



All members of Cullompton Town Council's
Community Wellbeing Committee
are hereby summoned to attend a meeting of the Committee to be held on
Tuesday 10 July 2018 commencing at 7.15pm
at **the Hayridge Centre, Cullompton (Room 4)**

Judy Morris

Signed: Mrs Judy Morris, Town Clerk

Date: 3 July 2018

AGENDA

Members of the public are very welcome to attend this meeting

Membership: Councillors: Eileen Andrews, Jordann Barge, Danny Barnes, Iain Emmett, Janet Johns, Liza Oxford-Booth and Rachel Sinclair

PUBLIC QUESTION TIME:

15 minutes is set aside at the beginning of the meeting to enable members of the public to ask questions which are relevant to the work of the Committee. Up to 3 minutes is allowed for each question.

It may not be possible to reply straightaway and the question may only be noted and a response sent within 10 working days

- 1. APOLOGIES:** To receive apologies for absence.
- 2. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT:** Members are reminded of the requirement to declare any interest, including the type of interest and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 3. PUBLIC QUESTION TIME:** To receive questions from members of the public present at the meeting.
- 4. MINUTES:** To consider and approve the Minutes of the previous meeting held on 5 June 2018 (Appendix A).

5. **FINANCE:** To receive Committee Income and Expenditure report (Appendix B).
6. **PUBLIC RIGHTS OF WAY**
 - (i) To receive report from Footpath Warden.
 - (ii) To receive summary of meeting with Leat Preservation Board (Appendix C).
 - (iii) **Leat path project:** to receive update report and agree way forward (Appendix D).
 - (iv) Any other Public Rights of Way matters.
 - (a) Goblin Lane
7. **COMMUNITY & ENVIRONMENT**
 - (i) **Phone box, Honiton Road:** Update report.
 - (ii) **Circular Walks leaflet:** To approve final draft for printing.
 - (iii) **Heritage Walk leaflet:** To consider draft.
 - (iv) **Events and Activities:** To consider any activities the Committee might like to organise.
 - (v) **Town Leat:** To receive verbal update.
8. **PLAY AREAS**
 - (a) **Culm Lea play area:** To receive update and agree any future actions (Appendix E).
 - (b) **Head Weir Road play area:** To receive update and agree any future actions (Appendix E).
 - (c) **Tufty Park:** To receive update and agree any future actions (Appendix E).
 - (d) **Upcott Recreation Field** To receive update and agree any future actions (Appendix E).
 - (e) **Skatepark:** To consider request from MDDC to pay for repainting of extension at a cost of £1668.00 (plus VAT) (Appendix E)
 - (f) To consider priorities for play area projects and start to draft an action plan.
9. **HAYMANS CLOSE AND TOP FIELD ALLOTMENTS:** To receive verbal update report.
10. **ACTION PLANNING:** To review draft action plan 2018-21 (Appendix F).
11. **CORRESPONDENCE:**
 - (i) Any correspondence received after the date of this agenda.
12. **DATE AND TIME OF NEXT MEETING:** Tuesday 14 August at 7pm at the Hayridge Centre.

RECOMMENDATION: that due to the sensitive nature of the business to be discussed, the following item is dealt with as Part 2 business and, in accord with the Public Bodies (Admission to Meetings) Act 1960 and the Local Government Act 1972 the press and public are requested to leave at this point and the next section of the meeting is conducted in private.

13. **PROTOCOLS:** To consider letter from MDDC (Appendix G: to be sent separately)
14. **CULM LEA PLAY AREA:** To consider estimates for fencing (Appendix H: to be sent separately)

In accordance with the Public Bodies (Admission to Meetings) Act 1960, members of the public and press are very welcome to attend the meeting.

APPENDIX A



**Minutes of Community Wellbeing Committee meeting
held on Tuesday 5 June 2018 commencing at 7.00pm
at the Hayridge Centre**

Present: Councillor Iain Emmett (in the chair) and Cllrs: Janet Johns, Liza Oxford-Booth and Martin Smith

Also in attendance: Nick Savage (Volunteer Footpath Warden).

Judy Morris: Clerk

1. **APOLOGIES:** Cllr Eileen Andrews (personal).
2. **CHAIRMAN:** In the absence of the Chairman, Cllr Iain Emmett was elected Chairman for the meeting. Proposed Cllr Martin Smith, seconded Cllr Liza Oxford-Booth.
3. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT:** None.
4. **PUBLIC QUESTION TIME:** None.
5. **MINUTES:** The Minutes of the previous meeting held on 1 May 2018 were approved and signed as a correct record. Proposed Cllr Martin Smith, seconded Cllr Janet Johns.
6. **TERMS OF REFERENCE: To approve terms of reference:** The draft terms of reference were discussed, amendments were agreed as follows:
 - Ask the PFP Committee to take responsibility for contract for cutting of grass verges.
 - Ask Town Centre and Economic Development Committee to take responsibility for bus shelters and War Memorial as part of their street furniture remit.

RECOMMENDATION: That the terms of reference for the Community Wellbeing Committee 2018/19 are approved as follows:

- i. Any matters which impacts on the general health and wellbeing of those living in Cullompton parish.
- ii. To make appropriate representations to any relevant agency in relation to any incident event or action which, in the opinion of the Council, is detrimental to the health of the community in its area.

- iii. To work with other authorities to maintain, develop and promote the public footpaths within the Parish through schemes such as the Parish Paths Partnership.
- iv. To organise the Christmas lighting display and other community events such as the Twinning reception.
- v. Public safety and crime and disorder.
- vi. To prepare, monitor and review the town's emergency plan.
- vii. To prepare, monitor and review the Council's Sport and Leisure Strategy.
- viii. To oversee the Council's archive project.
- ix. To establish and foster civic relationships with such bodies or organisations as the Council may authorise.
- x. The care maintenance and regulation of play areas and play equipment under the control of the Council and make recommendations in relation to play areas and public open space not in the control of the Town Council.
- xi. The care, maintenance and control of Haymans Close and 'Top Field' allotment sites, including regular review of fees.
- xii. To investigate opportunities to improve transport links, to include community bus service.
- xiii. Public relations and promotion: including newsletter and appropriate communication documents.

7. FINANCE: To receive Committee Income and Expenditure report: Noted.

8. PUBLIC RIGHTS OF WAY

(i) To receive report from Footpath Warden: Footpath Warden reported that:

- Walks programme has started, first walk very well attended.
- Work at Kia Ora to install a new gate and improve drainage has been completed. To be monitored to see how effective the new drainage is.
- Growen Lane is back to condition it was in a couple of years ago before scalplings were put down. Lane flooded all the way across. Footpath Warden to contact DCC to ask if they can lay more scalplings.

RESOLVED: At the discretion of the Footpath Warden and Town Clerk, that a budget of up to £500 is made available for works to improve the flooding/drainage problem in Growen Lane. Proposed Cllr Martin Smith, seconded Cllr Iian Emmett.

(ii) Leat path project: Update report: Hedge management report had been circulated to all members and was discussed.

RESOLVED: To take the following actions:

- Send a copy of the report to the owner of 12a Station Road and ask if he would be willing to meet with Council representatives and Footpath Warden to agree a way forward that is acceptable to both parties.
- Send a copy of the report to the owner of 12 Station Road and ask if he would be interested in discussing the findings of the report with Council representatives and Footpath Warden and agree a way forward that is acceptable to both parties.
- Contact the Leat Preservation Board to request a meeting to consult and share the report.

(iii) Any other Public Rights of Way matters

- **Condition of town leat:** Clerk reported that she had been contacted by a member of the public as he is extremely concerned about the condition of the leat from Station Road to

Head Weir. Discussion ensued about how the problems could be resolved, plan of action needed.

RESOLVED: Clerk and Chairman to investigate what can be done and bring a report to the next meeting.

9. COMMUNITY & ENVIRONMENT

- (i) Phone box, Honiton Road:** No progress to report. Find out whether it would be possible to move to another location e.g. Culm Lea.
- (ii) Cullompton Festival: Update report:** Discussion about the footpath walk and BBQ being organised on 3 July. All Councillors and partners to be invited.
- (iii) Circular Walks leaflet: To approve final draft for printing:** A few minor amendments were suggested.

RESOLVED: That the Council orders 1,000 Circular Walks Leaflets at a cost of £187.00 once the final proof has been approved.

- (iv) Heritage Walk leaflet: To consider updating and printing a revised leaflet:** Discussion about what additional information to include, a café and restaurant guide was suggested. To be further considered at the next meeting.
- (v) Community Toilet Scheme: Update and consider promotional campaign:** Promotional campaign discussed and agreed, local media to be contacted and promote on website, Facebook etc.

RESOLVED: That responsibility for the Community Toilet Scheme is transferred to the Town Centre and Economic Development Committee.

- (vi) Community Bus Scheme: To agree way forward:** Deferred until the next meeting.
- (vii) Annual Report: To approve:** Draft circulated and approved but simplify the budget pie chart, difficult to read.

10. PLAY AREAS

- (i) S.106 Funding: To receive details of available funding:** Report circulated with agenda and noted.
- (ii) Culm Lea play area**
 - (a) To receive update and agree any future actions:** Clerk reported that MDDC has still not prepared the lease, a legal assistant intends to get started on this on his return from holiday on 13 June. Concern about the length of time it has taken to prepare this lease as MDDC were informed of the Council's decision to take on the play area in October 2017.

Also still waiting for MDDC to make a decision about the proposed youth shelter and provision of fitness equipment.

RESOLVED: That the Clerk requests a meeting with the MDDC Chief Executive to discuss concerns about play area/s.106 matters, particularly as the district council intends to undertake a Master Planning exercise and yet appears to be unable to resolve fairly straight forward play area matters.

(b) **To consider estimates for fencing:** Deferred until the next meeting.

(iii) **To consider priorities for play area projects and start to draft an action plan.** Discussion about installing a youth shelter in the area of open space at Crowbridge Park. It was suggested that young people are consulted to find out what they would like.

11. HAYMANS CLOSE AND TOP FIELD ALLOTMENTS: Chairman reported that an inspection of both sites had taken place, there are a couple that are in poor condition and require attention. There is also some rubbish, including the remains of a shed, which were left by a previous tenant and needs removing.

RESOLVED: That, as there is no vehicular access to the Haymans Close allotment site, the Council hires a skip that can be towed using the Council van at a cost of about £225.00. Proposed Janet Johns, seconded Cllr Liza Oxford-Booth.

12. ACTION PLANNING: To review draft action plan 2018-21: Councillors to consider their priorities for the next meeting. Suggestions included arranging an annual Civic Church Service, Cllr Martin Smith offered to investigate and come back to the next meeting with some information about how to progress this.

13. CORRESPONDENCE

(i) **The Evacuee and letter with regard to evacuee memorial:** Noted.

14. DATE FOR MEETINGS

(i) **To approve schedule of dates for Committee meetings 2018/19**

RESOLVED: That meetings of the Community Wellbeing Committee are held on the second Tuesday of each month, starting at 7pm.

(ii) **To approve schedule of dates for meetings of Gift of A Burrow for Allotments**

RESOLVED: That meetings of Gift of A Burrow for Allotments are held on the second Tuesday quarterly, starting at 6.30pm immediately before the meetings of the Community Wellbeing Committee. Meeting dates as follows: 10 July, 9 October, 8 January 2019 and 9 April 2019.

Signed: _____

Date: _____

APPENDIX B

COMMUNITY WELLBEING COMMITTEE BUDGET 1 April - 30 June 2018

Committee General Budget		1500.00		
TAP Fund grant for trim trail leaflet		100.00		1600.00
Twinning Gift			66.00	
Community Toilet stickers			60.00	
Trim Trail leaflet			186.00	312.00
Balance				1288.00
Community Events		1000.00		
EMR Community Events		3000.00		
Total Community Events		4000.00		
Christmas Lights		7000.00		
EMR Christmas Lights		2500.00		
Total Christmas Lights		9500.00		9500
Christmas Lights purchased			1041.75	1041.75
				8458.25
Christmas Lights Event (balance brought forward from 2017/18)		1365.00		
Community Bus Service		10000.00		
Cullompton Crier		3000.00		
Income from advertising		50.00		3050
Delivery (April issue)			500	
Printing (June issue)			588	1088
Balance				1962.00
PLAY AREAS				
Play Area Running Expenses		3000.00		3000.00
Grass cutting			394.56	
Padlock for gate			10.45	405.01
Balance				2594.99
Play Equipment Fund		2000.00		
EMR Play Area Fund		9777.00		
		11777.00		11,777.00
Gates for Tufty Park			1150.00	
Planting for Head Weir Road			97.50	1,247.50
				10,529.50

APPENDIX B

ALLOTMENTS				
Allotment Expenses budget		330.00		
Allotment rents received				
Top Field	422.00			
Haymans Close	122.00			
	544.00	544.00		
		874.00		
P3 SCHEME				
Balance brought forward		5949.00		5949.00
Tree/hedge report			290.00	290.00
Balance				5659.00

CULLOMPTON TOWN COUNCIL

Summary of meeting held with Leat Preservation Board held on Tuesday 19 June at 7pm at the Hayridge Centre

Present:

Judy Morris (Town Clerk), Iain Emmett (Town Mayor) and Nick Savage (Volunteer footpath warden)
Nikki Woollatt, Dom Woollatt, Viv Heywod and Ian Schofield: Leat Preservation Board

BACKGROUND

The Town Council has been offered a TAP Fund grant of £1400.00 towards the Cullompton Leat Path Accessibility project with the following conditions:

1. The applicant needs to establish that the removal of hedging will not result in damage to the leat bank and
2. Cullompton Leat Conservancy Board have been consulted and given feedback.

The Town Council commissioned a report regarding the health and safety of removing a hedge and replacing with a fence and the likely impact the removal of a section of hedge will have on the stability of the leat bank. This report has been shared with the Leat Preservation Board and two property owners.

The reason for the meeting being for the Town Council to consult with the Leat Preservation Board and receive their feedback.

FEEDBACK

- There was a concern that Hedge 1 and Hedge 2 have been identified the wrong way around in the photograph included in the report.
- There was some disagreement, from members of the Leat Preservation Board, with the reports assertion that the hedge roots will not extend significantly across the verge and that the removal of the hedge and stumps to provide space for the proposed fence will not unduly destabilise the leat bank.
- Concern about who would be responsible for repairs if the leat bank was damaged due to the removal of the roots.

The Town Council representatives explained that they will be meeting with the property owners and it will be for the property owners to decide what happens next.

CONDITION OF LEAT

The Group discussed the poor condition of the leat. Environment Agency have been contacted and awaiting their feedback. Consider arranging a meeting with land owners to try and reach agreement about getting the different sections of the leat cleaned out.

APPENDIX D

CULLOMPTON TOWN COUNCIL

Report to: Community Wellbeing Committee

Re: Project to widen the leat path between Station Road and Higher Mill

Prepared by: Town Clerk

Date: 3 July 2018

FUNDING

1. Devon County Council has given the Town Council £5,000 towards the project, with the condition that should the Leat Path Improvements project be abandoned, the Town Council agrees to return any contributed funds back to the County Council.
2. The TAP Fund application for £1400 towards the cost of the project was successful but the following conditions were attached:
 - The applicant needs to establish that the removal of hedging will not result in damage to the leat bank
 - Cullompton Leat Conservancy Board have been consulted and given feedback

Response from Environment Agency (Ian Hooper)

“Thank you for your e-mail. I am confident that the works described do not require statutory permission from the Environment Agency from the flood risk management perspective.

The Town Council may want to take heed of the concerns raised regarding historic instances of the leat ‘leaking’, and the potential for the works to result in the consequences raised by Cllr Nikki Woollatt dated 13 February 2018. Any allegations that a nuisance has occurred as a consequence of carrying out the works described I would deem as being civil in nature.”

Response from MDDC Conservation Officer Sue Warren:

“The plan I was sent shows about half the length of hedge to be leylandii (behind 12a) and which is to be removed. The rest of the hedge (behind 10 and 12) is apparently to be cut back to the property boundary and not removed.

From the photograph it would appear that the plants comprising the hedge are kept cut and there are no individual or groups of trees. It would therefore appear that there is no means of preventing the removal and cutting back of the hedge to the boundary between the leat and the domestic gardens.

Damage to the leat would be a civil matter.

Having re-read the description of the works proposed it appears that timber post and rail fencing may be used which is often used in open spaces but previous comments about use of railings as seen elsewhere along the leat are still relevant as a suitable alternative”.

CURRENT SITUATION:

1. Hedge report commissioned and copies sent to both landowners and the Leat Conservation Board for information.
2. Meeting held with Leat Conservation Board on 19 June 2018 to consult and provide feedback.
3. Both land owners, having read the report, have agreed to the work being carried out.
 - **Property owner 1:** The owner of 10 and 12 has confirmed as follows: *“We considered that it would be practical to trim this hedge on the leat side sufficiently to allow the path to be widened as required, and then erect a 1.8 metre close boarded fence to prevent the hedge re-growing over the path, and also maintain privacy.*

This would leave the majority of the hedge in position for wildlife. We would not accept any trimming beyond the original post and wire fence line, at present enclosed by the hedge..

We would presume that the Town Council would be responsible for future maintenance of the new fence.”

NOTE: This hedge to be referred to in the report as Hedge 3

- **Property owner 2:** 12a Station Road has two hedges and has confirmed as follows:
 - Hedge Two:** *Retain and cut back from leat path by about 300mm. (doesn't mind if a fence is not erected but the Town Council would become responsible to ensure that the hedge is cut back regularly).*
 - Hedge One:** *Remove hedge and replace with a close board fence 1.8 metres high as per recommendation contained in the report. Fence to be situated 300mm inside the existing path. Return at end of fence to gateway post. Fence to extend 19.5 metres to join up with existing wall inside GPO pole. Council to maintain fence.*

WAY FORWARD

The Council has obtained one estimate for removal of hedge one and replace with close board fence plus cutting back the remaining hedges (Hedges 2 and 3).

If the Committee is happy to erect a fence along the entire length of the hedge then additional estimates will be required.

The Council needs to consider whether it is willing to take responsibility for the maintenance of the hedge once erected, bearing in mind that, if no fence is erected and the Council agrees to cut back the hedge it will be responsible for keeping the hedge trimmed.

Taking advice from the Council's solicitors with regard to the legal position.

APPENDIX E

CULLOMPTON TOWN COUNCIL

Report to: Community Wellbeing Committee

Re: Play Areas Report

Prepared by: Town Clerk

Date: 3 July 2018

- 1. Culm Lea Play Area:** Solicitor has completed the searches etc. for lease and a summary has been sent to members for information. MDDC has been requested to provide a final version of the lease for signing.

Estimates obtained for fencing (to be considered in Part 2 at the end of the meeting), residents to be consulted about the location of the gates.

RECOMMENDED ACTION: Arrange meeting with residents to agree location of gates and agree way forward with regard to upgrade/replacement of play equipment.

- 2. Head Weir Road Play Area:** MDDC has received complaints about anti-social behaviour in the play area, including complaint that it is being used after 10pm. Within the terms of the lease (clause 3.10) the tenant i.e. Cullompton Town Council, has the responsibility of controlling 'nuisance', the complaint is that MDDC are ignoring this and failing in their duty as landlord.

The resident making the complaint has also complained about children playing ball games in the park with balls hitting the fence and damaging it, noise nuisance and balls going over the fence and breaking plants etc. The resident has also complained in the past about children on the climbing frame looking into the garden.

In order to deter children from playing football close to the fence the Town Council has planted a "prickly" hedge in front of the fence and we have requested that the final metre strip of grass bordering the property is not cut. The Council has not received any complaints of anti-social behaviour in the play area. The Police have been contacted to find out if they have received any complaints and to ask if they will patrol this area.

Suggestions from MDDC:

- Replace the fence with a higher fence as a one-off cost (including liability), perhaps split between MDDC and CTC? MDDC willing to obtain estimates.
- Erect a "No Ball Games" sign.

RECOMMENDED ACTION: Ask MDDC to obtain estimates for a higher fence and also find out whether planning permission is required and whether the resident is willing to accept this compromise.

Tree prop to be installed 5 July.

3. **Tufty Park:** Cully Play Parks Group still trying to find a suitable tractor to be adapted and installed in the play area.
4. **Upcott Field:** Consider installing fitness equipment, does the play equipment need a revamp?
5. **Skatepark:** The Town Council obtained the funding to extend the skatepark and kept aside £2445.00 for future maintenance. This money has since been merged into the Play Equipment Fund. In January 2018 MDDC asked if the Council would be willing to pay for the repainting of this extension and the Town Clerk requested an estimate for the work.

MDDC sent through the estimate on 29 June for £1668.00 plus VAT. Whilst this is within the £2445 budget allowed for maintenance the Council would usually try and obtain three estimates for works costing more than £1,000. MDDC has explained that the company do a proper job and *"it's a struggle to get anyone to price"*. They would like to get the work carried out before the school holidays.

RECOMMENDED ACTION: That, as the Town Council is not able to obtain comparative quotes as it does not have the specification or the time if the work is to be carried out before the start of the school holidays, it agrees to pay for this work to be carried out with the proviso that it will not pay for any future maintenance works as the budget is now spent.

APPENDIX F



COMMUNITY WELLBEING COMMITTEE ACTION PLAN 2018-21

KEY AREAS OF WORK	KEY PROJECTS	PARTNERS	PRIORITY H/M/L	TIME SCALE	BUDGET REQUIREMENTS			ADDITIONAL COMMENTS
					2018/ 19	2019/ 20	2020/ 21	
Footpaths and Public Rights of Way	Widen Leat Path between Station Road and Higher Mill	Devon County Council (P3 Scheme)	H		5000			Annual grant received from DCC to assist with Public Footpath and Bridleway maintenance
Community Events					1000			Plus EMR £2k
	Christmas Lights Event	Christmas Lights Event Working Group	H	On-going				
	Centenary end of 1 st World War	Royal British Legion		Nov 2018				11 November exhibition
	Twinning Receptions							
Christmas Lights					7000			Plus EMR £2.5k
Community Bus Service								EMR £10k
Public Health & Safety, including crime and disorder	Traffic Management							
	Emergency Plan							

APPENDIX F

Community cohesion	Support Town Events such as SpringFest, Festival Week and Autumn Fest							
	Dementia Alliance							
	Update Community information leaflets							
	Crier Newsletter		H	On-going	3500			Quarterly newsletter delivered to every household in the Parish Income from advertising
	Youth Services		H	On-going	16186			Town Council are currently paying the YMCA to provide youth club sessions two evenings per week.
	Community Toilet Scheme							
	Youth Council				200			
	Archive Project							
Play Areas	Culm Lea Play Area Replace fence and upgrade play equipment	Culm Lea residents MDDC	H					Funding available from the s.106 play area and public open space fund.
	Head Weir Road Play Area							
	Tufty Park							
	Upcott Field							
Haymans Close Allotments					350			
Top Field Allotments								

