

NEWTON POPPLEFORD AND HARPFORD PARISH COUNCIL

Minutes of a meeting of Newton Poppleford and Harpford Parish Council which took place at The Pavilion, Back Lane, Newton Poppleford at 7.15pm on Monday, 27th November 2023.

Present: Cllrs. Bisseker, Carpenter (Vice Chair), Compton, Dalton, Harrison, Hughes, Lipczynski, Malawana (from 7.30pm), Tribble (Chair) and Walker.
Jacqui Baldwin, Clerk and RFO
Cllr. Jessica Bailey, County Councillor
Cllr. Chris Burhop, EDDC Ward Councillor
Ted Swan, Parish Footpath Warden
PC Tom Driver, Neighbourhood Policing Team
PCSO Sarah Reece
7 members of the public

Chair welcomed Councillors and members of the public to the meeting and outlined the Fire Regulations and Evacuation Procedure. Chair reminded all present that the Parish Council has a policy of recording its meetings. The Public Forum was opened at 7.15pm.

Public Forum

- a) Neighbourhood Policing report: PC Tom Driver of the Neighbourhood Policing Team provided an update on parish crime statistics. Four crimes were reported during the month of October (2 road-related, 1 theft and 1 sexual offence) and there had been no reported crimes to date in November. This was an improvement on the previous year. PC Driver noted that there had been an issue with parking around the school and this situation was being monitored by PCSO Sarah Reece. Chair welcomed Sarah to her first Parish Council meeting. Sarah confirmed that she had contacted the Head and would make site visits to ensure that there were no further problems. Chair thanked Tom and Sarah for their attendance.
- b) County Councillor report: Cllr. Jessica Bailey
Cllr. Bailey gave an update on post-flooding actions. A meeting took place in Venn Ottery on 7th November at which several actions had been agreed. A programme of improvements will commence in June 2024. DCC has arranged a meeting with Burrow residents to take place on 28th November at which Cllr. Bailey, Cllr. Burhop and Cllr. Tribble will be present. Cllr. Bailey said that she would like to see such discussions extended to include all of Newton Poppleford and Harpford and would be speaking to DCC about this. Cllr. Bailey advised that she had supported the DCC Flood Risk Management Team in their bid for funding from DEFRA to enable them to implement natural flood management measures in the catchment. The outcome will be known in the New Year. Finally, Cllr. Bailey expressed frustration at the lack of progress in relation to Red Bridge about which she will raising a formal question at a forthcoming DCC meeting. Cllr. Compton advised Cllr. Bailey that some of the potholes on the road between Bowhayes Farm and Colyhead Farm had been repaired but not all. Following his arrival at 7.30pm, Cllr. Malawana confirmed that he had been in correspondence with DCC about the Red Bridge as he was very concerned at the deterioration of the footpath. It had been confirmed that the Land Agents are communicating but no further progress made. DCC's Rights of Way Officer had inspected the footpath and declared it safe. Mr. Swan suggested that things would come to a head soon as the footpath is constantly eroding and may become impassable in the near future. DCC have confirmed that the footpath would have to be closed if declared unsafe. Cllr. Bailey considered the lack of progress on this matter to be unacceptable.
- c) District Councillor report: Cllr. Chris Burhop
Chair welcomed Cllr, Burhop to the meeting and took the opportunity to thank him for organising the recent Fireworks event on behalf of the community.

Cllr. Burhop said that he had been impressed by DCC's proactive approach to carrying out surveys into the causes of flooding in the parish. However, Back Brook remains a cause for concern as this is the responsibility of the Environment Agency who do not seem to be as proactive. From a recent meeting with a resident of Hawkerland it had become clear how important it is to instigate containment measures on the Commons to stop Back Brook becoming inundated by surface water run-off. The DEFRA funding referred to by Cllr. Bailey, if granted, would be very useful in mitigating this threat. Cllr. Burhop spoke about the dilemma of public housing of which he has become aware as a member of EDDC's Housing Review Board. There are currently 5,000 on the waiting list for housing in the region with a decreasing number of properties available. Finally, Cllr. Burhop said that he was pleased to see the community becoming involved with the management of the MUGA through the MUGA Working Party.

Cllr. Hughes thanked both Cllr. Burhop and Cllr. Bailey for their support of the residents of Venn Ottery in the aftermath of the May floods.

d) Report from Ted Swan, Parish Footpath Warden

Mr. Swan reported that he was waiting for details of the Annual Parish Footpaths Survey from DCC. This has been delayed due to staff changes. Signage for the new Footpath 39 is still awaited. Chair thanked Mr Swan for his continuing hard work on behalf of the parish.

e) MUGA Working Party – Mark Burdus

Chair welcomed Mark to the meeting as the Chair of the new MUGA Working Party. Mark advised that the Working Party consisted of 8 volunteers although there are others who will offer support. A report from the first meeting of the group had been circulated prior to this meeting and Mark confirmed that the group will take responsibility for security, maintenance, education about use and promotion of the facility. Some members of the group may also be able to assist with fundraising. An official opening will take place in the New Year. Cllr. Carpenter thanked Mark and his team for their support and commitment which would be of tremendous help to the Council and the community. Clerk confirmed that the contractor was due on site on 28th November to commence repairs.

f) Questions and representations from residents/parishioners

Cllr. Compton stated that there was a breach in the hedge line between Venn Ottery and Tipton St. John which may be preparation for a new field entrance. Cllr. Hughes suggested that the gap had been caused by a fallen dead Elm tree. In response to a further question from Cllr. Compton the Clerk confirmed that the pathway to the old surgery building has been treated with moss killer. To prevent the possibility of injury and to improve security a new gate will be installed at the bottom of the path. Finally, it was confirmed that the clothes bank in the School Lane car park is a fundraising initiative on behalf of the PTFA.

There being no further questions, Chair closed the Public Forum but noted that Standing Orders would be suspended to allow public participation at various points on the Agenda.

		Actions:
23/054	To consider apologies for absence and approve if accepted (LGA 1972 S.85(1))	
	Clerk reported that apologies had been received from Cllr. Tillotson who is unwell. Chair proposed that these apologies be accepted. Seconded by Cllr. Harrison and resolved unanimously. Chair sent best wishes to Cllr. Tillotson on behalf of all Councillors.	
23/055	Declarations of interest from members / Dispensations afforded	
	All members present are, by definition, members of the NPPFF Trustee Board and declare a personal interest in that capacity. Cllr. Hughes was afforded a dispensation to discuss and vote upon matters pertaining to trees at the Ordinary Meeting held on 27 th June 2023. This dispensation applies until May 2027 (unless rescinded prior to that date) and is afforded in respect of his personal and disclosable pecuniary interest as owner of Bowhayes Trees Limited, Bowhayes Farm, Venn Ottery.	

	<p>Cllr. Bisseker declared an interest in agenda item 23/061B as the owner of property in Down Close adjacent to the land in question.</p> <p>Cllr. Compton declared a pecuniary interest in agenda item 23/061B as the owner of the land which is the subject of a Planning Appeal.</p>	
23/056	<p>To consider any matters listed on this Agenda that Councillors believe should be dealt with as confidential business as per the provisions of The Public Bodies (Admission to Meetings) Act 1960 other than those already listed at Agenda item 23/067.</p> <p>None so considered.</p>	
23/057	<p>To consider and, if thought fit, approve the Minutes of the Council Meeting held on 30th October 2023 as previously circulated to members:</p> <p>Cllr. Carpenter proposed that the Minutes of the meeting held on 30th October be approved. Seconded by Cllr. Lipczynski and resolved 6 in favour and 4 abstentions from Councillors not present at that meeting.</p> <p>To consider any Matters Arising from those Minutes:</p> <p>None not dealt with elsewhere on this Agenda.</p>	
23/058	<p>To review the draft Minutes of Council's Finance Committee meeting held on 20th November 2023 and to note and, if thought fit ratify, recommendations made therein:</p> <p>Cllr. Walker, as Chair of the Finance Committee, provided a summary of the recent Finance Committee meeting and requested Council's approval of decisions taken to purchase a body worn camera for the Community Speed Watch team, the appointment of a new Internal Auditor and the renewal of the insurance on the empty surgery building. Cllr. Dalton proposed that these decisions be ratified by Council. Seconded by Cllr. Carpenter and resolved with 9 votes in favour, one abstention.</p>	
23/059	<p>Correspondence received:</p> <ol style="list-style-type: none"> a) Parking issues – School Lane and Lower Farthings. Dealt with during the Public Forum. b) Invitation from Cllr John Hart, Leader of Devon County Council re: DCC Priorities and Budget 2024/25. Chair confirmed that she would be attending a webinar to be hosted by Cllr. John Hart on 11th December. 	
23/060	<p>To consider matters pertaining to Footpaths and Public Rights of Way in the Parish:</p> <ol style="list-style-type: none"> i) Right of Way creation, The Green, Venn Ottery Draft agreement circulated to Councillors prior to the meeting. Cllr. Hughes stated that the proposed route of the footpath would not cause difficulties if community events were held on the green. Cllr. Hughes proposed that this draft agreement be approved. Seconded by Cllr. Harrison and resolved unanimously. Clerk to note and advise DCC Public Rights of Way Officer accordingly. 	Clerk
23/061	<p>Planning Matters:</p> <p>To allow members of the public to make representations during this agenda item Chair proposed that Standing Orders be suspended. Seconded by Cllr. Walker and resolved unanimously.</p>	
	<ol style="list-style-type: none"> a) To consider planning applications received prior to publication: 23/2279/FUL – Erection of an Agricultural building on land off Back Lane, NP A communication received from local residents had been circulated to Councillors prior to the meeting. Concerns included the size of the proposed building relative to the acreage, increased traffic in Back Lane, potential surface water run-off, noise and future use of the land/proposed building. 	

	<p>Residents were also concerned that no planning notice had been displayed at the site entrance.</p> <p>One of the applicants present at the meeting confirmed that the land would be used to grow crops for personal use and there would be no commercial activity, equipment would be kept on site and would not create additional traffic flow. There are no services to the site and hardstanding would be created from gravel or hardcore. Cllr. Walker proposed that, as this application does not contravene Neighbourhood Plan Policy EP7 – development on farmland for agricultural purposes – Council should support. Seconded by Cllr. Harrison and resolved 9 votes in favour with one abstention.</p> <p>Clerk to note and update EDDC Planning Portal accordingly. 23/2429/FUL – Extension to Brookside Cottage, Station Road, NP Cllr. Harrison proposed that this application be supported. Seconded by Cllr. Carpenter. Resolved unanimously.</p> <p>Clerk to note and update EDDC Planning Portal accordingly. 23/1779/FUL – Revised Plans: Pemarita, High Street, NP Chair advised that, in response to a report by the Conservation Officer, the applicants have now submitted revised plans in which the size of the proposed extension to the property has been reduced. The Conservation Officer has subsequently recommended approval of the application. The applicant addressed the meeting giving assurances about the delivery of equipment and materials to site and plans to prevent surface water run-off. Following a short discussion Cllr. Lipczynski proposed that Council support this application. Seconded by Cllr. Malawana and resolved with 8 votes in favour, 2 abstentions.</p> <p>Clerk to note and update EDDC Planning Portal accordingly. Chair then proposed that Standing Orders be reinstated to preclude further public participation. Approved unanimously.</p>	<p>Clerk</p> <p>Clerk</p> <p>Clerk</p>
	<p>b) To consider response to Planning Appeals: 22/2779/PIP – Land at Down Close, NP: Notification of Appeal Cllr. Bisseker, Cllr. Compton and the Clerk left the room at this point. The Council had previously voted to object to this application. After discussion it was considered that there was nothing new to consider as the appeal was against the wording of the EDDC objection. The Council did not consider that it could comment on the legalities raised by the applicant but it could conclude that nothing materially had altered its view that the proposed development should be objected to. Cllr. Tribble proposed that Council object to this PIP appeal. Seconded by Cllr. Harrison and resolved with 7 votes in favour, 1 abstention. Cllr. Bisseker, Cllr. Compton and the Clerk returned to the meeting. Cllr. Harrison left the meeting at 9.00pm due to another engagement. Chair proposed that Standing Orders be suspended to allow the meeting to continue beyond two hours. Seconded by Cllr Hughes. Resolved unanimously.</p>	
	<p>c) Planning determinations/decisions advised: None since the previous meeting.</p>	
	<p>d) To note planning correspondence received: Neighbourhood Planning and the Local Plan Update – Autumn 2023 Circulated to Councillors prior to the meeting. Neighbourhood Planning Intentions: Parish Survey To avoid taking time during this meeting survey to be completed by the Chair and Vice Chair on behalf of Council.</p>	<p>Chair/Vice Chair</p>

		<p>e) To consider Council's Neighbourhood Plan Monitoring Report: Update circulated to Councillors in advance of the meeting.</p>	
23/062		<p>Financial Matters:</p> <p>a) To consider and review Financial Reports for October as per documents previously circulated to members and published on-line; Noted.</p> <p>b) To consider and, if thought fit, approve payments for October and November as previously circulated to members and published on-line; Cllr. Walker proposed that October invoices totalling £11,916.86 be approved for payment. Seconded by Cllr. Lipczynski and resolved 9 votes in favour with one abstention. Cllr. Walker proposed that November invoices totalling £10,012.36 be approved for payment. Seconded by Cllr. Lipczynski and resolved 9 votes in favour with one abstention. Clerk to note and make November payments by the due dates.</p> <p>c) To consider first draft Budget and Precept calculations and recommendations from the Finance Committee meeting held 20th November 2023. Chair noted that it will be difficult to finalise the 2024-25 budget in advance of a decision on the future of the Public WC. Council also awaits receipt of tenders for the grounds maintenance contract which forms a significant element of the budget. The amount of Precept will depend on the final budget. Cllr. Compton criticised the Finance Committee's recommendation that the Precept be increased by more than 10% following a 42.8% increase in 2023-24. He noted that the draft budget includes a significant increase in the retainer paid to the parish maintenance contractor and an increase in the Clerk's salary which in itself will account for one third of the Precept. Cllr. Walker pointed out the parish maintenance contractor had not received any increase in retainer since 2017. In response to question from Cllr. Hughes Clerk advised that EDDC had not yet notified Council of the deadline for confirmation of the Precept although it is anticipated that this will be 31st December 2023. Council to re-visit this item at the December meeting.</p> <p>d) Questions to RFO from members of Council relating to these financial reports: None raised.</p>	Clerk
23/063		<p>BUSINESS TO BE CONSIDERED:</p>	
	A	<p>To receive a report on a meeting held with the Flood Risk Management Team at Venn Ottery: Cllr. Hughes reiterated Cllr. Bailey's report that a meeting held on 7th November had been very positive with all parties agreeing the way forward. Subject to the necessary approvals and funding it is hoped that the improvement works can commence in June 2024.</p>	
	B	<p>To note correspondence received from DCC's Flood & Coastal Risk Manager relating to community engagement: Noted that, following receipt of this email, a meeting with Burrow residents has been arranged for 28th November at the Village Hall. Chair will attend the meeting on behalf of the Parish Council along with Cllr. Bailey and Cllr. Burhop.</p>	
	C	<p>Chair proposed that Standing Orders be suspended to allow Cllr. Burhop and members of the public to participate in this discussion. Seconded by Cllr. Hughes and resolved unanimously. To consider and, if thought fit, ratify the recommendation of the Finance Committee to serve EDDC with a Notice to Terminate the Lease of the Public WC in School Lane car park:</p>	

	<p>Chair noted that an open letter from Cllr. Burhop, notes from the Public Meeting held on 21st November and emails from four residents objecting to the closure of the WC had been circulated to Councillors in advance of the meeting.</p> <p>Cllr. Compton suggested that the refurbishment quotation received had been “up spec’ed” and much of the work included was not essential. The facility appears to be well-used, well-cleaned and in reasonably good condition.</p> <p>Cllr. Burhop said that suggestions made during the Public Meeting should be further investigated and, in the interim, Council should rescind both the termination notice served on EDDC and the notice served on the cleaning contractor.</p> <p>Chair noted that cleaning and maintenance costs had been budgeted for to the end of March and this would, therefore, seem to be a sensible date to work to. Further discussion will be required at the January meeting at which additional information on refurbishment costs and the potential of upgrading and using the Pavilion toilets will be made available. Councillors will be offered a final vote on this matter at the February meeting.</p> <p>Cllr. Compton proposed that the Notice of Termination of Lease served on EDDC be withdrawn. Seconded by Cllr. Lipczynski. Resolved with 4 votes in favour, 3 against and 2 abstentions.</p> <p>Clerk to note and action accordingly. Cleaner to be retained to at least 31st March 2024.</p>	Clerk
D	<p>To review the Annual Fireworks Event held on 3rd November 2023:</p> <p>A report confirming the financial outcome of this event had been circulated prior to the meeting.</p> <p>Cllr. Burhop advised that he recently met the fireworks contractor to discuss the unacceptable delay to the fireworks display. The contractor has made a full apology and has discounted his final invoice for the event which may enable Council to allow children to attend the 2024 event free of charge. The contractor has been asked to commit to arriving on site no later than 5.30pm in future. He is going to consider this request and advise. Ticket sales and concession fees were higher than 2022 and all the concession holders reported good sales. Cllr. Malawana said that, despite the delay to the fireworks display, the event should be considered a major success and raised much-needed funds for community groups. Cllr. Carpenter noted that attendees were remarkably patient and understanding. Clerk advised that one request for a refund had been received. Cllr. Burhop responded that, as there was no indication of the start time of the display on any publicity material, Council was not obliged to offer refunds.</p> <p>Chair thanked all Councillors who had been involved in the organisation of the event and those who had volunteered on the night. She reminded members that Council had committed to public consultation prior to making any plans for the 2024 event.</p> <p>Chair proposed that Standing Orders be reinstated to preclude any further public participation. Seconded by Cllr. Lipczynski and resolved unanimously.</p>	
E	<p>To receive an update from the Climate Change Group and consider a request to plant a tree in Webbers Meadow:</p> <p>Notes from the November meeting of the Climate Change Group had been circulated prior to the meeting. Chair noted that the CCG have been offered a disease resistant Elm tree to plant in Webbers Meadow as memorial to Val Ranger.</p> <p>Chair proposed that permission be given for the CCG to accept the offer and plant the tree as indicated. Seconded by Cllr. Walker and resolved unanimously.</p> <p>Clerk to advise the Chair of the CCG accordingly.</p>	Clerk
F	<p>To note the formation of a Working Party to oversee the management of the MUGA:</p> <p>Noted.</p>	
G	<p>To consider a grant application received from the Ottery Help Scheme:</p>	

