

# BUCKFASTLEIGH TOWN COUNCIL

**Minutes of the Town Council Meeting held in Room 3 at the Town Hall on Wednesday 11<sup>th</sup> October 2017 at 7:30pm**

**Present:** Pam Barrett (Chair), Janet Jones, Ron Fox, Mark Maish, Linus McCloskey, Neil Smith, Andy Stokes and Judith Hart (Town Clerk).

**Press:** No press in attendance.

**In attendance:** Cllr Stuart Barker (County & District), Matt McLeod (Town Ranger) and 11 members of the public.

## **Part I (Open to the Public)**

**17/108. Apologies:** Councillors Simon Rines, Pamela Forbes, Dan Simpson, Greg Porter and John Nutley (District).

Cllr Fanny Jackson did not attend.

**17/109. Councillors invited to declare any interests:** None

**17/110. To approve as a correct record and sign the minutes of the Town Council Meeting held on Wednesday 13<sup>th</sup> September 2017:**

Signed and approved by Cllr. Pam Barrett

## **17/111. Questions raised by the Public:**

Member of the Public: *Why is the quarry operator still on site without planning permission?*

Member of the Public: *Devon County Council should have served a reminder notice 8 weeks prior to the date of receiving any planning applications in accordance with the Environment Act 1995.*

Member of the Public: *Lorry activity in Whitecleave Quarry continues after 7.00pm which is in breach of the planning permission.*

Meeting to return to this discussion under Agenda Item Nos 5) and 6) both of which relate to Whitecleave Quarry.

Kathryn Hughes: Cycle South Dartmoor would like to thank the Town Council for the £500 donation from the Mayor's Good Causes Fund towards the draft feasibility study which has now been completed by Sustrans. The cycle group have now had the opportunity to review the report and provide feedback prior to presentation to Highways England. The study has several options to explore and it has been suggested that the route which will connect Dartmoor towns along the A38, should extend to include South Dartmoor College in Ashburton within its brief.

Cllr Janet Jones advised that the Friends of Ashburton and Buckfastleigh Hospital also contributed a donation and that she will report the above progress to members.

It was agreed that the current route is treacherous and that it is important to facilitate anyone with any ability and to make pupils feel safe when they are travelling to school.

Cycle South Dartmoor would like to carry out a public consultation with a view to choosing topical names for each section of the route.

Member of the Public requested clarification regarding HGV activity in and around the area of Austin's Bridge.

**Action:** Town Ranger to investigate and advise accordingly.

### **17/112. Police report:**

The report for September had been circulated to Members prior to this meeting which was noted.

The Clerk advised that an acknowledgement had been received from the office of the Chief Constable to the letter sent by the Town Council on 19<sup>th</sup> September expressing concerns about the level of policing in the parish and that a formal response is expected shortly.

**Action:** Police reports to be made available on the Council website and to the public when received.

### **17/113. Reports from County Councillor and District Councillors and to discuss the effectiveness of updates and how this could be improved:**

Report from Cllr Stuart Barker:-

Devon County Council (DCC) has been campaigning to increase its share of the education budget. Funding has been increased although the county is still below the National Average so the campaign for fairer funding will continue. It is also anticipated that an additional £300,000 will be allocated for High Needs which is welcome, but does not reflect the additional demands placed on this budget.

Cllr Pam Barrett asked Cllr Barker to provide the source data for the DCC schools which he agreed to do.

County farm tenants arranged a Farm Wise event at the County Show Ground for primary school pupils across Devon. St. Mary's School at Buckfast were invited to attend and experienced many aspects of farming which they thoroughly enjoyed.

Devon Highways have now agreed to replace the crossing point in Fore Street with a tarmac solution and the request by the Town Council to provide a wider visibility splay on the exit from the swimming pool on Plymouth Road has been agreed. This will extend to protect the pedestrian access to the cottages and the traffic regulation order will also protect the vehicle access at the other end of the cottages.

Following the withdrawal of the planning application to extend the storage permission at Whitecleave Quarry, Cllr Barker has discussed with officers what enforcement action will be taken. They are currently looking at the elements of the permission that do not apply to quarry operations as that permission still exists. An enforcement notice will need to be taken to a development management meeting. This is likely to result in a period allowed for the notice to be complied with in accordance with national planning guidance.

Cllr Pam Barrett referred to a report that had been carried out approximately 7 to 8 years ago which states that the capacity of the A38 at peak times had been reached so why are there no plans in place to address this when there has been a significant increase in traffic? There is now more house

building, noise and pollution from the A38 and pollution levels at Dean Prior have been recorded as being above EU standards.

Cllr Barker agreed to raise this issue with Highways.

**17/114. To receive the minutes of the Planning, Environment and Transport Committee held on 4<sup>th</sup> October 2017:** Noted.

**17/115. Planning Application for discussion by full Council: County Matter Planning Application - Variation of Condition 1 on planning permission DCC/3784/2015 to extend permission to 31 July 2018 for use of offices, workshop and storage at Whitecleave Quarry, Plymouth Road, Buckfastleigh, Devon, TQ11 0DQ:**

The planning application to extend permission has now been withdrawn by the applicant as conditions cannot be varied for an expired application.

The Town Council is very concerned about the level of competence of Devon County Council (DCC) planning officers who have made three serious failures in dealing with this matter.

Member of the Public: *The above application was validated, and pre-application advice was given by officers and, yet it is still wrong.*

Members agreed that it is now time to pursue the complaints procedure to the Ombudsman. A considerable amount of time and money has been wasted and the landowner and applicant can still apply for the postponement of another review. The DCC planning department has failed to protect the interests of the community.

Cllr Barker advised that staff issues can only be dealt with by the Chief Executive, Dr Phil Norrey and procedural complaints are handled by the County Solicitor.

The next stage of the procedure which can be taken by the Town Council is to go to a Stage 2 complaint. Officers are currently looking at enforcement but, must separate each operation on the site. Quarrying permission does not expire until 2042.

What needs to be done for a review notice is very clear, but the applicant can appeal against an enforcement notice which can take up to 6 months and they must be given a reasonable amount of time to comply with this notice.

Members agreed that the Town Council should pursue a Stage 2 complaint as the response to the Stage 1 complaint was inadequate.

Member of the Public: *Buckfastleigh has suffered noise from Whitecleave Quarry for 7 years why does DCC not act upon our complaints?*

Member of the Public: *Why has the lease for the new site at Heathfield not been signed?*

Cllr Stuart Barker: The applicants want to move as soon as possible, but there has been a problem with the legal boundaries of the old landfill site. Signing of the lease is imminent.

Member of the Public: *If there is no intention to quarry why is there a need to divide the enforcement?*

Cllr Neil Smith: The site operator is not quarrying according to the permission and is in breach. DCC, the County Solicitor and the Chief Executive are allowing this which is borderline criminal.

Cllr Barker was asked to hold DCC to account and he confirmed that he has sent emails to the County Solicitor. He advised that the Scrutiny Committee is the appropriate mechanism to deal with allegations of malpractice as they are independent and can examine the details in depth.

Cllr Pam Barrett: Disciplinary proceedings should be undertaken. If the correct notice had been served, then this whole matter would have been over. It is understandable that the public are disillusioned with local government.

Member of the Public: *What checking procedures are in place? This has been done deliberately to buy time.*

Cllr Mark Maish: The failure to enforce conditions demonstrates contempt and the attitude of officers is dismissive.

**Action:** Members expressed profound disgust at the lack of competence demonstrated by DCC and agreed to pursue the following:-

1. Formulate a Stage 2 complaint.
2. Contact the Chair of the Scrutiny Committee, Cllr Alistair Dewhurst.
3. Letter to the Chief Executive, Dr Phil Norrey concerning the professional incompetence of officers.
4. Members of the Planning, Environment and Transport Committee to meet with members of the Buckfastleigh Community Forum to discuss the above actions.

The above actions were proposed by Cllr Andy Stokes and seconded by Cllr Mark Maish with all Members in favour.

Member of the Public: *Environmental concerns have never been addressed for example the destruction of a bat habitat which has been reported to the Wildlife Crimes Officer, the run-off into the Dean Burn has been affected, the natural environment is at risk.*

The Chair thanked everyone who had contributed to scrutinising the many complex and lengthy documents on behalf of the community and suggested that it would be nice if DCC could at least issue an apology.

**17/115. Response to complaint by the Town Council to Devon County Council on 12<sup>th</sup> September 2017 regarding activities and procedural matters at Whitecleave Quarry received on 2<sup>nd</sup> October 2017:**

Addressed under the above item.

**17/116. Town Council Projects update:**

- Helipad – The Clerk was pleased to confirm that the preferred contractor has been instructed to install the new floodlights and associated works for the landing site at the football field which will be funded by the Town Council.
- ‘Hello Summer’ – Cllr Pam Barrett informed the meeting that around 400 children attended the summer holiday activities facilitated by the Town Council most of whom were from the parish. Following the receipt of an ‘Awards for All’ grant, other activities including Parkour

and bouncy castle after-school activities have been arranged together with a special Halloween themed event on Friday 27<sup>th</sup> October in Victoria Park. It is hoped that this programme will continue in 2018 subject to budget approval.

- Town Ranger – the purple crocuses donated by the Ashburton and Buckfastleigh Rotary Club to support the ‘Purple for Polio’ charity initiative are now available for distribution.

**Action:** Town Ranger to promote via social media.

- Community solar panels – Cllr Andy Stokes confirmed that arrangements are being made for the pool installation as previously agreed.
- Community Development Fund – Community training for volunteers has now been arranged with a different topic each month. Local groups and organisations are encouraged to attend these sessions. The Town Council would like to work with and invest in groups who are on a sound footing. It was also suggested at the October meeting of the Tourism, Recreation and Economic Development Committee that the Council could host a ‘freshers’ type fair to assist local groups with networking.
- CAB outreach service – Cllr Linus McCloskey reported that demand continues, and he would encourage clients to cancel their appointments if they are unable to attend.

**17/117. To discuss the planning, management and communications issues for projects which are within the remit of this committee:**

Members agreed that a working party meeting should be arranged with members of the Buckfastleigh Community Forum to discuss how to proceed with matters arising from recent communications with the planning authority concerning developments at Whitecleave Quarry.

**17/118. Proposal from Teignbridge District Council to Buckfastleigh, Ashburton, Bovey Tracey, Chudleigh and Moretonhampstead Town Councils to fund a Peripatetic Town Centre Manager:**

The Town Council together with Ashburton, Bovey Tracey, Chudleigh and Moretonhampstead have received a proposal from Teignbridge District Council Economic Development Officer, Allie Clark to contribute £7,000 each towards the funding of a Town Centre Manager who would effectively work one day a week in each community working towards the promotion of the town and devising ways to increase footfall.

**Decision:** Members agreed to explore this proposal, but would like to meet with the officer and the other four towns to discuss further. Clerk to contact Allie Clark to this effect.

**17/119. Chair’s Announcements:**

Cllr Pam Barrett: The 2018 Millennium celebrations for Buckfast Abbey will officially commence at Easter. This significant and important event could potentially increase footfall in the town. It was suggested that a promotional leaflet could be published highlighting the other tourist attractions and businesses in Buckfastleigh which could be made available to visitors at the Abbey.

**Action:** Under the remit of the Tourism Committee, it was agreed that a working party should be arranged with representatives of the tourist attractions and Chamber of Trade to discuss further.

**17/120. Clerk's Announcements:** None

**17/121. Correspondence:**

A report on the implementation of car parking charges at four Dartmoor National Park Authority (DNPA) car parks had been circulated to Members. The Clerk had already formally submitted the concerns of the Town Council and how this will affect local residents.

Cllr Stuart Barker: DNPA Members support the introduction of residents parking permits which is being actively pursued, but has not been publicised yet.

**17/122. Reports from other meetings and working parties attended by Members:**

Cllr Janet Jones: At a recent Teignbridge Association of Local Councils meeting, a representative from Devon Highways was available to answer questions.

Cllr Jones highlighted concerns about the retreat of bats in the Holne Road area where they have previously foraged following the change of the light bulbs in the street lights to LEDs. Response and minutes to be circulated when available.

Cllr Jones reported that she is now a committee member for the Ashburton and Buckfastleigh Hospital League of Friends who are looking at funding for local projects. At a recent stakeholders meeting, members are discussed how to adapt the hospital to incorporate clinics and a doctor's surgery. There are currently no plans to close the ambulance station.

Cllr Ron Fox and Cllr Janet Jones attended the opening ceremony for the new performance canopy at the Orchard Millennium Green and Cllr Jones went to the Buckfast Abbey book launch which will be part of the Millennium celebrations.

Cllr Mark Maish has met with the Town Ranger, the DNPA Tree Officer and the local volunteer who oversees the duck pond concerning a proposed new planting scheme around the pond and the removal of a diseased ash tree which the Town Council will need to seek planning permission for.

Both the monthly cinema club and Rambunctious evenings held at the Town Hall continue to be popular and well attended.

The second community outdoor picnic which was held in September at the Orchard Millennium Green was a success and the Town Council will again been hosting a stall at the Christmas Fair highlighting the results of projects completed during this financial year, projects proposed for next year and for the future.

**17/123. Urgent Items:** None.

**The meeting closed at 9.35pm**

Signed ..... Date.....