

**KINGSWEAR PARISH COUNCIL**  
**Minutes of the Council Meeting held at the Sarah Roope Trust Rooms on**  
**Tuesday 12 June 2018 at 7.00pm**

*Present:* Councillor L Maurer – Chairman

Councillors: M Trevorrow, H Newcombe, E Parkes, R Searle, J Hawkins, E Jones and District Councillor H Bastone.

In Attendance: Mrs Melissa Trudgill – Clerk to the Council and Miss Sue Balsdon Assistant Clerk/RFO.

There were 8 members of the public present.

**C/197/18 – Welcome from the Chairman**

The Chairman welcomed everyone to the meeting.

**C/198/18 – To receive any apologies for absence from the Meeting.**

Cllr Jan Henshall  
Cllr Lucy Payne  
Police Constable A Vaughan  
Cllr Rose Rowe

**C/199/18 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].**

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

- This issue of the abandoned vehicles in Higher Contour Road was raised and it was reported that a pile of seagull sacks had been dumped and was attracting vermin. Cllr Hawkins has sent numerous emails to various officers in South Hams. This issue would continue to be pursued by the Council.
- It was queried to District Councilor Hilary Bastone whether it was worth employing an enforcement officer if there were cases which were flouting their original planning conditions, and yet the enforcement department had not yet taken action. Cllr Bastone believed that recent cases were in the process of being dealt with by the enforcement department.
- A member of the public reported that he had recently had a blanket TPO put on all the trees (including 100 self-seeded sycamores) on his land following a complaint from a member of the public. This was despite him having sought prior advice from SHDC, and expert advice from a horticulturist and a tree surgeon. He was trying to clear some land to provide a garden area for his children. His tree management plan will now be hampered by him having to apply to the district council every time he wishes to even manage a sycamore seedling. The Council agreed that the Clerk will write to the Tree Department/Alex Wish affirming that this was not the opinion of the planning committee and requesting a site meeting between SHDC, KPC and the landowner to see if this could be discussed and amended.

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

***i. Devon County Councillor***

The Meeting in Dartmouth at St Saviours on 11 June had been well attended with approximately 250 people there to show their support for the Health and Well-being centre in Dartmouth. Cllr Hawkins reported that anyone can become a member of the new working group on this issue. Meeting with the stakeholders is planned for 22<sup>nd</sup> June and Cllr Hawkins recommended it be held once again at St Saviours due to the high number attending there previously. Sarah Wollaston MP will be present. He had met with Lisa Edmonds from DCC and conducted a walk-about with her around the village,

highlighting areas which were DCC responsibility.

He had also been in contact with Guy Pedrick about the George South Memorial Garden and asked the Clerk to contact Guy to follow up on whether they would be surveying the wall in the near future before any consideration of the Parish Council adopting the area, could begin.

## ***Ii South Hams District Councillors***

### ***District Councillor Hilary Bastone***

- Cllr Tom Holway had recently been elected as the new chairman of SHDC and Cllr Rose Rowe will be the new Vice Chairman.
- There will be some amendments made to the joint local plan following requests from the Inspector and these will go out to consultation.
- Approved - the Neighbourhood Plan for Ugborough. Ivybridge was the first.
- Feasibility study done on car parks. Procurement on entry to public toilets.
- Funds have been set aside regarding the capital project such as the Lower Ferry.

### **Report of South Hams District Council for May 2018 from Cllr Rosemary Rowe.**

Report of South Hams District Council for May 2018 from Rosemary Rowe.

The Annual Council Meeting took place on Thursday 18<sup>th</sup> May when a new Chairman and Vice Chairman of Council were elected.

Cllr. Tom Holway from Ugborough is the new Chairman and Cllr. Rosemary Rowe is the new Vice Chairman. We went through the various Committees and working groups of the council and very few changes were made including The Chairman of these various Committees and groups etc...

New Data protection regulations came into effect from May 25<sup>th</sup>, 2018. All Parish & Town Councils will have received information from S.H.D.C. via email. This is very important.

As I reported last month J.L.P.is nearing the end of its journey now, it was an agenda item at this Full Council Meeting and modifications have been included and a move to The Adoption of it will be at the Full Council Meeting on Thursday July 26<sup>th</sup>.following this there will be a 6-week Consultation process for the final version which be reported in November and finally adopted in December 2018. (Let us hope all goes well.)

The Annual review of The Council`s Constitution was also considered. the Council has a duty to review its Constitution Annually in May for the coming year .it is a very lengthy document and can be read on line via contacting [member.services@swdevon.gov.uk](mailto:member.services@swdevon.gov.uk). The Audit Committee is responsible for the annual report and review...

I don`t actually have anything else to report but plenty is going on in the South hams at present and I am sure my fellow ward members have other issues which they will be speaking about.

Take care and enjoy the sun if possible.

Rosemary Rowe.

### ***iii Police***

***None***

### ***The Council will reconvene to discuss the following items:***

- C/200/18 To resolve to approve the following minutes subject to any amendments [Amendments to the Confidential Minutes to be noted and documented in Part 2:]**
- i. Full Council Meeting (AGM) – 08 May 2018
  - ii. Planning Committee Meeting – 08 May 2018
  - iii. Planning Committee Meeting – 22 May 2018

**It was resolved to approve the above minutes.**

**C/201/18 Correspondence.**

- Waterhead Creek Preservation Society – Litter Pick. Cllr Hawkins suggested that if Sue Pudduck could cost some litter pickers which could be used by the Parish he would be happy to fund them. Currently the pickers have to borrowed from Nigel Mortimer at the AONB.
- There had been a suggestion made of introducing a £200 refundable deposit paid by mooring hirers. This will be considered further at the next Mooring working Group Meeting.
- During the recent river trip organized by the Dart Harbour Non Bens Stakeholder Group, it had been noticed that there were synthetic fibres which had shed into the river from blue mooring ropes. The Clerk will email the hirers and ask for all moorings to have only natural ropes which are environmentally friendly.
- Following the correspondence from Cllr Essex with her resignation, the Clerk had sought advice from Helen Jarvis and Liz Tucker from South Hams Election Department. She had also distributed to the Members an election handbook detailing the steps involved with the election and then a possible co-option. She had just received notification from Liz Tucker that there would be a co-option by the Council as she had not received 10 names from the Hillhead ward requesting an election. Following this news Liz Tucker had advised that the Clerk could now advertise the vacancy for two further weeks. The Clerk will place the notice of vacancy on Friday 15<sup>th</sup> June on noticeboards, the website and Charley Adams has kindly offered to place the information additionally in the press. The meeting discussed how they would like to review the candidates. It was agreed that it would be a good idea for the Clerk to receive short statements from interested parties which would be circulated to all Members with the full council papers. Then they would be invited to the next full council meeting to introduce themselves and answer any questions. Following this, the candidates would leave the Trust Room for a short while whilst a secret ballot takes place. This would be in a part 2 section of the full council meeting but preceding the main meeting at 7pm giving the successful candidate a chance to take part in their first meeting prior to the summer break.

**C/202/18 To resolve to approve the Expenditure of the Council for the period 2 May 2018 – 5 June 2018.**

**It was resolved to approve the Expenditure of the Council for the period 2 May 2018 – 5 June 2018.**

**C/203/18 To present for information the monthly Finance Report and Bank Reconciliation.**

It was noted that the Council have a shortfall in budget to cover the cost of Employer Contributions for the staff pension. The Assistant Clerk has enquired with Lesley Smith at DALC for advice about alternative pension options and was waiting to hear back from her. This will be discussed further at the Finance Meeting.

**The monthly Finance Report and Bank Reconciliation was approved.**

**C/204/18 To discuss the employment of a Parish Lengthsman and the work that will be undertaken.**

The Clerk had met Phil the Lengthsman and the Town Clerk at the Brixham Offices. They had spoken about the working arrangement between Brixham and Kingswear Parish Council. They had requested that any job instructions should go through them as they thought this would be clearer for the worker. He will work on 2 Thursdays in a month doing two five hours sessions. On each Thursday he will undertake a different zone in Kingswear, but this is on a flexible basis depending on whether he still has hours/jobs left to do in the previous zone.

**C/205/18 To discuss options for the maintenance and preservation work on the Kingswear Fire engine.**

The meeting agreed that this was specialist work.

**It was agreed that Cllr Trevorrow would enquire with Andrew Pooley whether he could assist in this work and provide the council with a quote.**

**C/206/18 To discuss the issue at Westerland Terrace and Higher Contour Road re abandoned vehicles.**

Ongoing. See Above in public section.

**C/207/18 To discuss the future consultation of the Residents Parking scheme in conjunction with any feedback which is available from Neil Oxtan.**

Neil Oxtan has written some feedback about the Residents Parking Scheme but wanted his colleague Chris Rook, from the Enforcement Department, to oversee his comments first. Hopefully this feedback would be available to the Council at the July Meeting.

The meeting agreed that the scheme had to be legal, enforceable and affordable for the Council to be able support it.

**Report from Cllr Payne re Residents' Parking**

We have still not had written feedback from Highways about the proposal, but I am hopeful we can obtain it by next meeting. The draft proposal has been well received by many residents but I have had some useful comments. So after consultation with the residents parking working group I propose to produce a revised document based on feedback and any revisions Neil Oxtan suggests for the July meeting.

I have also been thinking about the consultation of residents and have an idea of it being in two phases which I would like to explain and run past Members at the meeting in July.

Delay in consultation should not be an issue since residents need to have an opportunity to make an informed decision based on their experience this summer as opposed to recollections a year ago.

**C/208/18 To discuss any update re the Community Composting Project from Cllr Hart.**

Cllr Jones had given further consideration regarding the two large pine trees which would have to be felled if the composting project was to go ahead on his land. He was now reluctant to lose these trees. They were mature trees and very visible.

Cllr Hawkins offered to contribute once again to the pre-application fee if the Council agreed this was how to proceed.

**It was agreed that a decision would be made on whether to proceed with the pre-application advice and pay the fee it incurred.**

**Report from Cllr Payne re Composting**

It is disappointing that we have not yet had a reply from Cllr Hart . I have been talking to Ben Bradshaw Chairman of Devon Community Recycling who has liaised with DCC on several occasions. He is of the view that the conflict of policies within DCC is something that can be sorted through dialogue. So I would like to propose that I, Ben, our Country Councillor Jonathan and one or two other Members/ residents arrange a face to face meeting with Cllr Hart. This is something Members can do without placing a burden on Melissa's time. To enhance our cause I would also like to email the 30 volunteers inviting them to write to Cllr Hart and asking for a volunteer to attend the proposed meeting.

It took about 30 emails for the abandoned reservoir to be inspected and I am hopeful that with quiet persistence we can achieve our aim.

**C/209/18 To receive the Neighbourhood Plan Report from Councillor Parkes and to discuss and approve the actions and any expenditure detailed in the following report.**

Kingswear Neighbourhood Plan report to Kingswear Parish Council 12th June 2018

Information boards were provided at the Parish meeting on the 21st May and a short update on the plan was given.

The grant for £1600 has been approved and the due diligence form has been completed.

Work has commenced on the character assessment. We are making progress with regard to drafting policies but Liz Beth the planning consultant is awaiting some feedback and information from Tom Jones at South Hams Planning department. Jan Henshall has withdrawn from the group.

Expenses: Ink cartridge £11.95 + Photocopying character assessment £ 3.15 = **£15.10**

**C/210/18 To resolve and finalise the Annual Return for the year 2017/2018**

**i. Formal Approval of Annual Governance Statement  
The Annual Governance Statement was approved.**

**ii. Formal Approval of Accounting Statement 2017/2018  
The Accounting Statement 2017/2018 was approved.**

**iii. Set Date for the commencement of the period for the exercise of public rights.  
It was agreed (with advice from the Assistant Clerk/RFO) that the period for the exercise of public rights will be Monday 18 June– Friday 27 July and will be put on the website and noticeboards.**

**C/211/18 To discuss General Data Protection Regulation – Briefing Note and Action Plan**

This was an extensive period of work which the Assistant Clerk/ RFO was taking the lead on. She had been on a short course about the new Data Protection Regulations and was following a useful document which itemised 12 steps of actions to be undertaken. Some new policies will have to be put in place and she advised a short training session perhaps run by our internal auditor Kevin Rose to educate the whole Council on the correct procedures. NALC have also produced some information.

The original guidance paper had said that Parish Councils had to have a nominated data protection officer but this has since been withdrawn. In the future this will be a part of the internal audit.

**Suggestions for future agenda items**

- The Village Hall Committee have requested that the Parish Council purchase 2 new filing cabinets to house their archived material.
- Air Ambulance night time site
- 11 Nov- 100year anniversary of the end of the first world war – Beacons will be lit. There is a beacon at Coleton which has the National Trust's approval.
- Defibrillator
- Reasonable adjustment to enable disability access for Dr Hawthorne to access his boat at Waterhead Creek/Jubilee Park. James Farmer will make a weight and sink it in and make a mooring post to aid disability access.
- Discussion on Pip Howard's Nursery Suggestions.

**C/212/18 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 Contracts).**

*The Meeting ended at 8.26pm*

**Minutes Approved:**

.....Councillor L Maurer – Chairman