

BISHOPSTEIGNTON PARISH COUNCIL

MINUTES

FOR THE MEETING HELD ON MONDAY 6TH FEBRUARY 2017

COMMUNITY CENTRE, SHUTE HILL, BISHOPSTEIGNTON

PART I

PRESENT: Cllrs. C. Morgan (Chair), R. Bailey, P. Cahill, E. Cawthraw, T. Davey, M. Gollop, J. Grimble, K. Lambert, I. McDougall, S. Nicholson, H. Stuckey (11/11)
District Councillor T. Golder, & 9 members of the public.

APOLOGIES: PCSO W. Heather & County Councillor C. Clarence

DOI: Cllr. Nicholson declared a DPI for planning application 17/00103/REM. She requested a dispensation to allow her to discuss the application, but not vote, for the remainder of her term in office. It was proposed by Cllr. Stuckey, seconded by Cllr. Cahill for the dispensation to be granted. FOR: 10, AGAINST: 0, ABSTENTION: 1. Therefore **RESOLVED** to approve the request and the dispensation is granted.

Cllr. Cawthraw declared an Appendix B interest for any item relating to S&G. She requested a dispensation to vote on any motion raised relating to S&G HQ for this meeting only. It was proposed by Cllr. Cawthraw, seconded by Cllr. Lambert for the dispensation to be granted. Cllr. Stuckey requested that the vote be recorded.

FOR: Cllrs. Cawthraw, Lambert, Grimble and Davey (4), AGAINST: Cllrs. Gollop, Nicholson, Cahill, McDougall, Stuckey, Bailey and Morgan (7). Therefore **RESOLVED** to refuse the request and the dispensation was not granted.

Cllr. Grimble asked for it to be recorded that for discussions relating to S&G HQ there were no further declarations of DPI or Appendix B interests from any other Councillors.

1935 RATIFICATION OF MINUTES OF THE FOLLOWING MEETINGS

- .1 For Parish Council Meeting held 05.12.16 it was proposed by Cllr. Cawthraw, seconded by Cllr. Nicholson, that these be approved and signed as a true and correct record. Agreed unanimously by all who attended therefore **RESOLVED** to approve.
- .2 For Planning Committee meeting held 19.12.16 it was proposed by Cllr. Lambert, seconded by Cllr. Cawthraw, that these be approved and signed as a true and correct record. Agreed unanimously by all members who attended therefore **RESOLVED** to approve.
- .3 For 2017/18 Precept Budget meeting held 19.12.16 it was proposed by Cllr. Cawthraw, seconded by Cllr. Lambert, that these be approved and signed as a true and correct record. Agreed unanimously by all members who attended therefore **RESOLVED** to approve.
- .4 For the Planning Committee meeting held 16.01.17 it was proposed by Cllr. Cawthraw, seconded by Cllr. Davey that these be approved and signed as a true and correct record. Agreed unanimously by all members who attended therefore **RESOLVED** to approve.

1936 RECOMMENDATION - From the Planning Committee meeting held 16.01.17.

It is recommended BPC resolve that a London Plane be planted in replacement of the recently felled Chestnut Tree at the Hump, Cross House car park. This should be planted in position on the hump in early 2018 winter/spring planting season after the previous tree stumps have been removed, the hump levelled and soil allowed to settle.

It was proposed by Cllr. Davey to resolve to approve this recommendation, seconded by Cllr. Cawthraw. FOR: 9, AGAINST: 0, ABSTENTION: 2. This motion **RESOLVED**.

1937 POLICE REPORT

PCSO. W. Heather had forwarded a report:

BISHOPSTEIGNTON POLICE LOGS for the PERIOD 07/11/16 to 04/12/16 which included nine concerns for welfare, One domestic incident, seven Road Traffic Collisions, eight road related offences, four highway disruptions, one report of an abandoned vehicle, two reports of anti-social behaviour, one report of firearms to be collected, two reports of criminal damage, one report of a dog incident, and five reports of suspicious circumstances.

BISHOPSTEIGNTON CRIMES for the same period include two reports of criminal damage, one theft of a motor vehicle, two dog incidents, and one report of theft.

The Clerk read out a letter from PCSO. Heather. (See Appendix 1702.1). This outlined changes to providing policing service to the Parish, due to commence over the next few months. This was discussed at length with BPC raising grave misgivings. It was agreed for the Clerk to write to Devon & Cornwall Constabulary to express our concerns and for them to outline what level of service can be expected.

1938 DISTRICT COUNCILLOR REPORT

After expressing thanks to Mr. A. Williams for his support, Cllr. Golder reported that budgets for the District Council were currently being reviewed and subject to public consultation with the latest proposals for the maximum of £5

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increase to council tax. This increase is due to cut backs to Revenue & Support and Housing grants.

He reminded members the capital funding from TDC of £20k for the development of Bishops Avenue car park was not in the budget for 2017/18 so the project must make progress and the money claimed soon before it is reallocated and lost to the Parish.

Finally the recommendations from the Local Government Boundary Commission of England for the ward boundaries in the Teignbridge District have been published. There are no changes to there being one ward member for Bishopsteignton. Cllr. Golder thanked BPC for their support during the earlier consultation period.

N.B: *Cllr. Golder has sent his apologies for Parish Council meetings to be held in March, May and June 2017.*

1939 S&G HQ

The following issues were discussed with 'without prejudice' motions proposed as follows. Cllr. Cawthraw requested that all votes be recorded.

Legal work/requirements

It was proposed to resolve the following motion; that S&G would pay for legal work, land valuation and disposal of land advertisement for the plot at the Lawns. An independent Solicitor would be instructed to progress the project.

FOR: Cllrs. Lambert, Gollop, Nicholson, Cahill, McDougall, Stuckey, Bailey, Davey and Morgan (9), AGAINST: (0). ABSTENTION: Cllr. Grimble (1). Therefore it is **RESOLVED** for BPC to appoint a solicitor to act on their behalf with costs incurred being covered by S&G.

SOS: Mr. D. Price, the Commissioner for Teignbridge District Scouts, reminded the Chairman that in their written response to BPC S&G had stated they would "agree to reimburse all reasonable and necessary costs" but this was not a *carte blanche* to unlimited funds. The Chairman replied that without prejudice terms for a draft Heads of Terms would need to be agreed by BPC before approaching a solicitor to provide estimates; this was his intention for this meeting.

Location:

By the Gate - FOR: Cllrs. Lambert, Grimble and Bailey (3) AGAINST: 0, ABSTENTION: Cllrs. Gollop, Nicholson, Cahill, McDougall, Stuckey, Davey and Morgan (7)

By the MUGA - FOR: Cllrs. Lambert, Grimble, Morgan and Bailey (4), AGAINST: Cllr. Gollop (1), ABSTENTION: Cllrs. Nicholson, Cahill, McDougall, Stuckey and Davey (5).

Therefore the motion for BPCs preferred location for S&G HQ by the MUGA was **RESOLVED**.

NB: *After taking advice from Devon Association of Local Councils: Abstentions do not invalidate the vote. The meeting was quorate so the result is the one that stands. Advice given also states the final decision should be based on practicalities such as planning comments, ease of construction or other local circumstances.*

Covenants

It was proposed that all parties accept the findings and result given by TDC when BPC propose the covenant is waived to allow the building; that all parties will agree to the results/outcome and/or an independent solicitor's interpretation.

FOR: Cllrs. Lambert, Gollop, Nicholson, Cahill, McDougall, Stuckey, Bailey, Davey and Morgan (9). AGAINST: 0, ABSTENTION: Cllr. Grimble (1). This motion **RESOLVED** by a majority vote.

Length of Term

Three different options for the length were discussed and proposed:

- i) A term of 25 years with a further term not being unreasonably withheld. FOR: Cllrs. Gollop, Nicholson, Cahill, McDougall, Stuckey, Davey and Morgan (7). AGAINST: Cllrs. Lambert and Grimble (2). ABSTENTION: Cllr. Bailey (1).
- ii) A term of 50-60 years. FOR: Cllrs. Lambert, Grimble, Bailey and Davey (4) AGAINST: Cllrs. Morgan, McDougall, Cahill, Nicholson and Gollop (5). ABSTENTION: Cllr. Stuckey (1).
- iii) A term of 80 years, to assist the group with funding applications. FOR: Cllrs. Lambert, Grimble, Bailey and Davey (4). AGAINST: Cllrs. Morgan, McDougall, Cahill, Nicholson and Gollop (5). ABSTENTION: Cllr. Stuckey (1).

Therefore motion (i) A term of 25 years with a further term not being unreasonably withheld is **RESOLVED**.

Usage

Three different options for the type of usage were discussed and proposed:

- i) Allow S&G to hire out use of the HQ building to community groups. FOR: 0. AGAINST: Cllrs. Gollop, Nicholson, Cahill, McDougall, Stuckey, Bailey, Davey and Morgan (8). ABSTENTION: Cllrs. Lambert and Grimble (2).
- ii) S&G Association use only with occasional hire of the facility when BPC permission is sought and granted. FOR: Cllrs. Lambert, Grimble, Gollop and Davey (4). AGAINST: Cllrs. Nicholson, Cahill, McDougall, Stuckey, Bailey and Morgan (6).
- iii) For S&G Association purposes and use only. FOR: Cllrs. Nicholson, Cahill, McDougall, Stuckey, Bailey and

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Morgan (6). AGAINST: Cllrs. Grimble and Davey (2). ABSTENTION: Cllrs. Gollop and Lambert (2). Therefore motion iii) For S&G Association purposes and use only is **RESOLVED**.

Additional Storage

Two options for a storage facility were discussed and proposed:

- i) That a separate storage facility be located near to the field gate by Stone Lodge. FOR: 0. AGAINST: Cllrs. Gollop, Nicholson, Lambert, Cahill, McDougall, Stuckey, Bailey, Davey and Morgan (9). ABSTENTION: Cllr. Grimble (1).
- ii) That it be integrated into the design of the main building. FOR: Cllrs. Gollop, Nicholson, Lambert, Cahill, McDougall, Stuckey, Bailey, Davey and Morgan (9). AGAINST: (0). ABSTENTION: Cllr. Grimble (1).

Therefore motion ii) That it be integrated into the design of the main building is **RESOLVED**.

Vehicular Access to site

A proposal that vehicular access to site, via the lane and main gate, will only be allowed by prior authorisation of the PC upon request. FOR: Cllrs. Gollop, Nicholson, Stuckey, Bailey, Davey, Morgan and Lambert (7). AGAINST: Cllr. McDougall (1). ABSTENTION: Cllrs. Grimble and Cahill (2). **RESOLVED**.

All the resolutions agreed above will be put into a letter to S&G, to be headed WITHOUT PREJUDICE, by the Clerk and Chairman. To be viewed by BPC members before release.

1940 PLANNING

The following new planning applications were discussed to agree comments to send to Teignbridge District Council as the Local Planning Authority:

- .1 **App No:** 17/00103/REM – Former Bowling Green land at Garage Lane
Proposal: Approval of details for two dwellings (approval sought for appearance, landscaping, layout and scale)
The following comment was proposed by Cllr. Cawthraw, seconded by Cllr. Lambert. FOR: 7, AGAINST: 1, ABSTENTION: 1. Therefore **RESOLVED** to submit this comment to the LPA.
PC Comments: *Bishopsteignton Parish Council wish to object on the following grounds: The proposed buildings are overbearing and obtrusive and the design is not in keeping with other properties in the area. There is potential overlooking and loss of light to neighbouring properties.*
- .2 **App No:** 17/00140/CLDE – Humbercroft, Humber
Proposal: Certificate of Lawfulness for use of two existing storage containers for domestic storage purposes
It was proposed by Cllr. Cawthraw, seconded by Cllr. Morgan, to submit the following comment. FOR: 10, ABSTAIN: 1. Therefore **RESOLVED**.
PC Comments: *No objection.*
- .3 **App No:** 17/00226/TPO – 16 Lindridge Park, Lindridge
Proposal: Fell one beech tree
It was proposed by Cllr. Lambert, seconded by Cllr. Cawthraw and agreed unanimously to submit the following comment. Therefore **RESOLVED**.
PC Comments: *No objection, however following advice of the Parish Tree Warden the Parish Council would request that consideration of a condition to replant a similar tree in the vicinity of the felled specimen.*
- .4 **App No:** 17/00274/TPO – 7 Canons Close
Proposal: Crown reduce by 1-2m and crown lift to 4m above ground one Holm oak
It was proposed by Cllr. Lambert, seconded by Cllr. Cawthraw and agreed unanimously to submit the following comment. Therefore **RESOLVED**.
PC Comments: *No objection.*
- .5 Current Approvals, Refusals, Withdrawals and Appeals were **NOTED**.

1941 HIGHWAYS:

The concerns which have been raised recently in several items of correspondence were discussed at length. It was suggested by The Chairman that BPC should be more proactive in finding a solution for the speeding and parking problems. He is preparing a proposal for the next round of Elector funding for BPC to purchase a speed activated warning sign which can be set up at different locations around the Parish. Highways speed limits are only enforceable

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by the police but it was agreed by a majority of members that a sign such as this could have an impact. A more expensive model could provide date for analysis; highlighting the problems areas or time of the day/week. Further research was required particularly liaison with DCC Highways for permission to use this and in which locations. Inconsiderate parking and the damage this is causing the pedestrian highways was discussed further. Particularly on Bishops Avenue and Fore Street. Cllr. Lambert reminded that the more individuals submitted their concerns and complaints to DCC Highways the more likely it is for action to be taken. The Clerk would place a notice of how to and who to report these issue into the Chronicle and on the BPC Facebook page.

SOS: A member of the public raised the interesting point that when RTA/RTC victims die but do so after the incident, for example in hospital, this is not included in the statistic as a death on the road.

1942 PC PROGRESS REPORTS: The report 'PR1702' was reviewed. Members had no further comments.

1943 MEMBERS REPORTS: Cllr. Nicholson reported the forthcoming TEP annual event for which she had received an invitation but was unable to attend. This event is open to all Councillors, Clerk to confirm details.

1944 FINANCE

BACS PAYMENTS APPROVED:

		£
HMRC	Tax & NI contributions	111.10
Mrs. K. Ford	Salary & expenses	1025.12
DCC Pension Fund	Contribution to Clerks pension	291.42
Dyno Rod	Unblocking of drains at Fore Street Public Convenience	156.00

BANK RECONCILIATION: - As at 31.01.17

Cumulative Receipts	139952.71
Cumulative Payments	<u>61605.54</u>
Balance per Cash Book	<u>78347.17</u>
Lloyds TSB Treas.	66959.57
Lloyds TSB Premier	1387.70
Lloyds TSB Fixed Term	<u>10000.00</u>
Closing Balance per Bank Statements	78347.27
Outstanding Banking:	-0.10
BPC FUNDS BALANCE	78347.27

PC RESERVES/RESTRICTED FUNDS & BALANCES: - As at 31.01.17

Burial Account	42581.44	Includes St. Johns precept
Admin	7166.36	Includes staffing cost, rent, elections contingency, insurance, etc.
Maintenance	1325.79	Includes public toilets fund
Countryside & Recreation	106.02	Includes Sports Area Income
Loan Repayment	8975.76	Cross House/Bishops Avenue Carpark scheme
Agency Grants	-212.09	Includes P3 grant
Monies held in Trust	876.34	Cricket Club, Bench donation, Playdays
Electoral Funding 2015/16	1255.00	Restricted use: Defibrillator.
S137/S106/Grants Donations	1847.40	
VAT	141.97	Balance of repayments and amount to be claimed from HMRC
TOTAL	64063.99	

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Bank Balance	78347.27	after adjustment shown in bank reconciliation above
Restricted/Earmarked Funds	64063.99	breakdown shown above (82% of Bank Balance)
Contingency	10271.50	Quarterly outgoings in reserve (13% of Bank Balance)
BALANCE	4011.78	AVAILABLE/UNRESTRICTED FUNDS (5% of Bank Balance)

The Chairman closed PART I the meeting at 9.51PM

PART II

PRESENT: Cllrs. C. Morgan (Chairman), R. Bailey, P. Cahill, E. Cawthraw, T. Davey, M. Gollop, K. Lambert, I. McDougall & S. Nicholson (9/11)

APOLOGIES: Cllrs. Stuckey & Grimble.

DOI: None

1945 BISHOPS AVENUE CARPARK SCHEME

3 comparative quotes were reviewed and discussed. One contractor was selected as preferable however further queries needed answering before a contract could be offered. Deferred to PART II of the meeting to be held 06.03.17.

1946 MILLENNIUM HUMP LANDSCAPING & TREE

3 comparative quotes were reviewed and discussed. It was proposed by Cllr. Bailey, seconded by Cllr. Davey, and agreed unanimously to accept the quote provided by Marshall Plant Hire and that a contract for this work be offered.
RESOLVED.