

Meeting of Modbury Parish Council Meeting
Tuesday 14th May 2019 at 7.00 PM
The Pavilion, Queen Elizabeth II Recreation Field
MINUTES

Present: Cllrs Watts (Chair), Middleton (Vice-Chair), Barnes, Coates, Woodcock, Keel, Cole, West, Taylor, Whybrow, Rosevear and Harvey.

- 19.057. a) Election of Chair:** Cllr West proposed, Peter Watts for the position of Chairperson. This was seconded by Cllr Whybrow and all were in favour. Cllr Taylor stood down and Cllr Watts took the Chair.
- b)** Cllr Keel proposed Cllr Middleton for the position of Vice-Chair. This was seconded by Cllr Taylor and all were in favour. Cllr Watts thanked Cllrs Taylor and Barnes for all of their hard work as departing Chair and Vice-Chair. He also welcomed new councillors.

Devon Councillor's Report: (Brought forward as Cllr Gilbert has another Parish meeting to attend).

Cllr Gilbert opened by congratulating Cllr Taylor on his election as District Councillor; and congratulated the four new Councillors.

- The Plymouth Road (from Fancy Cross to Edmonstone) is going to be resurfaced in October. Repairs will be carried out during night time hours.
- The first tranche of S106 monies (circa £57K) has now been requested.
- A breach of planning delivery times at Long Park Cottages had been reported. Cllr Middleton confirmed this complaint had been made by her. It was confirmed that this breach has now stopped.
- The Highways proposals for Galpin Street have been put on hold pending further consideration by Modbury Parish Council (MPC).
- A new resident at Palm Cross had complained about the fact that there was a brick wall erected where the purchaser believed a Devon Bank was supposed to be situated. Further that resident was expecting the road way to be a "close" but this was now going to be a through road. Cllr Taylor said that he would take this over and believed there may be some crossed wires as the wall was as per planning permission.
- The Devon County Council (DCC) budget for 2018/19 is in balance. There was a 10 million overspend in Children's services of 10mil but this is within "normal" parameters. There were savings made in Adult Care; and LED Street lighting and mild winters were also contributory to savings made.
- DCC is committing £250K to climate change.
- Improvements are due to take place on the Moor Lane roundabout (off Junction 29 of the M5).
- Loneliness is a problem that is becoming more prevalent in Devon. DCC are going to be spending more money on a campaign to combat this.
- DCC is also contributing to training children in "Bike capability" training to ensure children have better traffic sense, and hopefully encourage children to cycle more.
- School funding is still under a lot of pressure in Devon. MPs are continuing to lobby for more funding for Devon Schools.
- British ceramic tiles (near Exeter) has potential interested buyers so it may not be long before the business is making tiles again. (It closed when its contract with B & Q was lost).
- Appledore ship yard is seeing an increase in business.
- Brexit continues to provide challenges for DCC, especially if there is a hard Brexit.
- There are 8000 miles of roads in Devon. 597 of these are "A" roads; 407 are "B" roads; 2,815 are "C" roads; and over 4,000 are unclassified roads. 80% of car journeys in Devon are only carried out on 20% of the roads. Therefore, spending must be allocated to those which are used the most.

Open Forum:

- **Modbury's Parking Group** are meeting next week and will come back to MPC with the results of that meeting in June. They would like to know when the Brownston Street double yellow lines are being shortened. Cllr Taylor said that the double yellow lines on the Silverwell side will be this year; and the lines on Traine side are on hold as part of the discussions regarding Galpin Street. The Parking group requested that shortening of the Traine side double yellow lines be considered on January's "wish list".
- Mrs Gage has put an article in the Modbury Messenger calling for a **public meeting with MPC and the Memorial Hall Trustees**, via a visit to the **Memorial Hall Play Area**. A lengthy discussion on the history of the Memorial Hall Play Park took place and Cllr Whybrow updated everybody of the situation as it currently stands. The land was leased to MPC in 1967 and more recently the Memorial Hall Trustees had wished to use part of the land to extend the car park. To this end MPC agreed to enter into the License with Bloor Homes, in consideration for the transfer of 30 new parking spaces; and the existing Palm Cross area was to be made into a "Pocket Park" which was only suitable for pre-school children. This has its safety implications with children having to cross a dangerous road and last year Cllr Huntley's fund paid for a topographical survey of the surrounding area in the Memorial Hall play area with a view to the feasibility of utilising this as a play area if the car parking plans are to be realised. In addition conceptual plans for this were drawn up by a Dartington company. It is believed planning permission will be necessary for a car park extension. Cllr Taylor is meeting with planners next week to see if he can gain insight into whether or not planning will be an issue. It was generally agreed that MPC should wait to find out the result of this meeting, then a course of action can be formulated and communicated to the community.
- The issue with the field at Swanbridge that was raised at the April meeting was brought up again as a resident had claimed rats had been seen in this location. The Clerk reminded the meeting of the outcome of the last meeting when it had been generally agreed to allow the land owner to clear the land; and the matter would be revisited at the September meeting. Further, that the

appropriate course of action for anybody having concerns about planning breaches should report the matter to South Hams District Council's (SHDC) Localities team who will come and take photographs and if necessary report any given matter to the Enforcements team.

- A resident queried when the footpath from Old Traine will be opened again, as fences are still in situ preventing access. Cllr Barnes will enquire.
- Cllr Keel felt it needed to be stressed that the purpose of the public forum is not for the actual debating of issues; it is for raising issues that are then either added to a future Agenda for discussion/decision; or allocated to a councillor/the relevant body to further the query or follow up.
- Ms Turner announced that the Woodland Trust have trees and starter packs of native hedgerow that can be provided if Councillors can have a think and nominate sites these might be used. They will be delivered in October/November.

Cllr West wished to formally thank Claire and Nick Owen, and the Committee of the Modbury Fair for their tireless work in producing such a successful community event. It was generally agreed the Clerk would send a letter of thanks to them.

Cllr Watts wished to thank/congratulate the Modbury fire service for their prompt and efficient action which prevented the loss of 2 houses that caught fire in Brownston Street. It was generally agreed the Clerk would write a letter to the Fire service. This further proves the need to maintain a full sized engine.

Report from the Women's Institute: (None)

Police Report: (None)

19.058. Declarations of pecuniary and other interests

Cllr Whybrow, declared an interest in Appendix 1 Payment;

Cllr Rosevear declared an interest in Appendix 1 Payment as Chair of the Modbury Information Centre; and

Cllr Barnes declared a registered interest in an Appendix 1 Payment and discussions on the Memorial Hall Car Park as Treasurer of the Memorial Hall.

Cllr Taylor declared he is on the **South Hams Planning Committee** in his capacity as District Councillor so will not be taking part in votes.

Cllr Taylor (in his capacity as **District Councillor**) referred to the issue raised earlier in the meeting by Cllr Gilbert regarding the brick wall, and explained that the wall was as it should have been and the only Devon Bank that was supposed to be installed was at the bottom end by the pumping stations; and so far as he was aware, the purchase of the last house at the bottom of what was supposed to be a "close" had been informed prior to the purchase that this would now be a "through road". He had understood that the owner had now withdrawn their claim that this would devalue the property. (Bernard please check I have understood what you said correctly)

19.059. Planning: The Council discussed the following applications:

194	0226/19/HHO	1 Traine Terrace Modbury,	Householder application for extension of the living/dining room	MPC Previously Objected	CW/GR & all in favour bar 3 x abstentions - SUPPORT
196	0344/19/HHO	1 Treveor Gardens Modbury PL21 0TE	Householder application for proposed first floor side extension	10/05/19 (Extn requested till 15/05/19)	RW/GR & all in favour bar 1 x abstention - SUPPORT
197	1267/19/TCA	Trayne House, Modbury, PL21 0RH	T1: Beech (Copper) - Reduction of large over-extended limb on North East side (approximately 7-8m from ground level - above tennis hut) by approx 2-3m to suitable growth point(s) to reduce likelihood of whole limb failure thus preserving this specimen tree	08/05/19 (Extn requested till 15/05/19)	RW/CB all in favour bar 1 x abstention - SUPPORT
198	0116/19/FUL	27 Church Street, Modbury PL21 0QR	Change of use from flat & shop to reinstate original two storey house	31/05/19	MM/CB with 6 in favour, 3 against & 1 x abstention - NO OBJECTION
199	0729/19/HHO	Larkbarrow, Modbury, PL21 0SA	Householder application for proposed side extension and alterations	31/05/19	GR/CW support with one abstention.

(Cllr Harvey arrived during consideration of item 197 and apologised but had been undertaking his voluntary driving of a patient).

19.060. a) The council considered the Draft **Minutes of Meeting of 9th April 2018**; and **Notes of the Annual Parish Meeting**. Cllr Whybrow proposed, seconded by Cllr West, and all were in favour bar abstentions from those not previously present that the Minutes be **Approved as a true and accurate record**.

b) The **Appendix II Action Plan** had been circulated by email to councilors prior to the meeting. One outstanding action related to the suggestion that Modbury holds a festival in the summer. The boy who had suggested this had been contacted several

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times but had not responded so Cllr Middleton suggested she might try mentioning this again to him if she sees him in passing to make it less formal and intimidating to a junior resident.

19.061. Finance and Human Resources

- a) The Minutes of the **Finance & HR Meeting** on 1st May 2019 were received and it was generally agreed by all who attended the meeting that they were accurate.
- b) The Council considered the payments as listed in **Appendix 1**; Cllr Middleton proposed, seconded by Cllr Keel and all were in favour bar 3 x abstentions that all payments be **approved**.
- c) The Council considered whether the **Marigolds Day budget** should be "ringfenced" so that it can be carried over each year without further recourse. Cllr Whybrow proposed, seconded by Cllr Coates and all were in favour that this be **approved**.
- d) The Council considered the situation with **South West Water's** bill for the Allotments, which was excessively high owing to their failure to notify the council of excessive usage which was caused by an unknown leak; and for which they were only granting a minimum leak rebate. It was clear that they were treating the Allotment Association/Parish Council as a commercial business supply rather than domestic. Standing Orders were dropped for Mr Lee to advise. It was important to ascertain whether the leak was on Allotment land or if outside of that (ie.highway). If the leak was outside of Allotment land it would be SWW repsonsibility and a full refund should be possible. Further if the meter is outside the boundary there should be a substantial reduction. Standing Orders were reinstated and Cllr Whybrow proposed, seconded by Cllr Keel with all in favour that the Allotment Association should hereby be empowered to take whatever course of action they feel appropriate to continue to pursue this matter to get the greatest abatement.
- e) The Council considered the **End of Year Accounts** (including MARS) prior to internal and external Audit; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour that the accounts be **approved**.
- f) The Council reviewed the following documents, and considered any suggested amendments recommended by the Finance and HR Committee where necessary:
 - i. **Fixed Asset Register** (& MARS Fixed Asset Register); Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour the amendment to reflect the addition of the plate compacter be **approved**.
 - ii. **Statement of Internal Control**; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour this could be **signed**.
 - iii. **MPC Risk Management Assessment**; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour no changes were necessary.
 - iv. **MPC Financial Risk Assessment**; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour the minor amendment be **approved**.
 - v. **Standing Orders**; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour the minor amendments be **approved**.
 - vi. **Financial Regulations**; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour **no changes** were necessary.
 - vii. **Code of Conduct**; Cllr Middleton proposed, seconded by Cllr Keel, and all were in favour **no changes** were necessary.

19.062. The Council considered the **Annual Governance Statement** for the Annual Return prior to internal and external Audit; Cllr Whybrow proposed, seconded by Cllr Keel, and all were in favour that this be **approved**.

19.063. The Council considered the **Accounting Statements** for the Annual Return prior to internal and external Audit. Cllr Middleton proposed, seconded by Cllr Whybrow, and all were in favour that this be **approved**.

19.064. Other bodies and committees:

- a) The Council considered the terms of reference, constitution and responsibility etc. of Councillors sitting on committees. It was proposed by Cllr Watts, Seconded by Cllr Taylor and all were in favour that the suggested amendments be made to the "**Appointments of Members on Other Bodies and Committees**" policy document; but this would be revisited (to consider Cllr Whybrow's proposals regarding re-structuring) at either the June or July meeting as it was felt that the committees needed to be more streamlined.
- b) Councillors were appointed to represent Committees and Groups as per the "**Representation on Other Bodies and Committees**" document (which will be published on the Parish Council website; (which is also available from the Clerk upon request), and proposed by Cllr Watts, seconded by Cllr Taylor with all in favour that these members be appointed to the said groups.

19.065. **Parking Working Group** (was discussed earlier in the Public Forum).

- 19.066. a) **Neighbourhood Plan / Joint Local Plan** (update) - Now the Joint Local Plan (JLP) has been completed, South Hams will shortly be reporting back to Modbury with their comments on the **Neighbourhood Plan (NP)**, and once final amendments have been made these will then be submitted for approval by SHDC (as compliant). This will then go to Referendum stage. When the Plan comes to the Council for approval of amendments this will be considered under Part 2.
- a) **Update on the Community Action Plan**; The business and retail follow up meeting will be taking place on 23rd May, with Cllr Whybrow and representatives from Modbury's traders so that all of the actions from last meeting and be reviewed and updated. Unfortunately the Local Action Group fund application had to be withdrawn as it became apparent (after a lot of work) that the proposed scheme for which funding was being applied for was not considered eligible. SHDC have indicated they would consider Modbury as a town centre **Electric Car charging point**. Cllr Barnes will therefore liaise with Ms Turner about this in future.

19.067. Palm Cross Green Development (matters were discussed earlier in Devon Councillors reports and by Cllr Taylor as District Councillor).

19.068. Cllr Middleton had cleaned up the **Community Notice Board** and had obtained a quotation for replacement Perspex. She wished to ascertain who was formally responsible for this task. It was generally agreed that this was for the purpose of communication, and was a useful tool, and as such fell within the remit of the Communications Committee. Cllrs Middleton and Rosevear agreed they would both be responsible for its general use and upkeep.

19.069. Memorial Hall Car parking (was discussed earlier). It was generally agreed nothing further could be done until the situation regarding planning permission had been ascertained, once Cllr Taylor had met with Planners.

19.070. To further discuss Electric Car Charging. As discussed earlier, Cllr Barnes will liaise with Mrs Turner as SHDC is considering this. This would cost approximately £5K to install, but a grant for 75% of that would be available.

19.070. Correspondence:

- a) The Council considered whether it wished to respond to Devon & Southern Inshore Fisheries and Conservation Authority's Consultation on **Bait Digging (Have your say on Bait Digging)**. It was generally agreed that MPC has no response to make.
- b) The Council considered a request for a contribution to the cost of **signage for Back Street**, purchased by residents (as discussed at a previous meeting. Cllr Harvey proposed, seconded by Cllr Keel, and all were in favour that the Council should contribute 50% to the costs of this purchase, but that this should not set a precedent.
- c) **Committees and working groups** (updates):
The **Maintenance Committee:** Cllr Cole felt in light of the fact that the Joint Local Plan has given the go ahead to the development of phase 3 at Penn Parks Farm, Modbury should apply to start the process of extending the 30mph speed limit from New Road corner out to fancy cross, and to request that the developers contribute to the costs of this.

Meeting ended at 2135

Signed by Chair: *P. S. Watts*

Date: 11. 06. 2019