

COFFINSWELL PARISH COUNCIL - MINUTES
THURSDAY 19 NOVEMBER 2015 – ST BARTHOLOMEW’S CHURCH, COFFINSWELL

Present: Cllrs Wills (Chairman), Berry, Harrington and Winchester
 Cllrs Dewhirst (DCC) and Haines (TDC)

Apologies: Cllr Hermsen
 Cllr Cook (TDC)

Also present: Rachel Avery (Clerk), 2 members of the Public

No	Subject	Comments
1	The Chairman will open the Meeting and receive apologies.	Cllr Wills opened the meeting at 19.25. It was RESOLVED to APPROVE the apology of Cllr Hermsen.
2	To declare any interests arising at this meeting.	There were no interests declared.
	<i>The Council will adjourn for the following items:</i>	
3	<p><u>Public Question Time:</u> A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Council or other items that affect Coffinswell.</p> <p><u>County and District Councillors' Reports</u></p> <p><u>Police Report</u></p>	<p>There were no issues to be discussed.</p> <p>Cllr Dewhirst’s report forms part of the minutes. Cllr Haines explained that photos regarding the green house on the top road had been submitted to TDC’s Enforcement Officer, but not been dealt with yet. He had attended the funeral of Phil Riggs today. He had been District Councillor for 20 years. He reported on Kingskerswell post office. The owners have had to move away, but there are people running it temporarily. It was NOTED that the business is for sale. However, a planning application to convert the post office and café into flats has caused significant concern. He has asked for the application to go to Committee if the Officer is minded to approve it. There are strong Local Plan policies relating to the centre of Kingskerswell. Another location would have to be found for the Post Office. Public concern has been directed to the temporary tenants, which is not acceptable. There was no police report.</p>
	<i>The Council will convene to conduct the following business:</i>	
4	Approval to consider, amend as agreed by the Council and approve the minutes of the following minutes: 17 September 2015 01 October 2015	<p>It was RESOLVED to APPROVE the minutes. It was RESOLVED to APPROVE the minutes. Trees at Old Well- three quotes had been obtained for the two trees to be removed. The quotes were as follows:</p> <ul style="list-style-type: none"> • Teign Trees £666 • Southern Trees £345 • Max Bayles £450. <p>It was RESOLVED that Max Bayles would be requested to carry out the week and Mrs Sally Jeans would inform neighbours and those who park cars when a date is confirmed.</p>
5	To consider the following planning applications: 15/02579/15/LBC Replacement conservatory (Court Barton Cottage, Coffinswell/Mr D Isaac)	No objection.

6	Enforcement Issues.	Fluder Hill- an application has now been submitted for the ménage area. Burning of rubbish- photographs submitted to the Parish Council had been sent to TDC for Environmental Health's attention.
7	Finance: <ul style="list-style-type: none"> To agree accounts for payment 	<u>Receipts-</u> TDC – Precept 2 nd half - £1505.50 <u>Payments-</u> Mr R C A Harrington – Mesh visor/eyelets - £21.26 Mrs R Avery - Clerk's Salary - £215.40 Mr A Hermsen - Clerk's PAYE - £55.40 Mrs R Avery - Clerk's Expenses - £20.25 <u>Bank Balances -</u> Main Account £4232.76 Parish Paths £229.01 It was RESOLVED to APPROVE accounts.
8	Website.	It was NOTED that Gwynneth Hermsen had provided the log in details to the Clerk to start uploading statutory documents such as agendas, minutes and accounts.
9	To discuss the complaint about dog fouling in the Parish.	Complaints had been received regarding the use of residential bins or bags being left in the verge. It was NOTED that bags had been left tied to the hedge and then been left later on. Cllr Harrington explained that several years ago, a dog refuse bin was refused. Cllr Haines explained that TDC would not consider additional dog bins. It was suggested that there is little that the Parish Council could do. Action: Cllr Wills would speak to the complainant.
10	Funding and Grants.	There was nothing to discuss.
11	Engaging with the Community.	There was nothing to discuss.
12	Footpaths and Highways: <ul style="list-style-type: none"> Footpath No 2 	<i>Standing orders were suspended.</i> Sally Spokes explained the recommendations from her solicitor: <ul style="list-style-type: none"> An agreement and covenant between two parties (herself and the Parish Council). However, if she sold the house or died the covenant would no longer be valid A bilateral agreement where individuals are liable. It was AGREED that this was not a suitable option. She explained that the situation is very complicated in legal terms. She could spend a large amount of money and not get her desired outcome, which is for people to walk around the edge. The Parish Council have spent a lot of time on this and with respect, explained that Mrs Spokes was aware of where the path was situated in relation to the property and its land. Cllr Dewhirst suggested that Mrs Spokes can decide to press ahead with her proposal to move the path and this may entail high court legal fees. Alternatively, an agreement could be made with the Parish Council. It was NOTED that the County Council would only move the path if there were no objections. He recommended that there are going to be legal costs in both directions, but it must be to everybody's advantage to work on the basis of an agreed course rather than looking to a public enquiry. Cllr Winchester suggested that there had been a compromise at a previous meeting. Mrs Spokes explained that the compromise would not be appropriate due to loss of privacy. She also explained that the agreement would be very difficult to enforce. There are already some enforcement issues on the site at the moment.

		<p>The Parish Council AGREED the following:</p> <ul style="list-style-type: none"> • Uphill side of path- fencing would be acceptable as per original agreement • Downhill side of path- to protect the amenity of the footpath and the view, no fencing would be allowed. <p>The Parish Council would like to protect the amenity and an agreement would keep the footpath in perpetuity.</p> <p>Cllr Wills explained that the amenity of footpaths is an important issue. It is not up to the current Parish Council to erase an amenity forever. An agreement would have to be created to allow the change of route. Otherwise, the original path would stay as it is.</p> <p>It was NOTED that the Parish Council are offering a considerable compromise, and it was accepted by Mrs Spokes that any legal fees incurred by the Parish Council would be paid for by herself. Action: Parish Council to await further details from Mrs Spokes.</p> <p>It was NOTED that movement of soil and topography of the footpath should be considered in the future, as a licence may be required by the owner for this.</p> <p>It was NOTED that a 5 bar gate has been added to the stile at footpath 3. It was suggested that this may require permission. Cllr Harrington would speak to Johnathon Rowlands (DCC) next week. Cllr Haines would speak to the enforcement officer regarding this.</p> <p>The Clerk was also provided with the P3 expenditure sheet. She would supply this to Cllr Harrington.</p>
13	To note any correspondence received.	There was no correspondence received.
14	To note the date of the next meeting: Thursday 21 January 2016 at 19.30.	This was NOTED.