

**MINUTES OF THE MEETING OF BRIXTON PARISH COUNCIL HELD  
AT THE COMMUNITY HALL ON WEDNESDAY SEPTEMBER 2<sup>ND</sup> 2009 AT 7.30pm**

|                 |                            |   |                   |   |
|-----------------|----------------------------|---|-------------------|---|
| <b>Present:</b> | Cllr Cane (Chair)          | * | Cllr Searle       | * |
|                 | Cllr Hitchins (Vice Chair) | * | Cllr Tapper       | * |
|                 | Cllr Martin                | @ | Cllr Wills        | * |
|                 | Cllr Lang                  | * | Cllr Aylett       | * |
|                 | Cllr Foweraker             | * |                   |   |
|                 | * Denotes attendance       |   | @ Denotes absence |   |

|                        |                       |    |
|------------------------|-----------------------|----|
| <b>Also attending:</b> | Members of the public | 13 |
|                        | County Councillor     | 1  |
|                        | District Councillor   | 1  |
|                        | Police                | 0  |

**ACTION**

**Before the Council Meeting was opened, there was an Open Forum. Notes from this forum are given after the Minutes of the Council Meeting.**

**After thanking our guest speaker, Delyth Jenkins-Evans from SHDC, the Chairman opened the Council meeting.**

**9.039 APOLOGIES**

Apologies from Cllr Martin and the Police

**9.040 POLICE MATTERS**

The emailed police report was summarised by the Clerk:

1. June 9<sup>th</sup>. Brixton resident received intimidating letter from remanded prisoner attempting to prevent evidence in forthcoming trial. Under investigation.
2. June 10<sup>th</sup>. Locked pedal cycle stolen. Undetected.
3. July. 6 cases of Domestic disputes listed. Non disclosure of details.
4. Aug 8<sup>th</sup>. Outboard motor stolen from Thorn Pool. Undetected.
5. Aug. 3 cases of domestic disputes listed. Non disclosure.
6. Aug 17<sup>th</sup>. Vehicle windscreen damaged in Steer Point Road. Undetected.
7. Aug 17<sup>th</sup>. Diesel taken from Elbridge House. Undetected.
8. Aug 15/17<sup>th</sup> Local farmer received offensive 'phone messages. Undetected.

**9.041 REPORT FROM COUNTY COUNCILLOR**

Cllr Hart reported that:

1. Apologies for recent absence but last 13 weeks since the elections have been more than busy!
2. Weed growth is still a problem because of the H&S restrictions on use of powerful weed killers.
3. DCC has agreed to make savings of £100k on Councillors expenses.
4. DCC is questioning the need for 2 EU committees covering similar ground.
5. The Tourist Board will not be getting the funding increases requested.
6. The "Travellers" currently located in Ivybridge are being moved on by the police. Remember to lock your gates and property as they may be moving towards Plymouth.
7. You are all invited to email and phone with your problems. Contact details are on the notice board and web site.

In answer to a query regarding the obliteration of white lines on the A379, Cllr Hart promised to talk to Highways Dept.

#### **9.042 REPORTS FROM DISTRICT COUNCILLORS**

Cllr Squire reported:

1. SHDC were required to provide 51 residential pitches for Travellers and 5 transit pitches. At present, SHDC has 100 unauthorised and no authorised pitches.
2. Grants of up to £1.5m are available to owners of Listed Buildings.
3. Ivybridge swimming pool is leaking at the rate of 70,000 litres per week into the river. Cost is £100 per week.
4. Chelson Meadow waste site is now open for all SHDC residents
5. Langage Power station is expected to 'fire up' in October
6. Langage Energy Park. So far £1.0m has been spent on refurbishing the old farm buildings but no new businesses have yet moved in.

Cllr Cane advised that all important items had been covered by Cllr Squire.

#### **9.043 DECLARATIONS OF INTEREST**

Cllr Cane advised he would not be involved in any planning discussions.  
Cllr Searle has an interest in the Brixton web site maintenance.

#### **9.044 MINUTES OF THE July 1<sup>st</sup> PARISH MEETING**

Cllr Hitchins proposed and Cllr Aylett seconded the approval of the minutes of the July 1<sup>st</sup> minutes. Voted unanimously.

#### **9.045 LOCAL ISSUES AND REPORTS**

1. Statement from Yealmpton & Brixton Parish Councils' Joint Working Group on the outcome of its work as specified in its Terms of Reference.

The JWG was asked to investigate two options for a shared use path between the two villages and to ascertain which is the more popular choice of parishioners.

The options were described as fully as possible on a ballot paper which was duly issued to both parishes in July 2009 in order to arrive at an 'in principle' decision as to which option should be further refined. The ballot was carried out at minimal cost (less than £300, split 2:1 between Yealmpton and Brixton) using volunteer councillors to deliver ballot papers to every house. It was felt that expenditure from public funds of the several thousand pounds necessary to canvass every individual resident could not be justified.

The result of the ballot was that about 50% of papers were returned and, of those, the votes cast 48% in favour of the Old Railway Track 52% in favour of the A379 route. This was so close that we have to conclude that there is no clear consensus.

The JWG considers that it has fully met its Terms of Reference having provided the landowner with the ballot results.

In view of the fact that the outcome of the ballot was so close, the JWG

recommends that representatives of the two parish councils seek an early meeting with a small group of appropriate members and officers from Devon County Council and South Hams District Council to decide what further action will be taken to secure a shared use path between the villages.

**JWG**

Cllr Lang proposed and Cllr Aylett seconded the proposal that "the JWG be asked to meet with DCC and SHDC to further progress the options and costs of the shared pathway". Carried unanimously.

**Hitchins, Wills,  
Clerk**

2. **Sherford development.** Cllr Squire reported that the SHDC Development Committee had vote 7 votes to 6 to accept the revised Redtree planning applications with 5 provisos. The main one is that of an agreed and approved "106 agreement". A meeting has been set up with SHDC to discuss the 106 monies for the benefit of Brixton. It was agreed in principle that a working group be set up to study and report on the implications of Sherford on Brixton Parish. This to be on the agenda for October.

**Clerk**

3. **Parish Plan.** Cllr Hitchins advised that Parish Plan consultation was still progressing. The questionnaires would be going out soon. DCC will be collating and analysing the information for us. Cllr Hitchins is making another funding application to cover the budget shortfall.

**Hitchins**

**Hitchins**

4. **Village notice boards.** There was a short discussion about the need for additional notice boards in the village. It was agreed that a suitable question be included in the Parish Plan questionnaire to cover this subject.

**Tapper, Aylett,  
Searle**

5. **Pedestrian crossing.** A 'safety working party' of Cllrs Tapper, Aylett and Searle was set up to review traffic speeding, parking and safety in Brixton. They agree to report back in either October or November.

**Searle/Hitchins**

6. **Community Engagement.** Cllr Hitchins has prepared a draft paper which has been circulated to all Councillors. It was agreed that this should be posted on the BPC website with an invitation for email comments to be sent to Cllr Hitchins.

**All councillors**

7. **Councillor photographs.** It was proposed by Cllr Lang and seconded by Cllr Searle that all councillor photographs should be posted on the BPC website. Voted unanimously in favour.

**Martin**

8. **Councillor training.** Places have been booked for 6 councillors at the training event at South Brent on the evening of Oct 15<sup>th</sup> and 1 place at the Planning Event at Totnes.

9. **Tor Homes appraisal.** Cllr Martin's name was put forward to talk to the Tor Homes researcher about local housing needs.

10. **Speed limits in Devon.** A letter has been received from DCC advising that they will now be including for the provision of 20 mph areas in its county wide review. This is a change of policy from that declared a year ago.

**Clerk**

11. **SHDC assets.** SHDC are offering BPC a piece of amenity land at Cofflete Creek. The Clerk was asked to circulate a plan of the land for viewing by Councillors prior to the next meeting. The offer terms are unacceptable even if the land is of interest.

12. **Councillors reports.** Nothing additional to report.

The Chairman passed the chair to Cllr Hitchins for the Planning agenda items and left the meeting room.

### **9.046 PLANNING MATTERS**

In the absence of Cllr Martin, Cllr Hitchins presented the information.

1. Sub committee ratifications:

- a) 8 The Crescent. Extension to dwelling.
- b) Co-op, Staddiscombe. Convert garage to storage.

c) Southside, Staddiscombe. Demolish and replace garage.

These 3 applications had been approved by the subcommittee and were ratified by full Council.

2. New applications to consider:

a) Butlas Farm, Plympton. Convert outhouse to accommodation.

b) Huxley Lodge, Elliots Hill. Retrospective application to cover modifications to original plans.

c) Venn Farm. Outline permission for 2 storey dwelling in place of redundant building and hay barn. It was noted that the building at Venn Farm would be within the village development area. Asbestos would need legal disposal.

A proposal for acceptance for all 3 was put forward by Cllr Hitchins, seconded by Cllr Foweraker and accepted unanimously.

Clerk

Cllr Cane returned to the meeting.

#### **9.047 FINANCIAL MATTERS**

1. Acceptance for the tabled expenditure of £1002.19 for the month was proposed by Cllr Lang and seconded by Cllr Wills. Voted unanimously.

2. The Clerk advised that he had transferred £20,000 from current into savings account. Regrettably interest rates are still very low: the savings account now stands at £33511.27.

3. The Clerk advised that the District Auditor had now approved the accounts for 2008/9. The large savings had been queried by the Auditor but it had been explained that a large proportion of this was a "fighting fund" for the Sherford development to cover any necessary legal costs. This would remain in place until the completion of the development.

#### **9.048 CORRESPONDENCE**

1. The Clerk read key items from the list of documents in the "correspondence file".

2. The file was given to the Chairman for reading and circulation.

#### **9.049 DATE OF NEXT MEETING**

The next monthly Meeting of Brixton Parish Council is on Wednesday, October 7<sup>th</sup> at 7.30 p.m. in the Brixton Community Hall.

**The meeting was declared closed at 9.26 pm**

## Notes from the Open Forum held prior to the Council Meeting.

### **A. Councillor Cane welcomed Delyth Jenkins-Evans, the head of legal services and monitoring officer at SHDC.**

Delyth presented a paper covering the following topics:

1. The Government structure in England and the role of the Parish Council within it
2. The legal remit of Parish Councils
3. The business of the Council
4. Standing orders
5. Admission of the press and public to council meetings
6. The role of the monitoring officer (at SHDC)

Following a fascinating and educational presentation, questions were invited from the Councillors and the public.

Q. Is Delyth governed by the data protection act?

A. Yes.

Q. There hasn't been an election in Brixton for at least 15 years. What is the procedure for co-option?

A. There are 9 council seats which are vacated every 4 years for re-election. If less than 9 nominations are received, they are all deemed to be elected unopposed. If more than 9 nominations, then an election takes place as in a parliamentary election. Where the number of councillors falls below 9, invitations are made to fill these 'casual' vacancies. Councillors vote on suitable candidates in a "closed" council session with the public and press excluded.

Q. Cllr Hitchins asked for ratification of the status of councillors.

A. Councillors are democratically elected to make decisions for the Parish until the next election date. They are mandated to carry out decisions in the interests of the village. At a council meeting, Councillors are there to carry out their tasks. Comment and observation from the public gallery do not count. The public may listen, but not contribute, to any debate (unless specifically invited by the chairman for special reason).

### **B. General forum.**

Q. Derek Curtis asked about the Sherford 106 agreement to benefit Brixton?

A. The Clerk advised that SHDC had not responded to any letters on file prior to his appointment in May 2009. He has arranged a meeting with SHDC Planning Officers for September 10<sup>th</sup> to pursue this issue along with Cllrs Squire, Hitchins and Wills.

Q. Concern was raised at vehicles parking too close to the pedestrian crossing.

A. This will be investigated by the Safety Working Group.

Q. Sally Axell asked about the weed spraying in the village and the repair of the bad dip in the public footpath by the church.

A. Cllr Hart agreed that weed spraying was ineffective since strong chemicals were banned by the H&S executive. He would pursue the mending of the path surface.

Q. Concern was raised about the validity of the footpath ballot as there was only 1 vote per household.

A. Delyth Jenkins-Evans stated that she had been consulted on this issue and considered that the "vote per household" to be perfectly acceptable.

A. Brenda Huxtable presented a view that parishioners were very fortunate to have been consulted and given the opportunity to vote.

Q. Mike Trower reminded Council that the reason that the Council were "well off" financially was that monies had been specifically raised locally for a 'Sherford fighting fund'.

A. The Clerk advised that this was understood and that the District Auditor had recently been told about the 'fighting fund' in an audit question.

M J Stickland, Clerk to BPC