

# SOUTH MILTON PARISH COUNCIL

## Minutes of Parish Council Meeting.

<b>Date: 18<sup>th</sup> July 2022</b>		<b>Venue &amp; Time: South Milton Village Hall, 19.30hrs</b>
<b>Present:</b> Cllr Anne Berryman Cllr Graham Collyer Cllr Marion Brice Cllr Paul Booker (in the Chair) Cllr Graham Jinks Cllr Nick Townsend	<b>In Attendance:</b> Katharine Harrod – Clerk & Minute taker  Dist. Cllr Judy Pearce County Cllr Rufus Gilbert Parishioners/Guests Present: 4	<b>Apologies:</b> Dist. Cllr Mark Long

REF 2022/23 MINUTES

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### 180 WELCOME & APOLOGIES

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181 **DECLARATIONS OF INTEREST:** No declarations of interest were received.

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### 182 MINUTES OF PREVIOUS PARISH COUNCIL MEETING:

It was resolved to approve the minutes of the Parish Council meetings of 27<sup>th</sup> June without alteration, they were then signed by the Chairman.

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### 183 COUNCILLOR VACANCY FOLLOWED BY CLERKS REPORT:

South Hams District Council has not yet confirmed that South Milton Parish Council may co-opt a new Councillor.

One expression of interest has been received from Emma Collier, following discussion, the council resolved to invite Emma to join the council as a co-opted member following receipt of authorisation to co-opt from South Hams District Council.

#### CLERKS REPORT:

- a. Bench order: The benches have been ordered and paid for.
- b. Lane End foliage: Cllr Booker has been and cut back the tall bushes and the long grass they could get to. It was too dangerous for them to stand on the bank, the visibility is better, but the long grass on the bank does need cutting past the field and towards Malborough.
- c. Signage for Trutes/Rose Cottage/4 Shute Cottages: No update, we await feedback from the owners.
- d. Town Planning Dissertation: One of the local planning officers, Charlotte Howrihane, is taking the MSc Town Planning course at Plymouth University through the RTPI Town Planning Apprenticeship programme. Cllr Townsend has kindly completed the questionnaire to assist with her dissertation. We have communicated with Charlotte on various planning applications and we wish her well with her course.

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### 184 PARISHIONERS OPEN FORUM (allocated time not longer than 15 minutes, a member of the public shall not speak for more than 2 minutes as per Standing Orders):

- The rape field at the end of the footpath from Vineyard Lane and onto the ridge has a field of rape to one side, unfortunately the rape has been sown right up to and over the path making it largely impassable. It is thought contractors are responsible. The landowner has been advised.
- The steps on the path by Gingers field past the stream are wearing away – on the footpath from the church to Horswell lane. Peter Guy will be asked to take a look with a view to repair.
- Data has been received in respect of the South Milton treatment plant over the last few years. The latest data for overflows in 2021 covers just nine months as the equipment was faulty for the rest of the year - the figures in red have been calculated pro-rata so should be treated with caution. The data however suggests the plant overflowed once every eight days, a worryingly high rate. In view of the seriousness of this data it was agreed to write to South West Water asking for a month by month interpretation of the overflows and an

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explanation of why the equipment was out of order for three months. We will also ask for an update regarding their commitment to the planned works.

Councillors recall that people fell ill swimming in the lagoon last summer and do not want a repeat of this.

Year	Site Name (EA Consents Database)	Receiving Water / Environment (common name) (EA Consents Database)	Total Duration (hrs) all spills prior to processing through 12-24h count method	Counted spills using 12-24h count method	EDM Operation - % of reporting period EDM operational	EDM Operation - Reporting % - Primary Reason <90%
2019	SOUTH MILTON STW	SOUTH MILTON STREAM	660.06	43	100	
2020	SOUTH MILTON STW	SOUTH MILTON STREAM	962.56	63	100	
2021	SOUTH MILTON STW	SOUTH MILTON STREAM	410.94	34	75	Comms failure / issue
2021	SOUTH MILTON STW	SOUTH MILTON STREAM	547	45	100	Corrected figure

- There is a dead ash tree overhanging the road at Gingers Field, the owner of the tree is responsible to ensure they do not overhang, if the tree dies it remains the responsibility of the owner. Cllr Townsend had emailed the owner and requested action.
- The beach steps remain in a particularly poor and dangerous condition. SHDC are waiting for the engineers to view the structure and advise if it should be condemned. This is a privately owned structure, any incidents would be the responsibility of the landowner.
- Complaints have been received regarding noise from the Rockbox located by the golf course. This is due to move to South Milton Sands shortly. The Churchstow and Thurlestone sites have been licensed through Temporary Events Notices (TENS) whereas at South Milton they will be on the same pitch as previously and this allows them to sell alcohol on the site when the business is open. They are closing at 10pm with music not to continue after 11pm. Unfortunately, the noise has been carrying through the valley and affecting a number of different estates in an adjoining parish.
- Old post office lane is getting blocked with vehicles parking inconsiderately, tractors have not been able to get through and this could impact on emergency service access. This is not the only area that suffers from inconsiderate vehicular parking and it is not acceptable. The parish roads, hedgerows and trees will all be assessed. Landowners with overgrown hedges/trees will be written to and consideration will be given to the addition of double yellow lines at stress points. In the meantime, the police will be asked to come out and move dangerously parked vehicles.

### National Trust, Ranger Emma Reece:

- The whole of the South Milton car park team is currently struck down with Covid which has caused us some staffing challenges at a peak time. We have been doing our best to coordinate staff from other sites, but there will not be the staffing presence we would like on site until they are well enough to return.
- The sign encouraging traffic to exit through the South Huish side has been installed along with a sign to encourage cars to turn up the first right hand turn to Galampton to try to keep traffic out of the 'narrows'
- The contractor has agreed a new design for the outfall pipe which does not use steel which means the costs are back in line with the budget for the work. We are just waiting for the final quote to then apply for the MMO license to undertake the work, we expect the work to be undertaken in the Autumn if the license comes through in time.
- Thank you to all who have agreed to assist with the sign in the village, I expect this will be tested over the next few weeks.

### DEVON COUNTY COUNCIL:

Cllr Rufus Gilbert, Email: [Rufus.Gilbert@devon.gov.uk](mailto:Rufus.Gilbert@devon.gov.uk)

### ROADS.

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Normally in May and June 4,500 pot holes are dealt with, but this year due to the dry weather and thereby less potholes we have attended about 1,000 in May and 1,500 in June.

On the back of fuel price increase June saw an 8% decrease in rural vehicle numbers compared to 2021 with little change in urban numbers.

Please note the roadworks at Kitterford Cross on the B3196 North of Loddiswell are beginning and will last for some time.

### FINANCES.

There is enormous pressure on DCC finances with an overspend in Children's services and Adult services such as to make it extremely difficult to set a budget for 23/24 without major structural changes to how the council operates.

### GENERAL

The CEO Dr Phil Norrey has resigned and an interim appointment has been made with a new CEO starting hopefully in February 2023

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#### ROAD TRAFFIC REGULATION ACT 1984

#### SECTION 14

THE COUNTY OF DEVON (TEMPORARY RESTRICTION) (WHITLOCKSWORTHY TO SUTTON CROSS, SOUTH MILTON) NOTICE 2022

#### TEMPORARY PROHIBITION OF THROUGH TRAFFIC

DEVON COUNTY COUNCIL hereby give NOTICE that:

From **MONDAY 19 SEPTEMBER 2022**  
for a maximum of 5 days

Until **FRIDAY 23 SEPTEMBER 2022** (both dates inclusive)

No person shall cause or permit any vehicle to proceed on the sections of Affected Roads.

Roads affected -  
**WHITLOCKSWORTHY TO SUTTON CROSS, SOUTH MILTON , OUTSIDE BROOK HOUSE TO OUTSIDE THE OLD VICARAGE**

The alternative, signed, route for vehicles will be via - ROAD FROM A381 TO SUTTON CROSS, A381 OLDAWAY TONGUE TO BURLEIGH LANE END, A381 OLDAWAY TONGUE TO LANGWORTHYS BARN, ROAD FROM HEDDESWELL CROSS TO LANGWORTHYS BARN, ROAD FROM ELSTON CROSS TO HEDDESWELL CROSS, HUXTON CROSS TO B3197, WHITLEY CROSS TO HUXTON CROSS, KERSE CROSS TO WHITLEY CROSS, EDDYSTONE ROAD TO KERSE CROSS, EDDYSTONE ROAD TO ILBERT ROAD, ILBERT ROAD TO WHITLOCKSWORTHY CROSS, ILBERT ROAD TO WHITLOCKSWORTHY CROSS, WHITLOCKSWORTHY TO MIDDLE PARK TERRACE

This temporary restriction is considered necessary to enable -  
**PROVIDE NEW WATER SERVICE - 1.8M TAR ROAD**

For additional information contact:  
**KIER ON BEHALF OF SOUTH WEST WATER**  
Telephone: **01726 224400**

Dated: MONDAY 19 SEPTEMBER 2022

### REPORT IT:

Members of the public are requested to report all Highways issues through the Highways Website, enabling faster assessment of problem areas which can then be added to the repair/maintenance schedules. You can report potholes, overgrown vegetation, defective signs/lighting and much more.

<https://www.devon.gov.uk/roadsandtransport/report-a-problem/>

### DISTRICT COUNCILLOR REPORTS:

Email Cllr Judy Pearce: [cllr.judy.pearce@southhams.gov.uk](mailto:cllr.judy.pearce@southhams.gov.uk)

Email Cllr Mark Long: [cllr.mark.long@southhams.gov.uk](mailto:cllr.mark.long@southhams.gov.uk)

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1. The waste service is being brought back into house by SHDC effective from October. FCC will continue to work with SHDC until this time. The brown bin service will be limited to once every four weeks to ensure that everyone gets their brown bins emptied at least once per month further information will be forthcoming.
2. SHDC passed a resolution at council regarding the long term future of the Slapton Line. The current Environment Agency and Natural England have stated that the road will not continue to be repaired when damaged in storms, this would ultimately lead to the ley being breached and filling with saltwater. This is a site of national historic interest as well as being the largest freshwater lake in Devon. It is a place of high tourism and needs to be preserved. They are also looking at other options for the long term continuity of access – Devon County Council have previously mentioned the creation of a vehicular route around the back of the ley to ensure there are no long term access issues.
3. Housing – all the traction with Michael Gove may have been lost following the recent issues with Central Government.  
From March 2023, in order to claim business rates, owners must provide evidence of letting a property for more than 70 nights and having advertised that property for more than 140 nights. The information has to be sent to the District Valuer who will advise if business rates can be claimed. At same time, SHDC will have the option of charging up to 200% council tax on empty properties – this includes second homes as they are not lived in as a principal residence.  
It is possible that a new separate use class for short term holiday lets will be introduced. This would result in a licensing system to ensure that all lets are known and are registered on the correct basis.
4. There is a consultation about second homes written from the point of view of the tourist organisations and companies: <https://www.gov.uk/government/consultations/developing-a-tourist-accommodation-registration-scheme-in-england>
5. SHDC are installing solar panels on the roofs of leisure centres. It should be noted this only provides a maximum of 42% of power used. Further initiatives are required to reach 100% renewables.

**It takes two minutes to report a problem, please help keep our community beautiful**

<https://apps.southhams.gov.uk/webreportit>

Missed Bins, Abandoned Vehicle, Damaged/Full Dog Bin, Damaged/Full Litter Bin, Damaged/Full Recycling Bank, Dead Animal, Dirty Beach, Fly Tipping, Litter/Dog Mess, Planning Breach, Stray Dogs, AND MORE...

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### 185 PLANNING:

- a. **Applications** received by the Parish Council and under discussion and consideration for the last period. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion.

**NOTE: When providing a response to applications, the South Milton Neighbourhood Plan will be referenced.**

1. 2117/22/CLP, School House, South Milton, Certificate of Lawfulness for proposed demolition of existing structure & erection of new single storey rear extension (determination 12/8) **SMPC No Comment.**
2. 2312/22/HHO, 4 Sunnyside, proposed single storey side extension (18/8) – Deferred as details not on the planning portal at the time of the meeting.
3. Feedback from Ward Councillors regarding the approval of South Milton Flower Farm  
Discussion on the conditional approval of South Milton Flower Farm: The application was approved, while we wish the applicants success, we are concerned about the process and the precedent this decision has set.
  - a. Who has the planning approval, is it the landowner or the applicant? The applicant has the approval and owns the permission.
  - b. The Neighbourhood Plan Policy E&MC 3 refers expressly to temporary buildings NOT temporary dwellings. This is an important difference and the approval of a temporary dwelling sets an unwelcome precedent. Policy E&MC3 may need to be reviewed.

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- c. When the application was being signed off, a Ward Councillor requested that it be conditioned for the applicant to produce audited accounts to extend the housing beyond three years. The provision of audited accounts would be relevant to a future application not this one. If there is a future application the report signing off this application states that audited accounts need to be provided prior to any further permissions.

**Condition:** The temporary dwelling hereby permitted shall be removed and the land restored to its former condition on or before 3 years from the date of this decision notice.

**Reason:** Permission is only granted having regard to the special circumstances of the case for a temporary period as applied for and the development proposed is in an area where there is a presumption against new development except where an agricultural or horticultural need has been established.

**Condition:** The occupation of the temporary dwelling shall be limited to a person solely or mainly working, or last working, in agriculture as defined in Section 336 of the Town and Country Planning Act, 1990, or in forestry, or a widow or widower of such a person, and to any resident dependants.

**Reason:** To ensure that the development is occupied by persons connected with agriculture, as the site is located where residential development would not normally be permitted.

4. Neighbourhood Plan update including Principal Residence Policy: John Slater was invited to be the examiner for the modification. All documentation is now with Mr Slater for review.

**b. Decisions:**

1. 4194/21/VAR, The Old Chapel, Variation of Condition 4. **SHDC No Decision Yet.**
2. 4223/21/FUL, School House, South Milton, Proposed change of use to dwelling. **SHDC No Decision Yet.**
3. 1635/22/HHO, Thorntons, South Milton, Application for new garden room (14/7) **Withdrawn.**
4. 1939/22/ARC, Wakeham Farm, approval of details reserved by conditions 5, 6 & 7 of 4178/21/FUL. **SHDC No Decision Yet.**

**c. Enforcement issues:**

Please will all parishioners make a report to SHDC with full details of any violations that do not adhere to the original application for which permission was granted. ALL violations can be reported confidentially to Enforcement via [www.southhams.gov.uk/article/3043/Report-a-Planning-Breach](http://www.southhams.gov.uk/article/3043/Report-a-Planning-Breach). If you would like to submit a report but do not have access to the website, please contact the Parish Clerk.

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**186 BUSINESS TO BE DISCUSSED:**

- a. It was resolved for South Milton Parish Council to support declaration of a Climate Emergency. A formal motion/declaration will be drafted for discussion at the September PC meeting. A page will be added to the Parish Council website and ultimately a separate bank account can be opened if required. The working group will work with other local groups to find ways to reduce carbon footprints, improve energy efficiency across the parish and establish other ways of having a positive impact on the local environment.
- b. Village Sign on Milton Lane: We are now obtaining quotes for the new signage. Cllr Gilbert has confirmed that an application can be made to his localities fund to pay for a new sign.
- c. Airband Update: Airband are supposed to be using the most cost effective routes, unfortunately local parishes continue to have a variety of issues with works being undertaken, lack of sufficient information re installations and it is incredibly difficult to speak to a representative. A letter will be sent to the CEO of the company detailing the issues being experienced across the local parishes.

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**187 FINANCE & GOVERNANCE:**

- a. **Appendix A. Accounts to pay Month 4** – Clerks Salary including HMRC, Burial Ground Maintenance £TBC, Monthly bank charge £8, Hall Hire July £10, Parish Magazine Printing £51.05, Cllr Berryman Jubilee Expenses

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£205.19. It was unanimously resolved to accept the payment schedule. A mandate sheet and transaction records were produced and signed in respect of the above payments:

**b. Governance:**

- It was noted, for clarification, that the June and July meetings in 2021 were held at South Milton Village Hall.

**188 MEETING ENDS 20.45 Hrs**

**Items for next agenda:**

- Dedicated email addresses re Internal Audit

**189 DATES FOR THE DIARY:** 26<sup>th</sup> Sept, 17<sup>th</sup> Oct, 28<sup>th</sup> Nov, South Milton Village Hall, 19.30 hrs.

Signed as a true record: \_\_\_\_\_

Print Name & Date: \_\_\_\_\_

Agenda Items and Updates; where possible please could these be submitted to Mrs Katharine Harrod by the 3<sup>rd</sup> Monday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Mrs Katharine Harrod for distribution) together with their apologies.

**Distribution List**

Cllrs Berryman, Booker, Brice, Collyer, Jinks, Townsend

**For Information: e-circulation to:** County Cllr R Gilbert, Dist. Cllr Mark Long, Dist. Cllr Judy Pearce, South Milton Parish Council Notice Board, National Trust, Riccardo Carrelli, Jenny Brown.

### APPENDIX A: South Milton Parish Council Finance: Month 4

Category	Descriptor	Date	Month No. of Report to Council	ban ked	Paid In	Paid Out	Cash Book Balance
Payment	SM Hall Hire June	30/06/2022	4	Y	-	10.00	19,788.08
Payment	Jerrys Garden Svs	30/06/2022	4	Y	-	132.00	19,656.08
Payment	Play Area Hygiene Benches	30/06/2022	4	Y	-	756.00	18,900.08
Payment	June Wages	30/06/2022	4	Y	-	199.62	18,700.46
<b>TOTALS YTD Financial year 2022/23</b>					<b>£ 3,769.18</b>	<b>-£ 2,191.19</b>	<b>£ 18,700.46</b>
<b>RECONCILIATION CASH BOOK TO BANK</b>							<b>£</b>
Cash book balance b/d					<b>FY 2022/23 month</b>	<b>4</b>	<b>£ 18,700.46</b>
<b>Balance at bank at end :</b>							
	Revenue Accounts				receipts	3,769.18	
	Unpresented Items				payments	- 2,191.19	
						<b>£ 1,577.99</b>	<b>-</b>
							<b>Variance</b>
<b>RESERVED FUNDS:</b>					<b>ACCOUNTS FOR PAYMENT</b>		
					Clerk Salary (& HMRC) paid on 30th of each month		<b>-249.42</b>
15,000.00	Car Park Project						
1,275.00	Family Project Village Hall						
<b>16,275.00</b>	<b>TOTAL</b>				Cllr Berryman Jubilee Expenses	-	205.19
<b>2,425.46</b>	<b>General Funds Remaining</b>				Nick Walker Printing	-	51.05
					SM Hall Hire	-	10.00
					Jerrys Garden Svs	-	-
<b>Meeting Sub Total</b>							<b>- 515.66</b>
<b>Receipts &amp; PAYMENTS REPORT TO COUNCIL</b>							
<b>MEETING DATE</b>					<b>18/07/2022</b>		
Prepared By:					K Harrod for South Milton Parish Council		
Date:					12/07/2022		