

KINGSWEAR PARISH COUNCIL
Minutes of the Extraordinary Council Meeting held at the Village Hall (Lower Room)
on Wednesday 24th July 2019 at 7.45pm

Present: Councillors: L Maurer (Chairman), E Jones, J Hawkins, B Longland, H Newcombe, G Webber, P Pudduck, S Smith.

In Attendance: Miss Sue Balsdon – Clerk to the Council.

There was 2 members of public present.

C/067/19 – Welcome from the Chairman

The Chairman welcomed everyone to the meeting.

C/068/19 – To receive any apologies for absence from the Meeting.

P Burnell, J Hacking.

C/069/19 - To receive any Declaration of Interest. [Councillors are also reminded that they must register any new interest or change in any interest already registered within 28 days of that new interest or change].

There were no declarations of interest noted.

The Council Meeting was suspended to allow members of the public to ask questions and make representations to the Council:

Concerns were raised on behalf of residents from Westerland Terrace, with regards to land in front of their property. Discussions have been held at recent meetings regarding a strip of land on Higher Contour Road, but the Council confirmed this is not the land in front of Westerland Terrace.

A resident also queried why scaffolding was still in place on Fore Street, when a ban is usually in place during the summer months due to the ferry queue. Cllr Hawkins advised that since the scaffold was erected, it has been established that more repairs to the property are required, and if not completed may cause a safety issue. Permission was therefore granted by Devon County Council for the work to continue.

The building materials stored on the pavement on Lower Contour Rd opposite the School, were discussed. The Council advised that this matter has been brought to the attention of the Highways Officer, but unfortunately there is nothing that can be done at the present time due to difficulties at the site. Cllr Maurer agreed to contact the land owner for an update.

The Council will reconvene to discuss the following items:

The Council resolved to suspend standing orders in order to discuss an item which although not on the agenda, required an urgent decision.

C/070/19 - To approve to take on the Lower Ferry Toilets as a Lease Transfer.

At an extraordinary meeting held on 28th May, the Council agreed to take on the Lower Ferry toilets as a lease transfer, but this would be subject to finding a resolution to the following:

i) Whether any proposed increase in the annual rental could be limited to an inflationary increase only.

SHDC confirmed that there is no provision for the Landlord to increase the rent during the term of the lease and it will therefore remain at £1 per annum.

ii) The Lessee is responsible for contributing 50% of the cost incurred by the Lessor in respect of repairing, rebuilding, and cleaning those parts of the premises situated under and including the roof garden of the residential flat forming part of the property and in addition to pay a fair proportion of the expenses payable in respect of repairing and cleaning the party walls, fences, sewers, drains and footpaths used in common with the Premises and other parts of the property.' The Council are happy to maintain the walkway to the entrance to the toilets, but have concerns with regards contributing 50% of the costs relating to other parts of the property.

SHDC confirmed the Council would be responsible for:

- a) 100% of the Internal Repairs
- b) 50% of the cost incurred by the Lessor in respect of those parts of the premises situated under and including the roof garden of the residential flat.
- c) A fair proportion of the expenses in repairing and maintaining the other parts of the property.

Councillors voted in favour of taking on the Lower Ferry toilets as a 'Lease Transfer' subject to a review of the terms of the lease by the Council's solicitor.

C/071/19 - To approve quote received from SHDC for the cleaning of the Lower Ferry Public Toilets (Annual Cost £1410).

The Council voted in favour of adding the cleaning of the Lower Ferry Public Toilets to the SHDC cleaning contract at an annual cost of £1,410.

The Council resolved to re-instate standing orders.

C/072/19 - To consider proposal with regards the strip of land, Higher Contour Rd.

The Clerk advised that the Council have received an email from a resident suggesting a possible way forward, with regards to the strip of land on Higher Contour Road. The proposal was for the Council to register the land in their name, and then for nearby residents to purchase the land from the Council.

Councillors voted in favour of writing to the gentleman concerned, to say that the Council reiterate their decision made at their June Full Council meeting. They do not wish to pursue ownership at this time and that it will be for local residents themselves, to decide whether they wish to seek ownership of this strip of land.

Cllr Pudduck strongly opposed this decision, on the basis that he believes the strip of land should be obtained for use as a Council asset.

C/073/19 - To approve for the Neighbourhood Plan to go out for public consultation.

Councillors voted to approve for the Neighbourhood Plan to go out to public consultation.

The Council wanted to express their thanks to Eileen Parkes and her team for all their hardwork in producing the plan.

C/074/19 - To discuss items of a confidential nature and resolve that in accordance with the Public Bodies (Admission to Meetings) Act 1960 Sub section 2, and the Local Government Act 1972 Section 100A sub sections (2) and (4) that the public and press be excluded from the Meeting in view of the items to be discussed. (Quotes and Staffing).

The Meeting ended at 8.15pm

Minutes Approved: Councillor L Maurer – Chairman