

**MINUTES FOR THE COLYTON PARISH COUNCIL MEETING**  
**HELD ON MONDAY 9<sup>TH</sup> NOVEMBER 2020 VIA ZOOM.**

**Present:** Cllrs C Denny, H West, R Watts, E Jones, K Clifford, J Gardiner, C Pady, A Parr, P Arnott, S Real, J Hay and R Turner.

**Also in Attendance:** EDDC District Cllr H Parr, DCC Cllr M Shaw and S Haines (clerk)

**Members of public: 7**

*The Chairman request that those people recording the meeting declare so and conform to Standing orders and GDPR legislation.*

**20/11/56 Welcome by Chair.**

**20/11/57 Receipt & Approval of apologies for absence.** Cllr A Jarmen (called out on work commitments)

**20/11/58 Police Report** – these are no longer being produced, clerk has been advised that the figures are available on the Police website but only for the ‘Seaton Rural’ area which includes Beer, Branscombe, Colyton, Colyford, Rousdon, Axmouth etc. With no indication of a specific breakdown for each area. An explanation has been given that with the loss of local police comes the loss of local knowledge. Cllr Parr commented that this is extremely disappointing. Cllr West stated that he pays £320.15 in his rates bill . . . towards the policing, this should be to put more officers on the beat but we seem to be getting less, as . . . Parish Councillors we should know what crimes are happening in the Parish, he proposed the Parish Council write a letter to Alison Hernandez and ask her where the money is going, this was seconded by Cllr Jones and agreed by all. Cllr West volunteered to write the letter.

**20/11/59 Declarations of Interest.** None

**20/11/60 Public Question time** (maximum 15 minutes) A member of public asked if there could be a section on the Parish Council website where people could report any crimes with a crime reference number. Cllr Watts pointed out that that could leave the Parish Council open to all sorts of issues including GDRP. Another member of public asked about the S106 money and if there was any chance of the money having to be paid back? The clerk confirmed that having been in contact with East Devon, they have stated that due to Covid, there is no current deadline to get the money spent.

**20/11/61 Approval of the minutes of Parish Council Meetings held on 14<sup>th</sup> September 2020 and 12<sup>th</sup> October 2020.** These were both proposed to be accepted by Cllr Jones and seconded by Cllr Watts. Agreed by all.

**20/11/62 Matters arising from the Minutes.** None

**20/11/63 Report from County Councillor** – see **Appendix A** DCC Cllr Martin Shaw confirmed that there was still some money left in his Locality Budget if anybody has any projects that needed funding. He had an update on the free school meals, the Government have done a U-turn and will now be providing free school meals to qualifying families during the Christmas break, the Seaton community group Re:store Axe Valley, who were planning on stepping in and providing this will now donate Christmas hampers to those in need. Cllr Real asked about the flood which is almost over the road outside Shiphay Farm, Cllr Shaw asked him to email the details. Cllr Turner then asked about the pavement in Knowles Drive, it has been damaged for 12 months now and reported various times. Cllr Shaw explained that highways had decided to wait until the development on Coly Road had been completed as damage would likely only reoccur. Cllr Turner stated that the excuse of saving money is disgusting as the residents are effectively housebound due to the damaged pavement.

**20/11/64 Report from District Councillors.** Cllr Arnott talked through his report – Appendix B - there were no further questions. Cllr Parr then talked through her report – Appendix C – Cllr Clifford asked who owns the land as Sheeps Marsh, it was confirmed by Cllr Arnott that the land is owned by Peter Gibbons.

**20/11/65 Highway Matters**

- a) Temporary prohibition of through traffic and parking Ref TTRO2137545. From Thursday 4<sup>th</sup> Feb – Saturday 6<sup>th</sup> Feb 2021 for a maximum of 5 days between the hours of 1900 and 0700 each night. Coly Road between A3052 Swan Hill Road to Kingsholme. These works are considered necessary for resurfacing.
- b) Temporary prohibition of through traffic and parking. Ref TTRO2137651. From Monday 22<sup>nd</sup> Feb – Friday 26<sup>th</sup> Feb 2021 between the hours of 0800 and 1800. Road from Stubbing Cross to Colemans Cross, Southleigh. These works are considered necessary to allow BT to install fibre cabling on behalf of Openreach.

**20/11/66 Report from Meetings Attended.** Cllr Hay reported on a traffic group meeting, he stated that there is now a start date for works on Lishams Drain, this will be February. Highways will also look at the road between the Colcombe Castle and Bath House by putting a camera down. He voiced his disgust at the bank outside

the White Hart, they have not addressed the drainage issues there and have suggested that the Parish Council apply for Cllr Shaws Locality Budget to fix the issue.

#### **20/11/67 Correspondence**

- a) Rural Bulletin
- b) EDDC Corona Virus updates
- c) Rural East Devon Police Newsletters – October 2020
- d) Rural Funding Digest – November Edition
- e) Email exchange between Cllrs Jones and West to Angela King – Neighbourhood Plan Officer at EDDC, confirming Reg.14 consultation details during lock down.

#### **20/11/68 Finance**

Cllr Turner asked Cllr Watts if he would mind chairing this part of the meeting as he has been absent for a period. Cllr Watts agreed.

Minutes of the meeting held Monday 26<sup>th</sup> October 2020 (Appendix P) to be noted.

Accounts to be approved for payment

DD, Opus, Workshop, Net 0.60 Pounds, VAT 0.03 Pounds, **Total 0.63 Pounds**

DD, TalkTalk, Telephone & Broadband, Net 33.26 Pounds, VAT 6.65 Pounds, **Total 39.91 Pounds**

BACS, Halcyon, Ground Maintenance October, Net 501.66 Pounds, VAT 100.33 Pounds, **Total 601.99 Pounds**

BACS, Christmas Lights, **Total 500.00 Pounds**

BACS, Mr C Hill, Parish Newsletter Printing 100 Copies, **Total 25.00 Pounds**

BACS, Mr J Knight, P3 Works on FP8. **Total 120.00 Pounds**

BACS, Viridor, Waste Management, Net 17.92 Pounds, VAT 25.58 Pounds, **Total 153.50 Pounds**

The above accounts were approved for payment, proposed by Cllr West, seconded by Cllr Gardiner and agreed by all.

- a) Social Club insurance claim. Cllr Watts proposed that while we should continue the dispute with the insurer, works do need to begin as the weather is changing and we do not want any more damage to the building. We should instruct the club to gather three quotes for the repairs and bring them to the Council to decide which one to go with. The Council will underwrite the difference in the cost as it is our building. This was seconded by Cllr Clifford and agreed by all.
- b) BACS to Mr J Knight – a claim form has been submitted by the clerk to DCC under the authorisation of Ros Davies to reclaim this money under the P3 scheme. Noted
- c) Millfield – an enquiry has been made into the possibility of renting Millfield and what the costs would be. After much deliberation it was decided that as the Parish Council have not made a final decision on the future of Millfield it was best not to let the land out. The clerk is to email the member of public and thank them very much for their offer.

#### **20/11/69 Planning**

Minutes of the meeting held Monday 26<sup>th</sup> October 2020 – (Appendix Q) to be noted

##### **a Planning Applications**

**20/2128/TCA Malt House King Street Colyton** - Mr Sutton - Crown reduce variegated Maple in rear garden by approximately 30 percent and remove major deadwood and crown clean. Cllr Denny informed the Council that this application has now been withdrawn as after further investigation the tree was found to be diseased and therefore dangerous.

##### **b Planning Decisions – to be noted**

**20/1792/FUL Japonica Kingsdon Colyton** – Ms Williams - Replacement dwelling. Approved with conditions.

**20/1168/FUL Colcombe Abbey Farm Colcombe Road Colyton** - Mr Voysey - Roof over cattle loafing area. Approved with conditions.

**20/1280/FUL & 20/1281/LBC The Fernery Queen Street Colyton** – Mr & Mrs Emery - Construction of rear extension, garage extension, and detached outbuilding. Approved with conditions.

**20/1942/FUL & 20/1943/LBC Briar Cottage Dolphin Street Colyton** – Mr & Mrs Fossey - Construction of single storey extension. Approved.

**20/1847/FUL Ashdown Farm Seaton** – Mr & Mrs Diepenbroek - Single-storey side extensions, balcony to frontage, general fenestration changes and associated works. Approved.

**20/1540/FUL Land Adjacent Borough House Swan Hill Road** – Mr & Mrs Bennett - Construction of garden shed and summer house. Approved.

**20/1810/TCA 21 Old Manor Gardens Colyford** – Mrs Watton - T1, Horse chestnut: reduce and thin due to leaf miner, T2, Horse chestnut: reduce and thin due to leaf miner, T3, Ash: remove, T4, Beech: formative prune, T5, Cherry: remove. Split decision – T5 Cherry, approved for removal, the rest of the trees now have a TPO placed on them.

Cllr West commented that he has lost confidence in performing site visits and reporting back to East Devon, the fact that they have decided no action can be taken on the Horse Chestnuts is unbelievable as these trees are leaning over into the road and they need clearing. He has approached Jason Mair and he said he would be willing to be our tree warden, if he has a conflict of interest in any application then he would step back. Cllr Pady stated that we should thank him very much and grab the offer, he is very skilled and has done plenty of works for us in the past. Cllr Gardiner asked what his qualifications are. Cllr West stated that he is a qualified tree surgeon with his own business and all his own equipment. Cllr Real questioned if we would still be able to pay him to do works for us if he was in this position? Cllr Parr confirmed we would be able to as he would be volunteering as the tree surgeon. Cllr West proposed that we accept the offer on a years probationary period, at the end of the year we will review and insure both parties are happy, this was seconded by Cllr Pady and agreed by all. Cllr Watts informed the Council that he had spoken to Mrs Watton who owns the property and she informed him that she has received an apology from East Devon and that they are currently reviewing their decision.

### **c Planning Correspondence**

Letter received from concerned resident regarding planning application 20/1804/OUT 1 Elm Villas, Fairview Lane. Also attached, a letter sent to EDDC from this resident.

A tree preservation order has been made at Land at 21 Old Manor Gardens, Colyford Ref 20/0048/TPO.

Volunteers needed to form a Steering Group to work alongside the Ceramtec site developers. Cllrs Arnott, Clifford and Pady volunteered to be on the group, it was also suggested that somebody from the Primary School may be interested, Cllr Denny will contact them and find out. It was agreed that Alison Stenning should also be on the group and act as the lead as she is a neighbour of the site and has plenty of experience in organising and leading such things. It was agreed that this group would meet with the developer monthly and report back to the Council before the Full meetings.

### **20/11/70 Amenities-**

- a) Minutes of the meeting held Monday 26<sup>th</sup> October 2020 – (Appendix R) to be approved for publication. Cllr Hay proposed these be accepted, seconded by Cllr Denny and agreed by all.
- b) Request from the Seaton Environmental Action (SEA) Group to plant some trees along Road Green. After some discussion it was agreed that there are a good number of well-established trees on the green already, the main reason for felling the previous trees was because they were overcrowded and impacting on each others health. Cllr Pady proposed we contact the SEA Group, thank them very much for their offer but decline on this occasion, if another site is identified as needed trees planted then they will be contacted, this was seconded by Cllr Real and agreed by all.
- c) Request for a shed up at the allotments, standard size and will not overlook any other plots. Cllr West proposed we accept this, seconded by Cllr Clifford and agreed by all.
- d) Trees at the Cemetery – volunteer needed to meet a tree surgeon to discuss works? Cllr Hay volunteered to meet Jason Mair up at the cemetery to discuss works and get a quote. No commitment at this stage.
- e) Urgent emergency up at the Allotments – email circulated by clerk earlier today. New tenants have taken over a very overgrown plot and discovered blue asbestos amongst lots of rubbish. They have asked for help to remove rubbish and deal with asbestos. Cllr Denny has found a contractor who would remove asbestos and dispose of it at a registered tip for the price of £195 + VAT, they would also then look over and assess the rest of the site for a further £125 + VAT. Cllr Clifford also pointed out that there is an

advertisement outside the Town Hall for asbestos removal. Cllr Watts suggested contacting EDDC as it is fly-tipping and see if they would collect it but Cllr Pady explained that they will not collect on private land. Cllr Gardiner suggested as it states in the allotment holders contract that plots should be returned in a tidy manor then the previous tenant should be contacted. Cllr Real proposed a letter be written to the previous tenant giving him two weeks to clean up the plot, after that time the Council will step in and recover any costs from him. This letter should be sent via recorded delivery. This was seconded by Cllr Parr and agreed by all. Cllr Pady also suggested the fee for the first year for the new tenants be waived, this has been done in the past when a new plot is taken over and a large amount of work is required, this was agreed by all. Cllr West has approached Axe Vale skip hire, they have said they would provide a tipper lorry for a small fee, any rubbish would need to be moved to the car park and will be collected from there. It was agreed that Cllr Denny should look for three quotes to remove the asbestos in case the previous tenant does not complete the job.

**20/11/71 6 Month Rule for Councillors.** Cllr Parr stated that we had apologies from Cllr Turner who was attending the meeting tonight and Cllrs Jarman attended the Parish Inspection so therefore both Councillors were within the 6 month rule.

**20/11/72 Kittles Trust.** Cllr Jones extended his thanks to Cllr Denny who clarified the correct name of the Primary School, he read out a statement from Mr John Mills who has been a huge help in this process 'John Mills had not stated or inferred that he was of the opinion that Colyton Parish Council had wished to resolve itself from any aspect of the 'New Kittles Trust and had been very supportive in assisting the council to resolve the long standing issues within the trust and had in discussion with Councillor Jones suggested that if Colyton Parish Council wished to make reference to the council he would be happy to insert a draft clause in paragraph 9 (4) so that they would have the initial responsibility to elect the first four trustees. Cllr Parr asked for clarification that once the trust is up and running, they will consider handing over all funds to the Primary School as outlined in the Will but would consider after discussion with the school what their priorities would be considering that they are now part of a federation and it should be the Primary School who are the beneficiaries, and then the trust would be dissolved? Cllr Jones confirmed that he would support that. He also stated that one trustee would need to be appointed to liaise with the CCLA. Cllr Parr suggested we elect the trustees. Cllr Arnott proposed Cllrs Jones, West, Gardiner and Pady be elected, this was seconded by Cllr Clifford. Cllr Gardiner asked if that was too heavy with Colyford Cllrs but it was decided that that didn't matter as they would be following directions from the Will. Cllr Watts stated that he against this because the Kittles Trust is Willed specifically to the Parish Council, he stated that the enduring legacy of the trust was for the Parish Council to be responsible for the money. Cllr Jones argued that that was not the case and that was his interpretation. Cllr Arnott asked for the trustees have to be members of the Parish Council, Cllr Watts confirmed that the first trustees do but then the Parish Council lose responsibility. Cllr Arnott stated that that is the same as the Feoffees. Cllr Parr stated that the law has changed, it is very clear in the Will that the money must go to the Primary School so that is where it will go. Cllr Arnotts proposal is passed as there is only one objection. Cllr Jones asked if the Parish Council are happy for the trustees to liaise with the CCLA. This was not answered.

**20/11/73 Broadband in the Parish.** Cllr West proposed that the Parish Council write to Openreach asking them when Colyton and Colyford will have full broadband coverage he pointed out that there are a few places with excellent connection but some still with very poor connection. This was seconded by Cllr Jones and agreed by all.

**20/11/74 Neighbourhood Plan Consultation Strategy.** After much discussion Cllr West proposed that the two venues that hold the hard copies which can be viewed by the public – Colyton Town Hall and Colyford Church – be closed during this lockdown period, the public should not be encouraged to leave their homes for the sake of commenting on the plan. The notices should be changed to reflect this information and it should be included on the notices that hard copies can be posted to their homes upon request to the clerk. This was seconded by Cllr Arnott and agreed by all bar two who abstained. The clerk then asked for clarification on the Consultation Strategy. Cllr West proposed that we do nothing until the end of the Consultation period, at that point all the comments should be sent out to the Steering Group and the Parish Council, the Steering Group will come to the Parish Council with their suggestions and recommendations and then the Parish Council will hold a separate meeting to discuss all the suggestions and produce the second draft. This was seconded by Cllr Arnott and agreed by all.

During the Full CPC meeting on the 7<sup>th</sup> December the above paragraph was called into question. After much deliberation it was decided to amend this paragraph. Cllr Real proposed that the minutes are incorrect and that the comments should not be kept back from the Steering Group and the Consultant until

the end of the consultation period, this was seconded by Cllr Gardiner. A vote was held with the result of 5 for and 5 against. Cllr Parr used his casting vote and Cllr Reals proposal was carried.

**20/11/75 Matters to be taken into Committee.**

**20/11/76 Items brought to the CPC's attention after the agenda had been published.** Clerk received communication from The South West Times which reaches Devon and all surrounding towns and villages to approx. 41,000 readers every Monday. Also as well as the edition's running they pay and sponsor your advert locally via all social media platforms such as Facebook and Twitter and Instagram in regards to making this very local to Colyton, Lyme Regis, Branscombe, Charmouth etc. to attract more response for the positions. The advert will be running as a **half page advert in full colour** for the reduced cost of only just £150 + VAT instead of the full rate card of £1,899.99 + VAT. For two weeks as they had a cancellation. As per Standing Orders the clerk received backing from the Chair and Vice Chair and has authorised this advert to go ahead.

This was time sensitive as clerk was contacted Wednesday 4<sup>th</sup> Nov at 11am and the deadline for the post was 2pm the very same day.

Cllr Watts proposed this be ratified now, seconded by Cllr West and agreed by all.

The clerk circulated an invitation from Devon Communities Together regarding an invite to join their AGM. Cllr Jones volunteered to attend via Zoom, this was accepted by all.

#### **20/11/77 Dates of future meetings**

Finance/Planning Committee – Monday 23<sup>rd</sup> November

Full CPC meeting – Monday 7<sup>th</sup> December

Meeting closed 20:50

## *Appendix A*

### **County Councillor's Report November 2020**

**Free school meals during holidays** I asked the Leader of Devon County Council, Cllr John Hart, to provide school meals for children in need of them during the half-term holiday. Cllr Hart tells me that Devon has been given the smallest amount of new Covid funding of any County Council and that some Devon districts including East Devon have been given only the minimum amount. 'We were expecting a lot more money', he says. 'Our finances are already under pressure for the rest of this year with even more pressure for next year. Therefore with demands on funds I do not think it would be right to consider funding this scheme.' I've replied urging him to reconsider. The cost of providing this support at half term and Christmas would not be huge, in the big scheme of things, but there are children in this area and in every area of Devon who really need this support. I've officers to give a figure for the cost. In the meanwhile, since the Government and the County Council are not providing free school meals for Devon children who need them this half-term, Seaton community group Re:store Axe Valley has set up a scheme to provide them, with the aim of operating at Christmas too. A crowdfunding page has been set up, which is on course to raise £1,000 and I am urging every resident who can afford it to donate. I have given the scheme £1,500 from my County Councillor's Locality Budget, as I can think of few things more important than ensuring that all children are properly fed during the current crisis.

**Locality budget** I have also provided support this month for TRIP community transport, Offwell Playpark, and new noticeboards in Offwell.

**Seaton Esplanade road closure** I have received complaints that the road has been closed for several weeks without any work being done, so I have asked the County Council to get the closure lifted unless work is started.

**Coly Road traffic lights** I also took up this issue on behalf of Colyton Parish Council.

**Covid situation** As County Councillor I receive reports when areas in the division have Covid cases. These reports are becoming more frequent.

**Coastal erosion** I spoke at EDDC's Strategic Planning Committee about the implications of new research from Plymouth University which predicts a different pattern of erosion over the next 20/50/100 years, with mostly improved prospects for Branscombe, Beer and Seaton Hole, but worse for the Beer Road area north of Highcliffe Close in Seaton, with a potential threat to Beer Road itself in the longer term. The matter is going to EDDC Cabinet.

## ***Appendix B***

**Cllr Paul Arnott**

### **District Report November 2020**

#### **Strategic Planning:**

Councillors will recall that EDDC withdrew from the Greater Exeter Strategic Plan in August. I am pleased to report that just two months later the council has decided to proceed with renewing our own local plan, with a timescale to be finally determined in December. Extra Planning Officers will be recruited to execute this work.

Crucially, EDDC will now also take part in the production of a joint non-statutory plan to include a joint strategy and infrastructure plan for the former Greater Exeter area in partnership with Exeter, Mid Devon, Teignbridge and Devon County Councils, subject to agreement of details of the scope of the plan, a timetable for its production, the resources required, government arrangements etc.

I have taken part in discussions with other regional leaders to advance this, and am very pleased with the outcome. None of the officer work expended on the GESP will be wasted and can be included in a new Joint non-statutory plan. However, critically, every district will now “consume its own smoke” – in essence, will only build out the number allocated under its Local Plans and not take overspills.

#### **Return of Lockdown:**

This has been very unwelcome and the question must be asked: has the preservation of the university economy in Exeter (bringing large-scale infection into our area for the first time) come at the expense of the local economies in tourism, hospitality and small-scale retail?

Meanwhile, EDDC has rebooted as a hub for information regarding food aid for those in hardship, and we will again soon also be disbursing the grants to businesses as per the last lockdown. The staff have coped admirably with this further workload.

#### **Gender neutral change to EDDC constitution:**

The following motion was passed at October’s full council. I replicate it here in full for information.

That Council;

- 1) Notes the gendered language within the 1972 Local Government Act and that the Council's Constitution follows the language of this legislation.
- 2) Further notes with concern new data from the Fawcett Society following the 2019 local government elections that found that women made up just 35% of councillors in England.
- 3) Acknowledges with disappointment that women make up just 30% of councillors on East Devon District Council which is below the national average.
- 4) Believes that the membership should address the Chairs of any committees, panels, forums or groups as the ‘Chair’ rather than Chairman

- 5) Resolves that the Constitution be appropriately revised to accommodate the title of 'Chair' rather than 'Chairman' with delegated authority given to the Monitoring Officer to make the necessary amendments.
- 6) Commits to ensuring gender neutral language is used across the Council in our internal and external communications considering it a small but necessary step to encourage more women to stand to represent East Devon.
- 7) Agrees with the Fawcett Society's call for Councils to change their maternity policies for Councillors on Special Responsibility Allowances and notes with concern that only 8% of Councils have maternity policies for senior Cabinet-level councillors and 7% for councillors who receive only the Basic Allowance.
- 8) Acknowledges that, although we have a policy for maternity pay for councillors without extended roles, our current Allowances Scheme does not extend maternity pay for councillors on a Special Responsibility Allowance with current East Devon District Council policy stating that such allowances 'cease to be paid if a councillor is unable to continue with those duties'.
- 9) Asks the Monitoring Officer / Strategic Lead for HR to write a report to the Cabinet on how we may seek to adopt the Fawcett Society's recommendation of having maternity pay for Councillors with extended roles.
- 10) Notes that Fawcett Society research has found that a third of female councillors have experienced sexist comments from their colleagues.
- 11) Refer to the Standards Committee the Fawcett Society's recommendation that new clauses in the Code of Conduct against sexism be introduced.

## *Appendix C*

### **Cllr Helen Parr District Council Report Nov 2020**

Season Jurassic Centre- the project to extend the garden at the Discovery Centre and provide a link through to Sheep's Marsh and the Wetlands is progressing.

The EDDC website with Community and Voluntary Groups contact details has been updated. Community and Voluntary groups made a huge contribution during the last lockdown. EDDC will continue to provide financial and other support and advice to these groups to enable them to carry on with their important work.

Customer Service Centre and The Community Support Hub is being extended and staff given further training. See EDDC website. Support Hotline 01395 571500

Grants- The Government has published guidance for councils on paying grants to support businesses during the November to December national lockdown and periods of local restrictions. EDDC allocation is circa £3m.

Refuse & Recycling, and Green Waste collections will continue. The council is trying to avoid a workplace Covid outbreak as seen in other areas of the county and has been working with Suez to try to make workplaces and depots Covid safe.

Parks, gardens and nature reserves, play grounds, and public toilets already open will remain open. Outdoor gyms and Skateboard parks must shut and events at the Nature reserves are cancelled.

Thelma Hulbert Gallery will be closed to comply with government guidance and LED will be closing their facilities during the lockdown

Housing repairs, work to void properties and planned works eg. Gas servicing and other compliance type work will continue

The council quickly mobilised these works during the last lockdown and put in place the appropriate PPE and working protocols- Reassurance calls and support to vulnerable tenants will be reintroduced.

The Environmental Health team is advising business, linking with the Health Protection Board to assist with enforcement, advice to business and infection control.

There are new guidelines to follow regarding Clinically Extremely Vulnerable- national contact letters will direct this group to local authorities for assistance and support.

For latest data on Corona Virus see the [Covid-19 dashboard](#).