

Exminster Parish Council Meeting Minutes

Monday 19 February at 19:30 in the Victory Hall, Main Road, Exminster

Chairman: Derek Madge

18/82	<p><u>Public open session</u> Comments:</p> <ol style="list-style-type: none"> 1. Regarding the Peamore planning application (18/90/1): <ol style="list-style-type: none"> a. The Eastbound bus stop would necessitate passengers crossing a dual carriageway and a slip road to reach the development. Had this been taken in to consideration? b. If the number of vehicles per hour on Days Pottles Lane exceeded the number stated in the applicants traffic report as a consequence of the development, would there be any recourse? 	
18/83	<p><u>Present</u> Cllr Brian Aird (BA), Cllr Peter Chandler (PC), Cllr Sheila Churchward (SC), Cllr John Goodey (JG), Cllr Derek Madge (DM), Cllr Charles Nuttall (CN), Cllr John Ponsford (JP), Cllr Kevin Smith (KS), Cllr Lorne Smyth (LS) Clerk: Mrs Jill Daw (JD) Deputy Clerk: Mrs Helen Hibbins (HH) Devon County Councillor: Alan Connett (AC) Teignbridge District Councillors: John Goodey (JG), Kevin Lake (KL) Public: 4</p>	
18/84	<p><u>Apologies accepted from</u> Cllr Josie Walledge (JW) - illness</p>	
18/85	<p><u>Declaration of interest on Agenda Items</u> None declared.</p>	
18/86	<p><u>Dispensation requests regarding Code of Conduct</u> None received.</p>	
18/87	<p><u>To approve the Draft Minutes of the EPC Meeting held on 5 February 2018</u> Resolved.</p>	
18/88	<p><u>Clerk's Report</u></p> <ol style="list-style-type: none"> 1. The Rural Skip would visit Exminster on Saturday 24 February. 2. Linden Homes had agreed to pay for the Milbury Reach Bus Shelter. Highway's Officer, Michelle Woodgates, would reclaim the cost of the shelter (already transferred to the Parish Council in the form of two grants). 3. Fifty trees had been donated by a resident on behalf of Dawlish Water Rotary club to celebrate Rotary Day. Cllr Chandler explained where some of the trees had been planted and asked for suggestions for suitable locations for the remainder. 4. The Teignbridge District Council (TDC) Clerks' meeting had taken place on Wednesday 15 February. The Code of Conduct would be reviewed and would be out for consultation in the near future. 5. Confirmation has been received that an Elector Fund grant had been awarded for the refurbishment of the toilets in the Deepway Centre in the sum of £3,338. 	
18/89	<p><u>To consider a response to the Traffic Sensitive Street Review</u> The review had been circulated. Cllr Aird suggested that the Main Road through the village should be added as it was particularly congested at the northern junction with Sannerville Way during the morning rush hour.</p>	JD
Planning Matters		
18/90	<p><u>Planning Applications</u></p>	
/1	<p>To discuss the Parish Council's participation at the Planning Committee meeting on the 20 February when the below application will be considered 17/03039/MAJ, EXMINSTER/SHILLINGFORD ST GEORGE - West Exe Park, Alphington - Outline - employment development (Use Classes B1, B2 and B8) up to 47,112 square metres (gross</p>	

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	<p>floor area) together with associated infrastructure including new vehicular access, internal road layout, car parking, landscaping, services and all other associated development (approval sought for access)</p> <p>Cllr Madge thanked the Councillors who had worked on the responses to the application. Cllr Smith updated Council on matters arising and actions taken since the last meeting:</p> <ul style="list-style-type: none"> • The TDC Planning Committee report issued Monday 12 February recommended approval. • Letters were sent to each Planning Committee member on Thursday 15 February. • A Traffic note from Jon Pearson as a response to the applicants late Traffic submission was reviewed and sent to the Planning department at TDC with a covering letter on Thursday 15 February; this was included in the Late Submissions report to the Planning Committee. • The application had garnered some supporting contributions, mainly from local businesses and, in particular, those on the existing site. Councillor Peter Edwards had also pledged support on behalf of Exeter City Council. • There had been further objections lodged on the planning portal. • The Planning Committee meeting would take place on Tuesday 20 February. Peamore was the last of the eight applications on the agenda. Additionally, there would be a Part 2 item regarding Peamore that may well be heard prior to the part 1. • Cllr Smith would be speaking on behalf of the Parish Council at the Planning Committee Meeting. <p>Cllrs Connett, Goodey and Lake expressed concern about the unprecedented way that the application was to be heard at the TDC Planning Committee meeting. Paperwork for the part 2 item had only been received by Councillors at 6pm that evening, giving insufficient time to consider its content. Additionally, only the Councillors who were members of the Planning Committee were allowed to speak on the part II item; against protocol. Cllrs Connett and Lake had written to the TDC Chief Executive, Phil Shears, to outline their concerns. Parish Councillors suggested that Cllr Goodey should request a deferment on the application.</p>	
/2	<p>To consider seeking legal advice on the prospects of successfully challenging the below Appeal and on the potential financial liabilities to the Council Appeals ref: 17/00071/REF, EXMINSTER/SHILLINGFORD ST GEORGE - West Exe Park, Alphington - Appeal against the refusal of planning permission 16/03251/MAJ - Outline application for employment development (Use Classes B1, B2 and B8) up to 47,112 square metres (gross floor area) together with associated infrastructure including new vehicular access, an internal road layout, car parking, landscaping, services and all other associated development (approval sought for access)</p> <p>A Brief to Counsel summary had been circulated prior to the meeting. Council needed to decide whether to take further action if the appeal was progressed following refusal of 17/03039/MAJ at the TDC Planning Committee meeting. Confirmation was sought about the legal status of a Rule 6 party. It was agreed that the Request for Advice list appeared comprehensive. It was resolved to send the Brief to suitable chambers should 17/03039/MAJ be refused, to enable costs to be ascertained for the advice sought in the Brief.</p>	
/3	<p>18/00028/FUL, 15 Glebelands - Loft conversion with dormer windows</p> <p>Cllr Churchward had circulated a summary of the application. It was noted that there appeared to be an error in the application in that the building was situated within 20m of a watercourse. Concern was expressed about additional parking to service the additional bedrooms as the property was situated in a narrow cul-de-sac where on road parking may cause an obstruction. The materials for the proposed extension were not in keeping with the adjoining property. There were no objections lodged on the TDC planning portal.</p>	

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	<p>Council resolved to comment as follows:</p> <ul style="list-style-type: none"> • The proposed materials were not in keeping with the adjoining property and therefore the application did not meet the criteria for the Quality of Design policy in the Exminster Neighbourhood Development Plan. • The property was within 20m of a watercourse as it ran alongside the boundary. • Was there sufficient amenity space for the potential number of occupants of the property? The location of the property would not support on-road parking and there was only space for two cars on the driveway. 	HH								
18/91	<p>Planning Decisions Noted as listed below:</p>									
/1	17/02961/OUT, EXMINSTER - Milbury Barton - Outline - erection of 4 dwellings (all matters reserved for future consideration) - REFUSED									
/2	DCC/4028/2017 - Kenbury Wood Resource Recovery Facility, Old Dawlish Road, Kennford, EX6 7XD – Retrospective application for a generator house in a container - APPROVED									
/3	16/01828/OUT - Old Matford House, Old Matford Lane - Outline - erection of up to eight dwellings (approval sought for access) - APPROVED									
Other Planning Matters										
18/92	<p>To discuss the monitoring of Sentry’s Farm planning conditions No update.</p>									
Neighbourhood Development Plan										
18/93	<p>Matford update The Bovis Planning application was on the agenda for the TDC Planning Committee meeting on 20 February to update the Planning Committee on progress towards the signing of the S106 agreement and seek an extension to the deadline to April. Exminster Parish Council’s solicitor advised that although the main terms of the S106 agreement had been finalised, it was likely that an extension was being sought because certain ancillary documents (such as the transfer documents still awaited) had not been produced.</p>									
Finance Matters										
18/94	<p>RFO’s report</p> <p>1. Delegated authority used:</p> <ul style="list-style-type: none"> • For the Green Spaces Group – Two signs for the village orchard totalling £165.50 plus VAT • Community Engagement course booked for Cllr Walledge and Mrs Aird in the sum of £80.00 • New Councillor’s courses booked for Cllr Aird and Nuttall in the sum of £50.00 • Solicitors fees over and above amount authorised for ERT lease amendment (as per FR 4.6) in the sum of £500.00 <p>2. Direct Debit Payments during January:</p> <table border="1" style="margin-left: 20px;"> <thead> <tr> <th></th> <th style="text-align: center;">£</th> </tr> </thead> <tbody> <tr> <td>NEST pension scheme contributions</td> <td style="text-align: center;">11.43</td> </tr> <tr> <td>Utilities Warehouse (Electricity)</td> <td style="text-align: center;">86.22</td> </tr> <tr> <td>NW Bankline</td> <td style="text-align: center;">3.60</td> </tr> </tbody> </table> <p>3. Pensions Contributions: As from 1 April, the statutory minimum auto enrolment employer’s pension contribution would rise from 1% to 2% of the eligible salary.</p> <p>4. Other matters: Mr Alan Dickson, who the Parish Council have engaged to deliver leaflets around the village over a number of years, has advised that he will no longer be able to do this work. As a gesture of goodwill and to thank the Parish Council for their support, Mr Dickson has waived the charge for the recent Peamore leaflet delivery. Mr Dickson was thanked for his valued service.</p>		£	NEST pension scheme contributions	11.43	Utilities Warehouse (Electricity)	86.22	NW Bankline	3.60	JD
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18/95	Accounts for Approval It was resolved to approve payments in the sum of £7,137.47.	
18/96	Draft accounts for January 2018	
/1	Budget Comparison Report Noted.	
/2	Balance Sheet It was agreed to make a transfer from the Milbury Reach S106 funds to the general fund to pay for the siting of the Milbury Reach bus shelter.	HH
18/97	To review the Council's Reserves Policy A tracked-change copy of the reviewed policy had been circulated. Cllr Aird asked how the figures in the assessment of potential risks were arrived at. It was suggested that during the next review of the policy, further information on their calculation was included. It was resolved to approve the policy.	JD/ HH
18/98	To review the Council's Investment Strategy A tracked-change copy of the reviewed strategy had been circulated. Following discussion about the security of investing in Public Bodies it was agreed to change the second paragraph of section 3.1 to read: "For the prudent management of its treasury balances, maintaining sufficient levels of security and liquidity, the Council <i>could</i> use..." It was resolved to approve the document with the aforementioned amendment.	JD
Property & Amenities Matters		
18/99	To consider the Annual Maintenance Report on EPC owned land Cllr Smith declared an interest in this item as a trustee of the Victory Hall. The Clerk explained the purpose of the annual inspection, carried out with Mr Fowler's assistance, and highlighted the following: <ul style="list-style-type: none"> • New signs were proposed for Deepway Green to prevent dog walkers exercising their dogs on the green itself. (See item 18/103). • Clarification was obtained as to the ownership of the wooden ramp at the rear of the Victory Hall; it was the property of the Victory Hall. • Additional signage would be installed on Crockwells Meadow to warn of the danger of ditches. (See item 18/103). • South West Water (SWW) had carried out its annual maintenance on Berry Brook. • Graves were being levelled in the Cemetery as per the Cemetery Regulations. • The area behind the Playscheme shed on Townfield had not been cleared as requested. It was agreed that Mr Fowler would be asked to clear this. It was agreed to write and thank Mr Fowler for the work that he had carried out in the Wilderness.	JD JD JD
18/100	Deepway Centre	
/1	To consider the two options of progressing the connection of the Deepway Centre to the main sewer The Clerk had circulated a report detailing two options: <ol style="list-style-type: none"> 1. Divide the project into two: The Parish Council manage the work on its own property through a Project Manager, from the Deepway Centre to the bottom of the bank in Deepway Lane. SWW would then be retained to complete the line from the bottom of the bank, into the road and into the main sewer. 2. The Parish Council carry out the project in its entirety from the Deepway Centre through to the main sewer. Following discussion, involving the consideration of Financial Regulations and risks to the Parish Council, it was resolved to choose Option 1 and to retain the same contractor used by SWW for continuity.	

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/2	<p>If Option 1 above is agreed</p> <ol style="list-style-type: none"> 1. To authorise expenditure of £2500 plus VAT to retain South West Water to complete a survey, design and costing Resolved. 2. To authorise expenditure of £150 plus VAT if applicable to complete utility searches on land owned by Exminster Parish Council Resolved. <p>If Option 2 is agreed</p> <ol style="list-style-type: none"> 1. To authorise the sum of £350 to complete utility searches Not required. <p>[CIL/S19 LGA 1976]</p>	JD
18/101	<p><u>To review the Cemetery fees for 2018/19</u></p> <p>The Clerk had taken advice from Chudleigh Town Council (who the Parish Council had previously compared and aligned Cemetery Fees with) regarding a suitable review period for the Cemetery Fees. Chudleigh Town Council only reviewed their fees every three years. It was agreed that this was a sensible review period and resolved that the Parish Council would next review the Cemetery Fees in 2020.</p> <p>During consideration of the fees, the Clerk had identified an anomaly in that there was no charge for the purchase of an ashes plot, only a charge for the interment of ashes that included the charge of plot purchase. It was resolved to split the cost so that purchase of an ashes plot was added to the list as a separate item from interment of ashes. It was agreed that the ashes plot should have the same 50-year lease as a burial plot.</p>	JD
18/102	<p><u>To authorise the amount not exceeding £500 to complete the legal process required to validate the Exminster Recreational Trust lease</u></p> <p>Additional authorisation over and above the original estimate was required as the matter had been more complicated than envisaged. Resolved.</p> <p>[S111 LGA 1972]</p>	JD
18/103	<p><u>To approve the sum of £312 plus VAT to supply various signs to be located at Crockwells Meadow and Deepway Green</u></p> <p>Resolved.</p> <p>[S19 LGA 1976]</p>	JD
18/104	<p><u>To assess the trial of the notice board in the Reddaway Drive bus shelter and consider the feasibility of installing notice boards in the bus shelters at the Royal Oak and Milbury Reach</u></p> <p>It was agreed that the trial had been successful in that there had been no abuse or vandalism of the board, although it appeared to be underused It was suggested to publicise the notice board and remind people it was for general use.</p> <p>It was agreed to install further notice boards at the Royal Oak and Milbury Reach bus shelters up to the sum of £50 per notice board.</p> <p>[S137 LGA 1972]</p>	DM JD
18/105	<p><u>To receive an update from the Green Spaces Group on the Village Orchard</u></p> <p>The village orchard maintenance plan had been circulated to all Councillors and the Clerk elaborated on several items.</p> <p>Illustrations of the proposed signs for the Orchard - to be erected by Mr Fowler – were shown.</p>	
18/106	<p><u>To consider siting a Public bench at the top of Milbury Reach for the cost of £374 plus VAT</u></p> <p>The Clerk had confirmed with Chamonix Estates (the management company for Milbury Reach) that they would allow the siting of the bench.</p> <p>Resolved.</p> <p>[S1 PCA 1957]</p>	JD
18/107	<p><u>Councillors' Reports</u></p> <ol style="list-style-type: none"> 1. Cllr Churchward was reading through the draft TDC design guide and would prepare a report on it for the next meeting. 2. Cllr Smith reported on a meeting with the Exminster Recreational Trust. 	

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	<p>3. Cllr Chandler reported that he had walked the village with the local Police Community Support Officer looking at graffiti. Six different Tags had been identified.</p> <p>4. Cllrs Goodey, Aird and Mr Karl Walker (Community Member of the Neighbourhood Development Plan Implementation Group) had met with TDC officers regarding the settlement boundary review as part of the Local Plan Review. The proposed changes were not controversial with a net gain of green space. The Parish Council would be consulted on the boundary changes in April, with a public consultation following in May.</p>	
18/108	<p>Public Open Session No comments.</p>	
<p>The meeting closed at 21:18 Date of next meeting: Monday 5 March 2018 at 19:30 in the Victory Hall</p>		

Signed:....Josie Walledge..... Date:....5 March 2018.....