

SANDFORD PARISH COUNCIL

Minutes of a Meeting held at SANDFORD COMMUNITY SPORTS PAVILLION 7.30pm, on Thursday 9th June 2022

At a meeting of the Council held this day those present were :-

Chairman Brian Fyfe.

Messrs – M Lee, M Snow, D Hope, S. Haley, J Stephens (arrived during the Meeting)

Mesdames – E Dalton, G Ford and S Miles

One Parishioner The Parish Clerk Mr M Vallance

The Meeting started with a “A moment for quiet contemplation”.

- 1) APOLOGIES - MDDC Cllr E Lloyd DCC Cllr M Squires. Councillors Padgham, and Stoye
- 2) DECLARATIONS OF INTEREST - None
- 3) To confirm MINUTES of the Parish Council meeting held on 5th May 2022
Following a correction of an attendee the Minutes were approved and signed by the Chairman as a true record.
- 3) To report on MATTERS ARISING FROM THE MINUTES
 - a) Weeding Update – See Open Forum
 - b) 20's Plenty suggestions to locate Signage – This matter was discussed further.
It was agreed to make enquiries over the purchase of an “electronic flashing speed sign” like the one on the A377 at Newton St Cyres.
 - c) The Sandford Platinum Jubilee Celebrations had been a huge success and this had been confirmed by the feed back from those attending the various events.
The highlight of the weekend had been the Beacon Lighting at New Building which had been attended by over 300 parishioners and visitors from outside the Parish.
From the outset it had been intended to make free entry to all Jubilee events.
Thanks to generous donations from the Parish this had been achieved.
The Parish Clerk had already made a start on a 2022 Platinum Jubilee Scrapbook.
It was agreed to hold a “wash up meeting” and this was set for 7.30pm, on 28th June, at Dowrich.
 - d) It was agreed to make a donation of £50 to the collection made on behalf of the late Gordon Griffin J.P In lieu of flowers. Proposed Cllr Dalton, 2nd Cllr Lee, and carried.
- 4) MATTERS REPORTED ON THE PARISH COUNCIL WEBSITE PLUS MATTERS REPORTED TO THE PARISH CLERK – Comments had been received over the Commercial use of the Parish Notice board
- 5) OPEN FORUM – Di Martin was present and gave an update on the 2022 “hand weeding”.

She had also sent an email on this topic which the Parish Clerk read out “*A group of interested people have spent time over the past few weeks selectively removing by hand the bulk of weeds around the edges of the roads and paths in the village. The group was made up of myself, Joe Hooper, Dom Dunn, Peter Smith, Colin Clark and Penny Somerville.*”

Several people came out to ask what we were doing and said they would be happy to keep on top of the piece of path/road outside their house. I have had several useful conversations.

Because the Parish Council had decided to continue to spray Roundup on the cobbles (which was where we thought the vinegar, salt solution might be best used), we decided not to spray with anything as this is a potentially indiscriminate method which could kill plants we should keep. We haven't quite finished but I will continue to try to cover the areas we haven't managed to clear yet. We left several flowers including the majestic foxglove on the side of the Square, which many people have commented on.

If you have read my piece in this month's Crossing you will see that there was a suggestion that, as the Parish Council had put aside a sum of money to pay for weed spraying, perhaps some of this amount could be donated to the Millennium Green as several of the members of the Weeding Group are also involved in the. Workdays on the Green - and the Green is currently involved in fundraising for a new sign in the lay-by and an information board just inside the Green”.

It was agreed to discuss this matter later in the Meeting.

6) POLICE MATTERS - It was noted that the Jubilee Banner had disappeared from the Square.

7) REPLIES

a) MDDC – Notice of Vacancy in Office of Councillor – The Clerk had posted the official notice from MDDC and if 10 Parishioners requested an Election the Parish Council this would take place. If not the PC would be able to advertise the vacancy and ask for Parishioners to come forward to fill the vacancy.

b) Richard Spurway (PROW) had responded regarding the Park House boundary wall “The Authority has control of the surface of a PROW in respect of the public user, so in this case we only maintain for pedestrian users. The Authority does not own the land used by PROWs. The stone wall is not part of the footpath and would belong to the landowner. I have inspected and note the wall has been repaired.”

Tania Weeks PROW had responded to the issues on the Furlongs footpath.

See Appendix 1

It was agreed that this matter would be discussed with MDDC Planning, and the Developer, at the proposed site meeting.

c) Di Martin – “Hand weeding” update and request for a donation (£200) to the Millennium Green. This item had been discussed in the Open Forum.

The Chairman proposed that an update on the success of the “hand weeding” could take place at the 1st September 2022 Meeting. At that time a decision could be taken over its success.

At that time it was agreed that the Parish Council could consider the suggestion to make a Donation to the Millennium Green together with the proposal from Cllr Padgham to make a Donation of £200 to the Millennium Green. This action was agreed by the Parish Council.

d) MDDC – Complaint over use of Parish/ Town locations on planning applications.

This matter was still under enquiry and MDDC were to discuss this matter, on the telephone with Cllr E Dalton.

e) SUEZ Communities – A grant to the two parish Play areas had been awarded of £9802 and in accordance with the terms of the offer the Parish Council had submitted a payment of £1127.23 A cheque had also been sent to Ministry of Play (60% of Project cost) £22845.00 to enable the project to get underway.

f) James Anstee DCC – (Sandford Road Safety issues) – Following clarification of certain proposals received it was agreed it was now time to Consult with the Parish over the recommendations received from James Anstee.

The Clerk was asked to invite James Anstee, or a colleague, to attend a Public Meeting.

The Clerk would check the availability of the Parish Hall and forward suggestions of these dates for the proposed Meeting to James Anstee.

8) CORRESPONDENCE

a) N Silk – Various emails had been received over issues surrounding Social media, Parish jubilee celebrations, publication of minutes and agendas etc

The Chairman said that having carefully considered the emails in relation to this item he found the Agenda Item to be non-competent business. The matters raised were outside the purview of a Parish Council. In addition, the details were either ill informed or misunderstood the circumstances. In addition he suggested that the review of policies and procedures proposed later on the Agenda may include consideration of how best to restate the Governance role of a Parish Council for the benefit of the parishioners. The Council concurred and moved next business.

b) Gill Unstead had written to comment over what she felt was a “mish mash” between the Parish Website and Facebook page.

It was agreed to respond pointing that this was not the Parish Council Website and this had now been closed. Also that the Parish Council were to review its policies of policies and procedures and this would include future communications with the Parish.

c) Paul Sandys (Jubilee Celebrations) an email had been received - *“Thank you for the flyer promoting the events in and around Sandford. I was surprised that there was no mention of the events planned by the Lamb Inn, which include Morris Dancing and live music, from Wednesday this evening to Saturday. A good opportunity has been missed by the Parish Council to support and promote an important community establishment.*

This matter had been discussed at the time, by the Jubilee Working Party, who felt it was not appropriate to include commercial events in the programme of Sandford Platinum Jubilee events.

9) SANDFORD COMMUNITY SPORTS PAVILION & PLAY AREA

Proposed meeting between SPC and Representatives of Sandford Tennis Club (7.30pm at the Sports Pavillion on either 16th or 21st June 2022).

A response was awaited from Sandford AFC over the availability of the Pavillion

10) RECEIVE REPORTS FROM COUNCILLORS & WORKING GROUPS

No reports and DCC and MDDC Cllrs not present

11) PLANNING - CREEDY VIEW 2 / WEAVERS WAY

Update and date of proposed site Meeting with MDDC Planning Officer, Chairman of MDDC Planning, and Developer. The Chairman was in touch with Adrian Devereaux (MDDC Planning) over the date for the proposed site meeting and a response was awaited.

There was a feeling that Parish Council saw plans and drawings, from the Developers, of changes, amendments etc but did not appear to have been formally consulted over any of these matters by MDDC Planning.

Ahead of the proposed site Meeting the Clerk was asked to submit a list to Adrian Devereaux (MDDC Planning) of the items that they had not been consulted over :-

- 1) S106 funding
- 2) Clean air fund
- 3) Right of way / path from Snows to Creedy View 1
- 4) Triangle of land on offer to Sandford Millennium Green
- 5) Levels
- 6) Attenuation ponds

12) PLANNING

22/00828/FULL 1 Brady Close Sandford Erection of dwelling

SITE MEETING HELD – It was agreed to request that the MDDC Planning Committee make a site visit to determine this application

22/00800/FULL Land on road from Thornedges Cross to East Lodge

Erection of an extension to an agricultural building to house livestock

Following a site visit it was agreed to draw attention to the inevitable increase in contaminants on the public highway between Thornehedges Cross to East Lodge. This could be mitigated if the waste could be otherwise moved within the purview of the farm avoiding the public highway.

22/0091/FULL Stones Hill Farm Erection of dung store building – **NO OBJECTION**

22/00681/LBC Mount Pleasant Sandford

LBC for remodel of existing extension, internal alterations and raise chimney height

SITE MEETING TO TAKE PLACE

Grant of planning permission

22/00673/FULL Woodparks Farm Coplestone – Change of use of agricultural building to stables

12) RECEIPTS AND PAYMENT

Receipts

| | |
|-------------------|----------|
| Lloyds Bank May | £0.29 |
| Jubilee Donations | £1790.00 |

Payments

| | |
|--|-----------|
| Cheques issues mid month | |
| SUEZ Communities Trust | £1127.23 |
| Ministry of Play (60% of Project cost) | £22845.00 |

Mr M Vallance Salary £475.00 Cider packs £35.20 Jubilee pens £52.00

Jubilee gifts, expenses prizes, bunting, flags etc £171.17 £733.37

First Community Insurance (Renewal) £753.76

Hedgerow Print (Jubilee programmes and Hymn sheets) £216.00

Mrs L Griffin – (Donation to Gordon Griffin's memorial appeal) £50.00

Cheques signed by Cllrs Dalton and Stephens

- 13) ROADS AND FOOTPATHS – No new matters reported but the number of potholes still in need of attention was growing. Parishioners were encouraged to report potholes, and any highway issues, on the DCC Website.
- 14) REVIEW OF POLICIES AND PROCEDURES A sub committee to be formed and a Meeting date to be set at the next meeting.
The following Councillors offered to serve on this sub committee – Cllr Dalton, Lee, Miles, and Ford.
- 15) REVIEW OF DATA PROTECTION RULES (2018) - Meeting date to be set at the next meeting.
- 16) BOUNDARY STONES – Cllr Stephens gave an update on current progress.
- 17) ANY OTHER BUSINESS
- 18) Date of next Meeting 7th July 2022

There being no other business the Chairman closed the Meeting at 9.05pm.

APPENDIX 1 (Copy email dated 25th May 2022)

It is possible for recorded public rights of way to be diverted for the purposes of development and so even if the south to north route across the land was already a recorded public right of way, the developers could have applied to have the route diverted through the site. Even if objections were made to the Town & Country Planning Order that would have been the legal process, I would have expected the proposed alignment of the route through the development would had been confirmed.

The process to record this route as a public right of way would take longer than the 14 months that the development is expected to take. Even when a public footpath has been confirmed, the route could still be diverted because of the development.

I have no doubt that we would be able to collect sufficient user evidence for a claim to be successful for the route to be recorded as a public footpath but I don't think this is necessary at this stage. If there was to be no link through the new houses from Snows to the Village Hall and School then the process could be started but it does seem that the developers have allowed for access although on a different alignment to that previously used.

I had understood that a retaining wall belonged to the land or property that it was retaining as that land or property has the benefit of the wall shoring up and keeping their land contained. However, I am not an expert on this and would suggest that the people concerned take professional advice maybe from a chartered surveyor or possibly if they have legal expenses cover under their household insurance, they be able to get some advice under this cover.

With reference to Creedy View2/Weavers Way the map below shows the public footpaths (pink dashed line) that are recorded on the Definitive Map and so legally recognised. These paths cannot be closed or diverted with an official legal notice and this is arranged with the Public Rights of Way section.

Although the map shows a dashed pecked line from Snows to Footpath No 26 to Footpath No 23 and then onto the gate from the field into Creedy View 1, these paths are not recorded public rights of way and are not protected in law from being closed or diverted. The path on the map shows that a clear path was visible on the aerial photography used by the Ordnance Survey in preparing the maps but does not make it a public footpath.

It is known that these unrecorded paths have been used by the public for many years and I have no doubt that user evidence could be collected to support an application to have the paths recorded as public rights of way. However, this legal process takes many months and during that time we are unable to stop the unrecorded path being closed. I would expect that even if the process was started promptly the development would be finished before the legal process was concluded.

When viewing the layout of the new houses I had thought that unless the developers were actively working on the groundwork's of the house that will be next to the boundary with Park House, they could have moved the harris railings a few metres eastwards away from the hedge to allow access to Creedy View1 and the hall/school by that route. I appreciate that this may be a bit of inconvenience for them but I'm sure it would be much appreciated by those people who use the path and generate a bit of goodwill in the village.

Tania Week
Public Rights of Way Office
Devon County Council

25th May 2022

