

Exminster Parish Council Meeting
Annual Council Meeting
Minutes

Tuesday 4 May 2021 at 7pm – Remote via internet

Chairman: Kevin Smith

	Action
21/153 <u>Election of Chairman and Declaration of Acceptance of Office</u>	
It was resolved to elect Cllr Smith as Chairman.	
The Declaration of Acceptance of Office would be signed as soon as practical, given the current Covid restrictions.	HH
21/154 <u>Election of Vice-Chairman</u>	
It was resolved to elect Cllr Aird as Vice-Chairman.	
21/155 <u>Public open session (maximum 10 minutes)</u>	
No comments	
21/156 <u>Present</u>	
Cllr Brian Aird (BA), Cllr Sheila Churchward (SC), Cllr Derek Madge (DM), 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)	
Public: 1	
21/157 <u>Apologies accepted from</u>	
Cllr Charles Nuttall (CN) – personal reasons	
The Clerk reported the resignation of Cllr John Ponsford with immediate effect. A letter of thanks for his service would be sent.	JD
21/158 <u>Declaration of interest on Agenda Items</u>	
None declared.	
21/159 <u>Dispensation requests regarding Code of Conduct</u>	
None received.	
21/160 <u>To confirm the Draft Minutes of the EPC Meeting held on 6 April 2021 are an accurate record</u>	
Resolved.	
21/161 <u>Review of delegation arrangements to committees, sub-committees, employees and other local authorities</u>	
The Parish Council has one committee and no sub-committees.	
Delegated Authority arrangements are:	

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1. Complaints Committee – Delegated Authority to make a decision on a formal complaint made against the Parish Council and to consider any appeal.

There are six Working Parties with the following Delegated Authority arrangements.

2. Community Resilience Plan Working Party – no Delegated Authority
3. Environment Working Party – no Delegated Authority
4. Budget Working Party – no Delegated Authority
5. Matford Planning Working Party – no Delegated Authority
6. Community Plan Working Party – no Delegated Authority. (Original sum allocated has been exceeded).
7. Green Spaces Working Party – Delegated Authority allowing Officers to authorise expenditure of up to £500.00

The Parish Council's Financial Regulations give Delegated Authority to Officers to be used in the following situations in consultation with the Chairman or Vice-Chairman on matters relating to the delivery of Parish Council business.

- To incur expenditure of up to £5000 on matters that would put the delivery of Parish Council services at risk (including Health and Safety remedial work).
- To incur expenditure of 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 are also authorised

- to spend within budgetary limits on stationery (office supplies), cleaning materials, postage, telephones, training and room hire.
- to spend up to £500 on small maintenance projects (including tree maintenance).
- to authorise up to £500 expenditure for the Green Spaces Group.
- to approve payments, in consultation with the Chairman or Vice Chairman plus one other Parish Councillor, in the event that the twice monthly scheduled public Parish Council meetings cannot take place for reasons outside of its control. Full council shall be advised of any action taken as soon as practically possible. [This Delegated Authority only allowed payment of accounts, but not to transact any other Parish Council business. This had been tested with the recent passing of HRH The Prince Philip, Duke of Edinburgh, resulting in the cancellation of a meeting. It was suggested that this could be reviewed and discussed further].

There are no delegation arrangements to other Local Authorities.

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- 21/162 **To note that the review of Terms of Reference for committees, advisory committees, and working parties was carried out in July 2020 with the exception of the Community Plan Working Party**

Noted.

- 21/163 **Receipt of nominations to existing committees, advisory committees and working parties**

/1 Green Spaces Working Party

Council members

Cllr Madge

Community members

Reconfirmed as Rick Blower, Pat Blower, Peter Chandler, Helen Huxham, Tracey Middleton, David Nappin, Ian Pannett, Jeremy Pyne, John Tucker, Philip Warner.

Nomination of Nicholas Hobbs as a new member was confirmed.

/2 Community Plan Working Party

Council member

Cllr Churchward

It was noted that the Terms of Reference for this Working Party did not state that nominations had to be made at the Annual Council Meeting.

/3 Community Resilience Working Party

Council members

Cllr Smith, Cllr Aird, the Clerk and Deputy Clerk.

Community members

Mr Jim Tappin.

/4 Environment Working Party

Council members

Cllr Churchward, Cllr Nuttall

Community members

Reconfirmed as: Peter Chandler, Caroline Shezall, David Nappin, Maxine Commings.

/5 Matford Planning Working Party

Council members

Cllr Smith, Cllr Aird

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Community members

Reconfirmed as: Mr John Goodey, Mr Phil Markham, Mr Karl Walker.

/6 Budget Working Party

Members appointed annually in October before discussions on the budget commenced.

21/164 To appoint Lead Councillors to the following positions

/1 Planning

Cllr Churchward

/2 Property and Amenities

Cllr Madge

/3 Footpath Warden

Mr John Goodey

/4 Highways

Cllr Nuttall

/5 Data Protection

Cllr Smith

/6 Green Spaces Working Group

Cllr Madge

/7 Community Plan Working Party

Cllr Churchward

/8 Community Resilience Working Party

Cllr Smith

21/165 To appoint two Internal Controllers

Cllr Nuttall and Cllr Smyth were appointed.

21/166 To Review:

/1 Exminster Parish Council Standing Orders

Reviewed in July 2020. Annual review now due.

/2 Financial Regulations

Reviewed in September 2020. To be reviewed in September 2021.

/3 To confirm bank signatories

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Current signatories for all Parish Council accounts are Cllr Smith, Cllr Madge and Cllr Aird

21/167 Review of representation on or work with external bodies and arrangements for reporting back.

/1 Deepway Centre Trust – 1 Trustee

Cllr Smith

JD

/2 Victory Hall Trust - 3 Trustees

Cllr Smith and Cllr Churchward

JD

/3 Affirmation of Feoffees Membership and Parish Council representatives

Cllr Madge, Mrs Carole Smith and Mrs Rosemary Sanders

/4 TALC Representatives – 2 nominations

Cllr Madge

21/168 Review of inventory of land and assets including buildings and office equipment.

The last annual review was in March 2021. The assets list is available on the Parish Council website.

21/169 Review and confirmation of arrangements for insurance cover in respect of all insured risks.

The Parish Council insurer is Came and Company. Insurance renews annually on 1 October. Quotations will be sought for the October 2021 renewal as the Parish Council is currently in the final year of a 3-year fixed premium contract.

21/170 Review of the Council's and/or employees' memberships of other bodies

The Parish Council is a member of:

- The Campaign to Protect Rural England
- Devon Association of Local Councils
- Devon Communities Together
- The National Allotment Society
- The Institute of Cemetery and Crematorium Management

The Officers are members of the Society of Local Council Clerks

21/171 Review the Council's complaints procedure

Reviewed in April 2019. To be reviewed in April 2022.

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21/172 Review the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018

Reviewed in December 2018. To be reviewed in December 2021.

The Privacy Notice, explaining how data is held, process and protected, is available on the Parish Council website and was updated in June 2020.

21/173 Review the Council's policy for dealing with the press/media.

Reviewed in January 2021. To be reviewed in January 2023.

21/174 Review of the Councils employment policies and procedures

Reviewed in February 2020. To be reviewed in February 2022.

21/175 Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972

In the 2020/21 Financial Year, £1379.96 was spent under s137.

21/176 Determining the dates, times and place of ordinary meetings of the full Council for the year ahead.

Parish Council meetings take place on the first and third Mondays of the month, excluding Bank Holidays when the meeting usually moves to a Tuesday.

Councillors were reminded of the Google calendar, noting the dates of all Council meetings and other meetings attended by Councillors.

21/177 Confirmation of Direct Debit Payments

The following variable Direct Debits are in place:

- Devon Communities Together (annual)
- Royal Mail (annual)
- Staples (as required)
- EE (monthly)
- Natwest Bankline (monthly)
- NEST Pensions (monthly)
- Communicate Better (annual)
- Utility Warehouse (monthly)

21/178 County Councillors Report on items other than those on the agenda

Devon County Councillor Alan Connett reported:

1. Complaints about cars parking on the corner of Deepway Lane near Seaton House were being followed up.

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21/179 District Councillors Reports on items other than those on the agenda

Teignbridge District Councillor Charles Nuttall was not present.

21/180 Chairman's Report

1. The next meeting (17 May) would be the first face to face meeting in the Victory Hall (subject to the Governments lockdown timetable). Social distancing, face masks and other hygiene measures would be necessary.
2. The AGM of the Victory Hall Trust would take place on Tuesday 18 May at 7pm.

21/181 Clerk's Report

1. A response had been received from Stagecoach regarding provision of local bus services. This had been passed to the Environment Working Party for consideration.
2. Following a query raised at the last Parish Council meeting, information has been received regarding the position of a Wildlife Warden and the integration that could take place with other established groups in the village. Although the position has its own insurance, no lone working is allowed on Parish Council land, any recommendations relating to Council owned land should be channelled through the Green Spaces Working Party or the Environmental Working Party. The Wildlife Warden would be written to and advised of this. The role was a voluntary role with a climate organisation and not associated with Teignbridge District Council.
3. At the meeting on 1 March 2021, it was incorrectly reported that a donation had been received from the pizza company that operates from Deepway Green. The donation was from Pizza a Legna, who also trade in the village. Apologies were extended to the business owner.
4. A donation of £60.00 had been received from the local Taekwon-Do club in appreciation of the use of Deepway Green for practice during the pandemic.
5. The consultation on the Resource and Waste Management Strategy for Devon and Torbay had been submitted.
6. Financial reports and accounts for March 2021 were circulated to Councillors electronically as the meeting scheduled for 19 April was cancelled due to the mourning period imposed by the passing of HRH the Prince Philip, Duke of Edinburgh.
7. A letter of condolence was sent to Buckingham Palace, on behalf of the residents of Exminster, following the passing of HRH the Prince Philip, Duke of Edinburgh.
8. Teignbridge District Council had advised that the vacancy created by the resignation of Ms Rebecca Watts could be filled by co-option.

JD

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9. Consideration would be given to renewing/replacing the Covid advisory signs at Deepway Green following the next Government lockdown guidelines review.
10. An invitation had been extended to the Chair of the Parish Council to attend the Chairman's Annual Civic Service on Sunday 9 May 2021 via Zoom.
11. A minor accident had happened during a Green Spaces Group working event. The Parish Council's accident form had been recently updated and would be filled in by the person incurring the accident accordingly.
12. Delegated Authority was used to site a rat trap in the main sewer behind the Victory Hall in the sum of £223.20.
13. An email had been received from the Headteacher of Exminster School enquiring about the possibility of the Parish Council supporting the school with playground development. The outside area needed to be made more useable. Two projects were proposed costing approximately £90,000 in total. Information about whether it was possible for the Parish Council to support this was being sought from DALC and would be an item on the next agenda
14. An email had been received from a resident asking if astro-turf facilities for winter training could be considered in the Parish due to an increase in the number of young children playing at St Martins. The resident had been informed of plans at the Matford development.
15. An email had been received from a resident asking the Parish Council to participate in "no-mow May". It was explained that grass cutting was part of an agreed contract.
16. A bush donated by a resident had been removed from Crockwells Meadow. The police had been advised.

21/182 Update on Exminster Speedwatch project

Cllr Aird reported that there was now an official Speedwatch group in Exminster. The group co-ordinator was Mrs Caroline Aird. Several volunteers had come forward to undertake the necessary training.

Three sessions had taken place to date and speeding traffic had been reported to the police.

There were currently two approved monitoring sites; Sannerville way and Main Road at the northern end of the village. Further sites were required.

The Kenton and Starcross Speedwatch Co-ordinator, Paul Harmsworth, had been extremely helpful in setting up the Exminster group and the Parish Council extended thanks to him.

What could the Parish Council do to encourage the Police to approve more sites in Exminster?

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It was agreed that the Parish Council should write a letter in support of the Speedwatch Group to the Police (and/or other authorities) and to request that further sites were approved in Exminster. Cllr Aird and the Clerk would compose a suitable letter.

JD/
BA

PROPERTY & AMENITY MATTERS

21/183 To review the current Council policy for Deepway Green that permits mobile commercial food businesses to use the car park

The Clerk explained that two catering vans had been given permission to trade at Deepway at the end of last year. The Clerk outlined the conditions that had been set out at that time including Council's right to cancel the agreement at any time.

No formal complaints or comments on the trading had been received to date. There had been no feedback from the Deepway Trust, although it was acknowledged that the Centre had not been used in the evenings because of lockdown.

Standing Orders were suspended to allow a trader to speak from the public gallery.

The trader requested permission to trade on Saturdays until the end of June and Wednesdays thereafter. Trading would commence at 5pm but the van needed to be on site earlier to set-up.

Standing Orders were re-instated.

It was agreed that catering vans could trade at Deepway between 5pm and 8.30pm and allowed on site half an hour before trading commenced. It was agreed to amend the conditions to reflect this and the location where the vans parked, considering safety.

JD/
DM/
KS

21/184 To consider a request from an additional mobile commercial food business to trade in the car park at Deepway Green

It was resolved to approve the request for Pizza a Legna to trade on Saturdays until the end of June and from Wednesdays thereafter, in accordance with the amended conditions of trading.

JD

21/185 To consider a request to use the MUGA/Deepway Green facilities, one evening a week to hold Kettlebell classes

It was confirmed that the request was from a commercial operation.

Concern was raised about formally booking the facilities when a fair-usage policy had been successful to date. Instituting a booking system would be onerous and costly (in staff time).

It was agreed to defer the discussion to the next meeting due to time constraints.

FINANCE MATTERS

21/186 Accounts for Approval

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It was resolved to approve payments in the sum of £856.64. (Net amount £659.97 as there was a direct credit from Utility Warehouse).

21/187 To consider the Internal Auditor's report for the 2020/21 Financial Year

Deferred.

PLANNING MATTERS

21/188 Planning Applications

/1 RQ/DCC/4227/2021, Crablake Farm, Exminster, Exeter, EX6 8GA - On-farm composting of garden waste in an open windrow, with all compost used on the holding at Crablake Farm

In a change to the original application, it was proposed that the garden waste was transported to the farm via the turning off the A379 at Powderham Cross, rather than through the village of Exminster.

It was resolved to support the application and comment as follows:

- For the safety of the Exminster community, all transport of the green waste should be via the A379 and Powderham Cross.
- That the compost is shredded and screened as two separate operations, and then screened once again to ensure that as much plastic waste is removed as possible.
- That the Environment Agency keeps the landowner aware of possible issues caused by plastic pollution to ensure crop safety. HH

/2 21/00770/CONSLT, EXMINSTER – Teignbridge - Proposed removal of payphones

This affected the payphone outside the Victory Hall. BT had reported that it was not sufficiently used.

It was confirmed retaining the phone-box to house the defibrillator was not a viable option.

It was resolved not to comment on the application. HH

/3 21/00830/TPO, 4 Brunel View - Fell one ash

The tree had Ash Dieback. It was noted that two further trees may need to be felled at the same location, but no application had been received for these to date. HH

It was resolved to support the application for one tree.

21/189 Planning Decisions

Noted as listed beneath.

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- /1 21/00856/TPO, South Lodge, Main Rd - Crown lift one lime to 5m above ground, crown reduce by up to 1.5m and crown thin by 15%. Crown lift two sycamore to 6m above ground and crown thin by up to 20%. Remove epicormic growth - GRANTED**
- /2 20/00453/FUL, Heavitree Brewery Plc, Trood Lane - Eight dwellings in three phases REFUSED**
- /3 21/00446/HOU, 42 Milbury Farm Meadow - Two storey extension and conversion of garage GRANTED**

21/190 Other Planning Matters

None.

21/191 Councillors Reports – for information only

- 1. Cllr Aird reported that there was no progression on the siting of Vehicle Activated Signs.
- 2. Cllr Churchward would attend a training course on Parish Online software in June.

21/192 Public Open Session – (Maximum 10 minutes)

Comments:

- 1. Councillors were thanked for their work.

Date of next meeting Monday 17 May 2021- Victory Hall 7.30pm

The meeting closed at: 21:02

Signed:.....Kevin Smith..... Date:....17 May 2021.....