

**STOKENHAM PARISH COUNCIL
MINUTES OF THE ANNUAL MEETING
HELD ON 17TH JUNE 2021 IN THE
STOKENHAM PARISH HALL**

PRESENT:**COUNCILLORS:****P. SPENCE (Chairman)****J. ANSELL****MRS P. DOUST****T. LYNN****C. ROGERS****J. BRAZIL (District and County Councillor)****D. COLLIVER****L. COWLEY****A. GOODMAN****MISS G. ADDISON****R. PAIN****Also in attendance:****Clerk – Mrs G. Claydon****APOLOGIES:****COUNCILLORS:****MISS L. MOONEY****1. DECLARATIONS OF INTEREST**

Councillors were invited to declare any disclosable interests, including the nature and extent of such interests they had in any items to be considered at this meeting. They were also reminded to consider whether in the light of recent activities any items within their Register of Interests should be updated. It was advised that any unforeseen request for a Dispensation would be considered by the Clerk at this point only if there was no way a councillor would have been aware of such before the meeting. None Received.

3. MINUTES

The Minutes of the:

- (a) full council meeting dated 20th May 2021 were approved by all present and duly signed as a true and correct record.
- (b) Planning Committee meeting none held in May 2021
- (c) Annual Parish Minutes also held 20th May 2021 – noted.

4. OPEN FORUM

No members of the public had requested to be present due to Covid restrictions and this was dispensed with.

DISTRICT AND COUNTY COUNCILLOR'S REPORT

Cllr Brazil was

5. CO OPTION

This was deferred to July as the applicant had been unable to attend.

6. PLANNING & PLANNING MATTERS

The applications below were considered at this meeting and the following observations submitted to District:

- 1621/21/FUL Application for a single storey cedar clad garden room for use as an office and a decked area to front on the southern elevation Dolfa, Stokenham - Response 24 June 2021 – No comment.

Cllr Goodman arrived at the meeting.

PLANNING CORRESPONDENCE

No further matters needing consideration were raised.

Cllrs Ansell and Pain arrived at the meeting.

7. PLANNING COMPLIANCE

Information received on recent enforcement matters was raised and discussion took place as to whether any action could be taken to highlight the discrepancies between conditions imposed on applications and time limits for breaches which were against to the spirit of the Joint Local Plan and Neighbourhood Plans currently in force.

Cllr Cowley advised he had reviewed planning compliance and enforcement for a number of years and whilst it had never been wonderful, it had now deteriorated. Reports received for enforcement provided no specific details but issues never seemed to be finally resolved one way or the other; instead, matters were characterized as being “Not in breach,” “Being rectified” or “Outside time for action.” This was worrying so he asked if there was a way to put pressure on District to give more feedback on the reasoning behind contentious decisions. He felt they needed to put more resources into this, as it was no good having a local plan stating ‘under no circumstances do this’ and then not taking action when applicants do it.

Cllr Mrs Doust deferred to Cllr Colliver to pick up on legal aspects but acknowledge it was annoying to be advised that reporting of something was just out of time when she knew that enforcement had gone in but had not the absolute correct address. The response was time had lapsed since planning was permitted and thus the alternative usage meant the condition was lost. She urged all parish councillors to monitor any application that was permitted, along with conditions, in their area and if discrepancies were noted to report to enforcement.

The Chairman summed up that the widespread failure to fully comply with planning conditions was not for want of reporting, but rather because at some level the decision had been taken that enforcement of planning conditions was not a priority, for the usual reasons of manpower/ resources and expense. To have any chance of changing matters, action would need to be taken by a number of parishes working together and perhaps this was something for the Coleridge Association. It could be requested that the area District Councillor take matters to Development Management committee if a parish council disagreed with the enforcement officer’s view. He then referred to Newton Abbot Town Council, and how they formally minute each instance of the Planning Authority deciding against the recommendation of the Town Council. Every time the LPA allows an application that does not conform to the Policies or Local Plan it sends the wrong message to developers. The same goes for putting conditions on development that are likely to be disregarded because of a lack of resources to ensure compliance.

Cllr Colliver observed that this was legally speaking a bit of a conundrum, as in law consent would lapse if conditions were not complied with. Yet enforcement is impossible once 4 years have elapsed, so even if conditions imposed had been ignored, existing planning permission would be unlikely to be challenged. He continued and said the planning authority was a legal entity with the power to grant permissions but no legal duty to enforce breaches, thus an aggrieved neighbour of a non-compliant building could not expect the planning authority to do anything.

It was AGREED to ask Cllr Brazil to seek a response from District planning and feedback to the next meeting.

8. AREA OF OUTSTANDING NATURAL BEAUTY

It was AGREED to nominate Cllrs Mrs Doust and Pain as representatives to be the parish contacts for the AONB District Team.

9. CHILLINGTON PLAYING FIELD

The following actions were AGREED;

- (a) for provision of external low lighting to the gate and car park up to £2000 – Following discussions with the electrician with regard to the excavation for cables and siting of lighting that purchase of freestanding solar lamps would be more cost effective and less intrusive. AGREED to purchase such and install.
- (b) provision of civic furniture up to £5000 – at a cost of circa £400 per bench plus £200 fitting by South Hams District Council maintenance team. – AGREED and to request two benches.
- (c) a quote for works necessary from the Play Inspection report for the play equipment and surrounding area up to a cost of £3000 – AGREED quote for Chillington Playing Field contractor of £660 for all works stated. Provision of materials to be as below from the equipment suppliers Playdale or a compliant product at a cheaper price.

CH27 – Cradle Seat and Chains - £342.14 each

CH447 – Mega Swing Seat & Chains (used on the most recent 2019 version) - £1406.89 each

AR017 – Aerial Runway Seat and Chains (recent design change required the seat and chain replacing) £376.70 each

All prices were excluding VAT and delivery.

13. REPORTS

Cllr Ansell reported resurfacing in Kellaton and complimented the works carried out.

Cllr Rogers advised he and Cllr Ansell attended the Beesands Village Green meeting. The committee members were still unhappy with the suggestion in January's Parish Council Minutes that the Village Green Committee might as well be disbanded if it was not holding meetings. Cllrs Rogers and Ansell had explained this was an off-the-cuff comment made in the course of a long discussion that should not have ended up in the minutes. The Chairman reiterated his position that the Parish Council had every right to discuss goings-on in Beesands: he had advised both councillors in writing that they could allay Mr Johnston's concerns as they saw fit, but he had no further comment to make on the matter. Cllr Rogers disagreed with this. Cllr Spence said they would have to agree to disagree.

A complaint was made about the absence of the latest Minutes on either the PC website or noticeboard. Others at the Beesands meeting acknowledged that the Minutes were unapproved and were not posted until ratified.

Discussion took place on parking in the village, and whether Nick and Anita Hutchings would be providing overflow parking. The meeting could not agree on whether additional parking was needed or not. Cllr Rogers insisted that everyone needed to know the VGC's view on the matter. They finally said yes, but not on the Green. They also voiced their objection to the proposal to put parking spaces on the old playground area.

Cllr Brazil arrived at the meeting.

If the Hutchings were to say categorically they were opening their field there would be no problem with parking. Cllr Brazil advised that Anita Hutchings had stated they were going to open when it was needed. Access would be in and out of the top gate and they would place a sign on exiting to say turn left and go back to Kingsbridge that way. Inevitably there would be some people who backed onto the field who would perhaps be unhappy but there was a bund that kept the cars a distance away.

Cllr Rogers asked whether a replacement playground should be considered and the Village Green Committee said it could probably go on the ground in front of the fishermen's cottages. However looking at this area it did look awkward.

Cllr Ansell asked if pressure could be put on County Highways to place signs giving precedence on the higher road to reinforce the informal one-way system round Beeson and Beesands.

Moving to Beeson Village Green, nothing had happened since Pete Moore had moved. Liz was the treasurer and there was now ad-hoc grass-cutting, which Cllr Rogers felt would lead to the area becoming an extension lawn for adjacent properties. The Clerk advised she was waiting to hear from Pete Moore with regard to the legal standing and conditions relating to the Village Green registration.

Noting the suggestion of rumble strips at Torcross, Cllr Rogers had contacted the only resident close by and affected, Barry O'Shea, and he had no problem with this. Of more concern to him were the missing edge of road posts that stopped parking and visually showed the direction of the road as it turned into the village.

The County lengthsmen were only doing the road-facing ends of buddle holes and not clearing the field ends. At Withery Well this meant it was not doing the job properly.

Cllr Lynn advised that Hallsands had been in turmoil with twelve campervans at one time over half-term who even parked in the private section. Hallsands had decided no more campers and would place a sign at the top of Muckwell hill along with one in the car park and were prepared to hire security operatives to stop them parking. People had been using the surrounding residential areas as a toilet. If this did not work a barrier would have to go up. The owners and adjacent residents did not want to stop local people but those who abused the area arrived and parked for the whole weekend. Cllr Brazil acknowledged the work Cllr Lynn had been doing collecting dumpy bags full of rubbish and storing it but it had finally been collected by FCC.

A question was raised to Cllr Brazil as to whether there were any restriction on garden fires. He responded that there were some restrictions but he hoped that people would be neighbourly as by the time it was reported to Environmental Health the bonfire would be out. Usually they only respond to repeated bonfires and might go round and ask them to desist causing a nuisance.

Cllr Miss Addison questioned who owned the area around Helmers Estate with the pond and trees. She was advised control rested with a Management Company who she had rung as she noticed trees planted were growing over their securing ties. She received permission and had taken action to remedy the problem by cutting the ties.

Cllr Pain advised that Dunstone still had not received their new bins but was advised that most had received a letter to say this was delayed till the end of July.

Cllr Brazil had attended a District meeting where FCC were cautioned and told they must rectify their problem but all would see. The upshot of this warning was that a lot of rubbish people collected was to be co-mingled. Residents were separating plastic from paper etc but the collection then chucked them together and took them off to a collection centre and separated again. Those who were in such area of that collection could not put food waste in their brown bin as it must go in the black bin. It was noted that food waste would make methane but everything in the black bin now went to an incinerator at Plymouth. Additional cardboard that did not fit could be bundled up and placed under the green box for collection. Cllr Brazil had stated District should pull the plug on the waste company as he felt they were taking District Council for a ride and it was clear what they were doing at present to catch up was totally unsustainable as they were having to send so many vans to houses. He felt that in the long term they would come back and say we cannot do it without more money. So if they could not sort by July then he would advise terminating the contract and going with Teignbridge who do it in-house. District legal advice,

however, had said this would put them in breach of contract. In Cllr Brazil's view, the contract had been poorly drafted and this had put the Council in a ridiculous situation. Gratton Drive brown bins were not collected for two weeks but collected today however the recycling bags were not so they would blow around. Cllr Brazil asked for this to be reported on line so it was logged and for any issues like this to also tell him by email.

At County Cllr Brazil had been returned as Children's Scrutiny and Devon & Cornwall Fire Security representative. The Green Park Way Appeal was commencing although there was some concern on wrong references but this was raised and sorted.

The Chairman raised the subject of enforcement and compliance which had been discussed before Cllr Brazil arrived and questioned conditions implemented on planning approval. It had been concluded that no one really understood the legal basis on which such compliance with conditions was monitored. Cllr Brazil noted that some conditions were imposed that planning did not want to enforce but assumed by placing they could if they wanted to, after the horse had bolted. On a parish matter in question they would obtain the letting register. Parish Council would follow this one through as they felt they had been misled to allow this change to slip through.

It was asked why, since planning applications were a public matter, enforcement cases were not. Cllr Brazil responded that this was because of the risk that complaints to enforcement might be made on malicious grounds, so alleged cases were kept confidential until they were investigated. He acknowledged that the enforcement team didn't always get it right and in many cases had to make a professional judgement.

The Chairman summed up by saying that Stokenham Parish Council took pride in scrutinising every planning application in detail and had come to expect its views to be listened to, if not always agreed with. He said it was utterly demoralising if in doing so they succeeded in having conditions imposed that were then casually ignored for the sake of expediency.

CLERK'S REPORT

- Cty Cllr Brazil had confirmed his support of rumble strips for Torcross and offered his locality pot to pay for such. However a response was awaited as the Highway Officer had since advised that County were no longer reinstating rumble strips along main highways. This case had been challenged so the matter had been taken higher for consideration.
- The report on Beeson increased traffic and pedestrians in the highway with regard to increased signage and any other proposals had been forwarded to traffic safety for input.
- The oak apple press was not available for their original date so Chillington Community Association had instead requested 9th October. Due to changes to the Orchard Link website they were only allowing PayPal payment from members. As Parish Council did not have such payment set up for its membership an email had been sent to try to regularise subscription and booking of the press.
- On Tuesday 7th September 2021 the Tour of Britain cycling route would go through Stokenham Parish. There was to be a rolling road closure to ensure as little disruption as possible. At present parish felt that being a weekday and the proximity of start of school term meant they would not arrange anything to coincide with this event.
- Anthony Mangnall MP had written requesting support from parish council to request the Boundary Commission to rename the political area currently Totnes Constituency to South Devon. Parish council had no comment on this administrative matter.

14. FINANCE AND CHEQUES

Balances were provided and the below transactions were approved:

Current £1099.32

Savings £111,023.01

Received – Nil

Payments:

Cartridge Save – Copier black toner £28.03

HMRC June – Tax & NI £205.34

Wages June £1174.35

DCC June Pension £370.36

Cartridge Save – Large black copier ink £28.03

Stokenham Parish Hall – Annual hire of hall £525.00

BT – Quarterly telephone and broadband Mar – Jun 21 £208.08

Orchard Link – Subscription and Oak Press £62.00

Cheques: None

15. NEXT MEETING

The next full parish council meeting would be held on 15th July 2021 commencing at 7.30p.m in the Main Hall, Stokenham Parish Hall.

Meeting finished: 9.15p.m.

Signed Chairman Dated: 15th July 2021.