

NEWTON POPPLEFORD AND HARPFORD PARISH COUNCIL

Minutes of an Ordinary Meeting of Newton Poppleford and Harpford Parish Council which took place at The Pavilion, Back Lane, Newton Poppleford at 7.15pm on Monday, 25th September 2023.

Present: Cllrs. Carpenter (Vice Chair), Compton, Dalton, Harrison, Lipczynski, Malawana, Tillotson, Tribble (Chair) and Walker
Jacqui Baldwin, Clerk and RFO
County Cllr. Jessica Bailey
Ted Swan, Honorary Footpath Warden
Dr Sam Bridgewater, Clinton Devon Estates
Andrew Squires, Devon Investigations
9 members of the public

Chair welcomed Councillors and members of the public to the meeting and outlined the Fire Regulations and Evacuation procedure.

Chair opened the Public Forum and welcomed Dr Sam Bridgewater, Director of Environmental Strategy and Evidence for Clinton Devon Estates, to the meeting to make a presentation about the Estate's proposal for a Landscape Recovery Plan for the Otter Valley. Council informed members of the public that the Parish Council is a member of the stakeholder group that has been formed to frame this initiative.

a) Landscape Recovery in the Otter Valley:

SB explained that post Brexit there will be changes in farming subsidies and, from 2028, there will no Basic Payments Scheme for farmers. Three new schemes will reward environmental land management: Sustainable Farming Incentive, Countryside Stewardship, Landscape Recovery. The Landscape Recovery scheme is for landowners who want to take a large-scale, long-term approach and funding of up to £750k is available. The CDE proposal covers the Lower Otter catchment, mostly south of Newton Poppleford, and aims to develop a detailed proposition to restore and connect wildlife habitats across around 5,000 hectares of land much of which is in the ownership of CDE. CDE aims to work with other landowners in the catchment to meet the need for food, timber, clean water and public access along with mitigation of climate change effects such as flooding. An application for seed funding to support the 2-year development phase has now been submitted and a Stakeholder Group established. The vision is that the project will deliver an accessible, nature-rich landscape that is resilient to climate change, enhance food production and drive a stronger, greener and more sustainable economy. SB confirmed that there would be opportunities for public engagement throughout the development phase. Cllr. Compton pointed out that CDE do not have control of some of the land in the catchment area and asked what incentives there would be for local landowners to become involved in the project. In response, SB said that farmers would benefit through access to funding but there will be no incentive for those who do not farm their land – the project would be “an alliance of the willing”.

As there were no further questions, Chair thanked Dr Bridgewater for his attendance.

Chair stated that, as a result of a recent incident where travellers unlawfully occupied Council land, Council used the services of Devon Investigations. The travellers were successfully evicted within 48 hours of their arrival and Chair introduced Andrew Squires from Devon Investigations (DI) to explain how such incidents may be avoided in the future.

b) Prevention of Unauthorised Encampments – Reassurance Scheme:

AS thanked Council for their invitation to the meeting and provided information on his background in the police force. He confirmed that all Devon Investigations personnel are ex-police and had the knowledge and experience to deal with incidents of this type. DI are retained by East Devon, West Devon and South Hams councils to deal with enforcement and removals. AS explained how DI use Common Law Trespass powers to evict trespassers within a maximum of 72 hours via a 3-stage process. To provide ongoing site protection DI offer a Reassurance Scheme comprising Bronze, Silver, Gold and bespoke packages. Chair thanked Andrew for attending the meeting and confirmed that Council would discuss this matter further under agenda item 23/037C.

c) Neighbourhood Policing report:

No report received. Clerk confirmed that the September issue of the Neighbourhood Policing Team newsletter had been circulated to members.

d) County Councillor report: Cllr. Jessica Bailey:

Cllr. Bailey advised that DCC is waiting for contractors to instal the wig wag signage but she is continuing to chase. The S.19 Flood report is due to be published shortly but the team is currently busy with the recent flooding issues in Kenton and Harberton. Cllr. Bailey referred to recent press reports about the financial pressure that DCC is under due in most part to a £135m debt in Childrens Services. As this is a ring-fenced debt it does not appear on the balance sheet. Cllr. Lipczynski asked who the creditors are as this seems an enormous sum. Cllr. Bailey said that she did not know but would endeavour to find out. Cllr. Bailey asked for an update on local road repairs as she was unsure what repairs remain outstanding. Cllr. Compton advised that the road from Venn Ottery to West Hill had not been repaired and was in danger of completely collapsing. Both the Chair and Cllr. Bailey agreed to follow this up as a matter of urgency.

e) District Councillor report:

Cllr. Burhop had sent his apologies to the meeting but had submitted a report which had been circulated in advance of the meeting and published on the website. Chair asked Cllr. Compton to make his comments about this report to Cllr. Burhop direct.

f) Report from Ted Swan, Parish Footpath Warden:

Ted confirmed that his deputy, Ian Kimber, would be undertaking a training course at the beginning of October. This will make a big difference to what can be achieved in the parish. Cllr. Carpenter agreed to speak to the DCC Rights of Way officer on Ted's behalf regarding the new footpath from the car park to Church Green. Chair will contact Emma Hellier about the erosion on Footpath 3 which has been deteriorating for two years despite promises of action. Clerk to inform the Rights of Way officer that the Venn Ottery footbridge has been installed.

g) Report from the Climate Change Group:

Cllr. Walker reported that the Climate Change Group was considering ways to fund the purchase of a memorial tree to commemorate the life of Val Ranger. Different ideas as to how parishioners can contribute are being considered and a decision will be taken at the next CCG meeting on 10th October.

h) Questions and representations from residents/parishioners:

A resident asked for an update on communications between the Council and local medical practices about the use of the surgery building. Cllr. Malawana stated that he had been in contact with the chair of the local medical committee and was awaiting a response. Chair advised that nothing had changed – and nothing would change in the foreseeable future – with regard to the ownership or use of the surgery building. Council will continue to maintain the building. Cllr. Compton suggested that the footpath from the car park to the surgery building should be cleared of moss as this is a potential Health & Safety hazard. Cllr. Compton also suggested that the Clerk is using a private Facebook account to engage in communication about the potential future use of the surgery building. The Clerk explained the circumstances of the communication with Sidmouth Library to which Cllr. Compton was referring.

There being no further questions the Chair thanked everyone for their contributions and closed the Public Forum at 8.35pm.

		Action
23/029	To consider apologies for absence and approve if accepted (LGA 1972 S.85(1))	
	Clerk reported that apologies for absence had been received from Councillor Bisseker who is on holiday and Cllr. Hughes who is dealing with family matters. Cllr. Lipczynski proposed that these apologies be accepted. Seconded by Cllr. Harrison and resolved unanimously.	
23/030	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. Tillotson was afforded a dispensation to discuss and vote upon matters pertaining to Parish allotments at the Annual Meeting of Council held on 22 nd May 2023. This dispensation applies until May 2027 (unless rescinded prior to that date) and is afforded in respect of her personal and disclosable pecuniary interests as an allotment tenant.	
23/031	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. No proposal made.	
23/032	To consider and, if thought fit, approve the Minutes of the Council Meeting held on 24th July 2023 as previously circulated to members: Cllr. Lipczynski proposed that the Minutes be approved as drafted. Seconded by Cllr. Walker and approved with 9 votes in favour, one abstention. To consider any Matters Arising from those Minutes not dealt with elsewhere on this Agenda: a) Venn Ottery Village Green footbridge Chair reported that the new footbridge has been installed and awaits sanding and painting by residents as previously agreed. b) Playground and Playing Field Fencing Now complete. c) Gazebo – criminal damage	

		Chair reported that this matter is now being dealt with by the Youth Intervention Team who will be seeking damages on behalf of Council.	
23/033		<p>Correspondence received:</p> <p>a) Objections to Annual Fireworks Event (discussed under Agenda Item 23/037 E)</p> <p>b) Freedom of Information Act request – Surgery building Chair confirmed that a Freedom of Information Act request was received by Council on 29th July. As required by legislation this request was responded to on 22nd August.</p>	
23/034		<p>To consider matters pertaining to highways and road safety in the parish:</p> <p>i) Installation of Wig Wag signage Dealt with by Cllr. Bailey during the Public Forum.</p>	
23/035		<p>Planning Matters:</p> <p>a) To consider planning applications received prior to publication: None received.</p> <p>b) To consider planning applications received after agenda publication: None received.</p> <p>c) Planning determinations/decisions advised: 22/2243/FUL – Woodentop, Littledown Lane, NP – Refused 23/0624/FUL – Luscombes, Back Lane, NP – Approved with conditions 23/1210/FUL – Bridge End House, NP – Withdrawn by the applicant.</p> <p>d) To note applications which will be considered at a forthcoming meeting of the EDDC Planning Committee: Clerk advised that the Agenda for the Planning Committee meeting taking place on Tuesday 26th September contains no applications relating to this Parish.</p> <p>e) To note planning correspondence received: Chair advised that Council has been notified of the adoption of Broadclyst Neighbourhood Plan. Chair stated that Council has received notification of a 6 week consultation relating to a proposal from West Hill Parish Council for West Hill Parish to be designated a Neighbourhood Area for planning in its own right. It is currently part of a joint Neighbourhood Area with Ottery St Mary. As an adjoining Parish this Council has the right to comment on this proposal. Councillors did not wish to do so.</p> <p>f) To consider Council’s Neighbourhood Plan Monitoring Report: Update circulated to Councillors in advance of the meeting.</p>	
23/036		<p>Financial Matters:</p> <p>a) To consider and review Financial Reports for July and August as per documents previously circulated to members and published on-line; Reports noted.</p> <p>b) To note September payments approved by the Finance Committee as per documents circulated to members and published on-line; Report noted.</p> <p>c) To note contents of the 2023-24 Budget Monitor; Report noted.</p> <p>d) To receive the External Auditors Report on the End of Year Audit and Governance Return and to note the conclusion of audit;</p>	

		<p>Chair stated that Council has received confirmation that the end of year audit has been completed by the External Auditors, their report has been received and published on Council's website.</p> <p>e) Questions to RFO from members of Council relating to these financial reports. No questions raised.</p>	
23/037		BUSINESS TO BE CONSIDERED:	
	A	<p>To review response to flooding event in the parish:</p> <p>a) Recovery Coordination Group: An updated Action List had been circulated to Councillors prior to the meeting. The Recovery Coordination Group has not met since 24th July and no further meetings are planned. Chair noted that the Section 19 Report has still not been published by Devon County Council. As they are obliged to publish a report within 5 months of the event the deadline is 9th October.</p> <p>b) Emergency Plan review – Emergency Flood resilience grant: Cllr. Carpenter reported that an application to the Devon Emergency Resilience Fund had been successful and the sum of £1494.54 will be available to enable Council to purchase replacement flood defence equipment. The Emergency Plan will be reviewed at the next PPC meeting which will take place in early November.</p> <p>c) Community Resilience Network event – 23rd October 2023: Cllr. Carpenter confirmed that this meeting will be attended by Dave Whelan, Business Continuity and Emergency Planning Officer for EDDC, Chris Khan of the Environment Agency, a representative of the Lymstone Flood Resilience Group and those responsible for the development of Emergency Plans in neighbouring parishes. Cllr. Carpenter will publicise the event to residents via the PCC magazine and Facebook.</p> <p>d) Environment Agency – improvements to Back Brook channel flow: Work has now been completed.</p> <p>e) Red Bridge replacement – update Chair reported on a site meeting which had taken place on 22nd September from which it was clear that the footpath to the bridge is eroding dramatically. As it would not be a good use of resources for DCC to try and preserve the existing bridge the installation of a new bridge in a different location is the preferred course of action. Negotiations between DCC and the landowner are to continue.</p>	
	B	<p>To consider matters relating to the repair and security of the Multi-Use Games Area: Chair reported that, as resolved at the July meeting, Council sought a quotation for the installation of additional fencing and a pedestrian gate to secure the MUGA. The Finance Committee had subsequently approved a quotation in the sum of £2,991 plus VAT. £1,986 remains in the S.106 project fund and the balance will be paid from Council's reserves. The damaged surface of the MUGA has been removed and the Contractor will install the new surface and the additional fencing in the coming weeks. To improve security additional CCTV has been installed and is now operational.</p>	

	<p>Chair asked members to put forward suggestions as to how the facility could be used free of charge by residents without risk of further vandalism. Cllr. Tillotson felt that it should be possible to open the MUGA for use when adults are on site to supervise. Cllr. Malawana suggested that signage should be erected making it clear what the facility could NOT be used for so that it was understood that bikes, e-scooters and remote-control cars were prohibited.</p> <p>Clerk to arrange the purchase of appropriate signage.</p> <p>At this point, as the meeting had been in progress for two hours, Chair proposed that Standing Orders be suspended to allow the meeting to continue. Seconded by Cllr. Walker and resolved unanimously.</p>	Clerk
C	<p>To review response to the unauthorised encampment on Council land and consider future prevention measures:</p> <p>Chair requested members views on the prevention measures proposed by Devon Investigations. After a short debate it was proposed by the Chair that a meeting be arranged with Devon Investigations to discuss a bespoke package of prevention measures to include all Council owned land. Seconded by Cllr. Walker and resolved unanimously.</p> <p>Clerk to note and arrange.</p>	Clerk
D	<p>To consider matters relating to the Public WC in School Lane car park:</p> <p>a) Refurbishment costs Cllr. Walker advised that quotations received for the refurbishment of the WC exceeded £40,000 well above the £10,000 held in the WC refurbishment reserve fund. The WC refurbishment working party had therefore concluded that it would not be feasible to proceed. Cllr. Walker added that the costs of maintaining, cleaning and securing the toilets were out of proportion to the benefit the toilets provided to residents.</p> <p>b) Terms of Lease Agreement with EDDC Chair confirmed that Council holds a 30-year lease agreement on the premises. To end the Lease Council must serve EDDC with 12 months notice of termination. EDDC has confirmed that there is no “keep open” clause in the Lease. Chair asked for comments on the Finance Committee recommendation that Council should serve notice to terminate the Lease and plan to close the facility on 31st December 2023 which will allow adequate time to advise parishioners and the wider public. Cllr. Compton suggested that there had not been enough discussion on this subject and the potential closure of an important village amenity required further debate. Cllr. Walker stated that this issue had been debated by Council over many months as evidenced by the Minutes of previous meetings and not one member of the public or resident had attended a Public Consultation on the subject. Cllr. Walker therefore proposed that Council ratify the recommendation of the Finance Committee to terminate the Lease agreement with EDDC and close the toilets on 31st December 2023. Seconded by Cllr. Harrison and resolved with 7 votes in favour, 2 abstentions and 1 objection.</p>	

		Clerk to write to EDDC accordingly and make necessary arrangements to close the facility. Clerk to bring back to Council any response from EDDC.	Clerk
	E	<p>To receive an update on plans for the Annual Firework Event in November 2023:</p> <p>Two letters of objection to this event had been received in which concerns were expressed about the effect that fireworks have on animals, their cost and their environmental impact. Chair stated that Councillors are not unsympathetic to these arguments and take them very seriously. Council appreciates that this is a difficult issue on which not everyone across the community will agree and members also have differing views. Last year, 552 tickets were sold evidencing a high level of community engagement and Council received numerous positive comments and messages of support both during and after the event. The occasion also enabled other community groups including the PTFA to raise much-needed funds. Chair noted that a decision was taken in December to proceed with an event in November 2023. At this point in the year, with plans at an advanced stage and contractors already booked, it would be very difficult to reverse this decision. However, in an exchange of emails prior to this meeting, Council did give that course of action serious consideration in view of the objections received and the pressure on finances created by the flooding in May and the eviction of the travellers. On balance, Councillors felt that holding the event again this year as planned would have more of a positive than negative impact on the community as a whole and the event would, therefore, go ahead as planned.</p> <p>Chair proposed that next year Council would review the situation and provide an opportunity for all members of the community to express their opinions.</p> <p>Clerk to note and place this subject on the Agenda of the Annual Parish Meeting.</p> <p>Clerk to write on behalf of Council in response to both letters of objection.</p>	Clerk
	F	<p>To receive a report on a meeting with the Headteacher of Newton Poppleford Primary School.</p> <p>Cllr. Malawana reported that he and the Chair had accepted an invitation to attend a meeting at the school on 12th September. In discussions with the Headteacher it had been agreed that links between the school and the Council should be strengthened and the flow of information between the two bodies improved. Where possible Council will assist the school with its ambition to achieve Eco accreditation and support the school's plans to interact with the elderly and lonely in the parish.</p> <p>A letter received from the Headteacher following that meeting had been circulated to all members and Cllr. Carpenter commented that this was a very positive development.</p> <p>It was agreed that Council should extend an invitation to the school for some of the children to make a short presentation to the October Council meeting.</p> <p>Cllr. Malawana to communicate with the school on behalf of Council.</p>	JM
	G	<p>To review the draft Action Plan for the period 2023-2027:</p> <p>No amendments or additions proposed.</p>	
23/038		To consider matters viewed as urgent by presiding Chair for discussion only:	

	<p>Cllr. Walker advised members that on 11th October, as part of Sidmouth Science Week, Professor Brian Golding will be speaking about the causes of the flash flooding in Newton Poppleford. The event will take place at Kennaway House commencing at 7.30pm</p>	
23/039	<p>Date of next Ordinary Meeting Monday 30th October 2023 at The Pavilion, Back Lane, Newton Poppleford. Cllr. Malawana suggested that, if schoolchildren are to be present, it may be helpful to start the meeting at the earlier time of 7pm and this was agreed.</p> <p>Cllrs. Tillotson and Tribble gave their apologies in advance of this meeting.</p>	
23/040	<p>It is proposed that, under the provisions of the Public Bodies (Admission to Meetings) Act 1972, the public (including the press) be excluded from the meeting as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be discussed. Proposal not made.</p>	
	<p>There being no matters to discuss in committee session the Chair thanked everyone for attending and declared the meeting closed at 9.50pm</p>	

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