



**NORTHAM TOWN COUNCIL
TOWN HALL
WINDMILL LANE
NORTHAM
DEVON
EX39 1BY**

To: All Members of the Town Projects and Asset Management Committee
Cc: All Northam Town Councillors

Town Clerk: Mrs Jane Mills MILCM
Telephone and Fax: 01237 474976
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You are hereby summoned to attend a meeting of the Town Projects and Asset Management Committee to be held in the Council Chamber, Windmill Lane, Northam on **Monday 5th July 2021 at 10.00am**

The agenda for the meeting is shown below.

Members of the public wishing to attend the meeting will be required to wear a face mask and socially distance. Space will be limited.

M J Mills

Mrs Jane Mills MILCM
Town Clerk

Date of issue: 29th June 2021

The following are Members of the Town Projects and Asset Management Committee: Councillors Tisdale (Chairman), Edwards (Vice Chairman) Hames, Himan, Laws, Leather, Mrs McCarthy and the Mayor (ex-officio) but all Members of the Council are entitled to attend.

AGENDA

- 1 Apologies**
- 2 Chairman's Announcements**
- 3 Declarations of interest:**
Members are reminded that all interests should be declared prior to the item being discussed.
- 4 To agree the agenda as published**
- 5 To confirm and sign the minutes of the Town Projects Meeting held 7th June 2021 as a correct record (*herewith*)**



Lords of the Manor



The local Council for Appledore, Northam, Orchard Hill and Westward Ho!
Twinned with Mondeville, France and Büddenstedt, Germany
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Trustees of the Common Right

6 Public Participation

Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 4 minutes. The period of time which is designated for public participation in accordance with standing orders shall not exceed 20 minutes.

7 To consider Action Points (*herewith*)

8 To consider an update on festoon lighting at Westward Ho!, including information from a representative of DS Electrical

9 To consider a report on weeding (*herewith*)

10 To consider the purchase of an additional, suitably illuminated Christmas Tree for Bone Hill (*Cllr McCarthy*)

11 To consider a resident's request for specimen tree planting along Golf Links Road, between Beach Road and Avon Lane (*sent previously*)

12 To consider the feedback from residents regarding the use of outdoor gym equipment at Burrough Farm (*sent previously*)

13 To consider an update on Footpaths (*Cllr Hames*)

14 To consider installation of a dog bin at Orchard Hill (*Cllr Newman-McKie*)

15 To consider the renewal of the tenancy agreement with BFAA (*draft herewith*)

Northam Town Council – Minutes of the Town Projects and Asset Management Meeting held on Monday 7th June 2021 in the Town Hall, Windmill Lane, Northam a 10.00 am

Present: Cllrs Tisdale (Chairman), Mrs Hodson, Mrs McCarthy Edwards, Hames, Himan, Laws and Leather
In attendance: Mrs Jane Mills – Town Clerk
County Cllr McGeough
Members of the public

- 2106/128 Apologies**
All Members were present
- 2106/129 Chairman’s announcements**
Members were advised that there was a disability group using Northam Leisure Centre and they would be interested in taking on weeding and future maintenance of the planter outside the Leisure Centre. They would also be happy to participate in community activities.
- 2106/130 Declarations of interest**
Members were reminded that all interests should be declared prior to the item being discussed.
- 2106/131 To agree the agenda as published**
It was **resolved** to agree the agenda as published after bringing forward item 14 to follow item 9.
Proposed: Cllr Mrs Hodson, Seconded: Cllr Mrs McCarthy (all in favour)
- 2106/132 To confirm and sign the minutes of the Town Projects Meeting held 12th April 2021 as a correct record**
It was **resolved** to confirm and sign the minutes of the Town Projects meeting held on 12th April as a correct record.
Proposed: Cllr Leather, Seconded: Cllr Hames (all in favour)
- 2106/133 To confirm and sign the minutes of the Special Town Projects Meeting held 11th May 2021 as a correct record**
It was **resolved** to confirm and sign the minutes of the Special Town Projects meeting held 11th May as a correct record.
Proposed: Cllr Leather, Seconded: Cllr Hames (all in favour)
- 2106/134 Public Participation**
Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 4 minutes. The period of time which is designated for public participation in accordance with standing orders shall not exceed 20 minutes.
A number of members of the public wished to speak at item 9 and item 14.
- 2106/135 To consider Action Points**
Action Points were noted.
- 2106/136 To consider the information boards at Bone Hill**
It was **resolved** to suspend Standing Orders to enable members of the public to speak.
Proposed: Cllr Mrs McCarthy, Seconded: Cllr Edwards (all in favour)

It was **resolved** to reinstate Standing Orders.

Proposed: Cllr Mrs McCarthy, Seconded: Cllr Edwards (all in favour)

After some discussion it was proposed by Cllr Mrs McCarthy and seconded by Cllr Himan that the wording provided by a local resident should be used in the third section of the information board. There were three votes in favour, four votes against and one abstention so the proposal was not carried.

There was a further proposal from Cllr Laws, seconded by Cllr Hames, that the plinth be re-modelled to give more space for both 1069 and Hubba the Dane. A report will be prepared for the August meeting and it was so **resolved** (all in favour)

Action Point – Prepare report for August meeting

2106/137

To consider a request from Northam Lions (Cllr Mrs McCarthy)

It was **resolved** to suspend Standing Orders to allow members of the public to speak.

Proposed: Cllr Mrs Hodson, Seconded: Cllr Edwards (all in favour)

Members were advised that the Club supports large groups of the public including girls' teams, men's teams and disability teams of varying ages. Northam Lions are concerned about vandalism, broken glass on the pitch and vandalism in an around the dugouts.

It was **resolved** to reinstate Standing Orders.

Proposed: Cllr Mrs McCarthy seconded: Cllr Edwards (all in favour)

Cllr Himan proposed refusal of the erection of a fence, there was no seconder. Cllr Leather then proposed that a decision should be deferred until there had been a site visit to be arranged after 21st June. This was seconded by Cllr Edwards. There were 6 votes in favour, 1 vote against and 1 abstention and it was so **resolved**.

Members then discussed a number of options which could be considered to overcome the problems, including working with the Police and the Crime Prevention Officer and use of CCTV. It was then agreed to invite the Crime Prevention Officer to the site visit.

It was further **resolved** to suspend Standing orders as members of Northam Lions wished to clarify some additional points.

Proposed: Cllr Laws, Seconded: Cllr Mrs McCarthy (majority in favour, 2 votes against)

Members were then advised that use of CCTV had not been successful. Northam Lions had attempted, unsuccessfully, to engage with the people causing a lot of the problems. They advised that where there had been problems at Bideford College they had now erected an extremely high fence. The main problem is a safeguarding issue which is why they would like to proceed with fencing. There is money available from the Football Foundation but the Club urgently needs confirmation of support from the Town Council as the landowner. Whilst there is no time implication on accessing the funding there is a pot of money available which is being allocated on a first come, first served basis.

It was then **resolved** to reinstate Standing Orders.

Proposed: Cllr Laws, Seconded: Cllr Mrs McCarthy (all in favour)

In light of the funding issues it was then **resolved** to withdraw the date of the site visit and bring it forward to the week commencing the 14th June, followed by a special Town Projects meeting.

Proposed: Cllr Mrs McCarthy, Seconded: Cllr Tisdale (all in favour)

Action Point – Arrange Site visit week commencing 14th June to be followed by Special Town Projects meeting.

- 2106/138** To consider an update on festoon lighting at Westward Ho!, including information from a representative of DS Electrical
This has been deferred to the next meeting awaiting further information from DS Electrical.
Action Point – Place matter on next agenda
- 2106/139** To consider renovating, adopting and maintaining the benches close to the Appledore Lifeboat station (Cllr Mrs McCarthy)
It was **resolved** to write to Torridge District Council requesting that the benches could be transferred to Northam Town Council for a commuted sum.
Proposed: Cllr Leather, Seconded: Cllr Hames (majority in favour, 2 against)
Action Point – Write to Torridge District Council requesting transfer
- 2106/140** To consider the purchase of an additional, suitably illuminated Christmas Tree for Bone Hill. (Cllr McCarthy)
It was **resolved** to suspend Standing Orders to allow a member of the public to speak.
Proposed: Cllr Laws, Seconded: Cllr Mrs McCarthy (majority in favour, 2 votes against)
Standing Orders were then reinstated.
Proposed: Cllr Laws, Seconded: Cllr Mrs McCarthy (majority in favour)
It was **resolved** to defer this item to the next meeting. A full report was requested on electrical issues.
Action Point – Place item on next agenda and request report on electrical issues
- 2106/141** To consider installing hearing loops to assist with the Council's meetings. (Cllr McCarthy)
After some discussion it was agreed to seek further information with regard to hearing loops and their compatibility with new digital hearing aids and to seek check whether or not they have been superseded.
Action Point – Seek further information with regard to hearing loops

The meeting having extended beyond 2 and a half hours it was **resolved** to defer the last three items to the next Town Projects meeting

Proposed: Cllr Hames, Seconded: Cllr Edwards (all in favour)

There being no further business the meeting finished at 8.35 pm

- 2106/142** To consider a resident's request for specimen tree planting along Golf Links Road, between Beach Rd. and Avon Lane
Action Point – Place item on next agenda
- 2106/143** To consider the feedback from residents regarding the use of outdoor gym equipment at Burrough Farm (herewith)
Action Point – Place item on next agenda
- 2106/144** To consider an update on Footpaths (Cllr Hames)
Action Point – Place item on next agenda

Signed

Dated.....

Action Points for Town Projects Meeting July 2021

To consider information boards at Bone Hill	Preparing a report for August meeting
To consider request from Northam Lions FC	Arranged site visit week commencing 14 th June to be followed by Special Town Projects meeting
To consider an update on festoon lighting at Westward Ho!	Placed matter on next agenda awaiting further information from DS Electrical
To consider renovating, adopting and maintaining the benches close to the Appledore Lifeboat station (Cllr Mrs McCarthy)	Written to TDC requesting transfer
To consider purchase of an additional suitably illuminated Christmas tree for Bone Hill	Placed item on next agenda and requested report on electrical issues from Western Power
To consider installing hearing loops to assist with the Council's meetings	Seeking further information with regard to hearing loops and compatibility with new digital hearing aids. 3 companies to provide survey reports
To consider a resident's request for specimen tree planting along Golf Links Road, between Beach Road and Avon Lane	Deferred from last meeting. Placed item on the next agenda
To consider the feedback from residents regarding the use of outdoor gym equipment at Burrough Farm	Deferred from last meeting. Placed item on the next agenda
To consider an update on Footpaths (Cllr Hames)	Deferred from last meeting. Placed item on the next agenda
Lords Meadow Mats	In progress
Blackies	In progress

Northam Lions Lease runs until 2026

Report to Town Projects July 2021

Members will be aware of the decision taken in 2019 to stop using weedkiller with glyphosate. This followed many reports and discussions.

Our maintenance men had previously prided themselves on keeping the town council area weed free and are very upset that there is now such an extreme proliferation of weeds everywhere.

This growth is causing structural damage, cracking up concreted and paved areas. The men have advised that Bone Hill is so bad that they would be embarrassed to be raising the flags there because of the current state of the area.

This last few weeks has seen a large increase in complaints about weeds everywhere and we are keeping a file in the office. Also, the maintenance men are regularly approached with complaints about the weeds by members of the public

The men have tried a number of alternatives but although these turn the weeds brown they are not killed. Suggestions that the men could hoe are impractical because of the sheer volume, it is not the same hoeing a small back garden when compared with the huge area they have to contend with. Also concentrated hoeing can result in back strain, which leads to time off work.

Some of you visiting the Town Hall will have seen significant weed growth outside, despite the area having been weeded frequently.

Local residents are also weed spraying, and this is random and uncontrolled.

The men would like to resume a weedkilling regime, for the future, using a product with glyphosate, normally one or two spraying sessions in the spring resolves the problem, with a possible session in the autumn. This would be done in a controlled manner and would eliminate the weeds and any regrowth through the summer when tourism is at its height.

Further research has revealed:

Animal and human studies were evaluated by regulatory agencies in the USA, Canada, Japan, Australia, and the European Union, as well as the Joint Meeting on Pesticide Residues of the United Nations and World Health Organization (WHO). These agencies looked at cancer rates in humans and studies where laboratory animals were fed high doses of glyphosate. Based on these studies, they determined that glyphosate is **not likely to be carcinogenic**.

Long-term feeding studies in animals were assessed by the U.S. Environmental Protection Agency (EPA) and other regulatory authorities. Based on these evaluations, they found there is no evidence glyphosate is toxic to the nervous or immune systems. They also found it is not a developmental or reproductive toxin.

A number of regulatory and scholarly reviews have evaluated the relative toxicity of glyphosate as an herbicide. The German Federal Institute for Risk Assessment toxicology review in 2013 found that with regard to positive correlations between exposure to glyphosate formulations and risk of various cancers, including non-Hodgkin lymphoma "the available data is contradictory and far from being convincing".

The European Food Safety Authority concluded in November 2015 that **"the substance is unlikely to be genotoxic (i.e. damaging to DNA) or to pose a carcinogenic threat to humans"**, later clarifying that while carcinogenic glyphosate-containing formulations may exist, studies "that look solely at the active substance glyphosate do not show this effect." The WHO and FAO Joint committee on pesticide residues issued a report in 2016 stating the use of glyphosate formulations does not necessarily constitute a health risk, and giving an acceptable daily intake limit of 1 milligram per kilogram of body weight per day for chronic toxicity. The European Chemicals Agency (ECHA) did not find evidence implicating it as a carcinogen, a mutagen, toxic to reproduction, nor toxic to specific organs.

Based on the above information and following the many concerns of local residents I would recommend that the use of a weedkiller with glyphosate be resumed. With everything brought back under control and a programme scheduled for the future, the weeds could be eliminated with only very limited usage. Controlled spraying with a cowled head could allow us to manage the areas sprayed.

Report prepared by Jane Mills, following discussions with the Maintenance Men.

NORTHAM TOWN COUNCIL**Tenancy Agreement**

An Agreement effective from 1st day of July in the year 2021.

**Between Northam Town Council (hereinafter, “the Council”) of the one part ;
and**

**Burrough Farm Allotment Association (hereinafter, “the Association”) of the
other part**

**WHEREAS the Council agrees to lease, and the Association agrees to take on a
yearly tenancy from the First day of July in the year 2021 for a period of 10
years (with a rent review at the end of 5 years) that land known as Burrough
Farm Allotments hatched in red on the map annexed to this Agreement
provided by the Council at the rental of £???, payable yearly and at a (*was £600*)
proportionate rent for any part of a year over which the Tenancy may extend.**

This Agreement is subject to all enactments, statutory instruments, local, parochial or
other byelaws, orders or regulations affecting the allotment garden; to any regulations
endorsed to or on this Agreement and to the following Conditions:

1. The rent shall be paid on the 5th day of July in any year.
2. The Association shall cause the land to be used for allotment gardens and related activities agreed by the Council only. Tenants must keep plots clean and free from weeds and in a good state of cultivation and fertility. The Association shall permit any officer or other representative of the Council to enter the allotment garden for inspection purposes.
3. The Association shall ensure that tenants shall not cause any nuisance or annoyance to the occupier of any other allotment garden, or obstruct any path set out for the use of occupiers of the allotment gardens.
4. It shall be a condition of any allotment letting agreement that tenants shall not underlet, assign, or part with possession of the allotment garden or of any part thereof without express written consent of the Council who, for the purpose of this agreement is, and shall remain, the Landlord Paramount.
5. The Association shall see to it that tenants shall not, without express written consent of the Council, cut or prune any timber or other trees or take, sell or carry away any mineral, sand, clay or earth.

6. The Association shall see to it that tenants shall not keep any livestock on the allotment except that permitted under Statute without the prior express written consent of the Association and the Council.
7. The Association shall see to it that tenants keep every hedge which forms part of the boundary of the allotment gardens properly cut and trimmed, all ditches properly cleansed and maintained and any other fences and any other gates and sheds on allotment gardens in good repair.
8. The Association shall see to it that tenants do not deposit or allow other persons to deposit on the allotment garden any refuse or decaying matter (except manure and compost in such quantities as may reasonably be required for use in cultivation) or place any matter in any hedges, ditches or dykes situate in the said allotment site or in any adjoining land.
9. The Association shall see to it that tenants do not use any barbed wire for a fence adjoining any path set out by the Council for the use of the occupiers of the allotment gardens.
10. The Association shall see to it that tenants do not, without express written consent of the Association and the Council, erect any building on the allotment garden, except buildings erected pursuant to **section 12 of the Allotments Act 1950**; and shall be responsible for the removal of any building on or before expiry of the tenancy if required. The Association will ensure that such structures are constructed in a workman like manner and maintained in a safe condition. It may also be necessary to obtain planning permission from the Planning Authority for any sheds or structures erected on site.
11. The Association shall see to it that the tenants do not take any vehicles of any kind other than bicycles or wheelbarrows into the fields shown on the attached map "A small car park has been provided for allotment holders, with priority given to people with disabilities. There is strictly no vehicular access to any other part of the field, and no parking in Dane Court"
12. The Association shall advise the Council of any major site changes proposed. If appropriate, this may also be referred to the Council's Committee for consideration.
13. The Association shall determine the rent levels for plot holders, although these must not exceed the rent charged at the Council's other sites by more than 20% without express permission of the Council. Rent levels shall be reported annually to the Council.
14. Income from lettings shall be used to maintain, manage and improve the site and its facilities in accordance with the terms of this lease. In addition the Association will be responsible for:
 - *Paying all outgoings for services to the site (water)
 - *Maintaining all existing gates, fencing and footpaths in a reasonable condition.

15. The Association shall prepare and submit annual audited accounts to the Council containing information, or in such a format as agreed between the Council and the Association.
16. The Association will adopt the Council's waiting list at commencement of this lease agreement. Prior to letting a plot, the Association will consult with the Council as to whether the applicant has been assigned a plot on any other site managed by the Council.

Plots are only to be allocated to tenants who reside within the parish of Northam and are shown on the Register of Electors for Northam. If a tenant moves out of the parish of Northam they will be required to surrender their allotment by the following 30th April (this clause must be contained in the tenancy agreement). Thereafter the Association shall keep an up to date record of names and addresses of the tenants, rent payments made by tenants and their plot numbers.

This shall be made available to the Council via their authorised representative, upon request with reasonable notice. The Association shall also be responsible for administering the provision of entrance gate keys.

17. The Association shall be responsible for and shall hold harmless and indemnify the Council in respect of any claim, loss or proceedings in respect of bodily injury to or the death of any person or damage to property arising out of the Association's occupation and use of the premises. The Association will effect and maintain Public Liability Insurance with an insurance company of good repute.

The Council will effect and maintain Public Liability on behalf of itself and the Association, in respect of work carried out by the Association for the Council relative to the general maintenance of the site.

The Association shall promptly notify the Council of any issues which arise on site which constitute a hazard and fall outside the remit of the Association (e.g. the discovery of asbestos or other hazardous substances).

18. The Tenancy may be terminated by the Council, or by the Association, by the giving of twelve (12) months previous notice in writing ; such notice to expire not later than **March 25th** (Lady Day) or not earlier than **September 29th** (Michaelmas) in any year. By virtue of **section 1 (1) (a) Allotment Act 1922** the date of expiry of notice must not fall between Lady Day and Michaelmas.

19. The agreement between the Association and the Council may also be terminated by the Council by re-entry on to the land after one month's notice:

if the Rent is in arrears for not fewer than 40 days ; **or**

where the Association is not duly observing and/or carrying out the terms of the Tenancy ; **or**

where the Association becomes bankrupt or compounds with its creditors.

20. Any Rates in respect of the Allotment Gardens shall be paid by the Treasurer of the Burrough Farm Allotment Association.

Signed

Northam Town Council (Landlord Paramount)

Witness

Signed

For and on behalf of the Burrough Farm Allotment Association

Witness