

## AYLESBEARE PARISH COUNCIL

**MINUTES** of the Meeting of Aylesbeare Parish Council held at Aylesbeare Village Hall on **Wednesday 6<sup>th</sup> October 2021** at 7.30pm.

### **PRESENT**

Cllr Nick Warren (Chair)  
Cllr Mark Branson (Vice-Chair)  
Cllr Jacky Owen  
Cllr Kirsty Trude  
Cllr Tracie Cooke

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

**Others present:** 6 members of the public ( + 4 staff from Jurassic Fibre)

### **7pm Jurassic Fibre presentation**

The CCO of Jurassic Fibre addressed the meeting. He gave a short history of the company and details of investments, progress to date and expansion plans. Their aim is to have a full fibre commercial capacity for 99% of the area they cover. He stressed the company priority is customer service. Existing customers are being upgraded to faster speeds if they are developed and given cheaper prices if they become available, no differentiation with new sales. Domestic customers can get up to 1gbps, commercial customers 10gbps. JF are working with local Colleges to develop the skilled apprentices/staff they need to employ.

JF hope to get any registered interested property in Aylesbeare and Perkin's Village (approx. 40 currently) connected by Christmas. If anyone is interested they should register with JF so the company is aware and they promise to actively plan to help people get connected.

*[After the JF presentation 5 members of the public and the 4 staff from JF left.]*

### **Open Public Forum**

The owner of the Hafway Inn wanted to address the Council about his plans for the property. He was challenged about some trees he had felled. He explained that the trees had been cut down due to ash dieback, and others, including an Oak, were felled to fit in with the expansion plans. They had not been covered by TPOs and replacement trees had been planted on other land he owned. He advised that there was a planning application had been submitted for the Halfway Inn which would include a change of use to half retail and half restaurant/café. The equestrian sales at The Oaks will move to the Halfway Inn. The proposal will make changes to 3 additional buildings on the land that are now dilapidated and will be replaced. The smoking shed will be replaced by a bespoke building sympathetic to the site as a feed store. Walkers & cyclists are often calling in and the plan is to have a takeaway option.

A customer base of 1500 has built up at The Oaks and demand exists for an expanded range. A further building will be replaced by a better building for pet supplies. This will again be low, timber-clad and sympathetic to the site. All activity is made working towards moving the shop from The Oaks to the new site.

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He welcomed the Councillors to come and visit the site and view the plans when they were considering the imminent Planning Application. He outlined plans that had been made with DCC advice to change the entrances and car parking which will ease traffic flows and make accessing the site safer.

He emphasised that his business would be a friendly local business. The groundworks would be porous material with vehicle tracks and the fencing & hedging. Two acres of other land he owns would have biodiverse development. The main building should be ready by the first week of January but is dependent of planning permission.

The Chairman thanked him for coming to tell the Council all about the plans and the Cllrs wished him success with his new venture. He left the meeting at this point.

The Chairman started the meeting at 8:34pm.

### **1 Apologies for Absence**

Apologies were received from Cllr Thompson who is away on business trip, and from Cllr Bailey who is isolating after a contracting Covid. The Council unanimously accepted the reasons offered and wished Cllr Bailey a speedy recovery.

### **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 everyone. He encouraged everyone to still be aware of the spread of Covid and to use facemasks and ventilate rooms. He asked the Council to consider following the EDDC methodology and have consultative meetings online with delegated powers for decision-making.

He advised that 8 people had attended the Queen's Platinum Party Meeting attended and many ideas had been discussed. The latest information received concerned the lighting of beacons and bonfires across the UK planned for the Jubilee weekend. He appealed for landowners to offer a suitable field so Aylesbeare could get involved, although every care would be taken to protect neighbouring properties, especially thatched cottages.

Landowners are encouraged to keep the ditches and culverts for which they are responsible clear to minimise the risk of flooding when the winter weather comes. Members of the public should report a problem using the DCC webpage as he had mentioned before.

He had discussed FP16 with the PROW Officer from DCC who will discuss it with the Devon Flood Team with the aim of slowing the flow of water. This will help the existing drainage to cope and avoid flooding the Bramble Mead properties.

He was pleased that Cllr Bailey has been busy on our behalf – her report will be discussed below. He thanked the many litter pickers for their continuing efforts and encouraged anyone who spotted flytipping that was too big to pick up to contact EDDC to have it removed.

### **4 Minutes of the Parish Council Meeting – 1<sup>st</sup> September 2021**

The minutes were accepted as a true record by the Council and the Chairman was authorised to sign on their behalf (unanimous except Cllr Trude who was absent from that meeting).

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## 5 Matters Arising

**5.1** Village Hall grass cutting – The VHMC secretary had written asking to clarify any arrangements for grass cutting the Parish Council had organised. EDDC appear to have visited and cut the grass, but there is some doubt about whether the Hall grass had been cut by volunteers.

**5.2** Bus in Withen Lane – A different bus is now parked at Bramble Mead and it is smaller. The Chairman will speak to the driver.

**5.3** Livermore Farm Planning Application – 21/2251/VAR. The Council had received additional representations since the last meeting and had agreed to amend their comments to –

Whilst Aylesbeare Parish Council broadly supports this application the Council is concerned that the effects on the adjacent property do not appear to have been fully discussed with the neighbours.

The Parish Council would also hope that applicants would normally seek approval before making changes rather than presenting a fait accompli.

The Council unanimously resolved to ratify these comments.

The clerk had received a call from the owner of Livermore Farm who thanked the Council for their support, assured the Council he had consulted his neighbours and they had been happy with the progress of his building works for almost the entire duration. The changes had been forced on him by the nature of the building and he had let his neighbours know what was happening along the way. He fully accepts the neighbours' right to object but was surprised about the number and nature of the complaints. We await the Planners' decision.

## 6 Reports of County and District Councillor.

Cllr Bailey submitted a written report as she could not attend in person. She had addressed various concerns raised at the last meeting as follows:-

1. Rosamondford Bridge which is in a state of disrepair and this is causing difficulties for the local community. This has been raised with DCC last year and again I think this year. When will this be repaired, please? Is this within your remit as the neighbourhood highways officer or is it for another department to deal with please?

Mike has placed a further order for the clearance of the vegetation and has advised that after which the fences will be assessed.

2. The lane past Rill Cottages to Rosamondford. The Parish Council were told that this would be resurfaced this year. Is this on track please and if so for when? The road through Rosamondford is included in the programme for 2022, it is likely to be the largest scheme in next year's Doing What Matters programme and couldn't be accommodated in this year's allocation.

3. Rill Corner, there is lots of gravel on the road and this is causing skid risk. This was reported at the time of the floods in June but has not been actioned. Please can this be attended to as soon as possible.

I understand that the gravel is now no longer a hazard on the road but the issue seems to be with the gravel now in the ditches. Mike has placed an order for extensive ditch cleaning along Marwood Road.

4. There is a problem with surface water coming down village way and ending up at the doorstep of the Nightjar. Do you have an update please. (PIs see Nick Warren email/photo) Mike is looking into the possibility of a drainage scheme at the junction of Minchin Lane and Village Way

Parking on the junction has become a problem again especially on Sunday lunchtimes and 7-9pm in the evenings when the pub is popular. It is not

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known who owns it but an offer has been made to help with installing kerbstones. The Council hope to include a remedy when discussing the drainage scheme.

5. There is a blocked pipe outside the old Smith/Applebrook (see Nick Warren email/photo). **An order has been placed for the excavation of the damaged pipe below the Old Smith and the construction of the new gully there.**
6. The resident at Linhayes Perkins Village Farrindgon has put obstructions in the visibility splay which is causing difficulties with delivery vehicles dropping off items put now staying on the road as they are unable to pull into the visibility area and then the road is getting blocked. . Although this may relate to a different DCC ward I have had concerns raised to me via Aylesbeare and would be grateful if you could look into it (photos below). **The neighbourhood highways officer for Farrindgon has investigated obstructions and any within the highway will be required to be removed. Any further enquiries will need to go to [csc.roads@devon.gov.uk](mailto:csc.roads@devon.gov.uk)**
7. There is a street light (see Nick Warren email photo) where the growth needs cutting back. **This is the responsibility of the property owner – he/she has been written to by DCC.**

Cllr Bailey also reported on the Devon Health & Adult Care Scrutiny Committee, beavers on the River Otter and her actions to save trees in West Hill. The full text is attached at appendix A. The Chairman is pursuing how to implement a Tree Preservation Order.

## **7 Telephone Kiosk**

The damage to the kiosk will need repair and the Council hopes to persuade local experts to help. If it does, as is hoped, become a 'swap shop' for the community it will need some rules as it could easily be swamped with unwanted items.

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

The quote for fencing was reasonable after investigation. Cllr Trude will go back to EDDC to action the quote. **Cllr Trude to action**

## **9 Highways**

**9.1** Resurfacing in Perkin's Village – covered in para 6 above.

**9.2** B3180 Action Group – pressure is being put on DCC to resurface the road as the surface has worn out. Speeding remains a problem.

## **10 Website**

The clerk will enquire with Vision ICT (our current suppliers) as other enquiries have hit dead-ends. **Clerk to action**

## **11 Neighbourhood plan**

Cllr Branson has discussed the NP with EDDC who felt that the data from 2007 would need to be updated. There is also work to be done on the Plan document itself. The EDDC officer will help and is willing to visit Cllr Branson at home.

The Council remains convinced that village opinions will not have changed as there has been very little movement in and out of the village. Cllr Branson will continue to work on the Plan.

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**12 Upcoming Celebrations**

Cllr Owen will liaise with the pub. The Cllrs will individually pursue getting volunteers who want to be involved. The Council will consider the permanent memorial and the gift for the children. When congratulating the Queen, the Council could send a montage of Aylesbeare properties if the plans for bunting and garden planting in red, white and blue are fruitful.

**13 Finance**

**13.1** - Quarterly budget review – second quarter The Council is pleased that the budget is on track for this year and expenditure should not exceed income by April. This does depend on the charges from EDDC for grounds maintenance which are still entirely unknown.

**13.2** - The Council noted the current balances as follows:

Current Account £13,271.82 less uncashed chqs (£ 1,189.23) =	<b>£ 12,082.59</b>
Reserve Account	<b>£ 4,848.08</b>
Recreation Fund Account	<b>£ 694.53</b>
<b>Total</b>	<b>£ 17,625.20</b>

**13.3** - The Council unanimously resolved to make the following payments

<b>13.3.1</b> - To VisionICT for website hosting & support		<b>£ 156.00</b>
<b>13.3.2</b> – To J P Roberts (clerk) for pay (September)	£ 221.75	
Expenses	£ 7.65	
Stationery (paper & envelopes)	£ 3.85	
100 <sup>th</sup> Birthday recognition	£ 26.46	<b>£ 259.71</b>
<b>13.3.3</b> - To DCC Pension Fund (clerk’s pension for September)		<b>£ 69.22</b>
<b>13.3.4</b> - To HMRC (clerk’s PAYE Income Tax for September)		<b>£ 49.20</b>

**8 Date of Next Meeting** – Wednesday 3<sup>rd</sup> November 2021 at 7:30pm at the Village Hall.

There being no other business the Chairman closed the meeting at 9:35pm, thanking the Cllrs for their hard work.

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

## **Appendix A**

REPORT TO AYLESBEARE PARISH COUNCIL  
CLLR JESS BAILEY, DEVON COUNTY COUNCIL, OTTER VALLEY WARD  
OCTOBER 2021

### **DEVON COUNTY COUNCIL'S HEALTH AND ADULT CARE SCRUTINY COMMITTEE**

In September I attended Devon County Council's Health and Adult Care Scrutiny Committee. The committee is legally constituted to examine issues of public concern on health and adult care matters on behalf of the people of Devon.

Despite the unprecedented challenges faced by the NHS and social care crisis the June committee meeting was cancelled. This meant that there was no formal public scrutiny of health and adult care by the committee for the six months between March and September. Instead, there were a series of private masterclasses.

At one of the masterclasses, I had requested various agenda items for the September's meeting which I felt were important. These included the issue of face to face access to GPs and a full performance review including surgical wait times, accident and emergency wait times, ambulance response time and GP referrals. I also felt there should be a report on the issue of finances of the NHS in Devon. I understand £400 million cuts which have to be made by 2024 and the impact this would have on services. The NHS in Devon has been described repeatedly as one of the most financially challenged health areas in the country.

It was frustrating that none of these were included as agenda items.

I was also most concerned by the declaration of a crisis declared by the South Western Ambulance Trust on 8<sup>th</sup> September and felt that this should be brought as an urgent item. I was advised that the Conservative chair Cllr Sara Randall-Johnson did not see the major incident in the local ambulance service as an urgent item.

Eventually it was agreed that a representative from the Ambulance Trust would be invited to attend. Although, on the day of the meeting no one from the Ambulance Trust was able to attend.

The main item that was discussed at the meeting was the Long Term Plan/Integrated Care System update for the NHS in Devon. However, there was a lack of detail provided (including in relation to finances) to enable an understanding of what impact the Long Term Plan/Integrated Care System will have for residents and their care and what this all actually means in real terms.

Going forward, I will continue to press for the items which I believe to be priority matters for residents to be considered and a 'spotlight review' on the ambulance crisis, has at my request been included on the work programme.

### **BEAVERS ON THE RIVER OTTER**

On 25<sup>th</sup> August DEFRA launched a twelve-week consultation on further beaver re-introduction. This follows a hugely successful five-year trial at the River Otter led by Devon Wildlife Trust.

I wrote to Cllr Andrea Davies the Portfolio Holder for the Environment at Devon County Council asking her to respond positively to the consultation and I am pleased to have received the following response.

Dear Jess,

Thank you for raising with me the issue of the current Defra consultation on the approach to beaver introduction and management in England, in which I have a keen interest. It's been fascinating to follow the experience of the beavers on the River Otter and, closer to home, I'm delighted to see the careful consideration being given to a proposed community-led beaver introduction on the River Caen around Braunton. Alongside the Devon Wildlife Trust's enclosed beaver site in northern Devon and the populations which have become established on the River Tamar and the Little Dart, Devon can claim significant experience of this topic.

Having discussed this issue with officers, I can confirm that DCC will be responding to this consultation. Rather than complete the online survey promoted through the consultation web site, I will sign-off our comments through the Cabinet Member delegated approval process. My intention is that these DCC comments should focus on a few of the most critical issues addressed by the consultation, informed by the experience of our close engagement in the River Otter Beaver Trial. Whilst the detail of this has yet to be prepared, my expectation is that we will:

- Support the principle and most of the specific elements of the proposed national approach to new beaver reintroductions (and, indeed, the retention of existing breeding populations);
- Highlight the critical role of a local management regime to ensure that any detrimental beaver impacts can be quickly and efficiently addressed, which is essential in order to maintain landowner and community trust and support;
- Emphasise the importance of identifying suitable forms of national support for the funding of local management arrangements, not just for areas with existing wild populations, but also to support new wild releases where a project proposal demonstrates tangible benefits;
- Also emphasise the essential need for flexible licensing arrangements to ensure that relevant parties can take lawful and timely action to address beaver impacts in accordance with the mitigation hierarchy.

Let's hope this consultation signals a positive way forward for re-establishing the presence of beavers across many parts of Devon.

Sorry it has taken me so long to get back to you, this is something really close to my heart.

Best wishes,

Andrea

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As an East Devon District Councillor for West Hill and Aylesbeare I have been found to have brought my office of councillor into disrepute. I set out details below.

## **I "BROUGHT MY OFFICE OF COUNCILLOR INTO DISREPUTE" WHEN SAVING TREES**

A complaint made against me by Robert Compton, a property developer, has today been partly upheld by East Devon District Council's Monitoring Officer. My actions, which included standing on the public verge under an oak and beech tree and then parking my car under them, stopped Robert Compton from felling the trees on a Saturday during national lockdown. This protected the trees until a Council tree officer attended and served a Tree Preservation Order (TPO).

Whilst dismissing the majority of the complaint made against me, the Monitoring Officer has concluded that by not leaving when the police asked me to 'I have brought my office of councillor into disrepute' and I am expected to make a public apology.

On Saturday 16th January, when I started to receive worried phone calls from residents, I quickly went to Oak Road, West Hill to see what was happening. The woodland village of West Hill has been blighted by developers pre-emptively felling trees over the years and I am always concerned about this controversial practice. It particularly worried me that this felling was happening on a Saturday during lockdown.

A large birch had already been felled and an oak and beech were soon to be removed. These formed part of a highly prized avenue of trees formally recognised as a 'valued view' by the community in the Ottery St Mary and West Hill Neighbourhood Plan, a planning document which has been voted on by residents.

Despite my best efforts and a series of frantic phone calls to Council officials I could not get a tree officer to attend at the time to protect the trees. The Council has in the past declined to protect these very trees with a TPO on the basis that they were not under immediate threat. Yet on the day when the trees were under immediate threat no one from the Council was available to protect them.

I was at a loss to know what to do and therefore felt I had to take direct action to save the trees. I was determined to save the wonderful trees and so I stood on the public verge underneath them which prevented further work.

I was not alone in being concerned about what was happening - other residents were equally dismayed. At some point the police arrived having been called out by someone, I'm not sure who. I have the utmost respect for the police who I'm certain were only trying to do their best in the difficult situation that was lockdown. They were however unclear on their power to send me home - which was not surprising given the constantly changing rules and laws at this time. I believed (and still believe) that I was lawfully present within lockdown rules.

When talking to the police I felt hugely conflicted between staying to protect the trees and leaving as the police indicated I should. After a while of engaging and explaining their views to me the police became more insistent that I should leave or I would be issued with a covid fine if I did not. I duly left and went home without any fine being issued. When I left, my car remained parked for the weekend on the verge, still under the trees.

As a result of my actions the trees are still standing, and had I not taken the action I did - including not leaving immediately on the arrival of the police - I have no doubt the trees in question, and possibly others, would have been removed.

I am disappointed that the Monitoring Officer has found me to have 'brought the office of councillor into disrepute', when trying to protect trees. I was doing what I thought was right and in the interests of the community I have been elected to represent.

It is incredibly common for developers to suddenly fell beautiful and mature trees to make way for development and in most instances no one can do anything about it. This time because of my intervention I am pleased that a mature oak and beech that form part of a beautiful avenue of trees were retained.