

Buckland Brewer Parish Council

Minutes of meeting 8th July 2015 at 8.00 p.m.

Present – Cllrs Trevor Mills (Chair), Jim Lowe, Sally Nicholls, Marie Douglas, Andrew Hewitt, David Watson, Shirley Tilley, George Heywood.

Also present Jane Lowe (guest minute taker by invitation), Cllr Robert Hicks Torrridge District Council (TDC), Cllr Robin Julian Devon County Council (DCC), 5 members of the public.

54 – Apologies; Cllr Barbara Babb; Parish Clerk Pat Blossie

55 – Minutes of meeting 10th June 2015 – agreed & signed off by Chair.

56 – Declarations of interest. Cllr Heywood ref item 69b by nature of a business relationship.

57 – Public Participation. Mr George Schofield – (owing to sudden absence of Clerk, book was unavailable for signature). Ref item 69b speaking against, basis of issues with supporting documents, impacts understated, benefits overstated, recommending rejection by parish council.

58 – Recycling. Cllr Hicks informed those present that following the sudden suspension of services by South Molton Recycling (SMR), following extensive efforts by TDC, services to the public would be restored & “back to normal” from Monday 14th July. Handouts were distributed. As Cllr Hicks had suggested that the sorting of waste at the kerbside was not to happen as it had in the past, Cllr Lowe asked where the waste would be taken – Cllr Hicks was unable to answer with certainty. Cllr Hicks commented that TDC would “not be out of pocket” as a result.

Dogs worrying sheep (Eckworthy incident/s)– whilst addressing Parish Council, Cllr Hicks took the opportunity to update and inform. Cllr Hicks had experienced frustration with contacts & mails being passed from pillar to post within TDC. Cllr Hicks was informed that the Animal Welfare Officer within TDC was unavailable but from within TDC he was further advised that this was not a problem for the local authority - only the Police can intervene/act/prosecute in these circumstances. After debate about who had rights to shoot/destroy troublesome dogs & DNA identification, Cllr Lowe suggested that direct contact with John McGovern, the PCSO, may be the most proactive solution. **ACTION – Parish Council** to make contact with PCSO to move this forward (action recorded collectively, not against an individual). Cllr Hicks left the meeting.

59 – Clerk’s report. No items under this heading sent to minute taker. Cllr Lowe took opportunity at this stage to highlight 2 items brought to his attention within these parameters

i) the current campaign by CPRE (Campaign for Protection of Rural England) who wish to quash “right to buy” legislation in smaller rural communities. Cllr Hewitt suggested approach to local housing associations may be helpful. Agreed all to watch & await developments – no formal action.

ii) N. D. Healthcare. – notice of intent to close a further hospital (beds). Whilst Ilfracombe is currently closed for health & safety reasons, Holsworthy & Bideford were also a matter for concern. Cllr Heywood commented on alternative economic solutions but Cllr Hewitt replied that these had already been proposed prior to closure of Torrington. Cllr Lowe expressed frustration at the apparent inequality of treatment & unfairness at proposals that Cornwall should be considered for full management of their own Health Service budget.

a) Correspondence – Cllr Mills informed 2 complaints are still in hand to be dealt with shortly.

b) Members Register of Interests – reminder issued to those who have not already registered. **ACTION – Cllr Heywood** to complete & submit his form.

60 – Matter arising from the Annual Parish Meeting 24th June 2015.

a) 372 Bus Route complaints – general comment from within Parish Council of poor quality of bus, likened to a cattle truck. Letters to Cllr Julian (shared with Cllr Barry Parsons, DCC & MP Geoffrey Cox) from Jane Lowe & subsequent replies, had been circulated amongst Parish Council. Mr Cox has undertaken to share any correspondence he received from service provider with Mrs Lowe – none had been received. Cllr Julian advised overarching reason is bus services in Torrridge area are over subscribed to one service provider following loss of 3 other service providers, and they are struggling with logistics, but that eventually an acceptable service in terms of quality will be delivered. Both he & Cllr Parsons have taken the matter on board & believe they acted as quickly as possible. Cllr Lowe indicated he believed that not all of what had been stated by Cllr Julian had been contained within DCCs response to Mrs Lowe. Cllr Hewitt suggested patience was now required in terms of provision of a satisfactory vehicle.

61 – Defibrillator. Agreement was reached at annual parish meeting to proceed with project. Financial offer made at that time (£1000) by Cllr Julian to be accepted (with thanks) as a dedicated “defib fund”, on the principle of fund matching but to be paid over now, subject to general public undertaking a fund raising exercise— request for help repeated by Cllr Mills. Such help was requested on June 24th but no offers forthcoming. Cllr Lowe reminded those present that £2500 would be required to make this happen and that as stated by Cllr Tilley on 24th June, the public should not keep relying on Parish Council to provide without contributing towards their own requirements. Cllr Watson proposed that post fete, his committee organises a public meeting to establish appetite and future actions. **ACTION – Cllrs Watson & Hewitt** to compile & place advert for such a meeting.

At this time there was an unscheduled interruption by a member of the public. Subject and outcomes not recorded as the interjection was unprocedural and unlawful.

62 – Obstructions in Northwood Lane & Use of Public Right of Way by heavy vehicles. Source & in depth issues relating to this item were unclear and so full discussion was not possible. Cllr Lowe confirmed that Footpaths Officer has agreed condition of Northwood Lane is acceptable as a footpath, and so no further action by Parish Council in this area can be considered. Cllr Tilley believed that drain clearance may be the issue – more information is required & should be sought – **ACTION revisit next Parish Council meeting.**

63 – Thornhillhead Moor. Presentation from Cllr Nicholls detailing CRoW rights & public liability gleaned from government website which contains further information – copy accompanies these minutes. Cllr Heywood asked where this left the Parish Council, citing an example of how Parish Council could become liable. Agreed all that livestock owners should be reminded of their potential liabilities. Cllr Lowe confirmed cattle advice signs were at 2 access points and that DCC would provide no more, thus any further signage would be at expense of Parish Council. Cllr Nicholls informed that in addition to current signage it was necessary to advise that dogs must be kept on a lead. All agreed that correctly worded signs must be placed at all access points to the Moor & that graziers will need to accept their own responsibilities. Cost will come from Thornhillhead Moor fund.

ACTION – Cllr Nicholls will access further information via her own personal networks & liaise with Parish Clerk to coordinate required activities. Update of parish website & Village Scene to be included within these actions.

64 Hillpark Development Update. Update/presentation from Cllr Lowe advising frustration at time taken by Village Hall Committee in decision making process. All parties had been aware since 9th April of the indemnity sought by Pearce Construction re DCC taking over responsibility for the Hillpark estate road – this is linked into service work required for the new community hall. 3 months have elapsed. From 2nd July Parish Council now has the responsibility for interest accruing on £325,000 at the rate of Barclays Base Rate + 4% (currently £40 per day, this will increase with the bank rate). This responsibility remains with Parish Council until the money changes hands, either with Village Hall adopting the legal responsibility for S106 or the money being returned. The funds currently remain in a non-interest bearing suspense account held by Parish Council solicitors (such suspense accounts may not accrue interest by law). If the funds are transferred to Parish Council an audit fee of about £1,000 will be incurred thus it is financially better for Parish Council for the funds to be with a third party and paid on direct to Village Hall, leaving Parish Council out of the funds transfer audit trail. Transfer of responsibility for the funds and the interest became unavoidable as soon as Pearce fulfilled their responsibilities under S106. All parties were made aware of potential timescales by Village Hall during summer 2014. Cllr Lowe reminded those present of Letters of Intent between Parish Council and Village Hall, which work both ways, and queried whether Village Hall truly wanted the cash and the responsibilities that go with it. He also informed Councillors that advice taken from Parish Clerk was that Village Hall should be given no more than a further 2 weeks to sign off the documents in view of the debt potentially accruing in the name of the parish council and its parishioners. Cllr Heywood commented that Village Hall Trustees had a personal liability and so he empathised, and that therefore it was more acceptable to place any resultant debt on the precept. Cllr Mills advised that every attempt would be made to ensure the S106 acceptance document was signed off by Village Hall Trustees by the next Parish Council meeting to permit transfer of the funds.

65 – S106 Land & Community Hall Monies Transfer Update. Cllr Lowe informed of an issue related to the land transfer, which as the land has not yet been transferred to them yet, cannot technically be discussed by Parish Council. Ref boundary of Pear Tree House, the occupant has made numerous approaches to members of Parish Council wishing to make land purchase – occupant has repeatedly been advised that as Parish Council do not own the land, they are at present unable to help. There is now potential partial collapse on this property since the lambing sheds on the land which abuts have been removed. Cllr Lowe revisited historic recommendation by this Council to reject a planning application to build this property because of attendant risks as it was far too close to the boundary. Cllr Lowe presented diagrams & photographs detailing boundaries as stated within S106 and the actual current situation. Pearce still owns the land so no action can be taken at this time but this must be noted for future use and **possible immediate action following land transfer.** Sally Nicholls reported that there had been a Village Hall meeting on the previous day to discuss the land transfer. She said that the Village Hall Committee had grave concerns about the condition imposed by Pearce that no other contractor would be allowed to use the access road to the new hall site until the road was adopted by DCC. It was the professional opinion of a local resident that the clause was "nonsense" and that any other contractor should be able to provide an indemnity if there was any damage to the road during construction of a new hall. In order to resolve this matter it was agreed that two members of the Village Hall Committee would meet with Paul Knox of Pearce to discuss a way around this. Jim Lowe and Andrew Hewitt suggested imposing a deadline of the next Parish Council meeting for the Village Hall to sign the transfer deed but, as there are three parties' solicitors involved, it was deemed impossible to impose a time constraint.

66 Fields & Allotments:

a) - **Report of the Football Pitch Working Group.** Grass has been cut - £30 per acre, agreed for 1 cut only at present. Cllr Mills advised he had been unable to contact the Archery group since last Parish Council meeting. **ACTION – Cllr Hewitt to speak to Eric for 1 more cut at the same price.** Subsequent to this a new tender needs to be formulated.

ACTION – Parish Clerk to write to DCC ref Bowden Cross Corner – request repair or replace boundary fence. Further debate about future use of football pitch – possibly horses but attendant issues. Agreed maximising income must be a priority. **ACTION Parish Clerk - next Parish Council meeting – place Clubhouse on agenda** (this must be removed to facilitate maximising income).

b) -**Termination by Mr B Chapple.** Cllr Heywood summarised pertinent points in minutes 10th June 2015 item 49b. Discussions are ongoing with Mr Chapple re giving up tenancy. Further opinion will be given by Cllr Nicholls in due course.

c) - **Vacant Allotments** – 2, nos 8 & 12, are advertised in Village Scene (these had been taken but had fallen through as parishioners had changed their minds). Tom Lloyd has mended the gate post. **ACTION – Cllr Hewitt will inspect the vacant allotments to ascertain their condition & report back.**

67 - Dogs Worrying Sheep – Eckworthy. Covered within Item 58

68 – Members Reports.

- Cllr Heywood – expressed concern over increasing length of meetings – can these start earlier?
- Cllr Mills – anecdotal report regarding incident of bicycle theft outside parish.
- Cllr Nicholls – severe road damage seen between Brendan Cross & Bilsford Hill which has the potential to cause damage to vehicles or injury to people. Has taken pictures. **ACTION – Cllr Nicholls will report to DCC Highways.**
- Cllr Lowe – nil.
- Cllr Tilley – Hemmings Coach has been asked not to use route from Abbotsham Cross (potential danger to other road users) but persists in doing so. Meeting advised her that action on her is to liaise with local police but she has declined to do so. Cllr Tilley also contacted BT for information on their broadband services. She informed this meeting (endorsed by Cllr Douglas) that BT will not provide internet services

to areas where there are <1000 houses thus the conclusion is that Buckland Brewer is not within a service provision catchment area for BT .

- Cllr Watson – anecdotal not related to parish.
- Cllr Hewitt – nil.
- Cllr Douglas – nil.

60 – Planning. (“Online”/screen viewing of applications was not available at this meeting but Cllr Lowe had produced paper copy for councillors to review).

Consultation: 1/3045/2015/CPE, Cross View, Occupation not in compliance with agricultural occupancy condition. Discussed at a previous meeting, now moved on, N.F.A.

Application: 1/0365/2015/FULM, Application for the installation of a 650K ground mounted PV array and associated substation. Post debate Cllr Heywood reiterated declaration of interest (Item 56) and withdrew from vote. Motion in support of application by Cllr Lowe, seconded Cllr Watson.

Vote: 2 for, 4 against, 1 abstention. **Motion not carried.**

Application: 1/0558/2015/FUL, Milford Cottage, First floor domestic side extension. No objections raised. All in favour .**Motion carried.**

Enforcement: Occupation of land at Eckworthy. No action needed – **Deferred to next meeting.**

Appeal: 1/0145/2015/AGR, Oakwood, Agricultural Storage Building. Position of this Council has not changed. **Original objections to be reiterated.**

70 – Accounts – Not presented owing to Clerk’s ill health. Any outstanding financial matters needing action – individual councillors concerned to make direct contact with Mr Blossie.

Other business – Cllr. Julian was invited to make any further comments – he reported no further information re Babeleigh Barton (although he had received a call re Babeleigh Water).He confirmed he would chase for more information.

Next meeting – 7.45 p.m. on Wednesday 12th August 2015.

This meeting closed at 9.56 p.m.

Chairman: **Date:**