

## **Membury Parish Council**

Present: Cllr D Burrough (Chairman) (DB), Cllr R Barrell (Vice Chair) (RB),  
Cllr M Bell (MBE), Cllr M Burrough (MBU), Cllr B Foster (BF),  
Cllr R Foster (RF), Cllr S Foster (SF) and Cllr L Warren (LW).

Members of the public also present: Mr Alex Tasker (AT) & Mr Jeremy Wallace (JW)

## **Membury Parish Council meeting**

**Press and public are welcome to attend.**

There was an Ordinary Council meeting of Membury Parish Council held on:

**Tuesday 1<sup>st</sup> March 2016 at 19:30hrs** in the **Committee Room, Membury Village Hall, Membury**  
where the following business was transacted:

## **MINUTES**

### **Contents**

<b>16/017 APOLOGIES.....</b>	<b>1</b>
<b>16/018 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT.....</b>	<b>1</b>
<b>16/019 MINUTES.....</b>	<b>1</b>
<b>16/020 MATTERS ARISING THAT ARE NOT AN AGENDA ITEM.....</b>	<b>2</b>
<b>16/021 NEIGHBOURHOOD PLAN.....</b>	<b>2- 4</b>
<b>16/022 COUNTY AND DISTRICT COUNCIL REPORTS.....</b>	<b>4</b>
<b>16/023 POLICE REPORT.....</b>	<b>4</b>
<b>16/024 CORRESPONDENCE.....</b>	<b>4</b>
<b>16/025 CHAPTER 8 TRAINING.....</b>	<b>4</b>
<b>16/026 DEVON EMERGENCY FLOOD RESILIENCE FUND, EQUIPMENT &amp; FUTURE PROJECTS....</b>	<b>5</b>
<b>16/027 THE QUEEN'S 90<sup>TH</sup> BIRTHDAY AWARDS DEVON.....</b>	<b>5</b>
<b>16/028 FLOOD AND ROAD WARDENS.....</b>	<b>5</b>
<b>16/029 FOOTPATHS &amp; QUOTE FOR STRIMMER.....</b>	<b>5</b>
<b>16/030 PLANNING AND PLANNING MEETING HELD AT EAST DEVON DISTRICT COUNCIL.....</b>	<b>5</b>
<b>16/031 FINANCE.....</b>	<b>6</b>
<b>16/032 VILLAGE CAR PARK.....</b>	<b>7</b>
<b>16/033 AGENDA 12<sup>TH</sup> APRIL 2016.....</b>	<b>7</b>
<b>16/034 DATES OF FUTURE MEETINGS.....</b>	<b>7</b>
<b>16/035 PUBLIC FORUM.....</b>	<b>7</b>
<b>16/036 TRANSPARENCY CODE &amp; WEBSITE.....</b>	<b>7</b>

There will be one matter of a confidential and contractual nature for discussion under Part B (exclusion of press and public) this month 16/ 036

### **16/017 APOLOGIES**

Clerk Mrs Stephanie Jones. Cllr Andrew Moulding (DCC), Cllr Paul Diviani (EDDC). Cllr P Pearse. Mr Bill Shepherd.

### **16/018 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

No Declarations were made at this stage of the meeting.

### **16/019 MINUTES**

The minutes of the meeting held on 11<sup>th</sup> January 2016 were adopted as a true record and were

signed by the Chairman. **MB** pointed out typographical error item 16/013 (Planning) where in paragraph 4 line 2 'SPILT' should read 'SPLIT'.

This alteration was recorded in longhand and signed and dated by the Chairman.

### **16/020 MATTERS ARISING THAT ARE NOT AN AGENDA ITEM**

None.

### **16/021 NEIGHBOURHOOD PLAN**

Mr Alex Tasker introduced the latest draft Neighbourhood Plan (**NP**). He reminded the parish council (PC) that it was the council's plan so all councillors needed to read it carefully and raise any queries, objections or amendments. He went on to go through the salient points of the NP with discussion at various points as summarised here:

#### **Natural Environment section:**

The Community Action Points (CAPs) on p6 included hedges as this issue comes up regularly when hedges need replacing. Also Devon banks, hedgerows and unessential signs were included as a result of public feedback.

**DB** pointed out there were a lot of action points and asked how practical it was to implement these. **SF** said they should be seen as a reference and **MBE** said they should not be seen as a burden, **MBU** agreed.

**AT** said that CAPs are not statutory therefore not legally binding, whereas the policies have a legal status.

#### **Built Environment section:**

**AT** said there should be nothing contentious here and pointed out the unessential signage objective. In **Policy BHE1 (p13)** he pointed out that the Quaker Burial Ground was not cited as it is privately owned, though the PC is obliged to maintain it (as is the case with Membury Court).

**BF** said that the same applied to the small church at Rock behind Forge Cottage and there followed a short discussion about what historic assets should be named in this policy.

It was **AGREED** that the policy should be left as worded since the wording was flexible.

**Policy BH2 (High quality design):** **AT** said the CAPs (P16) under this policy should take precedence over the EDDC Local Plan. **MB** said he thought EDDC might take a different view. There was a short discussion on how this would work in practice and **MBU** said that the PC might not be aware of development that did not require planning permission. **RF** said that the wording of the CAP ie for the PC to encourage use of the design statement was sufficiently broad to allow flexibility.

#### **Housing and Population section:**

**AT** said he thought this section might be seen as going against the Local Plan. It was included as parishioners had said they want to see some development within the parish as a whole not just the village centre, ie including as infill within existing hamlets - hence the statement of principle (p21).

**MB** said that County Councillor Andrew Moulding has advised councillors (at a general meeting held on Friday 26<sup>th</sup> February) to include this statement.

**Policy HP1 (p24):** **AT** said he thought this section might need rewriting but in a general discussion the view was that it was fine as drafted. **AT** said the aim was to persuade the Planning Inspector of its arguments and **MBE** said that Neil Parish MP, who he had recently met, said he supported it and would raise it with the Rt Hon Greg Clark MP, Secretary of State for Communities and Local Government. In his (**MBE's**) view the statement should be supported as an example of localism in action.

**AT** added that there was a Self Build section still to be added (being written by a consultant). He drew the PC's attention to Table 2 (p24) re consultation feedback on the possible number of new homes to be created and also to the wording of HP1 (p24) which included three requirements all of which would need to be met.

**Policy HP2 (p25):** there was a short general discussion on the impact of this policy and possible loopholes.

**Policy HP3 (p27):** **AT** said this was written with older family members in mind and could include detached annexes. It might not be approved.

#### **Community Facilities and Services Section:**

With reference to the CAPS (p30) **SF** and **DB** queried how much control the PC could have over the school? Also **RB** and **SF** queried whether CAP16 was appropriate and workable given that the school uses the village hall facilities rather than the village needing to use the school facilities (the school pool now being closed). **AT** said the aim was to prevent the school – or other village amenities and services – taking unilateral action. **RF** asked whether this CAP should be circulated to the school governors in advance as a courtesy, **AT** said this was part of the consultation process, and **MBE** said he would speak to the governors.

#### **Flooding Section:**

**AT** referred councillors to the catchment area map F1 (p32) and said he thought EDDC may have an issue with the defined catchment area. After a short discussion it was agreed that following the contours was a proper justification for the map as included though **AT** thought it may need technical adjustment as the catchment as printed had moved slightly.

**Policy F1 (p34):** **AT** thought EDDC might want point 3 removed.

Community Action Points (p35): There was general discussion of CA17 re the appointment of suitably trained flood wardens, whether the wording of CA17 should be altered to express the council's intention to endeavour to ensure that flood wardens are appointed, rather than the wording suggesting that the council has an absolute responsibility.

On CA19 **AT** said Devon County Council had undertaken to provide the risk assessment, though this would require ongoing pressure to achieve; **RB** asked whether the County Council had made this undertaking in writing and **AT** said he would find the written version.

**Action: AT to provide written version of County Council undertaking.**

#### **Economy and Employment Section:**

There was general discussion of the objectives and CAPS (p39) for this section as despite general agreement on the importance of getting a mobile signal, several councillors including **RB**, **RF**, **DB** and **SF** expressed concern at the PC's ability to control the commercial environment, at strongly prescriptive wording as drafted and at the possible conflict for example with potential health issues. **SF** asked whether the PC could be expected to take such a wide degree of social responsibility. As a result of the level of concern expressed **AT** requested the PC to redraft the CAP's.

**Action: RF and MBE to redraft this section.**

#### **Traditional Farming Section:**

There was general discussion on the meaning and future relevance of the term 'traditional farming', and of the purpose of this policy. **AT** said that it had been suggested by the NP consultant and was virtually the same as a policy included in the Stockland NP. He also said it only referred to new development. There was further discussion of its potential impact on local farming business, and **BF** said that the alternative was to have an 'anything goes' policy. It was agreed that despite these general issues this was the best possible wording in the circumstances.

#### **Energy and Low Carbon Section:**

CA 25(pp 45): after general discussion about the PC's ability to achieve these outcomes, **AT** was asked to change the word 'develop' to 'encourage'.

**Action: AT to amend CAP as above.**

### **Monitoring Section:**

**AT** said this was designed to require periodic rather than regular monitoring.

### **General Discussion:**

**AT** said it was important for councillors to read through the NP with care including the Self Build section which was to follow. He asked for further comments from individual councillors in two weeks.

He outlined the next stages of the plan:

Further public consultation end March/early April over a Saturday am breakfast which the NP committee would organise and publicise; then discussion of any points raised and incorporation of these by the committee; then further discussion and adoption with any final changes by the PC; then submission to the Inspector, with a Referendum following. This could take 6-9 months. **MBE** offered to steer the NP through, **AT** suggested he familiarised himself with the process before making a commitment.

**Actions: All councillors to read the NP and give any further comments to AT in 2 weeks. AT and the NP committee to organise the public consultation. MBE to liaise with AT over his involvement in the next stages.**

There was a unanimous vote of thanks to **AT** for all his hard work. **JW** said that **AT** had done most of the work on behalf of the committee.

### **16/022 COUNTY AND DISTRICT COUNCIL REPORTS**

None received.

### **16/023 POLICE REPORT**

None received though **DB** said there had been one incident on the parish border.

### **16/024 CORRESPONDENCE**

None in the absence of the Clerk apart from some dog waste stickers.

### **16/025 CHAPTER 8 TRAINING**

**SF** summarised the position as a result of the enquiries he had made. He was waiting for Flood Warden Jason Hawkes to reply on the update to the emergency flood plan and regarding his own replacement; **SF** would keep contacting him. Regarding Chapter 8 training, the situation was that if an unpaid volunteer had done the training they would be covered by County Council insurance, however if they were paid by the PC they would not be covered and they should have their own insurance. **SF** had checked (via the Clerk) and the PC's own insurance did not cover either volunteers or paid wardens. EDDC would cover some work but not to clear drains.

**MBE** queried whether in an emergency an agency of necessity would apply.

After general discussion it was agreed that the best outcome would be to get existing wardens to undergo the training.

**Note:** Immediately following the meeting **SF** checked the insurance position with Devon County Council and our Parish Council insurance company.

1. Devon County Council gives Public liability insurance only for volunteers who are chapter 8 trained and nominated.  
EX -gratia payments are not considered material.
2. As for the PC's insurance, volunteers (unpaid) are covered for both public liability and personal protection insurance assuming they have the appropriate health and safety training. The insurance company will give the same protection to employees for an additional £4.5 /annum per person however there must be an employee contract and they should not be not self-employed.

**Action: SF to encourage existing volunteers to undergo training.**

### **16/026 DEVON EMERGENCY FLOOD RESILIENCE FUND, EQUIPMENT & FUTURE PROJECTS**

SF reported that the agreed equipment had been obtained and funding secured. Funding for a storage hut was included. There was general discussion as to where this should be sited and if it was the best option at all given security issues.

Agreed action: SF to discuss further with the flood warden.

### **16/027 THE QUEEN'S 90TH BIRTHDAY AWARDS DEVON**

**Action: Clerk to carry forward and put on agenda for next meeting.**

### **16/028 FLOOD AND ROAD WARDENS**

Already covered under other items.

### **16/029 FOOTPATHS & QUOTE FOR STRIMMER**

BF reported that he had obtained three quotes for strimmer's and circulated the preferred option 'Maruyama BCV series: BCV 5020'. It was noted that this included safety equipment though the user would have to supply their own safety vest and boots. Its purchase was **AGREED** by councillors (proposed by BF, seconded by SF) at a cost of £600 inclusive.

After general discussion it was **AGREED** that the strimmer should be kept on the footpath warden's property and insured by the PC.

**Actions:**

**(1) BF to purchase strimmer.**

**(2) Clerk to ensure it is added to the PC insurance schedule.**

### **Footpaths**

On footpaths, BF reported:

**Bridleway 81** (Challenger Cross to Brinscombe Lane): Devon County Council have agreed to replace a damaged gate and a rotten post.

**Path 31** (Stotehayes/Gillet Farm): There is erosion and damaged gateposts: restoration will cost c £5000, no date yet for when work will start.

**Path 17** (near Rock Mill): DCC have offered BF a replacement anchor post to replace existing rotting post; BF will get this put in.

**Path 18** (Rock Mill to Bracken): Very steep start to path and one stile near Bracken needs altering. BF has told DCC he will contact the landowner to see if he will allow DCC to replace the stile with a good self closing gate. BF has also made a lifting hatch for dogs.

**Path 8** (east from Lewsley Lane): Steep slopes and a route marker post is missing. Ideally needs stile replacing by a gate. DCC will replace the missing route marker post.

Broken Tolcis sign: BF has liaised with the highways department and sorted this himself.

### **16/030 PLANNING AND PLANNING MEETING HELD AT EAST DEVON DISTRICT COUNCIL**

**Planning applications validated by East Devon District Council for January 2016:**

Construction of a two storey extension – **Hill Common Cottage, Membury, Axminster.**

**Planning applications validated by East Devon District Council for February 2016:**

Construction of access to highway and parking area – **1, Springfield, Membury, Axminster.**

Raise a section of roof to allow installation of an elevator – **Crawley Farm, Yacombe, Honiton.**

**Planning applications decided by East Devon District Council for January 2016: NONE**

**Planning applications decided by East Devon District Council for February 2016:**

Construction of trailer port and replacement workshop – **Rock Mill, Membury, Axminster.**

**APPROVED WITH CONDITIONS.** (Two of the three conditions I suggested in our response to the application relating to noise levels and the operating hours of any machinery have been placed on

the application and another condition states that a schedule of materials and finishes together with samples shall be submitted to and approved by EDDC to ensure that the materials are sympathetic to the character and appearance of the area. I had raised concerns that the Council felt that more appropriate materials could be used for the workshop.)

Extensions and alterations to dwelling house, erection of outbuilding and associated engineering works to facilitate the erection of that building and engineering works to create new hardstanding to the front of the dwelling – **Littlemore, Membury, Axminster. APPROVED.**

DB reported:

**Crawley Farm:** application: validated.

**Hillcommon Cottage:** application: the planning committee had sent in reservations regarding the design; this had been modified and the outcome was awaited.

**1 Springfield:** the owners want to increase access which might include more concrete leading to potential flood risk, and possible alteration to a Devon Bank. Outcome awaited.

DB also reported that she had attended a detailed and useful meeting on the planning process, and information was being forwarded on a USB stick. The meeting had covered the paperless process and DB said that it was going to be important for councillors to use their own computers to keep up with planning issues, even though the meeting had raised concerns that those without electronic communications might be deferred from council and similar involvement.

DB further raised the issue of the mobile home at Park Farm and whether this affected the position of Cllr Philip Pearse on the planning subcommittee. There was general discussion concerning whether this issue would be resolved by the need for Park Farm to apply for full planning permission within the next 12 months. It was agreed that this should be carried over to the next meeting which Cllr Pearse should be alerted to the need to attend.

**Action: Clerk to put this on the agenda for the next meeting and inform Cllr Pearse.**

## **16/031 FINANCE**

<b>Bank Reconciliation as at 29<sup>th</sup> February 2016</b>		
<b>12<sup>th</sup> January 2016</b>	<b>Opening Balance</b>	<b>17,459.58</b>
<b>PLUS INCOME</b>		
<b>11/01/16</b>	<b>Interest Paid</b>	<b>0.29</b>
<b>01/02/2016</b>	<b>Devon Emergency Flood Resilience Fund</b>	<b>1,755.00</b>
<b>09/02/2016</b>	<b>Interest Paid</b>	<b>0.26</b>
<b>17/02/2016</b>	<b>Deposit</b>	<b>8.19</b>
	<b>TOTAL</b>	<b>1763.74</b>
	<b>CLOSING BALANCE</b>	<b>19,223.32</b>
<b>LESS EXPENDITURE</b>		
<b>10/01/16</b>	<b>CHQ 842-Membury Village Hall</b>	<b>10.00</b>
<b>10/01/16</b>	<b>CHQ 843-LDDSS Newspapers-Grass Cutting advert</b>	<b>93.60</b>
<b>10/01/16</b>	<b>CHQ 844-DALC-New Clerks Training Course</b>	<b>30.00</b>
<b>10/01/16</b>	<b>CHQ 845-BHPN-Subscription</b>	<b>50.00</b>
<b>10/01/16</b>	<b>CHQ 846-Devo Communities Together-Subscription</b>	<b>50.00</b>
<b>11/01/16</b>	<b>CHQ 847-Peter Hartnell-Work on Footpath 25</b>	<b>25.00</b>
	<b>TOTAL</b>	<b>258.60</b>
	<b>CLOSING BALANCE</b>	<b>18,964.72</b>

<b>29<sup>th</sup> February 2016</b>	<b>Bank Balances – Treasurers Account</b>	<b>10,964.72</b>
	<b>Business Bank Instant</b>	<b>8,000.00</b>
		<hr/>
		<b>18,964.72</b>

The bank reconciliation and payments statement was circulated and approved. (Proposed: RB; seconded: BF.)

**16/032 VILLAGE CAR PARK**

It was agreed to carry this forward to the next meeting.

**Action: Clerk to put this on the agenda for the next meeting.**

**16/033 AGENDA 12th APRIL 2016**

This would be agreed by the Chair, Vice Chair and Clerk. **JW** reminded the PC of the pigeon holes where reports could be obtained, and it was agreed that these reports would be asked for.

**DB** said she would help set up the meeting on the day.

**16/034 DATES OF FUTURE MEETINGS**

Dates for forthcoming meetings this year are:

Tuesday 12th April, 2016 (Annual Parish Meeting),

Tuesday 24th May, 2016 (AGM),

Tuesday 5th July, 2016,

Tuesday 16th August, 2016,

Tuesday 11th October 2016

Tuesday 29th November 2016 all at 7.30pm

**16/035 PUBLIC FORUM**

Nothing was raised.

**The Chairman declared that the next item took place under Part B conditions (exclusion of press and public) due to the confidential contractual nature of the business.**

**16/036 TRANSPARENCY CODE & WEBSITE**

**RB** said he had looked at the various quotes and recommended that given the minimal cost differences the PC should adopt the quote from Clystnet. **RF** said it was important to check that this would be an open source website as it would be easier to manage change to another provider.

There was brief discussion of whether the PC wanted to set up its own website for implementation of the Code and this was unanimously **agreed**.

**RF** also said that the grant had not yet been received so the PC would have to make this a provisional acceptance.

**Actions: the PC agreed with RB's proposal and RB would take this forward once the grant was obtained. RF would check when the PC was likely to hear.**

**The meeting closed at 22.40 hrs.**

Signed.....

Date.....



