

COLYTON PARISH COUNCIL
Feoffees Town Hall, Colyton
EX24 6JR

Tel (01297) 552460

Minutes of the meeting of the Parish Council which held in the Mortimer Room of the Feoffees Town Hall at 7.00 pm on Monday 9th February 2015.

Present: Cllrs B Collier, C Collier, J Hay, P Gibbins, K Clifford, M Mann, C Pady, S Smith, H West, S Real, A Parr, R Turner, 9 members of the public, P Youngman (AONB) 1 member of the press (for part of the meeting) , PC S Speariett, Sgt A Squires (for part of the meeting), Dist Cllr H Parr & L Berry (Clerk).

15/02/180 Receipt and approval of apologies for absence - Cllr Pocock (unwell)

15/02/181 Police Report – by email & verbally

Colyton - 6 Crimes

This compares to 6 crimes last month and 4 crimes in January 2014

- **7th Assault ABH:** Domestic related incident. (CR/001647/15)
- **14th – 15th Theft:** A trailer with a double glazing exhibition display was stolen from the tramway yard. (CR/003426/15)
- **1st – 15th Miscellaneous:** A youth had sent explicit photographs to another person.
- **13th – 18th Burglary Dwelling:** A property in Springfields, Colyford was broken into and jewellery stolen. (CR/004180/15)
- **23rd – 24th Theft:** A sign was stolen and damaged caused to a vehicle outside Soanes Cycles. (CR/005435/15)
- **28th – 30th Criminal Damage:** Play equipment at the PEACE Memorial playpark was damaged. (CR/006780/15)

PC Speariett confirmed that patrols will be increased in the Peace Memorial Play Park area and that he & his colleague were on their way to the Youth Club to speak to the youngsters there.

15/02/182 Public Question Time (15 minutes maximum)

Mr Carthy presented planning application 15/0131/MOUT giving some background information on how the land had been acquired and what he felt were the Councils responsibilities under the 1996 agreement, which he felt councillors had been disregarding. It was pointed out to him that the 1996 agreement that he had referred to had a clause in it that stated if no planning application had been granted in 15 years the agreement ‘shall automatically cease’.. Mr Carthy still felt the council had a moral obligation to adhere to that agreement. Cllr Smith pointed out that things had moved on, there was now different parish councillors in place, global warming was having more of an impact & nobody could expect a current council to be forced to honour something drawn up nearly 20 years ago when legally all obligations had expired.

Mr Carthy explained how the current application met the criteria that the past application had failed on. It was pointed out to him that very little had changed, and although the number of units had changed they were still scattered over the site,

within the flood zone. He finished by hoping the Parish Council would support the application.

Another MOP stated that he had taken legal advice on the clause in the 1996 agreement that this was a correct interpretation of the agreement which had now lapsed. He felt nothing much had changed with this new application and nothing could justify building on virgin countryside or a flood plain. He also had concerns with the proposed development, in part, looking into the Colyton Caterpillars playground and recreation room.

A Ham Lane resident confirmed the flooding problems and knew of a lady at the bottom of Ham Lane who could not get flood insurance. He had lived here 15 years and each year it gets worse.

15/02/183 The Minutes of the Parish Council Meeting held on 12th January 2015 were approved & signed as being a true record of that meeting.

15/02/184 Matters arising from these Minutes *which are not otherwise on the agenda – none.*

15/02/185 East Devon AONB presentation – Mr Pete Youngman

Mr Youngman explained the project being developed which focused upon the medieval landscape of Shute House and surrounding estate, including the Umborne valley. This is based upon a 1781 map of Shute Estate which shows how their lands extended across the parish of Colyton. The group plans to apply for Heritage Lottery funding and have formed a small group of local people to help guide the project development and want to engage local landowners in a stewardship programme to maintain and protect the diverse habitats, especially the unimproved grassland areas. At this stage they are just looking for support for the project.

Cllr Pady propose that CPC offers their support, seconded by Cllr Clifford and agreed by all.

15/02/186 Report from County Councillor – not present

15/02/187 Report from District Councillors

Cllr H Parr presented some details from the December monthly performance snapshot. Processing of housing & benefit claims were taking on average 6.5 days. 96% of invoices were paid within 10 days. Fly tipping was cleared on average in 2.5 days and there had been 38 cases in December (59 in November)

At Cranbrook 587 new homes had been granted planning permission and the Met Office super computer had been given permission to be located at SkyPark. The Exeter & East Devon growth point area is taking shape and in Exmouth permission had been given to build a multimillion pound water complex.. Phase II in Cranbrook is completed with over 860 properties occupied.

Volunteers with the countryside service had completed over 452 hours of work.

Cllr Mann asked that if the recycling contract which is being renegotiated would take into consideration the need for household cardboard recycling? Cllr Parr replied by saying that it will be looked at but would require larger vehicles and changing practises and the concern was at what price to residents?

15/02/188 Highway Matters

a) Burnards Field Road.

A local resident had approached the snow warden asking if it could be gritted in bad weather. Apparently Highways had told her that it could be added to the programme if the request came from the Parish Council. The road is high & steep with many elderly residents and is well used. Cllr Mann proposed we ask DCC to

include it on their programme, Cllr Clifford seconded the proposal. All agreed.
The Clerk will ask DCC .

b) Visit Colyton notify CPC that they have applied to DCC to close Market Place & Lower Church St on Saturday 13th June for Monmouth Rebellion re-enactment – noted.

15/02/189 Reports from meetings attended:

Cllr Smith had attended the DALC meeting – her report is attached as Appendix 1. Cllr B Collier had also attended and felt it very informative. It is very apparent that with the financial situation we as a parish will have to consider at some time addressing the road repair situation with training & material provided by DCC.

Cllr Mann reported that the Reece Strawbridge Centre carries on with nothing new to report,

15/02/190 Correspondence

- a) Publications e-mailed to councillors – Intouch/RsN etc
- b) Email EDDC Graeme Thompson re Draft east Devon Playing Pitch Strategy – emailed to Cllrs.
- c) Letter to Chair from James Carthy re Land Adjoining PMPF
- d) Email DCC – Public Transport Review - proposals & request for response – emailed to Cllrs. Attached poster placed on noticeboard,
- e) Letter from Sulina Tallack re S106 changes – to be discussed under Planning.
- f) Request from East Devon Motor Cycles to use part of PMPF/RST car park for motorcycle training. The Parish Council felt that more information was necessary, the clerk will contact Mr Widger.
- g) Forwarded Email from Clare Smith – Sovereign Housing re application bid process – passed onto Cllrs for update.
- h) Devon Home Choice training – anyone interested? – 25th February- passed onto Cllrs for info.
- i) Email from D. Hull re meeting about Axminster Hospital – 7th Feb – Guildhall 3pm – emailed to Cllrs for info.

15/02/191 Finance:

- a) Minutes of the Finance Committee Meeting held 26th January 2015 (Appendix V) to be noted.
- b) Accounts to be presented for payment – payment proposed by Cllr Smith, seconded by Cllr Real & agreed by all.

DD	TalkTalk	Broadband & telephone	£18.66	£3.25	£21.91
DD	EDF	Electricity	£7.60	£0.40	£8.00
Bank Transfer	PDG	Gardening			£20
3536	Mole Avon	Wood stakes for tree	£5.80	£1.16	£6.96
3537	SLCC	Subscription Renewal			£149
3538	Office Depot	Toner & Files	£36.50	£7.30	£43.80
3539	DALC	Clerk – preparing for election			£25.00
DD	BT	Final Bill	£66.74	£13.35	£80.09
3540	MNR Mowers	Parts for service	£33.39	£6.68	£40.07
3541	David Surridge	P3 work to FP11	£560	£112	£672

3542	CASH	Toilet Cleaner			£100
3543	VIRIDOR	Waste Management & Duty of care notice	£117.85	£23.55	£141.40

c) John request authority to order 6 lengths of 4x2 for seat repairs & general maintenance - OK

d) Net Interest from Cambridge Savings account 1/1//14 – 31/12/14 - £24.25

e) Clerk request the purchase of ‘Good Councillors Guide’ @ £2.50 from DALC prior to elections – agreed to purchase 6 copies.

f) Viridor charges increase by £1 per collection from March 2015 – noted.

15/02/192 **Planning:**

a) Minutes of the Planning Committee Meeting held 26th January 2015 (Appendix V) to be noted.

b Planning Applications

15/0131/MOUT Land Adjacent Peace Memorial Playing Fields – DBD Developments

Residential development of up to 16 units, including 6 affordable units, access road & amenity land (outline application, all matters reserved)

Letters of objection.

Cllrs B & C Collier declared a personal interest as this is a relative. Cllr Turner declared a personal interest as he is friends with one of the developers.

NOT SUPPORTED – for the same reasons as the last application – an overdevelopment of the site, outside the built up boundary in a flood risk area, Proposed by Cllr Mann, seconded by Cllr Parr and agreed by a majority.

15/0118/FUL 9 Grove Hill, Colyton – Mr & Mrs Carter.

Extensions & alterations including erection of raised balconies.

Letters of objection.

NOT SUPPORTED – the development including the balconies were felt to lead to a loss of amenities to the neighbours. Proposed by Cllr West, seconded by Cllr Mann & agreed by all.

15/0190/COU The Studio, Market Place, Colyton – Mr & Mrs Anderson

Change of use from A1 (retail) to A2 (professional services).

SUPPORTED – proposed by Cllr Mann, seconded by Cllr Real & agreed by all.

15/0269/OUT Land South of Yaffles, Coly Rd – Mrs Gould

Outline application (all matters reserved) for up to 5 swellings, formation of site access & estate road, footway & parking provision.

Deferred to the next planning meeting. Clerk to look into a previous application not recorded on any planning history of the site.

14/2710/LBC 3 Elm Farm Cottages, Fair View Lane – Mr Edmondson & Me Little

Alterations to boundary wall – *no plans yet*

15/0250/LBC The Sunday School Building, Market Place – Mr Dawson

Cllr A Parr declared a personal interest as he is on the Fabric Committee which agreed to submit the application.

Replacement windows on rear elevation, re-rendering, replacement rainwater goods & secondary glazing to first floor windows on front elevation – *no plans yet*.

c Planning Decisions

14/2979/TCA The Vicarage, Vicarage Street, Colyton

T1 Sycamore – cut back from property to give 2m clearance, T2 Robina – reduce crown by 1-2m, T3 Eucalyptus – reduce crown by 2.5 – 3m to previous reductions.

APPROVED

15/0193/CPL The Old Mending Room, Sidmouth Rd.

Certificate of proposed lawfulness for the installation of wood burner flue – **CPL APPROVED PART 1**

d Planning Correspondence

a) S106 Changes - Sulina Tallack request we identify any specific projects that could meet the needs of residents & fulfil new S106 criteria which would be created by the development of further dwellings in our area.

There was some discussion, Cllr West suggested trying to fund or find some open space land for recreational use at Colyford and it was suggested that a project to improve the football pitch drainage & condition would be a worthwhile project if funds were available. The Clerk will forward these suggestions.

b) Copies of letters of objections to **15/0131/MOUT** - noted

c) Letter re **15/0118/FUL** - noted

15/02/193 Amenities:

a) Removal of Christmas wreaths from cemetery – agree date to start removing them to facilitate grass cutting. Cllr Mann proposed the 1st February, seconded by Cllr Gibbins & agreed by all.

b) Offer of play equipment from Carnival Committee

Cllr C Collier & S Real explained the background to this suggestion. The idea would be to provide something for disabled children such as a roundabout that could be used by them and able bodied youngsters. It would mean some alteration to the play park for which there may be grants available.

Cllr Clifford thanked the Carnival committee for their generous offer and proposed we go ahead and inspect the area to see where it could be sited, Cllr B Collier seconded the proposal and all agreed,

The roof of the Carnival shed is due to be removed shortly causing some disruption in the yard so Cllr Parr has offered John temporary accommodation in the Tannery if required.

c) Rev Dawson request permission to hold 6am Easter Service on Sunday 5th April at the picnic site. Cllr West proposed this be approved, seconded by Cllr Smith & agreed by all. The Clerk will inform Rev Dawson.

d) Football Club Lease/License

This was discussed by the football club and found to be acceptable. Cllr West had suggested some minor amendments which were agreed. The clerk will rewrite

The lease and give it to Rodney for the Chair of the Football Club to sign.
Lease attached as Appendix 2.

15/02/194 Future of the Library – Cllr M Mann

Cllr Mann reported that DCC wanted to hand ownership of the building over to a third party, either the Parish Council or the Feoffees. There was some discussion as to the implication of this and the cost of running the service.

Cllr West proposed a meeting be held with representatives of the Friends of the Library and the Parish Council to discuss this further, Cllr Gibbins seconded the proposal and all agreed. Cllr Mann will organise a meeting.

15/02/195 The Kingfisher, Dolphin St – Premises Licence Variation Application.

Cllr Turner gave the Council the benefit of his experience, stating that this was not an unusual request, one other establishment had extended their hours and had the Police impose conditions on them such as CCTV & door staff. It appears no such conditions are imposed here.

Cllr Real proposed we support the changes, seconded by Cllr B Collier. The majority agreed with one abstention.

15/02/196 Other matters received after the agenda published - to be noted.

- a) Notification of postponement of public local enquiry Wildlife & Countryside Act 1981 Section 53 - 11th February at Northleigh – new date yet to be proposed.
- b) Henry request we purchase paper towels for the playing field toilet. Cllr Turner to liaise with him.
- c) Details of the Local Council Award Scheme which replaces the Quality Council scheme – noted.
- d) Social Club – carries on. It has managed to pay off most of its outstanding debts. Membership subscriptions are requested now.
- e) Paint for toilets arrived. Cllr Mann will organise the painting.

15/02/197 Dates of future meetings:

Finance and Planning Committee Meeting: 23rd February 2015

Full Parish Council Meeting: 9th March 2015 Colyford Memorial Hall

The meeting closed at 2104.

APPENDIX 1

DALC Meeting 27th Jan 2015

It was reported no decisions yet on the beds at Axminster Hospital.

A talk by Citizens Advice on its history which now gets 5.5 million enquiries per year

The Secretary gave a talk on the 3 levels of quality council schemes however to obtain this the clerk would need to be fully qualified. Details of the criteria required most things had to be posted on line not just minutes and agendas but standing orders, financial regulations, annual returns, audits, asset registers plus many more. It was £50 to enroll and £50 fee to gain a standard.

Changes to Parish polls – now must be at least 10% of local electors or 60 if 10% is more than that. *— not just 10.*

This Thursday the 12th a combined information meeting by DALC and EDDC in Axminster for ⁵⁰perspective councilors and a training meeting arranged for Saturday 6th June at 10 o'clock.

A talk about Highway cuts, only grass cutting on corners affecting visibility and safety, all other work will have to be done by the parish and landowners. Ditches will not be cleared by lengths man – only drains. Chapter 8 training will be given to a road warden scheme similar to that of snow warden. Small potholes could be repaired locally with materials being provided by County.

New transparency rules regarding smaller council under £25k not requiring external audits.

Neighborhood plan money now run about but from April another £22.5 million will be available and Cerne Abbas had completed their plan.

APPENDIX 2 - LICENCE BETWEEN COLYTON PARISH COUNCIL AND COLYTON FOOTBALL CLUB

This Agreement is made on2015 between Colyton Parish Council and Colyton Football Club the parties to the Agreement

- 1 In consideration of the payments stated to be made by the Colyton Football Club, in para 4 below, and the conditions contained in this Agreement observed, the Parish Council hereby grants to the Colyton Football Club the following rights :-
 - a) For the Football Club to have use of the football playing area of Peace Memorial Playing Field for football fixtures and practice.
- 2 The ground shall be made available to other users if requested, but the Football Club shall have priority during the football season.
- 3 The Parish Council will not be liable to the Football Club or players for any personal injury damage loss, or inconvenience, however caused to them, or for any items brought to the ground. The Football Club shall indemnify the Parish Council against all claims by any lawful visitor to the ground who has entered the ground for any purpose connected with the use of the ground by the Football Club
- 4 This Agreement shall be for a period of 25 years from the first day of MARCH 2015 provided the Football Club has paid the annual fee of £1.00 in advance of 28th February each year
- 5 The Football Club shall adhere to the following conditions :-
 - a) Except with the prior consent of the Parish Council the Football Club shall not use the ground for any purposes other than the permitted use.
 - b) The Football Club shall conduct their activities to ensure that the rights granted in this Agreement do not in any way interfere with, or adversely affect the enjoyment of the ground by the Parish Council or by any other authorised users.
 - c) To keep the ground in a fair and reasonable condition to a standard approved by the Parish Council and to keep it tidy and clear of litter.
 - d) To effectively and adequately insure the Football Club against claims arising from their rights as stated in this Agreement. A copy of the insurance Cover to be given to the Parish Council each year on renewal.
- 6 This Agreement may be terminated by notice in writing:-
 - a) If the Football Club fail for a period of twenty eight days to remedy any breach of the terms of this Agreement.
 - b) If the Football Club should be wound up or cease to exist.
- 7 The Football Club agrees that this Agreement does not confer a tenancy and that possession of the ground is retained by the Parish Council
- 8 If at any time any dispute doubt or question shall arise between the Parish Council and the Football Club regarding the meaning or effect of this Agreement it shall be referred to the arbitration or decision of two independent persons, one appointed by each party.

Signedfor Colyton Parish Council

Signed.....for Colyton Football Club