

Peter Tavy Parish Council - APPROVED

Minutes of the meeting held on Wednesday 11th August 2021 at 7:30pm at the Chapel Meeting Room

Present: Cllr. J. Jeffery, Cllr. E. Dodd, Cllr. K. Ball, Cllr. W. Lane, Cllr. P. Randall & Cllr. M. Stephens

Others Present: The Clerk, Cllr T. Pearce (W.D.B.C), Mrs. A. Barton & Mr. V. Nail.

PUBLIC COMMENTS TIME ALLOCATED 15 MINUTES

Mr. V. Nail handed a written statement to the Parish Council and raised the following comments on the issue of a gate across the front of the bridge at Lower Mill :-

In Mr. Nail's opinion there were two separate issues to address –

1. The siting of the gate at Lower Mill
2. How this had been handled by the Parish Council.

Points raised by Mr. Nail on the above issues :-

That the Parish Council did not approach him and his wife before discussing and minuting these discussions regarding the gate. This resulted in him finding out second hand that the matter had been discussed and minuted for anybody to see. This he found appalling, discourteous and had greatly upset both him and his wife. He asked who on the Council thought it was a good idea not to speak to them in the first instance.

Mr. Nail understood that where public expense was involved that discussions should be open.

That a statement had been received from Mr. Ray Downton confirming that the bridge in question was used exclusively for access to Lower Mill and also access to an enclosure at Gatehouse Mill. That to his knowledge the bridge and track around to the enclosure were indeed all unregistered.

Mr. Nail stated that he had never denied access to the bridge to anybody and that the owners of Gatehouse Mill bring machinery across the bridge into their enclosure regularly.

Following historic damage to the bridge an inspection by a local stonemason was carried out but the damage turned out to be too big a job for him to repair and the repair bill was going to be considerable. A neighbour at the time (Phil Gill) had a document showing shared responsibility with Lower Mill for maintaining the bridge. After the inspection by the local stonemason an officer from Devon Highways came out to site and put the bridge onto their register of Highways maintained bridges. Some 8 months later Highways carried out the necessary repairs to the bridge. As a result of this registration professionals inspect the bridge on an annual basis.

Mr. Nail stated that in the first instance Tom Roskilly, a local farmer, requested that a gate be put across the bridge to stop incidents of animals getting into the garden at Lower Mill. Especially when livestock is being put into the field entrance immediately adjacent to the bridge. The gate was then hung using the two granite gateposts already in situ.

After many years commanding ships in the Navy and often having to practice thinking before acting, Mr. Nail was deeply offended by the Parish Council's approach.

Ownership of the bridge is not in question but if pushed a right to apply for adverse possession could be exercised.

There are other issues within 200 yards of Lower Mill, and other things in the Village that in Mr. Nail's opinion the Council seem to ignore. Mr. Nail feels picked on and singled out and stated that the Parish Council needed to be very careful of perception of what they are seen to do in the Village.

Although Mr. Nail appreciates the statutory role of the Parish Council, and commended them for the work they do in giving up their time to serve the community, this time they had got things wrong in their approach. Mr. Nail stated that both he and his wife also do a lot for the community, therefore they feel they have been singled out in this case.

Given his opinion that the bridge has been used exclusively for Lower Mill and access to the enclosure at Gatehouse Mill, Mr. Nail stated that he is not prepared to move the gate if requested to do so by the Parish Council.

PARISH COUNCIL'S RESPONSE TO PUBLIC COMMENTS

Cllr. W. Lane asked whether if Gatehouse Mill or Lower Mill were to be sold would the new owners of Gatehouse Mill would still be able to have unhindered access to their enclosure, for example if they needed to take animals in that way.

Cllr. J. Jeffery said that the lane up to the bridge at Lower Mill was also maintained and repaired by Highways and disputed Ray Downtown's statement about exclusive use of the bridge, because he had memory of fishing from the same bridge as a young man. The Council would need to find out if Highways had indeed adopted the lane leading to the bridge and indeed if they owned the bridge itself. If Highways maintain the bridge then it would quite likely be that public access should be maintained.

Mr. Nail was asked where on his deeds his own boundary ends, this was said to be approximately 10 meters from the bridge. The strip of land from the bridge and the start of Mr. Nail's property boundary was thought to be no mans' land and unregistered. However, this could change in the future.

Cllr. M. Stephens expressed an observation that the house sign for Lower Mill and the gate across the bridge gave the perception that the boundary did start there. Anybody who did not have that local knowledge would assume the bridge was indeed private property. By putting the gate across it puts people off from exercising their right to stand on the bridge and fish for example.

Mr. V. Nail replied that he had never denied anybody access to the bridge.

Cllr. M. Stephens asked could Mr. Nail confirm that if Lower Mill were to be sold that any new owner would not stop the general public from having access to the bridge.

Cllr. K. Ball said he was born in what was Brook Cottage (now Colley Cottage) and when Mrs. Moyse had her shop at Lower Mill there was never any gate there. There was no gate across when Mr. Downtown was living in the area. Cllr. Ball said that he had often over the years fished from that bridge but that now the gate was across it just didn't seem right to him to go onto the bridge. He feels the barrier prevents him from doing so just by being there. The gate to him has become an obstacle.

Mr. V. Nail replied that this had never been an issue in all the time the gate had been there until now. That there had always been give and take in the village and that he had a very good reason (livestock) for the gate being there in the first place and did not want to move the gate back to his actual boundary.

Council discussed that any arguments over the bridge or boundary to Lower Mill should be postponed until a Land Registry plan of the immediate area of the bridge could be sought, and that the bridge could already be registered. Any new owners of Lower Mill may not agree to public access to the bridge, or access to the enclosure at Gatehouse Mill if Mr. Nail had adopted the bridge and area of no man's land. Gatehouse Mill should have it written in their deeds that they had a right of access to their enclosure.

Cllr. P. Randall asked if Tom Roskilly would confirm that he asked for the gates to be put there and to confirm that if the gates would be moved back to the other side of the bridge whether this would have an adverse effect on him moving his livestock. (Other Councillors stated that Mr. Roskilly had another gate to those particular fields on the other side of Laurel House which he is seen to use to unload/reload livestock regularly.)

Mr. Nail responded that he was not willing to move the gate to the edge of his actual boundary.

Cllr. J. Jeffery stated that Highways may object to the gate blocking the highway.

Cllr. T. Pearce asked if the gateposts where the gate was now hung had always been there? Cllr. K. Ball said the posts had been there but not a gate. As a child he used to tie chains from one of the gateposts.

Cllr. E. Dodd said that the Councils approach may have come across a little strong, with everything said being minuted before Mr. and Mrs. Nail had been spoken to. However no-body is saying they want to go beyond the bridge.

Cllr. P. Randall commented that discussion should have been wider and that the affect on things had been disproportionate, communication could have been better on the Councils' part.

Mr. Nail said the Parish Council could be more involved in flood prevention and that there were for example a number of drainpipes discharging directly onto the Highways within the village, and that he had not seen anything in the minutes of previous meetings suggesting that the council is proactive in flood prevention. He did not see much happening between the Parish Council and Highways in general.

Cllr. T. Pearce (WDBC) stated that West Devon Brough Council had been heavily involved with the flooding issues in Peter Tavy, and that the Parish Council were aware of this. The environment agency had done a lot in the past moving rocks to help the flow of water improve especially under the bridges within the parish and that the Parish Council spends considerable amounts of money every year clearing our own drains, work which Highways no longer have the budget to do.

Cllr. Jeffery thanked Mr. V. Nail for coming to the meeting and for putting his points across. The Council will further investigate the matter and let Mr. Nail know their findings in due course.

The Parish Council meeting immediately followed on from the public comments time.

1: Apologies for absence

None.

2: Declarations of Interest

Church Cottages & Finance Cllr. J. Jeffery.

3: Approval of previous Minutes & matters arising

The Minutes of the meeting held on Wednesday 14th July 2021 had the following amendments:-

Item 8 Charley should read Charlie Nankivell

Item 10 Colly Brook should read Colleybrook

Once amended these were approved as correct. Proposed by Cllr. E Dodd seconded by Cllr. K. Ball all in favour & signed as a true record by Cllr. J. Jeffery.

Matters arising: Cllr. T. Pearce (WDBC) is going to find out if the Parish Council can put its reserves into a high interest account and let the Clerk know asap. W.D.B.C has a scheme for reserves and Cllr. Pearce is going to find out if this is open to Parish Councils or just Borough Councils.

4: Co-Option of new Councillor.

Amanda Barton was voted in unanimously to join the Parish Council. Amanda Barton was duly co-opted to Council. She was given all relevant paperwork to sign.

5: Reports from outside Bodies

Western Power, The Duchy of Cornwall, an Ecologist and Cllr. J. Jeffery held a meeting at the Coombe the outcome of which was that the damage had been left too long to try and repair. More damage would occur in trying. The Council's view was that it should be left alone to continue healing and that any compensation received should go towards ongoing maintenance of the Millpond. However the ultimate decision still lies with the Duchy of Cornwall.

The Southern Links need a reliable Clerk and WDBC are considering asking parishes to donate a small amount each year towards this. It could be somewhere in the region of £10 to £15 per year for a Parish our size. It was agreed that this would be ok from Peter Tavy Parish Council. Proposed Cllr. E. Dodd and seconded by Cllr. W. Lane all in favour.

West Devon Borough Council have sent a survey to be filled out on a plan for west Devon. This will be forwarded to Councillors for their responses so it can be forwarded in time to West Devon.

6: Correspondence

Various correspondence had been received and copies given to Councillors before the meeting.

Mr. V. Nail's letter had been covered by public discussions earlier in the meeting.

WDBC survey for a plan for West Devon had been covered above.

Other correspondence requiring action included registration for the Jubilee Beacon in June next year. The Clerk was asked to register Peter Tavy's interest. Proposed Cllr. E. Dodd and seconded by Cllr. W. Lane all in favour

7: Covid-19

Cllr. T. Pearce (WDBC) stated that figures had been climbing steadily in Devon and that admissions of Covid-19 patients to Derriford Hospital were on the increase, we still need to be cautious.

8: Mill Pond

The Mill Pond is currently fairly full.

The Clerk was asked to contact D.N.P (Rob Taylor) to see if a ramp giving better access to the Combe could be put along side to the left of the stones immediately up from Coombe Bridge so that people with less mobility could have access to this area.

The area around the seat needs strimming Cllr. J. Jeffery was asked to do this.

9: Playing Field

The Clerk was asked to contact Charlie Nankivell and ask him not to strim around the bases of the upright poles. This should help prolong their life.

The Clerk informed the Council that Cllr. K. Ball informed her of issues with her response to Alistair Guy stating to him that the playingfield had indeed been inspected in 2020. Cllr. K. Ball had witnessed himself members of a Rospa inspection team merely looking over the gate, they did not even go into the playpark and said they were late for a meal in the Bedford Hotel. This meant in his opinion that the equipment had not been inspected. The Clerk said that the bill from Rospa should never had been paid if we had not actually received a proper inspection. Cllr. Ball said he had brought it up at the time at a Council meeting but that it had not been minuted, and the bill had been paid. The Clerk said it would not happen again in the future as any Inspection booked from now on would have to be accompanied by a Councillor.

The Clerk was asked to get hold of Alistair Guy and ask about composite materials as an alternative to the now rotten wooden poles. These had been put up in 2012 and had only lasted 9 years, which given the cost was not good value to the parish.

Alistair Guy will be out to carry out maintenance to the problems in the playpark but he is extremely booked up over the coming few months.

It was agreed regrettably to keep the playpark closed to the public until after our annual inspection and any remedial works.

Cllr. T. Pearce (WDBC) said that it may be a possibility for WDBC to take on organising the inspection appointments for several local playparks next year, if this is the case then Peter Tavy could join this scheme.

10: Highways

Tom Lee of Highways had not as yet scheduled a meeting, to go through various parish problems with either the Parish Lengthsman, or Cllr. P. Sanders (D.C.C) or Cllr. T. Pearce (W.D.B.C).

11: Planning

Cllr. W. Lane is standing down as head of the planning sub-committee and it was proposed that Cllr. M. Stephens take over this role.

Planning applications that were discussed this month :-

Harford Bridge Holiday Park –Put up a car port and storage building, and to install solar PV panels to the south elevation of the reception building.

Langsford Barn – Create a new opening from two existing openings in the east elevation and increase the size of an existing opening to the south elevation.

In both cases the Parish Council supported the applications without further comment.

A letter from Dartmoor National Park Planning department had been received stating there had been an increase in planning applications and the case loads were now too high for planning officers to be free to discuss potential planning applications. Parishes must clearly state their reasons for responses to planning applications and try not to discuss these with planning officers.

13: Church Cottages

The Clerk has chased the electrician for his quote for new heaters etc. and builders to get a firm time frame for the works to start at Church Cottages. We are still waiting on these responses.

The spare keys (in case of an emergency) had still not been cut, the clerk was going to try again to achieve this and will write to both tenants again, after she has obtained advice from Sophie the housing officer at WDBC.

The Council suggested that on a day when the builders are there doing the investigations, that some Council members attend and that the full Council should agree on works going forward.

14: Beating the Bounds

Cllr. E Dodd gave the Council a full risk assessment for the event, kindly produced in association with Amanda Barton and the Council thanked her for this. One amendment will be that the telephone number for Dartmoor Search and Rescue needs to go on the form and the Clerk will speak to Sandra to arrange this.

An advertisement will go onto the website and the Clerk will ask Sandra for a poster to display on the notice board.

The co-ordinators of the event will be Cllr. E. Dodd and Cllr. A. Barton.

15: Ratify Councils’ decision made in AOB on 14/7/21 regarding purchase of cold tar.

Proposed Cllr. M. Stephens, seconded Cllr. K. Ball all in favour.

16: Finance

PRECEPT ACCOUNT beginning of August	£21,764.29	
Outgoings from the Precept Account		
Clerk Salary & use of home office	£	260.30
Tinhay building supplies (cold tar)	£	30.40
Stationery	£	61.83
Stamps	£	5.10
Microsoft subs	£	79.99
Parish Lengthsman (strimming at pavement)	£	75.00 + vat
Income to the Precept Account		
Church Cottts for admin	£	26.66
(Including sum held for Community hub = £154.62)		balance £21,278.33

CHURCH COTTAGES ACCOUNT beginning of August £26,607.74

Outgoings from Church Cottages Account		
Admin to Precept	£	26.66
Income to Church Cottages Account		
Rent (after increase 366.68 + 324.45)	£	691.13
		balance £27,272.21

It was agreed to pay the outgoings of Clerks Salary & UOHO £260.30, Tinhay £30.40, Stationery £61.83, stamps £5.10, Microsoft subs £79.9 and Lengthsman £75.00 + vat from the precept account – Proposed Cllr. E. Dodd, seconded Cllr. W. Lane all in favour.

The bank signatory change will take approximately 10 days to action and has already gone into the bank.

Cllr. T. Pearce (WDBC) is going to forward the Clerks details to the finance department of the Borough Council so they can advise if the reserves can be placed into another higher interest account.

16. Any Other Business.

The Peter Tavy Plod is going ahead this year over the bank holiday weekend, the village fayre has been trimmed down and is going ahead with a reduced format.

There being no further business the meeting closed at 21.20hrs.

Signed

Dated