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## AYLESBEARE PARISH COUNCIL

**MINUTES** of the Meeting of Aylesbeare Parish Council held virtually (online) on **Wednesday 7<sup>th</sup> April 2021** at 7.30pm.

### **PRESENT**

Cllr Nick Warren (Chair)  
Cllr Mark Branson (Vice Chair)  
Cllr Chris Daly  
Cllr Anna Thompson  
Cllr Jacky Owen  
Cllr Kirsty Trude  
Cllr Jess Bailey (EDDC)

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

**Others present:** 3 members of the public,  
**7:15pm Public Forum**

A member of the public raised the issue of internet connection with EE to the Greendale mast. Cllr Trude had noticed the signal was quite poor in the village, possibly poorer than usual. The resident had reported it 3 times. It could be related to the heavy use at Greendale by commercial users.

Ed Freeman (EDDC Service Lead – Planning Strategy and Development Management) attended to discuss planning matters and how the Parish Council's comments were treated in the planning process.

He began by emphasising that Planning invariably involves different legitimate opinions and the decisions cannot please everyone. The decision made doesn't imply that the contrary views held aren't entirely reasonable; but a decision has to be made.

The application to convert the barns at Barton Farm in Village way was discussed at length. EF made the following points –

- On-street parking – there is no policy or law that requires Planners to consider the loss of on-street parking except where it may cause a safety issue on the highway.
- Drainage – Planners always try to secure sustainable drainage solutions that cope with storms by capturing the water, storing it on site and releasing it into the natural watercourses at acceptable volume levels.
- Slurry tanks – these are not part of a drainage system as they handle 'dirty' water (contaminated with animal excrement etc).

The application for a new agricultural building at Rosamondford Farm and the flooding was discussed. EF made the following points –

- To some extent Planning is stuck with a system of light-touch approach to agricultural development.

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- EF outlined that flooding was a difficult issue as consideration is given to impact and causes. The Planners have Flood Authority maps, but the barn in question is 100m away from the flood zone. There is no record of the flooding, so the Planners had little evidence to go on. He challenged the fact that the new barn was the definitive cause of the flooding as it is always difficult to establish such things.
- He confirmed that Buildings Control play no role in agricultural buildings and that attenuation measures could need to be enforced, should the Council have evidence.
- EF also said that enforcement are actively involved in the issues of static caravans and commercial subletting at the property.

Other issues discussed were –

- EF agreed to supply contact details at DCC for flood issues. Then the Council could notify events and discuss concerns with the appropriate authority. Generally, Planners consider the evidence of the Flood Authorities and any Parish Council comments should be backed up with strong evidence.
- The criteria for an appropriate location were the EDDC Local Plan, Neighbourhood Plan (if any) and National Planning policies. The Local Plan section D1 (Local Distinctiveness) provides a wide scope for comments about the planned location for any development.
- Creeping industrial/retail development in the countryside can be curtailed by imposing a domestic use condition to outbuildings.
- Use of an annexe or garden building as an Air BnB or for business such as a nail bar or hairdressing often comes down to the connection to the main home and usage, especially frequency. A day per week is probably acceptable, open from 9-5, 6 days a week with cars coming and going would need planning permission. Between these extremes is a grey area. There are FAQs on the Planning Portal an Cllr Thompson agreed to draft something for inclusion in Topics. **Cllr Thompson to action**
- EF offered to look into the planning background of a property nr Oaklands Garage which had developed into a commercial type building with only domestic approval. He would reply to the Chairman.
- EF outlined the 4-year-rule whereby a building without Planning Permission can stay if not challenged for 4 years. He also outlined the 10-year-rule which allows for a change of use of a property if it can be shown that the new use has continued for 10 years.
- EF advised that the new Neighbourhood Plan is unlikely to be adopted until late 23 or early 24. It was up to the local communities if they wished to pursue a Neighbourhood Plan in the meantime. It is too early to predict what the new LP will say but NPs are supposed to be reviewed every 5 years.

EF said he would be looking into how Parish Council comments were treated in the reports and he felt that a better explanation could be given, especially if the Council's advice was not followed.

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

The Chairman started the meeting at 8:05pm.

## 1 Apologies for Absence

None (Cllr Wright is standing down as DCC Councillor from 6<sup>th</sup> May 2021).

## **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 April Aylesbeare Parish Council meeting. He said a big thank you to Nicky Thomas for organising the excellent Easter Egg trail. He thanked Claire Wright for all her help and wish her all the best for her future plans. He also offered best wishes to Cllr Bailey in her intention to stand for DCC.

The Chairman had spoken to the owners of The Limes who verbally agreed that the telephone kiosk can be used for a swap shop. He thanked Cllr Daly in advance for agreeing to work on the kiosk. He gave a report of the VHMC which was held on 10<sup>th</sup> March. Grants had been received for £6k and further £2k for help with the loss of income under the pandemic. He was sure the Parish Council would be pleased for the VHMC to have this financial cushion. For a short period after re-opening charges will be dropped for users returning to the VH. The VH will be a polling station on 6<sup>th</sup> May 2021 with Covid safety precautions including a one-way system and voters needing to bring their own pencils.

The VHMC are still trying to confirm with StreetScene that we aren't paying double for grass cutting. Cllr Trude confirmed that the map supplied previously by StreetScene was the map for the contractors to show all the work done in Aylesbeare. StreetScene have assured the Council that the bill for the Parish Council does not include payment for the VH grass. That bill goes to the VHMC.

The VHMC discussed its insurance and the Chairman reminded Council that if the VHMC paid its insurance the Council will be covering the cost of the grass cutting which will offset some of the increased cost.

There will be a form for hirers to complete covering the Covid precautions, however the hall cannot open until June at the earliest.

A new sign has been approved and quotations are being sought to repaint the building.

The Council asked Cllr Daly to check with JF if the offer of free fibre broadband for a year was still available.

**Cllr Daly to action**

The VH is an unincorporated Charity and the Parish Council is Custodian. As a member of the VHMC (ex-officio 3 members) Parish Councillors can carry some personal liability. In the light of this Cllr Branson has resigned from the VHMC for the time being until this has been resolved. Cllr Daly, as Chairman of the VHMC, is checking all the details and taking corrective action as early as possible.

The Chairman further advised that the northern end of the village (incl. Scotchmead) will have electricity switched off for a brief time while trees are attended to. The power company (Western Power) will notify the residents.

At a later point in the meeting the Chairman advised that the Bell Tower door at the church had been removed for repair. The timber currently blocking the entrance is only temporary.

## **4 Minutes**

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

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**

### **4.2 Minutes of the Parish Council Meeting held on 3<sup>rd</sup> February 2021 para 7.2.1**

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The change of wording in para 7.2.1 from

“Since the last meeting it had become clear that EDDC could not authorise the spend unless the 10-metre rule (between adult gym equipment and the play park) was met. Gym equipment would add an extra 3 months into the consultation period which meant there would be no order by Easter and no installation in time for the summer school holidays.

Cllr Thompson proposed that the gym equipment was rejected as it would not fit into the space available given the 10m constraint. This was unanimously agreed.”

to - “The advice from EDDC was that Outdoor Gym Equipment (OGE) should be placed at least 10m from the Play Area. There isn’t room to accommodate a 10-metre separation in Aylesbeare’s recreation area. The Clerk expressed his doubts that EDDC would allow the funding to go through unless the 10m guideline was complied with. On the Clerk’s advice, and, given the lack of space to provide a 10m gap, the Council unanimously removed the OGE from the list for consultation.”

This change was agreed unanimously.

## **5 Matters Arising**

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

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

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

12 To submit the comments for planning applications nos. –

- 21/0142/FUL New Property on Land to the West of B3180
- 21/0318/FUL 2 Storey Extension to Old School House (retrospective)
- 21/0300/FUL New Garage replacing Shed at 3 Withen Cottages

13 Payments to

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

**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.*

Cllr Bailey has met Openreach, Jurassic Fibre (JF) & Connecting Devon & Somerset (CDS). She advised the Council to keep in touch with CDS who were aiming to ensure the availability of 30mbps broadband to all residents. CDS have additional suppliers (eg Airband) and there is shortly to be another voucher scheme for remote properties.

The Council resolved to ask the Parish if there were properties that couldn’t access 30mbps broadband using Topics & Buzz.

**Clerk to Action**

*11.2 Council discussed if any Emergency Powers should be delegated to the Clerk, Chairman or*

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*Vice-Chairman in preparation for future difficulties. Clerk to draw up the wording.*

This will be addressed at the AGM.

12.4 The Council resolved to obtain more sandbags and distribute throughout the Parish. The Clerk has been told there are bags available and will chase this up.

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.

Ongoing – Council do want to make progress with the NP and not wait for the Local Plan.

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.

The funds have been authorised, but the goalposts need to be inspected for safety.

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

**6.1 Devon County Council** No report this month - Cllr Wright had now resigned and her position is vacant.

**6.2 East Devon District Council** Cllr Bailey reported that the potholes at Scotchmead were in the schedule of works and timetables being created by contractor.

The Local Plan is moving full steam ahead with the Urban Capacity Study. She advised there is not much capacity in local towns (780 houses). This will mean a lot of pressure on the other non-urban area to find places for the 900 houses per year that are planned.

Cllr Bailey had noticed a lot of moss on the steep footpath nr Scotchmead which would be dangerous in the cold or damp weather. She will ask EDDC to sort out this out. **Cllr Bailey to action**

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

The Council asked Cllr Trude and the clerk to draw up the tender letter based on the template provided by EDDC. The clerk advised that the VAT would be reclaimed as the invoice would be issued to Aylesbeare Parish Council (a condition of claiming VAT back). He would investigate the cashflow issues as the VAT would be approx. £7k and Council would need to have funds to pay the invoice before reclaiming the VAT.

It was agreed to allow the companies 4 weeks to tender.

**Cllr Trude & clerk to action**

## **8 Grass Cutting & Lengthsman**

**8.1 Matters Arising – Cllr Trude to update the proposal for Rosamondford, road sign cleaning, Rill & Nutwalls triangle** **Completed**

**8.2** Cllr Daly asked why Council is including work in the tender that should be done by Highways at DCC (cleaning signs, tending to visibility splays) especially as the Parish element of the Council Tax had increased by 33% this year to cover these costs. Furthermore, he felt that villagers often do some of the proposed tasks on their own initiative so it seemed unnecessary to pay a contractor.

Council had not seen road signs cleaned by DCC staff for many years and were aware that other Parishes employed contractors to do the same. The Parish had been consulted about the £5 per year increase in the Precept and had felt it was worth it as the Council believed a tidier village would result. It was also noted that the increase in the Precept was also to cover the costs of adhering to Government policies eg website accessibility, and to build up the necessary cash reserves.

Cllr Trude and the clerk will now draw up an advert inviting tenders from suitably equipped and insured contractors. **Cllr Trude & clerk to action**

## 9 Litter

9.1 The Clerk reported that he had had no success with hiring or borrowing a security camera but had some cameras to buy for Council to consider. The Council felt he should have considered wildlife cameras as the ones he had sent details of were white and would be easily noticed.

9.2 The good news is that there has been no sign of the beer cans being left for the last 2 months. A vehicle has been noticed and photographed which seemed to have stopped the serial littering. The warning signs have been taken down as the action seems to have worked. Council hoped that this issue is now closed for good.

## 10 Flooding

Nothing to report this month.

## 11 Upcoming Celebrations

11.1 **2022 Queens Jubilee** There will be a 4-day BH weekend from Thurs 2<sup>nd</sup> – Sun 5<sup>th</sup> June 2022 to celebrate the Jubilee. Council hoped that they could organise an appropriate gift for the village and have either a street party, perhaps with a 1952 theme (Perkin's Village will have one) or a village fete. An event could involve the pub.

The Council anticipates that lots of villages will celebrate and the Government are advising that significant national events will be organised. Council hopes that possibly the road could be closed for a party.

11.2 **2023 Village Hall** Council thanked Miss Turl who will be researching the records for both these events to add some local history.

## 12 Footpaths – Withybed Lane

The SWWater plant and machinery has come back and is blocking this lane. The Houndbeare end is blocked by overgrowth.

Council asked the clerk to do a land registry search and authorised £10 unanimously.

## 13 ALERT Emergency Planning

13.1 No update.

## 14 Planning

14.1 [21/0744/FUL](#) **Livermore House** - Council has no objections to this application.

14.2 Council ratified the comments collected via email and already submitted online (as the consultation period fell between meetings), for the following applications -

[21/0213/FUL](#) **SWH Rockbeare** - Aylesbeare Parish Council is concerned that the plans do not account for control of drainage/run off that might risk hazardous waste entering the ground water.

[21/0632/FUL](#) Mowhayes, Withen Lane - Aylesbeare Parish Council has no objections to this application.

[21/0666/FUL](#) 3 Withen Cottages - Aylesbeare Parish Council has no objections to this application.

[20/1999/VAR](#) North Cottage - Aylesbeare Parish Council objects to this application as the size of the proposed garage is significantly out of proportion and an excessive size for a domestic garage. The proposed garage is more like a commercial building. The Council is concerned that a mature tree will be lost. The Council is also concerned that, should the structure be allowed, the drainage has not



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been adequately considered. The soak away volume is not mentioned in the proposal and the amended proposal does not include the storm overflow that was included in the earlier, first application. It is unclear to where the ditch will drain from the property and the flood risk assessment mentions an infiltration test but does not give the results of this test.

### 14.3 Static Caravans at Rosamondford Farm

EDDC Enforcement are actively pursuing this case having visited and photographed the site. Units to let and static caravans are not allowed and the landowner will be informed.

Enforcement had advised that the new field entrance identified might be permitted if it was the reinstatement of an old entrance. The EDDC Officer had asked for a location map and photographs so he could follow this up.

**Cllr Thompson to action**

The new entrance was causing a great deal of mud to be deposited on the road which the Council will report to DCC Highways.

**Clerk to action**

Council noted that the road through Perkin's Village is due to be resurfaced some time this year and that the Government has doubled the permitted time for tents and caravans on farms from 26 to 52 days.

## 15 Finance

### 15.1 Council noted the current balances

Current Account	£ 6489.07, less uncashed cheques (1432.24) =	£ 5056.83
	Reserve Account	£ 4847.84
	Recreation Fund Account	<u>£ 694.47</u>
	<b>Total</b>	<b>£ 10599.14</b>

### 15.2 Council unanimously authorised the payments listed (prop. Cllr Trude, sec. Cllr Daly)

To DALC for invoice 2628 (Training)	£ 54.00
To J P Roberts (Clerk) for pay (221.75) & receipts (57.67)	£ 279.42
To DCC Pension Fund	£ 69.22
To HMRC for PAYE Income Tax	£ 49.20

## 16 Date of Next Meeting – Wednesday 5<sup>th</sup> May 2021.

**16.1** Council decided to meet online. As the current legislation stands this will be the last online meeting as the law permitting them expires on 6<sup>th</sup> May. The government has indicated that the legislation will not be extended, Parish Councils will have to meet in person from 7<sup>th</sup> May. However, the Covid-19 restrictions mean that in-person meetings aren't possible until June at the earliest.

**16.2** Council agreed to hold the AGM before May's monthly meeting at 7pm and the Annual Parish Meeting on 4<sup>th</sup> May online. Clerk to contact Joanna Ash to identify groups using or intending to use the Village Hall.

**Clerk to action**

There being no other business the Chairman closed the meeting at 9:56pm, thanking Council for their hard work.

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

Date .....