

**MINUTES OF A MEETING OF INSTOW PARISH COUNCIL HELD AT THE
PARISH HALL, INSTOW ON
THURSDAY 16th MARCH 2017 AT 7.30 pm**

Present: - Councillor Moores (Chairman)

Councillors Crombie, Mrs Clements, Green, Mrs Hackett, McCrum,
and Vandersteen

Mr M Isaac (Clerk) and DCC Councillor Biederman

In Attendance: 7 Parishioners/members of the public.

148 OPENING OF THE MEETING

The meeting was declared open by the Clerk.

149 APOLOGIES

Apologies were received from Councillor Johns.

150 COUNCILLOR DECLARATION OF INTERESTS

There were no declarations of interest announced.

151 PARISHIONERS QUESTIONS

The Clerk explained that there was 15 minutes set aside for this item with parishioners being given precedence over members of the public.

The following issues were raised:

St Johns Parish Church

Mrs Cantle reported that the Church may have to close for six months next winter to save on heating. There was a small congregation and the income was steadily declining. The Annual Parish Church meeting will be held on 2nd April 2017 at 12 p.m. at All Saints Chapel.

Dog Owners

A Parishioner expressed concern at the recent radio broadcast advising dog owners not to bag up dog poo but flick it into undergrowth instead. The idea had been initiated by the National Dogs Trust.

He also mentioned in relation to the new bus stops that people were having difficulty getting on and off the bus.

Marine Parade development site

A Parishioner asked about the Management Company who would upkeep the open space area in the new development.

The Chairman stated that it would initially be the responsibility of Chichester Homes the developer and then be passed onto the residents to manage. He also stated that the s106 agreement had not yet been signed.

The Parishioner asked if there was a mandate for the Community Pay Back Scheme to subsidise Commercial activities as they had cut hedges and cleared sand the responsibility of Christie Estate.

It was stated that the Community Pay Back Scheme undertook jobs in the community as requested.

152 **REPORT COUNTY COUNCILLOR F. BIEDERMAN**

DCC Councillor Biederman reported the following:

That the Bus Shelter pads were in place and the new bus shelters would be in place by the end of March

153 **REPORT OF DISTRICT COUNCILLOR B MOORES**

Councillor Moores reported the following:

That the Boundary Commission had visited North Devon and was looking at the ward population ratios to the number of District Councillors. Instow was 20% below the recommended population figure and there was concern that Instow may be subsumed into Fremington/Yelland.

The District Council would over the next 12 months be looking at the current ward boundaries and undertake a public consultation.

154 **MINUTES**

It was **RESOLVED** that the minutes of the meeting held on 16th February 2017 be approved as a correct record and signed by the Chairman.

155 **MATTERS ARISING FROM THE MINUTES**

There were no additional issues not listed elsewhere in the agenda

156 **CORRESPONDENCE**

(i) Matters for discussion/resolution or noting: -

- (a) The Council noted that there would be Code of Conduct Training on Monday, 20 March 2017 in The Castle Centre, Castle Street, Barnstaple from 7 - 9pm. Delivered by Mr Ken Miles, Monitoring Officer, North Devon Council.
- (b) The Council noted an E Mail from Mike Glover regarding the Orchard.
- (c) The Council noted an E Mail from DCC regarding sand removal from Marine Parade.

Councillor McCrum stated that as a result of the response from DCC he had undertaken some research of DCC responsibility as the local Highway Authority.

He stated that under clause 1 of section 150 of the Highways Act 1980 there was a statutory duty on the Highway Authority to remove any obstruction from the highway and the sand on Marine Parade qualified as an obstruction under any definition.

The situation had been on-going for at least four months without resolution and it was obvious that Devon County Council was not going to comply with its statutory duty unless they were forced to do so.

In these circumstances anyone can apply (under clause 2 of Section 150) to the Magistrates Court for an order requiring Devon County Council to remove the sand obstructing Marine Parade within seven days.

The Clerk informed Council that NDC Solicitor had stated that if the action was not contested the cost would be £250 -£300. However if it were contested costs could escalate.

The action would be a one off short term remedy and future actions would need to be taken if the problem re-occurred.

The Clerk reported that he had been successful in an application for £500 from Councillor Biedermans Community Grant budget towards clearing the sand from the pavement.

The Chairman reported that he and the Clerk had met a Contractor to seek a quote for clearing the sand.

Councillor McCrum stated that he would not wish to use Parish Council funds to undertake a responsibility of another authority.

It was agreed:

- i) That Councillor Biederman arrange a meeting with DCC Officers and Parish Councillors to outline the requirements of s150.
 - ii) That NDC Solicitor be asked why he does not consider it is in NDC interest to provide legal support in this instance.
 - iii) That a private Solicitor be approached for an estimated cost of taking legal action.
 - iv) That Christie Estate be approached with regard to paying the legal costs, if the Parish Council applied to the Magistrates for an order.
 - v) That only the £500 grant from DCC be spent on clearing the sand from Marine Parade.
- (d) Overnight Parking along Instow Seafront
The Council noted an E Mail from Mrs Day regarding overnight parking along the seafront.

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Councillor Biederman stated that if changes were made to regulate overnight parking along the seafront it would affect all residents/visitors.

157 FINANCE

The Council agreed/noted the following payments/receipts:

1. INCOME: -

Car Park takings	Period – 15 February 2017 to 10 March 2017	£	1,343.75
Weekly Tickets		£	465.00
	<u>TOTAL : -</u>	£	<u>1,808.75</u>

2. EXPENDITURE: -

Mr. B Keane	Village Handyman	£	147.20
North Devon Council	Clerk Salary Recharge +Admin	£	703.58*
North Devon Council	Printing (Dec 16 and Feb 17)	£	14.28
J. Mayhew	Dog Bin Emptying (Dec/Jan)	£	72.00
M. Isaac	Clerks Expenses	£	46.32
T Hart	Toilet Cleaning	£	300.00
Community Heart Trust	Membership Donation Defibrillator	£	126.00
Bookers	Toilet Supplies (DD)	£	41.95+
DALC	Annual Membership	£	182.37**
Taw/Torridge Estuary Forum	Subscription	£	20.00
	<u>TOTAL: -</u>	£	<u>1,653.70</u>

Key

*£1.29VAT
+£6.99VAT
**£24.02VAT

3. BANK – STATEMENT OF ACCOUNTS: -

Lloyds Bank Treasurers a/c no. 02348842 as @ 2.2.17 (Statement) = £3,027.85
Lloyds Bank Business a/c no. 02350065 as @ 22.12.16 (Statement = £98,884.88 (includes £59,592.00 for Car Park/Toilets)
Outstanding cheque payments 1233 - £333, 1234 - £666(Cancelled), 1235 - £150, 1236 - £417
NB: - IPC to note that £10,000 was re-invested (until 10.5.17) to a higher interest account (1.25%) within Lloyds TSB

4. RESOLUTION REQUIRED: -

RESOLVED that £1,650 be transferred from Lloyds Bank Business account number 02350065 to Lloyds Bank Treasurers account number 02348842 to cover cheques as at 2 above.

5 BUDGET 2017/18, GRANT APPLICATION AND POLICIES

Council considered the recommendations of the Finance Sub Committee held on 2nd March 2017.

a) GRANT APPLICATION

RESOLVED that the following grant be awarded:

- i) North Devon Yacht Club £500 towards the provision of a car park security system.

The Council noted the receipt of additional quotes and information

b) ANNUAL REVIEW OF POLICIES

(i) Financial Regulations

That the Financial Regulations be re-affirmed subject to paragraph 6 being amended to read Finance Working Group and not Finance Sub Committee.

The Clerk was asked to investigate options for making payments in the event that cheques are discontinued.

(ii) Risk Assessment

That the risk assessment be amended to include the toilet block and defibrillator as Parish Council assets.

(iii) Beach Risk Assessment Policy

That the Beach Risk Assessment Policy be re-affirmed.

The Council is to check that signs at the beach are in accordance with the Risk Assessment Policy

(iv) Child Protection Policy

That the Child Protection Policy be re-affirmed.

(vi) Training Policy

That the Training Policy be re-affirmed.

(vii) Equal Opportunities Policy

That Equal Opportunities Policy be re-affirmed.

(viii) Code of Practice for Handling Complaints

That the Code for handling Complaints be re-affirmed subject to the changes to the Local Government Act 2000 in respect of the Standards Committee being incorporated in the code.

c) BUDGET 2017/18

That the budget 2017/18 as outlined in the report (copies circulated) be approved and adopted.

6. REPLACEMENT CAR PARK MACHINE

Councillor McCrum stated that it would be sensible for Instow Parish Council to tag its purchase of a new pay & display ticket machine onto the NDC procurement contract.

He reported that:

The basic estimated cost of a new machine was as follows:-

Mains Powered £2,500

Mains powered with card payment facility £2,700

Solar Powered £2,300

The solar power option was less money to purchase but involved continuing expense on replacement batteries.

The card payment facility whilst it might generate a little extra revenue it would also involve significant extra operational costs to the card processing company.

NDC had allowed around £2000 per machine installation cost as each would involve two site visits by SWEB to disconnect the old machine and then return to connect the new machine once installed.

By joining the NDC procurement IPC would hopefully get a lower price and reduced ongoing maintenance costs as we would be part of a contract to maintain 70 machines.

In addition we could hopefully arrange for the usage data from the Instow machine to be downloaded and processed by NDC at minimal cost rather than having to do it manually ourselves.

It was agreed that authority be delegated to the Working Group to conclude negotiations with NDC was a new car park machine up to a maximum of £5,000

7. HANDYMAN

It was agreed to consider this matter at the end of the agenda in confidence when the Public have been excluded from the meeting.

158 PLANNING

- a) 62682 Listed Building Application for works to roof and boundary wall, Galsworthy House, Marine Parade, Instow

It was noted that the above application was being considered by the Planning Sub Committee

159 TRACKER

The tracker was noted.

It was noted that NDC Chief Planning Officer was taking further advice from Officers in respect of the Sands.

160 MATTERS RAISED AT THE DISCRETION OF THE CHAIRMAN

A Councillor asked when the Road Crossing was going to be repaired. Councillor Biederman stated that he would look into the matter.

In answer to a question it was noted that a change of use had been applied for, for the Wesleyan Chapel.

The Council in accordance with standing order 5 agreed to continue the meeting past 9.30 p.m. in order to complete the remaining business on the agenda

161 EXCLUSION OF PUBLIC AND PRESS

The Council agreed to exclude the public and press from the meeting in order to consider a matter involving personal issues.

162 HANDYMAN CONTRACT

It was RESOLVED:

- a) That the existing handyman contract be terminated/not renewed.
- b) That the amended handyman contract of services as outlined in the report circulated be agreed and offered to Mr Hosegood for a trial period to coincide with the summer beach cleaning contract period.

There being no other business the meeting was closed at 9.42 p.m.

Chairman

Dated: -