

PAIGNTON NEIGHBOURHOOD FORUM

- Clifton with Maidenway
- Collaton St Mary
- Goodrington with Roselands
- Kings Ash
- Preston
- Roundham with Hyde
- and Hookhills



DRAFT MINUTES OF FORUM & STEERING GROUP MEETING

held in the Gerston Chapel Hall, Torquay Road, Paignton
at 6:30pm Thursday 13 February 2020

www.paigntonneighbourhoodplan.org.uk

www.torbay.gov.uk/neighbourhoodplanning

In Attendance: Freda Bamford Dwane Adam Billings, Jim Bonfield, Carole Box, Pam Bristow, Roger Bristow, Bob Davies, Vanessa Davies, Catherine Fritz, Louise Gilson, Chris Harvey, Alan Hill (Vice-Chair and Acting Chair), Colin Hurst, Allen Johnson, Helen Kummer, Maggie Loates (Acting Secretary), Leaf Lovejoy, Jacqui Milstead, Roz Morrell, Mike Parkes, Sue Steptoe, Richard Stevens, Lionel Uden, Jean Vincent, Robert Vincent, Ann Waite, David Wotton

Agenda Item 1: - Apologies received and welcome

Apologies: Angela Ainscough, Karen Jemmett, Jacqui Leigh, David Pickhaver

Welcome: The Acting Chair (**AH**) welcomed everyone to the meeting.

Agenda Item 2: - Draft minutes and matters arising

Draft minutes. The draft minutes of the meeting held on 9 January 2020 were approved. Proposed by Roger Bristow (**RB**) and seconded by Catherine Fritz (**CF**).

Matters arising. **AH** reported there was currently £9,995.75 in the Forum's account. Any monies that were received went to Torbay Council (**TC**) which paid the bills. David Wotton (**DW**) stated that the Treasurer should prepare an income/expenditure statement, which should be independently examined. **AH** said he had arranged for an accountant to review such a statement. The Forum unanimously agreed that the examiner should be paid an honorarium of £20 to perform this task.

Agenda Item 3: - Finalisation of Draft Constitution and Standing Orders. **AH** questioned whether the quorum required by the new Constitution was practical as it required the presence of two officers. The Forum decided this was reasonable.

Helen Kummer (**HK**) raised the issue of compliance with the Data Protection Act of 2018 in circulating emails to Forum members. Leaf Lovejoy (**LL**) suggested that there be two email lists: (1) the main email list in which the addresses of all recipients would be hidden; and (2) an email list to facilitate communication between core members of the Forum who have given express permission for their addresses to be disclosed to other members of the core group. This was agreed by the Forum. Chris Harvey (**CH**) stated that there are various options for creating blind email lists and he would be providing the Forum with information on the cost and efficacy of each option.

LL reported that her review of Locality and research into whether the Forum needed the authorisation of TC to change its Constitution concluded that this was not necessary. The only requirements for membership of the Forum are that people live or work in the area. The Constitution defines the Forum as a community-led land use planning organisation. If TC believes the Forum is not fulfilling its purpose, it can de-designate it. Mike Parkes (**MP**) noted that councillors in the Forum area are automatically members of the Forum.

Agenda Item 4: - Policy on circulation to membership of planning meetings and other issues affecting Paignton Neighbourhood Plan (PNP) area. **AH** questioned whether the Forum has the right to invite comments from members on issues affecting local areas not in the PNP area, and if so, whether the Standing Orders should be changed. **DW** said the Forum makes its own policy and no changes were needed. **LL** noted this gives the Forum the freedom to make its own

choices. **RB** suggested the Forum could circulate details of certain Planning Applications to members who might have an interest in them. **DW** stated that the entire membership should not receive each such planning application. Maggie Loates (**ML**) asked how it would be handled if there was no Forum meeting before the Planning Application cut off or hearing date. **DW** suggested that Officers should make the decision, to which the Forum agreed.

Agenda Item 5: - Preparation for EGM and AGM (12 March). **ML** asked what the package to members would include. **DW** replied that it would include the financial statement (reviewed by an independent examiner), and the proposed Constitution and Standing Orders. **MP** suggested that a notice be put in the paper announcing the AGM. **DW** said there should be no press release. **MP** said advertising the AGM might help to increase membership. **CF** said she could arrange to have a notice put in the April edition of the Beach Hut, to which the members unanimously agreed. **DW** suggested tasks were being fragmented. **CH** said he would put information on the Forum's website. **CF** said she would be willing to act as press officer but not until after the AGM.

Agenda Item 6: - Outcome of Inglewood/Whiterock2 Planning Committee (PC) Meeting (10 Feb). **CF** reported that the application (P/2017/1133) can be viewed on the TC website at <https://www.torbay.gov.uk/newpublicaccess/centralDistribution.do?keyVal=OYVU7GQIKVI00&caseType=Application>. The application is for up to 373 houses, a school and a pub in the field on the west side of Brixham Road south of the Whiterock estate. There have been over 550 objections to the application and the Planning Officer (**PO**) recommended refusal. The reason for the PC meeting was non-determination of the application by TC within the time limit, so the developer has appealed to the Secretary of State (**SOS**). The SOS requires TC to indicate what decision it would have made had it timely considered the application. **CF** mentioned that the Sir Robert McAlpine Group is involved with both the developer (Abacus Projects and Deeley Freed Limited) and its agent (Stride Treglown). The QC representing 2 Galmpton homeowners, who spoke at the PC meeting, cited EU habitat law and raised the issue of whether the developer's proposed 'mitigation' was actually 'compensation', which is not permitted. He also stated that there was no Torbay housing crisis, as alleged by the representative of the agent, who contended that the 3-year and 5-year housing supply was insufficient. The PO reviewed the traffic issues at Windy Corner and stated that no matter what changes were made, it would be over capacity within a very short period of time if the development went ahead. He also accepted that the development would be totally non-compliant with the Brixham Peninsula Neighbourhood Plan (**BPNP**), as well raising issues with the Torbay Local Plan and the PNP. **MP** noted that the public gallery at the PC meeting was about 3/4 full. **AH** mentioned that on page 22 of the Herald Express (Wed 12 Feb 2020), there is an excellent article from Helen Boyle on this subject.

The PC voted to refuse the application on the grounds of incompatibility with the BPNP and despoliation of the adjacent natural environment. Any further comments must be by letter submitted by 3 March 2020 to the Appellate officer in Bristol. The timetable and information for further action is on the website. The SOS will appoint a Planning Inspector who will hold a public hearing in Torbay in early May.

LL mentioned that the PC had refused the Taylor Wimpey application in Collaton St. Mary. If this decision is appealed, the only grounds an inspector can consider is the grounds on which it was refused. If the inspector considers the appeal unreasonable, he/she can award costs against TC. **LL** noted that the Inglewood application has not been refused (because of non-determination) so an appeal can cite any grounds. At the PC meeting, the PO stated that TC's consultant indicated that the traffic grievance could not be an issue. **HK** noted that the traffic impact has to be 'severe' but there is no definition of the word. A question was raised regarding the difference between a 'recovered appeal' and a 'called in appeal'.

DW said that the Forum needs an action plan. **MP** suggested that someone from the committee register an interest in the appeal before 2 March. **DW** said that TC is looking for support from the 3 neighbourhood forums. The forums and TC should appoint representatives to meet and propose a plan to counter the development. The group should hire a QC. **MP** suggested that Inglewood should be dealt with by Brixham Peninsula Neighbourhood Forum. **AH** referred to the Reference Group meetings of chairs of the 3 forums and TC. **RB** noted that there was pressure on the Forum to help get Friends of Little Blagdon Farm (**LBF**) to drop its request for judicial review of the PC

decision. TC also wants to put the Land Release Fund (LRF) properties (LBF and Preston Down Road) into the 5-year land for housing supply. **MP** pointed out that the PNP was all about balance between housing and jobs. Roz Morell (**RM**) asked when the new job count would take place; **HK** said it would be next year.

Agenda Item 7: - Report on Community Leaders meeting and town centre regeneration. **CF** reported on her attendance at the Community Leaders meeting. She stated that the 1st draft of TC's Future High Street fund bid was submitted in November, the 2nd draft is due in March and the final document at the end of June. The date of funding is not known. The spend deadline is 2024. TC has bid for approximately £15.5 million in total. This amount includes an optimism bias adjustment. An application will shortly be submitted for demolition of the derelict parking structure in Garfield Road, to be replaced with a graduated multi-storey residential development (but commercial only on ground level because of flood risk). An application will be made to move the telecoms equipment currently on the car park roof to the library roof (P/2019/1218). The equipment will move temporarily to Queens Park (no planning application needed).

RB said he was concerned at the loss of parking. Colin Hurst (**ColinH**) said he was involved with town centre regeneration. The parking problem would only be exacerbated by the new hotels under construction. He had asked why the car park had been closed but had received no answer. Another issue was where the sea wall to prevent flooding would be installed. **CF** said she had attended a parking status meeting, but there had been no report or summary or data provided. **DW** said where the car parks were built on Garfield Road was originally an open sewer, thus no housing permitted was because of contamination. **LL** asked where this information could be obtained. **RM** noted that as well as Future High Street Funding, the LRF monies were to be used for infrastructure at the Victoria Centre.

Agenda Item 8: - Introduction of Representative of Paignton Town Centre and Preston Community Development Partnership (PTC&P CDP) and Paignton Green – Fragrance Group. **AH** introduced **ColinH**, Secretary of the PTC&P CDP, who stated that Paignton's aspirations were not being realised by TC. He mentioned the children's park on the Green, which was funded by the Lottery. TC did not maintain it, so the community has taken it over. It also maintains the shelters and the coffee kiosk. The Green is under covenant which restricts what may be put on it. Parking is limited so TC should make it easier for people to get around, but has done nothing in this regard.

The Fragrance Group has applied for erection of a temporary workman's structure on the Green. **MP** asked if it included a portacabin. **ColinH** said that it was going ahead. TC had been offered £4,000 to allow it. Temporary structures should remain for less than 6 months but this structure is projected to remain for 18 months. Louise Gilson (**LG**) noted that the Green already has Village Green status and **LL** noted that it was also a Local Green Space under the PNP.

Agenda Item 9: - Local Plan Review Workshop (12 Feb). **CF** reported on her attendance at the Torbay Local Plan (**LP**) Review Workshop. The LP must be reviewed and updated every 5 years (TC's deadline is December 2020). Changes need to be made to the LP as a result of the adoption of the 3 Neighbourhood Plans, and the new National Planning Policy Framework. Consultations have taken place or are in progress on housing, heritage and climate strategy for Torbay. A vital aspect is 'place-shaping' (<https://www.localgov.co.uk/what-doesplace-shaping-mean/6276>). Also important is community wealth building, and recognising the impact of poverty in Torbay. There is a need to have young people involved in future planning.

Agenda Item 10: - Friends of Little Blagdon Farm. **RB** stated that the Friends of LBF was appealing the denial of its request for judicial review of the PC decision allowing development at LBF. On 29 January 2020, drainage tests had been performed on the land, which had resulted in the equipment getting stuck in the mud. He had been informed by TC Building Control that demolition of the buildings would commence on 28 February. He is doubtful this will go forward as the judicial review issue must be resolved before demolition can commence. **LL** inquired whether a check had been done for asbestos. **RG** responded that known asbestos will be removed. **RM** suggested that LBF should be listed because it was part of the curtilage of Blagdon Manner. **RB** gave a short history of the ownership and tenancy of LBF. **RM** said she will research the issue.

Adam Billings, a member of BPNF, stated that he was not aware that the entirety of a farmed area is considered curtilage.

Agenda Item 11: - Report on TC Reference Group meeting. RB reported that there had been no Reference Group Meeting since the last Forum meeting. The next Reference Group meeting will be on 19 February 2020 and discuss Inglewood.

Agenda Item 12: - Review of change of meeting place. AH suggested that the Forum should move its meetings to another location. The heating system was inoperative at the Gerston Chapel Hall for this meeting and it was very cold. Two options were suggested: (1) Room 1 at Palace Avenue Methodist Church (the main hall is unavailable on Thursday evenings); or (2) The hall at Winner Street Baptist Church (where the PTC&P CDP meets). He suggested that members look at these locations and the Forum will review the possibilities at the next meeting.

Agenda Item 13: - Any Other Business.

LL stated that she had a case number with the Information Commissioner's Office and an interim case officer.

MP noted that there had been no response from the Parliamentary Ombudsman.

The meeting closed at 8:50 pm.

Agenda Item 14: – Next Meeting

The next meeting will be an Extra-Ordinary General Meeting and the Annual General Meeting of the Forum, and will take place on:

Forum & SG	Thursday 12 March	Gerston Chapel Hall (Gerston Place)
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The meeting starts at 6:30pm and we aim to complete our meeting by no later than 8:30pm. Further dates in 2020 agreed by the Forum are shown on our website.