

**MINUTES OF THE PARISH COUNCIL MEETING HELD AT THE COMMUNITY CENTRE
ON MONDAY 2nd FEBRUARY 2009 AT 7.30 P.M.**

PRESENT: Cllr. J. Grimble(Chairman), Cllr. T. Davey(Vice Chairman), Cllr. R. Hunt,
Cllr. J. Jenner, Cllr. Mrs Pepperell, Cllr.I. White, Cllr. D. Hourahane,
Cllr. C. Morgan, Cllr. R. Bailey, Cllr. A. Williams, Cty. Cllr. Cox, Duncan Moores,TDC
together with five members of the public.

APOLOGIES: Cllr. C. Booth, P.C.S.O. Colin Rider.

The Chairman welcomed Duncan Moors from the Legal Department,TDC, who had come to the meeting to outline the responsibilities of the Parish Council in connection with the closed churchyard at St. John the Baptist. Mr Moors explained that the Parish Council was responsible for the maintenance and liability in accordance with Section 215 of the Local Government Act 1972. He outlined the extent of maintenance that was required, the occupiers' liability in accordance with the 1984 Act, the Duty of Care and the steps the Parish Council could take to minimise liability. He went on to report that a guidance relating to the care of headstones was currently being drafted and he would forward details of this when it was available. The Chairman explained that the Parish Council had unknowingly taken on the liability of the closed churchyard when the Parochial Church Council had requested that the Parish Council look after the maintenance, as they had not been made aware of the three month period in which they could pass on that responsibility to the District Council and asked if there was any way that this could be reversed as the Parish Council did not have the resources to support this liability. Mr Moors explained that legally there was no way to reverse this decision and it would be down to an administrative/political point of view. Cllr. White felt that the District Council should provide advice to Parish Councils and questioned why nobody within TDC drew the attention of the Parish Council to the three month rule, and that merely drawing attention to the act was not sufficient. The Chairman asked Mr Moores to look into this matter and give advice to the Parish Council on what options they faced and if political what they now needed to do. Mr Moors agreed to do this and liaise with the Chairman and Clerk. The Chairman thanked Mr Moors for addressing the meeting.

THE MINUTES OF THE PREVIOUS MEETING were duly approved and signed.

1002 **PARISH PLAN**

Cllr. Pepperell reported that the Bishopsteignton Enhancement Group were finding it difficult to obtain funding for the Bishop's Avenue project and had been turned down by the Arts Council. She reported that they were still looking for funding and members were having a meeting with Ed Chorlton, DCC, to discuss where they go from here. She reported that the next meeting of the Enhancement Group was on Wednesday and would report back to the Parish Council after this.

1003 **CEMETERY**

Cllr. Bailey reported that he had set up a couple of meetings with tradesmen to look at the security of the Cemetery Store door and would report back to the Parish Council once he had more information. The Clerk reported that she had received a letter from Roger Morey raising his concerns over the security of this door as his van had been broken into and equipment stolen.

A letter had been received from John Dere giving information of maintenance charges for the lawn mower and it was agreed that a service should be arranged.

Cllr. White reported that there was a large amount of leaves on the grass at the closed Churchyard at St. Johns and asked if arrangements could be made to clear them to allow the grass to grow. Agreed.

Cllr. Morgan reported that he had procured an anywhere lightbulb for the Cemetery Store.

1004 **MAINTENANCE**

The Clerk reported that she was liaising with Williams and Triggs over the maintenance of the war memorial.

The Clerk reported that a number of residents had complained about the amount of dog mess around the village and suggested that an article outlining what action residents could take be placed in the Parish Chronicle and on the village website. Agreed.

DATED

CHAIRMAN

MINUTES OF THE PARISH COUNCIL MEETING HELD ON 2.02.09 (Continued)

1004 MAINTENANCE cont'd

The Clerk reported that an application had been submitted to fell the turkey oak at the recreation ground adjacent to the A381 which had not been accepted as written arboricultural advice or diagnostic information was required, but that following a number of discussions with Paul Durkan, Arboricultural Officer, TDC, permission had been granted under a five day exemption and a replacement tree would have to be planted within one year. Quotes would now need to be obtained, but there were a number of issues as to how the tree should be felled and what replacement tree should be planted to be agreed. The Chairman asked that these decisions be delegated for the Chairman and Vice Chairman's action. Agreed.

Cllr. Pepperell reported that the telephone kiosk on Fore Street was in need of maintenance. BT to be asked to carry out the necessary work.

1005 TRAFFIC CONDITIONS

A letter had been received from DCC regarding the concerns over the amount of signs being erected at the entrance to Cockhaven Road and advising the Parish Council that as this land was not a public highway they could not object to the siting of the signs. This matter was discussed and concerns were raised at the number of areas which were thought to belong to DCC, but which were not on their terrier and therefore were not responsible for the maintenance. The Chairman asked Cty Cllr. Cox if he could look into this matter both with DCC and TDC so that an accurate record of land ownership could be made and liaise with himself and the Clerk.

Notification had been received from TDC of the change of address from 20 Murley Crescent to Ashburton House, 20 Murley Crescent.

A letter had been received from Freddie Best regarding his concerns over the lack of action by the Highways Authority to improve safety on the A381 from Wear Barton to the junction of Cockhaven Road. Cllr. Davey reported that there had been another two accidents on this stretch of road recently and he felt that crash barriers were urgently needed. He also raised his concerns that if two articulated lorries passed at the same point they would collide. This matter was discussed and Cty. Cllr. Cox was asked to obtain statistics on the number of accidents on this section of the A381 and a letter to be sent to DCC asking them to review the request for a 40mph on this section due to the number of accidents and that crash barriers be installed between the two entrances to Wear Farm as a matter of urgency. Cllr. Hourahane reminded the Parish Council that a request had been made to improve the safety of Forder Lane from Huntley to the shop where there was no pavement and asked that this matter also be raised again.

Cty. Cllr. Cox reported that he had obtained a speed camera which would be maintained and operated by the police with no cost to the Parish Council.

THE CHAIRMAN THEN SUSPENDED STANDING ORDERS to allow members of the public to speak.

Corinne D'arville raised her concerns over the lack of a pedestrian crossing on Fore Street near the Ring of Bells. She explained that this was a three way junction with the bus stop on the other side and on a number of occasions she had been in the middle of the road with cars coming and felt this was a very dangerous situation. She also reported that she had seen other pedestrians having similar problems. Dominic Conroy from the Ring of Bells informed the Parish Council that before Christmas a meeting had been held to discuss the possibility of creating a pedestrian crossing, as a number of residents felt there was a need. Cty. Cllr. Cox had attended this meeting and it was proposed that a section of the railings on the raised level be cut and two steps installed to a raised pedestrian crossing. Mr Conroy went on to explain that this would result in the loss of one parking space, but residents at the meeting residents felt very strongly that a crossing was necessary. Cty. Cllr. Cox explained that a raised pedestrian priority area would link in with the Bishopsteignton Enhancement Group project for Bishops Avenue, but in order to attract separate funding which might be available, would need to be stage one. After discussion Cty. Cllr. Cox was asked to liaise with the Bishopsteignton Enhancement Group and to take this matter forward.

DATED

CHAIRMAN

MINUTES OF THE PARISH COUNCIL MEETING HELD ON 2.2.09 (Continued)

STANDING ORDERS WERE RESUMED

1005 **TRAFFIC CONDITIONS cont'd**

Cllr. Davey reported that there were a number of potholes in Cockhaven Road near the junction to the A381.

Cllr. Pepperell asked why an I bar had been put outside the Church Houses as this was taking away a parking space and causing some ill feeling and felt that DCC should have advised the Parish Council. The Clerk reported that this had been agreed between the resident concerned, the police and DCC, but that any disabled driver could park on there.

1006 **COUNTRYSIDE & RECREATION**

Cllr. Hunt reported that the pipes had burst in the toilets at the Sports Area, but these had now been fixed and the existing pipework tidied up. Cllr. Morgan asked if the Parish Council were covered under insurance, but the Clerk informed the meeting that there was no cover due to insufficient lagging. Cllr. Hunt assured the council that the pipes were now lagged and felt that the original installation had not been satisfactorily completed. Cllr. Hunt went on to report that he did not think the Outdoor Art Group would paint the toilets and an alternative solution might need to be found. He also reported that he was waiting for a representative from Lawns End to respond before reforming the Sports Area Management Committee. He also reported that it had always been a requisite of the honorary caretaker's position to live in the vicinity and recent events had shown that this was essential, but the current caretaker now lived in Teignmouth and this needed to be addressed. Cllr. Morgan reported that he was aware of someone living in the area who would like to take on this role. This matter was discussed and agreed that a new honorary caretaker be appointed and Cllr. Morgan to liaise with Cllr. Hunt. Cllr. Hunt informed the council that the football club had had to stop using the sports area during January because of weather conditions, therefore there would not be as much income as predicted. The Clerk reported that a contractor had been asked to go ahead with the alterations to install large gates in the fence and this should be carried out shortly, which would then enable the maintenance of the lighting.

The Clerk reported that the application for Pathfields to be designated a Village Green had now been submitted to the legal department at Devon County Council who had informed her that the process would take some time.

A response had been received from DCC over the refusal to paint white lines on the edge of the steps on footpath 12, from Teign View Road to Murley Crescent, advising the Parish Council that these steps had been inspected and were in good order and therefore the highway authority had fully complied with its maintenance remit.

1007 **PLANNING** – Minutes of the Planning meeting held on 12th January 2009 were duly approved and signed.

An email had been received from Estelle Smith regarding the application for a wind turbine at Coombe Cottage, Colway Cross advising the Parish Council that comments from the bio-diversity officer were awaited and confirming that the application had been put on category B if the District Council were of a mind to approve. Cllr. Williams reported that this application was going before committee on the 16th February. Cllr. White reported that there had been an article in a paper on a government report which found that domestic wind turbines were not cost effective and that this information might be useful to Cllr. Williams when addressing the committee.

08/04262/FUL Spring Gate, Smith Hill Proposed extension to form additional first floor accommodation – REVISED PLANS Cllr. White declared an interest. After discussion the following comments to be made to TDC - the Parish Council still have reservation over the footprint as well as the proximity to the boundary of the neighbouring property.

09/00087/FUL 11 Lindridge Park Humber Replacement of windows in two dormers and French doors - no comment.

DATED

CHAIRMAN

MINUTES OF THE PARISH COUNCIL MEETING HELD ON 2.2.09 (Continued)

1007 **PLANNING cont'd.**

09/00055/FUL 35 Bishops Avenue Extension to existing kitchen/lounge to form new bathroom, bedroom, en-suite and garage - no objections.

09/00195/FUL Former Bowling Green off Fore Street Erection of a dwelling - no objections.

The report from Cllr. Williams on the new planning procedures was deferred until the next meeting.

Concern was raised that notices were not taken down once planning applications had been determined. A letter to be sent to TDC.

1008 **MEMBERS REPORTS**

None

1009 **CORRESPONDENCE**

A letter had been received from DAPC asking for nominations for the Royal Garden Party.

Notice had been received of a casual vacancy on the DAPC County Committee.

A consultation document had been received on Communities in Control: Real people, real power: Code of recommended practice on local authority publicity.

Letters had been received from D. Viner and G. Viner registering their interest in acquiring allotments in the village. Cllr. Davey reported that he had looked at the land off Forder Lane which had been donated to the village by Molly Coombes, but he felt that it would be unsuitable for allotments. Cllr. Pepperell felt that the only other option was to get at least interested parties and then contact TDC.

THE CHAIRMAN THEN SUSPENDED STANDING ORDERS to allow members of the public to speak.

CHEQUES SIGNED

000843	EDF Energy – electricity Sports Area	£ 51.85 (VAT £2.47)
000844	Thring Townsend Lee & Pemberton – Village Green	£1150.00 (VAT £150.00)
000845	Viking Direct – stationery	£ 45.85 (VAT £5.98)
000846	Neptune Outdoor Furniture - seat	£ 457.70 (VAT £59.70)
000847	R. Morey – Seat Installation & P3 Mtce.	£ 516.00
000848	HM Revenue & Customs – Tax & N.I.	£ 89.64
000849	Mrs C. Colyer - Salary + stationery + exps.	£ 649.57

FINANCIAL STATEMENT (UNTIL 31st JANUARY 2009)

Lloyds TSB (Treas. A/C)	£ 7024.67
Lloyds TSB (Prem.Int. A/C)	£ 445.61
Bank of Scotland	£ 12564.47
TSB	£ 934.87

PAYMENTS	£ 1.82
RECEIPTS	£ 9.12

DATED

CHAIRMAN