorised totalling: **£2051.45**

Chq No	PAYEE		AMOUNT
1737	Newton & Noss Village Hall	Hire- NNPC Meeting 12 December 13	£20.00
1738	J Allen	Cleaning: Noss Voss & Popes Quay November 2013	£50.00
1739	S.McDonough	Net salary-November	£1,144.08
1740	HM Revenue & Customs	Clerks monthly Tax & National Insurance	£288.97
1741	RYHA	Contribution: Cleaning public W.C.'s June-Dec 13	£400
1742	Ricoh Capital UK Ltd	Printer/copier lease 1/11/13-31/1/14	£148.40
		Total	£2,051.45

*Section 137 Local Government Act 1972 payments:£00 Total to date;£435.60

268/13. FOOTPATHS- Mr. Taylor had prepared a report prior to the Meeting, following inspections, which would be circulated to the Members. It was agreed to consider the report at the Meeting in January.

269/13 MEETINGS ATTENDED:-

269.1Harbour Authority- Mr. Carter confirmed that the computer had been repaired. Bills for Harbour Dues were being prepared.

269.2 Halls-the Vice Chairman advised that tenders for the refurbishment work were being sought. It was hoped work would begin in March. Mrs. Ansell had nothing to report, save that a request had been made for a light outside the Village Hall door.

270/13 GRANTS APPLICATIONS

270.1 Victim Support – the organisation had been asked to provide details of the number of people from Newton & Noss who had been assisted by their service.

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270.2 South Hams Citizen Advice Bureau – eight people from the Parish had been assisted July- November 2013.
RESOLVED: To make a grant of £50 by means of financial assistance to South Hams Citizen Advice Bureau. (*Vote; Unanimous*)

271/13 MAINTENANCE

271.1 Parish Asset Inspection- it was agreed that the Clerk should seek tenders to undertake repairs/refurbishment of the Parish Council /Parish notice boards and the bus shelters by Newton Hill and Collaton Cross. The work should be undertaken in April/May.

271.2 Yealm Road- it was agreed that the Chairman would speak with the landowner of the land in front of “Deloraine” and the Clerk would contact the architect dealing with “Elstow” requesting action to remove the vegetation overhanging the pavement.

271.3 Broken Way/ Tree Inspections- tenders had been invited to undertake a tree inspection for the land at “The Green” to be considered at the next Meeting. Mr. Carter had met with SHDC Tree Officer Simon Putt at Broken Way who had advised that he did not have any immediate concerns about the Sycamore tree but did not think the tree’s location, on top of the retaining wall, was sustainable. There did not appear to be to a significant level of space available for roots and he would be concerned as the tree got bigger. Sycamores would coppice readily so if it was cut down it would re shoot from the base and so could be managed on that basis on a five year cycle ensuring it did not get that big again. It was agreed to await the Tree Inspection report for the Green and then incorporate any potential work arising with the Tree Officer’s recommendations for the Sycamore Tree at Broken Way.

271.4 Other areas for consideration

i) Pollexfen Archer Memorial- DCC Highways had cleared out the drain and the sandbag had been rearranged. The work requested had not been undertaken and bus passengers were becoming wet as they waited. The Vice Chairman and Mr. Matthews agreed that their details could be provided to the Highways Department to enable the work to be discussed in detail.

In committee

271.5 Public benches- four tenders had been sought. One contractor had replied.

RESOLVED; To accept the quotation for repair and refurbishment of Parish public benches in the sum of £757.15 plus VAT from Grounds Maintenance South West. (*Vote; Unanimous*)

The Meeting closed at 9.15pm