

Chair: Kevin Smith

Action

**23/444 Present**

Cllr Sheila Churchward (SC), Cllr John Goodey (JG), Cllr Sarah Ladyman (SL), Cllr Lisa May (LM), Cllr Charles Nuttall (CN), Cllr Kevin Smith (KS), Cllr Lorne Smyth (LS), Cllr Gary Wheatley (GW), Cllr Adrian Wood (AW).

Clerk: Mrs Jill Daw (JD)

Deputy Clerk: Mrs Helen Hibbins (HH)

Devon County Councillor: Alan Connett (AC)

Teignbridge District Councillor: Charles Nuttall (CN), Kevin Andrew Lake (KAL)

Public: 4

**23/445 Apologies received from**

Cllr Nicola Guagliardo (NG) – personal reasons

**23/446 Declaration of interest on Agenda Items**

None declared.

**23/447 Dispensation requests regarding Code of Conduct**

None received.

**23/448 Public open session (maximum 10 minutes)**

Comments:

1. A resident spoke regarding the delivery of the Community Centre at Matford using Housing Infrastructure Funding (HIF). The Parish Council would effectively receive a building without having to contribute its Community Infrastructure Levy towards the build cost. Consideration needed to be given how this would be perceived by future residents of Matford if this opportunity was lost.

**23/449 To confirm the Draft Minutes of the EPC Meeting held on 18 September 2023 are an accurate record**

Resolved.

**23/450 To agree the notes of the Part II meeting held on the 18 September 2023**

Resolved.

**23/451 County Councillors Report on items other than those on the agenda**

Devon County Councillor Alan Connett reported:

1. Devon County Council (DCC) contractors had attempted to paint the double yellow lines at the corner of Days Pottles Lane, but a car was regularly parked outside the Care Home preventing the work being completed.
2. A vandalised black car was parked at the top of Farmhouse Rise. It was termed a “nuisance vehicle” although was believed not to be abandoned. TDC were aware of it and were reporting it to the police.
3. Milbury Lane would be closed during the daytime for the next 4 days during connection of a property to the water mains. The duration of the closure was deemed excessive, and Highways had been questioned about it. Emergency access would be maintained.
4. Matford Brook Academy would open on site in September 2024.

**23/452 District Councillors Reports on items other than those on the agenda**

Teignbridge District Councillor Kevin Andrew Lake reported:

1. The renewing of the white Give Way lines at the Limes Surgery junction with Church Stile continued to be pursued.
2. Fly tipping at the top of Deepway Lane continued to be investigated.

Teignbridge District Councillor Charles Nuttall reported:

3. Refuse collections were being delayed as several of the smaller refuse lorry fleet had recently broken down.
4. A drop-in session would be held at Kenton Victory Hall for those who had experienced flooding during the recent storms.

**23/453 Chairman’s Report**

Cllr Smith had attended the opening of the new community kitchen facility at Westbank.

**23/454 Clerk’s Report**

1. Reverend Williams had requested that a Councillor read a Psalm in the Church on Remembrance Sunday.
2. A resident had complimented the Council on a well thought out and understandable leaflet regarding the Neighbourhood Development Plan.

3. Residents had thanked Council for the improvement work to Crockwells Meadow footpath. Additional remedial work had taken place on Piggy Lane following the recent heavy rain and would be funded by Public Rights of Way (PROW).
4. Cllr Guagliardo was stepping down as a Council Representative on the Victory Hall Trust due to personal reasons. In the future, Cllr Guagliardo could seek nomination again through the usual process. The Victory Hall Trust had been informed.
5. A Defibrillator Awareness event had been arranged for Monday 13 November at 19:30 in the Victory Hall.
6. Treatment of knotweed in the Wilderness continued successfully.
7. A Society of Local Council Clerks meeting had been attended. The following main points to note:

A presentation on Martyn's Law was given. The white paper proposed that Community Halls would need to complete a standard terrorism evaluation if their capacity was between 100 and 799.

Devon Association of Local Councils (DALC) were looking at increasing their staff resources due to high workloads.
8. DCC had provided advice and approximate costings for implementation of a 20mph speed limit in the village. Consultation with the community was deemed important. A site meeting would take place in the near future.

**23/455 A Report prepared by Councillors Smith and Wood and the Deputy Clerk/Responsible Finance Officer has been circulated with the agenda.**

**It is proposed that:**

- a) **the Matford Community Centre as outlined in the Report be delivered by Devon County Council (DCC) and owned by the Parish Council with a forecast annual deficit (at 2023/24 prices) of c. £70,000 per annum for 2032/33 and beyond and a cumulative deficit for the period 2025/26 to 2031/32 (at 2023/24 prices) of c. £543,000 as the Matford development of 2,000 new homes is completed subject to:**
  - i) **A total capital spend of £5 million from the Housing Infrastructure Fund for the Matford Community Centre, car parking and surrounds;**
  - ii) **Thirty car park spaces being provided for the Matford Community Centre's sole use;**
  - iii) **A robust community access agreement to the indoor and outdoor sports facilities at Matford Brook Academy being in place in perpetuity;**

- iv) A total capital spend of £2 million from the Housing Infrastructure Fund for the GPs Surgery with twenty car park spaces being provided for the GPs Surgery sole use; and,
- v) 100% deficit funding of the cumulative deficit for the period 2025/26 to 2031/32 and 100% of the ongoing annual deficit for 2032/33 and beyond to be provided by Teignbridge District Council (TDC) and/or DCC.

**If resolution (a) is not passed, then the following resolution will be considered by the Parish Council:**

**It is proposed that:**

- b) the Parish Council will work with Teignbridge District Council and Devon County Council to find alternative(s) sites within the Matford development and revised plans to deliver a Matford Community Centre of c. 650 square metres and a GPs Surgery of 500 square metres with opening dates of no later than April 2027 subject to:
  - i) A maximum cumulative deficit of £250,000 for the period 2027/28 to 2031/32 as the Matford development is completed and minimal ongoing deficit funding thereafter of the Matford Community Centre by the Parish Council;
  - ii) Thirty car park spaces being provided for the Matford Community Centre's sole use;
  - iii) A robust community access agreement to the indoor and outdoor sports facilities at Matford Brook Academy being in place in perpetuity; and,
  - iv) The funding to come from s.106 contributions of c. £5 million plus further indexation from September 2023 and, flat and level land of 3,850 square metres with services to the boundary being provided free of charge by Bovis / or the Housing Infrastructure Fund.

Cllr Smith introduced the resolution highlighting the urgency in making the decision driven by the HIF deadline of building completion in March 2025. The Parish Council had already delayed making the decision at the meeting on 18 September following the briefing on 11 September when numerous queries were raised.

Revised financial projections had been commissioned from Consult QRD, who the Parish Council had retained for 8 years on this project and presented in the circulated paper. A paper containing information about the running costs of other community buildings had also been circulated, although this was currently inconclusive and required more information.

An explanation for the reason behind the two-part resolution was given.

Each part of the resolution was considered separately:

- a) *the Matford Community Centre as outlined in the Report be delivered by Devon County Council and owned by the Parish Council with a forecast annual deficit (at 2023/24 prices) of c. £70,000 per annum for 2032/33 and beyond and a cumulative deficit for the period 2025/26 to 2031/32*

*(at 2023/24 prices) of c. £543,000 as the Matford development of 2,000 new homes is completed subject to:*

There were no questions on this first part of the resolution.

The Chairman introduced the first condition and invited comments or questions.

*A total capital spend of £5 million from the Housing Infrastructure Fund for the Matford Community Centre, car parking and surrounds;*

Standing Orders were suspended to allow Cllr Connett to speak from the public gallery who questioned the need to specify the source of the funding and whether the intention of the condition was to clarify that the Parish Council would not be contributing to the build cost.

It was suggested that the wording was amended to:

- i) No capital or revenue contribution from Exminster Parish Council towards the construction costs of the Community Centre, car park and surrounds.

Standing Orders were reinstated.

The amendment to the first condition was resolved.

The second condition was considered:

*Thirty car park spaces being provided for the Matford Community Centre's sole use;*

It was explained that the parking spaces could not be achieved on the current site which had planning permission for 29 spaces. However, the Parish Council had the opportunity to purchase adjacent land that, subject to planning permission, could extend the car park.

Standing Orders were suspended to allow Cllr Connett to comment that the parking situation had been brought up at the DCC planning committee meeting and that there was some sympathy with the Parish Council's view. However, at this stage, the focus was on delivering the building with HIF and a parking solution could be found later.

Discussion on parking ensued including the following:

- Parking had a direct impact on income generation - evident in the projections received from Consult QRD.
- Every opportunity needed to be taken to increase revenue from the outset and sufficient parking was key to the centre being an attractive venue to those from further afield.
- The Parish Council should be encouraging sustainable transport in line with the Environment Policy.
- It was unlikely that there would be a bus service to the Community Centre within the next 5-10 years.

It was proposed that the wording of the condition was amended to read:

- ii) Exminster Parish Council requests DCC uses its best endeavours to assist the Parish Council in securing additional land to provide the

additional car parking spaces that the Parish Council believes are necessary to support the facility.

Standing Orders were reinstated.

The amendment to the second condition was resolved.

The third condition was considered:

*A robust community access agreement to the indoor and outdoor sports facilities at Matford Brook Academy being in place in perpetuity.*

The importance of the community having access to Matford Brook Academy's indoor and outdoor sports facilities was paramount. This was a planning condition for the Academy, but because of the unforeseen building issues this had been delayed. An email from the Headteacher stated that work on the agreement would resume once the school was allowed to occupy the site.

It was noted that not all Cllrs had seen a copy of the Community Use Agreement with the School. Members of the Matford Working Party had been involved with meetings with the School and TDC and had made extensive comments on the first draft. This would be circulated.

Standing Orders were suspended to allow Cllr Connett to explain that the school would open on site in September 2024, but it was likely that there would still be remedial work taking place. These would affect the sports hall so there may be a delay in its availability.

HH

It was suggested that the condition was amended to read:

- iii) A robust community access agreement to the indoor and outdoor sports facilities at Matford Brook Academy being in place in perpetuity; and by the time the community centre ownership passes to the Parish Council.

Standing Orders were reinstated.

It was resolved to approve the amendment to the third condition.

A copy of the draft agreement would be circulated for information.

The fourth condition was considered. The intention of this condition was to ensure that there would be no cost to the Parish Council for the building of the GP Surgery. As this intention was the same as the first condition, it was suggested that the two were amalgamated. Therefore, it was proposed that the fourth condition was deleted, and the first condition amended to:

- i) No capital or revenue contribution from Exminster Parish Council towards the construction costs of the Community Centre, GP Surgery, car park and surrounds.

It was resolved to approve the amendment to the first condition and delete the fourth.

The fifth condition was considered:



*100% deficit funding of the cumulative deficit for the period 2025/26 to 2031/32 and 100% of the ongoing annual deficit for 2032/33 and beyond to be provided by TDC and/or DCC.*

The condition sought to achieve a financial safety net so that deficits would not need to fall to the Council Tax paying residents. The email received from Mike Deaton, Chief Planner, Climate Change, Environment and Transport officer at DCC in response to this agenda item and report, pointed out that by 2032/33 the Parish Council would be in receipt of more than £8M in CIL that could be utilised to subsidise the Community Centre. Furthermore, the email stated that TDC would not seek to reclaim CIL (subject to the 5-year limit) if it was used for this purpose. The position of DCC and TDC was that they did not have any budgetary provision to fund the Community Centre and any decision on funding would take time to progress through a TDC full council resolution or DCC cabinet decision. This would mean that it would not be possible to meet the HIF deadline. It was suggested if this condition remained in the resolution, there would be no Community Centre or GP Surgery.

Discussion included the following comments:

- It would not be acceptable to have an ongoing deficit of this level in the private sector.
- The Parish Council was not in the private sector and it should be looked upon as providing a service.
- The report appeared to be unbalanced with a focus on the financials rather than the benefits to the community.
- There were long term benefits of a Community Centre; It would be a community asset providing essential meeting spaces.
- CIL was available to support the development.
- The Centre had been designed to be adaptable and there may be further opportunities that were not yet apparent. It was unique and difficult to (financially) compare as a result.
- There needed to be a way to make it financially viable. Could the build be achieved another way?
- Why could the HIF not be extended again? Had this been requested? It was confirmed that it had already been extended at least twice and a further extension would need to go to the treasury and there was no guarantee of success.
- There was no requirement to put the precept up to meet the deficit as it would be covered by the additional housing at Matford.

Standing Orders were suspended to allow Cllr Connett to contribute to the conversation.

At the conclusion of discussion it was proposed to amend the condition to:

- v) Exminster Parish Council receives assurance from TDC and DCC, by the time of handover, that CIL funding can be used to meet the long-term management and maintenance of the Community Centre.

Standing Orders were reinstated.

It was resolved to amend the condition.

The amended resolution a) was put to the vote. A named vote was requested.

**It is proposed that:**

- a) **the Matford Community Centre as outlined in the Report be delivered by Devon County Council and owned by the Parish Council with a forecast annual deficit (at 2023/24 prices) of c. £70,000 per annum for 2032/33 and beyond and a cumulative deficit for the period 2025/26 to 2031/32 (at 2023/24 prices) of c. £543,000 as the Matford development of 2,000 new homes is completed subject to:**
- i) **No capital or revenue contribution from Exminster Parish Council towards the construction costs of the Community Centre, GP Surgery, car park and surrounds.**
  - ii) **Exminster Parish Council requests DCC uses its best endeavours to assist the Parish Council in securing additional land to provide the additional car parking spaces that the Parish Council believes are necessary to support the facility.**
  - iii) **A robust community access agreement to the indoor and outdoor sports facilities at Matford Brook Academy being in place in perpetuity and by the time the community centre ownership passes to the Parish Council.**
  - iv) **Exminster Parish Council receives assurance from TDC and DCC, by the time of handover, that CIL funding can be used to meet the long-term management and maintenance of the Community Centre.**

Resolved.

6 votes for – Cllrs Smyth, Churchward, May, Smith, Ladyman, Nuttall

3 votes against – Cllrs Wood, Goodey, Wheatley

As resolution a) was passed, there was no need to consider resolution b).

**23/456 To agree a donation to the British Legion Poppy Appeal**

It was resolved to make a £50 donation.

HH

**23/457 To agree a donation to St Johns Ambulance in respect of running a defibrillator awareness session in the village.**

For transparency, Cllr Smith stated that his wife would be facilitating the training session using equipment borrowed from the Charity. She would receive no remuneration for the training session.

It was resolved to donate £100 to St John's Ambulance for facilitating the session.

HH



**FINANCE MATTERS**

**23/458 Accounts for Approval**

It was resolved to approve payments in the sum of £14,651.57

HH

**23/459 To receive nominations for the role of Finance Lead Councillor**

No nominations were received.

**23/460 To appoint members to the Budget Working Party**

Cllr Churchward was appointed.

Cllrs Smith and May were ex-officio members.

**23/461 To approve the following:**

- 1. A one-off backdated payment for the Clerk and Deputy Clerk for 30.5 hours and 44.75 hours respectively, accrued between 5 June and 11 September 2023**

Resolved.

HH

- 2. To agree an allowance for the Clerk and Deputy Clerk of three hours per week and four hour per week respectively for any extra hours worked from w/c 18 September to 31 March 2024**

Resolved.

HH

**PLANNING MATTERS**

**23/462 Planning Decisions**

- 1. 23/01523/HPA 32 Pridhams Way - Notification of prior approval for a single storey extension to dwelling extending 5.90 metres beyond rear wall, maximum height 3.50 metres, height to eaves 2.25 metres – PRIOR APPROVAL GIVEN**
- 2. 23/00048/FAST Westhaven, Milbury Farm – Appeal against the refusal of 23/00450/HOU – new boundary wall, railings and fence**

**23/463 To note any planning matters regarding the Matford development**

**1. Planning**

Emily Simpson-Horne, Headteacher of Matford Brook Academy had extended an invitation to Cllrs to visit the school at its temporary site.

Cllrs May and Smith expressed an interest in attending.

**2. Community Centre**

No further matters to report.

**NEIGHBOURHOOD DEVELOPMENT PLAN MATTERS**

**23/464 To receive an update on NDP matters – Cllr Wood**

The Parish Council had been successful in securing a Locality Grant in the sum of £10,000 to support the refresh of the NDP.

**23/465 Authority is sought to print 500 copies of the short-form questionnaire in-house and to deliver them by hand to the households in Matford including Matford Mews at a cost of £200 - Cllr Wood**

Resolved.

JD

Cllr Wood emphasised the need to have 500 responses by the end of October to satisfy the requirements of TDC for this first stage of consultation. Should this target not be met, then there was a risk that the project would run behind and the deadline for spending the grant funding would not be met.

**23/466 To set a budget figure of £160 for the data input from 400 NDP handwritten issues questionnaires.**

Resolved.

HH

**23/467 Councillors' Reports – for information only**

1. Cllr May reported that a resident had asked why the vacancy for co-option had not been advertised.

**23/468 Public Open Session – (Maximum 10 minutes)**

Comments:

1. Running a community centre that breaks even was achievable if there was a will. Local charities had made it work.
2. The Parish Council was commended on its decision to take ownership of the Community Centre.
3. Why would some residents be receiving leafleted copies of the issues questionnaire and others not?

The meeting closed at 20:50

Date of next meeting: Monday 16 October 2023 at 19:00 in the Victory Hall

Signed:...Kevin Smith..... Date:...16 October 2023.....