

**Minutes of the Meeting of the Council held on 28th January 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), 18 x members of the public, D/Cllr E Ley, C/Cllr J Yabsley (part)

Before the meeting formally started, Cllr Howe said a few words about Lesley Smith, MBE, formerly of DALC who had recently died. Lesley had been a mine of information and when he was Chairman of the council he had called on her for guidance. He had valued her knowledge and helpfulness.

**19/116 Apologies for absence – Cllr D Maidment**

**19/117 Declarations of Interest** (re. matters appearing on this agenda) - None

**19/118 Approve Minutes** It was RESOLVED to accept the minutes of the meeting held on 26th November 2019, after amending item 19/113(f) line 11 to read “Ernest BOWENS” not “Ernest Bowers”, Cllr Howe proposed, Cllr Barrett seconded, all agreed.

**19/119 Correspondence** (not covered elsewhere on the agenda)

- Email dated 27.11.19 from Devon Countryside Access Forum seeking new members;
- Email to and response from South West Water re. mains drainage connection;
- Email dated 9.12.19 from Batsworthy Cross Wind Farm CBF re. Updated Fund Criteria;
- Email dated 12.12.19 from Environment Agency re. Whitemoor Equestrian Centre;
- Email dated 18.12.19 re. An Invitation from the Office of the Police & Crime Commissioner;
- Email dated 19.12.19 – Highways Update from DCC;
- Email dated 10.01.20 from Rural Housing Enabler at DCT with publicity information about the Housing Needs Survey for East Anstey, West Anstey, Knowstone and Molland. It was reported that posters have gone up about this to encourage as many people as possible to complete and return the survey.
- Email dated 16.01.20 from Cllr G Bell re. Parish & Town Climate Emergencies;
- Email dated 17.01.20 – Parish Online News & Update;
- Email dated 18.01.20 from NDC – Climate Action week;
- Email dated 20.01.20 re. Devon County Council (Traffic Management) Permit Scheme Order 2020;
- **Note any correspondence received after the preparation of the agenda.**
- Email dated 25.01.20 from Gerrard Sables re. Right to Travel meeting on 29<sup>th</sup> February;
- A letter from HM Land Registry had been received via former Chairman of the Council, Mr Morgans, regarding an application to register a right of way over the track to Middle Hill Farm by the owner of the farm. In the past the council has given permission to the owner to use the track. It was felt that the Council needs to seek legal advice as it does not want to grant rights to someone without fully understanding the situation. It was RESOLVED to delegate powers to the Chairman and Clerk to get legal advice from Crosse Wyatt and circulate feedback to the rest of the Council, Cllr Moore proposed, Cllr Stanbury seconded, all agreed.

**19/120 Public Questions – Standing orders suspended**

(a) Mr Morgans stated that the documents from HM Land Registry should not have been sent to him in the first place and this should be pointed out to them. He was concerned that it was an application to register the land to the owner of Middle Hill Farm which was different to an agreement to cross the moor. He was also concerned that it might mean that commoners could not pass across the land. He said that in the past the Parish Council used to write regularly to the owner of the farm informing them that the Council did not object to their right of access.

(b) With reference to agenda item 6 (e) – Beaples Stone – Mr Morgans said he was prepared to try and clean it as he felt that paint would not last very long.

**Standing orders resumed**

**19/121 Finance**

a) **Financial Report** The accounts and bank reconciliation to date and expenditure to date against budget, previously circulated were REVIEWED. The Clerk said there was nothing to report other than to NOTE receipt of £2,628 from Haresdown and Knowstone Moors Management Association.

b) Accounts to settle:

- |  |         |
|--|---------|
| • Wendy Sweet – pay (£129.03) & expenses (£1.23) | £130.26 |
| • Wendy Vigus – website updating                 | £51.00  |

- Knowstone Parish Hall – donation / meeting room rental £200.00
- Parish Online renewal £36.00 (inc. VAT)
- St Peter's - grant for graveyard upkeep £200.00

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

c) **Draft Budget 2020/2021** The Chairman reported that preliminary talks had taken place regarding the proposed budget which included all the regular expenses like the clerk's salary and expenses and website administration etc. The larger items included things like improving the website which the chairman would like to happen in the coming financial year. The Contingencies budget includes the expense of possible by-elections, gritting and a figure to cover the unknown costs that the East Hill project may generate. It was RESOLVED to adopt the draft budget as previously circulated, Cllr Howe proposed, Cllr Barrett seconded, all agreed.

The clerk informed the Council that the provisional precept figure submitted to North Devon Council was £4,076 which was the total amount received last year in precept and grants and this gives a Band 'D' Council Tax precept of £40.67. It was RESOLVED to set the precept at this amount, Cllr Moore proposed, Cllr Stanbury seconded, all agreed.

d) Quote received from Richard Grant Memorials for repainting inscription on stone at Beaples Stone at a cost of £95.40 plus VAT. Cllr Pomfret reported that when he had previously looked at the stone he could not read the wording and felt it needed cleaning, scraping out, repainting and sealing. Richard Grant Memorials are able to undertake the work in situ. It was RESOLVED to instruct Richard Grant Memorials, Cllr Pomfret proposed, Cllr Filmer-Bennett seconded, all agreed. The Clerk will write to them giving them the go-ahead for the work.

**19/122 Planning Training** It was RESOLVED that the Clerk and Cllrs Howe, Moore, Filmer-Bennett and Pomfret will attend DALC's Planning seminar on 16th March 2020 at the Amory Centre, South Molton at a cost of £40.00 (plus VAT) per delegate, Cllr Moore proposed, Cllr Pomfret seconded, all agreed.

#### **19/123 Planning**

a) **Oaklands Chicken Farm, East Anstey** – Cllr Howe stated that despite its importance there will not be any discussions with an inspector and after all these months it is very worrying that a decision has not yet been made.

b) **Applications notified since last meeting** - None

c) **Applications determined since last meeting**

- (i) **Ref. 70687** - Conversion of mixed residential and agricultural barn to full residential occupation - West Hill, Knowstone EX36 4RT - approved
- (ii) **Ref. 70688** - Change of use of land together with construction of manege with perimeter fencing for private use at West Hill, Knowstone EX36 4RT - approved
- (iii) **Ref. 70603** – Prior approval for change of use of agricultural building to a dwellinghouse (Class Q (A&B), Roachill - approved

d) **Applications received after preparation of the agenda**

(i) **Ref. 71040** – Change of use of part of agricultural land to domestic curtilage together with construction of outdoor swimming pool (Part retrospective) at Ford Farm, Knowstone. Cllr Howe reported that he has been trying to make contact with the owner in order to go and have a look at the proposed work. As a response is needed by North Devon Planning Department by 14th February it was RESOLVED to delegate authority to Cllr Howe after he had made a site visit and emailed all councillors with his view, Cllr Moore proposed, Cllr Filmer-Bennett seconded, all agreed.

e) **Pre-Application Presentation** by Mr Geoff Clapp re. small scale development of a parcel of land in Roachill.

Cllr Moore read out guidelines for councillors regarding pre-applications stating that councillors needed to abide by the code of conduct as well as avoiding expressing any detailed opinion or prior view that could be considered as predetermination. Councillors could ask questions if further clarification was needed.

Mr Clapp said he had previously lived in Roachill for 20 years and wanted to outline his thoughts before putting in a pre-application regarding the strip of land in Roachill. He requested that Mike Kelly spoke on his behalf. Mr Kelly explained that he used to be the Chief Planning Officer at North Devon Council and is acting as an advisor to Mr Clapp. This presentation was a precursor to a pre-application being submitted and they were at the meeting to hear the view of the parish.

The starting point for making a decision on a planning application is the Local Plan which covers 2011 – 2031 about which every parish council in the area had been consulted. Knowstone Parish Council's response dated 18.12.13 was referred to. Knowstone is categorised as a small village incorporating the 3 settlements and outlying farms. The policy allows for development that meets a local social and economic need which could include local needs housing on a scale appropriate to the size of the settlement, which is currently 15 dwellings. Sitting above the local plan is the

*Approved*

National Planning Framework (NPF). In order to deliver social needs housing open market housing is allowed in order to cross subsidise it. At the time of the Local Plan consultation KPC wanted small village settlement status but this was not granted. NPF recognises the need for a development to be financially viable. Their ideas reflect what KPC was saying back in 2013 in its consultation response which identified a wish list of community facilities – a playground, recreational facilities, creche, car parking for the village hall. The scheme application will be subject to consultation with various departments including Highways, and the financial benefits of the scheme would be delivered through a S106 agreement for offsite infrastructure. The Parish Council can say if the area needs something else and that can be discussed. At this stage it is just an indicative scheme and he and Mr Clapp were open to questions and ideas. They will be submitting a pre-application enquiry, which is not as in depth as a full application, to which the Planning Department would respond with an indication of whether it would be approved. The plan is for two open market bungalows and two self-build properties. They are pleased to be doing it in the context of the feelings of the council from previous years. Councillor and members of the public were invited to ask questions.

Cllr Stanbury asked whether there would be one entrance or four? Mr Kelly replied that there would be disciplined access according to Highways requirements - probably one. There is nothing drawn up at the moment – it would be whatever would work in terms of highways safety. Cllr Howe expressed his appreciation that Mr Clapp and Mr Kelly had come along to the meeting to share their ideas and stated that it would be appreciated if anyone who wants to do something with their property within the parish came along to a meeting so that councillors were aware of what is going on.

The Chairman said that the Council does not have a strong enough view at the moment to be able to comment but was delighted that they had come to talk to the council and thanked them for doing so. There would be discussions about it at a future meeting.

Cllr Pomfret asked in terms of the Local plan whether there is currently a procedure/timetable when local plans are reviewed and was informed that it is done every 5 years.

**19/124 East Hill Farm** – The Clerk reported that she is still trying to track down the deeds to the common owned by the council at the request of Crosse Wyatt. It was reported that has been no interest in the properties that are for sale at East Hill. Three of the four councillors who will be trustees of the land at East Hill have been to Crosse Wyatt so far to have their ID verified.

#### **19/125 Third Party Reports** (if present):

a) **District Councillor Eric Ley** commented that the Oaklands Chicken Farm planning appeal is taking a ridiculous length of time to be concluded. As a key part of the objection is that the location of the chicken farm makes the nine affordable houses unviable he expressed concerns about the Housing Needs Survey being carried out before the Inspector makes a decision. With reference to Planning Training for councillors he was of the opinion that the Council would be better off investing in a hard copy of the Local Plan and the National Policy framework.

b) **County Councillor Jeremy Yabsley** reported that the recent bad weather had shown up the problems of Highways drainage. Secondary roads are not being gritted. The policy is that after three nights of temperatures being below 3 degrees they grit the secondary routes and one road into each village but this had not been done. There have been drainage and contractor issues, particularly where new houses have been built and the MP is involved. He said he is having sessions with officers on highway contractor failure and lack of resourcing. It is very frustrated and a group has been formed to try and push some these issues up to the leadership.

#### **19/126 Members Reports**

##### **a) Highways**

(i) Lorries through Roachill/Whitemoor Equestrian Centre - Cllr Filmer-Bennett reported that after writing to the Environment Agency to complain about the treatment of the roads and hedgerow due to the spoil being carried to Whitemoor Farm, they had replied with the information that it is a 90,000 ton site which they are approximately halfway through filling. The EA have made site visits. They have stopped CC Haulage from using the route through Roachill. The operator is now using a 'wet' road sweep to clean the road after every delivery. Historically County Councils have to approve the dumping of waste and Cllr Yabsley reported that he has a request in with Enforcement to see if there is planning permission at the site.

It had been bought to Cllr Pomfret's attention that they have applied for a goods vehicle licence for themselves. According to the Traffic Commissioner's website the applicant has to put an advert in a local paper for 21 days. An advert was put in the December issue of 'The South Molton News' which has a readership of 5,000 based on industry standard calculations (1200 copies approximately sold a month) and it had taken until 21st December before anyone in E Anstey had seen it. The licence application is still under consideration. If granted the Council will have to see what, if any, impact that has on traffic.

(ii) East Knowstone signage – There is great frustration over this issue as it is well over 18 months since it was agreed that the sign would be amended. The Council has written to the County Councillor responsible for Highways but no response or acknowledgment has been received. What should be the course of action next be - talk to the leader of Devon County Council? C/Cllr Yabsley explained that a senior Highways officer was overruled by his junior officer. The policy and rules have been checked and the senior officer has withdrawn his approval. The problem relates to changing a positive sign to a negative one. C/Cllr Yabsley will go back to Highways and establish what is possible. A resolution to contact Tom Vaughan will be produced for the next meeting by Cllr Filmer-Bennett.

(iii) State of the roads In a lot of places the main surface of the road is cracking up and Cllr Filmer-Bennett said he will report all defects around the parish online but he would like to arrange a meeting with Highways Officers to walk round the parish with him. C/Cllr Yabsley will do his best to get an officer on site including Tom Vaughan. Cllr Howe asked if the County Council is responsible for cleaning road signs. In the past the Highways Agency would clean signs on the roads. The County Council requires landowners to cut back overgrowth that is covering signs but it does not clean them. C/Cllr Yabsley said that Witheridge Parish Council cleans its own signs.

(iv) Cllr Stanbury requested that a letter of thanks is sent to Mr & Mrs Siggs who cleaned an outside drain in East Knowstone.

b) **Footpaths & Beaples Stone** – Cllr J Pomfret reported that he has another three weeks to complete the footpaths survey and has walked all footpaths except two. They are generally in reasonable condition given the state of the weather. Devon County Council would like to replace stiles with self-closing gates where possible at no cost to the landowner. He would appreciate receiving contact details of owners whose land footpaths cross within the parish so he can make contact. On a number of stiles he has fixed metal plates on the wooden steps to prevent slipping. The damaged Two Moors Way sign near Roachill has been replaced and is now clear and easy to read.

c) **Police** – Cllr Moore gave a brief overview of recent crimes in and around South Molton. The main theme this month is advice about driving safely in poor weather. An email had been received from OPCC regarding their Engagement Officer who is available to come to Town and Parish Council meetings to give a talk. This could be quite interesting and a possible speaker for a future Council meeting or Annual meeting of the Parish. The new MP will be coming to speak at this May's meeting.

d) **Moors Management** – Cllr Moore had not been able to attend the last meeting. Cllr Stanbury, chairman of the Moors Management Association, said that the Parish Council must substitute a replacement member to attend meeting, particularly the AGM which needs a quorum of six members. Litter/dog bins were discussed and thought not to be a good idea in conjunction with Devon Wildlife's views.

e) **Parish Hall** – Cllr Howe reported that he has handed over the chairmanship of the Hall committee to Cllr Filmer-Bennett. A sub-committee has been formed to look at the facilities, in particular the kitchen. Creating a new kitchen will be dependent on getting finance from the Batsworthy fund. There are a number of events planned throughout the year which will be advertised on the website. The next few events are: Thursday 6th February Film night showing Downton Abbey, 7.30 start, coffee morning on Wednesday 12<sup>th</sup> February and beetle drive on 22nd February with hot food.

f) **PCC – Cllr Howe** reported that the PCC's AGM will take place in February. The most impressive thing recently undertaken had been the complete makeover of the churchyard which had been organised by Tim. It is looking very neat and is much better for relatives attending graves. Within the next couple of days a builder will be going on to the roof to check a small leak. There had been a good carol service and the Christmas bingo had been very well supported. With regard to the planned under pew heating, insufficient information was passed to DAC for the faculty which has held things up but this is now being corrected. Cllr Stanbury added his thanks to Tim and said that his family greatly appreciated the work that had been done in the churchyard.

g) **Snow Warden** – Cllr Stanbury reported that he had ordered grit via the Clerk but it was not needed after all and the delivery, which had arrived with no notice, had been turned away.

h) **Potential Air Ambulance night landing site** – Cllr Moore reported that the Council was waiting for a date from Toby Russell for an informal site visit to East Hill.

**19/127 Business at the Chairman's discretion** – none

**19/128 The date & time of the next meeting**, 25th February 2020 at 7.30 p.m. was confirmed.

The meeting closed at 21.15

*Approved*