

Minutes for the meeting of Colyton Parish Council held in the Mortimer Room of the Town Hall on Monday 13th January 2020 at 7.00 pm

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

Present: Cllrs Real, Clifford, Watts, Jones, West, Parr, Pady, Arnott, Gardiner, Hay and Turner.

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

Members of the public: 6

Cllr Parr welcomed everybody and thanked everybody for attending.

20/01/43 Receipt & Approval of apologies for absence - DCC Cllr M, Shaw (previous engagement) Cllr Denny (unwell)

20/01/44 Police Report

Police Report: Colyton KN3C

FROM: 01/12/2019 TO: 31/12/2019

CRIME NUMBER	DATE	OFFENCE DESCRIPTION
CR/108877/19	18/08/2019 ?	Other offence (appears to be from August, so unknown why on Dec figures)
CR/110763/19	10/12/2019	Theft other (temporary traffic lights stolen)

Total = 2

20/01/45 Public Question time (maximum 15 minutes)

A member of the public asked for an update on the S106 money, it is being considered and costed as we speak, a working party met last week to discuss and the clerk has a meeting with Jamie Buckley from the Honiton council office this week.

A member of the public voiced their disgust that the Colyton Grammar School is closing a resource that was opened partly using public resources, planning permission was granted with the public being allowed to use the resource. The Grammar School should have to repay back some of the money given to build in the first place. Cllr Arnott stated that it was a terrible decision that was made in July, an EDDC officer would need to have a meeting with the new head teacher about the loss of the space which is valuable for physio-therapy. The former head teacher said that it would be a permanent agreement. Townsend Medical practice in Seaton actually prescribe patients to go there for physio. The local users feel cheated out of a resource which is very valuable. DC Cllr Parr stated that approximately £100,000 of public money was put into the sports hall and the School would need to pay back approx. £11,000 to close it, the School is being forced to close the resource due to the Health and Safety department of Education states that the School cannot be open to the public.

20/01/46 Approval of the minutes of Parish Council Meeting held on 9th December 2019.

APPROVED Proposed by Cllr Watts, seconded by Cllr Arnott all agreed.

20/01/47 Matters arising from the Minutes Cllr West could not attend the last Finance meeting due to poor health and requested it be put on record that he did not agree on the decision made ref F19/12/17 paragraph 1X of standing orders, he wanted it taken out straight away. Paragraph 1X has been put into abeyance until the next Finance meeting where it will be on the agenda for removal.

20/01/48 Report from County Councillor – See Appendix A

20/01/49 Report from District Councillors - DC Helen Parr talked through her report (Appendix B)

DC Paul Arnott talked through his report (Appendix C)

20/01/50 Highway Matters

Ref TTRO2034236 Temporary Prohibition of Through Traffic and Parking – Coly Road, Colyton – Saturday 8th February 2020 – Friday 2st February 2020 to enable new foul drain.

20/01/51

Report from Meetings Attended Cllr Jones reported back on a speed watch meeting and stated that the amount of claims coming in due to potholes is growing. Cllr Hay reported back from the traffic group meeting, earlier in the week. Homebush to Sutton Cross has been flooded for months. The development at Coly Road is causing major issues, damage to pavements, the grass verges and the footpath that leads into the river fields, Cllr Turner also voiced his concerns on this issue. Cllr Watts stated we would need to contact East Devon and draw up a statement of our expectations of reinstatement.

Cllr Hay also talked about problems in Shells Lane – Colyvale, posts on railings rotting away. The road outside Cadhayne Farm has been close for months due to a massive pothole, the diversion around Downhayne Lane isn't much better, in fact worse in some places. Sidmouth and Southleigh road drains are not holding up well and the work done on the drain outside the White Hart was not done well. Sidmouth Road from Soanes up to the Butts is getting bad with potholes. There is a sign down up at Stafford Cross. Knowels Drive the pavement is damaged due to lorries turning, Cllr Real reported this before Christmas. In Ridgeway Lane the coping stones have been hit and knocked into the leak, possibility of vehicles falling in.

Cllr Watts attending the Social Club meeting and stated that all was well.

20/01/52 Correspondence

- a) Student mental health – responding to the crisis 2020
- b) East Devon AONB winter update
- c) Tree planting initiatives launched by DCC
- d) Jamie Buckey community building funds.
- e) The rural bulletin – 27th December
- f) Dates of the years Council meetings – December to be confirmed
- g) Confirmation from the meeting of the Fire Authority that Colyton Fire Station has been recommended to remain open. – Cllr Real proposed a letter be written to Tracey and crew congratulating them on an amazing campaign, agreed by all.

20/01/53

Finance

Minutes of the Finance meeting held 16th December 2019 (Appendix Q) to be noted
Accounts to be approved for payment

Cheque #	Name	Work		VAT	Total
DD	Opus Energy	Electricity for workshop			
DD	Talk Talk	Broadband & Telephone	33.83	6.77	£40.60
4299	Cash	Toilet Caretaker Invoice for December			£100
4300	Halcyon Landscapes	Invoice for Dec - Cemetery	468.33	93.67	£562.00
4301	South West Water		17.05	3.40	£20.45
4302	Viridor		149.20	29.84	£179.04

All above accounts were approved for payment, a bill had not yet come through from Opus Energy. Proposed by Cllr Pady, seconded by Cllr West, agreed by all.

- a) Budget version 2 for approval. Precept amount to be set. It was agreed that the precept amount should remain the same as last year, proposed by Cllr Real, seconded by Cllr Clifford. Cllr Watts did not agree and didn't think we needed to ask for as much.
- b) Internal audit needed – Cllrs Watts or Turner. Cllr Watts volunteered.

- c) Council Reserves – how much should we hold? For discussion at the next Finance meeting.
- d) Asset register – Cllr Arnott stated that items need evaluating, Cllr Parr argued that we would need to get somebody in to do this and it would be expensive, all our assets are insured apart from land which the occupier would need to have public liability insurance. Cllr Arnott said if we even needed a loan we would not have the assets to back ourselves as they are valued so low. Cllr Real proposed we approach DALC for advice, seconded by Cllr Pady. Cllr West said we would need to ask tenants for proof of public liability insurance. This will be kept on the next full meeting agenda to discuss further.
- e) Reece Strawbridge Centre application to the EDDC Community Buildings Fund - request for possible Parish Council support. – No longer needed.
- f) Halcyon quotes for verge cutting for 2020 and maintaining the new Cemetery area. Quotes accepted, proposed by Cllr Real, seconded by Cllr Jones all agreed.
- g) Online banking request form signed by two full power Councillors.
- h) Bargain host domain renewal successful. Clerk paid using own payment card, will request payment during the finance meeting on 27th January of £23.98. – Cllr Arnott proposed a payment card for the Council, Cllr Watts seconded all agreed.
- i) Payment received from DCC as part of the Parish Paths P3 Grant.

20/01/54 Planning

Minutes of the meeting held Monday 16th December 2019 – (Appendix R) to be noted.

a Planning Applications

19/2744/FUL 21 The Elms, Colyford, Colyton – Mr & Mrs Real – Construction of side/rear extension. Clerk has Emailed EDDC to request extension on consultation period as deadline is 9th January 2020. Proposed Cllr Jones, seconded Cllr Watts all ok SUPPORTED

19/2593/FUL Land at Colyford Common, Seaton Wetlands, Colyford Road, Seaton – Mr Nunn (Modern Electric Tramways) – Construction of new tramway halt, pedestrian access bridge, ramp, timber walkways and associated works to provide pedestrian link to Seaton Wetlands. Proposed Cllr Pady, seconded Cllr West all agreed SUPPORTED with the condition that the fact that this will create more footfall through Popes Lane and a warning sign for motorists is considered.

19/2808/FUL 5 Burnards Field Road, Colyton – Mr Higgins – single storey side extension incorporating the conversion of a garage and new off road parking and entrance. Proposed Cllr Parr, seconded Cllr Jones all ok SUPPORTED

19/2688/COU Unit 2C Colyton Business Park, Wheelers Yard, Colyton – Mr Dayment – Retrospective change of use from business use (B1) to general industrial use (B2). Proposed Cllr Parr, seconded Cllr Watts all ok SUPPORTED with the condition that the work is kept to within working hours, not evenings, Sundays or Bank Holidays.

19/2693/FUL Logshayne Farm, Colyton – Mrs Broom – Retention of alterations to traditional barn and change of use to form 2 units of holiday lets accommodation. Cllr Turner declaration of interest, Proposed Cllr Clifford, seconded Cllr Hay all ok SUPPORTED.

b Planning Decisions

19/2422/FUL Freakhayne Colyton – Mr & Mrs Jowett – Installation of solar panels on detached garage. APPROVED - Standard Time Limit.

19/2423/LBC Freakhayne Colyton – Mr & Mr Jowett – Installation of solar panels on rear roof slope, and retention of air source heat pump installed to the rear of the existing garage. APPROVED with conditions.

19/1814/FUL and 19/1815/LBC The Fenery, Queen Street, Colyton – Mr & Mrs Emery – Construction of rear extension, garage extension and detached outbuildings and replacement windows. REFUSED

c Planning Correspondence

Colyford Eden hearing in Colyford Memorial Hall 15th Jan 10am – The Parish Council have been invited to comment – who will attend? Cllr Jones will speak on behalf of the Council.

Memorial Applications.

Burial of Mrs Joan Armitage and Exclusive Rights purchased.

Request for an interment of ashes in Colyton Cemetery at the end of an existing row of ashes plots along the path. Along with a small headstone to match the others in the row. The Councillors would need to see where this is.

20/01/55 Amenities

Apply for footpath between Holyford and Whitwell Lane under the 1981 Countryside and Wildlife Act. – Letters from residents to support. Cllr Pady proposed we make a formal application to have the path reinstated. Cllrs Real and West said we should respect the landowner decision. DCC have advised that anybody can apply to have the path re-opened. The Parish Council should not be intimidating a resident of Colyton, this was also agreed by Cllr Arnott. The proposal was not seconded and it was decided the Parish Council would step down regarding this issue and members of the public apply for the reopening themselves. Cllr West declared an interest in this.

P3 Annual bid – due in 17th February – Concerns about fp8 – Ham Lane and fp18 raised by Cllr Clifford. Fp8 issue of sewage leaking needs reported to Environmental Health, with a paper trail, Cllr Clifford to organise. Fp18 has a large post which is in danger of falling, Cllr Pady to find out who landowner is.

Update on land at the top of the Butts. Cllr Pady contacted land residents office at DCC to see who owns the land, they said it isn't them but it is maintainable at public expense if it is obstructing the highway. Halcyon have quoted £1300 to clear the area, Cllr Hay thinks we should do it but the council are wary as they don't want to be held accountable for the area in the future.

Update on Parishes together fund. Halcyon have completed the works up at Love Lane and Clay Lane, the ditches have been dug out. In Clay Lane an 8 inch drain was uncovered and it was discovered that the road has been tarmacked up to the edge which won't help the flooding problems.

20/01/56 Bath House – Cllr Clifford took Mr Steven Kelly outside after a meeting to show him the issues with the flood water escaping the drain and running down through the town, eventually it will end up in the shops if we get really bad weather. He also showed him the 'sinkholes' outside the Colcombe and the Estate Agent.

20/01/57 Decision on whether the Council decides to register with EDDC, the Colyton Fire Station property as an Asset of Community Value. It was decided to officially talk to Tracey and see what her and the crew thought of this, Cllr Arnott suggested Tracey and Dave Hill be invited to attend the next council meeting.

20/01/58 Neighbourhood Plan progress slowly being made, there will be a meeting this week, updates to follow.

20/01/59 Reece Strawbridge Centre Cllr Hay reported issues with the heat and sewage pumps costing lots of money. Insurance certificate naming the Colyton Parish Council is needed. Cllr Arnott

stated it had been agreed by the trustees that the clerk would email their secretary outlining exactly what is required by the Parish Council.

- 20/01/60 Emergency Plan** the draft plan has been sent out for discussion at the next full meeting Cllr Jones asked that councillors come prepared knowing if they would like to be involved in the plan and if so how, what would their contribution/limits be?
- 20/01/61 Declaring a climate and Biodiversity Emergency.** Delayed to the next full meeting.
- 20/01/62 Date for Annual Parish Meeting – Must be held between 1st March and 1st June and who to invite.** Wednesday 22nd April 2020.
- 20/01/63 Items brought to the CPC’s attention after the agenda had been published**
- 20/01/64 Matters to be taken into Committee**
- 20/01/65 Dates of future meetings**
 Finance & Planning – Monday 27th January 2020
 Colyton Parish Council Meeting – Monday 10th February 2020.

Meeting Closed 21:36

APPENDIX A

County Councillor’s Report, January 2020 HAPPY NEW YEAR!

The future of Colyton Primary and the other schools in the Axe Beacon Federation

A new Ofsted report has graded Colyton Primary School ‘inadequate’. On December 11th, I attended a meeting of about 70 parents with the newly appointed chair of the governors and a representative of the County Council. It is clear that while there are problems in the school, particularly but not only over some provision for children with special educational needs and disabilities (SEND), parents had, overall, a much more positive appreciation of the school than Ofsted. As legally required, the Regional Schools Commissioner will now appoint a Multi-Academy Trust (MAT) to oversee improvements in the school. However it was also explained that in the coming months, the school will be permanently handed over to a MAT. Parents were very unhappy with this potential outcome, and I agree that it is inappropriate to hand over the local community school to a private company rather than simply dealing with the managerial problems which have been exposed.

I have written to the Commissioner to express these concerns. I am also concerned that the removal of Colyton from the Axe Beacon schools federation will disrupt the federation and the three other schools, Seaton, Shute and Kilmington.

Colyton Health Centre

It’s good to be able to report a success. The Seaton and Colyton Medical Practice have informed me that their landlords, NHS Property Services, have reduced the service charges for Colyton Health Centre to a reasonable level and the dispute has been settled, thanks partly, they say, to the public pressure I put on at the Health Scrutiny Committee.

Colyton Fire Station

The Fire Station, meanwhile, remains under threat of closure. We shall learn on 2nd January whether the proposal has been firmed up after the consultation. The Fire Authority meeting to decide on the future of fire services takes place on 10th January.

My motion at the County Council to request the Fire Authority to allow county councillors to speak on behalf of their constituents was voted down by the Conservative majority on 5th December, but I intend to be present at the Fire Authority meeting and to ask a question.

Light pollution

Recent research, including by Exeter University’s Ecolight Project, has suggested that light pollution may have far-reaching effects on biodiversity and ecology. I proposed a motion at the County Council that the Council should review the appropriateness of all external lighting for which the Council is responsible in the light of this concern, in conjunction with its Climate

Emergency planning. This will now be considered by the Cabinet.

Sidmouth Road, Colyton, parking restriction

I attended a site meeting with the chair of HATOC, Cllr Stuart Hughes, officers, parish councillors and residents about the proposed double yellow lines on the north side of the road. It was agreed by everyone that lines on the south side would be better, and a proposal to this effect will go into the next HATOC round.

Seaton and Colyton Traffic Group

The next meeting will take place on Monday 6th January in Colyton Town Hall.

APPENDIX B

Helen Parr- District Council Report, January 2020

1. Colyton Fire Station

Very good news- the Fire Authority agreed the retention of Colyton Fire Station as recommended- see Agenda report p.12 para 9.6- Fire Authority meeting Friday 10 Jan

<https://fireauthority.dsfire.gov.uk/documents/g616/Public%20reports%20pack%2010th-Jan-2020%2010.00%20Devon%20Somerset%20Fire%20Rescue%20Authority.pdf?T=10>

Congratulations to the Fire fighters for a very well run campaign, and to all those others who organised the Petition, contributed posts, marched, did interviews and responded to the consultation- well done

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2. The Knowle

Sale of the old District Council offices in Sidmouth has been delayed. Pegasus Life, now part of Lifestory Group, failed to complete on 18 December 2019, the agreed date, and asked to delay the completion till the New Year. They have said they will complete on 14 January.

The Council has taken external legal advice, is advised it is on strong ground, and has resolved to protect its position. Legal proceedings will be commenced to secure the £9m payment which has been agreed and contracted as well as any associated costs and damages.

The council considers this is a necessary and appropriate step as its overriding responsibility is to protect the public purse.

There is no immediate impact on council finances for this financial year. As legal proceedings can take time the council will consider the position again if Lifestory do not settle the matter early in the New Year.

See separate Q&A document with more information.

3. Seaton Hospital-

Seaton Area Health Matters request for a £2m loan for 40 years to purchase Seaton Hospital was not supported by the Cabinet- see the Report, link below

<https://democracy.eastdevon.gov.uk/documents/s7745/Seaton%20Hospital%20Loan.pdf>

and Minutes, link below-

<https://democracy.eastdevon.gov.uk/mgAi.aspx?ID=4646>

There was a very full debate and concerns included

- lack of involvement of the County Council, which has Health responsibilities;
- the Business Plan is at a preliminary stage, need for a joined up plan involving Axminster and Lyme Regis/ west Dorset;
- the agreement to the loan might well lead to other requests eg from Axminster and Ottery hospitals, [which would be treated on their merits];
- the length of the payback, 40 years, and there is currently one tenant having only a 5 year lease;
- the difficulty the council would face if the group defaulted- would the Council be prepared to repossess the hospital?

The Cabinet RESOLVED: 1. that the significant importance of the future use of Seaton Hospital as a medical facility serving the triangular health hub area of Seaton, Axminster and Lyme Regis be endorsed, and 2. that SAHM make direct contact with DCC councillors responsible for health care to get their expertise and influence and help in obtaining funding.

4. A great deal of work is going on to agree the Budget- there will be an all day Joint Budget meeting of the Overview and Scrutiny Committees on Weds 15 January. Recommendations from these meetings will be presented back to the Cabinet on 5th February 2020 when members will finalise budget proposals to be recommended to Council.

The Independent Group, which is now running EDDC, is facing a difficult financial situation. Going forward the Council will need to make 'careful choices' as it works towards bridging a £2.7 million funding gap over the next four years.

APPENDIX C

Paul Arnott East Devon District Councillor for the Coly Valley

Report No. 7: January 2020

A National Park for Dorset and East Devon:

Further discussion is due to happen - following a resolution of the Strategic Planning Committee and of Full Council - in February's SPC meeting, agenda not yet published. The delay has been disappointing, but at least those opposed to further progress no longer have the excuse of uncertainty at government level

Greater Exeter Strategic Plan:

I have reprised in the next two paragraphs my comment from October 2019:

This alliance between Teignbridge, Mid-Devon, Exeter and East Devon councils to create a strategy across all these areas with regard to infrastructure and development was a matter of great concern before the May elections. It was poorly conceived both in the very few councillors and officers involved, and contentious as it would eventually sit above our own Local Plan and Neighbourhood Plan.

After protest about the lack of member involvement, ten EDDC councillors, including me and fellow Independent East Devon Alliance councillor Marianne Rixson, met in an enlarged group at

Teignbridge's offices in Newton Abbot. This is the first of a number of scheduled meetings, but at the moment the jury is out. What exactly do the fortunes of Ashburton and Newton Abbot have in common with Colyton and Axminster? I will report back as this goes on.

Marianne and I have now attended 3 of three of these GESP meetings. It is clear that the new EDDC administration, without fresh consideration of the implications of this project, are simply carrying on "business as usual". I remain fundamentally concerned about the potential for inflated housing and employment land numbers, and the genuinely stupid avowed aim to double the size of the GESP economy in twenty years. These are Chinese levels of growth aspiration, creating political cover for the developer lobby. We will continue to scrutinise and fight this – Axminster is made especially vulnerable to speculators in this scenario

Seaton Hospital

iEDA Councillor Jack Rowland worked for many months last summer and autumn on an idea for the Seaton Hospital Trust to purchase the site from NHS Property Services. NHS Property Services is a standalone company dependant on making profit from leasing medical spaces back to "users", and which is configured when profit is deemed insufficient to sell hospital building and sites for development.

Jack won the support of Asset Portfolio Holder Geoff Pook of Beer, and the official recommendation of the officers, at EDDC that EDDC take out a low interest Public Works Loan Board 40 year loan for £2m, transferred immediately as a liability to Seaton Hospital Trust, which already has the promise of £500k from the excellent League of Friends.

It was beyond disappointing that the East Devon Conservatives wrote to officially opposed this initiative, and prevailed upon the majority of EDDC Cabinet members to agree with them. At Cabinet, Cllrs Hall, Hartnell, Moulding and Twiss spoke in strong terms to promote the Tory argument.

The Cabinet then went against the financial officers well-considered recommendation to approve with a facile wrecking amendment saying a) we like hospitals b) ask Devon County to broker this loan instead. Any intelligent councillor knew that the proposal was for an agreement *in principle*, and not as has been misreported an on-the-spot agreement to a loan. They also knew the appalling record of the Conservatives on the Health Scrutiny Committee at DCC in the very recent past.

The proposer of the wrecking amendment, Cllr Ian Thomas of Axmouth, described the idea as a kind of "money-laundering". Now an "Independent", Cllr Thomas was the Conservative leader until last Spring. This is "not our bag", he said.

The very next day the same council agreed massive potential PWLB amounts to purchase retail and leisure assets in the area, in the hope of future profits to help sustain council operations in the long term. Where and what these "assets" are/will be is a matter of "commercial confidentiality" ... this seems to be more like Cllr Thomas's "bag".

Peer Group Review by the Local Government Association

Last summer a party from the LGA visited Blackdown House clutching reports of the "outstanding" East Devon District Council which were authored in perfumed words by senior officers under the imprint of the Chief Executive Officer. Given that the once 47 Conservative cllrs as of April 2015 now stands at 19, it might reasonably have been expected of the LGA to look quite hard under the bonnet.

A number of councillors and group leaders did indeed take the time to meet with LGA reps to express very serious concerns. Indeed, they felt they were induced to do so. Next to none of these found their way into the insipid final report.

Therefore at December's Full Council I raised this matter, and both I and a number of other councillors asked for our dissent against the content of the report to be minuted. In my view problems are never helped by the application of whitewash.

However, Conservative group leader, forgetting the serious concerns also raised by LibDem leader Eileen Wragg when he, she and I met the Peer review team as group leaders, was highly satisfied (see last line)

The draft minutes record:

Ø Cabinet of 27 November, minute number 97 – Peer Review Report and associated Action Plan

Cllr Paul Arnott wanted to point out that the Peer Review process involved some councillors being asked to meet the Peer Review Panel. During these meetings he understood that serious reservations were expressed about the Council which failed to appear in the report. Accordingly he wanted to dissent from accepting the report as it is currently.

The Leader confirmed that Cllr Arnott had the option of dissenting against the recommendations made by the Peer Review Team.

The Chief Executive clarified that Cllrs who had concerns could look at the LGA website where guidance and terms of reference on the way they conducted Peer Reviews could be seen. It may be the case that some participants do not consider that their concerns have been minuted, but the process of triangulation operated by the team is to act as a check and balance on whether some comments are generally accepted or one off views, which should not be added to reports.

Cllr Millar commented that he had attended meetings of the Peer Review and there were concerns expressed by a number of councillors about how the Council was run, none of which were reported in the final document.

Cllr Arnott asked the Chairman how to proceed in order to record that he would not accept the Peer Review.

The Chairman requested the names of those who wanted it noted in the minutes that they disagreed with the report of the Peer Review.

They are Cllrs; Paul Millar, Paul Arnott, Fabian King, Andrew Colman, Eleanor Rylance, Brenda Taylor, Luke Jeffery, Val Ranger, Jack Rowlands, Sarah Jackson, Denise Bickley, Cathy Gardner, and Marianne Rixson.

Cllr Andrew Moulding stated that he had attended meetings including Group Leaders with the Peer Review Team and the only criticisms of the Council appeared to come from Cllr Arnott and so it would not be expected that they would be included in a report.