

KINGSWEAR PARISH COUNCIL
Minutes of the Full Council Meeting held at the Village Hall (Lower Room)
on Wednesday 14th December 2022 at 6.00pm

Present: Cllrs L Maurer (Chairman), J Hawkins, G Webber, P Pudduck, E Jones, S Pearson, P Burnell, T Burnell

In Attendance: Sue Balsdon (Clerk) / Sharon Whellon (Deputy Clerk)

Members of public present: 1

C/123/22 – Welcome from the Chairman

The Chairman welcomed everyone to the meeting.

C/124/22 – To receive any apologies for absence from the Meeting.

Cllrs H Newcombe, B Longland

C/125/22 - 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:

None.

The Council will receive the following reports if available:

i) County Councillor

The Council received an update this afternoon to advise that Torbay Council have reluctantly agreed to sign the Section 278 to allow Brixham Road to be closed for three months from the 3rd January 2023. This obviously will not be the news our residents, businesses and those that use the road wanted to hear. The update has been shared via the Council's website and Facebook page. Please see minute ref C/129/22 for further information regarding the planned road closure.

There are developments continuing with Beacon Road. Several emails have been sent to officers with regards the reopening of the road and I understand the stabilization works are almost complete. Bob Mark has been invited to the January Full Council meeting, to provide an update regarding the works.

I have recently held meetings with the new CBS manager Suzanna Hunter, the Citizens advice manager Janine Moore and also with the Academy head last week. I would like to highlight that if families require food vouchers during the Christmas holidays they are available, via the Devon County Council website ([Free school meals holiday voucher scheme – Education and Families \(devon.gov.uk\)](https://www.devon.gov.uk)).

Devon County Council as you have all heard, is in a very difficult financial situation at the present moment. There is a gap of approximately 75 million in the budget for 23/24, so there are considerable savings still to be made so that the County can set a balanced budget. The budget for Adult Social Services and Children's Care will not be affected in any way and another year's contract has been given to the provider for children's centers. It is likely the savings may have to come from Highways and other related issues. Further funds are being sought from Central Government.

The new Chief Executive at Devon County Council is Donna Mason, who has been the Chief Executive at Scotland's largest authority for a number of years and so will hopefully understand quicker, the concerns and problems the Council have.

ii) South Hams District Councillors

Please see Kingswear Parish Council website (Full Council Minutes) for District Councillor reports.

iii) Police

None.

iv) Sustainable Kingswear

Sustainable Kingswear have been successful in obtaining a £500 grant from a South Hams District Council Climate Fund, which will be utilised to purchase a thermal imaging camera. The camera will be available as a service within the Parish, to help residents identify gaps in insulation, draughts and heating problems.

We have ascertained that quite a few residents have signed up for a brown bin collection from South Hams District Council, but we would like to also promote more home composting and are aware that a couple of people are interested in trying to find a composting site within the Parish.

Enquiries have been made in regard to Devon County's Power Allotment Scheme and we are now at the second stage, having identified potential local renewable energy generation sites.

The Council will reconvene to discuss the following items:

C/126/22 - To make comment to the Planning Authority with regards to the following planning applications (Hector).

i) **Ref:** 3187/22/FUL **Proposal:** Demolition of existing property/detached garage, replacement new dwelling with integrated garage, associated landscaping & revised vehicle access **Site Address:** Green Hollow, Gattery Lane, Brixham, TQ5 0HE

SUPPORT

ii) **Ref:** 3926/22/FUL **Proposal:** Alterations including proposed terrace on first floor flat roof, change of use of flat to function room on second floor, installation of new bi-fold windows at first and second floor levels (Retrospective) **Site Address:** Steam Packet Inn, Fore Street, Kingswear, TQ6 0AD

COMMENT: Councillors support the proposed terrace on the first-floor flat roof and the change of use of the flat to a function room on the second floor, but object to the installation of the bi-fold windows, due to the increase in size compared with the windows currently in situ.

iii) **Ref:** 4096/22/TPO **Proposal:** Fir – **Remove lower six limbs obstructing power lines** **Site Address:** Pinewoods, Castle Road, Kingswear, TQ6 0DX

SUPPORT

C/127/22 - Amenities & Environment - To discuss and agree future actions for the following: (Jonathan/Deputy Clerk):

i) Memorial Trees - Us Garden.

The Council have previously been agreed for a memorial tree (Malus 'Winter Gold') to be planted in the Us Garden, in recognition of Queen Elizabeth II's Platinum Jubilee and a tree has been reserved from New Wood Trees. The Clerk to obtain a second quote for a dwarf maple, which is to be planted in memoriam for the Kings Coronation. Brownstone Grounds maintenance to provide a quote to undertake the ground works required for both memorial trees to be planted in March 23.

ii) Memorial Garden – Cemetery.

Councillors agreed for a site visit to be held at the Cemetery in January, to agree next steps required for the proposed memorial garden.

iii) Replacement Noticeboard Hillhead / Lifebuoy for council moorings – Installation.

The Clerk to obtain a quote for the installation of the Noticeboard and Waterhead Creek Lifebuoy.

iv) Conversion of Red Telephone Box (Wood Lane) - Suggestion to utilise as planter.

Cllr Maurer proposed for the red telephone box on Wood Lane to be utilised for the hanging of planters, which will be maintained by Wood Lane residents who have volunteered to do so. Councillors agreed in principle to the proposal and asked for the Clerk to obtain the cost for the removal of the glass panes and for the installation of the planters.

v) Builders' debris leaking into drains.

Councillors agreed that builder's debris is a contributory cause of blocked drains in and around the Village. It was suggested that it would be difficult to challenge contractors working on site, without definite proof of any misdemeanour and that alternatively, the issue could be raised as part of the Council's response to the Planning Authority when commenting on planning applications.

vi) Legionella Management – Cemetery Lodge / Public Toilets.

The Deputy Clerk attended a Legionnaires Awareness course in October. The Cemetery Lodge and the Public Toilet policies were updated to reflect legionnaires awareness.

vii) Mooring Risk Assessments.

Cllr Jones to review the mooring risk assessments, in readiness for the Deputy Clerk to undertake a monthly check of the Council's moorings.

C/128/22 - To receive an update regarding the Platinum Jubilee Bell project (Jonathan/Clerk).

The Clerk advised that an email had been sent to FROST and the Church, to ask if they were in agreement that the Jubilee Bell project be put on hold until the spring, as the chance of raising sufficient funds to place

an order for the bell by January is remote and a proper process and governance for the project and for future fundraising has yet to be completed.

In their reply, concerns were raised by both FROST and the Church as to whether 'this is the right economic environment' to be raising funds. The Council were in agreement with this statement and the project will therefore be put on hold for the foreseeable future.

C/129/22 - To receive an update in regard to the proposed A3022 road closure - Inglewood development. (Lynne/Jonathan).

The following update was received from Torbay Council on 14.12.22 in regard to the proposed A3022 road closure:

'We will be issuing a press release shortly to let our residents know that the Section 278 agreement submitted by Persimmon Homes for the highway works to take place for the Inglewood development will be signed by the Council.

This follows detailed meetings, challenges back to the developer and requests to review all of the options available.

This means that Brixham Road from Windy Corner to the junction with Goodrington and Long Road will be fully closed from 3 January 2023 to 30 March 2023. It also means that in May and June works, using traffic management, will start to improve the Windy Corner junction. The work on the Long Road / Goodrington Road junction will start late September until December, again using traffic management.

In the agreement we have specifically asked for the diversion route to be closely monitored and reviewed along with our own Highways engineers.

Legal advice has been that we could be found to be frustrating the implementation of the planning permission granted by the Secretary of State were it not to give agreement. This could risk paying in the region of £2.5 million in damages to the developer.

There have also been independent Highways engineers instructed to look at if there was another way for the work to be carried out without closing the road. They also looked at the diversion route and the modelling data for how long the impact of the diversion would have on those using it.

The independent Highways engineers said the developers had used appropriate tools to assess the delays. They reported back that it is not possible to construct the highway works on Brixham Road safely without a road closure and that Goodrington Road/Dartmouth Road diversion route is the most appropriate available to accept the diverted traffic.

These delays will be dependant upon the route avoiding any further disruptions, and this has been made clear to the developer. Monitoring and management of the diversionary route is key and as mentioned, it will be asked explicitly in the Section 278 that the monitoring is carried out by suitably qualified personnel and that our highways team are able to influence, check and challenge to ensure that delays are minimised.

Key messages

After detailed conversations, challenges and requests to review all options with Persimmon Homes, we have been working hard to find a way that these road works will have the least amount of disruption possible for residents and businesses.

We have read, taken on board, and fed back to the developers the impact comments we received.

We have brought together organisations including Brixham Town Council and Brixham Chamber of Commerce so that their concerns were also set out.

The developer has given commitments to get the work needed done as quickly as possible and reduce the length of time for the road closure.

One option closely looked at was to have one lane open on Brixham Road while the work was ongoing. The carriageway at the moment is 6.2 meters wide and where it will be raised and widened it will be 7.3 meters wide, which is the same width of Goodrington Road. For this work to happen, a legal safe zone to protect those working on the road would need to be in place. This would mean one lane, with an approx. safe working zone would only leave 1.5m for other road traffic, which isn't wide enough for vehicles to use to safely to pass the roadworks. This means that this is not a condition that we can reasonably require.

We have sought a second opinion, legally and from independent Highway engineers, to see what other options there could be. Unfortunately, there isn't one.

Brixham Road from Windy Corner to the junction with Goodrington and Long Road will be fully closed from 3 January 2023 to 30 March 2023.

In May and June works using traffic management will start to improve the Windy Corner junction. The work on the Long Road / Goodrington Road junction will start late September until December, again using traffic management.

Diversion

The agreed diversion from Windy Corner to Long Road will take you along Dartmouth Road and then up Goodrington Road, and vice versa from Long Road to Windy Corner.

To help with this diversion, the lights at Windy Corner will be replaced with temporary traffic lights and a pedestrian crossing. These lights will be permanently on green and will only turn red when a pedestrian wishes to cross the road.

Temporary lights will also be placed at the Goodrington Road / Dartmouth Road junction. This is to help those turning right into Goodrington Road coming from Paignton and those who need to turn right out of Goodrington Road onto Dartmouth Road. The lights will be set back to give large vehicles the space to turn into the road. An alternative diversion for large vehicles has also been given if they would like to use this. This will take them into Paignton and then out along Totnes Road to Tweenaway.

Temporary double yellow lines will be put in on Goodrington Road as you drive up to the junction with Dartmouth Road.

The diversion route will be monitored and any issues with timings of lights etc. will be altered and adjusted as quickly as possible.

Modelling of traffic times has been done by the developer and have been considered by the independent highway engineers. This shows that the impact of the diversion when travelling from Windy Corner to Long Road along Goodrington Road will be between eight and 13 minutes, depending on the time of day.

Roadworks, Brixham Road residents and Emergency Services

To help these works take place quicker and to reduce disruption as much as possible we have agreed to the developers working longer hours on site - evenings and weekends.

Residents who live on this stretch of Brixham Road will be contacted by the developer and their contractor and will be informed about how they can access their property while the works are taking place. They will also be told how their waste and recycling will be collected and deliveries can be made.

The developer has assured us that they will be providing extra people on site to make the most of the longer working hours. They have also leased land from the Farmer whose land is next to the site so the verge can be used for drainage. This means the drainage doesn't need to go down the middle of the road around the Hunters Tor Drive area as first thought and has helped reduce the time the road will be closed.

This means this part of the road, from Hunters Tor Drive to Windy Corner, can be kept open for the Emergency Services when needed. The Emergency Services are also being kept informed and have the contact details for the Site Manager for emergencies. An emergency route through Hookhills has been agreed if Dartmouth Road needs to close. This can't be used all the time though due to safety reasons.'

Kingswear Parish Council, along with other local Parish and Town Councils, will be meeting with Torbay Council and Devon County Council Highways on 10th January, to discuss issues which have occurred following the closure of Brixham Road and how these are to be addressed.

C/130/22 - To consider response to variation to premises license from Dartmouth Town Council for Royal Avenue Gardens, Dartmouth (Clerk).

The Council agreed they have no objection to the variation to premises license submitted for Royal Avenue Gardens.

C/131/22 - To consider response to the Devon Electric Vehicle Charging Strategy Consultation (Clerk).

The Clerk advised that the Devon Electric Vehicle Charging Strategy aims to help all residents and visitors overcome some of the barriers to EV adoption and increase access to suitable infrastructure.

The Council have previously discussed the possibility of installing vehicle charging units in the Parish but agreed that we do not have a suitable location for the necessary infrastructure to be installed. It was therefore agreed a response would not be required to the vehicle charging strategy consultation.

C/132/22 - To resolve to approve the following minutes subject to any amendments:

- i) Full Council Meeting – 9/11/22.**
- ii) Finance Committee Meeting – 23/11/22.**

All minutes were approved without amendment.

C/133/22 - Financial Matters (Clerk).

- i) To resolve to approve the expenditure of the Council for the period 01/11/22 – 30/11/22.**

It was resolved to approve the expenditure of the Council for the period 1st November 2022 to 30th November 2022.

- ii) To present for review the month end finance report and bank reconciliation as at 30/11/22.**

The finance report and bank reconciliation for month ending 30th November 2022 was reviewed by Councillors. All receipts and payments have been reconciled against the Council's bank statements and no differences have been identified.

- iii) To consider whether to invest general reserve/bequest funds in a savings account which offers a higher interest rate.**

At the November Finance Committee meeting, it was proposed that the bequest funds and general reserve should be invested in a higher interest savings account. This proposal was approved by Full Council and it was agreed for the Clerk to research high interest savings accounts available to local councils, for consideration at the January Full Council meeting.

C/134/22 - To resolve to approve Scheme of Delegation decisions made 05/11/22 to 09/12/22 (Clerk).

It was resolved to approve the Scheme of Delegation decisions for the period 5th November 22 to 9th December 22.

C/135/22 - Chairman's Report.

'As you know last month's meeting was held at Hillhead for the first time, but unfortunately it wasn't awfully well attended.

The Councillor advocate meeting held with PC Shardlow, took place last week and it was reported that along with nationwide initiatives, the police in the area are monitoring and using 'Stop and Check' for drug and knives problems. Thefts from cars to obtain catalytic converters and marine thefts are also being closely monitored and the Harbour Authority is also involved in the latter. The new PCSO for Dartmouth and Kingswear will soon be operational in both communities. A warning that there are scam telephone calls have been reported, saying that they are the Police, so please do not divulge any personal or banking information. The two commercial burglaries in Dartmouth have been investigated successfully and a priority for December is a drink drive campaign.

The news about the Brixham Road Closure has probably now been spread quite widely. Torbay Council having taken legal advice, have made the decision to sign the agreement to close the road and they say they will be regularly meeting with the developers and contractors so that residents are fully updated. It is hoped that signage will go up before Christmas, so that people can work out alternative routes.

The Christmas 'Switch On' and the Christmas Market were a great success. That just leaves me wishing everybody a restful and health Christmas!

C/136/22 - In regard to the forthcoming Coronation celebrations, to consider and agree (Jonathan/Clerk):

- i) Proposed schedule of events.**

A draft schedule of events compiled by Cllr Hawkins and the Clerk, was provided to Councillors for information. The schedule will be discussed and formalised at the first meeting of the Coronation Committee.

- ii) Date of first committee meeting.**

It was proposed that the first Coronation Committee meeting be held on Thursday 12th January and for the Clerk to make the necessary arrangements.

- iii) Budget.**

The budget allocation for the Coronation and D Day events to be considered and agreed at the January Full Council meeting.

C/137/22 - To consider and approve the following quotes (Clerk):

The following quotes were approved by Councillors:

- i) Drains Ridley Hill/Church Hill - Brownstone Grounds Maintenance £200
- ii) Internal Audit – Microshade VSM £285 + VAT

- iii) Public Toilets Cleaning 23/24 - South Hams District Council £2042
- iv) Bay Tree, Castle Road – Clear View Trees £200 + VAT

C/138/22 - To approve Christmas leave – Clerk/Deputy Clerk.

The annual leave for the Clerk/Deputy Clerk (19/12/22 to 4/1/23) was approved by the Council.

C/139/22 - To propose agenda items for the next Full Council meeting.

Councillors to notify the Clerk if they wish to add any items to the January agenda.

C/140/22 - Urgent Items – For information.

None.

Sue Balsdon

Sue Balsdon
Clerk to the Council

The Meeting ended at 8.30 pm.

Minutes Approved: Councillor L Maurer – Chairman