

**MINUTES OF A MEETING OF INSTOW PARISH COUNCIL HELD AT THE  
PARISH HALL, INSTOW ON  
THURSDAY 20<sup>th</sup> SEPTEMBER 2018 AT 7.30 pm**

**Present: -** Councillor Moores (Chairman)  
  
Councillors Mrs Clements, Crombie, Green, Mrs Hackett, Johns,  
McCrum, Mrs Stanbury and Stenton.  
  
Mr M Isaac (Clerk)

**In Attendance:** 7 Parishioner/members of the public.

**57 OPENING OF THE MEETING**

The meeting was declared open by the Clerk.

**58 APOLOGIES**

There were no apologies.

**59 COUNCILLORS DECLARATION OF INTERESTS**

There were no declarations of interest announced.

**60 CO-OPTION**

It was Resolved that Mrs Kathleen Stanbury be co-opted onto the Parish Council.

The Chairman welcomed Mrs Stanbury onto the Parish Council.

**61 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:

A Parishioner thanked the Clerk for getting correct the description of North Devon Yacht Club as a charitable organisation. He stated that at the previous meeting he had quoted the activities for schoolchildren as an example of the charitable activities carried out by the Yacht Club. He further stated that two schools pupils had been given experience of the estuary from Appledore. The following morning the pupils from Instow School would be given a chance to go out in the estuary and the councillors could go down to the Yacht Club to see what was happening. .

The Parishioner further stated that following an FOI request for all correspondence and communications between IPC and the organisers of the Appledore Regatta, the only correspondence was the email to the organisers asking for their plans.

He also stated that he had looked on the IPC website for the Beach Lease. It was not

there. Councillor Green stated that the process of updating the website documents was on going.

A Parishioner asked how can IPC agree to signing up to a Plastic Free Community whilst ignoring the behaviour of its own representatives.? The leaving of plastic and other man-made rubbish on the beach by the beach cleaner is well documented (first documented complaint year 2000!); and the leaving of black bag rubbish "ties" on fence at the second beach continues. It was also mentioned that broken bottles were left in the long grass beneath these black bags.

Also the number of plastic cable ties Cllr. Stenton took off the lamp-posts, under which the remains of black balloons littered the pavement.

The Parishioner also raised issue with the Fly-posting - 28 day rule? Some of the ties were associated with the large number of fly-postings which she understood were associated with the Chairman. It was stated in the June minutes that this was permitted under the "28 day rule and could not be removed by anyone other than the Highways authority". In the July minutes this was queried as it appeared no one had permission to fly post on highway property. Could the Council verify the "28 day rule"?

The Parishioner further stated that in the June minutes it was stated that IPC "considered a proposal to send a letter to the Management Committee of the Parish News expressing concern about the journalistic standards and editorial practice of the Parish News and making suggestions for improvement."

The proposal was deferred to the next Parish Council meeting for consideration as some Councillors appeared not to have any knowledge of the letter. Comments made by a one Councillor who was not happy with what was being proposed were not recorded.

The Councillor queried why her comments were not recorded at the July meeting. It was stated that Councillors remarks were not "verbatim".

The Parishioner queried why her letter (28th June) of complaint against a representative of IPC in his capacity of erecting the Code of Conduct boards was not read out, not documented and not acknowledged. She stated that Mr Mills had made wild accusations followed up with offensive remarks. This behaviour by those erecting the Code of Conduct signs was also reported to Cllr. Moores on a separate occasion, witnessed by Cllr.Hackett. She questioned the integrity of the Council.

The Chairman stated that Mr Mills had issued an apology to the Council.

A Parishioner stated that in view of the local plastic issue it was intended to get the local WI's involved.

The Parishioner further stated that she had reported to the Clerk on several occasions about separate beach cleaning incidents; builders bags, plastic sheets and a paint tin left on the beach after a "clean". She stated that the beach cleaner assured her that he would remove the tin of paint collected in the "rake" when he reached the other end of the beach. This tin was found in the debris left by the tractor tracks. The Council pay a lot of money for this service and despite years of informing the Council nothing changes and this behaviour is beyond belief.

Concern was raised again regarding lorries turning in the car park. The Chairman stated that the issue was under discussion.

**62**                      **REPORT COUNTY COUNCILLOR F. BIEDERMAN**

The Chairman gave Councillor Biederman's apologies due to him being unwell.

The Clerk stated that he had received an e mail from Councillor Biederman updating the Parish Council on issues raised at the last meeting.

The overgrown verge by the Lane End toilets – that DCC had inspected the verge and had not identified any defects.

Speed Audit by Silver Threads – the speed audit had been requested but there were no further updates

Damage to the wall at rear of Watersmeet close to Breakers – the wall was not the responsibility of DCC.

It was agreed that Councillor Biederman be requested to again raise the issue of the overgrown verge by the Lane End toilets as it was considered dangerous as there was no visibility for emerging vehicles of on-coming vehicles in the direction of the Royal Marine Army Camp.

It was noted that DCC had agreed to put together a scheme for consideration regarding the Lane End Road parking issue to be considered at the October meeting.

**63**                      **REPORT OF DISTRICT COUNCILLOR B MOORES**

Councillor Moores stated that he had no NDC issues to report.

**64**                      **MINUTES**

It was **RESOLVED** that the minutes of the meeting held on 19<sup>th</sup> July 2018 be approved as correct records and signed by the Chairman subject to minute 40 paragraph 10 being amended to read 'It was also reported that there was a lot of overgrowth from the Boathouse towards the entrance to the Sandhills Car Park. It was noted that this was a responsibility of the Christie Estate and would be raised with Andrew Woollacott'.

**65**                      **MATTERS ARISING FROM THE MINUTES**

- a)            Minute 41 Plastic Free North Devon

The Clerk reported that he had not received any suggested recommendations from Lyndsay Platt, Local Co-ordinator and as she was not in attendance at the meeting it was agreed to defer the matter to a future meeting.

- b)            Minute 45 Review of Litter/Recycling Bins.

Councillor Stenton reported that he had not had any communication from NDC Councillor Cann regarding possible sponsorship for a recycling bin/s in Instow.

He therefore suggested that the bins be cleaned up with a wire brush and file to make them safe and then be re-painted.

It was agreed that NDC be informed that the Parish Council was prepared subject to the consent of NDC to clean up and make safe the recycling bins and then repaint them.

Councillor Mrs Hackett stated that a Parishioner had offered to paint the bollards and street lights

**66                      CAR PARK AND TOILETS WORKING GROUP**

a)                      Car Park: Update

Councillor McCrum updated Council on the latest position regarding the drain survey and re-surfacing of the Car Park.

Mark Roberts, NDC had now received the results of the CCTV survey of the drains in the car park (copy tabled). The survey showed some areas where the drains have partially collapsed but the status of most of the drains was unknown as the majority of the drains were almost completely blocked.

As a result Mark Roberts was going to commission further work to jet wash the blockages away, repair the known faults and to survey the cleared drains to see if any further repair work is required before the resurfacing can proceed. The costs was estimated at around £4,456 +VAT for the survey already carried out and the additional work he had commissioned but the cost of any additional repair work found to be necessary would be on top of this figure. A contingency of up to £10,000 would be appropriate

As a result of the drainage problems NDC could not put out the tender for resurfacing the car park in October and now thought the likely timing would be in the spring of next year hopefully before Easter.

In addition NDC Accounts Dept. had flagged up a potential issue over VAT on the renovations and had recommended that the actual tender was issued in the name of Instow Parish Council.

Mark Roberts had said that even if the Parish Council needed to issue to tender because of the VAT problem he was still willing to write the specification and presumably re design the car park layout on our behalf.

The car park had been re-inspected and the areas where the sub base had cracked appear to be stable and not to be subsiding further. As a result he was proposing to cover the cracked areas with a geo-textile to prevent further deterioration instead of the more expensive process of digging out the cracked areas of sub base and installing areas of new sub base.

A rough estimate of the cost of resurfacing using the geo-textile repair process was likely to come in at around £25-30,000. An amount for the drainage work and resurfacing, including contingency, of up to £45,000 would be pertinent leaving approximately £15,000 for toilet refurbishment. The narrowing of the entrance points would be in the region of £2 -3,000.

It was agreed:

- i)                      That the decision of September 2017 be re-affirmed and that North Devon Council manage the Instow Car Park renovations, effectively as a contractor on behalf of the Parish Council.

That under the agreement North Devon Council be asked to draw up the specification of the necessary renovations (repairs to the drains & resurfacing) and having gained the approval of the Parish Council of the specification, put the work involved out to public tender alongside NDC's own car park resurfacing works. NDC would choose the successful bidder and sub-contract with them for the work and supervise the actual works at Instow Car Park to make sure they met the agreed specification.

That NDC be invoiced for the work by the contractor(s) involved and would pay the invoices and reclaim the VAT on those invoices. NDC will then issue its own VAT invoice(s) as contractor to Instow Parish Council for the costs of the work. Instow Parish Council will then pay NDC for the full value of the invoice(s) including VAT and then reclaim the VAT through the normal process.

ii) That having reviewed the results of the CCTV survey NDC be appointed as the approved contractor to proceed with the drainage works specified in the initial survey.

b) Toilets – Emergency Works and Refurbishment

Councillor Stenton reported that he had obtained an exploratory quote for the repair of the toilet roof of £1,255 and a quote for the replacement of the roof (the same as the existing roof) of £3,229 + a £500 contingency. He suggested that the Council should explore a complete refurbishment of the toilets

It was agreed that Councillor Stenton be authorised to approach a couple of local architects to seek a quote for a survey of the toilets, possible proposals for the refurbishment and a schedule of works to include a possible lockable facility at the side of the toilets and an electrical feed along the wall to the toilets.

## **67 BEACH MANAGEMENT WORKING GROUP**

Councillor McCrum presented the report of the Beach Management Working Group held on 28 August 2018.

a) Use of the beach for events

The Working Group had been asked to formulate a policy on the use of the beach for events for consideration by the Council.

It was noted that the Council's role as beach manager had not changed for many years but in an increasingly litigious society the Council needed to consider what steps should be taken to ensure the safety of beach users and to avoid the possibility of the Council being held responsible if there was an incident on the beach.

The Group agreed that the Council should not attempt to interfere in the enjoyment of members of the public using the beach for recreation but there was a case for regulating organised events and/or events for which a charge was made so as to ensure these events did not put at risk or inconvenience other beach users.

The regulation of such events necessarily required that the Council was advised in advance and was provided with information about the events. It had been agreed to prepare a beach event application form incorporating an information schedule.

It was agreed that it was essential for the Council to be provided with a copy of the applicant's insurance schedule and that the insurance should specifically provide public liability cover for events on another organisation's property. In the event of someone

being seriously injured on the beach, it was possible that a claim might be made not only against the event organiser but also against the beach owner and the Council as beach manager, and it was agreed that the Council's insurance policy should be reviewed to ensure that the cover is appropriate.

It was agreed that the beach event application form (incorporating an information schedule) and list of criteria and rules for events on the beach be considered at the October Parish Council meeting.

b) Alternative location for beach sign on slipway railing

The Group noted that the EA had asked for the sign to be removed from the railing. It was proposed that in the short term the Council should apply for permission to leave the sign in place until the end of September. This would buy time while the application was considered. If the sign had to be removed at the end of the summer season, it was proposed that it should be attached to the sea wall just beyond the end of the slipway.

c) PSPO relating to dogs on the beach

The Group noted that NDC were obliged to institute a PSPO relating to dogs by February 2019 to replace the dog control orders at present in force. The PSPO would cover different locations across North Devon, and there was a discussion as to whether IPC had asked NDC to include Instow beach in the PSPO.

Councillors Moores stated that a report would be considered at the October NDC Executive

d) Beach Cleaning Contract

The Group noted that the beach cleaning contract was due for renewal before the start of the 2019 season.

e) Benches on Marine Parade

The group raised the issue as to whether the benches on Marine Parade fell within its remit. It was reported that some benches were in a poor state. In some cases repairs have been carried out by using brackets, which were not adequate, and a more extensive workshop repair was required.

It was agreed that the Beach Management Working Group keep under review the condition of the benches along Marine Parade

f) Review of beach code of conduct

The Group noted that the Council had agreed that the code would be reviewed following the end of the summer season. The Working Group proposed that the review should be postponed until NDC's decision on a dog PSPO was known and until then there should be no change in the code.

It was agreed to defer a review of the code of conduct until it was known whether NDC would be including Instow beach in the PSPO.

g) Arrears of income

The Group raised concerns regarding the late payment of fees for the lease of the moorings.

The concerns of the group were noted.

h) Removal of sand from the beach

The Group had asked if there had been a response from Christie Estate regarding the removal of sand from the beach. The Clerk reported the receipt of a response by Christie Estates which had been previously circulated to Councillors.

He had stated that the issue with sand removal was not straight forward and any application would need to be made to Natural England. The SSSI status of the beach and foreshore was given legal protection against damaging activities undertaken by owners, occupiers of land within a SSSI public bodies and any person. No activity can be undertaken without land owner and Natural England consent. The removal of sand from SSSI without this consent was not only a breach of the legal protection given to SSSI's, it was also a breach of planning control as the district council would need to grant consent for mineral extraction. He had suggested that it would be useful for the Parish Council (and potentially the Estate) to meet with Natural England so there is a clear understanding of the parameters of what might and might not be allowed or achieved.

It was agreed that a meeting be sought with Natural England and other interested parties and that Councillors McCrum, Mrs Stanbury, Mrs Clements and Mrs Hackett be appointed to attend the meeting.

i) Recording at Parish Council meetings

The group asked if the Recording at Meetings Protocol had been altered by the GDPR legislation. The Clerk stated he had raised the question with NDC legal department.

j) Beach description

The Group noted a description of Instow beach drafted by Councillor Green with a view to presenting a positive portrayal of the beach on the Parish website.

**68**                    **REVIEW OF STANDING ORDERS**

It was agreed to defer consideration of the draft standing orders/members code of conduct to the October meeting to allow Councillors time to view the documents.

The Council recorded its thanks to Councillor Green for his time and work in re-drafting the documents.

**69**                    **UNDERCROFT, CHURCH ROOM – POSSIBLE USE FOR STORAGE/WORKSHOP**

The Chairman stated that as the Council had been looking for some time for a

storage/workshop area without success it had been suggested that a possible location may be the undercroft, Church Room.

It was agreed to approach the PCC to ascertain if it would be possible for the Parish Council to rent the space.

## **70                      CORRESPONDENCE**

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

- a) The Council considered an E Mail from ND Yacht Club regarding the use of the beach for events.

It was agreed that a meeting be held with the ND Yacht Club when the policy has been finalised by the Beach Management Working Group and adopted by the Council.

- b) The Council noted a letter from Appledore Residents Association regarding a planning application in Appledore and that Councillors individually could make representations if so desired.

- c) The Council considered an E Mail from A. Woollacott in response to an e mail from a C.Topps regarding the removal of buoys on the beach.

It was agreed:

- i) that Mr Short, Instow Marine Services be asked to look at the condition of all the moorings on the beach  
ii) that the Royal Marines be approached and asked to make a sweep of the whole beach and remove any obstructions.  
iii) that as a temporary measure the Estate be asked to grind off any protruding metal by 2 feet.

- d) The Council noted 2 E Mails in support of restrictions on the beach

- e) The Council noted an E Mail from White House Close Residents Association re sand blowing off the sand dunes

- f) The Council noted an E Mail from Mr McKernan re allegations against the Council in relation to dog restrictions on the beach sent to Ken Miles NDC Monitoring Officer and noted the response from Ken Miles

The Council in accordance with standing order 5 agreed to continue the meeting past 9.30 p.m. but only until 9.45 p.m.

## **71                      FINANCE**

The Council agreed/noted the following payments/receipts:

### **1. INCOME:**

Car Park takings	Period – 17 July 2018 to 24 July 2018	£ 1,065.90
Car Park takings	Period – 24 July 2018 to 31 July 2018	£ 989.50



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Car Park takings	Period – 31 July 2018 to 7 August 2018	£ 1,254.70
Car Park takings	Period – 7 August 2018 to 14 August 2018	£ 1,024.20
Car Park takings	Period – 14 August 2018 to 21 August 2018	£ 1,127.20
Car Park takings	Period – 21 August 2018 to 28 August 2018	£ 1,072.40
Car Park takings	Period – 28 August 2018 to 4 Sept 2018	£ 1,079.35
Car Park takings	Period – 4 Sept 2018 to 11 Sept 2018	£ 977.85
VAT Refund		£ 2,318.60
Christie Estate	Contribution towards litter collection etc	£ 500.00
<b><u>TOTAL</u></b>		<b><u>£ 11,409.70</u></b>

Car Park Income Comparison with previous year:

12 September 2017 - £18,653.70

11 September 2018 - £23,165.55

### **2. EXPENDITURE: -**

#### **AUGUST**

North Devon Council Clerk Salary Recharge + Admin (including VAT £1.29)		£ 748.34
J. Mayhew Dog Bin Emptying		£ 97.60
J. Braddick Toilet Cleaning (including VAT £2.66)		£ 315.92
M. Isaac Parish Clerk Expenses		£ 55.14
Mrs Mills Handyperson		£ 672.00
P. Hosegood Beach Cleaning/Litter collection		£ 770.00
M. Green Art Work for sign (including VAT £5.00)		£ 25.00
OJ Williams Tractor Derv (including VAT £21.81)		£ 458.06
Shaw and Sons Receipts & Payments Book (including VAT £12.40)		£ 74.40
BT Telephone Bill		£ 158.97
Cyan Bench - Legacy (including VAT £58.25)		£ 349.49
N. Nichols Blockage in Toilet (including VAT £16.00)		£ 96.00
BHIB Tractor Insurance		£ 288.74
<b><u>TOTAL: -</u></b>		<b><u>£ 4,109.66</u></b>

#### **SEPTEMBER**

North Devon Council Clerk Salary Recharge + Admin (including VAT £1.29)		£ 748.34
J. Mayhew Dog Bin Emptying		£ 100.40
J. Braddick Toilet Cleaning		£ 300.00
M. Isaac Parish Clerk Expenses		£ 46.06
Mrs Mills Handyperson		£ 840.00
D. Budd Grass Cutting		£ 340.00

J. Stenton	Parts/Repairs in toilets	£	89.99
N. Nichols	Toilet repair	£	81.60
P. Hosegood	Beach Cleaning/Litter collection	£	1,130.00
P.Hosegood	Tractor tyre repair	£	123.60
<b><u>TOTAL: -</u></b>			<b><u>£ 3,799.99</u></b>

Bookers (July) – Direct Debit £108.47 (VAT £18.08)

Bookers (July) – Direct Debit £114.18 (VAT £19.13)

Bookers (August) – Direct Debit £85.19 (VAT £14.20)

Bookers (Sept) – Direct Debit £116.00

### **3. BANK – STATEMENT OF ACCOUNTS: -**

Lloyds Bank Treasurers a/c no. 02348842 as @ 3.9.18 (Statement) = £2,271.59

Lloyds Bank Business a/c no. 02350065 as @ 30.6.18 (Statement = £110,918.40 (includes £59,592.00 for Car Park/Toilets) and £9,000 Earmarked for future Car Park Repairs Fund (including 2018/19)

*Outstanding cheque payments 1451- £748.34, 1452- £25.00, 1455- £96.00*

### **4. RESOLUTION REQUIRED: -**

**RESOLVED** that £4,200 retrospectively (Aug) and £3,700 (Sept) be transferred from Lloyds Bank Business account number 02350065 to Lloyds Bank Treasurers account number 02348842 to cover cheques as at 2 above.

### **5. DEBIT CARD**

It was resolved:

- a) That the Business apply to Lloyds Bank plc (“the Bank”) for the issue of Business Debit Cards to authorised users as determined by the Business from time to time. The cards to be subject to the Business Debit Card Terms and Conditions, a copy of which was produced to the meeting and approved.
- b) That any two officers from time to time are authorised to request the Bank to issue Business Debit Cards to certain authorised users and are authorised to sign the application form and any other relevant documentation on behalf of the Business.
- c) That the Bank is authorised to debit the Business’s account number that is specified in the application form of the Business Debit Cards with all transactions effected under such Business Debit Cards together with any interest thereon and with any fees for the issue and renewal of such Business Debit Cards and that the Business will be responsible for any overdraft so created with interest.
- d) The Business acknowledges that the authorised users will be able to access information about the Business’s account when using a Business Debit Card at an ATM and consents to this disclosure.
- e) These resolutions will be governed by and construed in accordance with the law of the country in which the accounts with the Bank are held.

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- f) We certify that the foregoing resolutions have been duly entered in the minute book and are in accordance with the rules of the Business.

Being 9.50p.m, and in view of the resolution of Council not to continue the meeting, the Planning report and Tracker were postponed to the next meeting.

The Chairman therefore closed the meeting at 9.50 p.m.

Chairman .....

Dated: - .....