

**KINGSWEAR PARISH COUNCIL**  
**Minutes of the Council Meeting held remotely via Zoom**  
**on Wednesday 23<sup>rd</sup> April 2021 at 7.00pm**

**Present:** Cllrs L Maurer (Chairman), J Hawkins, G Webber, E Jones, P Pudduck, P Burnell.

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

13 members of public present.

**C/186/20 – Welcome from the Chairman**

The Chairman welcomed everyone to the meeting.

**C/187/20 – To receive any apologies for absence from the Meeting.**

Cllrs B Longland, H Newcombe, B Lowe, J Hacking.

**C/188/20 - 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:***

In respect of Residents Parking, the following points were raised by residents:

- I was a Parish Councillor on the residents parking committee when discussions first began 30yrs ago! We are still talking and problems from then still exist. However now we have even more parking issues on our streets. I would welcome the prospect of a coherent and permanent solution for the parking problems of Kingswear residents. These issues are not going away. This summer is going to be particularly difficult for those of us without private parking.'
- 'This morning at 0750 I was attempting to drive out of the village, eastwards along Higher Contour Road. I had to reverse back and/or pull into one of the few available slots to allow incoming traffic through, who of course had the right of way. This experience is not unusual throughout the day on most days of the week, because of the density of cars parked on this road. The reason for me describing this experience is because I am reminded of the difficulties with parking last summer and am concerned that the Parking Scheme which has been reported through the full Council Minutes, has still not been implemented or even the latest amended scheme, yet put to villagers for their views. The council at their meeting on 10th March 2021 agreed 'to now go out to consultation with the Parish, in regard of the proposed residents parking scheme.' Why has this revised scheme that would be acceptable to Devon County Council not yet been put to the village for their views? For those who live inside the village boundary and in particular those who do not have off street parking, a garage or one of the parking permits available in the present scheme in place, the issue of parking is of great concern and at times, as in last summer, totally unbearable.

Cllr Hawkins advised, that at this meeting, Councillors would be considering the content of the letter which is to be sent out to residents. The Council will not be discussing whether to support the extension of the existing resident parking scheme, as this has already been approved.

In respect of the Strip of Land, Higher Contour Rd, the following points were raised by residents:

- The Council were asked if they had contacted the resident who installed the fence on the strip of land, Higher Contour Road, to ask what evidence they have in their claimed ownership of the land and if they have not done so, could each individual Councillor make public, their reasons for not taking action in this matter.

The Chairman advised that the Council had received notification from the Land Registry, that an application is currently being considered by their Lawyer, in connection with the strip of land. It is for the Land Registry to determine whether the applicant has a rightful claim to the land.

- A resident asked the Council, whether they had written to the landowner who installed the fence, to ask if they would take the fence down, until such time as they are able to prove ownership, as agreed by Councillors at the March meeting. The Clerk advised that the letter had been written and the landowner had agreed for the fence to be removed and that this would be done as soon as the contractor is able to.
- It was reported that due to the installation of the fence, residents have been unable to pull in on the verge, to allow vehicles to pass and this has caused considerable traffic jams. This statement was reiterated by another resident, but the cause was also due to the number of cars parked on the road.

***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:**

The Residents Parking Working Group have spent considerable time, compiling the consultation letter, for the proposed extension to the residents parking scheme. It is now hoped that the Parish Council will approve the letter, for distribution to residents.

**v) Neighbourhood Plan:**

The Neighbourhood Plan Group have purchased two banners and 800 leaflets, to advertise the Neighbourhood Plan Referendum, which is taking place on Thursday 6<sup>th</sup> May - Cost of £180 + VAT.

The leaflets have been distributed to most of the parish but one volunteer has yet to finish their area.

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

**C/189/20 - 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) Extra Ordinary Council Meeting 8<sup>th</sup> March 2021.**

**ii) Full Council Meeting 10<sup>th</sup> March 2021.**

**iii) Planning Committee Meeting 11<sup>th</sup> March 2021.**

**iv) Amenities & Environment Committee Meeting 24<sup>th</sup> March 2021.**

All minutes were approved without amendment.

**C/190/20 - To make comment to the Planning Authority with regards to the following planning applications:**

**i) Ref: 4002/20/FUL Proposal: Replace existing greenhouse Site Address: The Grange, Castle Road, Kingswear, TQ6 0DX**

SUPPORT

**ii) Ref: 1024/21/ARC Proposal: Application for approval of details reserved by condition 5 of planning permission 2171/20/FUL Site Address: Land adjacent to Littlecroft, Higher Contour Road, Kingswear, TQ6 0DE**

OBJECT – The working hours proposed in the Management Construction Plan were not supported by Councillors. The Council propose that the weekend hours be amended to Saturdays 8.00 to 12.00 and no working on Sundays.

**iii) Ref: 1143/21/TPO Proposal: T1 Quercus Robur – Crown height reduction by 2 metres, lateral reduction by 1 metre on all sides, removal of lowest limb on South West side, requesting cyclical permission to prune when the regrowth extends to 2 metres Site Address: Outer Reach, Upper Wood Lane, Kingswear, TQ6 0DF**

SUPPORT – The Parish Council support the tree works, but ask that the work is undertaken outside of the nesting season.

**C/191/20 - Financial Matters (Clerk).**

**i) To resolve to approve the expenditure of the Council for the period 01/3/21 – 31/3/21.**

It was resolved to approve the expenditure of the Council for the period 1<sup>st</sup> to 31<sup>st</sup> March 21.

**ii) To present for review the month end finance report and bank reconciliation as at 31/3/21.**

The income and expenditure report and bank reconciliation for month ending 31<sup>st</sup> March 21 was reviewed by Councillors.

**C/192/20 - To receive the Chairman's report.**

The Chairman noted that there was nothing specific to report this month, but that Ferrymans View at Hillhead, are looking for a replacement for their rowing boat bed of flowers and asked that if anybody was aware of a suitably sized boat, that they let the Council know.

**C/193/20 - To consider and approve the proposed Residents Parking consultation letter and agree any future actions (Jonathan).**

The following points were made by Councillors, in regard of the proposed scheme and consultation letter:

- The draft consultation letter does not make it clear enough that there will be winners and losers of the proposed residents parking scheme. For example, if the parking scheme goes ahead, residents on Church Hill would have to complete with Beacon Road and the rest of the village. It is also not clear in

the letter, that the whole Parish is paying for a scheme, which relates only to the village.

- Having a residents parking permit does not guarantee you a space.
- Whatever scheme goes ahead, it is not going to solve our parking problem, but it will help. It does not guarantee residents a space outside of their house.
- It was agreed for clarification to be sought from Chris Rook (Devon County Council), regarding the parking restrictions in Beacon Road and how this impacts the proposed residents parking scheme.

The Clerk requested that a figure of £60k included in the draft letter, as the reserves balance held by the Council, be removed as this was misleading. The balance in the Council's bank accounts as at 31.3.21 was £63k, but this includes a general reserve which must be retained by the Council, bequest funds and also outstanding invoices relating to 20/21. The surplus funds in the account amount to £13k which includes a £10k Covid grant from SHDC. It was agreed for this statement to be removed from the draft letter.

The Council voted to approve the draft Residents Parking Scheme consultation letter, with an amendment as above.

### **C/194/20 - To consider and approve the proposed amendment to the Sarah Roope Trust Deed with regards representative trustees (Lynne).**

The Sarah Roope Trust was originally set up in 1841. The trust deed was last updated in 1953 and stated that Kingswear Parish Council should appoint two representative trustees and Kingswear Parochial Church Council should appoint one with the Vicar of Kingswear being an ex-officio trustee.

The Trust have proposed an amendment to the deed, that in addition to the church representative, the remaining trustees should comprise of three who are parishioners of Kingswear and two further trustees who may reside outside Kingswear. This does not preclude one or more of these being members of the parish council.

The Council approved for the deed to be amended, to remove the condition that Kingswear Parish Council should appoint two representative trustees.

### **C/195/20 - To review and adopt the following Council documents (Clerk):**

#### **i) Risk Management Register.**

The Clerk advised that the Risk Register needed to be updated in relation to Covid, internet banking, bank reconciliations etc. It was agreed for the Clerk to propose the necessary amendments for consideration at May's Full Council meeting.

#### **ii) Insurance Cover (Property Insured).**

The Council's insurance policy schedule with BHIB, was provided to Councillors for review. The sum insured values were compared with the values of the Council's property and assets, to ensure adequate cover is provided within the policy. It was agreed that the Clerk should contact BHIB to request a quote to increase the sum insured value for contents from £30k to £35k and also to £40k, for consideration at the next meeting.

The Clerk also noted, that the Council have a three year undertaking with BHIB, which commenced on 1/6/19 and is due to end on 31/5/22.

#### **iii) Asset Register.**

The Asset Register has been updated to include all items purchased during 21/22. The Clerk advised that the register has been amended to show 1 x laptop and 1 x printer as disposals during the year. The asset register has historically included a war memorial with a value of £40k, but no memorial exists in the Parish. Councillors approved for the Clerk to remove this from the register and to restate the 19/20 value of assets accordingly. It was also agreed for the Clerk to amend the value of the Chain of Office, in line with a 2016 valuation and for the 19/20 value of assets to be restated.

### **C/196/20 - To discuss and agree future arrangements for (Clerk):**

#### **i) Annual Parish Meeting.**

The legislation which allows virtual meetings comes to end on 6<sup>th</sup> May. If the Annual Parish Meeting is held after this date, it will need to be a face to face meeting. The Clerk has been advised that the Village Hall will not fully reopen until 21<sup>st</sup> June. It was therefore agreed, to hold a short meeting before the Annual Meeting of the Council, to approve the minutes of the last APM and for the Chairman to give an Annual Report. If Covid allows, a community event will be planned for later in the year.

#### **ii) Annual Meeting of the Council.**

The annual meeting of the Council is held in May. Full Council meetings are ordinarily held on the 2<sup>nd</sup> Wednesday of each month. The Clerk advised that, if the Council opt to do this in May, we would have to hold a face to face meeting, because the date would fall after the legislation has ended. It was agreed, that due to the Village Hall not reopening until June, that the Annual Meeting of the Council, be held on Wednesday 5<sup>th</sup> May, so that the meeting can be held virtually.

#### **iii) Consultation – Remote Meetings.**

The Government have recently announced that it would not be extending powers for local councils to meet

remotely. Since then the Government have received over 3000 letters contesting the decision, which has prompted a call for evidence. This consultation will run for 12 weeks and seeks to understand the experience of remote meetings and the pros and cons of making such arrangements permanent. It was agreed for the Clerk to draft a response, for consideration by the Council at May's meeting.

**C/197/20 - To receive an update regarding February's drain clean and to consider whether to book an additional day of drain cleaning (Clerk).**

The Clerk advised, that the contractor who carried the draining clearing works on 26<sup>th</sup> February, had not used the list sent to them, of the roads with blocked drains which required clearing. Fifty two drains were cleaned, but unfortunately the blocked drains on Fore Street, Brixham Road and at the bottom of Church Hill were missed.

The Council agreed that a further day's drain cleaning was required, but that this should be delayed until October.

**C/198/20 - To consider the renewal of the 21/22 subscription for the Devon Association of Local Councils and the Society of Local Council Clerks (Clerk).**

The Council approved the renewal of the 21/22 subscriptions for DALC £232.99 + VAT and SLCC £185.00.

**C/199/20 - To consider the Legionella Risk Assessment for the Lower Ferry Toilets / Cemetery Lodge and agree future actions (Clerk).**

The Clerk advised, that the Legionella Risk Assessment has now been carried out at the Lower Ferry public toilets and at Cemetery Lodge. The assessor has recommended the following:

- i) Training to be provided for those involved in the management of Legionella at both properties.
- ii) A Legionella policy/scheme detailing roles and responsibilities is required.
- iii) Log book and maintenance record to be maintained.
- iv) Replace cold water tank at Cemetery Lodge

The Clerk to obtain a quote for Legionella training, to be agreed at the May meeting. A Legionella policy, log book and maintenance record to be compiled by the Clerk, following attendance at a Legionella training course. It was agreed, that before obtaining quotes to replace the cold water tank, the boiler would be assessed, to ascertain whether the whole system should be replaced, rather than trying to patch up the existing one.

**C/200/20 - To consider and agree quotes for (Clerk):**

**i) Repainting of the Slappers Hill bus shelter.**

Works completed by Cllr Pudduck.

**ii) Refurbishment of the Fire Engine.**

Item deferred until May Full Council meeting.

**iii) Hanging Baskets.**

A quote of £396 received from S Rogers, for the planting of 24 hanging baskets, was approved by Councillors.

**iv) Painting of two mile markers.**

A quote of £220 received from Brownstone Grounds Maintenance was approved by Councillors.

**v) Clearing of kerb sides (Hillhead).**

A quote in the sum of £520 received from Brownstone Grounds Maintenance was approved by Councillors.

**C/201/20 - To propose agenda items for the May 21 Full Council meeting.**

Councillors to notify the Clerk, if they wish to add items to the May agenda.

**C/202/20 - Urgent Items – For information.**

The Clerk advised that the Council have received notification of a Caravan and Motorhome Club consultation, in relation to an application for a certificated site on Stoke Rd, between Waddeton and Galmpton. The Planning Authority has established that the site is located within the boundary of Kingswear Parish. The Councils response to the consultation will be considered at the May Full Council meeting.

By Order of the Council

*Sue Balsdon*

Sue Balsdon  
Clerk to the Council

**The Meeting ended at 8.35pm.**

**Minutes Approved:** ..... Councillor L Maurer – Chairman