

LITTLEHAM & LANDCROSS PARISH COUNCIL
MINUTES OF THE PARISH COUNCIL MEETING HELD AT LITTLEHAM
VILLAGE HALL ON THURSDAY 19th NOVEMBER 2009

Present: Cllrs. Atkinson, Mrs Beer (Vice-Chairman), Mrs Galvin, Hamilton (Chairman), Hassall (from 8.00pm), Hopkins, Ms Lamb, Poole, and Stevens, Torridge District Cllr Pennington and Devon County Cllr Dr Robinson.

Apologies: Cllrs. Heard, G Smith and M. Smith

Members of the public and Parish Councillors wishing to address the meeting on a specific agenda item, are, in accordance with Standing Order 24 and Paragraph 12(2) of Statutory Instrument 2007/1159, permitted to do so before that Agenda Item. A member of the general public was present until Minute 900b.

897 Registration of Members Interests: No additional registrations were required.

898 Minutes 884-896 of 1st October 2009:

RESOLVED, on the motion of Cllr Atkinson, seconded by Cllr Stevens, that Minutes 884 - 896 of 1st October 2009 are approved and signed as a correct record.

899 To consider matters arising from above Minutes:

a) (Min 886b) Biodiversity Audit:

Cllr Mrs Galvin expressed considerable disappointment over the negativity recorded at Minute 886b. She urged the Parish Council to reconsider supporting the Biodiversity Audit Group. She then reported that the Group has agreed a Code of Conduct and procedures to continue local Biodiversity Audit work without Parish Council funding. Miss Ann Davies' Flowers Survey has been highly acclaimed and The Group has received several messages of support from Littleham St Swithuns PCC and others. Cllr Hassall has already obtained a map of Preserved Trees and Cllr Mrs Galvin is confident that support and participation in the audit will grow and that the audit survey will be of future value.

Members commented that Minute 886b had mainly focused on whether the Parish Council should pay for hiring the Village Hall for Biodiversity Group meetings. The Chairman then called for a vote to reassess Parish Council support for the work of the Biodiversity Audit Group.

RESOLVED, on a motion, carried by 5 votes from 8 members present, that the Parish Council supports The Biodiversity Audit Group's work.

b) (Min892b) BT Adopt a Red Phone Box Scheme:

Members noted details of the Clerk's telephone conversation with Ms Lesley Smith MBE, DAPC Chief Executive, regarding the Parish Council's legal powers to purchase and sell on the red kiosk. Ms Smith thought that Local Govt. Act Sec 111 would cover purchase of the kiosk for community use and that if the Parish Council decides having the kiosk as an amenity does not work, then the Parish Council would be empowered to sell it in the open market under the same legal powers. Ms Smith pointed out the BT has prevented competing telephonic or wi-fi businesses making use of redundant BT kiosks, so it would be advisable to ensure that BT will not oppose the Parish Council's future use or selling of the red kiosk.

The Clerk also reported **receipt of an e-mail from BT advising that they will not remove any red telephone kiosk that the Parish Council choose not to adopt at this stage**, but BT will continue to monitor the use and costs of provision of this service and may consult on this matter in the future.

The Clerk advised that cost of removal, keeping the site safe and of re-instatement could be a problem as well as Health & Safety issues during the sale and removal process. The Parish Council would also be responsible for insurance (including public liability insurance) and for any repair and maintenance to the kiosk which would always be at risk to vandalism. The kiosk is likely to be a rateable hereditament and therefore Business Rates would be payable.

RESOLVED, on the motion of Cllr Atkinson, seconded by Cllr Ms Lamb and unanimously approved, that this matter is left on the table for the time being.

900 Planning Matters:

(a) Matters arising from previous minutes: Min 887b Riding Stables, Lt America:

The Chairman reported that TDC had deferred consideration of this application, so that more information could be submitted regarding "Menage and Car Parking" at the site. The Parish Council has therefore urged TDC and DCC to reconsider the road safety implications and the suitability of Wagon Road, Scratchface Lane, and Apps Lane.

The DCC Development Control Engineer, Mr Sorenson, reports that his understanding is that the existing premises have in the order of six loose boxes currently for private use and that the intention of the

application is to change this to commercial use, with no increase in the numbers. He notes the Parish Council's concerns and has travelled the roads with his Development Manager recently and points out that it is a fairly accepted convention that equine uses will by their very nature largely exist in rural locations. In much of rural Devon the road network is historic and does not meet modern standards. This means that they are often of limited width, with poor alignment and restricted visibility at junctions. The volumes and speed of traffic tend to reflect the characteristics of the road network. Where the road network is to a higher standard both the volume and speed tend also to be higher. The higher standards of road therefore tend to be less suitable for equine use. He considers that the switch from private to commercial use is unlikely to result in a significant increase in horse numbers, provided that the number of horses remains as now. He suggests that horse numbers should be restricted by condition/legal agreement. Provided that this can be agreed, he does not believe that a refusal of an equine use of this scale in this rural location is appropriate or could be sustained.

RESOLVED, that Mr Sorenson is thanked for his response and inspection visits to Wagon Road and Scratchface Lane and that the matter and the Parish Council's earlier comments are now left with TDC.

(b) Confirmation of Planning Recommendation: 1/0936/2009 Sea Locks, Landcross:

The Planning Application, from Mr Adrian Wills, is for a "Temporary storage shed connected with on-going restoration work at Rolle Canal lock chamber - Field 8921 Rolle Canal Lock Chamber & Wharf O.S. Ref 245 685 126 857 Landcross. The Chairman had consulted Members before the meeting, because TDC required a decision by 4th November. No Member had objected to the Planning Application, so the Chairman had authorised that TDC are recommended to approve a further extension of the Temporary Planning Permission, on the understanding that it will be the final extension of this temporary planning permission.

RESOLVED, that the Parish Council confirms support of the Chairman's action.

(c) Planning Notifications:

TDC has approved Planning Application 1/0882/2009, Spinney Cottage, Scratchface Lane, Littleham and Planning Application 1/0936/2009 Sea Locks, Landcross.

(d) Draft Wind Energy Policy Document Consultation:

An e-mail had been received nine hours earlier from Limeshouse Consultants, on behalf of TDC, advising that this document can be viewed on-line at TDC and that the Consultation Period ends on 15 January 2010. The Chairman presented a hard copy to the meeting and Cllr Atkinson commented on reasonable proposals within the document. There are facilities for anyone to comment on-line to Limehouse Consultants.

RESOLVED, that receipt of the report is noted.

901 Highways & Footpaths:

(a) Matters arising from previous Minutes:

- DCC advises that higher than expected commitments to essential highways works have delayed the start on the new Landcross Bus Bay. Future funding is limited because of the economic climate. Cllr G. Smith had questioned whether some repairs recently carried out by DCC are of a higher priority.
- DCC advise that the temporary vehicle-activated sign is programmed to return to Landcross.
- DCC has again looked at speeding on the C461, Yeo Valley Rd, but options available to DCC are limited in terms of what can be afforded, what would be locally acceptable, effective and within the County Council's policy on setting speed limits in accordance with national guidance.

Minute 902 continued: -continued:

(b) Existing Field Access to A386, by Tarka Trail Bridge, Landcross:

Cllr Ms Lamb reported mud on the A386 and local concern over the amount of soil being moved in Mr Saltmarsh's field. She reported that the field looks different and enquired whether such works are permitted by the highways and planning authorities.

Cllr Mrs Beer also reported that several Landcross parishioners are anxious about the widened track and gateway that Mr Saltmarsh has constructed at the existing recessed agricultural access onto the A386 by the Tarka Trail Bridge. Large agricultural vehicles and plant have had difficulty using the private drive to Pillmouth, especially passing under the Tarka Trail Bridge. She had also complaints about mud being carried onto the A386. Mr Saltmarsh has advised that he was acting within his rights and that DCC is aware of the improvements he has carried out.

Cllr Mrs Beer had contacted DCC Cllr Dr Robinson and TDC Cllr Pennington. DCC Cllr Dr Robinson reported that the Northern Devon Road Safety Officer and TDC Planning Enforcement Officer are monitoring the position. DCC and TDC officials appear to be satisfied with the situation at present. It was noted that although Mr Saltmarsh is the owner, Mr C Withecombe farms the land.

RESOLVED, that the matter be kept under review.

(c) Fly-Tipping along C461 Yeo Valley Road:

Cllr M Smith had reported fly-tipping at Cherry Trees lay-by, between Orleigh Cross and Littleham Mill. Mr Richard Haste at TDC was advised this morning and the nuisance was removed before lunchtime.

RESOLVED that TDC is thanked and congratulated for promptly attending to the fly-tipping nuisance y.

(d) Other Highway & Footpath Matters:

A deep rut has appeared on the road between Abbotsham Cross and Moorhead Cross, near High Park. DCC has been advised. In the absence of Cllr Heard, the Clerk agreed to contact DCC.

902 Littleham Village Hall & Playing Field:

The Chairman reported that the improvement works are now complete, except for wiring up cookers. The Village Hall Committee thanked the Parish Council, DCC and TDC local councillors (past and present), Bideford Bridge Trust and others for their grants. Members were reminded to attend the Craft Fair on 21st November.

903 Parish Plan:

(a) CCD Littleham & Landcross Housing Needs Survey:

Copies of survey questionnaires have been delivered to local households. The closing date for responses to Mr John Scott of CCD was 26 October.

(b) Gt. Torrington & District LCP Meetings:

The Clerk had represented the Parish Council at a meeting held at Winkleigh Community Hall on 7th October. As a DCC/DAPC Working Group member, he had also reported on "Community Engagement" possibilities within the 27 Torrington LCP parishes.

904 Finance & Administration:

(a) Authorisation of Payments and Bank Balance Report:

RESOLVED on the motion of Cllr Ms Lamb, seconded by Cllr Mrs Galvin, that payment of £ 322.04 (dated 21.12.09) to N.H. Jackson (1/4 yr salary & expenses) is approved.

A cleared bank balance of £2,780.81 at 20 October 2009 and receipt of HSBC advice of changes to terms and conditions were noted. The Clerk had enquired about opening a HSBC Business Money Manager account, but the interest rate is only 0.15% p.a.

The Chairman endorsed the Bank Statement and no further action was recommended.

Minute 904 continued: -

(b) To Confirm Parish Precept 2010/11 (Min 877c):

TDC request details of the 2010/11 Parish Precept by 5th January. The Clerk advised that budgets for 2010/11 and 2011/12, provisionally agreed at Minute 877c, did not need to be amended, but the Chairman and Vice Chairman reported that Littleham Village Hall Committee request significant annual grants of about £350 p.a. from the Parish Council to enable the improved hall to remain well maintained and functional. Nationally, several village halls are closing and Littleham wishes to avoid that situation. The Chairman also advised Parish Councillors that evidence from recent Parish Clerk vacancies indicates that the job requires more than the 128.5 hours per annum currently agreed for Littleham & Landcross Parish Council. He referred to a 4 hours per week vacancy at Shirwell and similar advertisements. The Clerk suggested that consideration of this issue might apply when a vacancy occurs. The Clerk also advised that the Parish Council already contributed £765 p.a. to Littleham Village Hall Committee, by meeting the cost of grass cutting at Littleham Playing Field

*The Chairman, Vice-Chairman and Cllr Poole, as Village Hall Committee Members,
then declared an interest and withdrew from debate.*

Cllr Atkinson suggested that these issues could be addressed in stages and after further discussion, Members decided that the provisionally agreed 2010/11 Precept of £3150 should be increased to £3,650. The Clerk advised that the additional £500 would add £2.50 to average Council Tax bill in 2010/11.

RESOLVED on the motion of Cllr Atkinson, seconded by Cllr Mrs Galvin, that:

(1) The 2010/11 Budget, provisionally approved at Minute 877c of 30 July 2009 is revised and

- (2) That a Littleham & Landcross 2010/11 Parish Precept of £3,650 is approved
- (3) That TDC is authorised to deduct the Parish Council's DAPC Subscription for 2010/11 from the first instalment of Parish Precept and to pay the deducted amount to DAPC and
- (4) That further consideration of the £500 2010/11 budget item for matters relating to Littleham Village Hall and the Clerk's hours occurs at a future meeting.

The Chairman, Vice-Chairman and Cllr Poole participated in the meeting again after this item

905 Correspondence & communications requiring attention:

(a) N Devon & Somerset SMP Consultation Responses Form:

The Shoreline Management Plan (SMP) is out for public consultation until 8th January 2010 and copies of the SMP2 Consultation Summary Leaflet and a Consultation Response Form have been issued to Parish Councillors. Consultation Summary Leaflets and Consultation Response Forms have also been displayed on Parish Notice Boards and copies have been left at public buildings within Littleham & Landcross. Cllr Hassall briefly summarised the information within the SMP publication.

RESOLVED, that receipt of the document and response form is noted, without further action.

(b) N Devon Biosphere Reserve: Request for support:

The N Devon Biosphere Reserve Chairman has invited the Parish Council to: - (1) Support the aims of the Biosphere Reserve by raising awareness within Littleham & Landcross; (2) Nominate a Parish Councillor as Littleham & Landcross Biosphere Reserve Parish Champion; (3) Formally endorse the vision and strategy of the Biosphere Reserve; (4) Consider how Littleham & Landcross can advance the aims of the Biosphere.

Cllr Hassall briefly updated Members on N Devon Biosphere Reserve matters and advised that more detail is available on-line from <http://www.northdevonbiosphere.org.uk/local-nature-reserves/>. Cllr Hassall advised that Members can also respond on line personally via the above website.

RESOLVED that the Clerk copies the Biosphere Reserve letter to Members and that this matter is deferred until the next meeting to enable Members to access the N Devon Biosphere Reserve website

(c) TDC Private Sector Housing Renewal Policy 2009/10 Draft Document:

The draft consultation document had been copied to on-line Parish Councillors before the meeting.

The Chairman presented a hard copy of the document to the meeting and summarised proposals. He pointed out that Members can individually respond on line to TDC.

The draft document was received and noted, without further action.

Minute 905 continued: -

(d) TDC Green Team; Village Clean Volunteers:

TDC invites Parish Councils to promote an initiative to clear villages of litter, dog fouling and much more. This community involvement scheme aims at asking volunteers to give up a few hours to work alongside a member of the Green Team.

TDC's Green Team was set up to help address key environmental priorities that affect us all. The village clean aims to tackle problems important to each community; in particular; Littering, Dog fouling, Graffiti and Fly tipping.

TDC intends to make available the equipment required to carry out any work identified and also to involve local schools, including, where possible, giving input on the importance of recycling.

The TDC invitation includes a pro-forma for Parish Councils to indicate which parts of the scheme volunteers wish to participate in. TDC will then contact the Parish Council and arrange a date for the work to take place. A TDC officer will visit the parish, before this date, to ensure we have the equipment needed to achieve the objectives. This is a way of getting work done that otherwise may not be completed and of improving the local environment.

Community Clear Up's are not a new idea, but the District Council is keen to take this opportunity not only to improve villages, but to promote the importance of recycling and to try to address by education the reasons these problems exist in the first place.

RESOLVED, that no action is taken for the time being.

(e) DCC Love Food Hate Waste Campaign & TDC Food Waste Caddies:

DCC has launched a new campaign to raise awareness of the implications of food waste and to increase performance in food waste reduction. A poster has been displayed on Littleham Public Notice Board.

TDC have also issued details of the new Food Waste Caddies Scheme. Cllr Mrs Beer advised that Landcross had not been included in the scheme and some Littleham members complained that parts of the village had not received Food Waste canisters.

RESOLVED, on the motion of Cllr Mrs Beer, seconded by Cllr Ms Lamb, that TDC is asked to urgently provide a wheelie-bin service in Landcross, so that the parish can benefit from compost/cardboard recycling collection and Food Waste canister facilities and that Food Waste canisters are delivered to all properties in Littleham.

- (f) **Questionnaires:** The Chairman has completed the following questionnaires: 1. CCD Plunkett Foundation, 2. DAPC Questionnaire: State of Rural Services, 3. Rural Services Network, 4. Devon Voluntary Services Representation Survey. The Chairman's actions were approved.
- (g) **Rural Services Network E-mail from Wm Inman & Rural Services Network Weekly News:** Members noted that the Parish Council is receiving free RSN bulletins each week.
- (h) **S Western Ambulance Service: Becoming a Foundation Trust Consultation:**

Cllr Hopkins declared an interest and withdrew from debate after, as a member of the public and at the invitation of Parish Councillors, summarising the implications of this request.

The Parish Council received details of the S West Ambulance Service's bid for Foundation Trust status. The Trust's formal 12 week consultation process began on 14 September.

RESOLVED, on the motion of Cllr Mrs Galvin, seconded by Cllr Poole, with 5 votes from 9 in favour, that the Parish Council supports S Western Ambulance Service's bid for Foundation status.

Cllr Hopkins rejoined the meeting

- (i) **Holworthy Town Council: On-Street Pay & Display Parking:**
Holworthy Town Council is campaigning against the introduction of on-street Pay & Display Parking in the town and requests the Parish Council to support their campaign.
RESOLVED on the motion of Cllr Stevens, seconded by Cllr Ms Lamb, with 6 votes from 9 in favour, that the Parish Council objects to the introduction of Pay & Display on-street parking in Holworthy.
- (j) **Plymouth University: Learning Power:** Information received and noted.

Minute 905 continued: -

- (k) **DAPC Newsletter Nov/Dec 09 & Empowering Communities Conference.**
The Newsletter included legal advice and DAPC recommendations on the use of E-mails for agendas. The Parish Council approved the use of E-mails for agendas at Standing Order 9g which was adopted on 16 August 2007. DAPC recommends that the Parish Council to continue sending agendas by E-mail.
RESOLVED, that the Parish Council continues to act in accordance with Standing Order 9g.
- (l) **Torrington Area Advisory Group Meeting:**
Cllr M Smith had attended the last Torrington AAG Meeting and had referred to Cllr Hassall's letter to TDC about the methodology behind the decision to allocate more Travellers Pitches to Torridge District than to other Devon council areas. TDC advise that the methodology is based on studies by Plymouth University that were adopted by SWRDA and published in a 500 page report which TDC and other councils must implement. The Parish Council had requested a copy of the Plymouth University study from TDC. The copy was received before the meeting and Cllr Hassall was requested to continue his investigation into whether the methodology reasonably addresses issues in Torridge District.
RESOLVED, that Cllr Hassall is invited to report back to a future Parish Council meeting.
Members also noted receipt of tables relating to TDC Analysis of Quality of Life Statistics Torridge 2008 and the National Indicators Schedule Unaudited Indicators Return 2008/09.
- (m) **DAPC: Travellers Sites:** DAPC requested information from councils with experience of Travellers Sites.
- (n) **NALC Local Councils Cheque Signing**
The Parish Council noted that NALC continues to lobby for amendments to the current rules on the way that local councils make payments. Procedures need to be updated to reflect modern practices. At present, legislation requires "every cheque or order for payment of money to be signed by two members of the council", but within 8 years, payment by cheque is expected to be superseded. Noted.
- (o) **BBC Breathing Places; Tree O' Clock**
As part of National Tree Week, BBC Breathing Places invites partners to join them in setting new tree planting world records on 5th December. Participants must first complete an on-line pledge form. Receipt of this correspondence was noted.
- (p) **TDC Devon Homes Choice Q&A Seminar 24 Nov**
Devon Homes Choice is a new way of letting council and housing association homes, commencing December 2009. Parish Councillors are invited to an awareness session in Bideford Town Hall on 24 November.
Cllr Mrs Beer volunteered to represent the Parish Council.

906 Other correspondence received since the last meeting:

The Parish Council received a file containing DPFA The Playing Field magazine; Senior Council for Devon Sep 09 Issue4; Record RSS Playground Inspection & Maint; SLCC leaflet; Local Policing Summary 2009/10 Devon; Clerks & Councils Direct magazine; promotional and other items that were made available at the meeting

Members also noted receipt of E-mails forwarded to them about CCD Developing Community Assets Seminar; DAPC Spring & Summer 2010 Training Courses; DCC In-Touch Oct 09 & Nov 09; TTVS Newsletter & 8 other TTVS items; ISC Best Practice Consultancy; DAPC E-Bulletins 28 Sep., 9 Oct., 23 Oct.; SLCC Branch Newsletter Oct 09; RNS Newsletter of 19 Nov. and other E-mails.

907 Date of Next Meeting: Thursday 14th January 2010: 7.30 pm.

The Chairman wished Members a Happy Christmas and closed the meeting.

The meeting commenced at 7.30pm and ended at 9.15pm