

Chair: Kevin Smith

**Action**

**24/106 Present**

Cllr Sheila Churchward (SC), Cllr John Goodey (JG), Cllr Sarah Ladyman (SL), 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)

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

Public: 3

**24/107 Apologies received from**

Cllr Lisa May (LM) – personal reasons

Devon County Councillor Alan Connett

**24/108 Declaration of interest on Agenda Items**

Cllrs Churchward and Smith declared an interest in item 24/125 as Victory Hall Trustees.

**24/109 Dispensation requests regarding Code of Conduct**

None received.

**24/110 Public open session (maximum 10 minutes)**

No comments.

**24/111 To confirm the Draft Minutes of the EPC Meeting held on 19 February 2024 are an accurate record**

Resolved.

**24/112 County Councillors Report on items other than those on the agenda**

Devon County Councillor Alan Connett was not present.

**24/113 District Councillors' Reports on items other than those on the agenda**

Teignbridge District Councillor Charles Nuttall reported:

1. Teignbridge District Council (TDC) was running series of fact-finding workshops for residents in April. In Exminster, it would take place on 18

April between 10am and 12pm in the Victory Hall. Residents who were interested in taking part were invited to register by 8 March.

Teignbridge District Councillor Kevin Andrew Lake reported:

2. Jeremy Pyne had requested support for Green Spaces Group work in the village.
3. Flooding on the pavement near Willowbrook was causing pedestrians to walk in the road. This had been reported to DCC Highways.
4. The stretch of Main Road between the school and Exminster Garage was prone to standing water where the paving slabs bordered the bank. DCC Highways had been asked to investigate.
5. A meeting was being arranged with representatives from DCC Highways to identify potential access points to Milbury Lane from the Milbury Reach estate.
6. The PCSO was patrolling Milbury Lane to address parking violations.
7. Correspondence had taken place with MP Mel Stride regarding DCC's approach to the Government to "call in" the electricity substation planning application at Matford to be determined by a Minister instead of the TDC planning committee. The Government had refused the request from DCC
8. TDC was apprehensive about the draft proposal to create a Combined County Authority (CCA) for Devon and Torbay.
9. There was a blocked culvert on Exminster Hill. DCC Highways had already attended but further remedial work was required.
10. The bus stops and service at Peamore had been restored.
11. Utility companies were not legally obliged to inform DCC Highways if roads needed to be closed due to emergency work. This had caused an issue at Peamore on the A379 earlier this year. There was concern that utility companies were abusing this loophole.

#### **24/114 Chairman's Report**

Cllrs were reminded that the Annual Parish Meeting would be taking place next week at 19:00 in the Victory Hall. Refreshments to be available from 18:45

ALL

#### **24/115 Clerk's Report**

1. The fallen tree in the cemetery had been removed as it was dead. It was planted by a former Parish Council Chair, Ken Beer, and Council considered it appropriate to replace it with a similar variety in Autumn once the ground had settled.
2. An email had been received from the Flood Risk Officer about the planned resettlement lagoons relating to the Lower Brenton Farm planning application. Cllrs Churchward and Goodey had been informed.
3. The Parish Partnerships Annual Grant Forms had been returned to Devon County Council.
4. Legal advice regarding DCC's request for the Parish Council to sign a licence to allow contractors to build on the land at Matford designated in the S106 agreement for the Community Centre and currently in Vistry's

JD

ownership had been received from Tozers and was on the agenda to be received by the Parish Council.

5. The ELF Charity Shop was advertised with a rent of £7,500 per annum. It had been suggested in a previous public open session that it could be taken on by the Parish Council and used as a library.
6. A decision needed to be taken on the location of Parish Council meetings during the winter. Should they take place in the annexe or the main hall? This would be on a future agenda. JD
7. Footpath 60 (opposite Markham Lane) would be closed for 6 months from 11 March.
8. The glass and plastic recycling banks would be removed from the Swans Nest car park during the week commencing 15 April due to low use.
9. Exminster Methodists' Outlook publication had been circulated.
10. DCC Highways had responded to reports of issues with an area of the road which was sinking near Exminster Garage. A CCTV survey had taken place on the underground pipe connecting the gullies and damage was evident. Repairs would take place in due course.
11. Reverend John Williams would be retiring in April. A letter would be sent on behalf of the Parish Council thanking him for his many years of service to the Parish and wishing him well in his retirement. JD
12. The Neighbourhood Development Plan meeting would take place on Wednesday 6 March at 17:30 in the Annexe. ALL

**24/116 To receive a report relating to the Teignbridge District Council Planning Committee meeting held on 20 February and issues arising from that meeting, and to agree any actions to follow**

Three related issues were identified: the electricity substation proposed at Matford, the southern spine road through the South West Exeter development and the community centre.

Cllr Wood explained the situation with the electricity substation: The Parish Council had been informed by Cllr Connett that DCC and National Grid had applied to the Government for the planning application to be "called in" and decided by a Minister instead of the TDC planning committee. This submission had been made on Friday 16 February prior to the planning committee meeting on Tuesday 20 February. This caused the deferral of the item at the committee meeting. However, later that day, the Government declined to get involved in what was considered a local matter.

Cllr Connett and MP Mel Stride were thanked for their assistance with the matter.

The southern spine road was no longer part of the Housing Infrastructure Funding (HIF) project and would instead be delivered by the developers. DCC had advised that the electricity substation would not preclude the completion of the spine road, however the combined plan for the substation showed large swathes of land being lost to the proposed Parrs' mixed development. This raised the question whether a reduced development could take place and if it did not, whether the spine road would be delivered by the developers.

A meeting had taken place on 12 February with representatives from the NHS and DCC regarding the community centre and GP surgery. Cllr Churchward and the Deputy Clerk had attended. The tenders had been received for delivery of the buildings, but the cost was greater than anticipated. The contractor had identified potential cost savings (value engineering) that would be reviewed by Norse and advised to DCC. Cllr Wheatly explained that value engineering could lead to inferior materials being used for the build and this could impact on ongoing maintenance costs. Any changes would need to be explored. Additionally at the meeting, the situation regarding the signing of the Licence to build on the land had become more pressing.

Councillors were reminded of the letter to Michael Gove requesting an extension to the cut-off date for the HIF to allow time for a satisfactory resolution to the matters outlined above, ensuring value for money. A response had not yet been received.

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To address the aforementioned, it was proposed that three letters were sent:

1. A letter marked private and confidential to the Leader and the Chief Executive of DCC with a copy to our County Councillor, complaining about their actions in referring the electricity substation planning application to the Government. Also, putting them on notice that in view of the issues surrounding the tenders for the community centre and a response awaited from Michael Gove, that no further work was done by the Parish Council until these issues are resolved to the satisfaction of the Parish Council. It was pointed out that this could potentially disadvantage the Parish Council if DCC continued with the community centre and the Council weren't fully involved.
2. A letter to the TDC Managing Director, with copies to our three District Councillors and our County Councillor raising, firstly, the issue that a parish council representative should be able to speak for or against a planning application in their parish and not be subject to negotiation with other speakers, as was the case with the electricity substation. Secondly, asking TDC whether it is actively engaging with Parrs' agents regarding the reserved matters on their outline planning consent.
3. A letter to the Parrs' agents, Mead Realisations Limited, asking what efforts are being made to ensure that the spine road is fit for purpose for a regular bus service from the traffic lights at Elm Park through Parrs' mixed housing and retail development and across to the Vistry development. Also, if Parrs are expecting to start work shortly after the planning application is approved, was it likely there would be a delay in any potential builder getting power for the development.

It was resolved unanimously to send the letters.

HH/JD

#### **24/117 To note any planning matters regarding the Matford development**

##### **1. Planning Matters**

- A meeting was being arranged with Matford Brook Academy regarding the community use agreement.

- Cllr Churchward noted that the planning application for the self-build plots on the Cavanna site suggested that infrastructure (including electricity) was in place for the entire development.

**2. Community Centre: To receive the legal advice on the proposed draft license with Devon County Council regarding the Community Centre and agree any following action**

The following comments were made on the advice that had been circulated:

- The plans had not accompanied the licence that were essential for context.
- Any design changes, due to value engineering, needed to be explored as the Parish Council needed to be clear on its obligations.

It was agreed that further clarification was needed to ensure that

- signing the License would not legally bind the Parish Council to take on ownership of the land and community building and,
- having signed the License, what further steps were necessary to accept legal title to the land and community building once the works were completed.

It was agreed to seek a quotation from Tozers for this additional work.

HH

**24/118 To agree the issues to be raised by the Parish Council at DALC's Town and Parish Councils Conference on 12 March**

Cllr Churchward had circulated a document outlining proposed contributions. Following a discussion about the meetings to date and history of Teignbridge Association of Local Councils (TALC), it was agreed to restrict the Parish Council's contributions to the following:

- Finding out when TALC can reform.
- Requesting an update on the status of the 'suggestions to improve the relationship between TDC and PTCS' already documented and agreed by all contributing town and parish councils relating to joint and several relationships and not be drawn into 'community priorities and issues'.
- Not to go into detail on the 'primary objectives being to explore local priorities, opportunities for collaboration', but to agree '... to develop initiatives to strengthen the working relationship.'

**24/119 To consider if the Parish Council should respond to the consultation on the draft proposal to create a Combined County Authority (CCA) for Devon and Torbay**

It was agreed that the Parish Council should respond.

S/AW

The Chair and Cllr Wood would prepare a document for the Parish Council meeting on 18 March.

JD

**PROPERTY & AMENITIES MATTERS**

**24/120 To update Council on matters relating to the following Trusts**

**1. Victory Hall Trust**

- The Chair of the Trust was Caroline Aird.
- A new administrator had been appointed.
- Refurbishment of the kitchen was underway. Decoration and flooring was still to take place.

**2. Deepway Centre Trust**

- The new Chair of the Trust was Andy Smith, following Caroline Aird's resignation (and that of her successor).
- Refurbishment of the garden was planned for the spring.

**24/121 To approve repairs to the swing seats and the Springy in the Under 8's play area in the sum of £1179.92 plus VAT**

Resolved.

HH

**24/122 To approve replacement heads to the two car park lights at Deepway Green in the sum of £1115.21 plus VAT**

Not resolved.

It was agreed to check the specification of the replacement lights with the contractor and ensure that they were compliant with planning legislation by contacting TDC.

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**FINANCE MATTERS**

**24/123 Accounts for Approval**

It was resolved to approve payments in the sum of £2,466.00

HH

**24/124 To note the Asset Register has been reviewed with no amendments**

Noted.

**24/125 To consider a grant application in the sum of £500 from the Victory Hall in respect of works to the kitchen.**

Cllrs Churchward and Smith left the meeting for the duration of this item having declared an interest. Cllr Smyth took the Chair.

Resolved.

JD/HH

**PLANNING MATTERS**

**24/126 Planning Applications**



**1. 24/00164/TPO, 1 Little Silver, Little Silver Lane - Felling of 12 Ash Trees in Woodland Garden, Re Pollard 1 Chestnut, Re Pollard 5 Oaks and Re Pollard 1 Ash**

There was concern that the disposal of the trees could potentially spread spores and therefore Ash Dieback.

It was resolved to object to the application as follows:

- The site lies within 10km of a RAMSAR site
- There was no felling licence for the trees infected with ash dieback
- There was no arboricultural report
- The application did not meet not meet Neighbourhood Development Plan policy EXM02 – Open Countryside
- Pollarding of the chestnut and oak trees should be done during the winter months, and definitely before March.
- The advice of a planning officer with arboricultural expertise should be sought to ensure that there is technical evidence to support the work being proposed.

HH

**24/127 Planning Decisions**

None to report.

**ENVIRONMENTAL MATTERS**

**24/128 To consider a request from the Environment Working Party to site a wildflower bed on an area on Deepway Green adjacent to the Deepway Centre garden**

The preparation work would be carried out by the biodiversity team and the area would be looked after by the Green Spaces Group.

The bed would remain in place for two summers as an example for residents to encourage adoption of the practice in their own gardens.

It was suggested that this was not in the correct area to raise awareness as it Deepway was more of a destination than somewhere that residents passed by. It was suggested that the area near the seats on Jupes Close would be appropriate. It was agreed to pursue the Jupes Close proposal. It was acknowledged that permission was not likely to be forthcoming in time for this year.

It was resolved to site a 1m x 3m wildflower bed against the fence to the Deepway Centre Garden for a period of 2-years.

**24/129 To consider a request from the Environment Working Party to replace the litter bin by the Victory Hall flower beds with a dual litter/recycling bin at a cost of no more than £750**

Deferred.

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**24/130 Councillors' Reports – for information only**

1. Cllr Churchward asked for volunteers to look at planning applications.
2. Cllr Ladyman reported that members of the Environment Working Party had held a drop-in event regarding Pesticide Free Exminster and received support.

**24/131 Public Open Session – (Maximum 10 minutes)**

No comments.

**24/132 It is proposed that in accordance with section 1 (2) of the Public Bodies (Admission to Meetings) Act of 1960, the Press and Public will be excluded from items 24/133 (part II) having due regard to the confidential nature of the business to be transacted.**

Not required.

**PART II**

**24/133 To receive a valuation report for land at Matford adjacent to the proposed community centre.**

Deferred until further notice.

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The meeting closed at 20:52

Date of next meeting: Monday 18 March at 19:00 in the Victory Hall Annexe

Signed:....Kevin Smith..... Date:....18 March 2024.....