

BISHOPSTEIGNTON PARISH COUNCIL

DRAFT V01 MINUTES

FOR THE MEETING HELD ON MONDAY 4TH DECEMBER 2017
COMMUNITY CENTRE, SHUTE HILL, BISHOPSTEIGNTON

PART I

- PRESENT:** Cllrs. C. Morgan (Chair), P. Cahill, E. Cawthraw, T. Davey, K. Lambert, I. McDougall, H. Merritt & S. Nicholson & (8/11).
County Cllr. R. Peart & 1 member of the public.
- APOLOGIES:** R. Bailey, M. Gollop, H. Stuckey PSCO. S. Bunce, PC. R. Harvey & District Cllr T. Golder
- DOI:** None for PART I. Cllrs. K. Lambert & E. Cawthraw as members of the Healthy Living Group, item 2084 in PART II.

2074 RATIFICATION OF MINUTES OF THE FOLLOWING MEETINGS

- .01 Parish Council Meeting held 06.11.17 it was proposed by Cllr. Cawthraw, seconded by Cllr. Merritt, that these be approved and signed as a true and correct record. Agreed unanimously by all who attended therefore **RESOLVED**.
- .02 Planning Committee Meeting held 20.11.17 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**.
- .03 Closed meeting of the full Parish Council, to discuss 2018/19 precept budget, held 20.11.17 it was proposed by Cllr. Merritt, seconded by Cllr. Morgan, that these be approved and signed as a true and correct record. Agreed unanimously by all who attended therefore **RESOLVED**.

2075 POLICE REPORT

Bishopsteignton reported crimes from 07.11.17 – 04.12.17

- 4 Residential Burglaries – ‘Creeping burglar’ stole items from four different rooms in a Residential home all on the same night. Under investigation.
- 3 Malicious Communications – Disgruntled, recently-sacked employee repeatedly contacting his ex-employer demanding payment with menaces, even after he had been given advice by police to seek reimbursement via legal means. Under investigation.

2076 COUNTY COUNCILLOR REPORT

County Councillor Peart gave a brief overview of the Universal Credit system which is to be introduced and will take over from 6 types of benefits.

He also reported resurfacing works due to take place in Kingsteignton from 07.12.17 for up to 5 days.

Cllr. Davey brought to Cllr. Peart’s attention the latest accident on the A381 S bend by Wear Farm which is to be discussed later in the meeting.

2077 PLANNING

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

- .01 **Application No:** 17/02783/FUL - Ashwell Corner, Ashwell
Proposal: Change of use from agricultural land to a gravelled private parking area
It was proposed by Cllr. Lambert, seconded by Cllr. McDougall, for the following comment to be submitted. Agreed unanimously therefore **RESOLVED**.
PC Comments: No objection. The Parish council fully support the application and the improvements it will bring to traffic movements in this location. They also note there are no objections from neighbours.
- .02 **Application No:** 17/02792/TPO - Bramber House, Forder Lane
Proposal: Height reduce one Holm oak by 2-3m back to previous pollard points; remove 2 lateral limbs of one cedar where overhanging garden shed and reduce by approx. 1m overhang of a line of trees of various species including pine, hazel and Holm oak back to boundary fence
It was proposed by Cllr. Lambert, seconded by Cllr. Cahill, for the following comment to be submitted. Agreed unanimously therefore **RESOLVED**.
PC Comments: No objections
- .03 **Application No:** 17/02710/FUL - The Dell, Lindridge
Proposal: Ancillary storage building
It was proposed by Cllr. Davey, seconded by Cllr. Cawthraw, for the following comment to be submitted. Agreed unanimously therefore **RESOLVED**.
PC Comments: Bishopsteignton Parish Council does not support this application as there is no evidence of justification

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for the large scale of the building proposed which is outside of the village settlement limit.

The proposal conflicts with the following:-

- Bishopsteignton Neighbourhood Plan policies BSB1: Grey long-eared bats, BSB2: Cirl buntings; and BSB3. Therefore:-
- Local Plan policies EN8: Biodiversity Protection & Enhancement and EN9: Important Habitats & Features.
- Is designated as an Area of Great Landscape Value within the Local Plan.

- .04 Appeal Ref No:** APP/P1133/W/17/3185285 (TDC Ref: 17/00062/REF) - Fair Isle, 39 Teign View Rd
Description: Appeal against the refusal of planning application 17/01494/FUL - Erection of a single storey dwelling
It was agreed unanimously that no further comment was required.

.05 Current Approvals, Refusals, Withdrawals and Appeals were **NOTED**.

.06 RESPONSE FROM ENFORCEMENT OFFICER

The Clerk report a response from TDC Enforcement regarding the use of 22a Manor Road as a business premises and that this was causing concern due to increased amount of parked vehicles. The following was included in the response:

I can advise that the operation of a business does not in itself amount to a breach of planning control. Indeed central government advice encourages such activity where it can be carried on without serious detriment to the amenities of adjoining properties.

In this instance I can advise that the Council has written to the property owner seeking clarification over what activities are being carried out from the property. Based on the information obtained as part of this department's investigation into this matter I can advise that it is considered that no breach of the legislation has occurred.

Members queries if the company is registered to this address and if they were paying the appropriate business rates. The Clerk was asked to investigate this matter further with Companies House and VOA.

2078 HIGHWAYS

.01 A381 ACCIDENTS

Cllr. Davey reported another accident on the bends by Wear Farm which resulted in a vehicle leaving the road and rolling down his land. Again the driver was not hurt and as no other vehicle was involved this incident will not be recorded as a RTC/RTA by the police of Highways. He felt it was time for DCC to take action to reduce the occurrence of this situation. The issue was discussed at length.

It was proposed by Cllr. Morgan, seconded by Cllr. Davey, that another letter be sent to DCC Highways requesting action is taken. Agreed unanimously therefore **RESOLVED**.

Cllr. Merritt requested this letter be copied to the NHO. Cllr. Nicholson suggested this also be copied to the press.

.02 A381 SPEEDING

Cllr. Morgan reported an update on the councils attempt to install VAS along the A381 following a meeting with the NHO, Tegan Preston, County Councillor Ron Peart and BPC members Cllrs. Morgan and Merritt. At this meeting Tegan confirmed the speed data gathered, as well as the record of accidents on this stretch of road, did not meet the criteria which would warrant any intervention by Highways; such as VAS. The only hope of any action now was through Devon & Cornwall Police; a Police liaison officer is still pursuing this using PC. Will Heathers recent investigation report.

The funding provided by Rural Aid could still be used to fund banners to discourage speeding through the village and along the A381. Members were asked to think about possible designs and locations, private land, where they could be displayed.

2079 BISHOPS AVENUE CARPARK: TRANSFER AGREEMENT

Members reviewed the TR1 provided by their solicitor following negotiation with the District Council. From this review the following proposals were raised:

- i) It was proposed by Cllr. Nicholson, seconded by Cllr. Merritt, to instruct the solicitor to negotiate further seeking the overage period to be reduced to 80 years rather than in perpetuity. Agreed unanimously therefore **RESOLVED**.
- ii) It was proposed by Cllr. Lambert, seconded by Cllr. Nicholson, that the clause 2.2(a) and (b) is amended so that overage payment will only be payable on the disposal of the asset/overage rather than within 20 days of the trigger date, as suggested by TDC. Agreed unanimously, therefore **RESOLVED**.
- iii) It was proposed by Cllr. Nicholson, seconded by Cllr. Cahill, that the solicitor continue negotiations with TDC that the form of restriction that will be entered against the title of the property is Form L Restriction (ability to charge the property without the consent of TDC) rather than Form N Restriction (no disposition, including a

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- charge, without consent) required by TDC. FOR: 5, AGAINST: 1, ABSTENTION: 2. Therefore **RESOLVED**.
- iv) It was proposed by Cllr. Cawthraw, seconded by Cllr. Davey, BPCs agreement to and acceptance of new clauses C & D in the Deed of Covenant. FOR: 7, ABSTENTION: 1. Therefore **RESOLVED**.

The Clerk is to inform the solicitor of these instruction and request an estimate of costs so far.

2080 COUNTRYSIDE & RECREATION

.01 METAL DETECTION

The request to metal detect on BPC land, particularly The lawns, was discussed at length. It was proposed by Cllr. Davey, seconded by Cllr. Cawthraw, that permission is not granted at any time due to concerns of setting a precedent and the possible liability risks. A response letter to be sent to the source of this request. Mention of this policy in the BPC Risk Assessment and emerging Management & Maintenance Plan. Agreed unanimously therefore **RESOLVED**.

.02 Haha SELF-SEEDED SYCAMORE

It was proposed by Cllr. Nicholson, seconded by Cllr. Davey, that the self-seeded sycamore is to be felled and stump poisoned. Agreed unanimously therefore **RESOLVED**.
 No objection was raised to the planting of spring bulbs along the Haha. Clerk to arrange both.

2081 BPC ASSET MANAGEMENT & MAINTENANCE PLAN: PHASE 1 HABITAT SURVEY

The Clerk reported progress on the M&M Plan and the need for a Phase 1 Habitat survey. A offer had been received for this work to be carried out on a voluntary basis on the assumption BPC will waiver indemnity of the surveyor, Matt Neale. It was proposed by Cllr. Morgan, seconded by Cllr. Lambert, to accept this offer and issue a letter of thanks which waives any personal indemnity. Agreed unanimously therefore **RESOLVED**.

2082 BPC MEMBERS & CLERKS REPORTS

- Cllr. Merritt reported to members on his recent attendance at Highways Town & Parish Councils Conference & Workshop and New Councillors Course.
- Cllr. Cawthraw reported on the Parish Pathway Partnership Workshop she attended in November and that by working alongside the Clerk a plan to conduct the annual parish footpath network condition survey will be drawn up along with developing the P3 co-ordinators role with local volunteers and 1st Bishopsteignton Scout Troop.
- Cllr. Morgan reported the remedial work which was required to maintain and enhance the war memorial in time for the centenary Remembrance commemorations. He also asked members to think about the prospect of BPC hosting their own website rather than featuring on the village website (current procedure); to be reviewed at a future meeting.
- Cllr. Cahill gave apologies for meeting attendance between 07.01.18 and 18.02.18 and requested a member to relieve his duties of weekly playground inspection of the Lawns playground; Cllr. McDougall agreed to take over for the period and a hand over was to be arranged between these councillors.
- Cllr. Lambert was pleased to report that Healthy Living Group are now a registered charity.
- The Clerk read the following announcement on behalf of the Night Landing Site Fundraisers:-
Could you please inform the parish council of the great news regarding the landing light fund raising. We have exceeded the target having raised over £3,500 so we now have a good contingency amount.

2083 FINANCE

.01 PAYMENTS APPROVED:

		£
HMRC	Tax & NI	192.06
Mrs. K. Ford	Salary & Expenses for November 2017	1314.93
DCC Pension Fund	Contribution to Clerks Pension	341.87
SLCC	Membership renewal	147.00
Viking Direct	Stationery	127.51
DAC Beechcroft Claims	VAT on legal service: Playground claim	53.20

.02 BANK RECONCILIATION: - As at 30.11.17

Cumulative Receipts	143791.59	Lloyds TSB Treas.	99134.95
Cumulative Payments	43268.30	Lloyds TSB Premier	1388.34
Balance per Cash Book	100523.29	Closing Balance per Bank Statements	100523.29

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.03 **BPC RESERVES:-** As at 30.11.17

Burial Account	46845.19	Bishopsteignton Cemetery use only
Admin	8986.74	Includes staffing cost, rent, elections, insurance, etc.
Maintenance	4870.38	Includes toilets, carpark, St. Johns Churchyard.
Countryside & Recreation	3795.81	Includes Sports Area Income
Car Park Enhancement scheme	8656.37	Bishops Avenue Carparks
Agency Grants	277.91	Includes P3 grant
Monies held in Trust	1392.34	Cricket Club, Bench donations, Playdays
SUNDRIES	4590.41	S106/CIL/Grants/Donations
S137	215.00	
Trim Trail	2407.90	
NLS	1810.50	
Emergency Plan	-140.00	
VAT	-1775.76	balance to be claimed from HMRC
TOTAL	81932.79	

Bank Balance	100523.29	as bank reconciliation above
Restricted/Earmarked Funds	81932.79	81.5% of Bank balance
Contingency (Quarterly outgoings)	10214.47	10.2% of Bank balance
BALANCE AVAILABLE/UNRESTRICTED FUNDS	8376.03	8.3% of Bank balance

The Chairman closed PART I of the meeting at 9.23pm

PART II

2084 FINANCE:

.01 2018/19 PRECEPT CLAIM SUBMISSION

The precept claim to be submitted to the District Council was reviewed again and considered by all members present the percentage increase is acceptable when put into perspective as a result of the additional duties of the Parish Council and their Clerk.

It was proposed by Cllr. Morgan, seconded by Cllr. Davey, that the amount of £54,065 (an increase of 13.07% on the precept of 2017/18 and produced in accordance with the budget resolved at their meeting held 20th November 2017) be submitted to TDC. Agreed unanimously therefore **RESOLVED**. Clerk to submit.

.02 CIL & SECTION 106

The Clerk reported the amounts available to BPC as a result of these funding avenues. These were briefly discussed and it was agreed to review these amounts for use in the future.

During discussion it was highlighted that £2,407.90 granted by TDC as Elector Fund from 2016/17 budget was still unused and had a short life. Concern was raised that HLG were awaiting permission from BPC to continue with the project, including planning for the pathway and research for equipment as well as production of a business plan.

It was proposed by Cllr. Morgan, seconded by Cllr. Merritt, to give in principle agreement to the provision of land at the Lawns recreation ground for the installation of a Trim Trial, consisting of circular path and exercise equipment, subject to their approval of finer details, ie. Location & equipment choices. FOR: 4, AGAINST: 2. Therefore **RESOLVED**. Clerk to report to HLG Chairman, Mr. Stephenson.

The Chairman closed PART II of the meeting at 9.44pm