

# DRAFT

## AYLESBEARE PARISH COUNCIL

**MINUTES** of the Meeting of Aylesbeare Parish Council held virtually (online) on **Wednesday 3<sup>rd</sup> March 2021** at 7.30pm.

### **PRESENT**

Cllr Nick Warren (Chair)

Cllr Mark Branson (Vice Chair)

Cllr Chris Daly *[attended for a short time but had to leave before 8pm due to connection difficulties]*

Cllr Anna Thompson

Cllr Jacky Owen *[from 7:38pm]*

Cllr Jess Bailey (EDDC) *[from 8:23pm to 9:06pm]*

**IN ATTENDANCE:** Jim Roberts (Clerk and RFO)

**Others present:** 3 members of the public, 1 left at 8:02pm.

### **7:15pm Public Forum**

Alan Breckon, (Planning Consultant) gave a short presentation on the plans for the new building on land to the west of the B3180 between Tatry and Panorama (20/0142/FUL).

Mr Breckon explained that the site was in the NE corner of Aylesbeare Parish and much closer to the West Hill community.

He noted that West Hill had a very oddly shaped boundary of the built-up area. There are many properties in West Hill that are outside this boundary but in housing estates or similar and would hardly consider themselves in the open countryside.

Mr Breckon acknowledged that the plans were contrary to Strategy 7 of the East Devon Local Plan. He urged the Council to consider that the property did fall within the Government's definition of 'infill' as it was just one property in a ribbon of development sharing a frontage to a highway. In many planning regimes across the country the development would be fully acceptable infill.

The proposed footpath would link up with an existing footpath providing better access to the village of West Hill.

Mr Breckon emphasised the sustainability and green credentials of the development with the planned ground source heating, biomass boiler for additional heating, waste biodigester, sewage treatment plans, rainwater harvesting, solar panels combined with batteries and plans for electric cars. The resident plans to work locally and be involved in the local community; although Mr Breckon acknowledged that this would probably be more with West Hill than Aylesbeare.

He thanked the Councillors for letting him put the case and hoped they would give it local support. Questions were invited and a general discussion ensued.

The Cllrs were concerned about the precedent that would be set and a subsequent flurry of applications. Mr Breckon pointed out that it was just one property in a ribbon of development and that subsequent applications for developments of multiple properties would still be subject to Strategy 7. He believed this case was a valid exception.

Answering a question about the footpath Mr Breckon said it had been added because the only concern raised by EDDC's Case Officer was one of sustainability. Having run the idea past DCC

# DRAFT

the Highways Management Officer thought it was a 'great idea'. It is a costly part of the application and the new property has adequate sight lines and space to turn vehicles within its boundaries. The Cllrs welcomed any improvements to that part of the B3180 where tragic accidents had occurred but feared that HGVs would just drive over the footpath.

Mr Breckon confirmed that the new property wouldn't connect to the main sewer (as previously planned) to improve sustainability. He wasn't aware of the planned Solar Farm, for which permission had been granted, on adjacent land.

The Chairman thanked Mr Breckon for his presentation and answers to the questions.

There were no other items raised in the Open Forum.

The Chairman started the meeting at 8pm.

## **1 Apologies for Absence**

Apologies were inferred from Cllr Wright and received from Cllr Trude who was unwell. These apologies were accepted by the Council (prop. Cllr Thompson, sec. Cllr Owen).

## **2 Declarations of Interests in Items on the Agenda**

No declarations were made.

## **3 Chairman's Remarks – Opening Welcome**

The Chairman opened the meeting and welcomed everybody to the first Aylesbeare Parish Council meeting in the spring of 2021. He hoped all had safely enjoyed the nice weather over the recent weekend. He asked that everyone who spotted a problem while out walking to please report it using DCC's 'Report a Problem' webpage.

The Chairman had seen many tree surgeons at work and asked all to consider replacing dead trees and even planting more as this would help the environment.

He also reminded everyone that hedge trimmings needed clearing out of gullies, even those next to the highways which were householder's responsibilities.

He said how nice it was to see all the daffodils and crocuses in bloom and suggested the Council put aside some money to buy bulbs for autumn planting, eg at Madge's Cross.

## **4 Minutes of the Parish Council Meeting – 3<sup>rd</sup> February 2021**

Discussion about Cllr Bailey's proposed changes to the wording were discussed but she would be consulted if she was able to join the meeting. That aside the minutes were accepted as a true record by the Council and the Chairman was authorised to sign on their behalf (unanimous).

**Clerk to action**

## **5 Matters Arising**

**5.1 Completed** – The following actions from the previous meeting have been completed.

9.2 Cllr Bailey advised that the moveable speed warning signs in West Hill had been effective and provided useful traffic data. She would report back on the costs.

10.2 Cllr Trude will go back to the website suppliers to confirm their complete understanding of the Accessibility Regs and also consider the Society of Local Council Clerks option provided by Cllr Thompson.

12.3 Action required to stop disintegration of the land on the corner between Withen Lane & Village Way to Minchin Lane. Clerk to contact DCC

13.2 Clerk to sign Cllrs Warren and Branson up for the EDDC consultation focus groups.

14.1 Chairman & Cllr Bailey to identify the owners of Withybed Lane.

12.5 Clerk to invite the Head of Planning to the next Parish Council meeting.

15.1 Chairman to contact the owner of The Limes regarding plans for the telephone kiosk.

Council had no queries about the completed items.

**Discharged**

**5.2 Ongoing** – The following actions are ongoing –

6.2.1 Aylesbeare Properties not able to connect to Jurassic Fibre or BT - Clerk identify any properties not connected as Aylesbeare risked being delisted from the Connecting Devon & Somerset tenders.

9.2 Clerk - Council resolved to buy some 30mph stickers for wheelie bins in the appropriate parts of the Parish (if residents were willing).

11.2 Council discussed if any Emergency Powers should be delegated to the Clerk, Chairman or Vice-Chairman in preparation for future difficulties. Clerk to draw up the wording.

Cllrs Thompson & Trude to complete redraft of the Emergency Plan.

**Discharged**

12.4 The Council resolved to obtain more sandbags and distribute throughout the Parish (Clerk)

13.1 Cllr Branson advised that there were 2 versions of Aylesbeare's Neighbourhood Plan which he would go through and see which was the best.

Other than item 11.2 Emergency Plan these were still ongoing.

## **6 Reports of County and District Councillors.**

**6.1 Devon County Council** Council had received and noted Cllr Wright's email report (attached at **Appendix A**). The Chairman was pleased to note that, subsequent to Cllr Wright's support, the government were not going to licence the use of neonicotinoid pesticides this year which reduced the threat to bees.

**6.2 East Devon District Council** This item was postponed pending Cllr Bailey's hoped-for arrival.

## **7 Playing Field, Play Area Lease and s106 Funding**

7.1 The Council discussed the Annual Inspection and resolved unanimously to the following -

7.1.1 To remove the 5 play park items (train, log bridge, chain bride, monkey bars, the slide) that had been identified on the Annual Inspection.

7.1.2 To go out to tender to play companies, with the tender for a sum of £36,700 comprising: £16,800 from Section 106 sport money, £16,500 of Section 106 play money, £2,700 from defunct youth club and £700 from the recreation fund.

7.1.3 That the tender will include -

(a) the sports money to be spent on a climbing web and table tennis table (being the viable options chosen by the community).

(b) the results of the consultation with children carried out by EDDC.

(c) confirmation of the 5 play park items that will be removed (train, log bridge, chain bridge, monkey bars, the slide).

(d) request for solutions for the trampoline which currently has inadequate depth and drainage.

7.1.4 To confirm that Aylesbeare Parish Council wishes to select the following 4 companies for tender Kompan, Proludic, HAGS SMP and Wickstead.

**DRAFT**

7.1.5 That £2100 from Community Infrastructure Levy (CIL) funds received can be spent on repairs identified in the Annual Inspection Report (not included in the tender).

All the above were proposed by Cllr Thompson and seconded by Cllr Warren.

**Cllr Trude to action**

7.2 The Council resolved unanimously to authorise £20 for materials to be used to repair the goalposts and Cllr Warren would seek volunteers to complete the work. Cllr Branson raised the concern that the goalposts were no longer safe as they were square section.

**Chairman and Clerk to action**

*[Cllr Bailey joined the meeting at 8:23pm]*

7.3 The Council resolved unanimously to use The Play Inspection Company in future and join their rolling repeat inspection service.

**Clerk to action**

7.4 The Chairman applauded Cllr Trude's work to contact as many Parish children as possible. Many children in Aylesbeare can't get into West Hill School as it is oversubscribed which means that a variety other schools nearby have local pupils.

## **6.2 East Devon District Council**

The minutes of the previous meeting were discussed, and Cllr Bailey asked that they be clearer on the matter of the adult gym and why the Parish Council had decided not to carry it forward. The Council were happy for the Clerk and Cllr Bailey to amend the wording as necessary, identifying that Cllr Trude had given her interpretation of EDDC advice.

**Clerk to action**

Cllr Bailey reported that EDDC had approved its budget and Band D Council Tax will increase by £5 per year.

The charges for main EDDC car parks will go up in April 2022.

As it was Food Action Waste Week Cllr Bailey asked that residents recycle as much they possibly can. She advised that food waste did not need a specific caddy bag as any plastic bag will do.

She urged the Council to consider further development of the Play Park. She was happy to help and hoped that grants could be accessed, such as Awards for All.

She had been contacted by some residents about broadband and was in discussions with the Community Fibre Partnership, BT Openreach and Jurassic Fibre. The Parish Council discussed what speed of supply was sufficient, with some finding 1.5 mbps sufficient for all but live sport and below 3 mbps is often adequate.

The Council only knew of a few properties at the end of Harp Lane and beyond who had contacted them hoping for improved supply.

Cllr Bailey and the clerk will liaise to try and establish who had brought it to Cllr Bailey's attention and to identify a definitive list of those who did not have sufficient internet speed to run their businesses from home or able to do essential domestic tasks.

**Cllr Bailey and Clerk to action**

## **8 Grass Cutting & Lengthsman**

The Council were grateful to Cllr Trude for completing the tender document which is very thorough. The Council wished to add the following tasks to the document -

Maintenance of the verge, noticeboard area and path over Rosamondford

Cleaning the road signs

Maintaining the Rill triangle

Maintaining the Nutwalls triangle (this would be problematic with the lorries and vans that mount the triangle and even park there)

The Clerk pointed out that these additional jobs would take the tender over budget, but there is always the chance that the contractors may bid lower than Cllr Trude's estimate.

The Council voted unanimously to go to tender once these amendments had been made, but to offer StreetScene the opportunity to tender as well (prop. Cllr Thompson, sec. Cllr Warren).

**Cllr Trude and Clerk to action**

## 9 Litter

The person who keeps flytipping empty beer cans in bags or boxes (or both) continues to do so. When Harp Lane was closed the cans were dumped close to Madge's Cross and the Gas Installation on the road towards the Half Way Inn instead.

The Council resolved to obtain a camera and the necessary signage to comply with the Regulation of Investigatory Powers Act (2000). Cllr Warren offered to maintain the camera. The Council asked the clerk to investigate buying, hiring or borrowing a camera and the correct wording for the signs. Cllr Bailey offered to supply information about RIPA. **Cllr Bailey and Clerk to action**

## 10 Flooding

10.1 The drain on the corner of Withen Lane and Village Way/Minchin Lane is no longer in the path of the waste water which flows past towards the Nightjar. DCC had been notified and a response was anticipated.

10.2 The flooding on Footpath 16 (Minchin Lane footpath) has now been referred to Flood Mitigation at DCC and the Council awaits a reply.

10.3 Cllr Owen reported that a property in Village Way had told her they were experiencing severe under floor flooding, a problem that could make the house unsaleable. Cllr Thompson advised that it sounded to her like groundwater making it a warranty issue if the property was less than 10 years old. If it was an older property it may mean an insurance claim.

Cllr Warren believed that the stream that may be causing the flows under the school, goes through a concrete culvert under Halls Lindhay and other properties, exiting into the culvert in Blind Lane. In previous times the land had been notorious as very wet.

**11 Census 2021** This takes place on Sunday 21<sup>st</sup> March and there was a great deal of local and national promotion of the Census. The Cllrs had a copy of the questionnaire and the FAQ sheet should any residents ask for help.

## 12 Planning

**12.1 EDDC A New Local Plan for East Devon** The consultation ends on 15<sup>th</sup> March. The Chairman had completed the online consultation as an individual. He found the plan well thought out and containing many green ideas. It had taken him about an hour to complete.

In view of the short time remaining the Cllrs were urged to complete the consultation as individuals. A reminder for everyone had been posted on the Buzz. **All Cllrs to action**

*[Cllr Bailey left the meeting at 9:06pm]*

### **12.2 21/0142/FUL New Property on Land to the West of B3180 -**

The Council noted that Cllr Daly had previously expressed support for this application by email. The Council liked the design, approved of the sustainability and welcomed any improvements to safety on the B3180. However, it was proposed to build in open countryside on a plot that had not been built on before and this was contrary to the Local Plan. There was some sympathy for the arguments Mr Breckon had presented that the precedent would not be set as it was infill of just 1 property in a ribbon of existing properties.

# DRAFT

After some debate the Council voted 3 to 1 (which would have probably been 3 to 2 had Cllr Daly been able to vote) to object to the application and the clerk was asked to submit a summary of the comments to EDDC. **Clerk to action**

## 12.3 21/0318/FUL 2 Storey Extension to Old School House (retrospective) -

There was a discussion about retrospective applications, how properties rarely complied completely with the planning permissions granted and the role of Buildings Control in the process. Wider issues with the property had been raised by a concerned neighbour and these were also discussed for some time.

The Council unanimously agreed to the following comment –

Aylesbeare Parish Council are concerned that windows overlooking neighbouring properties for which planning permission has not been obtained should be mitigated with replacement frosted glazing (not film) and fixed shut. There are also other issues on the original planning application which have not been complied with, including a 1.8m boundary wall.

**Clerk to action**

## 12.4 21/0300/FUL New Garage replacing Shed at 3 Withen Cottages -

Councillors confirmed that they were content with the following comment – ‘Aylesbeare Parish Council has no objection to this application’ – previously submitted to EDDC within the time allowed.

## 13 Finance

13.1 Council noted the current balances as follows -

Current Account	£ 6710.82, less uncashed cheques (1172.85) =	£ 5537.97
	Reserve Account	£ 4847.80
	Recreation Fund Account	£ 694.46
	Total	£ 11080.23

13.2 Council unanimously authorised the payments listed.

To DALC for invoices 2563 (£36) & 2587 (£18) both Cllr Thompson	£ 54.00
To The Play Inspection Company Ltd for Annual Inspection (Invoice no. 45539)	£ 150.00
To J P Roberts (Clerk) for pay	£ 221.75
To DCC Pension Fund	£ 12.18
To HMRC for PAYE Income Tax	£ 43.10

**Clerk to action**

**8 Date of Next Meeting** – Wednesday 7th April 2021 at 7:30pm.

14.1 Council agreed to meet online using the Zoom platform. Council noted that the Village Hall Management Committee meets next week and had recently received grant support.

14.2 Council decided to postpone to April's meeting the decision whether to write to object to in-person meetings returning in May 2021.

There being no other business the Chairman closed the meeting at 9:43pm, thanking Council for their hard work.

Signed ..... Date .....  
Cllr N. R. Warren, Chairman

## Appendix A

### **Report from Cllr Claire Wright, DCC**

#### **Devon County Council budget meeting sees council tax rise by 4.99 per cent**

At Devon County Council's budget meeting last Thursday (18 February) the ruling group voted through a 4.99 per cent increase in the DCC element of council tax in order to offset 10 years of austerity and a social care system in crisis.

Here's my speech, which explains more. It is however, quite political! <https://claire-wright.org/its-budget-day-at-devon-county-council-heres-my-speech/>

#### **Motion to council opposing government u-turn on use of bee killing pesticides**

I brought this motion after learning that the government intends to relax the rules on using neonicotinoids on sugar beet, even though they are proven to kill bees, which are rapidly declining. The motion will come before cabinet for a steer before being debated at the full council meeting in April. For more see...

<https://claire-wright.org/motion-lobbying-the-government-on-bee-killing-pesticide-u-turn/>

#### **Education Secretary ignores DCC's representations (my anti-racist motion).**

This was related to a motion I put forward last year, which was backed by full council. It urged the Education Secretary to take stronger action on persisting racist attitudes in schools among other things. Unfortunately, four months later and despite chasing, there has been no answer from Mr Williamson. For more see..

<https://claire-wright.org/education-secretary-stonewalls-devon-county-council-on-anti-racist-motion/>

#### **How the pandemic is causing an explosion in unpaid carers and distress in Devon**

A piece I wrote for local press following the last DCC Health and Adult Care Scrutiny Committee meeting, where I asked that we reached out to unpaid carers again, following the news that distress had significantly increased.

<https://claire-wright.org/how-the-pandemic-is-causing-an-explosion-in-unpaid-carers-and-distress/>

#### **DCC covid-19 update**

Devon's case number highest among 20- to 39-year-olds, more cash for Devon's most vulnerable and mobile testing units hit the road soon (govdelivery.com)

Claire Wright

Devon County Councillor - Otter Valley Ward

Community Wellbeing Board - Local Government Association

Woodland Trust Tree Champion

Tel: 07590 042627

Twitter: @ClaireWrightInd

Facebook: Independent Parliamentary Candidate for East Devon

Website: [www.claire-wright.org](http://www.claire-wright.org)