

**MINUTES FOR THE COLYTON PARISH COUNCIL MEETING HELD
MONDAY 10TH JANUARY 2022 AT 7PM IN THE COLYTON TOWN HALL.**

Present: Cllrs S Real, K Mills, K Clifford, A Parr, A Jarman, A Mills, J Gardiner, C Pady, P Arnott, A Stenning, and J Hay.

Also in Attendance: EDDC Cllr H Parr and S Haines (clerk)

Members of Public: 0

22/01/01 Welcome by Chair.

22/01/02 Receipt & Approval of apologies for absence. Cllr Denny, Cllr Turner, DCC Cllr Hartnell.

22/01/03 Police report. Not received.

22/01/04 Declarations of Interest. Cllr K Mills declared an interest on the allotment contracts as he has an allotment, Cllr Parr declared an interest on Planning application 21/3228/FUL Foxworthy as he is friends with an objecting neighbour, Cllr Hay declared an interest on planning application 21/3228/FUL Foxworthy as he is friends with Glaspers Land agents and agricultural Consultants who are acting on behalf of one of the neighbours.

22/01/05 Public Question time (maximum 15 minutes)

22/01/06 Approval of the minutes of the Parish Council Meeting held on 13th December 2021. Cllr Pady proposed these be approved for publication, seconded by Cllr A Mills and agreed by all.

22/01/07 Matters arising from the Minutes. None

22/01/08 Highway Matters.

a) Communication received from Neil Oxenbury – Community liaison officer for DCC Highways, there will be a road closure of Coly Road on Thursday 20th January to enable road re-surfacing works. This will be a night closure with traffic control during the day. No official road closure notification received at the date of the agenda being published.

b) Ref TTRO2243499 Temporary Prohibition of Through Traffic and Parking on Seaton Road, Colyford. From Wednesday 23rd March to Friday 25th March. This is considered necessary to enable Kier Construction to renew a Com-pipe.

22/01/09 Report from County Councillor. Absent – no report sent.

22/01/10 Report from District Councillors. Cllr Arnott sent his report – *see appendix A*. Cllr H Parr reported that the Neighbourhood Plan went to Cabinet and was agreed to be ‘made’ this is a huge achievement and all thanks and praise go to Caroline Collier and the rest of the Steering Group. Also the Consultant Paul Weston, without him the Plan would most likely have never got this far. EDDC will have to refer to the Plan with any future planning applications. Cllr Real suggested that we put on the bottom of all planning comments ‘refer to the Neighbourhood Plan’ Cllr Pady mentioned that now the Plan is made, the amount of CIL (Community Infrastructure Levy) that the Parish will receive from any future developments will be increased. Cllr Pady also mentioned that the comments made by the public during the consultation period which have not been included in the plan must not be forgotten.

Cllr Pady then spoke about EDDC wishing to allocate land beside the Reece Strawbridge Centre (fire station side) for some new housing, he stated that the Parish Council have had that piece of land ear-marked for the site of a new Primary School for some time now, Cllr Pady proposed that we write to the Strategic Planning Team at EDDC and explain our position before any concrete plans are made, this was seconded by Cllr Stenning and agreed. Cllr Arnott declared an interest here as he is on the Strategic Planning Committee. He said email them by all means but there is no panic here, these plans are far in the future, he proposed placing this on a future agenda for further discussion, he stated it would be an idea to contact the Primary School and see what their feeling is on this, if they wish to move or are happy where they are and a working group be set up, this was seconded by Cllr Pady and agreed.

Finally Cllr Arnott confirmed that the Neighbourhood Plan would go to a Full Council meeting on 25th February for the final stage.

22/01/11 Reports from Meetings Attended. Cllr Hay attended a Playing Fields Committee meeting. The main points which arose were – 1. The rain water storage tank which belongs to the Reece Strawbridge Centre overflows in high rainfall and the soakaway floods the pitch. 2. Tree works on the river bank have not yet been done – it has been too wet. 3. Concerns were raised about travellers invading the site – the PC has insurance in place to cover this.

22/01/12 Plans for the Queens Platinum Jubilee – extended Bank Holiday from Thursday 2nd to Sunday 5th June. Cllr Parr has spoken to Jacquie McCullogh from Promote Colyton who has suggested some groups to contact: Feoffees, FoSTA, Colyton Parish History Society, Promote Colyton Group, Colyton Theatre Group, Colyton Primary School, Parent & Teacher Associations, Colyton Grammar School, Caterpillars, Football Club, Carnival Club, Tea &

Memories, Colyton Library, Gardening Club, WI, Film Club, Colyton Memorial Social Club, Young Farmers, Youth groups. Cllr Arnott also suggested the CVRA, the RSYC and the memory café in Colyford.

It was agreed for the clerk to contact groups and see if one member from each group could attend a meeting in the Town Hall on 31st January from 7pm.

22/01/13 Flood water problem in Colyton. Cllr Hay reported that there are blocked drains everywhere, works are happening at Bath House, and a hole has appeared in the highway outside the White Cottage. The bottom of School Lane regularly floods due to blocked drains. There is a blocked drain at Guernsey Corner. There is flooding at Shipway either side of the road. There has been no improvement at the White Hart in Colyford and there are blocked drains and flooded ditched at Cownhayne Lane near the sewage works. He stated that DCC are not doing their jobs and the highways are suffering. Cllr Clifford pointed out that an email had been sent complaining about these things a month ago and there has been no reply, very frustrating. Cllr Clifford proposed we contact DCC again asking for a reply, this was seconded by Cllr K Mills and agreed. Cllr Arnott suggested the Parish Council commission a professional survey to get the facts, he pointed out the DCC are in financial trouble, if the Parish Council took the lead then we would have facts to take to them. Cllr Stenning pointed out that we already have a DCC engineers' report for the Ridgeway Stream culvert so would just need one for the main leat.

22/01/14 Meetings to be physical or on Zoom. The clerk explained that EDDC, Exmouth Town Council and Honiton Council are all meeting via Zoom. The meetings on Zoom are consultative meetings, the result of these meetings are a set of recommendations NOT final decisions. Final decisions are made by a delegated officer who must reach their own conclusion on how to proceed. This is not a legal way of meeting, the piece of Government legislation which allowed us to meet using Zoom expired and now there is nothing in legislation which allows us to meet remotely, the rules for Council meetings is that they must be held in a physical place with Councillors physically present to be able to vote. It could be argue that meeting physically excludes some members of public who are vulnerable to meeting others due to Covid but it could also argued that going back to Zoom would exclude non-tech savvy people. The decision is up to the Councillors on how to proceed. Cllr Gardiner stated that going back to Zoom and trusting one person to make a decision would be open to abuse, she stated that in her opinion face to face meetings are better, nobody is being told that they cannot attend and we didn't get a high attendance before now. She stated that meeting this way is more democratic. Cllr Parr stated that the Government say we have to meet physically so we do not have a choice. Cllr A Mills stated that the hall is large, well ventilated and social distancing can be implemented, we can also wear masks so he thought we should remain lawful.

Cllr Arnott stated that meeting using Zoom is not illegal but it is not lawful. He stated he would trust the clerk to make decisions. EDDC have been doing this for many months and have not had any issues, he stated attendance has increased both for Councillors and members of the public. We should think of Crispin and others with compromised immune systems, he also stated that we could get extremely cold with all the doors and windows open. He stated that we are in this position because the Government and being lazy and won't amend the piece of legislation. NALC are currently lobbying for this to be changed to allow Councils to make their own decisions on whether they meet remotely or physically. Cllr Arnott proposed we return to Zoom meetings for a couple of months, this was seconded by Cllr Stenning, it was voted on with 4 in favour and 7 against so meetings will remain physical.

22/01/15 Allotment Contracts. Cllr K Mills confirmed to the Council that he had sent the proposed new contracts to Phil Bayliss and Jason Goss for initial thoughts and comments, overall the feedback was positive. A question was asked about the T`s & C`s of the new contract under 4 e, bonfires are ONLY allowed between October and the end of March, so after 6pm as proposed, this is not viable and will be amended. Questions were asked around payment for water, it was proposed that the council bill twice, 1) for plot rental and then 2) for water usage as in Seaton, and NOT as proposed by Phil / Jason, paying in advance based on the historic seasons that Graham Pady had been filling the tanks, this would make extra work for the Parish Clerk and keeping a tally of any surplus funds that may be accrued as they had asked for is not a practical solution. Cllr K Mills asked council if they would / should consider having only one billing operation and that to be after SWW have presented the cost of water to CPC and the charges to be amortised across the 75 plots as we have agreed, he suggested that Finance should visit this topic of a single billing and that of the plot charges per quarter plot. This will be placed on the Finance agenda for discussion.

22/01/16 Kittles Trust update. The clerk confirmed that former Cllr Jones had been working very hard on this, he has discovered that the account which holds the money is with Lloyds and after many attempts to contact them he has been told that all statements have been sent to Mr Bob Collier, Mr Jones has been struggling to contact Mr Collier, this fact was bought up at a Feoffees meeting last week, Mr Colin Chesterton has volunteered to visit the Colliers and see if this matter can be resolved. Once the paperwork is signed, Lloyds will release the funds into a new account

which has been set up, then the Primary School will be contacted and a plan will be made on how best to spend the money to benefit the children.

22/01/17 Correspondence.

- a) EDDC Corona Virus updates for residents.
- b) The Rural Bulletin
- c) Public survey on the 2022/23 Police Budget.
- d) Response from LiveWest regarding the empty Council Houses at Courtney Close. New report in from resident of an empty Bungalow at St Andrews Orchard. Cllr Clifford confirmed that he had been informed that a bungalow is empty in St Andrews Orchard, this is owned by EDDC and Cllr Arnott confirmed that it too is managed by LiveWest.

22/01/18 Finance.

Accounts to be approved for payment

DD Talktalk Telephone and broadband 32.92 VAT 6.58. Total 39.50 pounds.

DD EDF Energy Workshop energy 7.50 VAT 1.50. Total 9.00 pounds.

BACS Barnworks Engineering Work on St Andrews Garden Gates 502.50 kind discount 100.50. Total 402.00 pounds.

BACS Halcyon Grounds maintenance 501.66 VAT 100.33. Total 601.99 pounds.

BACS Mr Fitzpatrick Toilet caretaker. Total 120.00 pounds.

BACS Bradfords Various nuts and bolts 33.63 VAT 6.72. Equipment for bench repair: Wood stain X 2 56.26 VAT 11.25 Wood planks 28.04 VAT 5.61 Wood glue 15.06 VAT 3.01 Respirator masks X 10 24.95 VAT 4.99. Total 189.52 pounds.

DD Biffa waste management 120.15 VAT 24.03. Total 144.18 pounds.

BACS AM Web design. Website management from 1st October to 31st December. Total 7.35hrs. Total 92.61 pounds.

BACS Mr Palmer. Works at Heathayne Path* 350.00 VAT 70.00. Total 420.00 pounds.

*The original quote for the works needed on footpath14 (also bridleway 50) was 480.00 pounds. Having arrived on site, Mr Palmer along with Mr Hackman (resident of Heathayne Farm) decided a trench could be dug with railway sleepers to cross so no pipe would be needed, saving money. The path is now suitable for walkers but is not very horse friendly. Clerk has advised Mr Palmer that a small section of pipe is needed so a part of the trench can be filled in so horses can cross. Mr Palmer will complete this early in the year.

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

- a) Budget Version 2 for approval. Precept request to EDDC by Wednesday 19th January. Cllr Real proposed that 1000.00 pounds to be put by for more work on the cemetery paths this was seconded by Cllr Hay and agreed. Cllr K Mills abstained from the vote. Cllr Real then proposed 500.00 pounds be put by for the Jubilee celebrations, this was seconded by Cllr Arnott and agreed by all. Cllr Real then proposed that 500.00 pounds be put by for printing final 'Made' copies of the Neighbourhood Plan this was seconded by Cllr Parr and agreed. The clerk confirmed that the extra 2000.00 pounds could be taken out of the reserves and would not need to affect the amount of precept being asked for, therefore the precept amount would be reduced by 3% on last year. Cllr A Mills proposed that once the changes are made then the budget should be approved, seconded by Cllr Parr and agreed by all.
- b) Internal audit due, Cllrs Stenning or Gardiner to complete. Cllr Gardiner volunteered.
- c) P3 Survey and bid currently taking place, survey forms have been circulated to footpath wardens. Deadline to get bid in to DCC is 14th February.
- d) S106 project given the Green Light, more information from EDDC to follow.
- e) Decision needed on how much to charge for a tree dedication. Cllr Pady has found prices for the two trees decided on for Road Green. It would be 85 pounds for an 8ft Oak (not including defences) and 70 pounds for a 6-8ft Sweet Chestnut. Cllr Gardiner stated that she thought a more established tree would be better, one which would require a fork lift to put in the ground. Cllr Pady stated that that would cost around 300.00 pounds. A family has contacted Cllr Stenning about a tree dedication so they will be asked

how much they would be willing to spend. They have not contacted the clerk directly so it is unknown if they will go ahead.

22/01/19 Planning.

a Planning Applications

21/3227/TRE 7 Westaway Road Colyton – Ms King - Oak, existing soakaway, under canopy of tree, to be replaced, and associated drainage to be replaced, as are blocked, causing overflow of guttering and minor flooding in neighbours garage when heavy rain. Works to be carried out following the arboricultural method statement, the crown lift to three metres as described in the report and also any root pruning that may be necessary will be carried out in accordance with the arboricultural method statement attached. *Comments due ASAP.* Cllr Real proposed this be supported, seconded by Cllr Hay and agreed by all expect Cllr Arnott who abstained.

21/3228/FUL Foxworthy Kingsdon Colyton – Mr Thomas - Construction of wooden stables, including a tack room and feed store on a concrete base. Change of use from agricultural to equestrian. *Comments due ASAP.* After a lot of talk and consideration it was decided not to support this application for the following reasons: 1. Proximity to Kingston Cottage and the Tram Stop Car Park. Location of stable block not considered as being neighbourly. 2. The concern of animal waste washing down into Kingston Cottage garden and the Tram station car park. 3. Difficulties with providing adequate drainage from the roof of the stable block and concrete apron. This might lead to localised surface water minor flooding, particularly if allowed to discharge into the road drainage ditch. 4. Possibility of flies in the summer months. This was proposed by Cllr Clifford, seconded by Cllr Jarman votes 7 for with 4 abstaining.

b Planning Decisions – to be noted

21/2048/FUL The Pickerings Lower Church Street Colyton – Mr & Mrs King - Demolition of existing summerhouse and construction of new summerhouse (Retrospective) Approved with conditions.

21/2393/LBC Swan Cottage Swan Hill Road Colyford – Mr Kempton - West elevation: replace 1 window and 1 door with bi-fold doors; remove 1 window, and cil lowered to floor level and window panel installed; extend existing roof to create covered external porch; rough render replaced with smooth render. South elevation: replace rainwater goods. East elevation: replace 1 window at ground floor and install vent in wall. North elevation: replace 1 door and widen; extend existing tiled roof; 1 window replaced; rough render replaced with smooth render install vent in wall and replace all ridges on thatch. Approved with conditions.

c Planning Correspondence

The clerk received a letter which was read out from a resident objecting to a planning application which the Parish Council supported in November. The planning application for 4 Park View, The Butts was supported during a Parish Council meeting on the 13th November 2021 but the resident did not receive any notification of a planning application (which should have come from EDDC as she is a direct neighbour) until 10th December. The letter has been sent to EDDC and was shared with the Parish Council as a courtesy. The Parish Council will reply and apologise that the application was supported but at the time the decision was made the Parish Council did not know of any neighbourly objections.

22/01/20 Amenities

- a) Potential works needing completing at the Community Woodland. 1 X dead Elm to be felled and a small section of hedge to be laid. Possible need of a Tree Health Survey as Ash Die Back and Dutch elm disease present. Cllr Pady confirmed that Rob Beard and another volunteer of the Axe Vale Conservation Society planned to fell the tree and lay the hedge over the winter months.
 - b) Site identified for tree planting on Southleigh Road. Cllr Pady confirmed that the owners of Heathayne cottage own a paddock which runs alongside Southleigh Road, they have offered their hedge up for tree planting native trees. Cllr Pady proposed we contact the Primary School and ask if they would like to be involved, this was seconded by Cllr Parr and agreed.
 - c) Hedges between the Tennis Court and the boundary of the PMPF to be cut. Cllr Pady has asked Tom Palmer for a quote.
- Cllr Pady asked if a letter from Mr Sam Voysey had been seen regarding the works at Nunsford Lane, Cllr Gardiner stated that this is not what was asked for, Cllr Pady was asked to commission a professional to make

a plan, not to agree with the one Cllr Pady had made. Cllr Parr stated that this is not on the agenda so cannot be discussed now, it will be placed on the Amenities agenda.

22/01/21 Matters to be taken into Committee.

22/01/22 Items brought to the CPC's attention after the agenda had been published. The clerk has been approached by the member of the Steering Group in charge of social media and communications regarding the potential split of Colyford from Colyton to form their own Council. We have been asked if information could be shared on the Parish Councils website. Cllr Parr stated as long as it is simply facts and not bias then couldn't see an issue, Cllr Arnott stated that we must be very careful as the website must remain impartial, we should check our Social Media Policy and this should be discussed fully at the next meeting, this was agreed.

The clerk then asked if the Environmental Agency would be permitted to attach a small monitoring device to the Blue Bridge to monitor water levels of the River Coly and to – if necessary – raise alerts, there were no objections. Finally the clerk mentioned that there have been mentions and concerns floating around that Colyton may be in danger of losing the Doctor Surgery, nothing official has been communicated, this is just something to be aware of and to listen out for.

22/01/23 Dates of future meetings:

Committees Meeting – Monday 24th January

Full CPC meeting – Monday 14th February.

Meeting closed 21:05.

Appendix A

District Report: Cllr Paul Arnott

January 2022

Former councillor John Humphreys

At December's full council a letter from one of the victims of former councillor John Humphreys' sex crimes was read out. It was a devastating account. Subsequently, as Leader of the Council, I wrote to the Chief Constable of Devon and Cornwall Police suggesting he refer his force to the Independent Officer for Police Conduct, and to Humphrey's political group, the Conservatives, requesting an understanding of any internal enquiry into his relationship with the party. The police have written back to me promising ongoing communication re next steps. The Conservatives have not replied. I will keep the parish apprised

Local Plan

Tomorrow marks a second major session of the Strategic Planning Committee analysing the emerging Local Plan. I am very proud that we have brought this document – warts and all – into the public domain as early as possible in the process. Making decisions around allocated sites from now till 2040 is going to be contentious, but this time I am happy that the residents of East Devon have the earliest opportunity to interact. We wait with keen interest any decisions of the new Sec of State, Michael Gove, which may help us – especially the inflated annual housing need numbers the district has forced upon it.

Car Park charges

This is yet another legacy issue after many years of suppressed car parking charges. This unwise strategy has cost the council millions over the years, but the administration is now grasping the nettle. The plan is for in Premium Car Parks that the £1.20 an hour charge increase to £1.50, with a further 10p per hour added annually.

LED

East Devon's external leisure operator continues to fight on through the many difficulties provided by the pandemic. Last week the CEO and I wrote again to our MPs asking for the soonest repayment of the £1.9 million from our own funds which the Chancellor pledged to cover back in May 2020 if we covered LED's losses. Without that payment of the amount owed, the council's reserves, which stand at just over the required minimum of £3 million, will remain depleted. It is to be hoped that the promise will be honoured.