

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

Held on 28 January 2016

**PRESENT MRS ANSELL
MS. ADAMS**

**CLLR. GREEN
MR. CARTER**

**MR. COOPER
MS. COVE**

**MR. TUBB
MR. LYNDON**

ALSO PRESENT; 9 parishioners

Mrs McDonough (Clerk)

OPEN FORUM

The Buttery Newton Hill -the architect outlined the development proposal which would not be visible from the road.

Appledore 84 Court Road- the architect advised that the development proposals would be of low impact. The roof level would remain the same.

The Fairway-the architect provided the Council with copies of proposals for a development at the end of The Fairway, to provide four houses for immediate family and their needs and one house for sale to pay for the "affordable "charge. It had not been decided which house would be sold. He described the view of the development from Stoke Road and the river as being virtually invisible. The aerial view showed the development set into the lower contours of the hill. DDA compliant house plans had been provided with a draft Design and Access statement. The proposal was much reduced from the original design which would take up one and one third of an acre of a forty acre field- some 3.5% of the farmable area. A turning circle was included within the proposals. The first two houses would be on the adopted extension of the Fairway and three on a private road. The only vehicle access would be through The Fairway. Three neighbours to the south side of the site had been consulted and who were present at the meeting. It was understood they were essentially not opposing the proposals subject to it not being overbearing and adequate planting. The proposals had been subject to a lengthy pre planning application with the planning officer Mr. Alex Sebbinger. The architect confirmed that the proposals were outside the Village Development Boundary.

14/16 APOLOGIES FOR ABSENCE- there were apologies from Ms. Longworth, Mr Hussell, Mrs. Cooper, Cllr. Baldry and Cllr. Blackler

15/16 INTERESTS TO BE DECLARED - members were invited to declare interests in the items for discussion during the course of the Meeting. None were declared.

16/16 DISPENSATION REQUESTS-none.

17/16 VARIATION OF AGENDA –RESOLVED: Matters relating to consideration of quotations for tree work, pre planning/planning enforcement and Clerk's employment matters should be considered in committee. (*Vote; Unanimous.*)

18/16. NATIONAL TRUST- Ms. Lorna Sherriff, National Trust Ranger, advised that the National Trust were in the process of conducting a signage audit for Noss Mayo and the Revelstoke areas. Information panels for Stoke, the Warren and Passage Woods car parks had all been redone. However, people when walking the coastal path, had become confused when entering Noss Mayo. A further five Way Marker discs to guide visitors round walk routes were proposed including potentially the tennis courts gate post, the grass area and a gate post further up. The locations would be confirmed. Members agreed, in principle, to Way Markers being fixed on Parish Council land. The money box designs in National trust car parks had been redesigned in the hopes that it would prevent vandalism and theft. A £2 charge would be made for parking rather than a donation request. It cost the NT £3000 a mile to maintain and preserve the South Devon coastal path. Stock/sheep worrying continued to be a problem and signage would be erected requesting dogs be kept on leads. Ms. Sherriff also expressed concern about a group of Wednesday evening cyclists who were using the Revelstoke Drive. Revelstoke Drive was a public footpath and not a Bridleway. Paths were being churned up and stock/sheep worried. She asked if the Council could please let her know the names of the cyclists so that she could make contact. Cllr. Green asked if she could send him an email with the concerns and he would pass it on to the relevant people. Ms. Sherriff advised that there was no pending consultation about cyclists being able to use the path. Mr. Tubb enquired about the public footpath running past Warren Cottage and encouragement to use the alternative lower footpath. It was accepted the public footpath needed to be preserved but suggested the tenants of the cottage could also be afforded some consideration. A parishioner advised that walkers had peered into the house, walked around the back of the house and sat in the garden.

19/16 PLANNING
Planning decisions

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19.1 37/1426/15/F- proposed Solar PV array at SX 553 496, Newton Downs Farm, Newton Ferrers. Cllr. Baldry had advised that conditional planning consent had been given but there was no decision notice on the SHDC planning website.

19.2 107 Yealm Road 2569/15/VAR-application for removal of condition 8 (replace Sustainable Homes Condition with appropriate updated condition) of planning consent 37/2270/13/F/ APP/K1128/A/14/2216288- demolition and replacement of existing dwelling. SHDC: Granted.

Planning applications received;

19.3 98 Yealm Road, 3138/16/TPO 438-work to Tree Preservation Order Trees.T1. Pine. Fell. The Parish Council had been copied in on the Tree Warden's response. DECISION: No objection (*Vote; Unanimous.*)

19.4 Summertide, Stoke Road, 0064/16/TPO- Work to Tree Preservation Order Trees. Beech (T1). The Parish Council had been copied in on the Tree Warden's response. DECISION; Support (*Vote; Unanimous.*)

19.5The Malthouse, road from Stoke Road to Post Office Noss Mayo 2980/15/HHO-partial demolition of south and west facing facades and 2 openings formed in east facing facades. Proposed extension of 12 square meters wrapping around south and west facades. Two new windows proposed to east facade. Entrance route re-arranged from car park area. Proposed detached out building to be used as a boat house. The Chairman advised that the planning officer would be making a site visit on Tuesday, the time to be confirmed. The planning officer had advised that she would be happy to meet on site with Parish Council members to understand the plans better. The consultation closing date was 10 February. Concerns were raised regarding keeping the stream clear, the overhang over the river and the amount of fenestration. Ms. Adams, Mr. Carter and Cllr. Green advised that they would like to make a site visit. RESOLVED; the Parish Clerk was to seek an extension from SHDC Development Management to 12 February to respond to the application to enable a site visit to be undertaken. In the event the Parish Clerk was unable to secure an extension from SHDC planning control to 12 February 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.*)

19.6 The Buttery Newton Hill 3097/15/HHO - householder application for modification to porch and valley gutter and general restoration of existing fabric. No objection. (*Vote; Unanimous*)

19.7 Appledore 84 Court Road 3099/15/HHO - householder application for refurbishment and rationalisation of design conflicts. DECISION: No objection. (*Vote; Unanimous.*)

19.8 Barnicott 37/1831/15/F- the Vice Chairman gave a report of Development Management Committee meeting. Cllr. Baldry had supported the planning officer's recommendation for refusal. Cllr Blackler had submitted a written representation. The Committee had unanimously objected to the application the reasons including that it was outside the Village Development Boundary and there were no exceptional circumstances justifying the development within an AONB.

19.9 SHDC Planning website- Cllr Green had had a helpful meeting with the planning department and had gone through the concerns raised by the Parish Council.

An update on the situation with the website had been received from Sophie Hosking Executive Director (Service Delivery and Commercial Development) by email in the following terms;

Major changes were taking place on the planning website as SHDC moved all planning applications, both live and historical, with all of their associated documents into one single system. This was being done with all planning applications in both South Hams District and West Devon Borough Councils. SHDC was aware that this transition had had, and continued to have, an effect on ability to view documents and applications through the search facility on the website and this had then impacted ability to respond to applications within the statutory time frame. They apologised that this had been further compounded by a delay in the manual uploading of some new documents to the website. SHDC thanked Councils for their patience during this time. SHDC was aware of the issues and were working through them in a systematic way as a matter of priority. A number of these issues were not foreseen and they had put some temporary fixes in place while they worked on a permanent solution to the problems.

All documents for open applications had now been moved onto the new system. SHDC would finalise the remainder of the historical records in the next 2 or 3 weeks. Until the document move was complete it would still be necessary to search using the two different search links as stated on the website, after which there would be a single search facility as before. Many fixes and changes had been made to the web search function over the last 3 weeks, and they had a central log of all those which had been raised and were outstanding. They included:

- Planning Application Reference Numbers to appear on details pages
- General speed and usability of searching and viewing documents
- Ability to use iPad for search and view
- Ability to use mobile (smart) phones
- Count of Comments function
- Format and content of the weekly list to be improved
- Ability to view more than one document at the same time (e.g. multiple tabs)
- Bulk Document Downloads

They would be testing and implementing these in the following two weeks. The above fixes, alongside the speeding up of validation and document uploading, would ensure that Councils and the public would be able to view documents more quickly and easily.

The issues outlined above had raised a number of queries regarding the statutory consultation process and how this was managed by SHDC. All planning applications were advertised in the local newspaper. A site notice was posted on all planning applications on or near the site to advise that the application has been submitted. The newspaper advert and the site notice may have different publicity expiry dates and the deadline would always be the latest date. With respect to consultation with Parish/Town Councils and Ward Members a weekly list of applications received was sent to all Parish/Town Clerks and Ward Members which was a list of all applications registered in the preceding week. Whilst this list formed the basis of consultations with some Statutory Consultees, hence the date to provide comments being shown, this was not the formal consultation with the Parish/Town Councils. A formal separate consultation with the Parish/Town Council was still undertaken with a hard copy of the application being sent to the Parish/Town Council. The statutory period of 21 days for Parish/Town Councils to comment on applications was from the date that the hard copy was sent and was specified on the letter that accompanied the consultation. There would be instances where applications appeared on a weekly list but the Parish/Town Council were not consulted. These would not be planning applications but other submissions to the Council where no statutory consultation took place. Parish/Town Councils would continue to receive hard copies of planning applications for the foreseeable future. This arrangement would not change without prior consultation with all Parish and Town Councils.

It was fully understood that the major changes SHDC were implementing had caused difficulties for the Parish and Town Councils as consultees to the planning process. These issues had arisen despite careful planning and testing but were unfortunately a direct consequence of the scale and ambition of the task undertaken. SHDC were confident that both the search functionality and stability were improving and that documents were being published in line with their statutory duties.

19.20 Newton & Noss Neighbourhood Plan –there was no update.

20/16 COUNTY and DISTRICT COUNCILS

20.1 County Council-Cllr. Hosking had emailed an update regarding the A379 lane closure and the response he had received from the Cabinet Member. “A Devon County Council spokesman said: “Public safety is our prime concern, and one lane of this section of the road is closed, with temporary lights, because the road is subsiding and is not safe. It doesn’t normally take this long to design a structural repair scheme but the investigation work was seriously hampered by the location of a gas main under the road. A further complication arose following preparatory vegetation clearance which identified the need for a risk assessment to determine if a safety barrier was now required. That assessment took place last week and the outcome is a significant length of barrier is required to safeguard the highway user from what is a significant drop. The re-design of the strengthening works and the safety barrier will delay starting on site until April. Devon County Council is very sorry for the inconvenience caused but when works commence the travelling public will be aware of the significant engineering work involved in dealing this unplanned event”

20.2 Highways/Transport

i) Wright’s Lane- Mr. Nick Colton, DCC Highways, had advised that they were all still in the hands of the contractor with regards to a start date and Building control had made it clear that they had no grounds to serve notice on the landowner(s). In normal circumstances such as excavations in the highway, scaffolding etc. DCC could insist on its removal if it was deemed to be safe to do so. However DCC would not want to ask for the current set up to be taken down until the works had been completed as the wall was still potentially a risk to the public without the fencing being in situ.

ii) Coach Road- the Clerk was still waiting to hear from Curtis Whiteford Crocker solicitors regarding responsibility for the boundaries at Noss recreation area. The Chairman advised that the owner of the boundary between Noss Green and Gypsy Meadow had said that the boundary was her responsibility. Some concerns had been raised by a parishioner regarding difficulties in keeping the stream grille cleared due to the condition of the fencing. He had also advised Stephanie Jones at Devon County Council that they had had a working party clearing the trees etc. overhanging the Hannaford stream on morning of 23rd January. They had cleared some wire, but there was still wire in the stream and also builders’ materials which had been in the made up ground. They had also cleared a gas cylinder and an old engine. The bed of the stream required digging out to remove the building materials. The grille had been part cleared but required a machine to remove the depth of silt. It was agreed the Chairman and Cllr. Green would meet with the parishioner on site to agree a way forward. It was understood DCC were hoping Coach Road would be re- opened the following day. DCC would be undertaking some stream clearance downstream due to the work that had been undertaken. The Clerk had attempted to contact the insurers who had left a message to the effect their property claims department was unable to comment on pipe maintenance, but that they had sent the query to their liability department. With respect to pipe maintenance under the Noss recreation area, a parishioner advised that a DCC employee in the drainage/highways department had suggested that the flow of water should be sufficient to keep the pipes clear. Placing more boulders upstream would help to collect debris and stop the grilles becoming blocked.

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iii) Parsonage Road- a further letter from a concerned resident, following the last Parish Council Meeting, had been circulated to the Parish Council. It was agreed the Clerk would summarise the Parish Council discussion and decision and send it to the parishioner. The matter was in the hands of Devon County Council. It was understood the parishioner had already made contact with Mr. Nick Colton, Devon County Council Highways, on a direct basis.

21/16 ADMINISTRATION

21.1 Events applications-a Primary School PTA representative had written to the council requesting advice regarding potential alternative car parking for a circus in the school grounds on Saturday 7 May. It was agreed Ms. Adams would speak to the PTA representative and suggest a field near Widey with a shuttle bus.

21.2 Anti-fraud and corruption policy- a draft had been circulated prior to the meeting. RESOLVED; to agree and adopt the anti- fraud and corruption policy. (*Vote; Unanimous*)

22/16 CORRESPONDENCE

22.1 Devon Air Ambulance Trust- the trust had written regarding potential sites for a Community Heli Pad. It was agreed to suggest Noss Green and Butts Park Playing Field both of which had been used in the past.

22.2 Invitation to Public Consultation -the draft South Devon AONB Estuaries Management Plan 2016 – 2020 had been circulated to Members. Mr. Carter advised that the River Yealm Harbour Authority would be reviewing the plan. In light of this it was agreed to take no further action.

23/16 AUTHORISATION OF PAYMENTS –Cheque payments were authorised and signed in accordance with the schedule prepared by the Clerk, checked by Ms. Adams and listed in Minute 24/16

24/16 PAYMENTS

The following cheques were authorised totalling: £855.22

Chq No	PAYEE		AMOUNT
2045	CPRE	Annual subscription	£36.00
2046	South Hams Citizen Advice	Grant donation*	£75.00
2047	A. Cooper	Travel expenses reimbursement	£58.95
2048	Ricoh UK Ltd	Photocopier/printer lease and invoice for copies	£157.27
2049	Robbins Sports	Rugby posts	£528.00
Total			£855.22

*Section 137 Local Government Act 1972 payments: £75 total to date; £480

25/16. MAINTENANCE

25.1 Maintenance working groups-

i) Sports Pavilion- the Clerk would check receipt of the monies from the closure of the Sports Pavilion bank account run by the former Sports Pavilion Committee.

ii) The Green/Dillons Green- Ms. Adams advised that the risk assessment was due to be completed. The Clerk would check the status of the sign repair. Mr. Tubb confirmed he would investigate reported damage to the fingerpost sign.

iii) Play parks-the group had met to explore funding opportunities. An application had been submitted to the Revelstoke Trust. The Vice Chairman had made contact with a representative from the Big Lottery fund who had advised that the funding was oversubscribed and could take 10 months to be determined. She had suggested concentrating on smaller funding bodies e.g. Awards for All. Having had experience with funding applications for the WI Hall renovations, it was his suggestion to concentrate on the smaller funders. It was agreed the Vice Chairman would submit an application for funding to Cllr. Richard Hosking for the Invest in Devon Grant and Awards for All. Ms. Cove had applied for the Postcode Letter Grant and was in the process of applying to the Cloth workers' funding organisation. The Clerk advised that a costed delivery plan would be needed to process the Big Greenspace Challenge Application. The Vice Chairman raised the frequency of inspections suggesting reducing to once every three weeks in winter.

iv) Noss Recreation Areas- the Chairman advised that Noss Green was water logged. The Community Orchard working group had drafted some improvement plans for the orchard for funding. The group had been advised to put the plans before the Parish Council once finalised.

25.2 Dog bin- the SHDC Locality Officer, Mr. Tim Pollard had made contact and had advised that he had attended an event at the WI hall. One of the questions raised concerned the possible provision of a (dog) bin near the Harbour office / Yealm Hotel. The reasoning was that lots of boat owners visited the Harbour and their dogs either

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fouled the area or the bags were thrown in the bushes. The provision of a bin in the area would help to alleviate the problem. He felt this was likely to be seasonal and was not sure how many boat owners actually had dogs to create such a problem. It was unlikely that SHDC could provide an additional bin (unless the problem was acute) but SHDC might be able to consider relocating a bin from a less well used location (if one existed). Before considering these options however he wanted to check with the Parish Council to see if this was an issue which had been raised previously or if any thoughts on the matter had been made known. It was agreed to contact Mr. Pollard to advise that Members felt an additional bin to be unnecessary as the Council has not been notified of any particular problem in the area and the bin at the start of the Cinder/Leas Path on Yealm Road was well used. A suggestion would be made that a sign in that area directing dog owners to the bin at the Leas path may be helpful. A request was also made if some attention could be given to that bin due to its condition and stability of the post.

25.3 Other areas for consideration-

i) Mr. Carter advised that both he and the Harbour Master had inspected Newton Brook, Big Slip Quay, Bridgend and Kilpatrick's Steps. A couple of steps at Kilpatrick's need repair-due to the position the RYHA would be attending. The rest of the property for which the Parish Council was responsible was fine.

ii) Noss Voss Steps- Mr. Finch had completed the repairs. The steps had been finished with granite setts- the difference in cost having been kindly funded by Mr. John Allen.

25.4 Flood funding- Cllr. Green had looked into the application for funding through Devon Emergency Flood Resilience fund. Mr. Nick Colton, DCC Highways, had been asked for advice as to potential equipment. There had been no information as to when Ms Stephanie Jones from Devon County Council, who had been liaising with residents over flood prevention, would be in visiting. In light of storage difficulties for equipment, an application for funding would not be made at present.

25.5 Drainage Noss Green- min 18.2 refers

In committee

25.6 Tree work quotations- five tenders had been sought and three received. RESOLVED; to accept the quotation from Dartforest Trees in the sum of £2210 to carry out recommended tree work following the tree inspections. (Vote; Unanimous). The Council was content that the wood would be taken away by the contractor as provided for in his quote.

26/16. PRE PLANNING APPLICATIONS/PLANNING ENFORCEMENT

It was agreed the Clerk would contact SHDC planning enforcement to ask for an update with respect to a long outstanding matter.

27/16. CLERKS EMPLOYMENT

27.1 Pensions-the Chairman advised that the employment working group had met to discuss the auto enrolment pension staging date of 1 July. There were no council members who had experience in accounting or financial advice. The group was also aware public monies were being spent. An advice note had been circulated by Devon Association of Local Councils suggesting local councils seek financial advice before setting up a pension scheme for employees. Four local financial advisers had been approached one of whom had offered to have a free initial consultation. It was agreed the Vice Chairman and Ms. Adams would meet with the IFA who had offered a free consultation and would report back to the Council at the next meeting.

27.2 Payroll- the group had considered the pay roll position which had, to date, been administered by the Clerk. The Clerk had suggested the Council may wish to consider PAYE be dealt with by an external payroll firm or accountant to preserve independence. Two indications of costs had been sought. RESOLVED: to instruct Hawthorn Accounting to take over pay roll duties for Newton & Noss Parish Council for financial year commencing April 2016 in respect of which a quote had been obtained of £10pm. (Vote; Unanimous)

27.3 Overtime- the Chairman advised that the Clerk had undertaken 228 hours of overtime in 2015. This was, in part, due to the work involved with the transfer of land assets from South Hams District Council. The Clerk had asked for the first 100 hours to be taken into consideration only. RESOLVED; to authorise payment for 100 hours of overtime for the Clerk and to agree that the remaining 128 hours could be taken as leave in lieu of overtime payment. (Vote; Unanimous.) The Clerk was thanked by the Council for the extra hours worked.

The Meeting closed at 8.40pm