

## **KINGSWEAR PARISH COUNCIL**

### **Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on Tuesday 11 July 2017 at 7.00pm (for formal approval at the next Meeting of the Council)**

*Present:* Councillor J Henshall – Chairman

Councillors: L Maurer (Vice Chairman) E Jones, E Essex, H Newcombe, R Searle, M Trevorrow, J Hawkins, E Parkes and L Payne

*Apologies:* District Councillors H Bastone and R Rowe  
Police Constable A Vaughan

In Attendance: Mr David Edwards – Clerk to the Council

There were 23 members of the public and 1 member of the Press present

#### ***C/028/17 – Welcome from the Chairman***

The present Chairman welcomed everyone to the meeting.

#### ***C/029/17 – Declaration of Interests***

The Members were reminded that any changes to their Declaration of Interests should be notified to the Clerk.

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

##### *Questions from the public*

Reference was made to the recent Code of Conduct Hearing where Councillor Trevorrow was found to be in breach of the Code. A request was made that residents write to the Clerk and to the Monitoring Officer to register their support for Councillor Trevorrow.

The procedure when the installation of the fence at the cemetery was approved was questioned. Comment was made that it is usual or good practice for the Council to discuss with the owners of the neighbouring property. It was stated that the gap in the hedge had been used for many years and the costs involved in constructing the fence were unnecessary.

The option of creating the footpath on the verge opposite was supported and action is required. The availability of safe footpaths connecting Hillhead to the village centre is important and should be reviewed.

Comment was made regarding the Council accounting records and the comparison of staff costs between 2016/2017 and 2015/2016. The figure in 2016/2017 is £15543 and 2015/2016 £21417. The Clerk also confirmed his reason for leaving was personal and did not relate to the Council work.

Reference was made to parking in Higher Contour Road and the building works which are near to completion.

The installation of a waste bin in Higher Contour Road is being progressed.

Complaints were voiced over the ripping open of waste bags by seagulls and the need to ensure that all residents use the reinforced/seagull proof waste bags.

*Councillor Essex left the meeting.*

Councillor Trevorrow read out a statement (a copy is attached to the Minute file) relating to the decision by the Independent Investigating Officer that he had breached the Code of Conduct. He confirmed that he would not carry out any of the recommendations made in the report.

*Councillor Essex returned to the meeting.*

***The Council will receive the following reports if available:***

***i. Devon County Councillor***

Councillor Hawkins reported that he had attended meetings regarding the proposed changes to the Lower Ferry service. The District Council has to balance the cost to the rate payers against maintaining an adequate service. The Council has consulted the staff and kept them informed of its decisions. The service will be run on the basis of a 21 week winter service (1 ferry) and a 31 week summer service (2 ferries).

The service will also increase to 2 ferries when appropriate, during periods of higher demand; for example, when the Higher Ferry is out of action or a reduced service and school holidays.

He further reported that he had been involved in the negotiations between the District Council and Devon and Cornwall Housing (DCH) to repair the public toilets in the Square. DCH have agreed to repair the roof and it is hoped that the toilets will be fully open before Regatta Week.

Councillor Hawkins advised that he was negotiating the relocation of waste bins from Bayards Cove in Dartmouth. He has arranged for one to be installed in Higher Contour Road. The Parish Council will need to agree that it will cover the cost of emptying which is approximately £360 pa.

The waste bin near to the Lower Ferry is to be relocated as a local business complained about the current position.

Discussions have taken place on the future of the police station in Dartmouth. It has been agreed that it will return to its previous relocation when rebuilding has been completed. It is currently relocated to Townstal at the St John Ambulance building.

The District Council, through the Neighbourhood Planning initiative, has agreed to adopt the Cornwall County Council policy with regard to St Ives, where all new build has to be for permanent residence (not 2<sup>nd</sup> or holiday homes). £1.9m has been allocated to low cost housing in the District.

The County Council have removed the fencing that had been erected by a resident on Beacon Road.

Councillor Hawkins had attended the AONB meeting when representatives from DALAG had attended to discuss the issue of Beacon Road.

Sarah Woolaston MP had arranged a meeting at the Dartmouth Academy to discuss the funding for local schools. Councillor Hawkins stressed the need for all residents to lobby to ensure the government provides more funding.

Councillor Hawkins referred to S106 funding that had become available. The E mail below refers:

*(SHDC is in receipt of £2,465 of s106 funding to be spent on Open Space, Sport and Recreation facilities within the parish of Kingswear. Under the terms of the s106 agreement, these funds should be committed to a named project by September 2017. I do not currently have any named projects lined up as a recipient to these funds. Cllr Hawkins has suggest use of the funds towards repair of, or a new pontoon in the Creek.*

*I would like to take this opportunity to rapidly gather opinions and suggestions with respect to this suggestion, or indeed any other potential or priority OSSR projects within Kingswear that might benefit from this injection of funding (e.g. are there any required improvements at the Playing Field – play equipment, etc).*

*I can of course circulate more widely (not least to the SDAONB and National Trust whom are working on the Kingswear Peninsula Access Project and are currently costing up a menu of projects) however thought that given timescales it may be sensible and possible to agree an approach amongst us.*

*If the pontoon will be used for recreation by new residents and is freely accessible then this would of course be eligible – in which case I would welcome some more detail about the project (i.e. ownership, usage, purpose of project, cost, etc.*

*Rob Sekula | Specialist – Assets & Place Making*

*South Hams District Council | West Devon Borough Council)*

The Members were asked to contact the Clerk with any other suggestions on how the funds could be used. The deadline is 3<sup>rd</sup> September 2017.

It was noted that there is minimal contact with the Dartmouth Neighbourhood Planning Group. The Clerk was asked to contact to arrange a meeting. Councillor Tony Fyson is the lead Councillor at Dartmouth.

**ii South Hams District Councillors**

Councillor Hawkins – included in above

Councillor Bastone no report

Councillor Rowe – no report

**iii Police Report:**

No report

**The Council reconvened to discuss the following items:**

**C/030/17 - To resolve to approve the following minutes subject to any amendments:**

- i. Full Council Meeting – 13 June 2017
- ii. Full Council Meeting – 13 June 2017 (Confidential)
- iii. Planning Committee Meeting – 12 June 2017
- iv. Planning Committee Meeting – 27 June 2017

**It was RESOLVED to approve the Minutes without amendment.**

**C/031/17 - To note that the meeting with Mr Tom Jones of South Hams District Council will take place on Monday 17 July 2017 at 6.30pm at the Sarah Roope Trust Room. This is with regard to the Development at Noss Ship Yard.**

This was noted and it was the view of the Council that the plans should be available to

members of the public prior to the Council Planning Meeting on Tuesday 25<sup>th</sup> July 2017.

***It was RESOLVED that the plans be available at the Sarah Roope Trust Rooms from 3.00pm for public viewing.***

**C/032/17 - To discuss and follow on from the action taken following the previous Council Meeting on the use of the cemetery as a right of way for near residents to access their properties (see report attached)**

Comment was made that the residents had had access for many years and the introduction of gate with a lock would be seen as a neighbourly act. It was noted that the old metal fence had spikes along the top and this should be removed. A problem that was mentioned is the access point creates a walkway across graves and this had brought some complaints. This was disputed on the basis of no evidence provided. It was of concern that the ownership of the neighbouring properties might alter in the future and the numbers using the access gate might increase.

***It was RESOLVED that the Clerk and Councillor Newcombe meet to look at the options and cost of installing a walkway/path on the verge on the opposite side of the road.***

**C/033/17 - To discuss and agree the future actions required to take forward the Resident Parking schemes in conjunction with any report that is available from Agenda Item 8 below.**

Councillor Payne stated that that this is an ongoing problem with pressure on the on street parking in most areas of the village. The area on Brixham Road from Jubilee Park to Waterhead Brake was of concern since on several occasions there had been traffic jams due to buses not being able to get through due to cars parked. There is a "pinch point" and it would help if parking was restricted at this point.

Councillor Hawkins advised that from the County Council HATOC Meeting discussions it was in the process of compiling a list (publication and legal notices Traffic Orders) where any alteration of parking restrictions was required. It was agreed that Cllr Payne would send Cllr Hawkins a diagram of the location of the pinch point so he could arrange for double yellow lines to be located at that point.

In this part and other roads in the village there are vehicles parked for long periods where the owners have gone away, camper vans, boat trailers, abandoned vehicles and at times parking across access points. If Waterhead Brake is developed, more pressure will be put on the parking available.

Cllr Payne asked all Members if they could make notes during the summer of all incidents concerning parking issues so that a body of evidence could be presented to Devon County Council (Highways). In the September Council Meeting a review of the evidence will take place followed by a decision as to the way forward.

The Chairman has been discussing the parking during Regatta Week with Peter Johnson (Regatta Secretary). The inclusion of Castle Road, Ridley Hill and Church Hill is being considered (parts already have resident parking restrictions).

**C/034/17 - To receive the Neighbourhood Plan Report from Councillor Parkes (General) and Councillor Payne (Residents Parking) and to discuss and approve the actions and any expenditure detailed in the report.**

**Councillor Payne report as above**

Councillor Parkes reported as follows:

*"We have held one meeting and have compiled preliminary lists of items for the Parish Council consideration and one to be researched and developed into our draft plan these are attached.*

*We have started to obtain quotes from planning specialists to look at appointing one to help with the production of the draft plan.*

*So far we have a quote from*

*Richard Boyt of £75.00 per hour as a basis of a fixed fee.*

*We intend to apply for a grant to help cover these costs.*

*As part of the ongoing process to consult with the local community I had a delayed meeting with the new Harbour Master to explain the KNP and ask about any plans they had that might affect the village.*

*1. The parking area in Kingswear is going to be tidied up.*

*2. It was noted that Dart Harbour and river authority have no control over the creek.*

*3. The foreshore along the railway track is owned by the Railway Company. There may be plans for a further pontoon to be installed by them. Would this effect parking in Kingswear?*

*4. SHDC have refused permission for passengers to be landed from a cruise ship on the Kingswear pontoon due to a railway lease. Does this have implications for businesses in Kingwear?"*

Expenditure this month

Room hire of the lower village hall for 1 morning £12.00

It was stated that Beacon Road as a part of the Coastal Path should be included within the consultation and subsequent referendum. The landowners do not appear to be in agreement on how any works are to proceed, which prevents any meaningful discussions taking place.

***It was RESOLVED to accept the report and approve items of expenditure.***

**C/035/17 - To receive an update on the action to approve the release of the remaining 10% of the payment to Caledonia Play (see report)**

A response from Caledonia Play has been received by Councillor Maurer. It states:

*"We can only replace some of the screws with stainless steel not the brackets which are galvanised. We have these products out on the west isles of Scotland where the weather and salt is much worse. There is corrosion but they are still safe and sound, useable for use, the screws that will be used are not marine quality so in time will show signs of corrosion as does even marine quality. However, as an element of goodwill my plan is to*

*do the requested work but tie in with the next time I will be in Devon which currently will be in August. I am happy to discuss further if you wish.*

*The reference "all fixtures and fittings to be stainless steel" was taken from the description of the swing frames as at the swing points, chains and main structural fixing points on the tower are stainless steel, it does refer to each of the screws and bolts. In hindsight, yes the word galvanised should have been included as an opening statement but it is mentioned in the main body of the text."*

Comment was made that the company had returned on two occasions to undertake the work specified in the independent report. The letter where the statement was made regarding all stainless steel fittings was not addressed to the Council and not part of the contract.

Cllr Payne said that the specification of the playground which was used in order to place an order stated that "all fixtures and fittings are made of stainless steel" Many of the fixtures and fittings are not stainless steel and already many of the fixtures were showing signs of rust and so the specification had not been fulfilled . She said that in her view the Council should not pay the final 10% until the company had completed the work correctly.

The Company have confirmed that it will undertake a site visit in August and replace some of the screws with stainless steel as a gesture of goodwill.

The attached report includes the recommendations made by the independent inspection through Allianz Insurance. The Clerk made comment that the Council should carry out and implement all the recommendations.

With regard to other matters:

- The rubber matting has been damaged and requires investigation. It was a view that the damage had been caused by the grass cutting/strimming.
- The Inspection undertaken through the District Council at a cost of £130. It was stated by the "Community Group" that arranged the funding of the Play Equipment that these additional costs would come from this "Group". Councillor Hawkins agreed that this additional expenditure would be met by the "Group".

***It was RESOLVED:***

- ***That the final 10% payment of £2847 be sent to Caledonia Play***
- ***The signing as included in the recommendation from the inspection be installed although some signing will need to be reviewed because no agreement was made with regard to a fence around the Play equipment.***

**C/036/17 - To resolve to approve the Expenditure of the Council for the period 06 June 2017 to 05 July 2017 – see attached.**

***It was RESOLVED to approve the expenditure.***

*Councillor Searle left the meeting 20.45.*

**C/037/17 - To discuss the formation of Working Group to investigate the options for improvements to be made to Jubilee Park and the provision of open space at Hillhead (Cllr Hawkins) – previous month agenda item deferred.**

Councillor Hawkins proposed that a Working Group (to include other organisations and residents who have an interest) be formed to discuss.

Comment was made that these were items included within the Neighbourhood Plan discussions.

***It was RESOLVED that a Working Group be convened.***

**C/038/17 - To discuss the renewal of the Interactive Road sign (Slow down legend) at a cost of £2100.**

Comment was made that additional quotes be obtained and the sign be relocated.

***It was RESOLVED that other quotes be obtained and further discussion on the location of the sign.***

**C/039/17 - To approve that the Council covers the costs of hedge cutting along Hoodown Lane up to a maximum cost of £600 but with a view to obtaining a contribution from the other landowners.**

It was noted that the hedges from Jubilee Park along Brixham Road that are the responsibility of the Council require cutting back. This includes some of the road where parking occurs. The hedge and verge cutting will also allow for potential additional parking places by widening the road area.

***It was RESOLVED that the Clerk investigates additional quotes in conjunction with the issue of creating a pathway opposite the Cemetery as stated.***

**C/040/17 - To discuss the action to be taken with regard to general maintenance items – to include, Bus shelters, seats/benches/Cemetery Chapel/ fencing and gate at Jubilee Park, The Wishing Well, with an option to arrange a General Purposes Committee Meeting for it to bring its recommendations to the Council for approval.**

***It was RESOLVED that a General Purposes Committee Meeting be convened to discuss.***

**C/041/17 - To note that the Agreement for the Council to Adopt the BT Payphone Box in Raddicombe Drive and to consider the action to be taken with regard to its use and maintenance/re-decoration.**

***It was RESOLVED that further discussion takes place on the use of the Phone Boxes but in the short term 2 Defibrillators be purchased and installed.***

**C/042/17 - 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.(Staff matters)**

*The Meeting ended at 21.20*

Minutes Approved:

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Councillor J Henshall - Chairman