

APPENDIX A



Minutes of Community Wellbeing Committee meeting held on Tuesday 10 July 2018 commencing at 7.15pm at the Hayridge Centre

Present: Councillor Eileen Andrews (in the chair) and Cllrs: Jordann Barge, Iain Emmett, Janet Johns and Liza Oxford-Booth

Also in attendance: Nick Savage (Volunteer Footpath Warden), Cllr Will Jones and two members of the public.

Judy Morris: Clerk

1. **APOLOGIES:** None
2. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT:** Cllr Iain Emmett declared a personal interest in respect of discussion relating to the Town Leat as he is a riparian owner.
3. **PUBLIC QUESTION TIME:**

John Chard asked about

- The use of the John Centre: *It was explained that this was not an agenda item but could be discussed at a future meeting.*
 - Repair of Head Weir which has collapsed: *To be discussed later in the meeting*
 - Dementia Action Alliance and whether any members had received a survey form. *Not an agenda item but he was invited to attend a meeting of the Culm Valley Dementia Action Alliance*
4. **MINUTES:** The Minutes of the previous meeting held on 5 June 2018 were approved and signed as a correct record. Proposed Cllr Iain Emmett, seconded Cllr Liza Oxford-Booth.
 5. **FINANCE: To receive Committee Income and Expenditure report:** Noted.

NOTE: It was reported that a review of financing of the Cullompton Crier is to be discussed at the next Policy, Finance and Personnel Committee meeting.

6. **PUBLIC RIGHTS OF WAY**
 - (i) **To receive report from Footpath Warden:** Footpath Warden reported that:

- There had been two footpath walks since the last meeting, one being the Festival Walk which had ended with a BBQ in the Walronds and 25 people had joined the walk with others coming along later for the BBQ.
- Growen Lane: have not been able to find anyone to repair, some shovelling work was undertaken by the Footpath Warden to ensure that there was a clear passage for walkers. It is hoped that, in the longer term, the NW Extension developers will be conditioned to culvert the water.
- Goblin Lane: Some overgrowth which needs cutting back, will contact the land owner. Complaints about pot holes at the Willand Road end. Unsure whether DCC Footpath grant can be used to repair pot holes as, although it is a Public Right of Way, it is a private road and DCC consider that the condition is suitable for its purpose as a bridleway.

- (ii) **To receive summary of meeting with Leat Preservation Board:** Summary of meeting circulated with the agenda. It was reported that it had been a very interesting meeting and those attending had come out with a number of understandings including jointly getting back to the Environment Agency about a number of issues.

However the primary reason for the meeting was to discuss report about removal of a hedge in order to widen the path. It was felt that the Council has now fulfilled the requirements of the TAP Fund grant.

- (iii) **Leat path project: to receive update report and agree way forward:** A report had been circulated with the agenda.

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.”

RESOLVED: That a response is sent to Property owner 1 explaining that, as there is only a small section of the hedge which requires cutting back to widen the path and the cost of erecting a 1.8m close boarded fence is prohibitive and there is not sufficient in the project budget to pay for this, the Council will not erect a fence. Proposed Cllr Iain Emmett, seconded Cllr Janet Johns.

- **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.*

RESOLVED: That the Council offers to remove hedge one and replace with 1.8m close board fence and cuts back the remaining hedge (hedge 2). The Council will take responsibility for the maintenance of the fence once erected. Advice to be sought from the Council's solicitors with regard to wording for a suitable agreement document. Proposed Cllr Iain Emmett, seconded Cllr Janet Johns.

- (iv) Any other Public Rights of Way matters.
- **High Mill Lane:** Investigate weed spraying the section between High Street and Forge Way.

NOTE: Cllr Jordann Barge declared a personal interest in respect of the above item as she lives in Higher Mill Lane.

7. COMMUNITY & ENVIRONMENT

- (i) **Phone box, Honiton Road:** Nothing to report.
- (ii) **Circular Walks leaflet: To approve final draft for printing.**

RESOLVED: That the final draft is approved for printing (see Minutes 5 June 2018 Item 9(iii)).

- (iii) **Heritage Walk leaflet: To consider draft:** Clerk to circulate to members for comment, for further discussion at the next meeting.
- (iv) **Events and Activities: To consider any activities the Committee might like to organise:**
 Discussion included:
- **Civic Service:** Awaiting more information
 - **Remembrance Day Exhibition:** Consider some form of exhibition that will encourage people to join the service at Higher Bullring. What did Cullompton look like at the time of the 1st World War. Advertise for old photographs, approach schools about getting involved.
 - **Tea party event:** Consider an event that will encourage new resident to join-in.
- (v) **Town Leat: To receive verbal update:** Discussed earlier in the meeting, have obtained details of the land owners/riparian owners between Station Road and Head Weir.

8. PLAY AREAS

- (a) **Culm Lea play area: To receive update and agree any future actions:** Suggestion that that lease is amended to allow the Council to lock the gate at night should this be necessary. However the feeling was that, as there will only be a 4' fence which will be easily climbed over, that it is not necessary to amend the lease.

RESOLVED

1. That the draft lease for Culm Lea play area is approved without amendment and
2. that a meeting is arranged with the residents living in the vicinity of the play area to discuss fencing, gates and equipment upgrade.

(b) Head Weir Road play area: To receive update and agree any future actions

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 has 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.

RESOLVED: That the Council is not willing to contribute towards the cost of replacing the fence with a higher fence as it considers that:

- The Town Council has received no complaints about anti-social behaviour in the play area and the only complaint the Police has received is from the person referred to above.
- The Council considers that it has kept to its agreement to plant a tree to obscure visibility and a prickly hedge to deter the playing of ball games close to the fence.
- The fence is not the responsibility of the Council and the damaged section would appear to be storm damage and not damage from a football.
- The property owner bought the property knowing that it was adjacent to a play area.

Proposed Cllr Iain Emmett, seconded Cllr Liza Oxford-Booth.

It was thought that a "No Ball Games" sign is not required as children need somewhere to play.

It was reported that the tree prop was installed on 5 July 2018.

- (c) Tufty Park: To receive update and agree any future actions:** Clerk reported that the Cully Play Parks Group is still trying to find a suitable tractor to be adapted and installed in the play area.

- (d) **Upcott Recreation Field To receive update and agree any future actions:** It was suggested that a site visit is arranged to consider whether any improvements are required.
- (e) **Skatepark: To consider request from MDDC to pay for repainting of extension at a cost of £1668.00 (plus VAT)**

It was explained that 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.

RESOLVED: That the Town Council does not pay for the repainting of the extension to the skate park as the Council does not consider that it requires repainting. Proposed Cllr Iain Emmett, seconded Cllr Janet Johns.

- (f) **To consider priorities for play area projects and start to draft an action plan:** A BMX track was suggested, discussion ensued about location and Public Liability Insurance, to be further discussed at the next meeting.

9. **HAYMANS CLOSE AND TOP FIELD ALLOTMENTS: To receive verbal update report.**
Deferred until the next meeting.

10. **ACTION PLANNING: To review draft action plan 2018-21:** Deferred until the next meeting.

11. **CORRESPONDENCE:** None

12. **DATE AND TIME OF NEXT MEETING:** Tuesday 14 August at 7pm at the Hayridge Centre.

RESOLVED: 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. Proposed Cllr Iain Emmett, seconded Cllr Liza Oxford-Booth

13. **PROTOCOLS: To consider letter from MDDC:** Copies of draft protocol given to all members present for comment, for further discussion at the next meeting.

14. **CULM LEA PLAY AREA: To consider estimates for fencing:** Three estimates obtained. Discussion ensued and it was

RESOLVED: To accept the estimate from Pilgrim Projects Ltd to supply and fit approx. 130m of railings plus gates at Culm Lea at a cost of £19870 plus VAT.

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Signed: _____

Date: _____

DRAFT