

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

**Held on 13 September 2012**

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

**OPEN FORUM**

**Briar Hill-** Mr. Stephen Bottomley, a planning consultant instructed on behalf of the owner, made representations on behalf of his client with respect to a retrospective planning application 1864/12/F following a refusal of an application for a Certificate of Lawfulness. The owner was trying to regularize the position from 2004 when he had placed three static caravans on the site, outside the scope of its planning permission. Representations were made with respect to visual amenity and its positive effect on tourism.

**Bishops Court-** a parishioner, whose relative was a resident, expressed concerns regarding maintenance circulating photographs she had taken in support. Both the boundary hedges and general maintenance of the whole site were in issue. Support from the Parish Council was requested. Cllr Mumford and Cllr Cooper, together with a representative from Devon County Council's Social Care Department were to meet with Jennifer Parker from Spectrum Housing Association on site.

**81 Court Road-** the architect made representation in support of his client's application.

**GFF 57 Yealm Road-** the architect made representation in support of his client's application.

**Woodville-** an architect made representations in support of his clients' application relating the neighbouring plot under reference 37/2047/12/F.

**Affordable Housing-** a parishioner asked for an update in respect of the affordable housing proposal, the construction of which had supposed to have been started in early 2012.

**Sewerage-** a parishioner advised that the assurances given by the speakers at the Public Meeting had given him no confidence. He suggested that the Parish should withhold paying their sewerage charges until the problems with sewage were resolved- an action which should be recommended by the Parish Council.

**Police Report-**PCSO Potter and PC Batchelor had sent apologies.

**July**

Jl/12/571- third theft of a lap top. The property had been recovered and the offender dealt with by way of restorative justice [apologised / made some type of recompense].

Jl/12/572- fifth sexual assault. The suspect had been located and charged to court.

Jl/12/583- between 18<sup>th</sup> June - 6<sup>th</sup> July burglary. Jewellery had been stolen from within a house. Enquiries had had a negative result.

**August-** no crime recorded

**190/12 APOLOGIES FOR ABSENCE-** there were no apologies for absence.

**191/12 MINUTES** –the Minutes of the 12 July Meeting were confirmed and signed as a correct record.

**192/12 INTERESTS TO BE DECLARED** - Members were invited to declare interests in the items for discussion during the course of the Meeting. Mr. Hussell and Mr. Tubb declared an interest in items relating to Briar Hill, and Mr. Hussell in 81 Court Road, Bishops Court (his partner owned a property) and the TPO in respect of "Quillet" by virtue of living there. Mr. Gough and the Chairman declared interests in the TPO by "Quillet" by virtue of being members of the Lower Court Road Residents Association. Mr. Matthews declared an interest in matters relating to South West Water. It was agreed that the Clerk would advise the South Hams District Council Monitoring Officer of interest held in moorings on the River Yealm held by Mr. Tubb, Mr. Taylor, Mr. Hussell, Mr. Carter, Mr. Cooper, Mr. Barnett, Mr. Stitson, Mrs. Ansell(husband), Mr. Matthews and Mr. Gough.

**193/12 COUNTY and DISTRICT COUNCILS**

**193.1 County Councillor's Report;**

**i) Sewerage difficulties-** Cllr Mumford thanked the Council for arranging the Public Meeting which he thought very useful. He had spoken with Mr. Gilpin and the Managing Director of SWW who had spoken to the MMO.

**ii) Grant funding-** Cllr. Mumford had £2000 available from his Locality Budget and £20,000 from last tranche of money from the Invest in Devon fund following the sale of Exeter Airport. He had earmarked £5000 towards refurbishing the River Yealm ferry steps at Wembury. Projects for a share of the funds needed to be agreed by the end of November.

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**iii) New England Quarry-** the Environment Agency had issued a permit. This did not affect the planning application which was due to be determined in mid-late October. Devon County Council's legal advisers had stated that a further deferment did not have to be given. Cllr. Mumford was of the belief that the planning officer was minded to refuse the application.

**iv) Rural Broadband-** it was hoped that the tender from B.T. would be received the following day. There would then be four weeks to turn it into a contract. State aid was outstanding- it was hoped this would be resolved by the end of October. Work was anticipated to start in January with the whole project being completed by 2015.

**v) Bridgend Wall-** Cllr Mumford suggested that the cost of repairs to the capping stones could be funded through his Locality Budget subject to cost.

**vi) Highways-** refurbishment of the road markings at Widey Hill had been flagged up with DCC Highways Department. Road resurfacing from St Peter's Church to Junket Corner was to proceed. A difficulty with a landowner over the installation of speed monitoring equipment at Butts Park /Parsonage Road had been resolved. A Member raised concerns regarding bank erosion towards the top of Bridgend Hill, between Yealm View road and "Barnicott".

**vii) Chelson Meadow-** Plymouth City Council operatives should not have been turning away Devon County Council residents- although suggestions may be made to go elsewhere.

**193.2 DCC grant funding projects/Active Devon-** one application for funding had been received from the Newton & Noss Adventure Group for assistance with their planned activities. It was agreed to ask the group to submit a fully costed programme of activities to enable the Parish Council to consider the proposal. A suggestion had also been received for funding to effect repairs to Big Slip Quay and the road adjacent. Cllr. Mumford would establish responsibility for the road.

### **193.3 Highways/Transport**

**i) Snow Warden-** a suggestion for green/black hinged plastic bins for storing additional salt was considered. Members agreed that such bins were not needed at present.

**ii) Towable gritter-** Mr. Barnett advised the Council that he had received assurance from his insurance company that he would be covered third party to tow a gritter behind his private motor vehicle. He accepted this would not cover damage to his own car and was prepared to accept it. The insurance company had told him that the call was recorded which he could subsequently make reference to if necessary. Policy documentation was to be sent. Mr. Simon Cawse had kindly agreed to store the gritter. It was agreed that once the insurance policy documentation had been checked, the Parish Council would proceed with the purchase of a towable gritter for the Parish.

**ii) Butts Park-** cars parking on pavements adjacent to Parsonage Road were still impeding access for pedestrians and causing safety concerns. It was agreed a note would be out in the Parish Magazine asking for cooperation and consideration from car owners. **RESOLVED:** The Clerk was to request a visit from a uniformed Police Officer to Butts Park/Parsonage Road and for warning letters to be issued to any vehicles parked on the pavements obstructing access. If cars were still parked on the pavement two weeks later, the police would be asked to issue summons. *(Vote: Unanimous)*

**193.4 District Councillor's Report-** Cllr Cooper had no report.

**193.5 SHDC Asset Transfer/Parish Asset Land Registration-** *Mr. Matthews left the Meeting.* Trobridges had advised that a draft agreement and accompanying documentation had been received from SHDC. The title was split into four parts rather than the three originally envisaged. Trobridges required an additional £222 to perform additional local search, water and drainage search, environmental search and land registry search. **RESOLVED:** To authorise payment of £222 to Trobridges on account of additional search fees; *(Vote: Unanimous)*

Paperwork from SHDC was incomplete. An outstanding S106 agreement was awaited. Trobridges had raised enquiries in respect of the title documents received. Trobridges had requested title deeds in relation to the subsisting Parish Council land assets. Trobridges would chase them. *Mr. Matthews returned to the Meeting.*

**193.6 Community Orchard/Noss Play Park Improvement Project-** **RESOLVED:** To authorise payment of the invoice from Earthwrights for the Noss Play Park sign in the sum of £226.68. *(Vote: Unanimous).* Members were advised that a credit sum of £36.02 remained following completion of the play park project representing the balance of monies passed to the Parish Council by SHDC for play park improvement in the Parish. Mrs. Hinchliffe had advised that there also may be some sustainability funding remaining. The Community Orchard Group were hoping to organise an "Apple Day"

**193.7 Recreational facilities-** it was agreed to thank a parishioner for her constructive suggestions for further uses of the Butts Park playing field, Primary School Playing Field, the School and village halls and potential funding available. The Parish Council would be looking into matters.

**193.8 Village Housing Initiative-** the Chairman advised that she had had a very unsatisfactory meeting with Mr. Liam Redding, a senior SHDC Officer. Progress appeared to have come to a halt. The landowner had not signed the necessary documentation which would enable the project to proceed. Members were deeply concerned. Cllr Hawkins had advised that he would come to an autumn meeting to give an update. It was unanimously agreed to invite Cllr Hawkins to the Meeting on 11 October 2012, with two alternative dates if that was inconvenient.

**193.9 Western Cluster Meeting—**it was agreed the Chairman would attend the meeting 18 October 2012 6.30pm, Yealmpton.

**193.10 Ivybridge & District Association of Local Councils-** it was agreed the Vice Chairman would attend the meeting on Wednesday 19 September 7.30pm Ivybridge Town Hall. There was no support for the IDALC Chairman's suggestion for an application to the TAP fund for each Parish getting an advisor in to speak about/support exploration of Community Land Trusts.

**194/12 DEMENTIA FRIENDLY PARISHES AROUND THE YEALM-** Mrs. Sarah Roe had kindly offered to report updates to the Parish Council following meetings. No Members were available to attend the meetings.

## **195/12 PLANNING**

### **Certificate of Lawfulness:**

**195.1 Briar Hill Farm 37/0387/12/CLE-** Mr. Hussell and Mr. Tubb left the Meeting. A parishioners concerns regarding enforcement were noted. It was understood SHDC were to serve an enforcement notice on the owner.

### **Planning Applications received**

**195.2 Briar Hill Farm 37/1864/12/F-**retrospective change of use of land to camping and caravan site. DECISION: Objection. The Parish Council supported the grounds for refusal outlined in the letters to South Hams District Council from Dr and Mrs. Hirst dated 12/9/12 and from Mr. D Hussell dated 24/8/12. (Vote; 8 in favour of objecting, 1 abstention). Mr. Hussell and Mr. Tubb returned to the Meeting

**195.3 Verge adjacent to "Quillet", Lower Court Road. South Hams District Council (Parish of Newton & Noss) (No.884) Tree Preservation Order 2012-**servicing of new order. Mr. Gough, the Chairman, Mr. Hussell and Mr. Tubb left the Meeting which was temporarily chaired by the Vice Chairman. The Tree Warden supported the Tree Preservation Order. DECISION: Support confirmation as served. (Vote; 6 in favour, 1 abstention). Mr. Gough and the Chairman, returned to the Meeting

**195.4 81 Court Road 37/1707/12/F-**householder application for conversion and reconstruction of the garage to an annex for family use. DECISION: Support. (Vote; 8 in favour, 1 abstention). Mr. Hussell and Mr. Tubb returned to the Meeting

**195.5 Ground Floor Flat, 57 Yealm Road 37/1684/12/F-**householder application for porch at side of house to garden level apartment. Application affected a Conservation Area. DECISION: Support (Vote; 10 in favour, 1 abstention).

**195.6 Barnicott, Bridgend Hill 37/1767/12/F & 37/1768/12/LB-** householder/Listed Building application for new oak frame conservatory to existing cottage and 3 bay garage with storage space. DECISION: No objection subject to the Conservation Officer being satisfied with the plans. (Vote; 10 in favour, 1 abstention).

**195.7 50 Noss Mayo 37/1880/12/F & 37/1881/12/LB -**householder/Listed Building application for construction of covered parking space below new (raised) patio area. Application affected a Conservation Area. Affected a public footpath or right of way. Application affected a Listed Building. DECISION: Objection. Visual impact in a traditionally gardened area, highway safety and detrimental to the Conservation Area. (Vote; 10 in favour of objecting, 1 abstention).

**195.8 Woodville, Pillory Hill 37/2015/12/F-** demolition of an existing three bedroom house and the erection of a new two level three bedroom house with a garage cut into the sloping site at street level. Application affected the setting of a Conservation Area. DECISION: Objection.

1. Visual impact.
2. Design and external appearance inappropriate for the site.
3. Side impact inappropriate for site.
4. Unsympathetic to the character of the area.
5. Light issues.

The Parish Council also wished to record its strong opposition and its anxiety in respect of this particular application in light of its impact on the immediate area, upon such a sensitive site and upon future applications in that area of Noss Mayo. (Vote; 10 in favour of objecting, 1 abstention).

### **Appeals:**

**195.9 Lambside Corner Cottage APP/K1128/A 12/2181604:** Appeal against refusal of retrospective planning application for holiday letting unit. No further comment.

### **Pre- Applications:**

**195.10 Point House 1949/12-** a site visit had been arranged for Friday 21 September 9am. The Vice Chairman, Mr. Matthews, Mrs. Ansell and Mr. Carter would attend.

## **196/12 CONSULTATION/CORRESPONDENCE**

**196.1 Gambling Act 2005-** Members did not consider it necessary to respond to the consultation.

**196.2 Council Tax Benefit Reforms-** Members did not consider it necessary to respond to the consultation.

**196.3 DALC-AGM and Conference 2012-** no Members were available to attend.

**196.4 Community Council of Devon-** it was agreed the Chairman would attend the Rural Futures; Working Together conference 28 September. RESOLVED: To authorise payment of the attendance fee to attend the Community Council of Devon Conference on 28 September 2012 in the sum of £20. (Vote: Unanimous),

**196.5 Senior Council for Devon-** no Members were available to attend the AGM 17 September or the further meeting on 26 October 2012.

## **197/12 ADMINISTRATION**

**197.1 Parish Council Meetings-** arrangements for 2013 were considered. It was agreed to continue to hold two Meetings per month on the second and fourth Thursday save for December when there would be one Meeting and August when there would be no Meeting. The Annual Parish Meeting would be held on Tuesday 19 March 2013.

**197.2 Standing orders/financial regulations/Code of Conduct-** the matters would be reviewed at the October Meeting  
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**197.3 Dispensation requests-** the procedure was considered together with possible matters for which dispensations could be sought. It was agreed that the Clerk should contact SHDC Monitoring Officer to ascertain whether the Council needed to have a procedure in place.

**197.4 Audit 2011/2012-** the Clerk made a report in respect of the external audit. No matters had been raised. Following the abolition of the Audit Commission, Messrs Grant Thornton UK LLP appointment had been appointed as the new external auditor from 2012/13 for five years.

**197.5 Bishops Court-** Members noted the annual rent increase from 25/6/12. The revised charge for rent would be £2891.31 per annum plus VAT. This represented an increase of 3.3% (June RPI 2.8% plus 0.5%). The new monthly rental fee would be £241.18 plus VAT. With the service charge the total monthly payment would be £325.55.

A meeting had been arranged to review maintenance issues. The owner of "Wisteria Cottage" had agreed to trim back his Buddleia annually. The owner of "Spinnakers", 2 Church Park Road had assured the Planning Inspector during the High Hedge Appeal in 2010 that she would arrange annual topping of her Eucalyptus Tree. Jennifer Parker, Spectrum Housing Association representative, had reported the outcome of an estate inspection held on 4 September 2012. No reference had been made to the majority of maintenance issues which had been raised by residents and Council Members when they had visited Bishops Court shortly prior to the Parish Council Meeting.

**198/12 TWINNING-** Members considered a proposal that the Council consider the naming of a suitable road, path or other place in recognition of the Parish's twinning with Trebeurden in Brittany. A suggestion was made to name the square at the bottom of Newton Hill by the Granite Cross as "Trebeurden Square". Further consideration would be given.

#### **199/12 MAINTENANCE**

**199.1 Newton Voss-**an update regarding cleaning arrangements was considered. M & S Garden Services had attended the Voss on three occasions over August but had been severely hampered by the weather which had affected the use of the cleaning agent being used.

**199.2 Noss Hard signs –** arrangements were considered for fixing tidal warning/boat parking signs. It was agreed the Clerk would contact Mr. Stitson to ascertain what materials would be needed to fix the signs.

**199.3 Noss Hard culvert-** a parishioner was arranging to make and fix a replacement grate for the culvert. It was not known who had removed the original grate.

**199.4 Pope's Quay-** concerns regarding glass on the quay over the summer were noted. It was agreed the Chairman would write to the Landlord and Landlady of The Swan asking them to maintain extra vigilance and for glass to be cleared as soon as any accidents took place or for plastic glasses be given to customers who wished to go outside.

**199.5 Tennis Courts-**Mr Barnett was endeavouring to make contact with SHDC.

**199.6 SWW-** Members considered an update following the Public Meeting 30 August 2012. SWW were thought to have been in the Parish every day. Mr. Gilpin from SWW had confirmed that a SWW representative would come to a Parish Council Meeting each month to give an update- save for September when the representative had been unavailable. Mr. Streeter MP had written and offered to meet with the Council to discuss the prospects of applying for the River Yealm Estuary to become Designated Bathing Water with all of its implications and consequences. It was agreed that the Chairman would respond to Mr. Streeter thanking him for organising and conducting the Meeting, that the Parish Council would maintain a "watching brief" with SWW and keep him advised but at this stage the Council did not wish to take further action in respect of Bathing Water Designation.

**199.7 Point Steps-** Mr. Taylor and Mr. Carter would inspect and report back to the Council.

**199.8 Invoices –RESOLVED:** to authorise the invoice received for routine spring maintenance from Grounds Maintenance South West in the sum of £333.60 (*Vote: Unanimous*),

RESOLVED: to authorise the invoice received for Sports Pavilion electrical inspection from JB Electrical in the sum of £87 (*Vote: Unanimous*),

No invoices had been received for repairs to the bench at Kilpatrick's or for Butts Park bus shelter repairs.

**199.9 Other areas for consideration-** concerns were raised about overgrown hedges adjacent to the pavement running from the water tower to 13 Butts Park. Some of the hedges were thought to be growing on private land. Members were advised that DCC could be notified who would then contact the householders to take action. If the householders took no action DCC could bill them for the work. RESOLVED: To arrange for a contractor for the hedges to be trimmed prior to the next Meeting. (*Vote: 7 in favour, 2 against, 2 abstentions*). The Chairman said she would visit the area with a contractor the following Sunday.

#### **200/12. MEETINGS ATTENDED:**

**200.1 Harbour Authority-** Mr. Carter advised that new pontoons had been ordered for the area by the Harbour Office. Boat nights were down between 700-1000 for the year.

**200.2 Halls-** there were no reports.

**201/12 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 202/12.

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**202/12 FINANCIAL SUMMARY**

<b>Santander Current Account</b> :	Total balance at 1.08.12	<b>£55241.75</b>
<b>Santander Current Account</b> :	Total balance at 1.09.12	<b>£55471.75</b>
<b>The balance includes: Hedge Cutting Bond</b>		<b>£3000</b>
<b>Monies held on behalf of Newton &amp; Noss Play Park Improvement Project</b>		<b>£224.92</b>

**The following cheques were authorised totalling: £5210.91**

<b>Chq No</b>	<b>PAYEE</b>		<b>AMOUNT</b>
1532	WI Community Hall	Hire NNPC Meeting 13 September 2012	£22.00
1533	WI Community Hall	Hire- NNPC Meeting 27 September 2012	£22.00
1534	J Allen	Cleaning: Noss Voss & Popes Quay August12	£50.00
1535	S.McDonough	Net salary-August	£1,082.36
1536	Signpost Housing Association Ltd	Bishops Court rent increase;25/6/12-31/10/12	£39.20
1537	JB Electrical	Sports Pavilion Electrical Testing	£87.00
1538	S.McDonough	Reimbursement expenses: Anti virus software & postage	£68.49
1539	D.Goodchild	Grass cutting: The Green 13 & 26 July 2012	£32.00
1540	Ricoh Capital Ltd	Printer/copier hire 1/8/12-31/10/12	£148.40
1541	WI Community Hall	Hire Annual Parish Meeting March 2013	£33.00
1542	Matthew Grundy	Parish Council website management 1/11/11-31/7/12	£549.00
1543	Ricoh UK Ltd	Invoice for copies 1/5/12-31/7/12	£28.56
1544	Signpost Housing Association Ltd	Rent & Service charges September 2012	£301.70
1545	South West Water	Public Tap Pillory Hill: 25/5/12-23/8/12	£11.29
1546	HM Revenue & Customs	Clerks quarterly tax and National Insurance	£867.93
1547	Audit Commission	Audit Fee 2011/12	£660.00
1548	M.Hingston	Cleaning: Newton Voss & steps August 12	£124.00
1549	Trobridges	SHDC Asset transfer-additional search fees	£222.00
1528	Signpost Housing Association Ltd	CANCELLED	£0.00
1550	Signpost Housing Association Ltd	Bishops Court rent & service charges- August 12 To replace cheque 1528 lost in post.	£301.70
1551	Earth Wrights Ltd	Noss Play Park sign	£226.68
1552	Grounds Maintenance SW	Spring maintenance	£333.60
<b>Total</b>			<b>£5,210.91</b>

\*Section 137 Local Government Act 1972 payments:£00.00 Total to date;£999.02

*The Meeting closed at 10.00pm*

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