

LYMPSTONE PARISH COUNCIL

Clerk to the Council: Miss L Tyrrell
c/o Minnows,
Longmeadow Road,
Lympstone, Devon EX8 5LF
Tel: 07890717081

Email: lympstonepc@gmail.com
www.lympstone.org

Chairman: Cllr Nick Linfoot

Tel: 07751 307107

8th July 2022

To All Members of the Assets, buildings, land and finance Committee of the Parish Council,

You are invited to attend an Assets, buildings, land and finance (ABLF) Committee meeting of Lympstone Parish Council, to be held **10.30am on Thursday 14th July 2022 in the Meeting Room at the Village Hall.** The business to be transacted is set out below.

Members of the Public are cordially invited to attend.

The agenda and all attachments can be found online at www.lympstone.org.

J. Payne

Cllr J Payne
Chairman to ABLF Committee

AGENDA

ABLF 22/7	INFORMATION: Apologies
ABLF 22/8	ACTION: Minutes - To confirm the minutes of the PC meeting held on the 6 th June 2022 (attached)
ABLF 22/9	ACTION: Planting of new Oak tree – To locate a suitable place for a new Oak sapling to replace the fallen old TPO Oak tree in Candy's Field
ABLF 22/10	DISCUSSION: Oak Meadow
ABLF 22/11	ACTION: Candy's Field boundary – To view the boundary maps and compare to the physical representation.
ABLF 22/12	ACTION: Manhole covers (Candys Field)
ABLF 22/13	ACTION: Levelling and reseeding (Candys Field)
ABLF 22/14	ACTION: Fence around tree (wild garden in Candys Field) – to source quotes for a new fence
ABLF 22/15	DISCUSSION: Cycle humps (Candys Field)
ABLF 22/16	DISCUSSION: Items for the next Agenda

**MINUTES OF A LYMPSTONE PARISH COUNCIL ASSETS COMMITTEE MEETING HELD
IN THE VILLAGE HALL AT 10.30AM ON THURSDAY 16TH JUNE 2022.**

PRESENT:	
Councillors	J Payne (Chair), D Atkins (Vice Chair), K Hill, N Linfoot, L Staddon and D Tyrrell,

All councillors walked Candy's field before agreeing actions in the Village Hall.

Agreed actions:

Assets committee to instruct the Clerk to send out a letter to the residents of 3 Spring Meadow and Clouds Reach asking them to restore the boundary line of their garden back to its original state as they have moved into LPC land according to LPC records and plans. If they reply and do not agree to move the boundary, LPC will instruct a solicitor and the land registry of a boundary dispute.

Behind 'The Hub' is to be cleared by Andy Weston, taking it back to the boundary line. The tree backing on to 3 Spring Meadow may need to be removed in the future.

Letter to the Commandant and Mark Latham of CTCRM asking them for a second time this year to inform their residences of Trafalgar Road not to dump grass cuttings and waste over the fence into the LPC hedges on Candy's field. If further debris is found LPC will charge CTCRM for any removal of waste. The assets committee welcome a walk around to view the situation.

Cllr Tyrrell to cut the existing chain lock on the carpark gate in half, making locking the gate easier.

Write to Adam Fradley, Youth Chairman LAFC, asking if there are any further changes to schedules / field play and times for next season.

Soccer tots can play on Candy's Field but must rotate play each week in order to preserve the field from overuse.

Add to July agenda where LPC would like the Cliff field goal posts to be stored for the summer. Taken away or stored beside the Scout Hut. LPC need to agree that if the goals are moved by the public, we inform LAFC immediately allowing them a day to return them to correct storage area.

Cllr Atkins to enquire and come back to council regarding a new potential sports pitch near Goodmores development site. Report back at the next meeting

Agenda for next Assets committee meeting:

Planting of new oak tree
Oak Meadow
Man hole covers
Levelling and reseeding
Fence around tree (wild garden)
Cycle humps

Meeting closed: **12.25pm**

Chairman:

Date:

ABLF 22/11

Email received re Clouds Reach 1/7/21:

Dear Lucy

Further to your letter of 29th June 2022 regarding the boundary between Clouds Reach (previously the garden of the Old Rectory) and Candy's Field, I have today tried to call you but unsuccessfully on this matter. As I was not able to reach you I have called and spoken to Councillor Atkins who was a member of the Parish Council at the time the Planning Application for Clouds Reach was considered by the Parish Council back in November 2016.

As I have stressed to Councillor Atkins, I would like to reassure the Council that we have not in any way encroached upon the land which comprises Candy's Field and have no wish, reason or purpose to do so.

When we acquired the land from The Rectory in order to build Clouds Reach the land and the entire hedgerow was totally overgrown with 10ft high giant brambles and the previous incumbents of The Rectory had made a terrible mess of what were at one time some beautiful trees. The hedgerow was rotting and totally smothered by the brambles and parts of the bank were broken down with rotting tree stumps and the remains of a broken down metal post and wire fence in the centre of the bank.

Before any work was carried out we had a detailed topographical survey carried out to record the exact boundary of the property and the Devon Bank together with all the remaining trees.

In order to restore the boundary hedge, once the mess had been removed we had to rebuild parts of the Devon bank at considerable time & expense and went to a lot of trouble and expense to replant and reinforce the native hedgerow to enable it to regrow into an attractive boundary feature. This was all agreed with David Coleman the Tree Officer who assisted in specifying the species of trees and hedgerow planting that was to be incorporated. Rather than erect an unattractive wooden boundary fence we agreed to erect a green mesh security fence with hedgerow planting on both sides of it so that the hedgerow plants could grow through the mesh and re-establish a natural hedgerow.

At the Parish Council meeting on 29th November 2016 Councillors were not aware of who owned the bank and expressed concern as to who would be responsible to maintain the hedgerow going forward in light of the mess that existed at the time as the Council did not want the responsibility for rebuilding and maintaining the hedgerow. In view of that, at the time I gave an undertaking to maintain the hedgerow once it had been replanted to try to re-establish an attractive native hedgerow in which birds and wildlife could thrive.

The hedge planting work on the top of the bank was carried out five years ago and, to ensure there could be no question of any dispute with the boundary line, the mesh security fence was erected exactly where the remains of the old metal post and wire fence existed in the centre of the bank and hedge. This is exactly in accordance with the Land Registry Title Deeds and the centre line of the Land Registry boundary feature which was the Devon Bank. It is plotted on the topographical survey and the site plan, copies of which I have.

The hedgerow planting on the inside of the fence has been very successful with the beech hedge plants having successfully thickened and re-established the hedge. The hedge plants and whips on the Candy's Field side of the bank have taken and thickened in many places, but there are a number of places where they have been trampled by children running up and down the bank and trying to climb the trees. This has left gaps which would benefit from

being planted with additional hedge plants to complete the restoration of the hedgerow and which our nurseryman has looked at to replace the plants that have been trampled. We would be happy to do this unless the council wishes to take responsibility and spend the money in order to do some additional planting and complete the restoration of the hedgerow.

Whilst we were advised by surveyors at the Church, who originally owned all the land, that The Rectory owned and was responsible the entire bank, we have no particular wish to claim ownership of the bank on Candys Field side of the fence and would be perfectly happy for the Parish Council to take responsibility for its ongoing maintenance if it would prefer. Our only interest is to see the natural hedgerow fully re-established and be well maintained.

I should however point out that the legal boundary of the adjoining property of Eaton Raleigh, and the house beyond, is not the wooden fence put up by the builder which was erected inside of the legal boundary and set about 1.5m back from the legal boundary and the bank to avoid having to deal with the mess of the hedgerow that was at the time also part of the ownership of The Rectory.

I trust this clarifies the situation for the Parish Council and I await your confirmation as soon as possible as to whether the Council wishes to undertake the additional planting needed for the full restoration of the hedgerow and take on the responsibility for the maintenance of the hedge on the Candys Field side of the boundary, or confirm that you are happy for Clouds Reach to continue to be responsible to maintain both sides of the hedgerow and ensure an attractive, well maintained and ecologically friendly boundary feature facing Candy's Field.

Yours sincerely

David Lovell

David Lovell *Dip.Surv.*

Email received re 3 Spring Meadow 29/6/22:

Using the title plan:

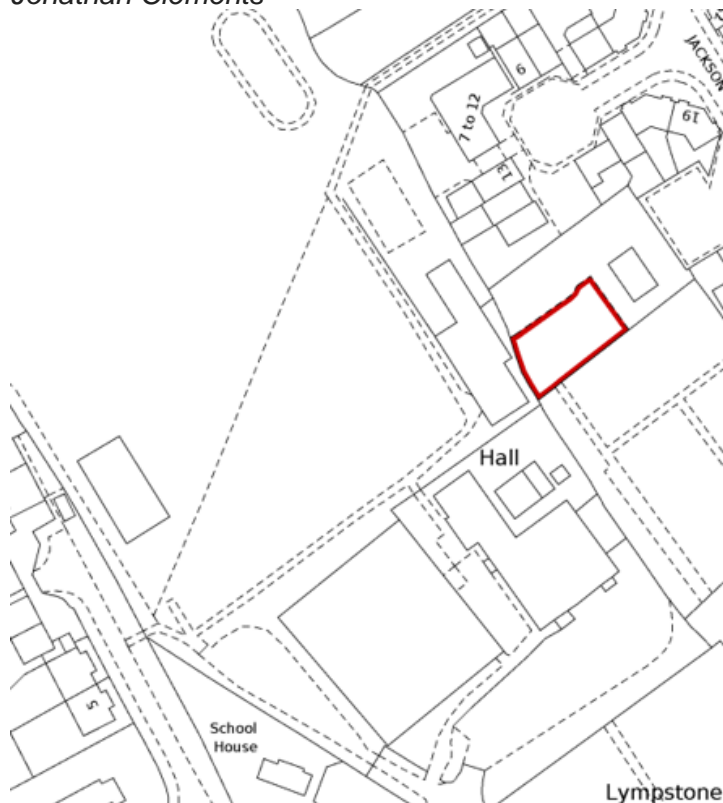
- The line of the boundary is in line with that of the graveyard.
- For clarity, if you look directly at the small gap between Candy's field hut and our boundary (below), there is no accounting for the hedgerow.



- The "hump" is considered within the boundary of 3 Spring Meadow and has been maintained by inhabitants for the 6 years of occupation.
- The original position of the fence was placed within the boundary, in front of the hump by the developer for ease of erection (only).
- The current fence is located midway through the hump so does not encroach on Parish Council property.

I hope this will close the matter and we can move on, hopefully all living in harmony in our village, our home.

*Kind regards,
Jonathan Clements*



Email received re 3 Spring Meadow 1/7/22:

Hi Lucy,

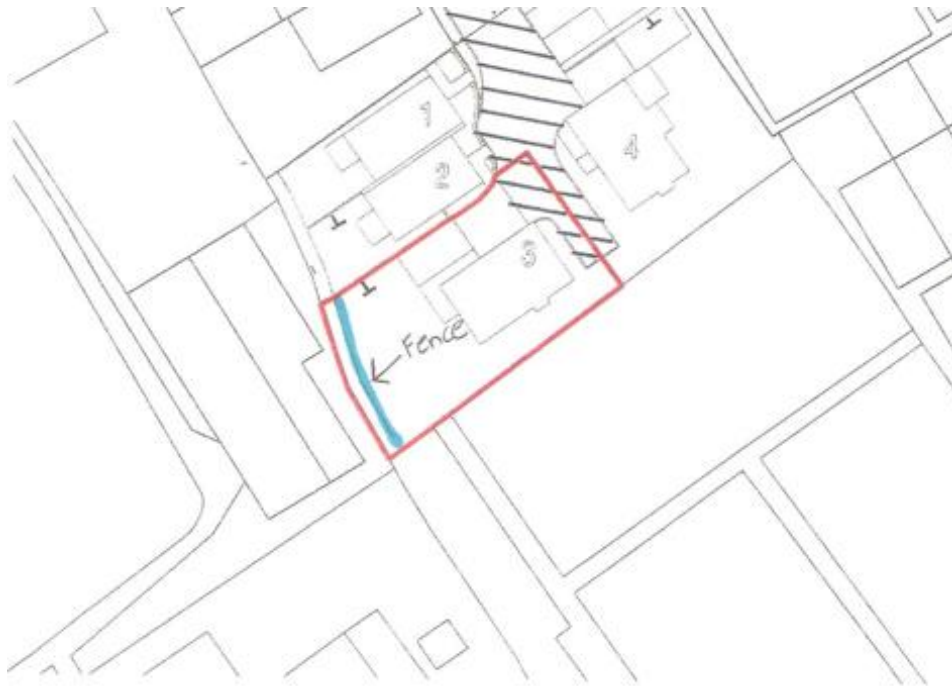
My wife found an additional document which we were sent at time of purchase from solicitors.

Hope this helps further.

Hope have a lovely weekend.

Kind regards,

Jonathan

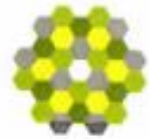


HM Land Registry
Official copy of
title plan

Title number **DN682726**
Ordnance Survey map reference **SX9984SW**
Scale **1:1250** enlarged from 1:2500
Administrative area **Devon: East Devon**

© Crown copyright and database rights 2017 Ordnance Survey 100026316.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.

The figure is a title plan map from HM Land Registry, showing land parcels outlined in red. The map includes various labels such as "The Rectory", "Elton Raleigh", "GAMING HILL", "MEADOW", "JACKSON", "ESS", "Spring Meadow", "Hall", "School House", "Lymington C of E Primary School", "St Mary's", "Basil House", "Moorings", "The Old Garden", "The White Gate", "Hempenry", "Lympstone", "Schole", "To 12", "No 12", "No 11", "No 10", "No 9", "No 8", "No 7", "No 6", "No 5", "No 4", "No 3", "No 2", "No 1". A north arrow is located in the top right corner.



Candys Field boundary ownership:

