

Membury Parish Council

Clerk to the Council:

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Minutes of the Parish Council Meeting held in Membury Village Hall on Monday 9th January 2017 at 7.30pm

Present: : Cllrs D Burrough (Chairman), R Barrell (Vice Chair), M Bell, B Foster, P Pearse and L Warren

In Attendance: Parish Clerk, Mr M Capper, Mr H May and Mr A Tasker.

17/001 To receive apologies for absence

Cllr M Burrough, Cllr R Foster, Cllr S Foster, Cllr Andrew Moulding, Cllr Paul Diviani, PCSO Hayley Widger and Mr J Wallace.

17/002 To receive declarations of interest

There were no declarations of interest received for items on this agenda.

17/003 To receive and resolve as a correct record the minutes of the Parish Council meeting held on 29th November 2016

It was resolved that the minutes of the Parish Council meeting held on 29th November, 2016 were signed as a true and accurate record with the following addition under item 16/120 - To receive an update on High Lea Farm regarding the Clay Pigeon shoots – to add on to the sentence commencing 'A Community Protection Notice (CPN) could be issued to High Lea Farm, but the Parish Council were not in a position to progress this matter any further' the reason why the Parish Council were not in a position to progress this matter any further namely a lack of resources as the Clerk's employment hours would not cover the amount of work needed to deal with the matter.

17/004 Matters arising from the last meeting that are not an agenda item

Cllr Barrell had contacted the Exeter Quakers to ask whether they knew of any funding or grants which we could apply for to preserve and improve the burial ground and make it safe. They had no money but would put Cllr Barrell in contact with the group in Exeter who had done a lot of work on improving the Dissenters burial ground In Magdalen St.

The Clerk had been asked to contact both the Environment Agency and the Flood Management Team at DCC to seek their advice with reference to the flooding issues in the village. However, the Clerk had contacted the Flood and Coastal Risk Management, Environment Group at Devon County Council in August last year enquiring when a Flood Risk Assessment was likely to be conducted in the village and was told that there were other communities with a higher number of flooded properties and repeat flooding which would have to be prioritised, but if the Parish Council could supply more detailed information on the flooding history of Membury it may help such as numbers of properties flooded internally and the dates/frequency of flooding. Also any other impacts such as roads being impassable or any particular vulnerable groups/schools etc.

17/005 To receive reports from County and District Councillors

No County or District Reports had been received but both Cllr Moulding and Cllr Diviani sent in regular updates which were circulated to all Councillors.

At the last Parish Council meeting held on 29th November 2016 Cllr Diviani reported that the planning application for the current headquarters at Sidmouth was on the December agenda for the Development Management Committee meeting. This application was refused by the Committee.

17/006 To receive the Police Report

The November Rural Crime Report had been circulated to all Councillors. No crimes had been reported for Membury.

The December Rural Crime Report had been circulated to all Councillors. One crime had been reported for Membury of an owner/person in charge of a dog dangerously out of control causing injury. The dog owner had been spoken to and advice given. A letter from East Devon District Council had been issued to them.

17/007 Finance

Projected Budget Figures for 2017/18 – Cllr Barrell reported that the Budget Working Party had met to work on the proposed budget for 2017/18. There would have to be an increase in the Parish Councils Precept for 2017/18 due to a few increases in next years' budget which were necessary. The precept was set at £9,780 which was a rise of approximately £9 per year on a Band D property. Cllr Barrell recommended that the budget was approved by the Parish Council. The Budget Working Party and particularly Cllr Barrell were thanked for all the work they had put into the budget for 2017/18 by both Cllr Lesley Warren and Cllr Debbie Burrough. Acceptance and approval of the draft budget for 2017/2018 was proposed by Cllr Bell, seconded by Cllr Warren and was unanimously agreed.

2017/18 Precept

Resolved: It was proposed by Cllr Bell and seconded by Cllr Warren to resolve to set the precept for 2017/18 at £9,780.00. Council members were unanimous in their agreement.

Bank Reconciliation

Bank Reconciliation as at 25th November 2016		
1st November 2016	Opening Balance	17,162.39
	Plus Income	
09/11/2016	Interest Paid	0.33
	TOTAL	0.33
	CLOSING BALANCE	17,162.72
	Less Expenditure	
29/11/2016	Chq 895 - JJJ Wallace-Grass Cutting Contract-December	130.00
29/11/2016	Chq 896 – Simon D Foster-Travel Expenses to Conference	27.00
29/11/2016	Chq 897 – Mrs SCJ Jones-Clerks Salary & Expenses	820.94
17/12/2016	Chq 898 – Michael J Bell Travel Expenses x 3 for N Plan	151.20
	TOTAL	1,129.14
	CLOSING BALANCE	16,033.58

25th October 2016

Bank Balances

Current Account	9,197.72
Deposit Account	<u>8,001.00</u>
Total	17,198.72

Less cheques not cleared

16/11/2016	Chq 893 – DALC-Training Course-Cllr P Pearse	36.00
29/11/2016	Chq 895 - JJJ Wallace-Grass Cutting Contract-December	130.00
29/11/2016	Chq 896 – Simon D Foster-Travel Expenses to Conference	27.00
29/11/2016	Chq 897 – Mrs SCJ Jones-Clerks Salary & Expenses	820.94
17/12/2016	Chq 898 – Michael J Bell Travel Expenses x 3 for N Plan	151.20
	TOTAL	1,165.14
	CLOSING BALANCE	16,033.58

Payment Schedule for December 2016 - To resolve to approve the list of payments made since the last Parish Council Meeting on 29th November 2016 minis

000898	Michael J Bell	£151.20
000899	JJJ Wallace	£130.00
000900	Blackdown Hills Parish Network	£82.40
000901	DALC	£30.00
000903	Membury Village Hall	£21.00

Parishes Together Funding

Cllr Simon Foster had reminded Councillors at the last meeting that the Parishes Together Funding monies the Council had received needed to be used by the end of the financial year in March.

It was resolved that the Clerk applied for this year's Parishes Together Funding for use on ditches, drains and ditches. **Proposed by Cllr Bell and seconded by Cllr Barrell.**

Cllr Barrell reported that to comply with the Transparency Code the Parish Council needed to have access to the Internet during meetings. Therefore Wi-Fi would need to be installed in the village hall. Cllr Barrell had looked into the cost of getting Wi-Fi installed and BT had quoted £120 for the line and £28.90 per month for the rental. It had been agreed that the Village Hall would share the ongoing cost with the Parish Council. The Parish Council would set up the payment to come from their bank account. The payment for the installation of the line and some of the rental payments will be paid from the grant which the Parish Council received from the Transparency Code Fund. It was proposed by Cllr Bell and seconded by Cllr Pearse that the Parish Council proceed with the installation of Wi-Fi in the Village Hall and was **RESOLVED** unanimously by the Parish Council. **Action: The Clerk to arrange the setting up of the necessary paperwork with Lloyds Bank.**

It was resolved to renew the Parish Council's subscription to Devon Communities Together at a cost of £50. Devon Communities Together are an independent charity with over 50 years' experience of community development work. They help communities resolve and progress the matters which are important to them. **Proposed by Cllr Barrell and seconded by Cllr Lesley Warren.**

Councillor Bill Foster left the meeting at 7.52pm.

17/008 Planning

Applications (for comment, support or objection) 16/3012/FUL – Lilac Cottage, Greendown, Axminster EX13 7TD – Construction of extensions to front elevation. The Parish Council had received a letter objecting to the application from Mr Hugh May of Green Down House. Councillors thought

the proposed application was out of keeping with the surrounding area and if the proposed extension was built into the ground it would not be so obtrusive. There had not been any landscaping screening proposed with the application which would help screen the extensions. Alex Tasker also stated that the application was contrary to the Membury Design Statement which had been adopted by the district council as supplementary planning material. **Action: The Clerk to draft a response to the application and circulate to all Councillors for comment before submitting to the district council.**

Park Farm – Retention of mobile home – Cllr Debbie Burrough asked Cllr Pearse for an update on the planning application for an agricultural worker's dwelling at Park Farm as it was still pending a decision and also an update regarding the mobile home/caravan that was sited at Park Farm. Cllr Pearse explained that the Enforcement Officer for the Eastern Team at the district council had replied to an enquiry from Cllr Pearse regarding the static home that as a planning application had been submitted for an agricultural worker's dwelling until a decision was made on the application whether enforcement action could not be considered because no criminal offence had occurred. The breach of having a static caravan with no temporary permission in place was merely unlawful at this stage. This situation had been ongoing for a number of years and Cllr Pearse had again asked the Enforcement Officer whether he should put in a planning application granting temporary approval for the siting of the static caravan. He was informed that no this was not required as an application had been submitted for the agricultural worker's dwelling and that was all that was required. After much debate Cllr Debbie Burrough summed up the debate asking Cllr Pearse to submit an application to East Devon District Council for the retention of the static caravan within a month from the date of this meeting and the Parish Council would expect to see notification that the application had been submitted by approximately 9th February 2017. **Action: Cllr Pearse to submit a planning application for the retention of the static caravan within a month from the date of this Parish Council meeting.**

Applications validated and decided since the last Parish Council meeting on 29th November 2016 –

Planning applications validated by East Devon District Council for November 2016:

Variation of condition 2 & 4 of application 15/1188/FUL to revise design of garage and retain lower ground floor store – **Blackmores, Membury, Axminster.**

Planning applications validated by East Devon District Council for December 2016:

Construction of extensions to front elevation - **Lilac Cottage Greendown Axminster EX13 7TD**

Planning applications validated by East Devon District Council from 1st to 6th January 2017: NIL

Planning applications decided by East Devon District Council for November 2016:

Erection of two storey extension to rear of dwelling and detached garage - **3, Webble Green Membury Axminster. APPROVED.**

Insertion of staircase, erection of partition walls and door - **Lea Hill (Kingfisher & Chaffinch Units), Membury, Axminster. APPROVED.**

Erection of extension to an existing livestock building – **Challenger Farm, Membury, Axminster. APPROVED.**

Erection of agricultural storage building and associated ground engineering works – **Challenger Farm, Membury, Axminster. APPROVED.**

Planning applications decided by East Devon District Council for December 2016:

Variation of condition 2 of planning application 01/P2189 (change of use from hotel bedrooms to self catering units) to allow unrestricted residential use of one of the units - **Lea Hill, Membury, Axminster. REFUSED.**

Planning applications decided by East Devon District Council from 1st to 6th January 2017:

Variation of condition 2 & 4 of application 15/1188/FUL to revise design of garage and retain lower ground floor store – **Blackmores, Membury, Axminster. APPROVED.**

17/009 To note correspondence received and to resolve any matters arising

Parish Lengthsman – Cllr Simon Foster had made enquiries from Devon County Council concerning the Lengthsmen service they provide. The parish lengthsman had been remodelled in 2014 due to budget cuts. The only duties they now carry out are the cleaning of drainage features and the hand cleaning of gullies. Key drainage will continue to be maintained by the Lengthsmen, while the Road Warden Scheme will enable communities to pick up on local issues important to their area. The Parish Lengthsmen programme can be viewed on the Devon County Council website so that parishes are aware of when the Lengthsmen will be in their area. This can be viewed at

<https://new.devon.gov.uk/roadsandtransport/maintaining-roads/flooding-and-drainage/>

Community Representative vacancy: Wakley – Cllrs noted the correspondence regarding a Community Representative vacancy in the Eastern area of Devon, within the Wakley sub-locality.

East Devon District Council - Infrastructure Delivery Plan Review – Cllrs noted this Plan Review, but wishes to make no comments.

Public Space Protection Order Consultation – Cllrs noted this consultation but wishes to make no comments.

17/010 High Lea Farm Update

Since the last Parish Council meeting the Clerk had written to both Environmental Health at East Devon District Council and the Police concerning the issue of a Community Protection Notice (CPN). The district council had responded saying that they did not consider that this issue met the CPN criteria. The Police said that CPN are not issued very often and require an attempt at resolution prior to its issue and they could facilitate a meeting with those affected.

Cllr Barrell and Cllr Debbie Burrough said that the Parish Council had done as much as they possibly could to help, but this should now be passed over to those affected to deal with. Mr. Hugh May spoke saying that the shoots at High Lea Farm had been a problem and concern for a number of years and due to the time elapsed no action could now be taken which was the fault of the local authority. He felt that the possibilities of issuing a CPN had not been properly explored.

Cllr Bell, who had a vast experience of dealing with public nuisance cases, suggested that the complainants should contact the Police and Crime Commissioner asking them to help with this issue. He said that the time, the place and the circumstances must be documented. Cllr Bell also suggested that the complainants may wish to form an action committee and get some publicity for their cause. Mr. May asked whether the Parish Council could state that they support the residents in their actions. Cllr Barrell stated that the Parish Council would support any action the complainants wish to take, but from the response the Council had received from the police it was now up to the residents to take this matter further. It was proposed by Cllr Barrell and seconded by Cllr Bell that the Parish Council supports the efforts of the residents looking at the problems of High Lea Farm shoots. **It was RESOLVED that the Parish Council supported the efforts of the residents looking at the problems of High Lea Farm shoots.** Cllr Pearse asked that his name was minuted as not supporting this resolution as his family live next door to High Le Farm and he does not see this issue as being a nuisance and wishes to abstain from any involvement in this item.

17/011 Flooding Issues

To discuss and agree actions as discussed at the last meeting and detailed in email from Cllr S Foster – It was resolved that this item was brought back to this meeting of the Parish Council to enable all Councillors to study the actions and the background information relating to flooding issues in the village. Cllr Foster stated there were four actions which needed to be carried out which came under the remit of the Parish Council concerning the landscape. It was considered that flooding issues were looked at when considering planning applications, but ultimately it was up to the district council to attach conditions relating to alleviating flooding issues when granting planning permission. The Clerk requested that if Councillors felt there would be flooding issues relating to a planning application to raise them when responding to applications so that they can be raised in submissions to the district council. Cllr Bell attended the Blackdown Hills Parish Network meetings and raised matters relating to flooding when land management was discussed. It was proposed by Cllr Barrell and seconded by Cllr Bell that this item was brought back to the next Parish Council meeting when Cllr Simon Foster would be present to answer any questions. **Action: The Clerk to put this as an agenda item for the next Parish Council meeting.**

17/012 To receive highway reports

Road Signs – To discuss and agree areas which need traffic warning signs – A discussion took place concerning the issue of preventing HGV vehicles accessing some of the narrow lanes around the parish. Some of the places where warning signs are needed are coming up from Beckford Bridge into the village, Four Ways Cross and Star Cross. The Clerk reported that if signs are needed in special circumstances proposed by the Parish Council with the agreement of the Police and County Councillor the County Council will erect road signs, but at the expense of the Parish Council. **Action: The Clerk to write to Devon County Council with an initial enquiry saying that the Parish has several locations which have major problems with HGV vehicles accessing unsuitable roads which are not wide enough to take them what is the process to get warning road signs erected at these places and the price of the signs and the erection of them.**

Potholes – Cllr Bill Foster reported potholes at Challenger Farm and the lane, Furley Cross going westwards, Bewley Down from Challenger to the border with Somerset and Policeman's Hill. Potholes were also reported at Nimrods, Which Cllr Barrell has reported three times already, Longbridge Hill and Cott Lane. Cllr Debbie Burrough would report the potholes at Longbridge Hill and Cott Lane online to Devon County Council.

Cllr Warren reported that the Gritting Lorries never go near where she lives in Membury and therefore a Salt Bin is required in her location.

17/013 To receive footpaths report

In Cllr Bill Foster's absence the chairman, Cllr Debbie Burrough, read out a short report. A new gate had been supplied for one of the Bridleways. Peter Hartnell had reported that there was severe overgrowth on part of Footpath 10. Cllr Foster had asked him to clear the path on behalf of the Parish Council.

Cllr Pearse reported that there was a problem with walkers not closing the gates on Footpath's. There was a particularly problem with Footpath 10 and he asked whether walkers could please be made aware of the importance of closing all gates on the footpaths

17/014 To receive items to go on the agenda for the next Parish Council meeting on 28th February 2017

- Flooding issues – to support and adopt the four point action plan as reported to the meeting by Cllr Simon Foster.
- Neighbourhood Plan Update

- Parish Council Legal Protocols
- Apologies for absence for the next Parish Council meeting to be held on Tuesday 28th February 2017 were received from Cllr Philip Pearse

17/015 To note the dates of the meetings of Membury Parish Council for 2017

Tuesday 28th February
 Tuesday 11th April (Annual Parish Meeting)
 Tuesday 23rd May (Annual General Meeting)
 Tuesday 4th July
 Tuesday 15th August
 Tuesday 10th October
 Tuesday 28th November

17/016 Public Question Time

Alex Tasker spoke about the flooding issues on the hill between Membury Post Office and New House Farm also known as Springfield Hill. A bypass had been put in to try and alleviate the flooding. The bypass then feeds into a drain at the bottom corner by the Post Office. Alex presumed that the pipe from there into the main flood drain was not large enough because the water is coming up and out of the drain rather than going down into it. As a consequence excess water now just flows down into the street. He asked whether it is possible to increase the outlet from that drain or to block off the bypass? Cllr Barrell said that he thought Cllr Simon Foster was dealing with this and was actively trying to sort the problems out with the County Council. He asked that this was put on the agenda for the next Parish Council meeting on 28th February 2017.

Mike Capper asked if there was a drain up by the post box by Star Cross because there were problems with excess water in that area. A discussion took place concerning problems with excess water in that location and where the ditches, drains and gullies might be situated in the area.

The Parish Council were thanked for their support over the issues at High Lea Farm with the clay pigeon shoots. The complaints would keep the Parish Council informed of any progress made with this case.

Cllr Debbie Burrough reported that she had received several complaints about the amount of mud on the road between the Post Office and Yarty. Cllr Burrough said she would ask Challenger Farm if they could brush both sides of the road and send the bill to the Parish Council. Cllr Pearse said he was intending purchasing a road brush and in the future could brush the roads as and when necessary.

Cllr Debbie Burrough thanked everyone for attending and closed the meeting at **9.25pm**.

Signed.....

Date.....