

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

<b>Date:</b> 19 <sup>th</sup> June 2019		<b>Venue &amp; Time:</b> Annex, Malb. Village Hall, 19.30hrs
<b>Present:</b> Cllr Lucinda Goodhead Cllr Richard Harrod Cllr Ann Kendall Cllr Paul Pedrick Cllr John Sampson Cllr John Yeoman (in the chair)	<b>In Attendance:</b> Katharine Harrod – Clerk & Minute taker  Dist. Cllr Mark Long Dist. Cllr Judy Pearce County Cllr Rufus Gilbert Part meeting 2 Baker Estates Representatives 4 Parishioners	<b>Apologies:</b> Cllr Vanessa Harris Cllr Hayley Rutherford Cllr Kevin Yeoman  PC J Pengilly PCSO Paul O'Dwyer

**REF 2019/20 MINUTES**

### 272 WELCOME & APOLOGIES

### 273 APPOINTMENT OF COUNCILLORS TO COMMITTEES/LEAD ROLES

The Chairman outlined the following roles/liasons/leads on outside bodies and asked whether those concerned were content to continue. Proposed by Cllr Pedrick and seconded by Cllr Sampson.

- Estuary Forum - Cllr K Yeoman
- Police Liaison - Cllr Pedrick
- Feoffees - Gill Boyce
- Tree Warden - Mr Alan Benstead (Assistant: Mrs Eva Bond)
- Footpaths - Cllr Harris & Cllr Goodhead
- Allotments - Mr Tony Lyle, with Cllr K Yeoman as Council lead
- Skate Park/Sundries - Cllr Harrod
- Defibrillators - Cllr Rutherford
- Street Furniture (incl VAS) - Cllr Sampson
- Messenger - Cllr Kendall & David French
- Village Hall - By Rotation
- Safeguarding Children - Cllr Goodhead
- Recycling - Cllr Kendall
- CVS lead - Cllr Kendall
- Neighbourhood Plan - All Councillors
- Snow Wardens - Cllr Pedrick & Cllr K Yeoman
- GDPR Officer - Cllr Hayley Rutherford

Proposed Cllr Pedrick, Seconded Cllr Kendall

### 274 MESSENGER – Cllr Kendall

**275 DECLARATIONS OF INTEREST:** Cllr Kendall in respect of finance, Cllr Kendall withdrew from all related discussion.

### 276 MINUTES OF PREVIOUS PARISH COUNCIL MEETING:

The minutes of the Parish Council meeting and the Annual Parish Meeting both of 15<sup>th</sup> May 2019 were agreed without alteration.

Proposed: Cllr Kendall Seconded: Cllr Sampson and agreed unanimously

### 277 ITEMS CARRIED FORWARD FROM PREVIOUS MEETING:

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- A. Public toilets in the Square: The asbestos report has been received and is satisfactory, however, photos received of the loft space show a hole between the Post Office and Toilets. On the proviso that SHDC block this hole, Malborough Parish Council are willing to proceed with the toilet transfer. Proposed: Cllr Pedrick, seconded Cllr Kendall **ACTION: Clerk**  
A letter was sent to the Co-Op in support of a potential incorporation of the Post Office.
- B. Collaton Road Bus Stop – two quotes have been received, a third quote is being obtained.
- C. East Soar Parking – Car park works have been delayed until August.

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**278 PARISHIONERS OPEN FORUM:** Topics raised by parishioners included later in the minutes.

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**279 POLICE BUSINESS & NEIGHBOURHOOD WATCH:**

No report received.

- There has been an issue in Lower Town recently with threatening behaviour.
- Also noted two young moped riders who are driving dangerously and have had several near misses.

SIGN UP TO DEVON & CORNWALL ALERT HERE: <https://alerts.dc.police.uk/Join>

RESEARCH LOCAL CRIME FIGURES HERE: [www.police.uk](http://www.police.uk)

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**280 COUNTY COUNCILLORS REPORT:**

- a. Cycle path tarmac issue plus Higher Town & Vicarage Corner. Works to Higher Town & Vicarage Corner were not undertaken. This has been chased up with a further request to deal with the Cycle Path tarmac issue at the same time. **ACTION: Cllr Gilbert to speak with Adam Keay**
- b. Traffic Enforcement: A response has been received from both Salcombe and South Huish re potential enforcement areas. Enforcement is required in Malborough Parish to cover issues with double yellow lines around the village, specifically Vicarage Corner, Cumber Close, Collaton Road and other identified areas. **ACTION: Enforcement request to be sent to Adam Keay.**
- c. The s106 contribution is for the upgrade of Great Lane (Footpath No. 2, Malborough) and the funds need to be spent by 14/10/23 Cllr Gilbert advised funds will shortly be released.
- d. Plymouth Road outside Modbury will fully close for approximately one week in early October. More details to be provided in due course.
- e. Collaton Road Speeding, we have been made aware of a cat being run down and killed on Collaton Road. The SCARF (speeding) test showed no concerning issues with speeding, the next SCARF test will take place within a two year period of the original test.
- f. Bolt Head Road Closure – works will be undertaken as soon as possible to prevent issues of a possible road closure during peak season.
- g. Four Ways W191218456 was reported. A works order was raised for jetting to clear the blockage.
- h. There is a blocked gully prior to the Narrows, it is dangerous for vehicles, covered in mud. A permanent solution is required. **ACTION: Clerk**

**PLEASE report all highways issues ONLINE at:**

<https://new.devon.gov.uk/roadsandtransport/report-a-problem/>

**If you do not have internet access, please contact the Clerk on 07704 941150**

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**281 DISTRICT COUNCILLORS REPORT:**

- a. Improvement of communications from SHDC: If any communications are viewed or received that require review please advise.
- b. Dates that the bottle bank requires emptying will be sent to Cllr Pearce. **ACTION: Clerk**

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- c. Local Lettings Plan: The Parish Council is aware that there is a specific local lettings plan for social housing in the town of Salcombe. Councillors would like to see a local lettings plan adopted for the Parish of Malborough. Noted: South Huish Parish Council are requesting the same. Cassandra Harrison will be contacted to determine how best to proceed. **ACTION: Clerk**
- d. Salcombe Retreat Update: The Officer Report has been published but fails to recognise the Malborough Neighbourhood Plan. Having viewed the plans again Councillors have further concerns re sewage, furthermore they fundamentally disagree with the Officer report as it is clearly incorrect re views in the AONB. Why has this case not been refused?  
The documents state that hedges will be maintained at 2.5m – 3m to prevent views of vans, however, the western hedge is planned off so you can view the vans across the AONB.  
Septic tanks are sited underneath the vans – is this legal?  
The report states there is no viewing impact but refers only to the bases and not to the vans that will be sited on top of the bases. **ACTION: Clerk to report back to the officer**
- e. A request was made to Cllr Pearce to include a list of liquor licenses/times/on or off-site sales to be shown on the website at present there is no information publicly available. **ACTION: Cllr Pearce**

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### 282 PLANNING:

- a. **Applications** received by the Parish Council and under discussion and consideration for the last period. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion.

**NOTE: When providing a response to planning applications, the Malborough Neighbourhood Plan will be referenced.**

Cost of Planning Applications – Cllr Pearce to advise on the cost of receiving paper copies of all planning applications. The costs in respect of an A3 printer will be obtained for the parish to print them, but there are staff and other costs to be taken into account.

There have been issues with a variety of councillors who are unable to open planning applications, the links are not working. **ACTION: Cllr Goodhead to screenshot the issue and forward to Cllr Pearce**

**1711/19/VAR Ashbys External Lighting** – MPC Support

Noted there have been no complaints to a local camp site owner from any campers re light pollution.

**1656/19/HHO Clementine Cottage** – MPC Support

**1871/19/VAR Bolberry House Farm** – MPC Support

**1744/19/NMM Baker Estates** - MPC Objection Non-Material Amendment

The case officer advised this is the most appropriate type of application. However with the garden rooms/conservatories this is a material amendment and should be subject to a full planning application.

Cllrs objected to this application. The councillors do not consider that Baker Estates have been transparent with this amendment and the application should be submitted as a full new application. The three bedroom properties should not be developed with an extra bedroom in the roofspace, nor should additional garden rooms/conservatories be given approval. By increasing the size of the properties the housing development is likely to have an increased second home ownership and this goes against the whole ethos of the estate and how it was originally “sold” to the Parish.

Baker Estates attended as invited guests. The following issues were discussed:

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- There has been a problem with dust from the site, this has caused issues across areas of the village as well as exacerbating the health problems of some residents. This is being dealt with by spraying water on the affected areas and should be further alleviated once the estate roads are in place.
- The language from the builders has also been exceptionally rude. The builders have been spoken to although it does not appear to have had any impact.
- A generator located on the site runs at unsociable hours, the level of noise is not acceptable. Once power is available from the mains this situation should stop.
- Parking issues were raised by a parishioner. Deliveries have been asked not to park on the Collaton Road.
- Flag poles – the number of poles has been reduced following complaints
- Tree relocation – Baker Estates will move the tree in due course.
- The visibility splay will be extended towards the end of the summer.
- Devon Hedge on Portlemore Lane to be reinstated in due course.
- A drop kerb was previously agreed further along the road to be installed to enable lorries to easily negotiate the new junction between the new access road and Portlemore Lane.

Parishioner question. Are the discount market properties built to the same standard? Externally the properties are the same. Internally the fittings are of a cheaper variety.

Five of the six discounted market properties have sold, all to people residing within a short distance.

One of our parishioners is currently purchasing a property. They signed off the plans and subsequently received a revision of the plans which has decreased the size of the rear garden by approximately 1.2m. Baker Estates will investigate the situation and advise the parishioner directly.

Baker Estates have dug down 10-12ft by a scotch pine tree and built a retaining wall adjacent to the tree. This has been approved by the arboriculture officer of the council. Parishioners have strong concerns that there is now nothing holding the tree on the western side and when the next big storm comes through the tree will fall. This will be investigated. **ACTION: MPC**

### ***Remaining under SHDC Discussion:***

**4108/18/FUL Baker Estates Retrospective permission for temporary access road.** MPC approved SHDC Determination date 11<sup>th</sup> February 2019!

**4015/18/FUL Salcombe Retreat, Proposal 23 caravan/lodge bases, parking & internal access road.** MPC Objection. SHDC Determination date 07<sup>th</sup> March 2019

**0184/19/FUL Harwood Farm, Temporary mobile home – MPC Support SHDC Determination Date 22<sup>nd</sup> March 2019**

**0411/19/CLE Westentown, Lawful development certificate –** noted neither a statutory declaration nor affidavit has been received. MPC No Objections SHDC Target Determination Date 5<sup>th</sup> April 2019

### b. Decisions:

**0927/19/HHO 16 Collaton Rd Extension –** CONDITIONAL APPROVAL

**1064/19/HHO 35 Collaton Rd Boat Store –** CONDITIONAL APPROVAL

**1108/19/ARC Portlemore Barton, Removal of Conditions –** DISCHARGE APPROVED

### c. Enforcement issues: Continue to be dealt with.

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Please will all parishioners provide the Clerk with full details of any violations that do not adhere to the original application for which permission was granted. **ALL** violations will be reported to Enforcement.

Malborough and South Huish councils would like a training session on planning provided by SHDC. Cllr Long will discuss with Pat Whymer. **ACTION: Cllr Long**

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### 283 FOOTPATHS, TREES & ALLOTMENTS:

- a. Cumber Close & Village Hall Bank Cuts – Follow up with MGS re bank cuts. **ACTION: Clerk**
- b. Allotments Update: Monies for the 2019/20 period are being paid.

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### 284 VILLAGE HALL:

- a. Update: Minutes from the recent meeting can be found on the village hall website.
- b. Car Park: The planning application has still not been finalised. MVH & PFA have not been able to withdraw that element of the area from Fields in Trust. Councillors were in agreement to arrange for an expert to provide the required plan so that the planning permission can be signed off..
- c. Chicane to the pedestrian entrance to hall: New bollards have been installed.
- d. Play Area Works: New parts have been ordered as previously approved. There are issues with the fort that require attention. Wickstead will be informed and asked to replace the rotten planks. **ACTION: Clerk**
- e. Marshalls at Events: A meeting is taking place between MVH & PFA and sports teams re footballing events.

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### 285 MISCELLANEOUS:

- Land Ownership – The Pound & Substation. Registration of these two areas would cost approximately £750. Proposed Cllr Pedrick, Seconded Cllr Kendall **ACTION: Clerk to arrange with legal.**
- Malborough Park Play Area: The plan showing the area that SHDC wanted to transfer to the Parish incorporated roads and greens – MPC just want the play area and have queried siting of an electricity substation in the area to serve The View, noise implications and where any fees would go.
- Emma Reece from National Trust wants to meet re Bolberry car park. Councillors can meet on Wednesday 26<sup>th</sup> at 8am.
- VAS figures have been provided for the month of May and are very promising.

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### 286 FINANCE & GOVERNANCE:

- a. The accounts for 2019/20 month 3 were received, see **Appendix A**. A mandate sheet and transaction record were introduced and duly signed to authorise the following e-payments:
  - Clerks Salary, HMRC & Expenses £627.97
  - Varley Turntable £777.77
  - G Allen Playground Maintenance £60.70
  - Malborough Garden Svs £472.20
  - Barriers Direct £129.5
  - A R Lyle £234
  - Viking £184.94
  - M Kendall Ink £103.71
  - Alison Marshall Internal Audit £180
  - TG Stone Cycle Track £90
  - G Boyce Bedding Plants £35
  - Came & Co Insurance £79.08

The payments were proposed by Cllr Sampson and seconded by Cllr Goodhead and carried unanimously.

- a. Annual Governance & Accountability. Section One Annual Governance Statement was signed and dated by the Chairman & Clerk.
- b. Annual Governance & Accountability. Section two of the External Audit papers re Annual Statements was signed and dated by the Chairman & Clerk

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- c. New Councillors Courses including planning to be offered in due course. A course for Chairmen and Clerks is due to run in the Autumn.

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### 287 CORRESPONDENCE & AOB:

- a. Thank you received from Gill Boyce for her card and gift in recognition of her long service.  
b. A query re printing costs for the Messenger was raised. This will be added to the July Agenda for full discussion.
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MEETING ENDS **21.48** Hrs

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**DATES FOR THE DIARY:** The 2019 Parish Council Meeting dates are: 17th July, 18th Sept, 16th Oct, 20th Nov and 18th Dec. All meetings commence at 7.30pm and are held at The Annexe, Malborough Village Hall.

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Signed as a true record: \_\_\_\_\_

Print Name & Date: \_\_\_\_\_

Agenda Items and Updates; where possible please could these be submitted to Mrs Katharine Harrod by the 1<sup>st</sup> Wednesday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Mrs Katharine Harrod for distribution) together with their apologies.

#### Distribution List

Cllrs Goodhead, Harris, Harrod, Kendall, Pedrick, Rutherford, Sampson, J Yeoman, K Yeoman

**For Information: e-circulation to:** County Cllr R Gilbert, Dist. Cllr Mark Long, Dist. Cllr Judy Pearce, Mr Tony Lyle (allotment rep), Mr E Putt, Salcombe Police Station, Mr Allan Benstead (Tree Warden), Mrs E. Bond (Asst. Tree Warden), Malborough Parish Council Notice Boards (2), Malborough Primary School, Malborough Village Hall Committee: Mr A Morgan, Mrs Gail Allen, Mr Tim Chandler, National Trust, SVRA

# MALBOROUGH PARISH COUNCIL

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### APPENDIX A

### Malborough Parish Council Finance: Month 3

Category	Descriptor	Date	Month No. of Report to Council	Paid In	Paid Out	Cash Book Balance
<b>Cash Book Balance b/f from last financial year</b>				<b>1</b>		<b>17,726.48</b>
Payment	May Clerks Salary & Expenses	14/05/2019	2		781.92	30,327.95
Payment	May HMRC/NI	14/05/2019	2		12.58	30,315.37
Payment	SHDC Toilet Payments	16/05/2019	2		2,207.47	28,107.90
Payment	Malborough Garden Services	16/05/2019	2		393.00	27,714.90
Payment	Data Protection ICO	16/05/2019	2		35.00	27,679.90
Payment	Hocking Allotment Rent	16/05/2019	2		250.00	27,429.90
Payment	Came & Co Insurance	16/05/2019	2		727.00	26,702.90
Payment	Viking Stationery	16/05/2019	2		123.49	26,579.41
Receipt	Allotment 12 2018/19 payment	04/06/2019	2	27.50		26,606.91
Payment	June Salary & Expenses Clerk	15/06/2019	2		627.97	25,978.94
Receipt	Allotment 8	05/06/2019	3	27.50		26,006.44
Receipt	Allotment 19	05/06/2019	3	27.50		26,033.94
Receipt	Allotment 1	06/06/2019	3	27.50		26,061.44
Receipt	Allotment 16	07/06/2019	3	27.50		26,088.94
Receipt	Allotment 10	10/06/2019	3	13.75		26,102.69
Receipt	Allotment 15	15/06/2019	3	27.50		26,130.19
Receipt	Allotment 2 & 11	18/06/2019	3	55.00		26,185.19
Receipt	May Gross Interest	09/05/2019	3	1.25		26,186.44
Receipt	June Gross Interest	10/06/2019	3	1.40		26,187.84
Receipt	Gritter Funding Cllr Gilbert	09/05/2019	3	1,000.00		27,187.84
Receipt	HMRC Tax rebate 2017/18 part & 2018/19 full	13/05/2019	3	4,969.14		32,156.98
<b>TOTALS YTD Financial year 2019/20</b>				<b>£ 21,261.66</b>	<b>-£ 6,831.16</b>	<b>£ 32,156.98</b>
<b>RECONCILIATION CASH BOOK TO BANK</b>						
Cash book balance b/d				<b>FY 2019/20 month</b>	<b>3</b>	<b>£ 32,156.98</b>
Balance at bank at end :					<b>07-May-19</b>	
Revenue Accounts						<b>32,156.98</b>
Unpresented Items				receipts		-
				payments		-
						<b>£ 32,156.98</b>
						<b>-</b>
<b>ACCOUNTS FOR PAYMENT</b>						
				<b>DD 15th Month</b>		<b>Variance</b>
						<b>627.97</b>
						<b>0.00</b>
Plus						
	Varley Turntable - park					777.77
	G Allen Playground Maintenance					60.70
	Malborough Garden Services					472.20
	Barriers Direct					129.50
	A R Lyle					234.00
	Viking Stationery					184.94
	M Kendall INK					103.71
	Alison Marshall Internal Audit					180.00
	TG Stone Cycle Track					90.00
	G Boyce Bedding Plants Pound					35.00
	Came & Co Insurance (underpayment)					79.09
<b>Meeting Sub Total</b>						<b>2,346.91</b>
<b>Receipts &amp; PAYMENTS REPORT TO COUNCIL</b>						
<b>MEETING DATE</b>				<b>19/06/2019</b>		
Prepared By:				<b>K Harrod for Malborough Parish Council</b>		
Date:				<b>19/06/2019</b>		