

Chair: Kevin Smith

Action

**24/621 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 Gary Wheatley (GW), Cllr Adrian Wood (AW).

Clerk: Mrs Jill Daw (JD)

Deputy Clerk: Mrs Helen Hibbins (HH)

Staff in attendance: Mrs Tania Foley (TF)

Devon County Councillor: Alan Connett (AC)

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

Public: 5

**24/622 Apologies received from**

None offered.

**24/623 Declaration of interest on agenda items**

None declared.

**24/624 Dispensation requests regarding Code of Conduct**

None received.

**24/625 Public open session (maximum 10 minutes)**

1. A resident reported flooding in Crockwells Close that had damaged property and possessions. The drain outside the house needed to be lowered and Devon County Council (DCC) Highways agreed this was necessary in 2022. To date, the work had not been carried out despite being programmed. Cllr Connett had taken the matter up with the legal department who understood the issue, but did not accept liability and therefore there was an impasse.

*It was agreed that the Parish Council would write a letter to DCC supporting the resident's case. Cllr Connett would provide the Clerk with the details to facilitate this.*

JD

2. The Group Operations Manager from Case Recycling (Kenbury Wood's management) spoke regarding planning application 24/638/5 to extend the facility. A map was shown and explanation of the site and the purpose and proposed benefit of the extension was given.

**24/626 To confirm the draft minutes of the Exminster Parish Council meeting held on 18 November 2024 are an accurate record**

Cllr Guagliardo challenged item 24/601.

The following points were made by Councillors:

- Cllrs Goodey and May reported that they had been at a training programme on the Code of Conduct. They were advised that personal interests could and should be declared.
- On reading Cllr Guagliardo's full script, which he sent to Councillors after the meeting, Cllr Wood said that it appeared to be a declaration of interest
- the personal information being shared was found to be disturbing. Cllr Wood pointed out that other councils gave some leeway when councillors first language was not English and, maybe Cllr Guagliardo was covering all bases in his explanation
- the matter did not relate to anything on the agenda which the agenda item stated it should
- it was suggested that the Council could accept a general declaration.

The Clerk noted that she had been in contact with the Monitoring Officer and had written to Cllr Guagliardo advising him how he should declare his interest at this and future meetings.

Following discussion, it was agreed that the minute would be amended to "*Cllr Guagliardo started to make a declaration of interest but was advised by the Chair that the content was not at the appropriate point and to wait until Councillors report*"

There were no further amendments suggested to the minutes.

Cllr May noted that she had left the meeting on the 18 November early and therefore could not vote on the accuracy of the complete minutes but supported the amendment to 24/601 (page 1).

It was resolved to approve the minutes subject to the amendment of 24/601. Cllr Wood asked for a named vote to be taken.

For: Cllrs Nuttall, Churchward, Wheatley, Goodey, Smith and Ladyman

Against: None

Abstain: Cllr Guagliardo

(Cllrs May and Wood were not present for the entire meeting on 18 November).

Cllr Wood stated that he would investigate the procedure of declaring interests with the Monitoring Officer.

**24/627 County Councillors Report on items other than those on the agenda**

Devon County Councillor Alan Connett reported that he had taken up the issue of noise and light pollution from the tankers undertaking sewage work for South West Water reported by residents in Gissons.

Additionally, concerns had been raised about the impact of the additional traffic on Sannerville Way due to the road closure in the village next week.

The impact on buses and school transport would be advised as soon as it was available.

**24/628 District Councillors Report on items other than those on the agenda**

Teignbridge District Councillor Charles Nuttall had no matters to report.

Teignbridge District Councillor Kevin Lake reported:

1. An unresolved issue with broken recycling bins at Exminster House had been taken up with the Waste and Recycling Officer.
2. Residents had highlighted issues with a rutted road surface on Deepway Lane between the Deepway Centre entrance and Deepway Gardens.
3. DCC Highways had been contacted about the bus stop at Willowbrook on Dawlish Road as it was considered to be in a dangerous location.
4. The issue with a retaining wall in Deepway Gardens continued. The applicant had been advised that they would need to reapply for planning permission.
5. The fact that the sewer had failed again at the end of Milbury Lane and was undergoing repairs would be investigated with South West Water.
6. Dog fouling had been reported at several locations in the village including the school crossing area, Stowey Arms and the Crockwells Road junction. TDC would attend to stencil the pavement in the areas affected to remind dog walkers to pick up.
7. There had been an act of vandalism on a van in Reddaway Drive and power tools had been stolen. The police response had been disappointing, and this had been taken up with the Neighbourhood Beat Officer.
8. Investigations as to why work had been done on the bank on Sannerville Way between the Exminster junction and the Garage were taking place.
9. Residents had reported drug growing equipment in the locality. This had been advised to the police.

**24/629 Chair's Report**

1. The Chair thanked the Parish Councillors, County and District Councillors and volunteers throughout the village for their hard work over the last year at this final Parish Council meeting of 2024.
2. Carols around the Christmas Tree, led by Reverend Vanessa Pestrige, would take place on Monday 16 December.
3. Members of the public were thanked for attending Parish Council meetings.

**24/630 Clerk's Report**

1. DCC had issued a road safety audit regarding the landfill application for Lower Brenton Farm. This would not affect Exminster, and no response was necessary. Cllr Churchward had read the document.
2. An enquiry had been received about whether retail units for takeaways would be available at Matford. This was referred to the developers.
3. Christmas Tree recycling would take place on the weekend of 4/5 January at Dryfield Car Park.
4. The Green Spaces Group were organising a Wassail at the Community Orchard on the evening of Friday 17 January. A risk assessment would be completed and local residents informed.

It was agreed to bring forward item 24/638/5 for the benefit of the management of the facility who were in attendance.

**24/638 5. 24/638/5 BGX/DCC/4412/2024 Extension of the existing Materials Recycling Facility (MRF) building at Kenbury Wood Waste Transfer Station, Road to Westfield, Kennford, Devon, EX6 7XD - additional supporting information to address concerns**

Having seen the plans and heard the explanation, the scale of the building was understood. Additionally, it was noted that the colour of the building would be sympathetic to the landscape.

It was confirmed that there would be no significant impact on the traffic in the area as a result of the extension.

Council resolved that it had no comment to make on the application.

TF

**24/631 To note receipt of the monthly Police report**

Noted.

**24/632 To agree comments recommended by Cllr Churchward on the consultation on the draft Devon and Torbay Local Transport Plan 4, for submission to Devon County Council**

Action

Cllr Churchward explained how she had formulated the proposed comments contained within the circulated report. Exminster was considered rural Devon within the plan.

- Delivery of the sustainable transport vision in the LTP4 is threatened by lack of funding.
- Local initiatives, even some of those in the LTP4 action plan, will have to be driven by communities looking for external funding and / or grants.
- Integrated ticketing is limited to bus services, adding in train services would be beneficial.
- Integrated ticketing that will include Plymouth for the whole of Devon, especially the immediately surrounding settlements.
- Disruption to mail rail line to Paddington will continue for 7 years while upgrades take place. In the meantime, how can plans to extend the Waterloo line from Exeter be viable without funding?
- What happens after 2034 when diesel trains won't be available?
- EV structure is poor in county preventing take up of electric vehicles and meeting Net Zero by 2050.
- Speed control on residential roadways is not included in the LTP4.
- The LTP4 does not include how safer travel or walking can be achieved; people of all ages and abilities will feel safer using public transport with integrated ticketing at nighttime if there is more light at bus stops, on cycleways and the more frequently used pathways.
- What consultation and intervention is planned? Communities want their responses acted on sooner.
- Multi-use Trails do not include horseriders or carriages.

It was resolved to include the comments above in a response, with the addition of a comment relating to South West Exeter as an "urban extension" – thereby not in accordance with a rural Devon definition - due to its proximity to Exeter.

*Cllr Churchward would formulate an additional comment regarding South West Exeter and send to the Clerk for submission.*

SC/JD

Cllr May left the meeting.

**24/633 To discuss the consultation on enabling remote attendance by Councillors and proxy voting at local authority meetings and agree a Council response**

The consultation had been circulated. Each question (relevant to the Council as a whole) was voted on. It was resolved to submit the following responses:

- Q2 Do you agree with the broad principle of granting local authorities powers to allow remote attendance at formal meetings - YES
- Q3 It was agreed that c) was appropriate "There should be no limitations placed upon councils with regard to setting arrangements for remote attendance of

Action

- council meetings, up to and including full remote attendance” and in d) to write “each Parish Council is allowed to make its own local arrangements.”
- Q5 It was agreed that 90-100% of the council’s currently elected members were likely to seek to attend council meetings remotely over the course of a year.
  - Q6 It was agreed that b) was appropriate “Councils should only have the flexibility to change a meeting from in-person to online, or vice versa, due to unforeseen and exceptional circumstances.”
  - Q7 It was agreed that all the options relating to necessary procedural measures proposed in the question were relevant and therefore to tick a), b) and c)
  - Q8 All statements in the “should be considered because” column were approved. Only the item “It would be more difficult for Councillors to build personal working relationships with colleagues and engage with members of the public in attendance at meetings” was agreed in the “should not be considered because” column.
  - Q9 In your view, would allowing councillors to attend formal local authority meetings remotely according to their needs particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities? – It was agreed that the option “it would benefit members” was appropriate.
  - Q10 In addition to provisions allowing for remote attendance, do you consider that it would be helpful to introduce proxy voting – It was agreed that the option “unsure” was the appropriate response.
  - Q12 and Q13 It was agreed that “contentious planning applications and pre-determination” should be written in the free text boxes.

*The Clerk would submit the response on behalf of the Parish Council.*

JD

*Councillors were urged to complete the consultation as individuals.*

ALL

**24/634 To discuss the scope of a draft ‘Recording of Meeting Policy’**

It was resolved to defer this item until after the New Initiatives Working Stream had met.

JD

**FINANCE MATTERS**

**24/635 Payments for approval**

It was resolved to approve payments in the sum of £2,301.39.

HH/TF

**24/636 To consider a grant application in the sum of £500 from Teignbridge Citizens Advice Bureaux**

Action

Council considered this a cause worth supporting. It was noted that two grants had been awarded within the last five years.

It was resolved to grant the sum of £500 as per the application.

HH

**24/637 To update Council on interest from local Councils on a co-ordinated approach to Teignbridge District Council's (TDC) Community Infrastructure Levy policy examination and agree next steps**

The RFO had made contact with other Clerks who were in the process of asking their Councils whether they were interested in attending the hearing. To date, there has been one confirmation.

A meeting of interested parties would be arranged by the RFO. Cllr Wood and the RFO would attend.

HH

It was noted that legal advice and/or representation may be required and that any request for this would be brought to a future meeting.

Cllr Nuttall left the meeting.

**PLANNING MATTERS**

**24/638 Planning applications**

**1. 24/01673/MOD | Modification of Section 106 agreement on planning permission 22/00145/FUL | Old Matford House Old Matford Lane Matford**

It was resolved to object to the application due to the lack of affordable housing in the Parish.

TF

**2. 24/01765/CLDE | Certificate of lawfulness for existing unrestricted occupancy of 12 dwellings | 1-12 Pottles Barns Days-Pottles Lane Exeter Exminster**

It was confirmed that the application intended to provide long term affordable rented accommodation.

It was resolved to support the application with the following comments:

- Foul and surface water management needs to be included in the planning documentation as long-term residency in a C3 development has a different requirement to that of short-term holiday lets, to meet Neighbourhood Development Plan (NDP) Policy EXM2 – Open Countryside.

Action

- Provision of outdoor amenity (gardens or allotments and play areas) for residents and their visitors should be made to service all 12 units to meet NDP Policy EXM3 – Quality of Design.
- Provision of visitor parking is required to meet NDP Policy EXM3 – Quality of Design.
- Provision of biodiversity enhancement measures such as bat, bee, bird, hedgehog and insect habitats should be included to meet Exminster's Environmental Policy.

TF

3. 24/01834/HOU | Conversion of existing conservatory into dining room and erection of side porch | 29 Miller Way Exminster

It was noted that the house and its immediate neighbour shared a narrow driveway.

It was resolved to support the application with the following comments:

- An agreement on working times and a traffic management plan would be required due to the shared driveway
- A sustainable waste management plan was needed
- Provision of biodiversity enhancement measures such as bat, bee, bird, hedgehog and insect habitats should be included to meet Exminster Parish's Environmental Policy.

TF

4. 24/01871/TPO | G5- Atlas cedar- Crown Lift to provide 3 metres clearance from ground level T24- Western red cedar- Crown Lift to provide 3 metres clearance from ground level G4-Common Horse chestnut- Crown Lift to provide 3 metres clearance from ground level T25- Magnolia- Crown Lift to provide 3 metres clearance from ground level T23-Willow- Crown Lift to provide 6 metres clearance from ground level G3-Common limes- 9 trees to be crown lifted Crown Lift to provide 3 metres clearance from ground level T22-Black walnut- Crown Lift to provide 3 metres clearance from ground level T19-Common lime- Fell to ground level and remove all arisings- Exposed surface roots in neighbouring garden, lifting lawn and patio, within 1m of property. Fell Tree (Fell to prevent structural damage to neighbouring property.) T12-Common lime-Crown Lift to provide 3 metres clearance from ground level T10-Pine- Cut back away from bike shed Crown lift lower canopy T9-Cherry- Crown Lift to provide 3 metres clearance from ground level Reduce branches away from light | Mansion House Devington Park Exminster

It was resolved to comment on the application as follows:

- Pollarding of the cedar, chestnut and walnut trees should be done during the winter months, and definitely before March.



Action

- The TDC arboriculturist should check that the photo is of the correct tree and confirm its TPO reference, as it would be improper to fell T19 rather than T15.
- The TDC arboriculturist should consent to all work proposed.

TF

24/639 **Planning decisions**

Noted as listed.

1. 19/01779/COND7 | Discharge of condition 12 (Central Garden Public Open Space Landscaping Scheme) on planning permission 19/01779/MAJ for reserved matter details (layout, scale, landscaping and appearance) related to Parcel 8b for 193 dwellings, including associated infrastructure and open space, pursuant to the outline element of hybrid planning permission 15/00708/MAJ (dated 2nd November 2018) | Land At South West Exeter NGR 292377 88776 Matford - APPROVED
2. 19/01779/COND6 | Discharge of conditions 20 (permanent surface water drainage) & 21 (cycle/pedestrian safe route) on planning permission 19/01779/MAJ – PARTIAL DISCHARGE OF CONDITIONS
3. 24/00960/COND1 | Discharge of biodiversity net gain condition on planning permission 24/00960/FUL for full planning permission for the erection of 6 dwellings including landscaping, car parking, infrastructure and associated works, and vehicular access | Land At South West Exeter NGR 291652 89142 Markham Lane Shillingford Abbot - PARTIAL DISCHARGE OF CONDITIONS
4. 24/01369/MAJ | Reserved matters details (layout, scale, landscaping and appearance) related to parcel 16B for 163 dwellings and associated infrastructure and open space pursuant to the grant of outline planning permission 15/00708/MAJ | Land At South West Exeter NGR 291652 89142 Markham Lane Shillingford Abbot Devon - APPROVED
5. 24/00960/AMD1 | Non-material amendment (change red brick type) to planning permission 24/00960/FUL planning permission 24/00960/FUL for full planning permission for the erection of 6 dwellings including landscaping, car parking, infrastructure and associated works, and vehicular access | Victoria Heights Chudleigh Road Alphington Exeter Devon – APPROVED
6. 19/01778/COND1 | Discharge of condition 16 (acoustic assessment) on planning permission 19/01778/MAJ for reserved matters details (layout, scale, landscaping and appearance) related to parcel 16a for 94 dwellings, including associated infrastructure and open space, pursuant to the outline element of

Action

hybrid planning permission 15/00708/MAJ dated 2nd November 2018. | Land At South West Exeter NGR 291652 89142 Markham Lane Shillingford Abbot Devon  
– PARTIAL DISCHARGE OF CONDITIONS

7. 15/00708/COND22 | Partial discharge of condition 11 (LEMP) relating to Parcels 13/14 on planning permission 15/00708/MAJ – PARTIAL DISCHARGE OF CONDITIONS
8. 15/00708/COND26 | Partial discharge of condition 11 (LEMP) relating to Parcel 15 on planning permission 15/00708/MAJ – PARTIAL DISCHARGE OF CONDITIONS
9. 15/00708/COND33 | Partial discharge of condition 11 (LEMP) relating to Parcel 16a on planning permission 15/00708/MAJ – PARTIAL DISCHARGE OF CONDITIONS
10. 15/00708/COND36 | Partial discharge of conditions 22 (access strategy), 23 (links and access points) & 25 (pedestrian routes) relating to Parcels 11-16 on planning permission 15/00708/MAJ - PARTIAL DISCHARGE OF CONDITIONS

#### SOUTH WEST EXETER DEVELOPMENT

**24/640** To approach TDC to determine the facilities in use at Matford Brook Academy  
It was currently unknown whether there were any facilities that could be made available for community use due to the ongoing building issues.

It was agreed to write and make inquiries.

HH

**24/641** To approve sending a copy of the LHC Feasibility Study on a community centre to the landowners of Matford Home Farm

An update on a meeting with the landowners was given.

An amended Reserved Matters application for the land would be coming forward early in the new year.

LHC had produced a “concept building” plan as part of the Due Diligence. It was resolved that a copy could be shared with the landowners.

*Cllr Wood would put together an email to accompany the plan.*

AW/HH

#### NEIGHBOURHOOD DEVELOPMENT PLAN MATTERS

Action

**24/642 Update on matters**

183 completed Household Consultations had been received to date, including 41 sent directly to Devon Communities Together. The closing date for submissions was 9 December.

Cllr Wood would confirm the number of respondents to the Housing Needs Survey when the information was received from DCT.

**24/643 Councillors reports – for information only**

1. Cllr Churchward thanked the Admin Assistant for her help with the planning applications process.

**24/644 Public open session (maximum 10 minutes)**

Councillors were wished a Merry Christmas.

The meeting closed at 20:48

Date of next meeting: Monday 6 January 2025 at 19:00 in the Victory Hall

Signed: Kevin Smith

Date: 6 January 2025