

DARTMOUTH TOWN COUNCIL

Minutes of the Town Council Meeting

6th June 2016

At the Guildhall, Dartmouth

Present

*The Town Mayor (Councillor R M Lyon) - Chairman

*The Deputy Mayor (Councillor R W I Cooke) - Vice-Chairman

*Cllr P F Allen
*Cllr M Baillie
*Cllr L M Barnes
*Cllr G B F Coles
*Cllr A J C Fyson
*Cllr T de Galleani
*Cllr D M Gent
*Cllr B T Harriss
*Cllr F J Hawke
*Cllr I A Pritchard
*Cllr R F Rendle
*Cllr S Smith
#Cllr R Springett
#Cllr S Thomson

*County Cllr J Hawkins
*District Cllr H Bastone
*District Cllr R Rowe

*Denotes attendance
#Denotes apology for absence

Also in attendance 11 members of the public, and 1 member of the press.

26. DECLARATIONS OF INTEREST.

Cllr de Galleani declared a personal interest in minute 33 g) – grant to Dartmouth Green Partnerships.

Cllr Pritchard declared a personal interest in minute 34 b) – approval of the Corporate Property Committee minutes – Orchard.

27. PRESENTATION TO STATION OFFICER ANDREW POUND AND DEPUTY STATION OFFICER IAN POLLARD, HM COASTGUARD.

The Mayor presented Town plaques to Station Officer Andrew Pound and Deputy Station Officer Ian Pollard of HM Coastguard and thanked them for all the many years of service they had given to the Town and to all mariners.

28. REPORTS.

Police and District and County Councillors' Reports.

Inspector Andy Tomlinson gave a report on the crime figures for Dartmouth for the month of May 2016. Although there had been a rise in the total number of crimes in 2015, the figures were in line with those recorded in 2014.

Cllr Gent raised concerns over the use of Nitrous Oxide canisters in Dartmouth. Inspector Tomlinson explained that under new legislation introduced on 6th May 2016 it was an offence to sell (but not to possess) the canisters for use as a drug but this was difficult to prove. He would monitor the situation.

Cllr Allen sought clarification on whether parking on double yellow lines was a police or civil matter. Inspector Tomlinson explained that this was a civil offence but if the parking caused an obstruction or access problem the police could take action. Cllr de Galleani asked if anything could be done about a car with flat tyres that appeared to be abandoned in Charles Street; Inspector Tomlinson would check this but if it had current insurance and was taxed no action could be taken.

Cllr Hawkins thanked the organisers of the Mayflower 400 Gala Dinner for an excellent event.

Cllr Hawkins expressed disappointment that there had been a number of recent articles in the Dartmouth Chronicle where Town Councillors had said that the District and County Councillors were not working with them. Cllr Hawkins acknowledged that there had been issues at Coronation Park and the South Embankment but he always strove to copy in the Town Council offices when contacting District Council officers about Dartmouth.

Cllr Hawkins had met with Dartmouth Green Partnerships and would be ensuring that Coronation Park was in a state that everyone would be happy with; he would support the return of all the town's assets, including the lower ferry and Mayors Avenue car park, back to the Town Council.

Cllr Hawkins was hoping to arrange a meeting of the Public Transport users group with Stagecoach as soon as possible. Cllr Baillie had agreed to be secretary to this group and Cllr Gent had agreed to Chair the first meeting. Cllr Hawkins believed that the evening bus services from Dartmouth would be under threat in September.

A Dartmouth Hospital working group had been set up and had met recently. This included members of the Town Council, the Patients Participation Group, The Townstal Community Partnership, the surgery, hospital staff and neighbouring Parish Councils.

Cllr Rowe told the meeting that the District Council was considering setting up a Local Authority Controlled Company in partnership with West Devon Borough Council at a considerable cost. Cllr Rowe had reservations about the changes made under the District Council's T18 programme but noted that by 2020 the District Council would run out of cash unless other ways of making money were found.

Cllr Rowe expressed sympathy with the parking on yellow lines and pavements in Dartmouth as this was also a problem in the surrounding villages. She also believed that dealing with the closure of the hospital was a top priority; proper health care facilities were essential.

Cllr Allen asked the County Councillors to ensure that the civil enforcement officers covered the whole of the Town not just the centre; Cllr Hawkins would arrange a walk round with Chris Rook , Devon County Council's Traffic Management Team Manager.

Cllr Barnes asked Cllr Rowe if she would support the transfer of all the District Council's assets in Dartmouth back to the Town Council. Cllr Rowe replied that she would need to have all the relevant facts and figures before she could consider this.

Cllr Hawke presented the District Councillors with blue recycling bags which had been supplied by South Hams Waste Management which were too flimsy to be useful; these were old stock and the problem had now been rectified.

Cllr Bastone told the meeting that in 2015 the Landing Craft Association had advised that they were coming to an end through lack of members and would be unable to provide a ceremony at the memorial on the North Embankment in 2016. The Old Dartmothians had stepped in and had arranged a service which had been a credit to the Town and Cllr Bastone thanked them. Cllr Bastone had laid a wreath on behalf of the Landing Craft Association and he told the meeting that he was pleased that commemorations would continue in Dartmouth in the future.

The Mayor also gave the Town Council's thanks to the Old Dartmothians for arranging the service and their work on the memorial.

Cllr Bastone reported on the new Affordable Housing Planning Obligations.

The Planning Guidance had recently been updated, this was as a result of the court of appeal process following the Judicial Review of the previous policy change brought by Reading and West Berkshire Councils. The Court of Appeal had reversed the decision and the government had re-introduced guidance in the PPG (Planning Practice Guidance) setting higher thresholds for the provision of affordable housing in housing developments. As a result of this, affordable housing or financial contributions for Affordable Housing could no

longer be collected on developments of 10 or less properties or, in Designated Rural Areas, of 5 units or less.

Cllr Bastone reminded members that the previous District Council had resolved on 10th September 2015, when the previous guidance was revoked, that it was agreed that the District Council would have regard to National Guidance and the PPG, therefore the new guidance set out within the PPG would be followed in the determination of planning applications. As such, the following would apply:

In Dartmouth, Totnes, Ivybridge and Kingsbridge, unless any part of the application site fell within the AONB, affordable housing contributions would be sought where the proposal was for more than 10 units of accommodation.

In the rest of the South Hams, affordable housing contributions would be sought where the proposal was for more than 5 units of accommodation.

Cllr Bastone also gave details of the Housing and Planning Act Briefing Note and additional Planning Legislation.

Following the discussion and controversy over this Bill, the District Council had now enacted legislation and a briefing note. The Local Government Information Unit summary had provided helpful background information at the following link –

<http://www.lgiu.org.uk/briefing/housing-and-planning-act-2016/>

The legislation would have major and direct impacts across a number of service areas and the implications would become clearer over the coming months.

The Queens Speech had also introduced a further ‘Neighbourhood Planning and Infrastructure Bill’. This would appear to involve a further shift of planning powers to Neighbourhood Plans and a fundamental review of the use of planning conditions. The following elements were summarised below from the Department for Communities and Local Government briefing notes. Aims were:-

- To further strengthen neighbourhood planning and give even more power to local people;
- The new legislation would also strengthen neighbourhood planning by making the local government duty to support groups more transparent and by improving the process for reviewing and updating plans; and

- To ensure that pre-commencement planning conditions were only imposed by local planning authorities where they were absolutely necessary.

Further details were available via the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524040/Queen_s_Speech_2016_background_notes_.pdf

Cllr Smith asked if the planning policy changes would make any difference to the level of affordable housing at the West Dart development; Cllr Bastone replied that this would make no difference whatsoever.

Cllr Fyson stated that as the current planning conditions were not strong enough nor enforced well enough, it was important to retain the right to control. Cllr Bastone explained that central government required more housing to be built but added that South Hams District Council now had a specialist team working to deal with the backlog of enforcement cases.

29. PRESENTATION BY NEIL HOCKADAY, CHAIRMAN OF THE DART HARBOUR AND NAVIGATION AUTHORITY.

Mr Hockaday began by thanking the Town Council for their invitation to attend. He explained that he had been on the Board of Dart Harbour for 15 years and Chairman for the last 6 years. The majority of the Board members changed regularly and all were volunteers. Mr Hockaday was from a Finance background and a Yachtsman; his interest was to preserve the river for future generations.

The Authority's constitution was set by the 1975 Dart Harbour and Navigation Authority Act and the 2002 Harbour Revision Order. The Harbour Authority was not allowed to make a profit but would set funds in reserve to make improvements through reviewing stakeholders' needs.

The election of Board members, chosen for their technical skills, took place once a year. The Board was independent of the staff and each had a three year term of office.

The St Christophe incident had been brought about by a coincidence of issues including a high tide and a difficult wind. The vessel had

first visited Brixham Harbour but they had not received help there, then they had contacted the French Coastguard, not the English one. Following this they asked Dartmouth for a safe refuge, there had been no loss or injury and they were offered a berth at a location that was safe at that time and they had sufficient time to take stock of the situation. The master was not on board when the vessel capsized and there were many unanswered questions as to why the crew did not react. The DHNA would wait for the result of the Marine Accident and Investigation report; the St Christophe was now in Brixham. The Maritime and Coastguard Agency had surveyed the boat and a report would be produced in 6 months' time. The £2m cost of the insurance for salvage had all been paid in its entirety. If the Harbour Authority had pumped out the vessel it would have compromised this; the only outstanding bill was for the environmental costs.

Dart Harbour and Navigation Authority actions for their Strategic Plan included 5 areas, Management, Partnership, Environment, Branding and Infrastructure. In consulting on this with river users, no big ideas had come forward and the clear answer was that the river was liked as it was.

Mr Hockaday told the meeting that the DHNA needed to work better with partner agencies such as the Town Council, County Council, District Council and Historic England. The Harbour Board was driven by the stakeholders who defined policy by their needs. The Harbour Office would shortly be advertising for a new Harbour Master as Rob Giles was leaving after 5 ½ years. Mr Hockaday assured the meeting that the DHNA would add no more moorings to the river in the areas under their control; there were 10 public board meetings per year which all were welcome to attend.

Mr Cranmer, representing the Dart Action Revival Team, told the meeting that the river was Dartmouth's greatest asset and as a result of recent events residents were dissatisfied with the running of the river by the DHNA. He had 122 written complaints and asked that the Town Council and DHNA took note of these concerns. Mr Cranmer also had 38 pertinent questions concerning DHNA activities over the last 5 years which he would be sending to the Town Council and Dr Sarah Wollaston our MP and he hoped that the Department of Transport would carry out an enquiry.

Cllr Allen asked Mr Hockaday, if given that the river was the greatest asset to the community and given the reported lack of crime, what was the rationale of the locked entrance to the pontoon on the North Embankment. Mr Hockaday replied that a number of items had been taken from boats but the Harbour Authority would review the situation.

Cllr Barnes stated that he was disappointed that it appeared that the St Christophe crew were being blamed for the incident with their vessel; had not all crews the right to expect a safe berth? He also queried why the Harbour Master did not live in the Town; Mr Hockaday replied that the criterion for the post was that the Harbour Master should live within 45 minutes' drive of Dartmouth.

Cllr Smith asked Mr Hockaday if the number of cruise liners visiting Dartmouth had decreased because the current Harbour Master was not a pilot. Mr Hockaday explained that although Rob Giles was only qualified to pilot vessels up to 90m the issue of the cruise liners had been caused by the recession. There was also a time lag on the visits as the ships were looking at 2018/2019 now. There were 8 booked to visit Dartmouth this year and already 9 had booked for 2017; it had been unrelated to pilotage.

Cllr Rendle asked Mr Hockaday if he believed that the Harbour Authority had made a mistake in making the Harbour Master the CEO of the DHNA. Mr Hockaday accepted the point that Cllr Rendle was making but added that the Harbour Authority needed to appoint a CEO and this could not be a board member.

Cllr Barnes asked who would carry out the interviews for the new Harbour Master. Mr Hockaday replied this would be done by the Board and as there was now a previous Harbour Master on the Board, there was relevant experience.

The Mayor thanked Mr Hockaday for his attendance and candid and useful presentation.

30. QUESTIONS TO THE MAYOR.

There were none.

31. URGENT BUSINESS.

There was none.

32. CONFIRMATION OF THE MINUTES.

Members reviewed the minutes of the Annual Town Council meeting held on 9th May 2016 and the adjourned meeting held on 10th May 2016.

Proposed: Cllr P F Allen

Seconded: Cllr D M Gent

Resolved: That the minutes of the Annual Town Council meeting held on 9th May 2016, be confirmed and signed as a true record.

Amendments:- p4 Cllr Harriss was present at the meeting.
Minute 6 p7 paragraph 2 – Cllr Hawke explained that “all monies could not be spent on good causes” one third had to go to the Church by law.

Proposed: Cllr D M Gent

Seconded: Cllr P F Allen

Resolved: That the minutes of the adjourned meeting held on 10th May 2016, as amended, be confirmed and signed as a true record.

33. CORRESPONDENCE.

- a) A letter of thanks had been received from the Friends of St Clements Churchyard for the Town Council’s grant of £220.00.

- b) A letter of thanks had been received from Citizens Advice South Hams for the Town Council's grant of £1,700.00.
- c) Notification of a dog show to raise money for local charities on Coronation Park on 5th August 2017 had been received from South Hams District Council. Members had concerns about the closing of Coronation Park to the public. The Clerk had sent questions raised by members to South Hams District Council officers but had yet to receive a reply; Cllr Bastone would be copied in.
- d) Details of a Sustainability and Transformation Plan event on 21st June 2106 had been received from South Devon and Torbay Clinical Commissioning Group. Anyone wishing to attend should call 0800 0520 029 to book a place or email admin@healthwatchtorbay.org.uk
- e) An email had been received from the organisers of the Classic Channel Regatta asking to use the Old Market Square on 8th July 2017. The Mayor and Clerk had met with 2 representatives of the Classic Channel Regatta and a list of requirements had been discussed. It was important to address these well before the event and it was decided that this should be discussed by the next meeting of the Corporate Property Committee.
- f) Councillors were reminded that Councillor training had been arranged with Lesley Smith from the Devon Association of Local Councils on Monday 20th June 2016 at 6pm.
- g) An email had been received from Dartmouth Green Partnerships requesting a grant of £5,000. Monies were needed as soon as possible as judging for this year's South West in Bloom competition would take place on 20th July 2016. The Clerk would ask for a breakdown of how the monies would be spent.

Proposed: Cllr G B F Coles

Seconded: Cllr S Smith

Resolved: That a grant of £5,000.00 be paid to Dartmouth Green Partnerships.

34. REPORTS.

a) General Purposes Committee

The Report and Recommendations of a meeting of the General Purposes Committee held on 19th May 2016 were reviewed.

Proposed: Cllr T de Galleani

Seconded: Cllr D M Gent

Resolved: That the Report and Recommendations of the meeting of the General Purposes Committee held on 19th May 2016, be received, approved and adopted.

b) Corporate Property Committee

The Report and Recommendations of a meeting of the Corporate Property Committee held on 24th May 2016 were reviewed.

Proposed: Cllr A J C Fyson

Seconded: Cllr G B F Coles

Resolved: That the Report and Recommendations of the meeting of the Corporate Property Committee held on 24th May 2016, be received, approved and adopted.

c) Planning Committee

The Report and Recommendations of a meeting of the Planning Committee held on 25th May 2016 were reviewed.

Proposed: Cllr D M Gent

Seconded: Cllr P F Allen

Resolved: That the Report and Recommendations of the meeting of the Planning Committee held on 25th May 2016, be received, approved and adopted.

d) Special Personnel Committee.

The Report and Recommendations of a Special meeting of the Personnel Committee held on 26th May 2016 would be taken in committee at the end of the meeting.

35. FINANCIAL MATTERS.

The Clerk gave a report on payments made under Standing Order No. 56 (b).

Proposed: Cllr P F Allen
Seconded: Cllr D M Gent

Resolved: That the Clerk's actions in paying accounts totaling £40,289.67 for the month of May 2016 under Standing Order No. 56 (b) be endorsed.

36. REPORTS.

Representatives on Public Bodies and Associations.

Cllr Allen reported that he had attended a Committee meeting of the Port of Dartmouth Royal Regatta. Stringent regulations now required all military air displays in Dartmouth to clear a path down the river, with the public needing to vacate areas in the flight line on the Kingswear side. Cllr Bastone added that there would be 2 fly pasts by the Red Arrows, 2 Battle of Britain Memorial Flight displays and 1 display by the Typhoon. All was in the planning stage but the Regatta would need the voluntary assistance of the public with this safety scheme, to show that Dartmouth could meet the safety criteria.

Cllr Gent had received the minutes of the most recent Patient Participation Group meeting (which he would ask the office to distribute to members) and reported that it now seemed likely that there would be a further delay in the consultation on the proposed closure of Dartmouth Hospital.

Cllr Gent reported that the Dartmouth and District Youth Partnership had now passed its interim period and as from 9th June 2016 Youth Genesis would take over the running of the Youth Club sessions at Ivy Lane and would get the young people more involved in the running of the facility.

Cllr Cole reported that the Mayflower 400 and Sister City groups had held a very successful Gala Dinner evening to honour the guests from Dartmouth Massachusetts.

There was now contact with the University of Dartmouth concerning musical events and it was hoped that their 150 piece marching band would visit.

Cllr Fyson moved a vote of thanks to Cllr Coles for all the work she had done so far on this project; Cllr Coles would arrange for a presentation by the Mayflower 400 group to the July Full Council meeting.

Cllr de Galleani reported that the South West in Bloom judging would take place on 20th July 2016 and South Hams District Council had sent a team to Coronation Park to remove brambles. A resident of Coombe Road had donated £100.00 towards the replanting of a Magnolia in Coronation Park, which would be done in the autumn.

Cllr Smith reported that the Townstal Community Hall Association, the Townstal Community Partnership and the Baptist Church would be celebrating HM the Queen's 90th birthday on 11th June with a street party on the grounds of the Community Hall and at the Baptist Church. The Mayor added that the beacon would be lit on 11th June 2016.

37. REGISTERED OFFICE FOR DARTMOUTH AND DISTRICT YOUTH PARTNERSHIP AND DISPOSAL OF IVY LANE COMPUTERS.

Cllr Gent told the meeting that the Dartmouth and District Youth Partnership were about to register as a community interest company and wished to use the Guildhall as their registered address.

Proposed: Cllr S Smith
Secoded: Cllr B T Harriss

Proposed: That the Dartmouth and District Youth Partnership be granted permission to use the Guildhall as their registered address.

Cllr Gent informed members that there were 3 computers which had passed from Devon County Council to Dartmouth Town Council following the handover of the Ivy Lane Centre. These were not used by the young people and he asked the Town Council's permission to advertise these for community use. Cllr Smith suggested that these could be used by the new "silver surfers" group at the Townstal Community Hall.

Proposed: Cllr D M Gent
Seconded: Cllr B T Harriss

Resolved: That the redundant computers at the Ivy Lane Centre be given to the Townstal Community Hall for use by their computer club.

38. REPORT FROM THE TIC WORKING GROUP.

The notes from a meeting of the TIC working group held on the 17th May 2016 had been circulated. Cllr Hawke told members that following the meeting it had been advised that the BID could not make any monies available to the TIC. He was very concerned that the TIC did not have sufficient funds to run until the end of their financial year at the end of August 2016. The Town Council needed to make a decision to support the directors of the TIC and give assistance if they wanted to keep a TIC/Visitor Centre for the Town. All members were keen to retain the facility. The Mayor would raise the matter at a meeting with Cllr Bastone and Chris Brook from South Hams District Council, the owners of the building, at a meeting the next day.

A further meeting to discuss this would be called as soon as possible; this was later scheduled for 28th June 2016.

39. QUESTIONS TO THE MAYOR.

Cllr de Galleani asked the Mayor if the Town Council could get copies of the Royal Charters for the Market.

The Mayor replied that these were already held at the Council offices.

Cllr Barnes asked the Mayor who would be meeting with Cllr Bastone and Chris Brook from South Hams District Council to discuss the devolution of assets to the Town Council.

The Mayor replied that he, the Deputy Mayor and the Clerk would be attending the meeting. Cllr Pritchard suggested that Cllr Rendle should also attend but Cllr Rendle declined.

Cllr Pritchard asked the Mayor if he was aware of the problems with the buses in Dartmouth with overcrowding due to Park and Ride passengers using the local bus services, Cllr Pritchard added that it was vital for the Transport Group to meet as soon as possible. The Mayor replied that Cllr Hawkins was arranging a meeting.

Proposed: Cllr P F Allen
Seconded: Cllr F J Hawke

Resolved: That in view of the confidential nature of business about to be transacted, it was in the public interest that the press and public be excluded and that they be instructed to withdraw.

40. SPECIAL PERSONNEL COMMITTEE.

The Report and Recommendations of a meeting of the Special Personnel Committee held on 26th May 2016 were reviewed. Concerns were raised that the minutes included too much information but it was noted that it did not include anything to identify the member of staff involved.

Proposed: Cllr F J Hawke
Seconded: Cllr P F Allen

Resolved: That the Report and Recommendations of the meeting of the Special Personnel Committee held on 26th May 2016, be received, approved and adopted.