



Ashburton Town Council

**MINUTES OF THE FULL TOWN COUNCIL HELD ON TUESDAY,
10 MAY 2016 AT 7.00PM IN THE COUNCIL CHAMBERS OF THE
TOWN HALL**

Present: Cllr Nutley, chairman

Cllrs Brewer, Daw, Dennis, Giles, Parker-Khan, Hitchcock, Distin, Slater, Baker, Ashford, Slater

In attendance: The clerk and deputy clerk, Cllr Barker, 14 members of the public. Also, one member of the press.

068/16 Apologies

Apologies were received from Rev. D. Sherwood who was unwell.

069/16 Public comments/statements. The public may speak for a maximum of 10 minutes on items on the agenda or items that may be considered for a future agenda at the chairman's discretion

One member of the public wished to speak

I would like to congratulate the Mayor on the great success of his Civic Celebration. We apologise that Ashburton Ambulance Hall was not a participant in these celebrations. We were too busy attempting to buy the Hall for Ashburton - a hall that was built by, funded by and maintained by Ashburton. In this we have failed. We see it as a further, generous space for our community. St John sees it as a piece of real estate. Together with further monies for renovation, we secured £80,000; the fair price for the hall through independent valuation. St John require £160,000. This is not acceptable.

I am very proud that Councillor Daw will speak on this further at your meeting. If any of you here have means to keep our Hall, please tell us.

I wish to thank you, Ashburton Town Council, for all your support since 24th February, 2015 and Mary and St John Ambulance Brigade, Ashburton who made it worth fighting for. To thank the many, many businesses and individuals who have supported us and to thank our committee, who have worked unstintingly for no reward save that of knowing that the St John Ambulance Hall was here when we were and we wished it so to be for the next generations. This is a list of these amazing people.

I would very much appreciate it if your council may record their names in your minutes as celebrants of this lovely town.

Thank you.

Committee, The Ashburton Ambulance Hall.
Adrian Daw, member of Ashburton Town Council
Mary Dent, care of the hall
Patricia Dixon, good will and encouragement.
Annie Hill Smith, support and organisation.
Charles Hill Smith, Treasurer and much else.
Margaret Mccurdy, Business Plan, steadfast support.
Andrew Prince, Charity status, wise support.
Audrey Ryder, Bookings, presence and so much else.
Robert Tedder, Secretary and full support
Philip Vogel, professional presentation of applications.
Dilys Williams, ideas and support.

070/16 Declarations of interest. To receive any declarations of interest on items on the agenda.

Cllr Slater declared a prejudicial interest under 0118/16 – 20 Beverley Gardens.

071/16 Outgoing Chairman's monthly report

On Saturday April 16th I attended the British Legion Coffee Morning in the Town Hall. On April 21st I gave my apologies to the Spring meeting of the Courts and Eileen and went up to light the Beacon on the highest point of Parker's Farm overlooking Ashburton to mark the Queen's 90th Birthday. The evening was clear and Paul Parker had built a big fire, which I managed to light with a small gas lighter, the flaming torch was not available. We were able to see other beacons in the distance, particularly the one on Haytor and on Haldon and no doubt they and others could see ours.

On Friday, May 6th The Portreeve and I attended the official opening of South Dartmoor Community College's Dining Hall, we were entertained to a light buffet and some extracts from an Opera that students have performed in Ashburton, and Holne, which was both entertaining and of a very high standard. Mel Stride MP performed the opening ceremony and Jeremy Christophers made a presentation to Judith Morgan an Assistant Principal at the College who is retiring this summer. One of her duties in recent years has been that of building control and development. The new dining hall has been named The Judith Morgan Building and Judith helped to unveil the plaque but had no idea that the building had been named in her honour.

My Civic Event, the Community Celebration in St Andrew's Church. It was good to see the Church full of people, drinking coffee, talking to each other, asking questions of individuals from the 35 different local groups and organisations from Ashburton, which had mounted displays as part of my Civic Event, a Community Celebration. I had chosen St Andrew's Church as the venue because the Church has been closed for some months for the laying of a new floor, which is not something that can happen quickly in such an old and magnificent building. Although all the works are not quite complete the floor is finished and new lighting installed. At 0800 on the morning of Saturday, May 7th the church was empty, no pews, no chairs or tables, just a large and rather magnificent empty space. The lights went on highlighting the churches beautiful wooden interior roof, imposing columns and stunning new floor. Within the hour people

began to arrive with tables, chairs, display boards, leaflets, computers and monitors and soon the church was full of interesting displays from the Brownies to the Tennis Club, from the new Atrium Studio School to the Ashburton Carers' Support Group, from the Ashburton Festival Association to the Ashburton Swimming Pool. An enormous variety of displays hosted by members of the groups and organisations on display. At 11.00 o'clock the flow of visiting people commenced, many people, who had come to look around the displays and admire the church's new floor, the flow kept going, the temporary coffee bar was busy and the atmosphere was celebratory.

At 2.00 o'clock members from some of the organisations in the town put on a live concert. There were performers from as young as ten and as old as 75. A variety of acts from the spoken word, to vibrant singing and dancing to atmospheric music from instrumentalists; all linked together by compere John Germon who used the opportunity to celebrate the Devon dialect with some humour.

All in all the day was a great success and did celebrate the vibrant community groups and organisations that are the heart of our Ashburton Community, which is one of the prime reasons why so many of us love the town in which we live.

I would like to thank members of the council for their support over the last year, warm thanks to our Town Clerk and Deputy Town Clerk - John and Karen, without whom life would have become even more complicated and difficult to manage. Finally my best wishes to our new Mayor and Deputy Mayor for a successful year in office.

072/16 To receive the minutes of the previous meeting held on 12 April 2016

These were signed by the chairman as a true record.

073/16 Matters arising from the minutes of the previous meeting 12 April 2016

Cllr Dennis wished to make a statement:

Mr Chairman, fellow councillors and members of the public, I have asked permission to reply to a statement made to this council on Tuesday 12 April in which Mr John Fisher called for my resignation. Mr Fisher claims that as I am a supporter of the possible return of a railway to Ashburton, that it is incompatible with me being a town councillor. Mr Chairman I take Mr Fisher's comment very seriously as it implies that I place the return of the rail link before my duties as a town councillor, nothing could be further from the truth.

Never in my life has anyone ever accused me of not putting my duty first.

For those of you who don't know me, as well as being a town councilor I also have the honour of representing Ashburton, Buckfastleigh and Buckland in the Moor on Teignbridge District Council. Also in Ashburton I am a Governor at the local Academy School, I am a Flood Warden, a Snow Warden. I am the town's Poppy Appeal Organiser for the Royal British Legion and sit on its committee. I also sit on the town's Carnival committee. I am a member of the Ancient Courts Leet Jury as well as being the town's Ale Taster, and so I would hope that my loyalty and commitment to Ashburton is beyond doubt.

And so Mr Chairman, why do we become town councillors? It's certainly not for the money, no, it's so that we can do the best we can for our town and the people who live here. Whether it's putting up and taking down the Christmas lights or the carnival flags we all do our bit.

Because I am involved in the Heritage Railway movement I have an interest in how other Heritage Railways benefit their own local communities and I want our town to benefit from extra tourism without bringing more cars here. Over the May Bank Holiday around 5,000 people passed through Buckfastleigh Station for Thomas the Tank Engine weekend, the South Devon Railway carries over a 100,000 people a year just imagine Mr Chairman if we had a rail link and a percentage of those passengers walked into our town to spend time and money here, this is my dream for our town. It happens in other towns the length and breadth of the country so why not here?

Mr Fisher is entitled to his views and to say what he thinks, we do after all live in a democracy.

But it was not the railway that caused the Chuley Road Master Plan to be suspended, it was the reassessment of the flood risk by the Environment Agency, and now that professional consultants are working with DNPA it's an opportunity to take another look at the Railway option, which if they come up with a viable plan may well sort out the flooding issue, we can then have our housing, I would also point out that no houses are planned to be built on the former track bed.

Mr Chairman, Voltaire said 'I disapprove of what you say, but will defend to the death your right to say it. In Mr Fisher's case he may well have added 'But first find out what you're talking about'.

074/16

Police report

PC Dudley read his report, which stated:

I would like to update you on Policing matters in the Town since the last full council meeting.

54 incidents were reported. 14 of these concerned the A38 and another 2 incidents were traffic related in the Town itself. There were 2 incidents of anti-social behaviour – in Chuley Road and Emmetts Park.

15 crimes were reported – 12 of these were committed between 15th and 20th April.

They included –

2 crimes of assault

6 crimes of criminal damage to vehicles, 4 of which were committed near the top of North Street overnight on 18th April.

2 crimes of criminal damage to dwellings

No burglaries were recorded.

A 27 year old male was arrested for assaulting his mother on 17th April. He was also later arrested for breaching his Police Bail conditions on 25th April. Both arrests followed the use of a Police Dog Unit for tracking after the male fled the scene. A 22 year old male was arrested following a domestic incident in Barnsey Gardens on 30th April after damage was caused to the property.

I held a Police Surgery at the Information Centre this morning. My next one is from 10-11am on Tuesday 7th June.

I can be contacted at Conway House via the central no. 101 or via e-mail Teignbridge@devonandcornwall.pnn.police.uk Alternatively the totally confidential Crimestoppers no. 0800 555111 can be used to pass information to the Police.

Cllr Nutley stated he was concerned about the speed of traffic through Ashburton and that he and Cllr Dennis had put themselves forward to monitor the traffic. PC Dudley stated that the county council has looked at this and he would monitor it and look at the results.

075/16 Finance and Town Hall Buildings Committee chairman's report

Cllr Parker-Khan stated that the minutes had been circulated. The clerk gave an update on 033/16 – CCTV, a letter had been sent to the Chamber of Trade but no response received so far. Cllr Parker-Khan moved adoption of the minutes, this was seconded by Cllr Dennis. All in favour.

076/16 Adoption of end of year accounts

The clerk stated that he had emailed councillors the related documents. The auditor had raised no issues, all supporting documents had been completed. It was proposed by Cllr Brewer that the town council approve the annual return, this was seconded by Cllr Baker. All in favour. Carried unanimously. Cllr Nutley signed the documents accordingly.

077/16 Planning Committee chairman's report

Cllr Baker stated that the minutes had been circulated and proposed adoption of the minutes, this was seconded by Cllr Ashford. All in favour.

- Applications awaiting decision

0118/16 – 20 Beverley Gardens

Cllr Baker

Demolition of block of three garages, erection of detached two bedroom bungalow with off-street parking and erection of detached double garage

Cllr Slater had declared a prejudicial interest and left the meeting.

Cllr Baker stated that DNPA had held a meeting on the previous Friday and decided to hold a site meeting. They are aware of the town council's wishes for three clauses and awaited to hear the date for the site meeting.

Cllr Slater re-entered the meeting.

0220/16 – Leat House**Cllr Nutley**

Single storey extension to replace conservatory
(Report copied to councillors)

Cllr Nutley's report stated:

The original application which I reported on the 26th February 2016 was for a certificate of lawfulness which was supported by the town council, this application was then withdrawn by the applicant. Due to some small design alterations the applicant now requires full planning permission.

The proposal is to remove the existing small conservatory and replace with a single storey extension which will incorporate a new entrance porch. Construction will be of stone and timber clad walls, the windows and doors will be double glazed set in oak frames. The roof will have three roof lights which will be the same colour as the concrete roof tiles to be used and will match existing

This will give the extra space needed for their growing family. The proposed new single extension is well concealed within the curtilage of the land and is surrounded by mature hedging and trees. There are no close or overlooking neighbours able to see the proposed development, this will enhance the property and will have no adverse impact on the streetscape or surrounding area.

I therefore propose that Ashburton Town Council supports the application. This was seconded by Cllr Distin. All in favour.

SUPPORT**0205/16 – Ashburton Library**

Change of use of old Library to A3 use (restaurant and café) together with associated internal and external alterations

Cllr Baker stated that as landlords the town council cannot make a comment and only submit a neutral view. The clerk stated that the town council can comment that the town council, as landlord, is aware of the proposals and have no issues with them. Carried.

Planning application to be allocated**45 Emmetts Park****Cllr Baker**

Conversion and extension of garage, extension of porch, new double garage with storage over

Grants of Conditional Planning Permission - NOTED**0151/16 – Land at Welstor**

Installation of mobile telecommunications and ancillary equipment involving the erection of 12m telegraph pole with eight consumer antennae and four backhaul radio antennae

0504/14 – 25 Westabrook

Change of use of annexe bungalow to intermediate affordable dwelling

- Adoption of support of DNPA Master Plan option 3 (Cllr Baker)

Cllr Baker read details of option 3: Option (3) - Cease the current Masterplan process, consider applications largely consistent with Local Plan Proposal ASH2 in the absence of a Masterplan, and review the position within 12 months. It was proposed by Cllr Baker that the town council adopt option 3, this was seconded by Cllr Irens. All in favour.

078/16 General Purposes Committee chairman's report

Cllr Slater stated the minutes had been circulated and asked if there were any matters arising.

The clerk apologised for not being at the meeting and stated that all items identified were being dealt with. However, some of them would have to be taken back to a Finance and Town Hall Buildings Committee meeting due to the costs involved.

Adoption of the minutes was proposed by Cllr Slater, seconded by Cllr Baker. All in favour.

079/16 Devon County Council (DCC) Report

Cllr Barker stated that the site visit for 20 Beverley Gardens would be next Friday.

Kenwyn would now be going onto the open market for sale. There had been protracted discussions with a number of caring organisations and none had come to fruition due to the costs of dealing with the site proved prohibitive.

Cllr Daw asked what was happening about the pool of water collecting outside the estate agents in North Street. Cllr Barker stated that the engineer from DCC would be coming to clear it. Cllr Dennis had suggested an alternative operation that would be easier to clear, which would take longer to achieve. In the meantime, Scott Riddell will come and clear it.

Cllr Nutley asked regarding drains, that the drains were due to be cleared in March, it was now May. Cllr Barker stated that additional money had been put into this year's budget and yes they would be cleared and he would find out what the work programme is.

Cllr Parker-Khan asked what the process would be regarding the sale of Kenwyn. Would it be formal tender or discretionary bids? Cllr Barker stated that they had exhausted the process which could have been dealt with under an open tender process. The open tender process means that organisations that have registered via the portal that DCC have for property disposals and the tenders will be open for three months and at the end of that process part of that process is clear in the tender documents that it is not necessarily the highest bidder that will be accepted. It allows an opportunity for

organisations that have another interest to define what that interest is when supporting the bid they make which may be a different bid but there isn't an opportunity, there are other interests but everyone that needs to have be notified about the open tender process. Cllr Parker-Khan asked if there are certain criterias to be met. Cllr Barker stated no it is about justifying a bid. Cllr Barker stated that if DCC get a bid of that nature there is a panel of members not involved in the sale and there is a criteria applied as opposed to looking at the market value, the discount that they would then arrive at from that market value and if the bid is within that range then that is what will happen. Cllr Parker-Khan asked if the town council would receive notification if any such bids come forward. Cllr Barker said no. Cllr Parker-Khan asked what would happen with the funds. Cllr Barker said all the capital assets belong to the county would go towards supporting capital programmes. There is no means of funding the capital programme as a county council and the capital programme is funded from proceeds and any other monies transferred in.

Cllr Baker asked if there are any covenants. Cllr Barker said no.

Cllr Baker asked about the Health and Wellbeing Scrutiny Committee. They have been emailed about the details of the consultation to give comments on the proposed closure of the hospital. Cllr Barker stated that the scrutiny committee has asked for a presentation by the CCG in June. The scrutiny committee will make no decisions under the CCG make a decision after the consultation. At that time the scrutiny committee can call the decision in to have a look at it and if the scrutiny committee does not agree with the decision then they have an option to refer the decision to the Secretary of State. That is the process they can either accept the decision or send to the Secretary of State. There is not a lot else they can do. The consultation is currently delayed because the documents and governance process has to go to NHS England to agree the consultation that is taking place. NHS England are looking at the documentation for that before they give or don't give or suggest amendments to it before it comes back to be consulted on. That will come out and the date announced as soon as NHS England have finished that process.

Cllr Nutley asked if there is an initial meeting that members of the public can attend. Cllr Barker stated he understood they were planning at meeting during the process but he had not received the details of that but understood there would be three meetings.

Cllr Parker-Khan asked for clarification on a something that was of such great magnitude as the closure of the local hospital, it needs to be put before a committee of the Health & Wellbeing Scrutiny Committee rather than just being emailed as they make the decision on whether or not there will be a public consultation. That's the first round of the process. The CCG had told them that their proposals must go the Health and Wellbeing Scrutiny Committee for ratification in order to decide whether to go to consultation or not and I do not think it is acceptable to just email the documents and not have discussion in a forum like this over something so important, not just the closure of our hospital but for others. It's not good practice by any stretch of the imagination. The fact that they have had to take and delay the documents to NHS England suggests there is something remiss in those documents. I have read the 90 odd pages and they were putting forward in their case for change-what they wanted to do and why they were

doing it. The documentation would not be available until June, you can't do that part way through a consultation so I think these things, perhaps, haven't been thought through as they should have been and we need as much notification as possible because yet again we are being strung along by the CCG.

Cllr Barker stated that as far as he was aware there is a very strict process for this which they have followed. There is governance and a process for this which they have followed. If they don't follow it then they will be subject, he was sure, to a judicial review and they very costly and time consuming affairs for everybody and they would not want to have a judicial review under any circumstances. The process is what a judicial review will determine so they are not doing any process isn't how it needs to be done.

Cllr Parker-Khan asked Cllr Barker whether he considered it acceptable that documents just be emailed to a committee for decision rather than being discussed at a proper meeting. Cllr Barker stated when the Health & Wellbeing Scrutiny Committee agree their agenda, the papers that accompany that agenda will be issued at least a week before that meeting. Cllr Parker-Khan stated that we were informed by the CCG that the proposals would be emailed for agreement before the meeting so that they could start their consultation on 13th May. We know that this has been postponed but the CCG hadn't assured us that these papers will go for discussion at a meeting rather than being circulated for a decision to be made before June. Cllr Barker stated he spoke to Simon Tapley about what they were going to do and he has said to me that he would be going to a Scrutiny meeting. They are also going to Torbay Scrutiny meeting. Because obviously they have been summoned there as well. It is not an option for them not to go, it's the Health & Wellbeing Scrutiny Committee that has summoned them to go and give a report at the meeting. Cllr Parker-Khan said it was whether or not a decision would be made before that meeting. Cllr Barker stated that it is not their role to approve or not approve having a consultation, they have no power to do that. Cllr Parker-Khan stated that it is in writing from the CCG that this is what will happen, so they obviously don't know what they are talking about. Cllr Barker stated that the Health & Wellbeing Scrutiny Committee are reviewing all the decisions, across the whole county, on community hospital issues as there are a significant number of community hospitals being reviewed under the pressures of finances. The health service is under tremendous pressure but the Health & Wellbeing Scrutiny committee gets to make its decision once the CCG's have made a decision to change. It is that decision which they either refer to the Secretary of State or they concur with.

080/16 District Council Report

Cllr Dennis stated that there had been the TDC AGM and that he was delighted that Cllr Nutley had been elected as vice-chairman.

At Full Council there was a begging letter from DCC requesting money towards superfast broad band for Devon and Somerset. TDC had requested further details.

Cllr Dennis gave details of the committee he is on: Overview & Scrutiny, Standards, Planning, Regulatory & Appeals, Licensing and Chairman of the Licensing Sub-Committee.

Cllr Nutley gave details of a presentation he had attended on air quality (copy forwarded to councillors).

Cllr Barker stated that he is an executive member for corporate resources.

081/16 Councillors' Reports on attendance at sub-committees and meetings of other organisations

Cllr Baker gave a report on the CCG meeting:

Councillor Nutley and I attended the meeting of the Governing Body of the CCG re. proposed "Consultation" on closure of 4 Community Hospitals with a total of 60 beds- Ashburton and Buckfastleigh, Bovey Tracey, Paignton and Dartmouth, plus a total mish mash of other changes including leaving Torbay without a Minor Injury Unit. The most important change for our locality, apart from closing our local hospital, was that Totnes Hospital would become our clinical hub and not, as had been previously stated, Newton Abbot Hospital.

Ashburton and Buckfastleigh Hospital League of Friends were the only League represented plus one M.P. Sarah Wollaston who focused on the closure of Dartmouth Hospital.

There were many points raised by the public including myself, however the room did not have microphones for the speakers and many comments from public and members were not heard. I did request the minutes but they will not be available until the end of the month.

We were told that closing the four Community Hospitals would make a saving of £1.4 million. I raised a question about the two Privately Financed Initiative hospitals, Newton Abbot and Dawlish, which will not be closed. My question was about the accountability of these two Hospitals given that we pay nearly £4million a year to Newton Abbot Health and Sir Robert Macalpine both companies being, I believe, registered in Guernsey. Guernsey could be perceived as a Tax Haven where no tax is paid to support the NHS. There was no response at the meeting.

Other questions awaiting answers are whether the board could justify the arrangement that approx.50% of attendees at Stakeholder and engagement meetings being staff or paid out of the Public purse and whether they had a whistle blower policy.

We were assured that the "consultation" on closures would commence on Friday 13th May. However this has now be delayed and we await the start date.

Both Councillor Nutley and I were interviewed by radio Devon after the meeting.

Cllr Daw reported on a meeting of the St John Ambulance Hall:

On Tuesday 3rd May I attended a committee meeting for saving the St John Ambulance Hall as a community asset.

There was a prolonged debate involving the difficulty in negotiating an agreed valuation of the property with St John, the costs of producing a professional business plan and possible running and renovation costs. The decision to have another town meeting with the possibility of forming a new committee was also discussed but it was agreed not to be a practical idea.

It was acknowledged that there are other buildings in the town able to provide similar facilities and due to the difficulties in getting an agreed valuation, Viridor were unable to support this venture. It was also agreed that to apply for another possible year's lease would not be beneficial because of the difficulty of meeting the time factor involved in trying to obtain another benefactor.

A vote was taken and it was sadly agreed by the majority that they no longer pursue its purchase. Knowing its history it is a great shame that we shall lose another community building in the town. The committee would like to thank all those who supported this project and I would ask the council to thank the committee, especially Kay Graymore for their sterling efforts. Finally, if there are people who wish to take this project on there is a final committee meeting at St John Ambulance Hall on Tuesday 7th June at 5.00pm.

Cllr Daw also stated that he was attending a meeting on flooding resilience and asked if anyone would like a lift.

082/16 Correspondence

- Letter from S. Belli, head of planning, Dartmoor National Park Authority re: Dolbeare Meadow (copies issued to councillors). The clerk had received a further update from S. Belli, which stated: I've now heard back from the landowner in response to my earlier letter dated 5th May. He has agreed to various items on the site being removed and some further site clearance over the next 6-8 weeks. I've agreed with him I will re-visit the site at the end of June to check completion. Happy for you to relay my comments to the Town council for information. The site owner also informs me the police authority are still some way off completing their landscaping works as part of their recent planning approval. I will be chasing them on this matter as well.
- Local Government Boundary Commission. Electoral review in Teignbridge (copies issued to councillors)

083/16 Matters raised by councillors for information only or possible inclusion on a future agenda.

- The clerk gave details of the Twinning reception on 4 June at 11am to which all councillors are invited.
- Cllr Nutley requested that Devon Air Ambulance sites be placed on next GP agenda.

There being no further business, the chairman closed the meeting at 8.45pm.

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CHAIRMAN