

KINGSWEAR PARISH COUNCIL
Minutes of the Council Meeting held remotely via Zoom
on Wednesday 9th December 2020 at 7.00pm

Present: Cllrs L Maurer (Chairman), B Longland, J Hawkins, G Webber, P Burnell, E Jones, District Cllr R Rowe.

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

3 members of public present.

C/106/20 – Welcome from the Chairman

The Chairman welcomed everyone to the meeting.

C/107/20 – To receive any apologies for absence from the Meeting.

Cllr B Lowe, Cllr J Hacking, H Newcombe, P Pudduck.

C/108/20 - 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].

None.

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

With regards to agenda item C/113/20, a member of the Kingswear Neighbourhood Plan Group and the group's Planning Consultant raised the following points:

- 1) It is unusual to allocate a site for affordable housing. Ordinarily you would include an exception site policy, like the one which is included in the Kingswear Neighbourhood Plan, which is more flexible. Any site which somebody is prepared to offer for affordable housing can come forward and in South Hams that can still have 40% market housing to help make it viable.
- 2) The Kingswear Neighbourhood Plan has been examined by an independent government examiner and the group has been informed that the plan has been moved to referendum. No review or modification can be made at this stage, until after the referendum has taken place and the plan has been adopted. A plan can be amended once it has past referendum.

Galmpton residents association raised a query regarding a planning application for the Galmpton Touring Park. The Clerk received prior notification of the question and this was forwarded to the SHDC Planning Department and a response has been received by the residents association.

The Council will receive the following reports if available:

i) Devon County Councillor - Jonathan Hawkins:

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

ii) South Hams District Councillors:

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

iii) Police: None.

iv) Residents Parking Working Group: None.

v) Neighbourhood Plan:

The Kingswear Neighbourhood Plan has now been independently examined. The independent government inspector has passed the plan to go forward to a referendum. At present due to Covid restrictions referendums cannot take place until at least 7th May 2021. The government have stated that until a referendum is held, the KNP will hold substantial material weight and must be taken into consideration for planning applications and planning appeals within Kingswear Parish. The Neighbourhood Plan Group have circulated a shortened document to the Parish Council, containing the policies for reference when considering planning applications.

The vision of the plan was to "Promote a thriving and sustainable community while protecting the special charm and character of Kingswear Parish and the AONB for residents and visitors."

The government inspector has said "The policies and plans in the Kingswear Neighbourhood Plan subject to the recommended modifications would contribute to achieving sustainable development." The modification reduced affordable housing from 80% to 60%. The Plan helps in many ways to 'future proof' the Parish Policy K2 allows for providing affordable housing for need within the Parish. This Exception Site policy sets the percentage of affordable housing that it has to provide. In this case 60% of the housing has to be affordable. On an Allocated site the percentage of affordable housing has to be negotiated. On Allocated sites developers often use the excuse of viability to lower of percentage of affordable housing. It is thought

that the site in Dartmouth is now only providing about 10% affordable. There have been several allocated sites in the Parish, which have not given any affordable house. The site of the former petrol station is an example of this. Money was paid to SHDC in lieu of affordable housing.

The Council will reconvene to discuss the following items:

**C/109/20 - To resolve to approve the following minutes subject to any amendments
[Amendments to the Confidential Minutes to be noted and documented in Part II:]**

- i) Full Council Meeting 11th November 2020**
- ii) Finance Committee Meeting 25th November 2020**
- iii) Amenities & Environment Committee Meeting 25th November 2020**

It was resolved to approve the minutes without amendment.

C/110/20 - To make comment to the Planning Authority with regards to the following planning applications:

- i) Ref: 3475/20/TPO Proposal: T3: Beech – Crown reduction on all sides by 1m to provide smaller canopy. T4: Holly – Reduction of stump and low hanging vegetation on all sides by 0.5m in line with boundary Site Address: High Trees, 4 Reservoir Terrace, Upper Wood Lane, Kingswear, Devon, TQ6 0DH**
SUPPORT
- ii) Ref: 3592/20/TPO Proposal: T1: Sweet Chestnut – Removal of lateral limb at 6m from ground level on East side over driveway and neighbouring field, lateral reduction by approximately 2m on North side and crown thin by 10% to relieve end-loading and balance crown Site Address: The Maples, Mount Ridley Road, Kingswear, TQ6 0DR**
SUPPORT
- iii) Ref: 0343/20/FUL Proposal: READVERTISEMENT (Revised location of heat pump) Erection of two dwellings (Variation to approval 2202/19/VAR)(Part Retrospective) Site Address: Tanglewood, Higher Contour Road, Kingswear, Devon, TQ6 0DE**
SUPPORT
- iv) Ref: 3582/20/HHO Proposal: Householder application for internal refurbishment, rear balcony, bedroom window seat and material amendments to roof terrace Site Address: Ivydale, Lower Contour Road, Kingswear, TQ6 0AL**
SUPPORT
- v) Ref: 3759/20/VAR Proposal: Application for removal of condition 4 (Restricted Time of Use) following grant of planning permission 2573/17/FUL Site Address: Galmpton Touring Park, Greenway Rd, Galmpton, Brixham, TQ5 0EP.**
OBJECT - Concerns raised that by approving the removal of condition 4 (Restricted time of use), that this will allow the lodges to become permanent residences.
- vi) To ratify the decision to support the tree specialists proposals, regarding application 3204/20/TPO White House Castle Road Kingswear TQ6 0DX.**
Councillors supported the SHDC Tree Specialist's recommendations in respect of application 3204/20/TPO.

C/111/20 Financial Matters (Clerk).

- i) To resolve to approve the expenditure of the Council for the period 01/11/20 – 30/11/20.**
It was resolved to approve the expenditure of the Council for the period 1st to 30th November 20.
- ii) To present for review the month end finance report and bank reconciliation as at 30/11/20.**
The income and expenditure report and bank reconciliation for month ending 30th November 2020 was reviewed by Councillors.

C/112/20 - To receive the Chairman's report.

A vigil was held in Kingswear on 5th December, to join with Dartmouth to remember the Brixham Fishermen, who recently lost their lives at sea.

Clr Webber joined the meeting at 7.50pm

Standing Orders were suspended to allow public participation for Agenda Item C/113/20.

C/113/20 - With reference to the Neighbourhood Plan (JH):

- i) To review the plan with a particular focus upon the potential to allocate appropriate sites for housing.**
A member of the Neighbourhood Plan Group advised that the Parish Council have a right to review and modify the plan, but that the correct time to do this is after the referendum. The NHP representative,

proposed that discussion regarding this agenda item be postponed until after the referendum, when the Council can legally go forward to make a modification.

Cllr Hawkins raised concerns that a site has not been allocated within the Kingswear Neighbourhood Plan which could provide affordable, social rented or open market housing. At the present time, a lot of the more affordable housing in Kingswear is being brought for second homes or holiday lets and this is damaging our community. Cllr Hawkins stated that the NHP must provide local housing for local people.

It was noted that from the Noss development, over the next 5 to 10 years, £800k has been allocated for affordable housing. If no site is allocated in Kingswear, these funds will go to Dartmouth.

ii) To resolve to undertake an independent 'Housing Needs Survey'.

The Council resolved to undertake an independent 'Housing Needs Survey'.

iii) To resolve to initiate a 'Call for Sites'.

The Council resolved to initiate a 'Call for Sites'.

C/114/20 - With reference to budget setting for 20/21 (Clerk):

i) To review forecast year end position compared with 2020/21 budget.

ii) To consider the draft budget figures and make any other amendments considered necessary.

iii) To agree items requiring further investigation in preparation for approval of the 20/21 Budget and Precept at the January Full Council meeting to be held on 13.1.20.

An overview of the forecast year end position was provided by the Clerk and the key points regarding the draft budget figures discussed with Councillors. The 21/22 budget and precept requirements are to be agreed at the January Full Council meeting.

C/115/20 - To resolve to approve the following, in respect of the lease for the Lower Ferry Toilets:

i) New terms from freeholder regarding responsibility for maintenance.

The Council resolved to approve the new terms proposed by the freeholder, with regards to the surrender of part of the premises relating to the old Gents toilet.

ii) Quote received from solicitor regarding part surrender of lease.

A quote in the sum of £800 received from Kitsons was approved by Councillors.

Cllr Burnell left the meeting at 8.20pm.

C/116/20 - With reference to the Churchyard: (Clerk):

i) To receive an update regarding the works required to the retaining wall and steps.

The quote for the works to the wall and steps was approved at last month's meeting and the Parochial Church Council have agreed to apply for the necessary faculty permission, so that the works can commence.

ii) To receive an update regarding the permanent barrier for the churchyard wall.

The Parochial Church Council have unanimously agreed to support the planting of a new hedge as opposed to the installation of railings. The contractor has advised that the newly planted hedge, will not form an immediate safety barrier and therefore a temporary post and rail fence will need to be installed. Full faculty and planning permission will need to be sought for the temporary fence. The estimated cost of the project is £4.9k.

ii) To agree future actions.

A site meeting is to be held at the Church with the PCC on 16th December, to agree hedging species and timing of planting etc.

C/117/20 - To receive an update and agree future actions with regards to:

i) Residents Parking (JH).

Cllr Hawkins has discussed the proposed residents parking scheme, with Chris Rook from the DCC Traffic Management Team and some concerns have been raised. A meeting is to be scheduled with Mr Rook, Councillors and members of the Residents Parking Working Group to discuss these concerns and to ascertain when the scheme could be implemented and the cost of this.

ii) Cemetery Lodge Septic Tank (PP).

The Council have obtained quotes for both the repair and the replacement of the Cemetery Lodge septic Tank. The tank was emptied at the end of August and the contractor advised that the incoming and outgoing lines were jetted to clear all blockages. Councillors agreed that they would wait to see if this had remedied the issue, before any further action is taken.

iii) Cemetery Lodge Landlord Responsibilities (Clerk).

The Council discussed their landlord responsibilities for Cemetery Lodge and agreed for a fire risk assessment to be carried out at the property; to obtain an up to date energy performance certificate; to schedule the next electrical installation inspection due September 21.

C/118/20 - To consider the provision of a pantry and possible locations (LM).

The Council agreed to the setting up of a Community Pantry, in conjunction with members of the Church. The Pantry will be able to be accessed by anyone in the community and anyone can donate or take food.

C/119/20 - To resolve to approve the following amendments to Standing Orders:

- i) 27b - Amend to 'Five Councillors will constitute its membership.**
- ii) 27c - Amend to 'Five Councillors will constitute its membership.**

It was resolved to approve the above amendments to the Council's Standing Orders, with regards committee membership.

C/120/20 - With regards the Carlow Lunch, to consider alternative options and agree any future actions.

The Council agreed that an 'Afternoon Tea' would be more suitable for future events, although it was thought unlikely that this will be held during 21/22 due to the Coronavirus.

C/121/20 - To consider a contribution to the AONB 60th Anniversary Fundraising Campaign.

The Council approved a donation of £25 to the AONB's 60th Anniversary Fundraising Campaign. This will be funded from the Chairman's Allowance.

C/122/20 - To propose agenda items for the January 21 Full Council meeting.

None.

C/123/20 - Urgent Items - For information.

None.

C/124/20 - 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 following quotes were approved by the Council:

i) Planting of Castle Rd Tree

Approved Quote £306 South Hams Arborists.

ii) Tree Survey Works

Approved quote £1,780 South Hams Arborists.

iii) Cemetery Lodge

a) Energy Performance Certificate

Approved quote £59.99 Devon & Cornwall EPC's Ltd

b) Fire Risk Assessment

Approved quote £175 + VAT Fire & Safety Team Ltd

By Order of the Council

Sue Balsdon

Sue Balsdon
Clerk to the Council

The Meeting ended at 8.40 pm.

Minutes Approved: Councillor L Maurer – Chairman