



**ROCKBEARE
PARISH COUNCIL**

Chairman: Jeremy Wollen

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MINUTES OF ROCKBEARE PARISH COUNCIL MEETING

HELD ON

WEDNESDAY 16TH SEPTEMBER 2020

**This was a 'Virtual' Meeting, conducted through the medium of Video Conferencing.
The Parish Clerk advised the Meeting that the proceedings would be recorded.**

PRESENT: Cllr Jeremy Wollen (Chairman) and Cllrs: Colin Please, Ron Forrest, Susan Wollen, Phil Franklin, and Simon Brodie

Also: Cllr Ray Bloxham (Devon County Council) and Cllr Sara Randall-Johnson (Devon County Council); Cllr Peter Faithfull

Parish Clerk: Carolyn Y. May

APOLOGIES: Cllr Readman

DECLARATIONS OF INTEREST: None

PUBLIC PARTICIPATION SESSION: There were no requests to address the meeting.

AGENDA

524.0 MINUTES

524.1 The Minutes of the last meeting of Rockbeare Parish Council, held on Wednesday 19th August 2020 were considered. It was **proposed** by Cllr Colin Please, **seconded** by Cllr Simon Brodie, and **RESOLVED** that the minutes for the meeting of the 19th August 2020 would be approved and signed as a correct record of that meeting. Unanimous. **Carried.**

525.0 REPORTS

525.1 **Chairman's Report – None**

525.2 **Cllr Bloxham (DCC) – Reports forwarded and appended**

525.3 **Cllr Randall-Johnson (DCC)** – Report forwarded and appended

526.0 **PLANNING**

526.1 **Applications** – None

526.2 **Decisions** - Noted

527.0 **CORRESPONDENCE**

527.1 **Closure of Clay Hill** – reference was made to correspondence received from Mr Ian Young, which related to issues arising from the closure of Clay Hill. Mr Young alluded to:

- The amount of work undertaken within the closed off area of the site.
- The closure of the pedestrian access to Rockbeare.
- The stated terms of the ‘Considerate Constructors Scheme’.

Cllr Bloxham has, from receipt of the correspondence, sought to address the two matters raised. The first is that Mr Young has made a formal complaint to Devon County Council, relating to the authorisation of the closure and to the length of the same.

These matters cannot be commented upon at the extant meeting, due to the fact that, as formal complaints, they must be addressed through the County Council’s complaints process.

The second complaint relates to the lack of a consultation process, prior to the traffic order being granted (as in, for instance, with a Planning Application).

Cllr Bloxham advised the meeting that there is no process of consultation ahead of traffic orders being granted. There are many such orders for works being carried out daily across the area and every piece of road/ utility work is covered by such an order, If the complainant wishes to pursue the matter, then he must do so with the County Council, there is nothing that the Parish Council can do in relation to the issue, which is one of policy.

A further complaint relates to the perception that there are periods of time where nothing appears to be happening on the road works. It has to be understood that, where there are road works and utility works to be undertaken in the same area, a concerted attempt is made to co-ordinate the work. Therefore, whilst the construction of the roundabout may have been completed in less time than the overall closure, BT & Virgin (utility works) took the opportunity to dig up the road at the same time which delays the process. The work is therefore being carried out in accordance with a planned programme of works, which prevents the road being surfaced by one provider, then dug up by another to carry out separate work.

Cllr Bloxham stated that he understood the frustration, as the work had been on-going for a lengthy period of time. Cllr Bloxham has tried to push the work forward and advised that he had been informed that it would be complete by the end of the current month, which is earlier than planned.

527.2 **POWR (Protection of Wimple and Rockbeare)** – The submission from POWR had been disseminated to all Councillors by the Chairman. The Members considered the document, which advocated the repositioning of all proposed traveller pitches (15) onto the Rockbeare

side of the A30, away from Whimble. On behalf of Cllr Readman, the view was put forward that the authors of the document had appeared to miss the point completely, in that it had always been the position of Rockbeare Parish Council that it did not wish anything to be put onto the Rockbeare side of the A30 – whatever it is.

It was the hope of POWR that Rockbeare Parish Council would endorse their thoughts on the matter. Members were of the opinion that such support could not be offered. It could not be agreed that all of the traveller pitches should be placed at Treasbere. The initial proposal provided for 10 pitches in Cobden and 5 at Treasbere. POWR's proposal places all 15 at Treasbere.

It was **agreed** that the Clerk would draft a letter to POWR, in which the view of the Parish Council is articulated. The letter is to be approved by the Chairman, prior to being sent.

528.0 BUSINESS AND FINANCE

- 528.1 Prior to consideration of the schedule of payments, the Clerk stated that she was obliged to bring a matter, relating to the payment to the Primary School, to the attention of the meeting.
- 528.2 The Clerk stated that she had recently received a complaint relating to the completion of the works at the school, these having been undertaken by a contractor who did not tender for the contract in the first instance. It was also stated, by the complainant, that the work undertaken had not been in accordance with the specification agreed by the Parish Council.
- 528.3 The Clerk advised the meeting that in late July, the Administrator of the Primary School had emailed the Clerk, stating that, as she had been unable to contact the appointed contractor over a lengthy period. Therefore, a decision had been made by school representatives to have the works undertaken by a different contractor. The Clerk was advised that a quotation from a different contractor had been procured (which was lower than the quotation from the appointed contractor) and that the services of the second contractor had already been secured.
- 528.4 The original contractor, whose plan had been approved by the Parish Council, disputes the assertions relating to contact difficulties. In fact, he maintains that the school Administrator had not advised him that a second contractor had been appointed to undertake the work. The appointment of the alternative contractor only came to his attention when he passed the school and noted that works had been carried out. The Clerk was advised that the work carried out did not meet the specifications approved by the Parish Council, with several alterations having been made to the plans. Had such alterations been requested of the first contractor, he maintains that his quotation would have been substantially less than the one submitted (which was based on the then stated requirements of the school).
- 528.5 The Clerk cautioned Members about becoming caught up in a dispute between the original contractor and the Primary School. However, the provision of funding for the work was predicated on two factors:
- The work was to be based on the quotation/ specification provided and;
 - The work was to be carried out by a local person.

- 528.6 Cllr Franklin stated that the Parish Council had then, in fact, not approved the work carried out. He added that it seemed strange that the School could not get in touch with the original contractor, given the fact that he lives very close to the school. Cllr Brodie asked why the second contractor could not have completed the work to the agreed specification.
- 528.7 Cllr Franklin advised that more information was required. Cllr Forrest added that, now this situation has arisen and the specification altered, there was an obligation upon the Parish Council to ensure that best value has been provided for any monies which the Parish Council would spend on the project.
- 528.8 Cllr Please felt that, should the specification agreed not have been adhered to, then a rebate should be requested from the contractor. Cllr Franklin added that there had to be some statement made about the procedure employed and that, at present, payment should not be approved. It must be understood that approved monies agreed by the Parish Council does not mean that there is a 'done deal' if procedures/ specifications are not followed. It was felt that it would be an unacceptable way to handle public money, if a payment was to be made for a project where the specification had not been adhered to and the work was carried out by a contractor not initially approved by the Council.
- 528.9 It was **agreed** that the Clerk would draft a letter to the School, which would be forwarded to all Members for their approval, prior to being sent to the Head Teacher. Within the letter, the Head Teacher would be advised that the Council was of the understanding that the work carried out was not in accordance with the specification agreed and that the Clerk would commence discussions with the second contractor in respect of the same. Therefore, we do not feel that the current situation provides best value for public money.
- 528.10 Members felt that the contractor should, at least, carry out remedial works in order to ensure that the original (approved) specification is met. The Parish Council
- 528.11 It was **proposed** by Cllr Franklin, **seconded** by Cllr Colin Please, and **RESOLVED** that the other item on the schedule of accounts would be accepted, and discharged. Unanimous. **Carried**. The Bank Reconciliation was agreed.

UPDATES

529.0 LORRY WEIGHT LIMIT AT WESTCOTT

- 529.1 Cllr Forrest commented on the decision to provide a 'Not Suitable for Heavy Loads' sign at Westcott. He acknowledged that this represented a move forward but articulated the view that, in the long term, he would like to see weight limits applied to the road in order to protect Westcott and Silver Lane because there can be no justification for 45 tonne articulated lorries coming onto these lanes.
- 529.2 Cllr Bloxham advised the meeting that the sign had been agreed to and that Highways were awaiting delivery of the same. He added that weight limits were tricky and difficult to enforce. Highways would therefore prefer to try this approach first.

530.0 ROCKBEARE HILL

- 530.1 The Clerk advised the meeting that she had corresponded with EDDC in respect of the Parish Boundary matter. EDDC had conferred that the map, which was provided by the Clerk,

matched their own and conformed that the boundary of the Parish was being correctly presented.

530.2 The Clerk had also raised the issue of Parish Boundary signage. Discussions are still in progress.

530.3 Cllr Faithfull highlighted the fact that the problem lay with the wrongful naming of the top part of Rockbeare Hill, on County Council maps.

530.4 The Clerk stated that, in accordance with the resolution at the August 2020 meeting, she had also corresponded with Aggregate Industries, in relation to the poor condition of the quarry boundary fences and the possible reinstatement of land adjacent to Rockbeare Hill.

531.0 AOB

531.1 **MONTEREY PINE, BRIDGE VIEW/ MAIN ROAD, ROCKBEARE** – Cllr Wollen (Chairman) reported that a Monterey Pine, situated at the junction of Bridge View and the main road has created a significant problem. This tree was the subject of correspondence between the Clerk and EDDC previously. The tree is the subject of a TPO. However, at 3am on morning recently, a bough came down and blocked the road completely. It was necessary for Highways to attend at the site with chainsaws, to cut the tree up and move it to ensure that the road was passable. However, the tree is perceived to be a danger to persons and traffic. Both RPC and the resident who lives closest to the tree have asked EDDC to address the problem. At the very least it should be thinned. The roots are pulling up the pavement and the wall to the nearby house.

531.2 If EDDC elects to do nothing about the tree, then surely that authority becomes liable for any damage/ injury caused by it. It was **agreed** that the Clerk would write a further letter to EDDC. Within the letter it should be stated that the chairman would like a site visit, so that the condition of the tree/ immediate dangers can be addressed.

531.3 **PARISH NEWSLETTER** – This matter is to be placed on the agenda for discussion at the October Meeting.

The Meeting Closed at 17:42 hrs

Next Meeting 21st October 2020