

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

Held on 26 January 2017

**PRESENT MRS. ANSELL MR. COOPER CLLR. GREEN MR.HUSSELL MR. CARTER
MS. ADAMS MR.TUBB MR.LYNDON MR.PARRY-SMITH MS.LONGWORTH MRS GRANT**

ALSO PRESENT; 2 parishioners, Mrs. McDonough (Clerk).

OPEN FORUM

Newton Downs Solar Farm- Mr. Peter Brown, Chairman Yealm Community Energy (YCE), had sent an update on negotiations with Good Energy prior to the meeting. The Solar Park was now complete. He, and various other directors, had made several site visits during construction. The team working by the Solar Century gangs had impressed them, and they had only ever ran a day or two late, and seemed to catch up by working weekends. They were now taking away all the temporary work site buildings so the turning circle remained in use for the time being. They were commissioning and finishing off the site. Testing of all components was being done. Mr. Brown believed this was due to be completed by the 6th March.

During construction 2 or 3 of the directors of YCE and their professional negotiator (CfR) had been meeting with the Good Energy team for progress talks. They had had to make a series of assumptions in order to calculate the small profit margin, all of which was to go into the Community Fund. YCE had made Good Energy 3 offers, which were outlined by Mr. Brown to the Council, all of which had been rejected. CfR had met with his opposite number from Good Energy the day before to try to find a way through the impasse.

YCE had made it clear that to be worth the considerable commitment to raising the funds to purchase the asset, YCE would need to be sure that the total projected income over the project life would be substantially in excess of the £10k per year payable if YCE did not buy. Whatever compromise was found, it would still have to go through the financial scrutiny of 'due diligence' and be approved by both boards before an agreement could be signed. YCE had 6 months from commissioning to achieve this.

YCE were due to hold a Board meeting before their AGM on 4 February when the future strategy was due to be discussed. It was felt the Good Energy's project would not have secured planning permission without the support of the Parish Council and the community.

Mr. Brown confirmed that the community benefit would be shared by all 5 parishes forming part of YCE - it was planned for the first 50% to go the hosting parish. If there were insufficient bids then the surplus would be offered to the other parishes. If a third party purchased the project then they would assume responsibility to pay community benefits under the S.106 Agreement. Mr. Brown advised that in order to fund a potential purchase a share offer would be put out to cover 30-40% of the total sum, the balance being made up by bank loans. The share offer would be open to the community.

16/17 APOLOGIES FOR ABSENCE- there were apologies from Cllr. Baldry and Cllr. Blackler,

17/17 INTERESTS TO BE DECLARED - members were invited to declare interests in the items for discussion during the course of the Meeting.

18/17 DISPENSATION REQUESTS- none.

19/17/ VARIATION OF AGENDA – RESOLVED: matters relating to planning enforcement/pre planning applications should be considered in committee. (*Vote; Unanimous.*)

20/17 PLANNING

20.1 Neighbourhood Plan-the Chairman reported that the Steering Group had met the day before. In the first week of the New Year there had been a concerted effort to leaflet every household in the Parish with a threefold information leaflet and green spaces questionnaire. Membland had been leafletted that week. It was possible Puslinch had been omitted but would be rectified that week. A third strategic workshop facilitated by Mr. Peter Holt took place on 14 January involving some twenty people including some Parish Council members. The purpose was to further refine the objectives for the N3P.

The groups were at different stages the Housing, Business and Environment Groups being ahead. Mr. Robin Forrester was now leading the infrastructure group and had four others working with him. Mr. Andrew Matthews was working on the objectives for the Harbour Group. Mr. Duncan Macpherson had undertaken more work on objectives for health and wellbeing and was involving a wider group, including some younger people for comment. Sadly Mr. David James had been unable to continue working with the Heritage group. Contact had been made with others who wished to comment only on the group's work but not lead. This was a significant but probably not insuperable concern. Mr. Peter Brown had produced a discussion paper on environmental standards for housing. January 16 had seen the first group meeting with Mr. Lee Bray the planning Consultant. The Housing, Business and Health/wellbeing leads attended to

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hear Mr. Bray explain his background and role, to clarify what was demanded in the Neighbourhood Planning Process. Mr. Bray had been impressed by the website and critiqued the work to date. A mid- March consultation date had been discussed. Mrs Fleur Holt was in need of secretarial/filing support. The Greenspaces questionnaire had received quite a few responses.

Cllr. Green advised that a very sharp document would go to Referendum regarding land use and planning. A second document would relate to community action- aspirations. This would not form part of the Referendum. At consultation it was planned to have a map of the area showing perhaps the Village Development Boundary, green spaces and cycle maps. These would probably be prepared by SHDC.

The Clerk requested a copy of the specifications letters sent to the planning consultants, their quotations and proposed letters of engagement for approval by the Parish Council. It was requested that any expenditure to be incurred be put before the Council first for checking against budget and authorisation.

Planning decisions.

20.2 Yealmbury, Stoke Road 3551/16/TPO- work to Tree Preservation Order Trees. SHDC; Granted.

20.3 Up the Creek, 7 Yealm View Road 3373/16/HHO -householder application of extensions and alterations to existing dwelling. Affected the setting of a Listed Building and a Conservation Area. SHDC; Granted

20.4 Rowden Court Stoke Road 0092/16/LBC-repair work to re-batten and improve the thermal performance of roof under slates, remove and refit existing slates where possible. The new slates would be located on the single storey sections, facing the courtyards. Elevation 5 had been re-covered in recent times, so does not form part of the works. Application affected a Listed Building. SHDC: Granted.

20.5 1 The Point, 2768/16/HHO-READVERTISEMENT (Revised plans received).Householder application for the replacement of garden shed with summerhouse over garage roof. SHDC; Granted.

20.6 Midvale, Revelstoke Road 3041/16/HHO- READVERTISEMENT (Revised plans received).Householder application for an extension to balcony and terrace to include developing basement rooms, and new access to first floor of property off parking level to include loft conversion .Application affected the setting of a Conservation Area. SHDC; Granted

20.7 Glenhaven Cottage Riverside Road West 3557/16/HHO -Householder application for the proposed erection of garden room. Application affected the setting of a Listed Building. Application affected a Conservation Area. SHDC; Granted.

20.8 Renarc, Newton Hill 33450/16/ COU- Change of use from butchers shop to private garage. Application affected the setting of a Conservation area. SHDC; Granted.

Planning applications received including;

20.9 Pillory Hill 3471/16/FUL-Cllr. Baldry had asked the Parish Council whether they wished him to request the matter go to the Development Management Committee. The planning officer was recommending approval. It was agreed to ask for the matter to be out before the Development Management Committee given the Council's objections to the application.

20.10 Black Shutters, 4145/16/HHO-householder application for the erection of balcony from first floor window, to front south elevation of house. DECISION; No objection. (*Vote; Unanimous.*)

20.11 Solar farm-an update on community buy out/benefit negotiations had been heard in Open Forum. Good Energy had confirmed that Newton Downs Solar Farm had now begun exporting renewable electricity to the grid. This milestone was achieved on schedule when the site was energised on December 22. While the site had been connected to the Western Power Distribution network, it was still undergoing commissioning tests. Once the commissioning tests had been completed the site would be considered to be fully operational. The construction team would remain on site for some weeks to complete commissioning tests and to undertake environmental works. At present, they expected all works to be complete on schedule by the end of March. They wished to offer a further update to the Parish Council once the solar farm was complete later in the spring. They anticipated that by this time they would have more clarity on the outcome of the sale negotiation process and therefore on the most suitable options for managing the community benefit fund. They proposed a short presentation with Q&A at a council meeting on 27 April. The hedge remained to be reinstated.

20.12 Land at The Fairway 1372/16/FUL- the Vice Chairman and Ms. Adams had attended the site visit and Ms. Adams had spoken at the Development Management Committee Meeting. Cllr Baldry had written to advise of the disappointing approval of the application and had spoken of Ms. Adams impressive intervention. The decision had been 8; 4. The Section 106 agreement included £13,680 for education infrastructure, £3097 education transport and £19500 for improvements to open space, sport and recreation facilities at Butts Park. It was agreed to write a letter of complaint to SHDC, the terms of which were discussed at the meeting, with particular reference to no account having been taken by the Development Management Committee of the Heritage Coast Designation. Reference had been made in the application to the proposed properties having disabled access. There were already a number of properties on the Fairway which facilitated disabled access. RESOLVED; to write a letter of complaint to Cllr Steer, Chairman of the SHDC Development Management Committee, as to the manner in which the planning application for land at the Fairway had been dealt with. (*Vote; 7 in favour, 4 abstentions.*)

20.13 Environmental Impact Assessments- there were no comments in respect off the consultation.

21/17 ADMINISTRATION

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21.1 Events applications- none

21.2 LCAS – no members or the Clerk were available to attend the seminar on risk.

22/17 CORRESPONDENCE

22.1 Broadband-the Parish Council had endeavoured to arrange a public information session on Tuesday 24 January 2017 where interested fast broadband suppliers could inform residents of their preferred solutions to rectify broadband deficiencies in the Parish. All of the approved contractors listed on the Connecting Devon & Somerset (CDS) website (20+) who may have been interested in providing a timely pooled service, to comply with the CDS voucher scheme, had been invited to contact the Parish Council as quickly as possible. As none of the contractors had made contact with the Parish Council, it had been decided to cancel the meeting. Subsequent to this, several of the contractors had contacted the Clerk to express interest in assisting parishioners.

Mr Jeremy Brown had advised on the following;

i) Mr. Brown had raised queries with CDS as to the accuracy of the records that were used for the Voucher Scheme (particularly Membland) where residents may have been erroneously told they already had access to fast broadband and had their applications rejected. It was understood their cases were being urgently reviewed by CDS and vouchers could be forthcoming. Mr. Brown had suggested that those who had been allocated vouchers should be strongly urged to contact the above list interested contractors to find the best interim solution for their individual sites.

ii) For the Phase 2 rollout of broadband under the Government's rural scheme, CDS had engaged Gigaclear Ultrafast Broadband to deliver fibre optics directly to premises. Mr. Brown had suggested the fibre optic solution had many benefits over using existing copper telephone cables, particularly with regard to much faster speeds. The Phase 2 roll-out map was currently being worked on and was likely to be available on the CDS website in the next couple of months. Informal consultation with CDS indicated most parts of the Parish, currently unserved by BT's Superfast system, would have ultrafast fibre connections by Christmas. It was suggested Gigaclear may offer a much faster broadband service than was currently provided by B.T. At this stage it was not possible to confirm who would or would not have access to the Gigaclear service, but it was likely to be a substantial part of the remaining unserved Parish (including Membland). For this reason parishioners close to the centres of the villages, eligible for Phase 2, may prefer not to engage into long-term contracts (greater than 9 months) with suppliers until they had been able to evaluate Gigaclear's offer when it became available.

iii) It was suggested those who were in range of the existing BT Superfast cabinet from Phase 1, at the Newton Ferrers exchange, would not have access to Gigaclear, as they already had a significantly improved broadband capability through B.T.

iv) Unfortunately, it appeared as if those in remote southern and western coastal spots may not be covered by Phase 2; a 4G or satellite solution could be particularly appropriate for these isolated properties.

v) It was suggested that parishioners approach the interested contractors directly if they:

1. Had CDS vouchers
2. Were in remote southern and western spots unlikely to be covered by Phase 2 rollout
3. Were seeking an interim faster solution, pending Phase 2 rollout
4. Anyone else who was dissatisfied with their present level of service

It was agreed to update those parishioners who had advised the Clerk of their voucher applications on a direct basis and to advise the parish email circulation list/update notice boards.

22.2 Allens' Quay-a request had been made that the Parish Council apply to register the land in the name of the Parish Council for the benefit of the Parish. A parishioner may be prepared to leave a legacy for its upkeep. The land ownership was thought to be unregistered. The Council was referred to a similar request made by the RYDA on 2014. It was felt at that stage that whilst the improvement project was laudable, the Council had not assumed responsibility or exercised any control over the land and therefore would not have any grounds upon which it could make an application to the Land Registry for land ownership. The Council had taken into account highways and maintenance issues. A member suggested the land could be protected by being listed as a green space in the Neighbourhood Plan. A suggestion was made that the Parish Council could register a Caution against First Registration. The Clerk advised that the Parish Council would need sufficient grounds to register a Caution and this would require further investigation/legal advice. It was agreed the Chairman and Mrs Grant would look into the matter further.

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Highways/Transport- the Clerk was asked to contact Devon County Council Highways Department for an update on the position regarding the verge outside 80a Court Road.

24/17. MAINTENANCE

24.1 Maintenance working groups-including

i) **Sports Pavilion-** Revelstoke Rangers had secured £3000 from Devon County Council Locality Funding to effect improvements. The contractor's public liability details and risk assessments for the work had been requested .RESOLVED; to agree to the improvements to the Sports Pavilion proposed by Revelstoke Rangers including new W.C.s, showers, kitchen cupboards, sink and redecoration. (*Vote; Unanimous.*)

ii) **The Green/Dillons Green-** the relatives of the late Mrs Joan Collins had asked for permission to place a seat in her memory. They hoped for Parish Council permission to site the bench on The Green in front of the new tree. It was

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agreed to delegate approval of the design and position of the new memorial bench to the Vice Chairman and Ms. Longworth.

iii) Play parks-

Noss Play Park- Earthwrights were in the process of effecting repairs. South Hams Garden & Property Services were due to replenish the sand in dry weather once Earthwrights had completed their work. The Play Park would be re-opened in time for the weekend.

Butts Park Play Park-

1. Installation

The Vice Chairman and Mr. Scott Dooley had been monitoring the build. The following had been raised with the contractors;

- i)** Protection of the wooden posts, sunk into grass, from strimmer damage.
- ii)** The rubber surfacing under the zip wire appeared to be uneven- the contractors had advised this would settle
- iii)** The height of the seat for the zip wire and whether children could reach- the contractors had confirmed this could be adjusted if necessary.
- iv)** The area under the Rota Net could become muddy. Funding could become available for more grass guard (see below) or it could be bought separately.

The Heras fencing was due to be removed the following day. The contractors had advised the children would then be able to use the equipment. The ROSPA post installation inspection was due in early February. Sovereign required payment of the invoice and for it to be handed over the following day once the fencing had been cleared. The billing for the ROSPA inspection would be undertaken separately. **RESOLVED;** to authorise payment of the final installation invoice from Sovereign in the sum of £12315.60 subject to the site being cleared satisfactorily. *(Vote; Unanimous.)* Sovereign did offer a maintenance contract. This would be reviewed subject to the potential installation of a community gym.

2. Funding update.

- i)** Tesco Groundwork- potentially £5000/£2000/£1000 for natural play. Voting ended 28th January. Based on current voting the play park project was likely to be the lowest amount. There was potential to use the funds towards thinning out Chestnut Trees.
- ii)** One Family Foundation £5000- Table Tennis table, surfacing, bats/balls, score board and lockable cabinet. Funding approved.
- iii)** SHDC Community Reinvestment Project Funding (CRPF) - to be determined in March. Application had been made for £30,800 for a replacement basketball hoop, resurfacing of basketball area, grass guard, two pedestrian self-closing gates, 3 items of gym equipment and surfacing, junior and infant swings (and surfacing.)The fund had been undersubscribed last year. Minimum £5000 application.
- iv)** Awards for All- just under £10,000 had been paid to the PC towards gym equipment.
- v)** TAP Funding- £3000 had been applied for. The fund had been oversubscribed. The project had been awarded £2815.50 (reduced by 7%)

Quotes had been obtained for community gym equipment - 8 pieces. The A4A £10k did not completely cover the cost of the gym equipment + installation, delivery etc., hence the need to have made application for some support for the gym from the CRPF.

Only two out of eight funding applications had been unsuccessful.

3. Position of table tennis table- it was agreed that the table be placed to the left of the existing basketball hoop. 5mx7m play area was required. The project needed to start by the end of March. Mrs Wheatley had obtained quotes and wished the project to start as soon as possible and to book a contractor for the resurfacing. The Clerk had not had the opportunity of reviewing the quotes. **RESOLVED;** to accept the quotation from Mr. Colin Campbell, Flete Garden Services, to install the surfacing for the outdoor table tennis area in the sum of £1440 plus VAT to the left of the basketball hoop at Butts Park Play Park. *(Vote; Unanimous.)* **RESOLVED;** to delegate consideration / approval of a quote and to commence to instruct the selected contractor to effect the installation of an outdoor table tennis table and accessories at Butts Park Play Park to the Vice Chairman and Ms. Longworth within the funds available from the One Family Foundation, *(Vote; Unanimous.)*

4. Position and amount of gym equipment.

8 pieces of community gym equipment had been suggested. A site visit at the play park had taken place on Sunday 22 January. The Chairman referred to the meetings on 27 October 2016 when it had been agreed to apply for Tap Funding for a community outdoor gym at Butts Park Play Park. Reference had been made in the meeting on 24 November to the Vice Chairman and Ms. Longworth having authorised the Clerk to sign the conditional funding Agreement with Awards for All for an outdoor gym at Butts Park Play Park.

Ms. Longworth had subsequently suggested, following feedback from local Butts Park residents and having undertaken research into rural outdoor community gyms, that a community gym at Butts Park Play Park may not be appropriate. She was concerned about the visual impact and that it would not be aesthetically pleasing. She suggested that there was good uptake where there was a high footfall e.g. urban areas, town sea fronts where there was proximity to other facilities e.g. shops, WC's , libraries and easy access. She appreciated Kingsbridge had been cited as a good success story but that area was a very different environment being a market town with a higher population, secondary school and shops where the gym equipment was set out by a thoroughfare. Ms. Adams suggested urban areas had many facilities- all the more reason to provide facilities in a rural area. Cllr. Green advised

that he had spoken with a local resident, who had been keen for an outdoor gym. The resident had suggested that he would not go to Butts Park Play Area and that there were other sites in the parish which would be more appropriate e.g. opposite the tennis courts or Dillons Green. Another member suggested the gym suite could be split up and put in separate locations- he was advised the suite came as a package and did not lend itself to be split up.

The Vice Chairman suggested the equipment was suitable for a wide age range from 9 years old upwards. There was an opportunity for social cohesion. Mr. Lyndon suggested there should be encouragement for people to come to the play area at Butts Park. More families were likely to move in to the Parsonage Road Village Housing Initiative development. The funding applied for had been designated for the Butts Park Play Park Project. There was a risk that the funding could be lost if the funders refused to allocate to another area. If such request were to be made, a volunteer from the Parish Council would be needed to assist with the administrative work. Reference was made to Malborough Parish Council, having secured funding for an outdoor gym in a rural area.

Questions were raised about parking. Mr. Lyndon advised that few cars were parked by the play park during day time. Mrs Grant asked if there would be any restrictions on use- she was advised that if there was a commercial enterprise wishing to run a boot camp then a fee would be payable.

Ms. Longworth suggested research had been limited. The Vice Chairman suggested Mrs Wheatley had undertaken a great deal of research.

RESOLVED; to proceed with the plans for a community gym to be sited at Butts Park Play Park. (*Vote; 9 in favour, 2 against.*)

4. Basketball net and area- it was suggested to replace and position the hoop at the correct height and to resurface /remark if the CRPF grant application was successful.

5. Swings- it was suggested, if the CRPF application was successful, to reposition new swings away from the path with new Wet Pour resurfacing.

6. Green open space

i) Big Greenspace Challenge- the mound tunnel had been completed, the three trees planted, hedging and planting of wildflowers was also complete. The willow tunnels were to be planted in spring- Tess Wilmot, Permaculture Specialist, would come and help.

ii) Horse Chestnut Trees- suggestion was made to thin out the chestnut trees. The tree inspection in 2015 had picked up signs of canker.

8. Signs- some quotes had been obtained and others awaited for age appropriate signage for the new equipment.

RESOLVED; to authorise the Vice Chairman and Ms. Longworth to consider, approve and order age appropriate signage for the new equipment at Butts Park Play Park subject to a maximum sum of £600 plus VAT. (*Vote; Unanimous.*)

v) Noss Recreation areas –

Noss Green- Devon County Council had advised that under Regulation 21 Commons Registration (England) Regulations 2014 a public notice would be displayed on site publicising the application to register as a Village Green. Anyone wishing to make a representation to the Registration Authority would have 42 days to do so.

Noss Car Park- the Chairman had met the Locality Officer on site. The bin should be moved to a more prominent location within the car park.

24.2 Bus shelter- a quote had been requested to effect repairs.

24.3 Dogs- a complaint had been received that a dog fouling sign had been removed from a telegraph pole on Court Road. South Hams Garden & Property Services had offered to put up a replacement free of charge.

24.4 Other areas for consideration

i) Newton Voss Steps- a parishioner had reported some steps were in need of attention leading from the foreshore to Riverside Road West. The Clerk would report to Devon County Council Public Rights of Way Department.

ii) Newton Voss- a report was made of protruding wires. Mr. Carter said he would inspect. **RESOLVED;** to authorise remedial work up to £200 plus VAT. (*Vote; Unanimous.*)

iii) Pacific Oysters- Natural England was concerned about the proliferation of Pacific Oysters within the Yealm Estuary and the affect on flora and fauna on a Site of Special Scientific Interest and which lay within the Plymouth Sound and Estuaries Special Area of Conservation. Pacific oysters were not an easy issue to tackle once they had begun to establish themselves in the wild. It was hoped to maintain some control of their numbers and to limit their spread. The approach they wished to take on the Yealm was:

a. Surveying and monitoring the local situation

b. Working with the oyster farm (acknowledging that this may not be the only source of Pacific oyster spat) to better understand how to mitigate the issue.

c. Encouraging removal of Pacific oysters that had settled on the shore.

In order to better understand the situation on the Yealm, Natural England had carried out some surveys in the last few years but the situation needed more frequent monitoring. They had developed a methodology for monitoring pacific oysters which involved regularly walking a stretch of shore and recording the densities of oysters present. This would help them to build up a better picture of the situation over time and to understand the effectiveness of any Pacific oyster clearance that was undertaken. They also hoped that volunteers from Wembury would do some surveys in their area. They were to set a date to invite volunteers to meet them on the shore to demonstrate the method.

24.5 Tree Inspections- it was agreed to seek quotations for work on trees in potential need of attention at Kilpatrick's Steps.

25/17 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 26/17.

26/17 AUTHORISATION OF PAYMENTS

The following cheques were authorised totalling:

£12,552.14

Chq No	PAYEE		AMOUNT
2226	Mrs P. Wheatley	Expenses reimbursement; fund raising Butts Park Play Park project	£54.70
2227	WI Community Hall	Hire fee; Butts Park Play Park working group meeting 17/1/17	£16.00
2228	Ricoh UK Ltd	Printer lease and copy charges	£165.84
2229	Sovereign Design Play Systems Ltd	Butts Park Play Park equipment-balance 50% -playground equipment and surfacing	£12,315.60
Total			£12,552.14

*Section 137 Local Government Act 1972 payments: £0 total to date; £470.

In committee

27/17 PLANNING ENFORCEMENT/PRE PLANNING APPLICATIONS

- were considered.

Meeting closed at 9pm