

**Minutes for the meeting of Colyton Parish Council held on Monday 11th
December 2023 at 7.00 pm in the Colyton Town Hall.**

Present: Cllrs S Real, K Clifford, A Parr, A Stenning, J Gardiner, M Mann and J Hay.

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

Members of public: 0.

23/12/85 Receipt & Approval of apologies for absence. Cllrs Arnott and Turner.

23/12/86 Declaration of Interests. Cllr Mann declared an interest of planning application 23/2580/TCA Brookfield House as he is a neighbour.

23/12/87 Police Report. No updates. Clerk to chase Police for updates.

23/12/88 Approval of the minutes of Parish Council Meeting held Monday 6th November 2023 and the Extraordinary Meeting held Monday 4th December 2023. The Full meeting minutes were approved, this was proposed by Cllr Stenning, seconded by Cllr Gardiner and agreed by all. The Extraordinary meeting minutes were approved, this was proposed by Cllr Clifford, seconded by Cllr Mann and agreed.

23/12/89 Matters arising from the Minutes. None.

23/12/90 Public Question time. No members of public to speak.

23/12/91 Report from County Councillor. DCC Cllr was not present and did not submit a report.

23/12/92 Report from District Councillors. EDDC Cllr H Parr gave her report – see appendix A.

23/12/93 Highway Matters

- a) TTRO2453658 temporary prohibition of through traffic. Wednesday 31st January until Tuesday 6th February. Old Sidmouth Road. This is to install a fire hydrant.
- b) TTRO2453704 temporary prohibition of through traffic. Tuesday 13th February from 09:30 until 15:30. Road from Stubbing Cross to Colemans Cross – Southleigh. This is for pole replacement works.
- c) Suggestion from MOP to add light up signs to the highway near the Primary School – Cllr Clifford reported that Devon County Council highways officer has been in contact and informed him that it would not be permitted to place a sign there, it is not a high accident site and the highway is not wide enough for a solar powered sign to be effective.

23/12/94 Report from Meetings Attended – Cllr Hay met with Mr Pady and 4 officers from South West Water. They walked the length of the two pipes, one runs along Cownhayne Lane from the Tram Station and one comes across the river at Coly Vale. Both pipes then join and run down to the sewage works. During heavy rainfall, manhole covers lift up and water and sewage leak onto the highway at Coly Vale and onto the farmers land at Cownhayne. Also where the pipe runs over the river, it leaks at the joints which then flows directly into the River Coly. The SWW Officers all agreed that the system is in a state of disrepair, they confirmed that temporary fixes had been put into place after the flood of 1968 and they were still there. They are proposing to line the entire pipe in a thin sleeve to seal it, this however will not help the man holes lifting. They have admitted that the Sewage works is absolutely at capacity and cannot cope when there is high rainfall, it simply cannot process the quantity of sewage that it receives.

23/12/95 Co-option of two Councillors. No candidates at present – this is to remain on the agenda.

23/12/96 Response received from Ashfords Solicitors – decision made by the Courts not to proceed with the Judicial Review. Ratification of decision made during an Extraordinary Meeting held 4th December to not proceed with any further legal action, to transfer the £10,000.00 as per the Vestings Order but to withhold the transfer of any land and assets, including the £1202.00 for advanced rental for Stafford Cross. Colyton would request that the £10,000.00 should remain ring-fenced to be used for safety improvements to the A3052 and surrounding roads in the Village. Cllr Gardiner proposed that this be ratified, seconded by Cllr Real and agreed by all.

23/12/97 Contact from Radio Exe regarding the Judicial Review – does the Council wish to submit a comment? The Council decided that they would not comment.

23/12/98 Decision needed for delegation of power to make any decisions regarding finance and planning applications during the four week period between this meeting and the next full meeting on 8th January. It was decided that any decisions would be emailed to the Chairs and they would make a decision. Any decisions will be ratified during the Full meeting in January.

23/12/99 Parish Council website. As requested, the clerk has contacted the web master about potentially putting in a search bar. It turns out this was more tricky than originally thought.

23/12/01 Request from member of public to scatter ashes off of Chantry Bridge. The Councillors agreed that there was no issue with this, the clerk has asked the Environmental Agency and they did not have an issue as long as it was solely ashes which are scattered – no memorabilia.

23/12/02 Land at the top of The Butts, joining Burnards Field Road- Cllr Hay asked about the land at the top of the Butts, stating that the lower part belongs to Rope Walk Cottage and the rest belongs to No 51 Burnards Field Road. He stated that it is a huge shame that they don't take more pride in the area such as their neighbours who keep the grass verges trimmed on Burnards Field Road. Cllr Stenning reported that she has highlighted the issue to DCC who did claim responsibility for the area and have done some work there, they have cut the vegetation back from the roadside but that is all. Cllr Parr stated that this is privately owned land and the owners cannot be forced to do anything, but that we could write a polite letter asking them to tidy it up. This was agreed.

23/12/03 Correspondence

- a) The Rural Bulletin
- b) EDDC Covid update
- c) Rural Funding Digest – December edition.
- d) Email from the East Devon National Landscape team introducing themselves – formally known as the Area of Outstanding Natural Beauty (AONB)
- e) Email received from MOP regarding concerns over FP16, this has been forwarded on to DCC footpath warden.
- f) December edition of the Neighbourhood Watch.

23/12/04 Finance

Minutes of the Finance meeting held 20th November 2023 (Appendix U) to be approved for publication. Cllr Mann proposed these be approved, seconded by Cllr Stenning and agreed by all. Balanced accounts from 1st – 30th November 2023 for approval. Cllr Mann proposed these be approved, seconded by Cllr Parr and agreed by all. Accounts to be approved for payment.

DD Talktalk phone and broadband 41.83 VAT 8.37. Total 50.20 pounds.

DD Biffa waste management 176.14 VAT 35.23. Total 211.37 pounds.

DD British Gas Lite workshop energy 31.40 VAT 1.65. Total 33.05 pounds.

BACS Mr Fitzpatrick toilet caretaker. Total 120.00 pounds

BACS Colyton Kitchen Shop Christmas lights donation. Total 500.00 pounds.

BACS Halcyon grounds maintenance 526.75 VAT 105.35. Total 632.10 pounds.

BACS J Mair Contracting Nos 19 and 14 Newbury Close community woodland trees. Total 600.00 pounds.

BACS* Colyford Parish Council as per Reorganisation Order. Total 10000.00 pounds.

BACS* EDDC legal fees as per court order. Total 8697.00 pounds.

BACS Mrs S Haines salary including 2hrs overtime 1197.39 stamps 2.70 bargain host 29.98 minus pension 30.00. Total 1200.07 pounds

BACS Mr A Parsons salary including 3hrs overtime 1185.59 mileage 0.45 X 66 29.70. Total 1215.29 pounds.

DD Nest pension employer 18.60 employee 30.00. Total 48.60 pounds.

BACS HMRC PAYE 382.80 NI Employer 91.33 NI Employee 185.07. Total 659.20 pounds.

* Transfer of 10,000.00 pounds to Colyford Parish Council was approved during the Extraordinary meeting held 04/12/2023. Payment of 8697.00 pounds to East Devon District Council was ordered by the courts with a due date of 06/12/2023. Both payments were made by the clerk on 05/12/2023.

The above accounts were approved for payment, this was proposed by Cllr Mann, seconded by Cllr Clifford and agreed by all.

- a) Quote received from J Mair to remove lower Ash branches that overhang the cemetery wall (Ceram Tec side). Waste to be burnt on site (very small fire in scrubby area) 380.00. Cllr Parr proposed this quote be approved, seconded by Cllr Mann and agreed by all.
- b) Request from Trip Community Transport Association for a donation. Cllr Mann proposed the Council not donate to this as it donates annually to Ring and Ride. This was seconded by Cllr Stenning and agreed by all.
- c) Does the Council wish to amend the AGAR form – Section 1 Annual Governance Statement 2022/23. Cllr Parr proposed the form be left as it is, seconded by Cllr Mann and agreed.
- d) 112.00 pounds received from Friends of Colyton Library for their contribution to the insurance. Noted.
- e) Version 1 of the 2024 – 25 budget for thoughts. Deadline for Precept requests is 17th January. The Clerk confirmed that EDDC have now sent the deadline of 17th January to have the budget approved. Cllr Parr commented that this was a good start and more time would be given to this at the next meeting.

23/12/05 Planning

Minutes of the meeting held Monday 20th November 2023 – (Appendix V) to be approved for publication. Cllr Gardiner proposed these be approved, seconded by Cllr Mann and agreed by all.

a) Planning application from East Devon

23/2580/TCA Brookfield House South Square Colyton – Mrs Klaentschi - x2 Yew: reduction in height and width by 50%. *Comments due 23rd December.*

Cllr Real proposed that the Council not support this application as per the advice of our tree warden, seconded by Cllr Parr and agreed by all bar Cllr Mann who abstained due to his declaration of interest.

23/2339/FUL Cadhayne Farm House Colyton – Mr & Mrs Berry - Proposed conversion of redundant agricultural buildings to form 3 no. dwelling houses, provision of associated parking and associated works and demolish/dismantle existing barn and slurry tank. Comments due by 23rd December.

Cllr Parr raised concerns about where the slurry would go if the slurry tank is removed. Cllr Mann proposed that this application be supported but it should be noted that the Parish Council are extremely concerned about the storage of slurry if the tank is removed considering the farm is so close to the river. This was seconded by Cllr Parr and agreed by all.

23/2330/FUL 1 Coly Road Colyton – Mrs Gage - Erection of an open weave willow fence attached to an existing post and rail fence running the length of a wildlife corridor adjacent to the development site [Retrospective] Comments due by 26th December.

Cllr Real proposed that this not be supported, the end fencing panel blocks the wildlife corridor which was put in as a condition of planning approval for the site. The application states that the panel which blocks the corridor has a 1ft gap underneath it to allow access for wildlife but the gap is far smaller than that, the end panel should be removed. This was seconded by Cllr Stenning and agreed by all.

b) Planning decisions from East Devon

23/1967/FUL Devonia South Street Colyton – Mr Lenn - Proposed single storey side extension. Approved with conditions.

23/2036/TRE Highbank Hillhead Colyton – Mr Hutton - T1: Oak - prune and reduce the crown height and spread, removing all significant deadwood found within the crown and removing branch lengths of up to 2-3m in length and making natural target pruning cuts of up to 150mm in diameter. Approved with conditions.

23/1856/FUL 21 Burnards Field Road Colyton – Mr Oliphant - Retrospective application for construction of raised decking area 2475 wide by 2500 reducing to 1550 by the fence - height of raised platform 800mm. Approved retrospectively – no conditions.

23/1911/LBC Colyton Guide Association HQ Rosemary Lane Colyton – Stowford Homes Ltd - Install secondary glazing to windows on front and rear elevations. Approved.

23/2161/LBC Foundry Cottage Rosemary Lane Colyton – Mr Hadfield - Reduce height of chimney stack and cap on west elevation and remove non-breathable paint from external walls on north, east and west elevations using Doff and IBIX System. Approved with conditions.

23/1590/CPE Four Valleys Colyton – Mrs Dare - Lawful development for existing use of dwelling in breach of agricultural occupancy condition. Approved.

c) Planning correspondence.

Email received from EDDC planning enforcement regarding the Wildlife corridor at Saxon Meadows – circulated to all Councillors.

EDDC Town and Parish Neighbourhood Plan survey – last chance to comment – closing date Friday 15th December.

23/12/06 Amenities

- a) Minutes of the amenities committee meeting held Monday 20th November (appendix W) to be approved for publication. Cllr Stenning proposed these be approved, seconded by Cllr Real and agreed by all.
- b) Request from Youth Football for a storage container to be put at the PMPF. Cllr Mann has measured the area on the bottom carpark underneath the steps and this would not fit. The Council are not against the unit but very unsure as to where it could go. Clerk to go back to Youth Football and ask them to come up with a solution.
- c) Cemetery fence may need some maintenance. Mr Underdown to be asked to quote to repair.
- d) Community Woodland hedge. The clerk supplied the deeds which shows that the Parish Council boundary is along the ditch on the inside of the hedge so cannot challenge the new owner of the field about cutting trees down on top of the hedge.
- e) Soakaway at the playing fields. Professional advice is needed here.

23/12/07 Items brought to the CPC's attention after the agenda had been published to be noted.

None.

23/12/08 Matters to be taken into Committee. None.

23/12/09 Dates of future meetings

Committee meetings – No Committees meeting in December.

Full meeting – Monday 8th January.

Meeting closed: 20:05.

Appendix A

1. **EDDC does not currently have a 5 year land supply**, [the new Local Plan which will include strategic sites, is still being written], which could lead to inappropriate development in the wrong location having to be permitted, and Appeals being allowed by Inspectors.
2. I have previously reported that a Confidential Extraordinary Meeting had to be called to decide an Employment matter. As you will have seen in the local press, the **Chief Executive** has now left the Council.
3. **The External Auditors, Grant Thornton have finally released their report on East Devon District Council 2021/22**
<https://democracy.eastdevon.gov.uk/documents/s22053/Interim%20Auditors%20Annual%20Report%20GT%2021-22.pdf>

The report raises some extremely concerning issues-

Eg. **P. 6 Governance**

Standards- Poor working relationships between certain officers and members led to a breakdown in the operating effectiveness of some governance arrangements at the Council in 2021/22 and 2022/23.

‘There were allegations of bullying behaviour by both officers and members. [The Auditors] saw evidence of some officers leaving the organisation, as well as suggestions that members did not stand for re-election, as result of the behaviours and culture that was reported within the council.it is clear to us that relationships within the council had resulted in an unacceptable culture. Cultural issues were also identified in reports produced by another third party organisation.’

See Recommendation 1. P 10 ‘The Council should recognise that it has been given clear, consistent evidence of the existence of cultural issues and continue to implement actions to address the behaviours which have given rise to this culture.....’

Why/ Impact ‘Cultural issues have resulted in significant weaknesses in the Council’s governance system....’

Informed decisions-

[The auditors] saw evidence that suggested there was sometimes a lack of understanding of the roles and responsibilities of officers and members, which could impact on decision making, and linked to some of the cultural issues [the auditors] identify earlier.

See Recommendation 2. P 11

The report will be debated at the Audit and Governance committee meeting on Thursday 14 Dec 23.

<https://democracy.eastdevon.gov.uk/ieListDocuments.aspx?CId=149&MId=2245&Ver=4>

4. The **Forward Plan** is currently being worked on. High on the list is ‘**joined up**’ working and discussions with the three tiers of Local government- T & Parish Councils, Districts and Devon County Council.
5. **Seaton Hospital.** The League of Friends has put in an application to make the hospital a Community Asset. This will come before the officers for a decision within 8 weeks, not the cabinet or council.
The steering group is producing a business plan to go to the Integrated Care Board (ICB).
6. **South West Water-**

Discussions re sewage discharges, land run, climate change etc continue.

Water companies have set out their five year plans with action plans setting out what they are intending to do.

Water quality results for East Devon's beaches have been received- all beaches will qualify for the Blue Flag award next year.

Members asked whether there is any information on the impact on nature caused by the effluent released into water courses and the sea.

To get real time status on storm overflows see

<https://www.southwestwater.co.uk/environment/rivers-and-bathing-waters/waterfitlive> .

Sensors now installed on all main rivers in East Devon, being tested and going live shortly.

7. **Parking-** £2 all day Winter charge in EDDC operated car parks from Nov 1 to end March 24. This concession was brought in by the council under the Conservatives and is being continued under the Democratic Alliance.
Car park charges were increased in April 22, with doubling of some tariffs. Due to increased charges, revenue has increased, although the number of tickets sold has gradually decreased each year, with the figure for this year 74,711 lower than in 2021.
Electric charging bays installed two years ago in some car parks are still not operational- chargers need three phase electricity supply and EDDC is still waiting for this to happen.
8. The **Neighbourhood Planning Intentions Survey** questionnaire is nearing its conclusion- the closing date of Friday 8th December has been extended by a week.
9. **Dog bin and litter bin collections-** proposed cost increase to all towns and parishes, the service charge price rise to be spread over two years-
charge per bin per collection 23/24- £2.12; 24/25- £3.06; 25/26- £4.00

It was requested that in future these charges were brought to the attention of towns and parish councils in August to be included in with the budget setting, December was not helpful.

Green waste collections- increase next year by £2 to £52 per bin, per annum. The number of subscriptions has reached 19,896.

10. **Section 106 and CIL problems** have been reported by a large number of towns and parishes, because of the frustration felt by clerks on the slow or non-existent trickle of this important resource.
This has been apparently due to the lack of staff. Council has agreed to new posts being created to try and overcome the problem.
11. **Homelessness.** There are currently 341 live homeless cases being managed by the Housing Options Team. These are by far the biggest numbers EDDC have ever faced.

<https://democracy.eastdevon.gov.uk/documents/s21876/Homelessness%20Service%20Update.pdf>

12. Public Toilets-
The Overview Committee considered this subject-
<https://democracy.eastdevon.gov.uk/ieListDocuments.aspx?CId=135&MId=2103&Ver=4>

See officer report at item 23. It was agreed-

1. To extend the closing date and any necessary revenue budgets for Category B and C sites until 31st March 2025 to allow a further 12 months to enable an urgent revisiting of negotiations with town and parish councils to look at freehold disposals and other

changes to the offer according to a specified timetable and including a renewed effort through Ward Members to engage town and parish councils, with the reality of reduced or removed public toilet provision at the sites should agreement not be reached.

2. For this Council to write to the Secretary of State to push for public toilets to become a statutory service, and to invite other councils in Devon and Cornwall to also do so.