

KINGSWEAR PARISH COUNCIL
Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on
Tuesday 12 September 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, H Newcombe, R Searle, M Trevorrow, J Hawkins, E Parkes and L Payne

District Councillor H Bastone.

Apologies: Councillor E Essex.
District Councillor R Rowe
Police Constable A Vaughan

In Attendance: Mr David Edwards – Clerk to the Council

There were 18 members of the public present.

C/043/17 – Welcome from the Chairman

The present Chairman welcomed everyone to the meeting. She explained that Mr Horan had been appointed as the new Clerk on Monday 04 September and he had attended the Finance Committee Meeting. Unfortunately, after due consideration of his circumstances he had tendered his resignation on 08 September. The existing clerk had agreed to stay in post in a “covering” role.

C/044/17 – 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

The issue of the resident parking scheme was raised and the problems that occurred during Regatta week.

The comments made were in summary:

The presence of the Enforcement Officers was of concern

Cars parked on the pavement and other places that would have prevented emergency service vehicles access.

Residents expect to be able to park fairly close to their home

The parking tickets issued to residents would be cancelled.

There was some misunderstanding by the County Council officers on the parking permit requirements.

Dartmouth suffered similar problems

Those visitors who had rented holiday lets were effected as they had no access to resident permits. Holiday let visitors were seen to be contributing to the village economy.

Higher Contour Road a particular problem as residents being pushed out of other roads competing for spaces.

The change to the parking charges at Dart Haven Marina had an impact. Only those who were issued with a parking ticket incorrectly (residents parking in places where permit should have operated) will have penalty cancelled. Lower Contour Road residents appear to have 2 or 3 permits but also have off street parking which they could use.
(It was noted that members of the Regatta Committee would ensure that the correct Traffic Orders are in place for next year)

A question was asked about the controls on the River pontoon where some boats do not have the permit stickers. One boat is also full of water. Reference was also made regarding the inspection of the pontoon at Waterhead Creek. *(The Chairman agreed to meet Mr Pudduck and visit the pontoon).*

The Council will receive the following reports if available:

i. Devon County Councillor

Councillor Hawkins reported on:

The new "Welcome to Kingswear" signs had been installed. This was in conjunction with the AONB.

Concerns had been noted and the County were taking action, over the overgrowth on to the highway in Fore Street.

He continues to lobby the County Council to accept responsibility for Beacon Road.

The development on the Boat House at Lighthouse Beach had been subject to a visit by the Enforcement Officer.

A meeting is still required between the County Council and the National Trust to look at the traffic issues on Broad Road to Coleton Fishacre.

The bollards in Fore Street had been damaged by a vehicle. The County Council Officers are taking action.

The Dartmouth Food Bank always require more volunteers. A Notice to be displayed.

He had opened the Kingswear Fun Day. *(Councillor Trevorrow read out a letter of thanks for the Council grant to cover the insurance costs).*

ii South Hams District Councillors

Councillor Hawkins – included in above

Councillor Bastone reported on:

The proposed merger of the District Council with West Devon Borough Council. The merger is being forced upon the Councils due to the reduction in the Central Government funding.

The Joint Local Plan had been submitted to the Secretary of State.

The Council had commenced its consultation on next year's budget, including the changes to the charges in the pay and display car parks.

The development plans for Dartmouth and Stoke Fleming where there is a need for a greater proportion of "Affordable Homes".

He had attended the recent Developer's Forum for the Noss Shipyard Development. It is hoped that there when the second phase which is predominantly residential properties there will be an acceptable proportion of "Affordable Homes"

The new contract with Fusion Leisure has brought about major reinvestment for the District Leisure Centres.

Councillor Rowe – no report

iii Police Report:

No report – The Chairman advised, however, that she had met with PC Vaughan. PC Vaughan had provided information on the recent robbery at the Post Office. The offender had been apprehended.

PC Vaughan was aware of the problems regarding the parking during the Regatta and he would be reviewing and walking the village with the Regatta Committee representatives.

The Council reconvened to discuss the following items:

C/045/17 - To resolve to approve the following minutes subject to any amendments:

- i. Full Council Meeting – 11 July 2017**
- ii. Full Council Meeting – 11 July 2017 (Confidential)**
- iii. Planning Committee Meeting – 25 July 2017**
- iv. Planning Committee Meeting – 15 August 2017**
- v. Planning Committee Meeting – 29 August 2017**
- vi. Finance Committee Meeting – 4 September 2017**

It was RESOLVED to approve the Minutes subject to the following amendments:

C/033/17 To read as follows:

"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/035/17 – To read as follows:

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/046/17 - To discuss the re location of a litter bin at the junction of Higher Contour Road and Ridley Hill with the Council covering the costs for emptying and maintenance. The cost of emptying the bin is £250 (one year), £750 (three years), £975 (five years). (see attached)

It was RESOLVED that a new waste bin be installed and the Council to cover the cost of emptying and maintenance for an initial period of 1 year.

C/047/17 - To note that the Council has completed the adoption of the BT phone boxes at Wood Lane and Raddicombe Drive. The Council has resolved to

install defibrillators. To discuss and agree the installation at a cost of £899 each plus a secure box with key code cost £525 each.

It was RESOLVED to accept the costs as stated and implement the installations. Councillor Hawkins agreed to arrange for flyers to be distributed to residents.

C/048/17 - To discuss and receive the Report from the Resident's Parking Working Group (Cllr Payne) and to resolve any action to be taken by the Council. Please note emails received from residents that have been circulated.

Councillor Payne reported after consultation with Neil Oxton from Devon Highways, he drew up a proposal to create some restricted Residents Parking slots in Higher Contour Road around the area of Contour Heights so as to enable the workers who lived in that vicinity to be able to access parking. This proposal was included in the parking section of the Neighbourhood Plan. It received moderate support.

But meantime as a result of increased parking fees at the Marina the parking situation on Higher Contour Road deteriorated. In the May Council Meeting it was agreed to monitor the situation in Higher Contour Road and Brixham Road near Waterhead Terrace during the summer. Members of the Residents Parking Working Group have talked to many residents and listened to their concerns.

We have gathered further evidence from our poster campaign which generated four letters of concern. Parking for residents, especially in Higher Contour Road and Brixham Road is becoming very difficult due to builders' vans, Yacht owner's cars, Dartmouth workers, Dartmouth visitors and walkers – all of whom do not wish to pay the Marina fees. This summer Higher Contour Road effectively became a single track road often with no passing places which is dangerous.

The consensus is that the village as a whole needs a residents parking scheme; so other roads in Kingswear e.g. Ridley Hill, apart from the aforementioned would need some residents parking as well, otherwise the problem would be just moved onto them. There would still be parking for 20 minutes in places as well as slots with no restricted parking. I have contacted Neil Oxton and he has suggested I meet with him and bring along two residents from our working group and also the District Councillor, Cllr Hawkins. Once we have some proposals, we can bring them to the council to consider. Then we could have a consultation period for the village. This can be done through a Public Meeting at which many questions can be answered and also through open meetings/workshops at which parishioners can walk in and view the proposals and give comments and feedback.

It was stated that a meeting is required with Devon County Council officers to include the County Councillor.

Other comments made

- An additional problem that was highlighted was the number of delivery and builders vehicles blocking the roads whilst undertaking work.
- An option to introduce "Herring Bone" style parking on Lower Contour Road.
- Use of S106 Funding that might come from Waterhead Brake or in the long term Noss Shipyard.

- Some costs might be deferred if the required Traffic Orders can be included with a County Council combined Order. This would mean inclusion in a HATOC Meeting that would take place in April or May 2018.
- A review of speed restrictions but to get any changes implemented there must be evidence of a problem. Devon County Council policy is to support 20mph schemes. Councillor Hawkins agreed to ask for a monitor to be placed on Lower and Higher Contour Roads.
- The question of funding for any scheme needs to be resolved and the Clerk explained that Resident Parking Schemes are a County Council function. The Parish Council has no specific powers to implement.
- The County Council needs evidence that there is overwhelming support for a scheme. This may require a petition that is completed in the correct way.

It was RESOLVED that a meeting be arranged between Devon County Council Officers, the County Councillor and representatives of the Residents Parking Working Group to agree action on a Resident Parking Scheme.

C/049/17 - To receive the Neighbourhood Plan Report from Councillor Parkes (General) and to discuss and approve the actions and any expenditure detailed in the report.

The Report is as follows:

"We had a break during August – One meeting was held in September when the framework for the draft plan was discussed and work on the vision statement commenced. In total 5 planning consultants were approached for quotes for help with the plan production. John Eaton has retired, Mark Edwards does not undertake this work, Paul Weston is very experienced and his rate is £450 per day, Richard Boyt £75 per hour has had Neighbourhood Plan experience and Lee Bray awaiting a reply. No decision has been made at the moment.

We had a stall at the Village Open Day on 2nd September to display the results of the survey report."

Expenses were as follows:

£12 Hire of Lower Hall for meeting. £1.95 Photocopying, £29.32 Printing Ink.

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

C/050/17 - To discuss the independent report from Allianz on the play equipment installation at Jubilee Park and to agree on the actions to be taken to comply with the recommendation regarding the signing and fencing. (Report supplied with previous minutes).

It was noted that other play areas are not fenced and the attached report from CABE provides evidence that the Council had investigated this option but took the decision that it was not necessary or required.

It was RESOLVED that:

- ***Councillor Maurer investigate the cost and design of a safety hedge to run along the bank.***

- ***The Council to install a suitable Notice Board to display the required notices and at the same time other notice boards to be costed for installation at the Cemetery and Hillhead.***

C/051/17 - To resolve to approve the Expenditure of the Council for the period 06 July 2017 to 05 September 2017 – see attached.

It was RESOLVED to approve the Expenditure.

C/052/17 - To discuss and agree action with regard to the change of Council policy to allow more than one interment of cremated remains in the current Garden of Rest plots (provided sufficient depth and the payment of fees in line with purchase of additional plot). This follows a request for a relative's Ashes to be buried in a current plot.

The Clerk explained that the Council policy also impacts on Plots where Exclusive Rights have been previously purchased for interment of a body. Non residents of Kingswear will incur double or triple fees when interments of cremated remains are made into these plots. The purpose of the increased fees is to ensure that the limited number of plots now available are for Kingswear residents (unless a high fee is paid in line with the other surrounding authorities). The higher costs will deter non residents from using this option, however, with the plot already purchased there is no loss of plot space.

It was RESOLVED that additional cremated remains could be placed in the existing plots subject to the single fee.

C/053/17 - To discuss and respond to the proposal of creating one new Council for the West Devon and South Hams areas. (see attached)

It was RESOLVED that the Council register its objection to the merger.

C/054/17 - To discuss the Christmas Lights and Events.

It was RESOLVED that the event would proceed and the date is 01 December 2017. Torbay Display to be contacted to arrange for the Lights to be installed. Councillor Parkes would lead on the arrangements for the party and the agreed budget of £200. It was noted that the Carlow Lunch would take place in January 2018.

C/055/17 - To decide on action in respect of the D.A.L.C. Annual General Meeting to be held on 10th October 2017.

It was RESOLVED that Councillor Newcombe would attend on behalf of the Council.

C/056/17 - 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 21.30

Minutes Approved:

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Councillor J Henshall - Chairman