

# **Loddiswell Parish Council**

Minutes of the meeting which took place at 7.30 on Tuesday 5th October 2021 in the Loddiswell Congregational Hall

**PRESENT:** Cllr Peter Sheard (Chair), Cllr Paul Harvey (Vice Chair)  
Cllr Martin Widger, Cllr Mike Hine, County Cllr Rufus Gilbert,  
District Cllr Katharine Kemp  
Fiona Stace (LPC Clerk)

**APOLOGIES:** Cllr Ian Satterley, Cllr Emma Sweet, Cllr Emma Hemmins  
Cllr Derek Brooking, Cllr Francis Baker,

**IN ATTENDANCE:** 1 member of the public

**MINUTES:** Minutes from this meeting will be agreed in principal and signed at the next attended meeting.

**Standing Orders Suspended: Public Participation and to receive reports from  
Cllr Gilbert and Cllr Kemp**

**Item no:**

**2002: Matters Arising from last months Minutes:**

**2003 Policing Matters**

No crimes to report for August 2021

**2004 Public Comment**

- One member of the public attended the meeting with a keen interest for all the 're wilding' ideas being supported by SHDC and the 'free trees' being offered by The Woodlands Trust in collaboration with DCC for the Queens jubilee next year. The question asked was where in the village is there room for trees and re wilding projects and who can get involved. Both LPC and Cllr Kemp are very keen for such projects to go ahead and 2 plots were discussed. One up at The Butts, where LPC have paid for a new bench, and the other on the edge of the new estate, overlooking the church. Cllr Kemp and the member of public will communicate to each other regarding this.
- Clerk to write to other surrounding parishes to see if they would be happy to share a 'pack' of Native Tree mix from the Woodlands Trust, as there are roughly 70 trees in a pack. These would be delivered next year.
- If anybody from the village is interested in a free tree or two, please write to the clerk in the new year to reserve one.
- Also discussed, was an idea for composting up at the allotments. However, Cllr Hine, Chair for the allotment committee, said that there was already too much composting there and they could not manage opening it up to public, given how much would be deposited now that the brown bins are not being collected. Cllr Kemp will be going to visit another parish, who have their own composting system in place (which will mean they are self sufficient and not need the brown bins collected anymore) and report back. Cllr Hine agreed to join her.

**VAS Data Report:**

Cllr Baker did not attend the meeting.

**2005**

**County Cllr report - Rufus Gilbert**

- Interestingly, the amount of people on the electoral role this year has increased to 893, which is 23 more than 2017.
- There has been a council meeting, where both Cllr Gilbert and Cllr Kemp attended, regarding the plans for the old school field. The outcome was (almost) conclusive that the plans for building will be pulled and a whole new planning strategy will have to be put in place.
- Please do report pot holes, manhole covers, streetlight problems, parking etc online through SHDC website 'report it'. You will receive a confirmation of your complaint and if you don't hear back from them again, please refer your complaint to Cllr Gilbert directly - his details can be found on the LPC website.
- Cllr has escalated the flooding at Hatch as the landowner has not found the time to deal with the problem.
- Locality allowance was agreed for the purchase and installation of railings on the steps behind the first row of houses at Elmwood Park. The work has been completed.
- Flooding at Rake - County are now having to apply for this work to be taken over by the land environment agency, which needs to go through Highways.

**2006**

**District Cllr report - Kate Kemp**

- Full council was held in Tavistock on the 23rd of September, and I have to say that I found the experience disappointing in that there was very little room for any open dialog. The Committee Room seemed to get very politically heated when the subject of waste and FCC came up, the opposition demanded to know why the Council were not taking the service back in house, at which point proceedings descended into varying levels of squawking from the blue corner. Then the Monitoring Officer recommended closing the meeting to the public due to legal reasons. All the opposition voted against the recommendation, alas we were outvoted. members demanded the Monitoring officer provided a written statement to pass on to the public.
- The Council voted unanimously to support the 'Better lives for all strategy', this document is a collaboration of officers and members and public feedback, which is why it is so important that people do fill in surveys set on the website. As much as I am supportive of the sentiment and content of the document, I would love to see more action to support more community projects and local economic infrastructure.
- The Council have also declared a housing Crisis. Which is partly to do with unscrupulous landlords kicking out long term tenants who live and work in the area, to make room for the more financially favourable option of holiday accommodation. Also, developers are still only expected to provide tiny numbers of Social or so-called Affordable housing. which is something I plan to press home to the planning committee for each major development that is proposed.
- Ham Butts – Marc Biddel is ready to start planting the trees as soon as we agree where we want them. We have windows of availability for next week, Wednesday Thursday or Friday should any PC's wish to have an input.
- Verges – Liz Montague is liaising with Devon WildLife Trust and can speak for herself.
- All projects point to Mikes idea of Community Composting, and with the use of a communal chipper we should be able to maintain our own Parish as far as plant waste goes. South Brent already has a successful CC programme, so I wondered if interested parties feel a pre-arranged visit may be prudent, to get a better idea of what's involved. I have already spoken with the Community Project Funding Officer at South Hams to ascertain if this sort of project can be funded completely., He is presently exploring what pots of funding could be made available.
- Given the sudden suspension of the brown bins, I don't see how South Hams couldn't support such initiatives in every parish. It is more important than ever that Parishes can become part of a sustainable self-supporting network, and communities take ownership of whatever scraps of Parish Land is available to create wildlife corridors and Bio-Diverse Bubbles. It doesn't have to cost the earth and there is funding available.
- In other news. Having attended a productive meeting with DCC and SH Planning, regarding the old School playing field. they are deciding whether to withdraw the application and start again. Which gives us

the opportunity to really think about what sort of plan would benefit the village. I have been asked to attend a site visit on Thursday 14th October should anyone have any Genius ideas.

- On the table so far is Sustainable single occupancy pods, whilst retaining some of the field. Sell off as self builds. Or an Educational/ recreational community café, and orchard, produce supplied by the Allotment and other local producers. Target Market walkers, Schools and residents. Run by the community for the community.

## **2007                      Public Pathways**

Cllr Sweet was not present

## **2008                      Neighbourhood Plan**

Cllr Satterley was not present, but sent a message to say that he is still awaiting feedback from SHDC.

## **2009                      Planning**

3099/21/CLE - Heron Valley Orchards, Loddiswell, TQ74EA: Certificate of lawfulness for existing siting of and use of air source heating system. Support

## **2010                      AOB**

**a)** An idea to purchase a free standing Tommy for the Jubilee next year was suggested, however the delivery date would be after the actual Jubilee date. To be re addressed next year.

**b)** A discussion was had around adding a finger to the existing post to direct traffic to Loddiswell Business Park and dispose of all the local signs that are appearing on the green. It was thought that a small finger would not be sufficient and that a sign on the opposite side of the road would be a better option. Clerk to write to the landowners asking for permission and also obtain quotes for making the sign.

**c)** The Old Graveyard is now officially FULL and therefore the responsibility for the upkeep can be passed to LPC or SHDC.

A Parochial Church Council (PPC) is responsible for the maintenance of a churchyard. However, there is a procedure for transferring to a Parish Council or District Council the responsibility for maintenance of a churchyard which has been closed for further burials by Order in Council. A Parochial Church Council may apply for a closing order in the circumstances set out in the Guidance issued by the Ministry of Justice by filling out and sending in a form of application for a closing order. Before making an application to close a churchyard (or to enquire whether a closing order has already been made in respect of a particular churchyard), the PCC needs to contact the Ministry of Justice

Once a churchyard has been closed by an Order in Council it cannot be re-opened.

### **Transfer of Responsibility**

Three months after the giving of the notice, the Parish Council becomes legally responsible for maintaining the churchyard, unless it rejects the request and gives notice under the Act to the District Council, requiring the District Council to take over the mandatory responsibility.

A closed churchyard remains subject to the Faculty Jurisdiction and, after a new closing order is made, the Parochial Church Council remains responsible for continuing to maintain the churchyard, unless and until it has transferred responsibility by giving notice under Section 215 of the Local Government Act 1972.

Although the statutory period for giving notice to the Parish Council is three months, the General Synod Office requested in 1981 that PCCs try to give Parish Councils at least twelve months notice, in order to allow Parish Councils time to make appropriate provision in their budgets.

Once responsibility has been transferred, the Parish or District Council will have the same responsibility for maintaining the churchyard, and its walls, gates, fences, grass, trees, etc., as the Parochial Church Council had prior to the giving of notice to transfer responsibility.

The Parish or District Council will need to apply for a Faculty to authorise any works in the churchyard other than routine maintenance.

There is no Legal Transfer Deed transferring the closed churchyard as the ownership of the closed churchyards does not pass to the local authority. The cost of maintenance has to be met exclusively by the local authority.

Under section 215 of the Local Government Act 1972, the Council must:

“maintain (the closed churchyard) by keeping it in decent order and its walls and fences in good repair”.

Local Council must arrange to cut the grass and keep any areas of vegetation generally tidy and is responsible for most features in the churchyard. Boundary walls and upkeep of footpaths are included under the Council's responsibilities. They also undertake to identify any risks associated with trees within the churchyard and to carry out safety work where necessary. The safety of headstones and monuments is generally accepted to be the responsibility of the Local Council under these arrangements; however some PCCs have requested to perform their own memorial testing.

There are some limitations as to what work can be carried out in a closed churchyard. There may be planning restrictions appertaining to buildings and trees. The land remains consecrated and the Council is required to obtain permission from the church authorities for a Faculty Jurisdiction<sup>3</sup> before making any significant changes or works, which will also have to take into consideration, Conservation Areas<sup>4</sup>, Historic and Listed Buildings<sup>5</sup>, The Commonwealth War Graves Commission<sup>6</sup> (CWGC) and Tree Preservation Orders<sup>7</sup> (TPO's).

LPC have decided to pass the responsibility to SHDC but are waiting for a quote for a grass cutting service to be carried out several times a year. If the quote is agreeable, LPC will provide the service to keep the graveyard looking neat and tidy. All other responsibilities will be handed over.

**d)** Emperor Lakes Discussion: There seem to be a lot of unhappy villagers who attended the open day organised by the owners of the Emperor Lakes. A meeting was planned between LPC and themselves to discuss this, however, it was cancelled. LPC have been notified that planning will be applied for and will respond once it has been put forward.

**e)** Following Cllr Dicken's resignation earlier on the year, LPC advertised for a new councillor. 4 members of the parish applied and interviews were conducted before the meeting. LPC have appointed a new Councillor who will be starting at the next Meeting on the 2nd November. Unfortunately, 2 more resignations were sent to the Chair, and so LPC will be looking to fill 2 more vacancies after the 14 days notice to the electoral office. Unless ten or more electors of LPC, on or before the 26th October 2021, submit a request in writing for an election to be held, LPC will take steps to fill the vacancy by co-option and advertise the positions. Requests must be sent to the Returning Officer, SHDC, Follaton House, Plymouth Road, Totnes, TQ9 5NE.

2 of the candidates who applied for and were interviewed for the latest position, have agreed to stay on file for the next 2 vacancies. Clerk to advertise the 2 posts once permission is given from the electoral office.

**f)** Planning for memorandum. No amendments were necessary.

**g)** Email regarding Platinum Jubilee 'free Trees' - already covered in section **1993**

## **2011 Business at the Chairmans discretion**

An invoice for the electrical work and lighting above the defibrillator was sent to LPC from PFVHT. LPC has agreed to pay for the work. Clerk to send the cheque out.

Clerk to order a Christmas Tree for the village from Avon Mill Garden Centre

LPC would like to thank Cllr Hemmins and Cllr Sweet for all their hard work and commitment to LPC and the village over the years. They will be hard shoes to fill!

#### **2012 Finance:**

a) Balance at start of meeting	£60,629.06
b) F. Stace - clerks wages & disbursements	- £394.30
c) Richard Barney maintenance	- £544
d) Greenspace grass cutting	- £400
e) Mike Hine repairs & installation of benches	- £283.34
f) Christmas tree lights	- £233.47
g) Balance at close of meeting	£58,773.95

**S106 money stands at £6,172.47 - however most of this money has now been allocated to repair work at the Playpark, on Loddiswell Playing Fields**

There being no further business, the Chair closed the meeting at 9.35pm.

Signed ..... Dated .....

The next meeting will be held on Tuesday 2nd November 2021 - upstairs in the Congregational Hall at 7.30pm. Those who wish to attend should wear a face mask and keep a sensible distance from the person next to them. If you have any questions you would like to put forward to the Parish Council, please email the clerk at the address below at least 7 days before the meeting is due.

Members of the Public and Press are welcome to attend and take part at the start of the meeting.

The Clerk

The Clerk to Loddiswell Parish Council: loddiswellparishclerk@gmail.com