

Chair: Kevin Smith

Action

**24/162 Present**

Cllr John Goodey (JG), Cllr Nicola Guagliardo (NG), 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 Lake (KL)

Public: 3

**24/163 Apologies received from**

Cllr Sheila Churchward (SC) – personal reasons

Cllr Sarah Ladyman (SL) – personal reasons

**24/164 Declaration of interest on Agenda Items**

Cllr Smith declared a non-pecuniary interest in item 24/179 as spouse of the president of Exminster WI.

**24/165 Dispensation requests regarding Code of Conduct**

None received.

**24/166 Public open session (maximum 10 minutes)**

No comments.

**24/167 To confirm the Draft Minutes of the EPC Meeting held on the 18 March 2024 are an accurate record**

Resolved.

**24/168 To agree the Draft notes of the Part II meeting held on the 18 March 2024 are an accurate record**

Resolved.

**24/169 To report back from the Part II meeting held on 18 March**

**Action**

**1. Ownership of the Deepway Centre**

Following legal advice based on new information discussed at the Part II meeting on 18 March 2024, the Parish Council had accepted ownership of the Deepway Centre. This also included the paths around the building and the steps leading up to it.

Cllrs Wood and Wheatley updated the Deepway Trust's Chair and Vice-Chair at a meeting on Thursday 28 March.

Cllr Smith sought clarity on the ownership of the enclosed garden. It was confirmed that this was the responsibility of the Trust under the lease it has with the Parish Council.

**2. Staff Matters**

Following the recent recruitment process, a local resident had accepted the Parish Council's offer of employment as a Finance and General Administration Clerk for 60 hours per month (with up to 20 hours overtime) at NJC LC1 rate.

**24/170 County Councillors Report on items other than those on the agenda**

Devon County Councillor Alan Connett reported:

1. A 20mph roundel had been erroneously painted near the junction with Milbury Reach on Main Road. It would be removed by the contractor.
2. The abandoned car on Farmhouse Rise continued to cause an issue. Teignbridge District Council (TDC) insists that it does not meet the criteria for an abandoned vehicle. However, TDC's criteria does not accord with the advice on the Government website. Currently, the vehicle was taxed and MOT'd. Police enquiries into ownership had been unsuccessful. Cllr Connett would continue to pursue the matter. Cllr Nuttall had been kept advised of the situation as District Councillor.
3. Matford Brook Academy would open on site in September with the sports hall due to open at the end of the calendar year.
4. The large pool of standing water opposite Berrybrook Garage had been reported to Highways.
5. Cllr Connett had attended a meeting with officers from Devon County Council (DCC) and representatives from the Parish Council on Monday 25 March. Following the meeting, he had written to MP Mel Stride to ask whether the Parish Council's letter to the Department for Levelling Up, Housing and Communities requesting an extension to the Housing Infrastructure Funding (HIF) was under consideration and when a reply could be expected. The issue with the revised (extended) housing trajectory was re-iterated.

**Action**

**24/171 District Councillors Reports on items other than those on the agenda**

Teignbridge District Councillor Kevin Lake reported:

1. Fly-tipping had been reported on Sannerville Way and TDC's rapid response team had cleared it within 3 days.
2. The pooling of water outside Willowbrook had been report to DCC Highways and the response received had been passed to the resident.
3. Cracks and fissures were opening on Main Road. These had been reported to DCC Highways.
4. The road surface of Reddaway Drive was in a poor state of repair and would need resurfacing in the near future. Potholes were opening up. This had been reported to DCC Highways.
5. Residents at Westhaven were concerned about the safety of cyclists and pedestrians on the path between Milbury Reach and Main Road. DCC Highways had been approached about installation of a bollard at the Milbury Farm Meadow end of the private road to prevent vehicles using the private road.

Teignbridge District Councillor Charles Nuttall reported:

6. A report had been received following a presentation on TDC's electric vehicle strategy. Cllr Nuttall would feed back any pertinent information at a future Parish Council meeting.

**24/172 Chairman's Report**

No matters to report.

**24/173 Clerk's Report**

1. An email had been received from a resident complaining about another traffic obstruction incident in Milbury Lane. This had been passed to Cllr Connett to respond.
2. A request had been received from a resident to hold a dog show at Deepway Green.
3. Training on the new IT system was available for Councillors. Dates would be circulated.
4. Emails had been received from TDC and DCC relating to the community centre at Matford. They had been circulated to all Councillors.
5. The Deepway Centre Trust had approached the Parish Council to ask who the Parish Council Trustee was (ahead of the Trust's AGM). They would be advised that Cllr Smith would remain in post until the Parish Council's Annual Council Meeting (ACM).

HH

**Action**

6. The ACM would take place on Tuesday 7 May in the Victory Hall Annex. JD
7. The April Methodist Church Outlook Newsletter had been circulated.

**24/174 To receive the notes from the meeting held with representatives of Devon County Council on the 25 March to discuss the Matford development**

Councillors commented on the notes:

Cllr Wood believed that DCC Officers did not give much consideration to residents' feelings. Cllr Connett was thanked for his support and for writing to MP Mel Stride to follow up the letter to Rt Hon Michael Gove.

By bringing forward the electricity substation planning application proposal for the Matford Home Farm (MHF) site, DCC had pushed the delivery of the Spine Road from Elm Park through to Old Matford Lane and onto the Vistry development back to TDC and the developers. The Spine Road was imperative for connectivity and cyclist and pedestrian safety across the South West Exeter development and to allow a bus service to operate.

The comments returned by DCC after the meeting were similar to those seen before. The point had been reiterated at the meeting that when the Parish Council made the decision in October 2023, it had felt under pressure to take the Community Centre, despite the poor financial outlook. It was also stated that Parish Council would like the opportunity to stand back to ensure that an appropriate (and viable) Community Centre was built.

Cllr Wood urged the Chair to call an extraordinary meeting of the Parish Council to either reverse the resolution made on 2 October 2023 or confirm it. This would give DCC the certainty that it understandably needed.

Cllr Wheatley highlighted the disparity between DCC and the Parish Council's interpretation of the need to deliver parking. The Parish Council would not want to take on the Community Centre without adequate parking provision. DCC believed that it could be delivered afterwards.

Details of the Value Engineering changes had been received from DCC. A substantial saving was proposed by using an alternative insulation. However, there was insufficient detail to determine whether this may have an impact on maintenance and heating costs ongoing. It was a similar situation with the alternative cladding proposed to the lift shaft.

Information received from TDC noted that its attention had been drawn to reviewing the draft Community Use agreement for facilities at Matford Brook Academy. Additionally, matters relating to the use of CIL to cover long-term maintenance needed to be determined. Clarity on the conditions required to mitigate the "theoretical risk" of TDC reclaiming the CIL after a five-year period needed to be met.

**Action**

Cllr May was in favour of holding an extraordinary meeting to discuss the matter in detail. A large amount of information had been received from DCC and TDC that needed to be digested.

Cllr Goodey expressed concerned about the wooden cladding proposed in the lift shaft being a fire risk.

Cllr Goodey noted that he had asked questions regarding the electricity substation at the meeting and believed that the cabling across the A30 to the Peamore site was a poor excuse. A further question regarding the housing crisis and the provision of fewer houses if the electricity substation was located at Matford Home Farm had received an equally unsatisfactory response.

Cllr Smith expressed surprise that the decisions taken had been made by officers and not County Councillors. It was questioned how much risk DCC were incurring having acknowledged that the Community Centre would not be built by the end of March 2025. There appeared to be a reliance on a HIF deadline extension because it was envisaged that it would be underway. DCC had seemed confident that an extension would be granted in this case.

Cllr May expressed disappointment that although the communication had felt positive at the meeting, the conditions in the Parish Council's resolution of 2 October had not been met or fully understood. There appeared to be a lack of understanding of how a Parish Council operated regarding its decision-making process.

Standing Orders were suspended to allow Cllr Connett to speak. He suggested that the extraordinary meeting should be for discussion and to formulate a recommendation to be taken forward to the next Parish Council meeting. This would allow time for negotiation with DCC. Standing Orders were reinstated.

The Chair agreed to callan extraordinary meeting on Monday 8 April at 19:00 in the Victory Hall Annexe. Cllrs Wood and Smith would liaise on suitable wording for an agenda item.

JD/KS/  
AW

**PLANNING MATTERS**

**24/175 Planning Applications**

- 1. DBX/DCC/4388/2024, Variation of condition 2 of planning permission DCC/4355/2023 for erection of a community centre and General Practice Surgery and associated infrastructure provision for vehicle parking, cycle storage, EV charging bays, pedestrian and cycle routes and landscaped spaces at Land to the east of the A379, south of Ellacott Road and adjacent to the new Matford Brook Academy, EX2 0AQ**

Cllr Churchward had circulated a report on the proposed variations.

**Action**

It was noted that this application did not mention the proposals identified during the Value Engineering process as they did not warrant a variation.

It was resolved to object to the application for the following reasons:

- Lack of public transport provision. The facilities were not on a bus route.
- The exteriors of the buildings were not accepted as meeting Neighbourhood Development Plan policy EXM03 (Quality of Design).
- There was insufficient parking. If the surgery was fully operational, there could be only 7 parking spaces available for users of both the community centre and surgery. Additional car parking was essential to provide long-term viability of the Community Centre.
- Two larger conference rooms were more useful than the smaller ones proposed. A folding door arrangement would allow provision of a larger room if necessary, giving greater flexibility to rent out.
- There were now fewer windows in the hall and lower studio, decreasing the amount of natural light. Additional windows were originally requested.

HH

2. **23/01821/MAJ, Matford Home Farm, Matford - Reserved matters application for the approval of 245 dwellings and 1202sqm of commercial/employment space with associated roads, footways, parking, drainage, open space and landscaping (approval sought for appearance, landscaping, layout and scale) pursuant to outline planning permission 15/00921/MAJ (Outline planning application for demolition of existing buildings and for residential and commercial development (C3, E uses) (approval sought for access))**

Cllr Churchward was thanked for producing the original document. Cllr Wood made five comments on the application.

- The land shown in the application as a garage for plot 60 but, shown in the DCC application for the Spine Road as a turning head to allow bollards to be put on Old Matford Lane to stop it from being used as a through road, must be secured by TDC for the turning head.
- The Spine Road should connect seamlessly with the Vistry development to allow a bus service from Elm Park to the Matford Brook Academy and on to Victoria Heights via the realigned Chudleigh Road. According to the SW Exeter Framework, the

**Action**

Spine Road was due to be completed before the community facilities were built. TDC should include a condition in any planning approval that the Spine Road and the crossing into the Vistry development should be completed prior to the occupation of the 100th home on the development.

- The road from Elm Park through the development to the Vistry development must be of a quality and width to allow for a regular bus service and with no on street parking to avoid congestion plus a provision for a bus stop.
- All roads in the development should be restricted to 20 mph as this is primarily a housing estate.
- 21 visitor car parking spaces is insufficient for 245 new homes and, if they are not already doing so, needs to be reviewed by TDC.

HH

It was resolved to support the application subject to the five aforementioned comments.

**24/176 Planning Decisions**

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 - GRANT OF CONSENT**
2. **23/01155/HOU, Endfield Bungalow - Retention of ancillary outbuilding – GRANTED**
3. **23/01384/CLDE, Caravan at NGR 292929 86309 – Certificate of lawfulness for use as a caravan site - GRANTED**

**24/177 To note any planning matters regarding the Matford development**

1. **Planning**  
No additional matters to report.
2. **Community Centre**  
No additional matters to report.

**PROPERTY & AMENITIES MATTERS**

**24/178 To agree that any requests relating to the use of Deepway Green and its facilities should be considered by the Property and Amenities Lead Councillor in conjunction with the Chair and Clerk with the outcome reported to Council in Clerks report.**

Cllr May asked whether there was a framework that the Clerk and Councillors could refer when making decisions to ensure consistency in response. The

**Action**

Clerk explained that there were conditions of use that needed to be complied with in the first instance.

It was suggested that a framework could be developed during practice. Any request that could not be agreed on or a particularly controversial request could be put on the agenda for Council decision.

It was agreed that each request should receive a written reply. This would help identify criteria and the responses could be reviewed in 6-months' time if necessary.

It was agreed to re-word the proposal as follows:

To agree that any requests relating to the use of Deepway Green and its facilities should be decided by the Clerk in consultation with the Property and Amenities Lead Councillor and the Chair of the Parish Council. Any decision made by the Clerk should be reported to the Council in the Clerk's report.

JD/GW/  
KS

Resolved.

**24/179 If the above is not resolved to consider the following requests from:**

- 1. Exminster WI for use of a section of the far end of the car park on the 22 July at 7.15pm for a Morris Dance tutorial**
- 2. Exminster School for use of a small area of Deepway Green to erect a bouncy castle for the school leavers party on 20 July 5-8.30pm**
- 3. Saracens youth rugby club for use of Deepway Green on Wednesday evenings whilst their regular pitch is unplayable due to the weather.**

Item not required.

**FINANCE MATTERS**

**24/180 Accounts for Approval**

It was resolved to approve payments in the sum of £2753.85.

HH

**NEIGHBOURHOOD DEVELOPMENT PLAN MATTERS**

**24/181 To receive an update from the ENDP Working Party**

The Working Party had reviewed the quantitative responses from the questionnaire and analysed them into six categories.

These were reproduced in the draft Household Update for approval by the Parish Council, which other than an email address is the same as was circulated to Councillors on Monday, 25 March.

The RFO was thanked for their work on the Household Update publication.



**Action**

**24/182 To approve the draft ENDP update to residents and the associated costs of no more than £600 to produce and distribute the above**

Resolved.

HH

**24/183 Councillors' Reports – for information only**

No matters to report.

**24/184 Public Open Session – (Maximum 10 minutes)**

No comments.

The meeting closed at 20:10

Date of next meeting: Monday 15 April 2024 at 19:00 in the Victory Hall

Signed:.....Kevin Smith..... Date:....15 April 2024.....