

Minutes of the Meeting of the Council held on 25th February 2020, Knowstone Parish Hall

Present: Cllr D Barrett, Cllr J Filmer-Bennett, Cllr R Howe, Cllr T Moore (Chairman), Cllr J Pomfret, Cllr J Stanbury

In attendance: W Sweet (Clerk), 7 members of the public, D/Cllr E Ley (part)

Before opening the meeting the Chairman reported the recent death of Frances Spottiswood, a long-time resident of Knowstone and a minute's silence was observed. Mrs Spottiswood's funeral had taken place the previous day.

19/129 Apologies for absence – Cllr D Maidment, C/Cllr J Yabsley

19/130 Declarations of Interest (re. matters appearing on this agenda) – Cllr Pomfret declared an interest with reference to agenda item 7(a).

19/131 Approve Minutes It was RESOLVED to accept the minutes of the meeting held on 28th January 2020, Cllr Howe proposed, Cllr Filmer-Bennett seconded, all agreed.

19/132 Correspondence (not covered elsewhere on the agenda)

- Email dated 25.01.20 from Office of the Police and Crime Commissioner re. Devon & Cornwall PCC Alert - Helping you to keep your community safe;
- Emails dated 03.02.20 & 11.02.20 from DCT re. Affordable housing in Knowstone;
- Email dated 07.02.20 from Highways Maintenance Team re. Drainage Maintenance Responsibilities;
- Came & Company Local Council Insurance email newsletter dated 10.02.20;
- Letter received 17.02.20 from Selaine Saxby MP with posters and contact details - these had been put on the parish noticeboards and website.

Note any correspondence received after the preparation of the agenda.

- Email dated 20.02.20 - Invitation to Parish Councillors to become a Dementia Friend from Jenny Stevens, Care Homes Team Administrator, North Devon Care Homes Team (ND NHS Trust)
- Email dated 24.02.20 from Rural Services Network – Invitation to attend a Rural Strategy Road Show in March.
- Letter dated 20.02.20 from Crosse Wyatt with copy of letter from HM Land Registry re. Notice of application to register Easement – this will be discussed under agenda item 8.

19/133 Public Questions (*limited to 20 minutes*) **Standing Orders were suspended.**

The Chairman reminded the public that as a general rule they could only ask questions relating to items on the agenda. This is something that all councils abide by and prevents councils getting involved in discussions on issues without having given prior notice to other interested parties, via the agenda, who may wish to express an opinion.

a) Mr Kevin Robertson told the council that in connection with 23 acres of land for sale next to his property, a potential buyer had visited him and other neighbours asking how he would feel about chicken sheds being put in the field. He wanted to ask the Council, can they do that and where does he stand? He has been told that they can put sheds in the field. In response Cllr Howe gave a brief outline of the problems at East Anstey where large concrete pads had been created and chicken sheds erected without planning permission which caused an outcry for various reasons. North Devon Council's planning committee turned down a retrospective application for the work and it has gone to appeal to the Planning Inspectorate. Planning permission is required for sheds, stables etc and if they are put up without permission they will be subject to an enquiry from the Planning Enforcement officer at NDC. The Chairman said he would ask D/Cllr Ley about the general principles under his report later in the meeting.

b) Mr David Morgans asked what the Council's policy is regarding planning applications that are received after the preparation and publication of the agenda where a response is required prior to the next meeting? It was explained that it depends on the nature of the planning application – if it was sensitive or controversial then an extension for a response would be requested and a special council meeting would be convened. If it was non-controversial and straightforward it would be discussed straight away at the meeting or powers delegated to Cllr Howe to make a site visit and draw up a response on behalf of the Council. The Council relies on members of the public to bring any sensitive planning issues to its attention.

c) Mrs Rosemary Newton asked whether Knowstone Parish Council would consider writing to North Devon Council to ask if its policy had changed regarding the occupancy of affordable houses as she was aware that some of the recently built affordable houses in South Molton had been let to people from outside the area? D/Cllr Ley explained that local people should get first pick but Central Government policy dictates that families in the most

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need, irrespective of where they come from, have to be accommodated. Mr Morgans asked whether that was in the Local plan or is it still the cascade system. Cllr Ley said that any social housing for rent had to follow government policy. There is also an intermediate scheme whereby occupants can own a percentage of the property and rent the rest. It was stated that there were not enough local South Molton people who fulfilled the criteria to occupy all the houses that had been built.

Standing Orders were resumed.

19/134 Finance

a) Financial Report – Nothing to report. The accounts and bank reconciliation to date which had been previously circulated were REVIEWED.

b) Accounts to settle:

- Wendy Sweet – pay (£179.92) & expenses (£3.22) £183.14

It was RESOLVED to settle the above account, Cllr Moore proposed, Cllr Barrett seconded, all agreed.

c) It was RESOLVED to make a donation of £50 to the North Devon Archive, proposed by Cllr Barrett, seconded Cllr Howe, all agreed. Cllr Barrett pointed out that it is a resource that was used to research HMS Eggesford and the Clerk reported that it was where she planned to archive old Parish Council minutes.

19/135 Planning

a) Applications notified since last meeting:

Ref. 71091 - Erection of one stable block (comprising three stables), East Crosside Farm, Knowstone. Cllr Howe reported that he had visited the site and had been shown the proposed siting of the set of three stables, which was on the same spot as where the previous stables, which had fallen into disrepair, had been. This is a non-controversial application, for private use, which was supported by all the neighbours. Cllr Howe proposed that the Council supports the application, seconded Cllr Filmer-Bennett, all agreed with Cllr Pomfret abstaining (due to his being the applicant).

b) It was NOTED that the following applications were awaiting NDDC decision:

- **71040** - Change of use of part of agricultural land to domestic curtilage together with construction of outdoor swimming pool (Part retrospective), Ford Farm, Knowstone;
- **71095** - Prior notification for erection of one agricultural storage shed, Ford Farm, Knowstone;

c) Applications received after preparation of the agenda - None

19/136 Middle Hill Farm – update on application received from HM Land Registry to register easements or other rights. Cllr Moore outlined the background to the application. The track has been used for the last 20 years by the previous owner. The new owner wants to have certainty over his ability to use the track. No-one on the council has ever intimated that it would not continue to give its permission for the track to be used. The Chairman and the Clerk had been to see the solicitor at Crosse Wyatt as the Council wanted to be sure that it was not giving away rights that it might regret in future years. The solicitor wrote back to HM Land Registry to say that information supplied by applicant was incorrect as the previous owner said they had had no contact with the council and was using the track without permission.

A response has been received from HM Land Registry and the situation is that the Council either agrees to negotiate with the applicant or not. If the latter and the applicant pursues the application it would go to a tribunal. Cllr Howe was concerned that the new owner might look to the Council to improve the surface of the track which was in poor condition. He said that he had had some contact with the previous owner when they phoned him to report fly tipping which had taken place on the lane. There was a definite understanding that it was not their lane; they just had permission to use it.

After some discussion it was AGREED that the Council was prepared to negotiate with the applicant to try to come to a mutually agreed position, Cllr Filmer-Bennett proposed, Cllr Moore seconded. If this resulted in the Council granting a deed of easement it would look to the applicant to recover costs. It was also pointed out that the Council needs to make sure that it is made clear that the track is used at the property owner's own risk.

Further discussion on this matter will take place at a future meeting.

19/137 East Hill Farm – Cllr Filmer-Bennett stressed the urgency of the trust being formed in order for the Council to take ownership of the land. Cllr Howe will take his ID into Crosse Wyatt. It was AGREED to ask Stephen Gowing

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at Crosse Wyatt to come and speak to the next Council meeting to explain how the Trust would work and its duties etc.

19/138 Third Party Reports (if present):

a) **District Councillor** – Cllr Ley was asked hypothetically if someone buys a field for a chicken farm what would need to have planning permission. Cllr Pomfret gave some more detail about the hypothetical chicken farm near Mr Robertson's and his own property. The chickens would be for egg production which would involve two lorries per week collecting eggs and prior to that there would be construction traffic. It was felt by the nearby residents that a lot of construction would be needed to make the land suitable to get traffic in and out as it is on a slope. Potentially a new entrance would have to be created which Cllr Ley said would need planning permission. With regard to a building in a field – if it is an ordinary shed and the landowner has a holding of 5ha or more they can put up a building of up to 1,000 square metres without permission. This is government policy. The caveat is that if the building is for the housing of livestock and if less than 400m from a residential building it would need planning permission. If or when a formal application is submitted it will be discussed more fully. Cllr Pomfret said he would phone the prospective buyer to let him know that the neighbours are not happy about the idea. He will do this as a private individual not in his capacity as a Parish councillor or expressing the view of the Parish Council

With reference to the East Hill affordable housing a housing survey would be undertaken and anyone identified in that would have first option. The town scenario mentioned earlier is a different situation. Housing Associations have to abide by the national rules. For the new builds in South Molton anyone on the housing list would be the first priority but as so many have been built they are then open to the national points system like any empty social housing would be.

Cllr Ley mentioned a situation in East Anstey which may, in the future, require a letter of support from Knowstone Parish Council. They had S106 money amounting to £28,000 taken away from them by North Devon Council about 12 months ago because they did not have a community scheme to spend it on at the time, along with other parish councils in a similar position. It was minuted at a North Devon Planning meeting that the Council would endeavour to find resources to replace these funds.

b) **County Councillor** – not present

19/139 Members Reports

a) **Highways** – Cllr Filmer-Bennett reported that he had taken numerous photos of potholes in the parish and reported them online. Once the water has gone we will be able to see what condition the roads are in. Guidance has been issued by Devon County Council regarding who is responsibility for verges, drainage etc. and is looking to Parish Councils for assistance.

b) **Footpaths & Beaples Stone** – Cllr Pomfret reported that he had sent back the footpaths survey to DCC. The signpost by a stile in Knowstone is broken which he will try to repair in the next few days. Devon CC wants to install self-closing gates to replace stiles, at no cost to the landowners, and he listed various stiles for which he needs to know the landowners in order to contact them: between Shapcott Wood and field owned by Kingdom family, at rear of Enfield House, at lower end of field behind Enfield House, at each end of footpath from Knowstone sign towards Shapcott Hill to village centre, near house at Shapcott Barton.

c) **Police** – Cllr Moore gave a brief overview of recent crimes in and around South Molton. The main themes this month are dog fouling, domestic abuse and telephone fraud. The police also want to get the message across to the public that if anything that is unusual or suspicious is seen to please report it to the police, via 101 or their website. They do not send out acknowledgments but are very keen to receive any information.

There had been another accident recently near the end of Harpson Lane - a shunt involving several vehicles to which the police had been called.

d) **Parish Hall** – Cllr Filmer-Bennett reported that a very good beetle drive had taken place at the weekend. The next Film Night will be on 19th March with meal deal at the Masons Arms. Jobs have been started to be shared out amongst the committee. It now has a note taker which is great. There is a Working Group looking at development of the hall and kitchen. Pilates classes are about to start in the committee room on Thursday evenings. The Ridds who had done a good job in the churchyard have now undertaken some work in the hall 'garden'. Everything has been cut back which has created more room for parking.

e) **PCC** – Cllr Howe said that the Annual Meeting of the PCC had taken place the previous week and he was pleased to report that Mrs Michele Browse has taken on the role of Church Secretary. The PCC is moving ahead with the under pew heating project which will hopefully bring some people back into church. Services continue as

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usual – 8.30 a.m. communion on the first Sunday of the month, 11.15 a.m. Family Worship on the second Sunday of the month. The Good Friday Walk of Witness will start in the car park at 11.30 a.m. with a gathering up on the moor at midday.

f) **Potential Air Ambulance night landing site** – Cllr Moore reported that he and the Clerk had met with Toby Russell from DAA that morning at East Hill. The feeling was that it could be made to work. It is not as big as he would like and the slope would need to be levelled. There is a budget within Devon Air Ambulance to cover things like that. The next step is that he will bring out his safety expert to have a look at the site in the next few weeks. The upside would be the benefit to the community as it would make it more useable. It is in a good position as near the highest density of population in the parish, the church and hall etc.

19/140 Provisional arrangements for the Annual Meeting of the Parish on Tuesday 26th May. Cllr Howe reported that the date is in the MP's diary. She will make every effort to be there although Parliamentary demands may have to take precedent. At the last Moors Management meeting Cllr Moore had floated the idea of someone from the Association giving a talk at the Annual Meeting about what they do, who owns the moors and the work that goes on etc. and this had been agreed. If the East Hill site is deemed to be suitable it is hoped that Toby Russell may also be able to attend the meeting.

19/141 Business at the Chairman's discretion – no decision making to take place during this item

It was confirmed that Cllrs Moore, Filmer-Bennett, Howe and Pomfret were booked to attend the Planning Seminar on 16th March and that the Clerk will confirm the timings to them via email.

19/142 The date & time of the next meeting was confirmed as Tuesday 24th March 2020 at 7.30 p.m.

The meeting closed at 20.57