

Modbury Parish Council Virtual Meeting
Tuesday 2nd February 2021 at 7.00 PM
MINUTES (DRAFT)

Present Cllrs Watts (PW), (Chair), Middleton (MM), Vice-chair, Coates (TC), Cole (BC), Harvey (JH), Keel (BK), Keohane (PK), Rosevear (GR), West (RW), Whybrow (CW), Woodcock (JW)
Also present: Cllrs Gilbert (RG) (DCC) and Taylor (BT) (SHDC)

18 members of the public were present for some or all of the agenda items open to public participation

2021.16 Apologies: There were no apologies for absence

2021.17 In accordance with the Public Bodies (Admission to Meetings) Act 1960, S1(2), Council determined that agenda item 2021.30 should be taken with the public excluded due to the commercial sensitivity of the discussion.

Liz Hitchens from The Four Rivers Dementia Alliance gave a brief presentation:

- Outlining the history and work of the Alliance
- Describing ways in which Modbury could become a dementia friendly parish - examples
 - groups to be inclusive rather than separate sessions for people with dementia
 - Recommended signing around the town and in public buildings
 - Thoughtful flooring in public buildings
 - MPC studying planning applications for new developments to ensure they are inclusive
- The Alliance will be employing an adviser to visit parishes to advise and support them in their work
- GR and PK are MPC representatives on the Alliance who meet 6 weekly
- Modbury Health Centre and Social Prescriber are looking at ways of supporting people with dementia and so Modbury has a strong base to build on

Devon Councillor's Report (RG)

DCC Finances:

- 1) DCC Council tax share now makes up 80% of its income.
- 2) DCC employees 2010/11 = 6,600 & in 2020 = 4500 increasing a little for Covid
- 3) Covid funding from Govt = £80 Million which basically covers DCC Covid expenditure.
- 4) Budget for DCC 2020/21 = £541M with Adult social care £260M and children's services £146M
- 5) Budget proposed for DCC 2021/22 = £578M = £11M/week or £1.5M/day
- 6) DCC earmarked reserves = £120M (March 2020) being in middle of UK upper tier authorities.

Recycling depot privately registered vehicles (now) permitted free of charge & without a permit:

- 1) Cars
- 2) Pick ups
- 3) Camper vans fully fitted
- 4) Minibuses fully fitted
- 5) People carriers
- 6) Hired vans to a private household
- 7) Motability type vans/vehicles.

Any privately registered panel van will require a permit giving up to twelve visits a year free of charge. You can apply online.

Elections: Police commissioner and County Council elections still set for May 6th.

A 379 Edmeston road works started with some night closures from 19.00 hours.

Calancombe winery. RG has been in discussions regards traffic concerns and this planning application.

RG will try to get signs for **Modbury Litter Pickers** and if none are available he will be happy to fund if he can in the new election year.

RG advised that the clerk be informed of any **abandoned Highways signs** to report to DCC

RG left at 7.22pm

District Councillor's Reports

- SHDC recruiting 4 extra Locality Officers (April – end Sept.) for the summer season to check beaches, carparks etc (They will not have authority to enforce illegal parking but they will be able to enforce littering laws)
- New charges for car parking public consultation begins Thursday 4th Feb. – **TC reminded council that MPC recommendation had been rejected.**
- Traveller encampments at Blackdown Rings – enforcement cases in progress
- Litter Pickers – unable to contribute equipment but willing to put funding into the initiative

- Confirmed that he is pursuing the sweeping rota for the large 18 ton sweeper
- Advised that he is pushing for litter clearing on the A38 Marley Head to Plympton

Open Forum:

- The issue of increased dog fouling was raised and a request made for MPC to agree a by-law for dogs to be kept on leads in town and built-up areas. It was confirmed this would be discussed later – agenda item 2021.23
- The clerk apologized for the agenda not being available on the website due to technical issues. In the future the agenda will now also be published on the MPC Facebook page and Modbury Next Door.
- An objection to planning applications 4208/20/FUL and 4209/20/FUL was raised citing various planning laws detailing appropriateness of the building in the environment. The applicant responded that there are numerous other barns in the vicinity and every effort has been made to reduce visual impact of the build. A second objection commented that it is the wrong location and expressed concern at washaway into Ayleston Brook. Comments were noted for discussion later – agenda item 2021.20 a) and b)

2021.18 Declarations of pecuniary and other interests

PW and GR – MARS planning application 2021.20 d)

CW and RW - payments 2021.21 1)

2021.19 Minutes of Meeting 5th January

The Council considered the **draft Minutes** (distributed earlier). Proposed by MM, seconded by GR and all were in favour they be approved as a true and accurate record.

The **Appendix II Action Plan** had been circulated to councillors prior to the meeting

- **Speeding on Barracks Road** – Camera delivery delayed and expected in March. The school will let TC know when the competition entries are available.
- **Dark Lane to Strode Cross** – DCC are unable to put up any signage prohibiting use by large and heavy vehicles – **BT and BC will put some signs up locally.**

2021.20 The following planning applications were considered:

- 4208/20/FUL Proposed agricultural building for poultry (application 1 of 2) (Resubmission of 3161/20/FUL)
Land at SX 675 511 Trehele Cross Modbury
- 4209/20/FUL Proposed agricultural building for poultry (application 2 of 2) (Resubmission of 3164/20/FUL)
Land at SX 675 511 Trehele Cross Modbury

BK thanked the members of public for their comments during the open forum and acknowledged that this was a sensitive and tricky application raising lots of issues for lots of people – some of those concerns are relevant in planning terms and some are not. He suggested that this resubmitted application was not very different from the previous one and did not fully represent the full picture for such an application. He acknowledged that there had been numerous objections and reminded council that objections must be relevant to planning regulations. Although the application states there will be little environmental impact BK suggested that there could be further information re drainage, landscaping, highways, outside storage, and staff facilities

Proposed by BK, seconded by MM that MPC submits no formal objection but submits comment that SHDC pay particular attention to

- Highways access
- Drainage, outside storage and staff facilities
- Landscaping and positioning on the hillside

And that if the application be approved it be on condition that no ancillary residential use is approved

This proposal was rejected by Council

GR amended the proposal:

MPC **objects to the application** due to the following concerns:

- Highways access
- Drainage, outside storage and staff facilities
- Landscaping and positioning on the hillside

And requests that if the application be approved it be on condition that no ancillary residential use is approved **and any future permitted development right is removed.**

Proposed by GR, seconded by RW and agreed by 6 councillors (8 in favour) that this amended response be submitted.

Three councillors abstained.

BC noted that a later application for residential accommodation would be likely.

TC noted that MPC response had changed.

Standing orders were dropped for BT to remind council that this was a new application with additional information.

Standing Orders were resumed.

- c) 4144/20/TCA T1: Walnut - Fell. T2: Magnolia - Crown height reduction by 0.5m and lateral reduction by 0.5m on all sides.
19Hillside House Brownston Street Modbury PL21 ORG

Proposed by BK, seconded by GR and all in favour that MPC support this application on condition that a replacement tree is planted

- d) 0208/21/FUL Refurbishment of existing multi-use games area, refurbishment of existing cricket nets, new floodlighting, fencing and drainage to grass pitch, associated landscaping, installation of new tarmacadam pathway. Queen Elizabeth II Recreation Ground, Chatwell Lane, Modbury

BK proposed that as this was technically an application from MPC we couldn't comment on it. He reminded council that the Parish of Modbury Open Space, Sport & Recreation Plan Prepared by MARS on 2018 had as a first recommendation:

- Establish safe pedestrian and bicycle access to town's Recreation Field
- And that this should therefore be a priority for future development.

Proposed by MM, seconded by RW and all in favour (PW and GR abstained) that MPC does not respond to this application.

2021.21 Finance and Human Resources

1. The payments listed in Appendix 1 were considered. The clerk had amended the coding for 1 payment.

Proposed by GR, seconded by TC and all in favour (CW and RW abstained) that the payments be approved.

2021.22 Reinstating access to Modbury School swimming pool outside school hours.

RW gave a brief summary of the background to this issue and outlined that the working group are asking the Council if it still supports the initiative and what input it could give.

- RW and CW stated that he thought it was a good initiative but that the timing was wrong with the current pandemic.
- TC proposed that the group work with the school
- BK and PW both commented that this was a major project for MPC to take on and it was unlikely it had the capacity and funds to do so and it would be wrong to lead people on.

Standing Orders were dropped for the parents who were in attendance to share their comments:

- The public used to have access
- The pool was built by the parents for the school
- Projected costings from anticipated income and expenditure gave a shortfall of £3,000 per annum to open the pool for the summer months.
- The pandemic was a good reason for health and well-being purposes for the pool to re-open

Standing Orders were resumed

It was confirmed that the Federation owns the pool.

MPC requested that the working group talk to the school, firm up figures and outline what support is required from MPC and it would be considered at the next meeting.

2021.23 Introduction of a bye-law which obliges dog walkers to have their dogs on a lead in town areas

MM advised that the existing Anti-Social Behaviour Crime and Policing Act 2014, Public Spaces Protection Order 2017; Control of Dogs, covers where dogs must be on a lead in Modbury. This includes all areas covered by Rule 56 of the Highway Code i.e. roads, pavement or path shared with cyclists or horse riders, areas with retail premises, car parks, cemeteries and churchyards, fenced or hedged areas of water and marked sports fields **whilst organised sport is in progress.**

Unfortunately this makes no difference to the increasing problem of dog fouling unless it can be enforced.

MM further outlined all the initiatives MPC had tried to tackle the issue with no effect. Ultimately it is the dog owner's responsibility and she urged people to photo incidences outside their properties (and where possible identify the owner) and report to SHDC for prosecution.

It was agreed that further signs would be displayed on the school path in Barracks Road (dogs are prohibited from this area), and that the gate would be monitored to ensure that people closed it (NO DOGS notices are displayed on this gate), and that there would be further notifications on social media

2021.24 Proposal from Modbury Tree Warden to plant a Landmark tree:

It was agreed that Councillors would send suggestions to the clerk to collate and that the clerk would check this was not a duplication of a previous scheme.

2021.25 Communications committee

Council received the minutes of the 2 meetings held in January and noted the decision to make greater use of social media platforms, improve display facilities in the office window, repair the community notice-board and the recommendation to the Finance and HR Committee to consider setting an advertising budget for payment to the Messenger for non-editorial copy.

2021.26 Emergency Plan

Council received the minutes of the Committee meeting and noted that the Emergency Plan has been updated to take account of changes in personnel and 2 new volunteers.

2021.27 Memorial Hall Play Park update

The briefing to the Trustees of the Memorial Hall had been well-received. The transfer of the lease has been delayed and it is hoped there will be progress with this to present at the March meeting.

TC left the meeting

2021.28 Committees, Sub-committees and Working Groups:

Allotments – a water leak had been dealt with – nothing else to report

Palm Cross – CW has spent a considerable amount of time chasing Bloor to rectify sub-standard work. The drainage work in particular has been extremely poor. Bloor aim to complete hard land-scaping of the Green by end Feb and the play park by end March. The shrubs at the entrance to the estate will be replaced. The work on the emergency exit is taking place this week.

It was noted that Bloor have donated a defibrillator which will be situated at the top of the estate once it has been checked by the first responder.

PW thanked CW for all the time and effort put into this and this was echoed by Council.

2021.29 Interim Devon Carbon Plan

It transpired that this was a 42 page questionnaire that would have been difficult for the Community Action Plan Group to respond to.
CW will summarise MPC thoughts and submit as an alternative.

In accordance with the Public Bodies (Admission to Meetings) Act 1960, S1(2), Council determined that the next item should be taken with the public excluded due to the commercial sensitivity of the discussion

Members of the public left the meeting.

2021.30 The charge for the hire of a parking space on Palm Cross.

There are 30 spaces available adjacent to the business unit and there will be 8 spaces available near the allotments. There are currently 21 spaces still available.

It was agreed that MPC do not want to make a profit from the hire of the spaces but do need to take into account the Business Rates that will be due, the cost of maintenance work and recoup the cost of the locking bollards.

The hire is for 12 months and applicants must reapply annually. There is no guarantee that a space will be renewed as the spaces will be allocated according to priority areas identified by the council which will be reviewed annually.

GR is working on a contract agreement.

Proposed by RW, seconded by GR and all in favour that a hire charge of £120 p.a. be agreed and for this to be reviewed annually with the first review taking place for April 2022

Meeting closed at 21.41