

MINUTES

Chairman: Kevin Smith

Action

24/220 Election of Chairman and Declaration of Acceptance of Office

It was resolved to appoint Cllr Smith as Chair. (Nominated by Cllr Churchward and seconded by Cllr Nuttall).

The declaration was duly signed.

24/221 Election of Vice-Chairman and Declaration of Acceptance of Office

It was resolved to appoint Cllr May as Vice-Chair. (Nominated by Cllr Wood and seconded by Cllr Smith).

The declaration was duly signed.

24/222 Present

Cllr Sheila Churchward (SC), Cllr John Goodey (JG), Cllr Nicola Guagliardo (NG), 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)

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

Public: 1

24/223 Apologies received from

Devon County Councillor Alan Connett.

24/224 Declaration of interest on Agenda Items

None declared.

24/225 Dispensation requests regarding Code of Conduct

None received.

24/226 Public open session (maximum 10 minutes)

No comments.

24/227 To confirm the Draft Minutes of the EPC Meeting held on 15 April 2024 are an accurate record

Resolved.

24/228 Review of delegation arrangements to committees, sub-committees, employees and other local authorities

Action

The Parish Council has one committee and no sub-committees.

The Complaints Committee has Delegated Authority to make a decision on a formal complaint made about the Parish Council and consider any appeal.

Five Working Parties are in place. Two have Delegated Authority that is reviewed as part of the Terms of Reference annually, in June, or as required.

1. Community Resilience Plan Working Party – no Delegated Authority
2. Finance Working Party – no Delegated Authority
3. Exminster Neighbourhood Development Plan Working Party – no Delegated Authority
4. Environment Working Party – Delegated Authority allowing Officers to authorise expenditure of up to £500.
5. Green Spaces Working Party – Delegated Authority allowing Officers to authorise expenditure of up to £500.

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

- i To incur expenditure of up to £5,000 on matters that would put the delivery of Parish Council services at risk (including Health and Safety remedial work).
- ii To incur expenditure of up to £500 for the implementation of any decision of the Parish Council or its committees where insufficient initial authority was given.

Officers are also authorised:

- iii to spend within budgetary limits on stationery (office supplies), cleaning materials, postage, telephones, training and room hire.
- iv to spend up to £500 on small maintenance projects (including tree maintenance).
- v to authorise up to £500 expenditure for the Green Spaces Working Party.
- vi to authorise up to £500 expenditure for the Environment Working Party.
- vii to approve payments, planning matters and any other matters associated with Parish Council business in consultation with the Chair or Vice Chair 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 and a list of actions shall be displayed on the Parish Council website and notice board.

There are no delegation arrangements to other Local Authorities.

24/229 To note that the review of Terms of Reference for committees, advisory committees, and working parties were carried out in June 2023

Noted. The Finance Working Party and Neighbourhood Development Plan Working Party were formed within the last year and their Terms of Reference were agreed at inception in November 2023 and June 2023 respectively.

Action

24/230 Receipt of nominations to existing committees, advisory committees and working parties

1. Finance Working Party

Council members: The Chair and Vice Chair are ex-officio members. The Lead Councillor for Finance is Chair of the Working Party by default. It was resolved to appoint Cllr Wheatley.

2. Community Resilience Working Party

- i Council members: The Chair and Vice Chair are ex-officio members. The Clerk and Deputy Clerk/RFO are non-voting members of the Working Party automatically.
- ii Community members: It was resolved to appoint Caroline Aird, Keith Byrne, Jim Laker.

3. Green Spaces Working Group

- i Council members: The Chair and Vice Chair are ex-officio members. It was resolved to appoint Cllr Ladyman.
- ii Community members: It was resolved to appoint Philip Warner, Barbara Little, Patrick Firth, John Tucker, Pat Blower, Rick Blower, Tracey Middleton, Ian Pannett, Brian Healey and Jeremy Pyne.

4. Environment Working Party

- i Council members: The Chair and Vice Chair are ex-officio members. It was resolved to appoint Cllrs Churchward, Ladyman and Nuttall.
- ii Community members: It was resolved to appoint David Nappin, Jeremy Pyne, Caroline Shezall and Maxine Commings.

24/231 To appoint Lead Councillors to the following positions

1. Planning

It was resolved to appoint Cllr Churchward.

2. Finance

It was resolved to appoint Cllr Wood.

3. Property & Amenities

It was resolved to appoint Cllrs Ladyman, May and Wheatley.

4. Neighbourhood Development Working Party

It was resolved to appoint Cllrs Goodey and Wood.

5. Footpath Warden

It was resolved to appoint Cllr Goodey.

6. Highways

It was resolved to appoint Cllr Nuttall.

7. Data Protection

It was resolved to appoint Cllr Smith.

8. Green Space Working Party

Action

It was resolved not to appoint at this stage, until the Terms of Reference had been reviewed.

9. Environment Working Party

It was resolved not to appoint at this stage, until the Terms of Reference had been reviewed.

10. Community Resilience Working Party

It was resolved not to appoint at this stage, until the Terms of Reference had been reviewed.

24/232 To appoint two Internal Controllers

It was resolved to appoint Cllrs Goodey and Nuttall.

24/233 To review:

1. Exminster Parish Council Standing Orders

Reviewed in June 2023. Next review due June 2024.

2. Financial Regulations

Reviewed in August 2023. Next review due August 2024.

3. To confirm bank signatories

Cllrs Smith, Smyth and Wood were confirmed as signatories on all Parish Council bank accounts.

24/234 Review of representation on or work with external bodies and arrangements for reporting back.

1. Deepway Centre Trust – 1 Trustee

It was resolved to appoint Cllr Smith.

2. Victory Hall Trust - 3 Trustees

It was resolved to appoint Cllrs Smith and Churchward.

3. Confirm the Feoffees Parish Council representatives, to re-appoint in election years only

Derek Madge, Rosemary Saunders and Carole Smith had confirmed that they would continue to carry out the role.

24/235 Review of inventory of land and assets including buildings and office equipment.

The inventory is reviewed twice annually in August (prior to insurance renewal) and February (prior to year-end).

The Assets List and valuation is published on the Parish Council website.

The assets register was reviewed at the Parish Council meeting on 04/03/2024 (Min 24/124). Since then, following updated legal advice, it has been confirmed that the Deepway Centre is owned by the Parish Council and this has been added to the Assets lists with an estimated value of £400,000 pending further information.

24/236 Review and confirmation of arrangements for insurance cover in respect of all insured risks.

Action

The Parish Council is insured with Zurich. The annual policy is due for renewal on 1 October 2024.

24/237 Review of the Council's and/or employees' memberships of other bodies

The Parish Council has the following subscriptions:

- i Devon Association of Local Councils
- ii Institute of Cemetery and Crematorium Management
- iii Devon Communities Together
- iv Campaign to Protect Rural England
- v National Allotment Society

The Clerk and Deputy Clerk are members of the Society of Local Council Clerks.

24/238 Review the Council's complaints procedure

The Procedure was last reviewed in May 2022. The next review is due in May 2024.

24/239 Review the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018

The Procedure was last reviewed in September 2021. The next review is due in December 2024.

The Privacy Notice explaining how data is held, processed and protected is available on the Parish Council website and was updated in June 2023. The next review is due in June 2024.

24/240 Review the Council's policy for dealing with the press/media

The Policy was last reviewed in August 2023 and is currently under review.

24/241 Review of the Councils employment policies and procedures

The Policies and Procedures were last reviewed in February 2022 and are now overdue for review.

24/242 Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972

In the 2023/24 Financial Year, £1668.00 expenditure was incurred under s137.

In the 2024/25 Financial Year, the s137 expenditure limit is £10.81 per elector.

24/243 Determining the dates, times and place of ordinary meetings of the full Council for the year ahead

Parish Council meeting take place on the first and third Mondays of the month, excluding Bank Holidays, when the meeting normally takes place on the Tuesday.

24/244 Confirmation of Direct Debit Payments

Direct Debits are in place with the following organisations:

- i NEST pensions
- ii EE Ltd
- iii Utility Warehouse

Action

- iv Natwest
- v Devon Communities Together
- vi Royal Mail
- vii Information Commissioner

24/245 County Councillors Report on items other than those on the agenda

Devon County Councillor Alan Connett was not present.

24/246 District Councillors Reports on items other than those on the agenda

1. Teignbridge District Councillor Kevin Andrew Lake reported:
 - i A DCC Highways officer had attended Westhaven, Millbury Reach, regarding an additional bollard that would be erected.
 - ii Mel Stride MP had responded to Cllr Lake's enquiry regarding structural issues at Matford Brook Academy. The piling had not been adequate. Rectification was at the contractors cost. The Department for Education had employed a technical team to monitor the work and ensure that it was carried out satisfactorily.
 - iii Following an approach by Cllr Lake's, a response I had been received by him regarding an extension to the Housing Infrastructure Funding deadline.
 - iv Additional double yellow lines in Milbury Lane were being considered by DCC Highways. An officer had recently attended site.
2. Teignbridge District Councillor Charles Nuttall reported:
 - i Progress was being made with the village road safety scheme.
 - ii Pot-hole repairs had taken place on Days Pottles Lane, however only a small number had been filled. Cllr Nuttall would follow the matter up with DCC Highways.

24/247 Chairman's Report

1. Councillors were welcomed to another year in office.

24/248 Clerk's Report

The following emails had been received and responded to:

1. Exminster Twinning Associated had asked if their grant application could be heard as an exception, they were advised that Council had agreed to put all applications on hold until the process had been reviewed.
2. Clarification was sought on Neighbourhood Development Plan policy EXM01.
3. Queries were raised on questions 12-14 of the Neighbourhood Development Plan questionnaire asking whether these facilities would be catered for by Matford Brook Academy.
4. An enquiry asking whether that the Parish Council had had discussions with Stagecoach regarding transport facilities for pupils starting at Matford Brook Academy this September had been made. Cllr Connett's response had been circulated to Council.
5. Emails from Rt Hon Michael Gove's Office and Mel Stride MP had been received. (See 24/250).

Action

The following requests to use Deepway Green had been responded to:

6. Exminster WI – use of a section of the far end of the Car park on 22 July at 19:15 for a Morris Dancing Tutorial – Agreed
7. Hospisecare – use of a small area of Deepway Green near the Deepway Centre to erect a bouncy castle during a fundraising event on 5 May – Agreed
8. Exminster School Association – use of a small area of Deepway Green near the Deepway Centre to erect a bouncy castle during the leaver's event on 20 July – Agreed
9. Dog show during the summer with associated stalls – Agreed
10. Saracens Youth Rugby Club – use of Deepway green on Wednesday evenings whilst their regular pitch is unplayable due to the weather – Refused

Other items:

11. The planning application to Devon County Council for an electricity substation on land at Parris Farm, near Matford Mews had been withdrawn by the applicant on 23 April.
12. The May edition of Exminster Outlook from the Methodist Church had been circulated.
13. The subscription to Zoom would be cancelled as the Parish Council is now using Teams.
14. The joint proposal for Devon and Torbay Combined County Authority had been submitted to the Department for Levelling Up, Housing and Communities (DLUHC).
15. Meeting notes from the Environment Working Party meeting held on 17 April had been circulated.

24/249 To note that Teignbridge District Council will be commencing a review of Polling Districts and Polling Places from Friday 19 April 2024 and consider recommendations offered

The designated polling station for Exminster Parish was at the Victory Hall.

Cllr Connett had put in a request for an additional polling station in the South West Exeter development. Council supported this.

It was resolved to also submit a request to TDC for an additional polling station in Matford.

JD

SOUTH WEST EXETER DEVELOPMENT

24/250 To update Council on matters relating to the SW Exeter development

1. A meeting took place on Wednesday 1 May with representatives from the Ted Wragg Trust, TDC and Sport England to discuss the draft Community Use Agreement for Matford Brook Academy's facilities that was required as a condition of planning. Cllrs Smith, May and the Deputy Clerk attended. The draft agreement was discussed and a revised draft had been issued.

Action

2. An email had been received from Rt Hon Michael Gove's office in response to the email sent by the Parish Council on 6 February regarding HIF. It stated "officials from Homes England had been working with DCC to agree what material amendment to the Grant Determination Agreement are required to enable the project to be delivered. Once this work is complete, a request for material amendment will be submitted to DLUHC for a decision."
3. Email correspondence continued with Mel Stride MP who had been sent a summary of the issues raised at the Extraordinary Parish Council meeting on 8 April.

24/251 To discuss and agree monitoring arrangements for the Due Diligence on the Devon County Council proposed community centre, which could include one of the clerks being a progress chaser / central contact point and each of the four categories having two Councillors to lead to cover absences

Cllr Smith outlined the background and actions that had taken place to date.

The Clerks were keen to see a process implemented to facilitate efficient communication with matters that were often time sensitive.

Part of the work to date had identified categories of work that councillors had agreed to lead. Cllrs May, Smith, Wheatley and Wood were the leads.

It was agreed that any correspondence received relating to the issues identified would be directed to all the category leads in the first instance, marked for the attention of the lead(s) for the specific area, with an expectation of a timely response from them. Further distribution would be at the discretion of the lead(s).

JD/HH

24/252 To discuss and agree future engagement with DCC regarding the Community Centre

It was agreed to defer this discussion.

JD

FINANCE MATTERS

24/253 RFO's report

Not required.

24/254 Accounts for Approval

It was resolved to approve payments in the sum of £7792.46

HH

24/255 To note that the accounts summary for FYE 31/03/2024 will be sent to the Internal Auditor

The draft accounts had been examined by the Lead Councillor for Finance prior to circulation to all Councillors for information.

HH

Action

PROPERTY MATTERS

24/256 To receive and agree the recommendations in the Annual Tree Survey

The tree survey was considered to be thorough.

A quotation had been received for three of the actions within the report that involved working at height and by the roadside. The cost was in excess of that that could be approved by the Clerk and it was resolved to bring the quotation for approval at the next meeting.

JD

24/257 To consider a request from the Deepway Centre Trust to use land adjacent to the Deepway Centre, near the road, as a temporary fenced of area, for preschool whilst turf is being laid on their enclosed garden

Concerns were noted about the safety of the land and its proximity to Deepway Lane – particularly with respect to the change in height and the security of the bank/hedge, and the potential of disturbing nesting birds.

Issues with insurance and liability needed to be confirmed before a decision could be taken.

It was agreed to seek clarification from the Trust regarding liability in the event of an incident and to ensure that a thorough risk assessment of the area had taken place considering how it would be used by the Pre-school.

This item would be on the agenda for the next meeting for resolution.

JD

PLANNING MATTERS

24/258 Planning Applications

1. **24/00600/MAJ, Land At South West Exeter, Matford - Reserved matters details for layout, scale, landscaping and appearance, in respect of a proposal for 104 dwellings (Parcel 3) and associated infrastructure and open space associated with the outline element of hybrid application 15/00708/MAJ**

Cllr Churchward outlined the application, noting confusion with the number of dwellings proposed, affordable housing allocation and lack of parking.

The Parish Council had recently objected to a similar application due to the number of dwellings that would require Dawlish Road for access.

It was resolved to object to the application commenting on the density of development, confusion with affordable housing numbers, lack of visitor parking provision, lack of information regarding waste management, working hours or traffic management and, to request biodiversity enhancement measures.

2. **24/00668/HOU, 69 Brownlees - Conversion of existing garage to habitable space and single storey rear extension**

It was resolved to comment on the application as follows:

Action

- i Working times and a traffic management plan would be useful to reduce the impact on neighbours and other users of the estate road during preparation, building and finishing off processes.
- ii Request that the planning officer makes a condition to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, construction and finishing off.
- iii It would be appropriate to include biodiversity enhancement measures such as bat, bee, bird, hedgehog and insect habitats to meet Exminster Parish's Environment Policy.

HH

24/259 Planning Decisions

Noted as listed below:

1. **23/01911/FUL, Greenacre , Trood Lane - Dwelling and garage – Granted.**
2. **23/01025/HOU, Hayloft Cottage, Days-Pottles Lane - Single storey rear extension with balcony over – Granted.**
3. **24/00509/HOU, Hill Cottage , Exminster Hill - Single storey side extension – Granted.**
4. **15/00708/COND24, Land At South West Exeter NGR 291652 89142, Markham Lane - Partial discharge of condition 20 (ground investigation) relating to Parcels 16a and 16b on planning permission 15/00708/MAJ for outline residential development, mixed use local centre (Use Classes A1, A2, A3, A4, A5, D1, B1), education facilities and sport and recreation, land for community buildings (Use Class D2), open space, Suitable Alternative Natural Green Spaces (SANGS), Sustainable Urban Drainage Systems works, new access and highways infrastructure including a bridge and related works (approval sought for access) - Works shall proceed in accordance with the approved details.**
5. **DBX/DCC/4388/2024/24/00449/DCR3 - Variation of condition 2 of planning permission DCC/4355/2023 (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) to substitute new drawings at Land to the east of the A379, south of Ellacott Road and adjacent to the new Matford Brook Academy, EX2 0AQ - Application approved with conditions.**
6. **23/00936/MAJ – Matford Home Farm, Matford Mews – Construction of electricity substation, operational electricity plant, substation access road and surface water drainage outfall – Refused.**

24/260 To discuss the feasibility of placing signs that highlight local services on the highway at both entrances to the village

Deferred.

JD

24/261 Councillors' Reports – for information only

Action

Cllr Guagliardo noted that the speed limit in the village was incorrectly reported on his Sat Nav/phone.

24/262 Public Open Session – (Maximum 10 minutes)

No comments.

24/263 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 24/265 part II) having due regard to the confidential nature of the business to be transacted.

Resolved.

PART II

24/264 To discuss and agree consultant contracts to cover matters relating to the Due Diligence on the DCC proposed community centre

Refer to Part II minutes.

The meeting closed at 21:20

Date of next meeting Monday 20 May 2024 at 19:00 in the Victory Hall

Signed:.....Kevin Smith.....

Date:.....20 May 2024.....