

WITHERIDGE PARISH COUNCIL

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Minutes of the Extraordinary Council Meeting held 22/10/20, 19:30 Online*

PRESENT:

Cllr Harvey Chairman
Cllr Martin Vice Chairman
Cllr Goodwin
Cllr Northam
Cllr Searles
Cllr Smith
Cllr J Yabsley

In Attendance:

District & County Cllr J Yabsley

4 member(s) of public
P G Dunn - Clerk

Meeting convened in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*.

1. To Approve Apologies for Absence.

Due to personal difficulties Cllrs Dorow and Wells did not join the meeting.

2. To consider Code of Conduct Matters:-

2.1. Written councillor dispensation requests arising.

None.

2.2. Declarations of Interests not declared in the Register of Interests.

Agenda	Councillor	Type	Reason	Dispensation
	None			

3. To consider suspension of Standing Orders to allow residents' participation.

RESOLVED: Goodwin proposed, Cllr Searles seconded and all were in favour suspension.

4. To consider Adventure Playground refurbishment.

The Chairman invited residents present to address the council.

Cllr Martin and Cllr Yabsley joined.

Summary of points raised by residents:-

- Input sought from meeting with North Devon Parks Officer not helpful.
- Initial ideas obtained by Cllr Northam and the Chairman had been reviewed by those residents who had requested to view.
- Skate-park being used by young people, concern older teenagers' needs would not be addressed by initial ideas.
- Approached a provider* of skate-parks, discussed maintenance costs, experience of a site with zero maintenance costs in ten years with a concrete skate-park and who attested to a significant reduction in anti-social behaviour. Skate-park could be used by bikes and scooters also.
- Provider* willing to work with the Parish Council on development of the project free of charge from beginning to end and submit a tender.
- MUGA provision already met by facilities at recreation field and parish hall sites.
- Aim would be to allocate existing skate-park and BMX [PGD1] track for a concrete skate-park.
- Felt all of Witheridge children and those from other areas would commute to Witheridge to use the facility, which in turn would help support local shops.
- Ballpark figure for skate-park in region of £100k.
- Provider* would help identify additional funding contingent on seed funding from parish council.
- Site refurbishment needs to provide other play equipment also.
- Triggers for the release of Section 106 monies by developer.

Initialled:

Chairman.

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Responses discussed:-

- Creation of a Working Group to create a project plan, required to bid for Section 106 funding and additional grant funding.
- Identify additional funding sources to Section 106 funding from development.
- Cllr Yabsley seeking District Council resource to trigger levers for payment of developer Section 106 commitments. Cllr Yabsley thanked Cllr Searles for his work on analysing the Section 106 and stated he would be forwarding it to the North Devon Council Chief Exec.
- Cllr Yabsley advised there would be some monies available from the County Council Community Fund in 2021/22 for feasibility work.
- The clerk raised queries as to who would be responsible for the tendering process and how would anti-lobbying from prospective tenderers be managed to address compliance with Standing Orders; the clerk expressed an opinion that anyone involved in the design and project management could not without a conflict of interest submit a tender in a sealed bid process as they would have an advantage over other providers. Cllr Searles advised for the process not to be open to challenge it had to give all potential tenderers equal opportunity.
- Proposal for setting a project objectives with a budget to be tendered against was discussed. The budget would be an estimate and constrained by the likely share of the Section 106 funding together with any additional sources of funding to cover refurbishment of the whole site. Cllr Searles advised he would be willing to help with this process.
- The clerk reminded the council meeting that the existing Adventure Playground's legal status was that of a Trust where Witheridge Parish Council was the Custodian and Managing Trustee; the Trust also has obligations to the residents of Thelbridge and these would need to be considered in the process. Additionally the Parish Council needs to instigate the transfer of the developer's land currently utilised by their sales office to the Parish Council as per Section 106 conditions.
- Issues with lack of due diligence in Compliance Management by North Devon Council. Cllr Yabsley advised having spoken to the Leader of North Devon Council, the Leader had promised to look into the matter.
- Cllr Martin expressed long term management of the resulting provision required consideration.

Concluded position:-

- Working Group to include four residents and two councillors (Cllrs Harvey and Northam), to meet 03/11/20, 15:30. **Working Group to action.**
- Working Group to report back to Parish Council with their site re-development principles (outcomes plan – types of provision as opposed to actual pieces of equipment) for consideration and approval by the Parish Council. **Working Group to action.**
- Following Parish Council approval of the site re-development principles Cllr Searles to draft a document to go out to tender and bid for Section 106 and other identified sources of funding for approval and submission by the Parish Council. **Cllr Searles to action draft document.**
- Instigate Tender Process and Funding Bids. **TBD by Parish Council.**
- Writing to the District Council Chief Executive expressing concerns at the lack of governance being resourced to ensure Section 106 obligations were upheld by developer. **Cllr Yabsley and clerk to action.**

The Chairman thanked all for their attendance.

Meeting closed 20:30.