

Minutes of the Annual Meeting of
SALCOMBE TOWN COUNCIL
held in the Library of Cliff House, Salcombe
at 6.30 pm on Wednesday 13th May 2015

COUNCIL MEMBERS PRESENT

* - Attendance; A- Absent; N - No Apologies Received

Cllr. M. Fice – Mayor (in the Chair)	*
Cllr. A. Biggs	*
Cllr Mrs C. Bricknell	*
Cllr. R. Wheeler	*
Cllr D. Cohen	*
Cllr T. Lang	*
Cllr R. Whitfield	*

Also in attendance:

Dist. Cllr S. Wright	*
Dist. Cllr Mrs Pearce	A
Cty. Cllr. R Gilbert	A
Gill Claydon (Clerk)	*

Pete Robinson (Cemetery Manager and Project Officer)	*
WPC Jo Pengilly	A
PCSO D. Gibson	A
Toby Leigh Kingsbridge Gazette	*

509.ELECTION OF THE TOWN MAYOR AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE

Mike Fice was proposed as Town Mayor by Cllr Wheeler and seconded by Cllr Mrs Bricknell with all unanimously agreeing and upon election the Town Clerk received the Declaration of Acceptance of Office of Mayor.

510.ELECTION OF DEPUTY TOWN MAYOR AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE

Andrew Biggs was proposed as Deputy Town Mayor by Cllr Cohen and seconded by Cllr Mrs Bricknell with all unanimously agreeing and upon election the Town Clerk received the Declaration of Acceptance of Office of Deputy Mayor.

511.DECLARATIONS OF INTEREST

Members were invited to acknowledge any declarable interests, including the nature and extent of such interests that they may have in any items to be considered at this meeting. Cllr Biggs wished it known that by virtue of his professional and development contacts he would leave the meeting if at any point he realised planning matters relating to clients came to be discussed. He would however give advanced notice of declarable interests he was aware of prior to discussion and therefore advised an interest in 0801/15/F and 0917/15/F

512.WORKING PARTIES AND REPRESENTATIVES ON OUTSIDE ORGANISATIONS

The allocation of working parties and representatives on outside organisations was DEFERRED.

513.INSPECTION OF DOCUMENTS

The following review of Leases, Tree Surveys and other legal obligations were APPROVED as detailed below:

- Cliff House Office – Annually paid Rental Agreement.
- Council Hall Leases lapsed and now on Rolling Tenancy with Tourist Info Centre and Museum. Proposals for use of the Council Hall space were currently on hold. The Mortuary usage remained unresolved.
- Valuation of market rental for Council Hall carried out February 2009. Payments had increased incrementally to attain market value although the Museum had again been given a £3000 grant to assist this year.
- Council Hall external fabric and TIC toilet refurbishment commenced and were completed in 2014.
- Berry Lease held by peppercorn rent between Town Council and District Council for a term of 28 years until 2017.
- Ember Diamond Jubilee Gardens – Transferred to Town Council in October 2012 and Section 106 landscaping works carried out during 2013 with play equipment installed during September 2014. District Council currently carry out the regular Health and Safety checks and insurance under an Agreement with an annual inspection and report being provided by the ROSPA registered insurance company all at £100p.a.

- Welcome Gardens currently being planted out following a Licence for use of the land with Devon County Council being provided in 2015.
- An agreement had been entered into October 2014 for Devon County Council to carry out meter emptying and parking enforcement at Bonfire Hill car park. Tally Ho provided the bus service on a seasonal basis agreed annually.
- Town Council placed a defibrillator at the Spar Shop in Loring Road from May 2013 and this Agreement was that it would be maintained by South West Ambulance for a term of seven years until April/May 2020.
- Ongoing ICCM membership and SLCC, NALC
- Review website annually.

Tree Reports:

Hil Line was commissioned to provide an overall assessment of all trees in the ownership of Town Council during January 2015. This report is now held as an ongoing Excel spreadsheet of needs during a high, medium, low assessment over a term of three years work. This report is to be updated each year for the below:

- The Berry – Luscombe Maye 100 years memorial oak was placed in the Berry.
- Redfern Woods.
- Bonaventure Woods.
- Shadycombe Cemetery.
- Bonfire Hill Cemetery Trees assessed as not needing professional tree report as of limited height or risk.

Policy Documents

- Standing Orders and Financial Regulations updated 25th November 2014.
- Town Council Risk Assessment document reviewed 12th May 2010. Still required updating.
- Cemetery Rents reviewed January 2010. Research carried out by Cemetery Manager and policy to be updated later this year together with consideration of charging structure.
- Allotment Rents review still required.
- Grass cutting contract renewed 2015 – 2018 Iain Randall Helping Hands for General Grass Cutting maintenance. Bayleaf for Jubilee Gardens and Welcome Gardens. Tender review due January/February 2018.
- Annual weed spraying arrangements continued and further contract for 2015 to be reviewed.
- Kyocera Photocopier – Annually paid maintenance agreement in place.
- Annual Agreement with District for business collection of refuse at Bonfire Hill Cemetery.
- All Town Council insurance cover reviewed with agents WPS July 2013. Loyalty premium agreement for three years to run until July 2016.
- Outstanding are matters being dealt with by solicitors with regard to land registration and land issues.

514.OPEN FORUM

Congrats to everyone being re-elected was made by a Hairbraider who traded at Whitestrand every summer. He had attended as he noted someone had reported about hairbraiding at a previous meeting. He explained that he had addressed a town council meeting in 2011 when it was questioned whether his work was legal. This matter then went to District solicitors and the hairbraider stated that the investigation was whether he needed a permit under the Street Traders Act. His was a service and not trading so he was similar to a painter and decorator rather than shopkeeper and District Council said if they had any doubt they would take him to court but they had since dropped the matter. He assumed he did not need a permit.

The Mayor explained that one of the issues was that he was on private land which belonged to District and Town Council were told that anyone trading thereon required a licence. Town Council were concerned about the location he chose as it did have an impact on some public seating and the cycle racks insomuch as when both systems were operating either side of the car park the cycle racks and often seating could not be used. The hairbraider felt the cycle racks were getting in his way as he had been working there a lot longer and the racks were he deemed placed there to intimidate him. He also claimed there was an intimidation and harassment campaign that was carried out against him by District Council and in the end District had to be issued with a Cease and Desist notice. He said he had historic permission from District. With regard to obstruction of the seats by hairbraiding items the Mayor noted when he walked through Fore Street that people could not sit on them. The hairbraider felt this was another braider and he was not responsible for anyone apart from himself.

Dist Cllr Wright felt that District and Town Council needed to see evidence of the permission that has been provided as he was not aware of any permission given by District for this especially without a cut-off date, normally a permit or licence. District was just undergoing a major asset review and they would have picked up on this licence and if he had evidence Dist Cllr Wright would go to the people concerned and clarify. Cllr Biggs noted that as District asked where the cycle racks should be placed if there had been permission for someone to operate there the racks

could not be allowed to be installed. Devon County had also carried out a review for cycle racks and there were no other suitable sites around Salcombe.

After this topic had finished Cllr Cohen noted that he had been involved with buskers and/or street traders historically and therefore did not take part in this item.

Police Report

WPC Jo Pengilly emailed and advised that in the past two weeks there had been two reported crimes but these were linked with the same offender, 1 x Harassment and 1 x Assault. The offender was arrested and kept in custody to appear at Court the following day and was convicted of both offences. This was the result of long ongoing problems at a location and many agencies were now working on this matter to try and resolve this problem.

She wished to remind everyone that on the 30th May 2015 the Marine Awareness day would be taking place in Whitestrand car park so it would be closed to the public for cars. It would be running between 1000 hours and 1600 hours with many agencies taking part and she would be trying to finalise all the details this week.

The Road Safety theme for this month was Motor Bike Safety/awareness, so if she advised motorbikers to take care and ensure that the bikes were fully road worthy. Also to ensure their travelling speed was a safe speed and within the legal limit.

In the coming months marine crime had a potential of rising, (most years it did now) and already there had been two thefts of outboard engines and one attempt at Ditchend. This was classed as East Portlemouth but she advised everyone to take time to check their equipment and make every effort to keep it secure.

If anyone was to see any suspicious behavior they were advised to take down the registration numbers, descriptions of persons date and time and where seen and pass this on to the Police.

If crime was happening now then consider 999 or 101 if non urgent, or if anyone wanted to leave the details for her or PCSO Dave Gibson then please pass into the Harbour Office.

The ongoing parking issues in Coronation Road Salcombe were being monitored.

District Councillors Report

Dist Cllr Wright advised that since the elections there was not much to report. They currently awaited the leader to be chosen and then the Councillor jobs would be allocated and so this would be ratified next week. Looking through minutes from the last meeting he noted the outgoing District Councillors comments and wished to explain that he had been involved in T18 for two years and was a great supporter of it. All must look to 2017 when local government would not get funding from central Government. Therefore South Hams had been restructuring and it was a pity more staff than expected had taken redundancy. The Mayor noted that his predecessor was not so much anti T18 but felt the next few years and changes would be painful. At the Mayors meeting with the two new chief executives and John Tucker it was helpful to have the structure explained and Dist Cllr Wright agreed noting they were getting rid of silos and there would be no excuses if something slowed down as all should now be seamless.

Cllr Biggs noted that Town Council had historically not been informed of matters. As an illustration at planning working party last Friday town council stumbled across ground that had been fenced along by Batson Creek and a notice placed there. Assuming that District gave permission it would have been polite if Town Council was informed that BBC Countryfile in league with Kew Botanical Gardens were carrying out these works. A photo of the poster was provided to Dist Cllr Wright and he was to investigate who had given the permission and what was in fact being done in this area.

The Mayor stressed that he wanted liaison to get better moving forward. With regard to planning issues with the decision notices and officer reports for April there were a couple of approvals that Town Council had vehemently objected to for a variety of reasons. However these had been approved under delegated authority with nothing passed back to Town Council as an explanation. He then gave an illustration of these concerns and noted that town council needed an email by District Councillors to explain the reasons why a decision had gone against them..

Cllr Biggs felt it was wrong and that two wrongs do not make a right. If a condition of planning was not to have doors Planners should not then allow after further changes. Nowhere in the application did the applicant ask for a balcony just a balustrade but the officer stated as there were French doors they could use such as a balcony. Dist Cllr Wright assured that he definitely would explain at any meeting why he would go against a Town Council decision.

515.MINUTES

The Minutes of the meeting dated 22nd April 2015 were approved by council and then duly signed by the Mayor as a true and correct record together with the Minutes of the Annual Town Meeting held Monday 27th April 2015 which were noted.

516.PLANNING APPLICATIONS:

The following applications were considered and such observations from town council submitted to District. Cllr Biggs left the meeting whilst the following two applications were considered.

- 0801/15/F Householder application for alterations and extension to existing house Grenville Cottage, Grenville Road, Salcombe TQ8 8BJ – Applicant Mr D. Jackson – Objection. This was felt to be an overdevelopment of the site intruding into the garden amenity with an overbearing stance which dominated the vernacular more than adjacent properties. There was concern to with regard to possible overlooking from a ‘living space’ balcony on the top floor into a conservatory in a neighbouring property in Bonaventure Road. Access concerns were raised with regard to deliveries for the building works.
- 0917/15/F Householder application for new external staircase and doorway Thimble Cottage, Higher Batson, Salcombe TQ8 8NF – Applicant Mr J.G.Sowerby – No objection.
- 0918/15/LB Listed building consent for alterations to dwelling and new garage and sun room to replace existing garage Smugglers, Lower Batson, Salcombe TQ8 8NJ – Applicant Mr & Mrs G. Coats – . Objection with regard to the materials proposed for the balcony as they were not felt to be in keeping with a Conservation Area and Listed building. Town council also raised concern with regard as to why velux windows would be required in a garage amenity. There was no objection in principle to the wish to replace the corrugated roof to slate on the back and replace Crittal windows with wooden to match the neighbouring property. It was also noted that correspondence showed that Nils White had no objection to the building as proposed but he did not make any comment on nor mention the balcony.
- 0919/15/F Householder application for alterations to dwelling and new garage and sun room to replace existing garage Smugglers, Lower Batson, Salcombe TQ8 8NJ – Applicant Mr & Mrs G. Coats – As above.

WORKS TO TREE PRESERVATION ORDER TREES: GRANT OF EXEMPTION

- 0946/15/TW Site: The Moul, Cliff Road, Salcombe TQ8 8LE Grant of Exemption for Works Elms. Removal of hanging limbs, deadwood and felling of dead Elm trees.

517.PARK AND RIDE INTERNAL BARRIERS

Chris Watkins had confirmed that Ringo could be put in place before the summer season at a cost of approximately £200 to install. This would then need to be included in a Traffic Regulation Order along with the permits provision and he would come back with advice as to how quickly this could be implemented, also before the summer season. The signage was felt to be above need and therefore he would consider which signs could be removed and advise of this before placing an order for town council. He would also chase the payment of income to town council from County Finance. It was questioned whether permits would have the car registration number on them.

It was AGREED to:

- (a) ratify the placement of an order for the provision of internal barriers at a cost of less than £2000
- (b) to DEFER consideration of the internal fencing as quotes were still awaited.
- (c) approve the proposals for the car park and bus turning area layout to upgrade and request quotes
- (d) approve the mobile phone protocol as drafted with Cllrs Fice, Wheeler and Mrs Bricknell agreeing to take a turn on the rota with Cllr Biggs offering to assist out of work hours and Cllr Whitfield offering to be called at any time in case he was at home and could walk across and deal with any matters arising.

The Mayor gave a report on the meeting with Don McIntosh of Tally Ho that he, Cllr Lang and the Town Clerk attended. Together with discussing the charging structure for the forthcoming season he had raised the issue with regard to access to the car park and the code on the barrier padlock. A fact sheet for the code and operation would be provided in the bus for the drivers.

518.THE BERRY

It was noted that a letter had been received from residents following them reading the previous Minutes with regard to fencing. This agenda item was only to consider the town council draft letter which would go to all residents

around the Berry. Various points were raised with regard to the residents' letter pre-empting what the town council letter might contain. However it was felt that Town Council should not lose sight of the fact that they are custodians of this land and there was significant land encroachment. Cllr Biggs was against sending the letter. It was AGREED to;

- (a) amend the draft letter first paragraph to read ... The Berry land' and at the end to 'ask residents to remove any other personal property noting that any removal costs incurred may be recovered from the owner' and for it to be sent to all residents adjacent to The Berry. An email response should also be sent to the residents acknowledging receipt of their emailed letter and explaining the intention of protecting the community land and that an official letter would be going out as advised by town council solicitors and they would receive this shortly. There were 5 to 1 in favour of sending the email. Two against sending a formal letter with four for.
- (b) request that Section 106 money be transferred to town council to secure the border edge of the Berry with a fence up to a cost of £8500.

Toby Leigh left the meeting.

519.EMERGENCY PLAN

DEFERRED pending further suggested amendments.

Dist Cllr Wright left the meeting.

520.YEAR ENDING MARCH 2015 ACCOUNTS

The annual accounts and ancillary papers were APPROVED and Section 2 of the Annual Governance Statement for year ended 2014/15 was completed by the town council within the meeting and duly signed.

521.SHADYCOMBE CEMETERY GATES

This item was DEFERRED as further estimates were still awaited.

522.SECURE ACCESS

Following discussion it was AGREED that changes were required to;

- (a) computer passwords and the town council website password and these had been implemented. Cllrs Whitfield and Wheeler were updating the website pages now. The Neighbourhood Plan website password change had to be implemented by Vision ICT and this was awaited. .
- (b) area padlock codes (i.e. Park and Ride, cemetery gates, sheds etc) They were currently all the same code and should now be different for park and ride and others. These would be changed and a list kept in the office. The Park and Ride code would be put in the mobile phone for ease of access and be changed at the end of the season.
- (c) for the removal of ex councillor email addresses and website access codes and this had been implemented.

Cllr Biggs had to step out from this discussion due to his work environment and he therefore declared an interest and left the meeting.

523.THE BLOCK VOTE CAMPAIGN

Cllr Cohen explained that Churchstow and Thurlstone Parish Councils were endorsing the campaign. Kingsbridge Town Council had allowed the campaign to qualify for waiving their hire fees for using the chamber for meetings. The Mayor asked if any District Councillors had commented and apart from one or two discussing this there were no comments. The Mayor had two concerns firstly that the majority of planning applications went through on delegated authority but also if an application went to development committee they were ordinarily for larger applications. If a 35% vote was given to Town Council and such led to an application being refused and a successful appeal was launched, at significant cost to District, what would happen with the share of 35% vote and would town have to pay towards Appeal administration costs. Cllr Lang was in principle in favour but felt this principle was what the Neighbourhood Plan was about. Others felt this was not the fact as the Neighbourhood Plan would be a legal document covering the whole of Salcombe policy. The campaign as outlined by Cllr Cohen was noted and it was AGREED to support:

- (a) securing a 35% stakeholder vote for Parish and Town Councils, in matters of planning and related matters of community 'business',
- (b) securing a new provision in the Planning Act, which placed an obligation on all applicants who wished to appeal a planning refusal to acknowledge they would have to bear all costs in the outcome, irrespective of what the outcome was.

Cllr Cohen was asked how this project would get traction and he explained he had based it on Hansard and was a pilot to produce a groundswell of support which could then go forward.

524.STREET SIGN CLEANING

DEFERRED awaiting further input. Devon County Council would be asked who currently carries out sign cleaning and what qualifications/permits they required.

525. WAR MEMORIAL PLANTERS

As further options sourced were not felt to suit this requirement it was AGREED to request the purchase of four planters as per Welcome Garden's contractor specification up to a cost of £350.

526. MAYOR'S REPORT

The Mayor advised he had attended the Minibus AGM and they potentially might be looking to replace the bus in a couple of years. With regard to the recent Annual Town Meeting he thanked those who attended and explained that there were some issues which arose and Pete Robinson had looked into the matter relating to Courtney Park and dog fouling. It was felt that there used to be 'No Dogs' signs and these needed to be replaced as well as at the St. Dunstons play area. Cllr Mrs Bricknell noted that many residents along Courtney Street had expressed the goodwill to raise funds to install a fence around the play equipment. It was noted that the whole park needed refurbishing and this could possibly be done from Section 106 monies. The Neighbourhood Plan meeting after the town meeting went well.

527. COUNCILLORS REPORTS

Cllr Biggs – Noted with regard to his crumbling was report at North Sands he would not be able to meet the engineer in the next week so he would advise Pete Robinson on these points and he could meet.

Cllr Mrs Bricknell – Advised that Richard Cuthbert from Devon and Cornwall Homes had telephoned and advised that the new houses would soon be ready to bid on via the Devon Home Choice website so interested Salcombe people should apply now. They wanted Salcombe people in these houses so it was important that local people realised they needed to register to be able to apply. Pete Robinson had also met an agent up at the Bloor site and a comment was made that out of the four houses available three were being looked at by Salcombe residents.

CLERK'S REPORT.

- Notification had been placed of co-option availability on the town council noticeboards following the elections.
- Application for a licence to hold an event at North Sands on 27th May 11- 5p.m from Devon Beach Company received from District Council for comment. Town Council had previously responded to such applications that they did not feel that this space should be used for commercial activities and whilst there was a charity proposed to be benefiting from this event it was only for 10% of the intake from these companies. This land had recently undergone landscaping and reseeding after the Districts efforts with regard to flooding in the area and this needed to be bed in. With regard to mention of Swing Boats it was believed that the annual Regatta team was unable to install such and therefore this may not have been researched fully. With a local business also situated next door and considering the restrictions on access due to recent works town council would be disappointed if this event went ahead.
- Notice received by Ashtead Plant Hire Company on behalf of BT for a Road Closure on Sunday 24th May 2015 at Cliff Road. Town Council had responded that they objected to this closure over Bank Holiday weekend and the applicant is to seek an alternative date.
- Bayleaf Gardening had raised concern that there were increased amounts of Japanese Knotweed around the town. County were the authority to be notified on such but it appeared that there was no proactive action being taken. Cllr Gilbert had suggested that the town spray such themselves but no known weed killer was effective enough and some outbreaks of this weed were on private land.
- Emailed documentation received with regard to the Electoral Review of Devon and the County Councillor had confirmed that these changes would increase his area by removing Kingsbridge and East Allington but adding Modbury, Aveton Gifford and Bigbury so he would then represent 10000 population.
- Request received from Pc Richard Loxton for town council to fund providing each police car (five) with an AED. Town Clerk to email Marlborough, Portlemouth and other surrounding parishes to request Salcombe and they put a sum together. It was agreed that Salcombe would only contribute if enough funding was provided for all five cars to be equipped and they were only prepared to contribute on the basis that all parish and towns were covered by this.
- Justin Millward of the Woodland Trust had kindly provided a link to the Plymouth Woodland Project and Forestry Commission websites as the Woodland Trust had no specific literature on dead wood but these sites explained the need for natural habitats.
- Noted that of the letters delivered to households abutting Onslow Road lower pavement only one response had been received from the Executor of the estate of one property. This response indicated that they felt that any onus with regard to a fall from this pavement would be on the County Council for not removing a trip hazard. No others had even acknowledged the letters and the County Engineer so far had been unable to attend to discuss further.
- Letter dated 6th May from Devon County Council advising that due to financial pressures they were unable to award a Parish Paths Partnership Grant for 2015/16.

- League of Friends of South Hams Hospital AGM notified as 21st May 2015 7p.m. at the South Hams Hospital.
- Concern raised by Cllr Biggs that the AED at The Spar appeared not to be charging had been reported to South West Ambulance who confirmed they would attend and check.
- District had since advised that with regard to The Berry benches they did not have the capacity to order this through internal procedures. They wished to transfer the money to Town Council by way of a grant offer and agreement for them to process the project. Costs would have to be obtained to install these items before a figure could be put to District and this would be done in the next few weeks.

528.FINANCE

Councillors APPROVED the following cheques for signature:

003331 Bayleaf Gardening – Welcome Garden deposit £1200.00
 003332 Hawthorns Accounting Services Ltd – Internal Audit £195.00
 033333 Mr Philip Sanders – Neighbourhood Plan Banner £103.60
 033334 Bonnie Friend – Neighbourhood Plan Administration £240.00
 033335 Alison Theaker –Neighbourhood Plan PR £950.00
 033336 SHDC- Bonfire Hill Refuse £16.69
 033337 Bayleaf Gardening Ltd – Jubilee Gardens maintenance £546.98
 033338 Anne Rainbow – Name badges £28.47
 033339 Nick Walker Printing Ltd – 2 Roll Up Banners £176.40
 033340 Greenspace – Grass cutting contract £474.33

529.NEXT MEETING

The next meeting would be held on Wednesday 27th May 2015 in the Library at Cliff House, Cliff Road, Salcombe at 6.30p.m.

Meeting Closed: 21.40p.m.

..... 27th May 2015.
 Town Mayor.