

Exminster Parish Council Meeting Minutes

Monday 21 May 2018 at 19:30 in the Victory Hall, Main Road, Exminster

Chairman: Josie Walledge

18/224	Election of Chairman and Declaration of Acceptance of Office Cllr Walledge was elected as Chairman and signed the Declaration of Acceptance of Office.	
18/225	Election of Vice-Chairman Cllr Smith was elected as Vice-Chairman. Cllr Madge was thanked for his service as the outgoing Vice-Chairman.	
18/226	Public open session <ol style="list-style-type: none"> 1. The village looked unkempt where the grass had not been cut. 2. The bench had been installed at the top of Milbury Mound. 3. The landowner who had recently purchased land adjacent to Sannerville Way introduced herself to the Parish Council. The Clerk would advise details of the Green Spaces Group. 	JD
18/227	Present Cllr Brian Aird (BA), Cllr Sheila Churchward (SC), Cllr John Goodey (JG), Cllr Derek Madge (DM), Cllr Charles Nuttall (CN), Cllr Kevin Smith (KS), Cllr Lorne Smyth (LS), Cllr Josie Walledge (JW). Clerk: Mrs Jill Daw (JD) Deputy Clerk: Mrs Helen Hibbins (HH) Devon County Councillor: Alan Connett (AC) (from 20:00) Teignbridge District Councillor: John Goodey (JG) Public: 2	
18/228	Apologies accepted from Cllr John Ponsford (JP) – personal reasons Cllr Peter Chandler (PC) - illness	
18/229	Declaration of interest on Agenda Items Cllr Smith declared an interest in item 18/259 as an allotment holder.	
18/230	Dispensation requests regarding Code of Conduct None received.	
18/231	To approve the Draft Minutes of the EPC Meeting held on 1 May 2018 Resolved.	
18/232	Review of delegation arrangements to committees, sub-committees, employees and other local authorities The Parish Council has one Committee: <ul style="list-style-type: none"> • The Complaints Committee is called only in the event of a complaint with membership determined according to its Terms of Reference and the nature of the complaint. It has delegated authority to decide on action to be taken regarding any valid complaint. The Parish Council has five Working Parties: <ul style="list-style-type: none"> • Exminster Neighbourhood Development Plan Working Party (ENDPIG) – No delegated authority. • S106 Working Party – Officers have delegated authority approved by the Parish Council in September 2016. • Green Spaces Working Party – Delegated authority allowing Officers to authorise expenditure of up to £250 per annum. • Community Plan Working Party – Delegated authority to authorise expenditure within budgetary limits (£4,000) in conjunction with Officers. • Community Resilience Working Party – No delegated authority. Terms of Reference for Working Parties, Committees and, if in existence, Sub-Committees were reviewed annually in June or as required. The Parish Council's Financial Regulations delegate authority to the Clerk or Deputy Clerk, in conjunction with the Chairman or Vice-Chairman to incur expenditure of up to £2,000 on matters that would put the delivery of Parish Council services at risk (including Health and	

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	<p>Safety remedial work) and up to £500 for the implementation of any decision of the Parish Council or its committees where insufficient express authority was already given. The Clerk or Deputy Clerk were also authorised to spend within budgetary limits on stationery (office supplies), cleaning materials, postage, telephones, training, room hire and up to £250 on small maintenance projects.</p> <p>There were no delegation arrangements to other Local Authorities.</p>	
18/233	Receipt of nominations to existing committees, advisory committees and working parties	
1/	Exminster Neighbourhood Development Plan Implementation Group (ENDPIG) Cllrs Ponsford, Goodey, Smyth, Aird and Madge.	
2/	S106 Working Party It was resolved to disband the working party. Any outstanding actions would come under the remit of ENDPIG.	HH/ JD
3/	Green Spaces Working Group Cllrs Chandler and Madge	
4/	Community Plan Working Party Cllrs Churchward and Nuttall	
5/	Community Resilience Working Party Cllr Smith.	
18/234	To appoint Lead Councillors to the following positions	
/1	Planning Cllr Churchward	
/2	Finance Cllr Walledge	
/3	Property and Amenities Cllr Madge	
/4	Media and Communications Cllr Aird	
/5	Footpath Warden Cllr Goodey	
/6	Data Protection Cllr Smith	
/7	Green Spaces Working Group Cllr Chandler	
/8	Exminster Neighbourhood Development Plan Working Party Cllr Ponsford	
/9	S106 Working Party Not required, see item 18/233/2	
/10	Community Plan Working Party Cllr Churchward	
/11	Community Resilience Working Party Cllr Smith It was agreed that consideration of a further Lead Councillor role – Highways – should be proposed at a future meeting.	HH/ JD
18/235	To Review:	
/1	Exminster Parish Council Standing Orders Reviewed annually in March. Last reviewed and amended in March 2018.	
/2	Financial Regulations Reviewed annually in July/August. Last reviewed and amended in August 2017.	
/3	To appoint two Internal Controllers Cllrs Chandler and Goodey	

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18/236	<p><u>Review of representation on or work with external bodies and arrangements for reporting back.</u></p> <p>It was agreed that Trustees should take responsibility for advising the Clerk of the dates of Trust meetings to enable timetabling of agenda items for reporting back.</p>	
/1	<p>Deepway Centre Trust – 1 Trustee</p> <p>Cllr Ponsford</p>	
/2	<p>Victory Hall Trust - 3 Trustees</p> <p>Cllrs Smith and Walledge</p> <p>1 vacancy remained</p>	
/3	<p>Affirmation of Feoffees Membership and Parish Council representative</p> <p>Mrs Carole Smith, Mrs Rosemary Sanders and Cllr Madge were confirmed as Feoffees. It was noted that there was a new constitution for the Feoffees.</p>	
/4	<p>TALC Representatives – 2 nominations</p> <p>Cllrs Madge and Goodey were appointed as TALC representatives. Councillors were reminded that details of the meetings and speakers were circulated to all Councillors and that anyone who was interested in a topic could attend.</p>	
18/237	<p><u>Review of inventory of land and assets including buildings and office equipment.</u></p> <p>At the end of the 2017/18 Financial Year, the Parish Council's assets were valued at £433,955. A copy of the Assets List was available on the Parish Council website.</p>	
18/238	<p><u>Review and confirmation of arrangements for insurance cover in respect of all insured risks.</u></p> <p>The Parish Council's insurers were Came and Company. Not all the Parish Council's assets were insured directly by the Parish Council: The Pavilion at St Martin's Football Ground, the Victory Hall and the Deepway Centre were all insured by their respective Trusts. A note was included in their policies indicating the Parish Council as an interested party. The insurance was next due for renewal on 1 October 2018.</p>	
18/239	<p><u>Review of the Council's and/or employees' memberships of other bodies.</u></p> <p>The current subscriptions/memberships were confirmed as:</p> <ul style="list-style-type: none"> • Devon Association of Local Councils (DALC) • Institute of Cemetery and Crematorium Management • National Allotment Society • Society of Local Council Clerks • Information Commissioner (Data Protection) • Campaign to Protect Rural England (CPRE) 	
18/240	<p><u>Review the Council's complaints procedure</u></p> <p>The procedure was last reviewed in April 2017. The next review was due in March 2019.</p>	
18/241	<p><u>Review the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.</u></p> <p>The procedures were last reviewed in July 2016 based on the model policy of January 2009. It was likely that the model would be revised in the light of the General Data Protection Regulation. The procedures were due to be reviewed in September 2018.</p>	
18/242	<p><u>Review the Council's policy for dealing with the press/media.</u></p> <p>The policy was last reviewed in July 2016. Next review due July 2019.</p>	
18/243	<p><u>Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.</u></p> <p>Full Parish Council meetings were held on the first and third Monday's of each calendar month in the Victory Hall.</p> <p>Councillors were reminded of the Google Calendar that noted all dates of meetings relevant to Councillors.</p>	HH
18/244	<p><u>Confirmation of Direct Debit Payments</u></p> <ul style="list-style-type: none"> • Utilities Warehouse – electricity for Deepway Green – monthly • NEST Pensions – pension contributions – monthly • Staples UK Ltd – stationery – at least quarterly, depending on purchases 	

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	<ul style="list-style-type: none"> • Information Commissioner – data protection subscription – annual • Nat West Bank – Bankline service charges – monthly • Communicate Better – Microsoft Office subscription - annual 	
18/245	<p>Clerk's Report</p> <ol style="list-style-type: none"> 1. Teignbridge District Council (TDC) had released papers for the issues consultation relating to the review of the Local Plan. This would be an agenda item for the Full Parish Council meeting on 4 June. It was likely that a working group would need to be formed to formulate the Parish Council's response. The consultation closed on 16 July. 2. Delegated Authority was used in the sum of £110.00 plus VAT to complete the safety surfacing on the outdoor gym and around the benches in the Under 8's play area. 3. There had been a change of supplier for emptying the bins at Deepway Green. 4. An acknowledgement of the Community Right to Bid application for the Stowey Arms had been received. Decision expected in July. 5. The design work on the Southern Junction pedestrian refuge by Devon County Council (DCC) Highways continued. To date £1,886 had been spent out of the £4,000 budget. The options had been submitted for a safety audit prior to being submitted to the Parish Council. 	
18/246	<p><u>To discuss the appointment of an external Data Protection Officer considering recent amendments to the Data Protection Bill</u></p> <p>The Clerk explained that it was no longer necessary for a Parish Council to appoint a Data Protection Officer (DPO); however, the application of the General Data Protection Regulation (GDPR) to the work of the Parish Council remained unclear, and there was little guidance available.</p> <p>Cllr Connett was aware of a local expert/consultant on the GDPR and would pass the information on to the Clerk.</p> <p>It was agreed to discuss this further when information on buying in support was available.</p>	JD/ HH
Planning Matters		
18/247	<u>Planning Applications</u>	
/1	<p>18/00530/FUL, Spurfield House - Alterations to building and new two storey buildings around a courtyard to form a mental health care facility</p> <p>See item 18/247/2</p>	
/2	<p>18/00531/LBC, Spurfield House - Alterations to building and new two storey buildings around a courtyard to form a mental health care facility</p> <p>Applications 18/0531/LBC and 18/00530/FUL could be considered together as the same documentation was relevant to both.</p> <p>It was noted that the applicants had recently requested an extension to the decision time to allow them to submit revised plans. This meant that the target date had now moved out to 19 August. The plans under consideration at the meeting were the original plans and it was agreed that the Parish Council's response to TDC should indicate that it was an interim response; allowing further comment to be made following sight of the revised plans.</p> <p>A Working Group had looked at the plans in detail and Cllr Smith explained the layout and orientation, for the benefit of all Councillors and the public.</p> <p>Discussion on the plans took place.</p> <p>Representatives from the Parish Council had met with the owner/applicant who was keen to work with the community.</p> <p>While the Parish Council supported the endeavour of re-opening Spurfield House as a residential mental health care facility, there were concerns about the plans:</p> <ol style="list-style-type: none"> I. The development was outside the settlement limit and therefore contrary to Policy S22 of the Local Plan. Residential care homes were not in the list of exceptions. II. The design of the extension was not in keeping with the existing house or sympathetic to the Victorian architecture and therefore contrary to Policy EXM3 (Quality of Design) of the Exminster Neighbourhood Plan. 	

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	<p>III. The number of staff listed within the planning application was unrealistically low. When the home was operational, there was likely to be an increase in demand in parking in the village that could not be supported and additional traffic due to deliveries and visitors. Additionally, there would be traffic disruption during the construction phase. Surprise was expressed that the decision level was delegated rather than TDC planning committee. It was felt that it would be useful for (at least) the planning officer to visit site to appreciate the concerns of the Parish Council. Cllr Connett agreed to speak to the case officer to request a site visit.</p> <p>At the conclusion of discussion, it was resolved to submit an interim response to TDC objecting to the application on points I and II above and including point III as a comment.</p>	HH		
/3	<p>18/00724/FUL, 1 Milbury Lane - Single storey rear extension and terrace</p> <p>It was explained that the extension would increase the size of the dining room; itself an extension. It would not be visible by the nearest neighbours or from the street. Due to the width of the road, it had been clarified that the skip that would be present during the works would be located on the property and would not encroach onto the lane. The applicants were also making suitable arrangements for the parking of construction vehicles.</p> <p>It was resolved to support the application.</p>	HH		
18/248	<p>Planning Decisions Noted, as listed below.</p>			
/1	<p>18/00118/FUL, Middle Cottage, Days Pottles Lane - Part single storey, part two storey rear extension - GRANTED</p>			
/2	<p>18/00514/FUL, 34 Jupes Close - Single Storey Rear Extension and First Floor Side Extension - GRANTED</p>			
/3	<p>17/03039/MAJ, West Exe Park, Alphington - Outline - 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, internal road layout, car parking, landscaping, services and all other associated development (approval sought for access) - GRANTED</p>			
Other Planning Matters				
18/249	<p>To discuss the monitoring of Sentrays Farm planning conditions Cllr Goodey reported that</p> <ul style="list-style-type: none"> • an issue with the boundary fence (having initially been built in the wrong place) was being rectified. • construction of the final property was underway. • the attenuation pond and children's play area needed to be completed before the developers left site. 			
Neighbourhood Development Plan				
18/250	<p>To update Council on the ENDPIG meeting held on Monday 14 May Draft notes from the meeting had been circulated to all Councillors. Other than item 18/251 below, recommendations from the meeting would be on the next Parish Council meeting agenda for consideration.</p>	JD/ HH		
18/251	<p>To consider a recommendation from ENDPIG that Westbank Community Health and Care are invited to submit a proposal for Community Infrastructure Levy (CIL) funding towards enhancing childcare facilities The Chairman explained that although the application would be invited, Westbank had been advised that a decision was unlikely until after the results of the Community Plan were known. The project would need to be considered in conjunction with other CIL projects. Resolved.</p>	JW		
Finance Matters				
18/252	<p>RFO's report</p> <p>1. Direct Debit payments during April:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Payee</td> <td style="width: 30%; text-align: right;">£</td> </tr> </table>	Payee	£	
Payee	£			

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	<table border="1"> <tr> <td>NEST pensions</td> <td style="text-align: right;">27.35</td> </tr> <tr> <td>Utilities Warehouse (Electricity)</td> <td style="text-align: right;">203.52</td> </tr> <tr> <td>NW Bankline</td> <td style="text-align: right;">6.80</td> </tr> <tr> <td>Staples</td> <td style="text-align: right;">151.74</td> </tr> </table>	NEST pensions	27.35	Utilities Warehouse (Electricity)	203.52	NW Bankline	6.80	Staples	151.74		
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	<ol style="list-style-type: none"> 2. An Internal Control Inspection was carried out by Cllr Goodey on 24 April. There were no matters to report back to Council. 3. The National Joint Council for Local Government Services had released details of the 2018-19 Annual Salary award. This would affect the pay of the Clerk and Deputy Clerk. 	HH									
18/253	<p><u>Accounts for Approval</u> The RFO noted an issue with the invoice for the emptying of dog waste bins. It was resolved to approve payments in the sum of £7474.86.</p>	HH									
18/254	<p><u>Draft accounts for April 2018</u> A provisional date for Finance training was set for Monday 11 June. Confirmation of time and venue would be sent by email.</p>	HH									
/1	<p><u>Budget Comparison Report</u> There were no questions on the report.</p>										
/2	<p><u>Balance Sheet</u> There were no questions on the Balance sheet.</p>										
Property Matters											
18/255	<p><u>Deepway Centre – update</u></p> <ol style="list-style-type: none"> 1. Sewer connection - A representative from South West Water’s (SWW) Estates department had met the Clerk on site and had suggested that the Parish Council obtain design and build quotations from three SWW approved contractors to carry out the work. The Clerk had actioned this and responses were required by 1 June. The requisition application with SWW was currently on hold, but if required, could be revived within the original timescales given. 2. The Deepway Trust had requested a meeting involving representatives from the Pre-school, Deepway Trust and Parish Council to discuss matters related to Pre-school provision. It was agreed to contact Councillors by email to ascertain availability. 	HH									
18/256	<p><u>To consider retaining Foot Anstey Solicitors to undertake the registration of the deeds relating to Deepway Green at a cost of £1,000</u> Resolved.</p>	JD									
18/257	<p><u>To consider a quote from Hi-Line tree surgeons in the sum of £2,020 plus VAT to remove a large dead pine from Parish Council land</u> Three quotations had been sourced and circulated. TDC recommended advertising the felling of the tree on Facebook and placing a notice on the tree. It was resolved to accept the quotation from Hi-Line in the sum of £2,020 plus VAT.</p>	JD/ HH									
18/258	<p><u>To consider authorising extra grass cutting on the verges in Exminster in the sum of £200 per cut</u> DCC contractors were scheduled to cut the visibility splays (for safety purposes only) four times per year. Residents had expressed dissatisfaction with the resulting visual appearance. It was proposed that Mr Fowler should carry out a further four interim cuts of the verges. Resolved. It was agreed to purchase “Grass cutting in progress” warning signs at a cost of £42.00 plus delivery plus VAT per sign.</p>	JD HH									
18/259	<p><u>To consider a request from Exminster Allotment Society as per Clause 5.15 of their agreement, to extend the mains water supply across the site.</u> The work would be carried out at the expense of the Allotment Society. Resolved.</p>	JD									
18/260	<p><u>Councillors Reports – for information only</u></p>										

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	<ol style="list-style-type: none"> 1. Cllr Churchward reported that a meeting of the Community Plan Working Party would take place on Tuesday 22 May to discuss progress on the wording of the questions for the Community Plan questionnaire. 	
18/261	<p><u>Public Open Session – (Maximum 10 minutes)</u></p> <ol style="list-style-type: none"> 1. The entrance/exit to footpath 5 on the Swans Nest side of Sannerville Way was dangerous. 	
Date of next meeting: Monday 4 June 2018 at 19:30 in the Victory Hall		

Signed:.....Josie Walledge..... Date:....4 June 2018.....