

LYDFORD PARISH COUNCIL

MINUTES OF THE MEETING

Held in the Nicholls Hall on Tuesday 17th February 2009

14-2009 Present:

Ms L Ellicott (Chairman); Ms J Gannon (Vice-Chairman); Mrs L Cole; Mrs S Holland; Mrs K Boyd
Ms C Moriarty; Mr I Hammerton; Mrs A Martin (Clerk)

Parishioners and others in attendance: Six Parishioners were in attendance.

15-2009 Apologies for Absence:

Cllr A Hosking and Cllr I McPhie were accepted. Cllr Moyse (WDBC) was deputising for Cllr Mc Phie.

16-2009 Declaration of Interests:

Ms Gannon declared a personal interest in Planning Application 0044/09 as a neighbour of the National Trust at the Bridge House end.

Ms Gannon also updated her Register of Interests to record that she is Chairman of the Parish Plan Steering Committee. It had been recently pointed out to the Council that this comes under the heading of Membership of a Public Body.

Ms Ellicott recorded that she had also tried to amend her Register of Interests to record that she used to be a member of the Parish Plan Steering Committee, having resigned on becoming Chairman of the Parish Council in May 2007. The Monitoring Officer had informed the council that only current interests should be recorded, and so the amendment was not made in accordance with this advice.

CPSO Chapple entered the meeting during the following item.

17-2009 Parishioners and Visitors Time:

17.1 The Council had approached the Rights of Way department of Devon County Council regarding the track from Hartswood to the A386. The response informed us that South West Riders had already taken up the issue and were in the process of applying for a Section 14. The council was advised that it should assist this group in the gathering of evidence rather than make a separate application.

A representative of South West Riders, which is a sub-group of the British Horse Society, briefed the meeting on this application and another track in the parish. As advised by DCC the Parish Council will assist in the gathering of evidence for the applications.

17.2 A parishioner who had recently inspected the register of interests requested more information on a property recently acquired, and declared, by the Chairman. There was no

question of any Personal or Prejudicial Interest arising on the current Council agenda, and it was deemed not an item for the meeting.

17.3 A parishioner had noted a residential caravan under camouflage netting near the boundary of the Caravan Site. The Councillors were of the opinion that it was probably the seasonal home for the managers of the site, and would soon be sited openly in readiness for the new season. The Clerk will contact the DNPA.

17.4 Police Report: CPSO Chapple reported that it had been a quiet time in Lydford. Ms Gannon reported that a number of local landowners have found evidence of deer poaching on their land, with evidence of a vehicle and a high velocity rifle having been used. Both the Chairman and Clerk had received reports from parishioners regarding the theft of different farm animals. The victims were reluctant to report this to the police. If this was not done, however, the police would be unable to look for patterns in the thefts, and the Council would encourage any parishioner who has recently suffered any theft, however minor, to report it to the police to enable them to carry out investigations more efficiently.
Having given his report CPSO Chapple left the meeting to resume his patrol duties.

18-2009 To approve the minutes of the previous meeting:

The minutes of the meeting held on Tuesday 20th January 2009 were signed by the Chairman as a true and accurate record.

19-2009 Matters Arising:

19.1 Highways, Parking and Traffic Issues:

The Clerk had written to Highways on various issues, but had not heard back. Highways were obviously under a great deal of pressure during the recent snow, and so she advised waiting a little longer before chasing this up.

19.2 Parish Plan update – An analysis of the individual comments is still awaited.

19.3 Progress re: Ancient Spring and Opening Ceremony – The Council's project manager, John Pettitt RIBA, was present at the meeting and reported that the information board was now in place and that the Spring is ready for the opening ceremony. He suggested that instead of a ribbon being cut that the Information Board should be ceremonially unveiled, and this suggestion received unanimous approval. The Clerk had completed the sending out of invitations, and several replies had been received. On the current list of acceptances are Cllr Terence Pearce, Mayor of West Devon, who will perform the unveiling ceremony; Cllr Christine Marsh (DCC); Geoffrey Cox MP (who will be coming on from another engagement and may possibly arrive late), Mr Martin Rutland and Mrs Janine Rutland representing ING, the principal sponsors; Mr John Pengelly, the main contractor at the site, accompanied by Mrs Pengelly; Mr Paul Glanville, our Dartmoor Ranger, possibly accompanied by other representatives of the DNPA, Mr John Pettitt RIBA, project manager, accompanied by Mrs Pettitt.

Mr Pettitt is currently formulating the maintenance plan for the site, which will be essential if the site is not to become overgrown as it has following earlier attempts to clear it.

19.4 Progress re: Emergency Plan – Mr Hammerton reported that he had received and information pack from Devon CC, including some risk assessment forms that were very helpful in the assessment of risk. It was hoped that the recent snow may have focused attention on

the need for a plan if Lydford should be cut off from outside help, and a request for volunteers will be put in the next Parish magazine.

19.5 Beating of the Bounds – The two leaders have now had their first meeting, and additionally a volunteer has come forward who will monitor the middle section of walkers. The two leaders will perform a recce of the route in the next few weeks. The Reverend Ian Sykes will open the walk, in accordance with the old Parish traditions dating back to when the Parish was administered by the Church. The route will begin at the Fox and Hounds at 9.30 am and end at the Waterfall Car Park at the gorge when the walkers get there. This is approximately 12 miles, and leaves out the final section, which is said to lack interest, though any individuals are welcome to complete the entire bounds. Those wishing to participate, but who are not up to the entire route may join for the final section. It is traditional to beat the boundary stones, though we will no longer use children as the instrument of doing so, as was done in the past.

19.6 Community Land Trust Update There was nothing further to report this month.

19.7 Granite Way Cllr McPhie had spoken to officers of Devon CC, and had reported the following:

1. The “No Horses” sign will be reinstated within a month.
2. The review of whether to allow horses on cycle tracks will be a county-wide exercise, will be given time and gravitas, and will include consultation.
3. It was confirmed that of the two remaining landowners within the “missing link”, one had agreed to sell, and the legalities of the sale are going ahead. Once this is completed the compulsory purchase will begin for the final link.

20-2009 Receive Reports from Councillors on respective outside bodies:

20.1 DNPA Consultative Forum No meeting this month.

20.2 Police Authority No meeting this month.

20.3 Southern Parishes Link Committee The next meeting will be held in March.

20.4 Nicholls Hall Committee In spite of the weather the Bistro Nite went ahead with a smaller number due to regular patrons being unable to get to the venue. Nevertheless a sum of £160 was raised for Hall funds. The jumble sale held on Saturday 14th February was jointly in aid of the Hall and the Sports Field, and each organisation had received £150.

20.5 WDBC Cllr Moyse, on behalf of Cllr McPhie, reported that the WDBC budget had been agreed, and that there would be a 3% rise in the WDBC element of the Council Tax. The other elements, which are Devon CC, the Fire Service and the Police Authority all have rises coming in comfortably under 5%.

In future Parish Councils will receive a copy of the WDBC meeting schedule in an attempt to more fully engage with local people.

The Boundary Commission review of Devon has been put back further, making the process even more prolonged. The Unitary proposals are backed by Devon CC, but opposed by the District and Borough Councils.

21-2009 Finance:

21.1 The proposed budget had been circulated to the councillors in their briefing notes for the meeting, and the Clerk, as RFO, sought either ratification or resolutions for changes. The acceptance of the budget was proposed by Mr Hammerton, seconded by Mrs Holland and UNANIMOUSLY AGREED. Copies were handed out to parishioners present who requested

copies, and will also be appended to the minutes. The proposed budget will keep the precept at the same level as the previous year, ie a 0% rise in the parish council element of the council tax.

21.2 The following balances were reported:

Current account – £1214.76

Deposit account - £5953.90

Parish Plan - £1204.23

Ancient Spring - £3504.61

The following cheques were authorised from the general budget: Clerk salary & expenses £246.42: HMRC £55.26: Mole Avon (Spring account) 104.19: Mrs Holland (Christmas tree festival - decorations) £5.40: Mrs Cole (ditto, tree lights) £10.00: Bivouac (Spring account for information board) £1495.00 . Transfers from the Ancient Spring account to the deposit account in respect of the above items was authorised, and a transfer of £2000.00 from the flexi account to the deposit account. The Clerk noted that with the current exceedingly low interest rates it was hardly worth maintaining a separate interest bearing account. Provisions held as shown on the sheet circulated. The financial statement is appended to the minutes.

22-2009 Correspondence

22.1 Correspondence requiring action or decision:

1. Letter from Burrator PC regarding planning at the DNPA. This sought support for a request for changes in some procedures. Some of their points were in direct contrast to the experiences and sound working relationship that Lydford has with the DNPA planning department, which has the respect of this council. The council acknowledges that whilst it does not always agree with DNPA decisions the planning office are always at pains to explain the principles that it has applied to such decisions when queries are raised. It was therefore UNANIMOUSLY RESOLVED that the council will write to Burrator PC declining to support their stand.
2. Letter regarding proposed meeting to explain procedures governing Devon's "lost commons". No date or venue are available as yet, but the clerk had already replied expressing her own interest in attending and had been told that one councillor could also attend. It was decided that Mrs Holland will be the councillor to attend subject to the date and venue of the meeting proving convenient.

22.2 Correspondence for Information Only

1. Letter from a parishioner declining an offer by the council to arrange a face to face meeting to go through outstanding queries regarding the sewage treatment works. The offer will remain "on the table" for any mutually convenient date.
2. Royal Garden Party – we are not eligible to nominate a representative this year because we went last year
- 3 sia information (sia - Spinal Injuries Association)
- 4 Details of Geoffrey Cox MP surgeries in Tavistock and Okehampton. These will be published in the Parish Magazine each month.
- 5 Digital UK information
6. DNPA Agenda, Minutes and reports of the Authority – Inclusion report appended
7. WDBC Standards Committee Agenda and Minutes and Update on Local Govt Review

22-2009 Planning Applications

22.1 Decisions Received

None this month.

22.2 Submission made under Delegated Powers

Application for a further amendment to existing permission at the Builder's Office (0973/07): The following submission was made under delegated powers:

The Council OBJECTS to any amendment being made to the plans as originally passed, especially where a specific condition will be changed or breached (in this case condition 5).

The original fenestration as passed formed an important part of the design, and the council also objects on design grounds to the proposed amendment.

The Council has grave concerns that building work is already taking place on this development which is not in accordance with the plans as passed, and has especial concerns that the ridge line may be raised from what was passed in the original plans.

As has been previously stated Lydford Parish Council would not like to see a precedent set whereby it was considered acceptable to flout the planning consent that was awarded, especially in the Conservation area of the village.

The Council would not like to see the proposed amendment "rubber stamped" without detailed consideration of what has been passed, what is proposed, and what is actually happening on site at this development.

Although not listed this is a historic building which has a prominent place in the village, and the Council considers that it is desirable that, although small in size, the development is carried out to the highest standard of both design and materials. The original plans as passed satisfied these requirements, and the council would like to see the development carried out exactly as originally designed.

22.3 Applications for decision by the Council:

22.3.1 Conversion of grassed area to gravelled hardstanding at Lydford Campsite (0039/09)

Councillors raised a number of queries regarding this application, and the following submission will be sent to the DNPA:

- 1. Members understood that on a previous application the field in question was restricted to tent camping only – could the DNPA please check on this.*
- 2. The form refers to planning consent for 120 pitches. Councillors understood that the planning consent was for 90 pitches, and that the Caravan and Camping Club had a licence to extend this to 120 because of being the C&CC. Now that the site has reverted to being run privately by the owner the Council anticipated that the license went with the C&CC and that there would only be 90 pitches.*
- 3. The application refers to connection to the main sewers, which is correct as regards the ablution facilities at the site. There is, however, the matter of chemical toilet emptying, and in particular the emptying of holding tanks on motor homes. The Campsite's website specifically advertises it as a point for these vehicles to empty their on board sewage holding tanks, and the Council has concerns that chemical toilet waste may be discharged into the village*

sewerage system. It also believes that this should come under the heading of trade effluent, and may require a license.

4. The application refers to a sustainable drainage system, but there are no details of this given, and it does not appear on the plans. The Council would like details of the point of discharge, for which it understands that Environment Agency consent is required. The council would also like to point out that there are flooding issues on the section of road from the War memorial to Bolts House, which runs adjacent to the site.

The Council concludes that at present insufficient information (especially regarding the drainage system and the emptying of chemical toilet waste) has been given for it to make a decision on this application.

22.3.2 Application by the National Trust for new storage compound and change of use to holiday let and office at the Bridge House end of Lydford Gorge

The holiday let is presently already a staff apartment, and so it was felt that this was a relatively non-contentious application. The new wood boiler is environmentally friendly, and the Bat and Barn Owl survey had been professionally carried out by independent experts. The Council's response is as follows:

The council SUPPORTS the sustainable energy system afforded by the proposed new boiler. It SUPPORTS the plans for the stable block.

It notes that the vertical slats on the proposed boiler house are not in accordance with the DNPA advised design, and hopes that the DNPA will be consistent in its policy on design and use of materials.

22.3.3 Application to fell a tree at Lot Cottage (former builder's office)

The Clerk had consulted the neighbours, who had no objection, and so the council will respond that there is NO OBJECTION to the proposal to fell this tree.

It was noted that there have been complaints by parishioners that the building work on this site was not in accordance with the plans as passed, and that the Council had passed these concerns on to the DNPA. It was believed that an enforcement officer had now visited the site.

22.3.4 Application for change of use and conversion of outbuilding to provide ancillary domestic accommodation at Hartswood

The Council had a number of concerns regarding this application. The following response was formulated:

1. *The Parish Council believes that the application is misleading in describing it as a change of use from workshop to domestic use: the existing building is a barn and still has pig feeders in it.*

2. *The Bat and Barn Owl Survey: This appeared to have been "glossed over" and did not appear to have been carried out by an independent wildlife expert. There is local anecdotal evidence of both bats and Barn Owls using the building up until the departure of the previous owner. The Council calls for an independent survey to be carried out by an independent and qualified wildlife expert.*

3. *The Parish Council queries the orange outline, which is not on the registered title of Hartswood.*

4. *The Council believes that the track marked "private shared track" is a public right of way.*
5. *A great deal of the application seems to refer to the personal circumstances and future intentions of the applicant – the council believes that these are not material planning considerations and should not therefore be part of the application.*
- It therefore seems to the council that the application is flawed, and possibly unlawful, and cannot be supported in its current form.*

23-2009 Items raised at the previous meeting for inclusion on this agenda:

23.1 Footpath past Hartswood – dealt with earlier in the meeting.

23.2 The Standards Committee's response: The clerk reported that she had spoken to the Monitoring Officer on the telephone, thus enabling a two way conversation. It was not possible for the Council to report itself to the Standards Committee, nor did there seem to be any grounds for a complaint.

24-2009 Items raised for inclusion on the next Agenda

The Council's Website

25-2009 To agree the date of the next meeting:

The date of **Tuesday 17th March 2009** was agreed commencing at 7.00 pm.

There being no further business the meeting was formally closed by the Chairman at 8.33 pm.

Annie Martin
Clerk to the Parish Council

20th February 2008

Signed as a true and accurate record..... (Chairman) Date.....

LYDFORD PARISH COUNCIL

FINANCIAL STATEMENT

FEBRUARY 2009

ACCOUNT		CURRENT	FLEXI	AN.SPR	P PLAN	TOTALS
BALANCE B/F	20 Jan 09	1214.76	10662.74			11877.50
FLEXI AC SPLIT BALANCE			5953.90	3,504.61	1204.23	
RECEIPTS						
TRANSFER						
Spring planting			103.90	-103.90		
Spring information board			1495.00	-1,495.00		
Admin			25.00	-25.00		
Transfer to current a/c		2000.00	-2000.00			
PAYMENTS	CHQ NO:					
Clerk - A Martin (November)	856	-246.42				-246.42
HMRC (via Post Office Ltd)	857	-55.26				-55.26
Mole Avon (Spring planting)	858	-104.19				-104.19
Mrs Holland (xmas tree decs)	859	-5.40				-5.40
Mrs Cole (tree lights)	860	-10.00				-10.00
Bivouac (spring info board)	861	-1495.00				-1495.00
FLEXI AC SPLIT TOTALS			5577.80	1,880.71	1204.23	
CLOSING BALANCE	17 Feb 09	1298.49	8662.74			9961.23

NOTES:

PROVISIONS:

Ancient Spring	£1,880.71
Elections	£500.00
Parish Plan	£1,204.23
Grant availability	£170.00

PRECEPT:

Payments made 14th April plus Burial Grant £84	£3,259.00
Payments made 18th September	£3,175.00

BUDGET ANALYSIS for 2008/9

**Current
Year**

**Next year's
Budget**

CATEGORY	Yr to Date	FullYear proj	BUDGET		2009/10
INCOME					
Grass cutting DCC	140	140	136		140
Spring admin	165	180	45		0
Interest	110	110	0		20
Burial grant	84	84	84		84
VAT recovered	670	670	200		200
Precept	6150	6150	6150		6150
Total		7334	6615		6594

PAYMENTS

Room Hire	10	100	100		120
Grass Cutting	153	153	150		153
Clerk (salary + SLCC)	3093	3399	3400		3550
Clerk fixed exps	275	300	300		360
Equipment	0	0	0		0
Stationery	71	100	100		100
Postage	21	30	60		50
Audit fee External	175	175	200		175
Audit fee Internal	30	30	30		40
Gen Admin	0	0	0		0
Insurance	421	421	425		450
S137	50	50	100		100
Training	48	100	100		150
Elections	0	0	0		200
DAPC	65	65	75		76
Bounds	0	0	0		200
Capt Hunter	245	245	0		0
Parish Plan	0	250	250		0
Mileage	151	180	120		200
Toilets	0	0	700		0
Web Site	10	160	150		180
Contingency	0	0	0		250
Totals		5758	6260		6354

Grants

Available			170		190
CAB		50	50		50
Total			220		240

Total

6480

6594