

NEWTON POPPLEFORD AND HARPFORD PARISH COUNCIL

Minutes of a Meeting of **Newton Poppleford and Harpford Parish Council** held at The Pavilion, Back Lane, Newton Poppleford commencing at 7.30pm on Monday, 29th April 2024.

Present: Cllrs. Carpenter, Compton, Dalton, Lipczynski, Malawana, Tillotson, Tribble (Chair) and Walker
In attendance: Jacqui Baldwin, Clerk
 District Cllr. Burhop
 County Cllr. Bailey
 Ted Swan, Honorary Footpath Warden
 8 members of the public

Before opening the meeting Chair informed attendees of the fire regulations and evacuation procedures and reminded everyone that an audio recording is made of all Council meetings.

		Action:
23/123	To consider apologies for absence and approve if accepted:	
	Chair proposed that apologies received from Cllrs. Bisseker, Harrison and Hughes be accepted and approved. Seconded by Cllr. Malawana and resolved unanimously.	
23/124	Declarations of interest from members / Dispensations afforded:	
	All members present are, by definition, members of the NPPFF Trustee Board and declare a personal interest in that capacity. Cllr. Tillotson was afforded a dispensation to discuss and vote upon matters pertaining to Parish allotments at the Annual Meeting of Council held on 22 nd May 2023. This dispensation applies until May 2027 (unless rescinded prior to that date) and is afforded in respect of her personal and disclosable pecuniary interests as an allotment tenant.	
23/125	To consider any matters listed on this Agenda that Councillors believe should be dealt with as confidential business as per the provisions of The Public Bodies (Admission to Meetings) Act 1960. Chair proposed that Agenda item 23/131C be dealt with in committee due to the confidential nature of the proposal to be discussed. Seconded by Cllr Dalton and resolved unanimously.	
23/126	To consider and, if thought fit, approve the Minutes of the Council's Ordinary Meeting held on 25th March 2024 as previously circulated to members. Chair proposed that the Minutes be approved as drafted. Seconded by Cllr. Carpenter and resolved with 7 votes in favour and one abstention. To consider any Matters Arising from those Minutes: Tree Survey – due to the poor weather the Tree Survey has not yet taken place. Burrow Flood Modelling Exercise – a number of Burrow residents attended the consultation on 26 th March and provided DCC with feedback on the computer model. Live Streaming – Chair confirmed that Al Findlay had been consulted and the costs of live streaming Council meetings would be prohibitive. MUGA advertising – advice received from EDDC on planning requirements was not particularly helpful.	
23/127	To consider and review the Minutes of the Council's Finance Committee meeting held on 22nd April 2024 as previously circulated to members.	

	<p>To consider any matters arising from those Minutes not dealt with elsewhere on this Agenda:</p> <p>a) MUGA maintenance Chair advised that quotations were being sought for the annual maintenance of the MUGA as recommended by the surface manufacturer.</p> <p>b) Increase in Allotment rental charges Cllr Tillotson said that following the Finance Committee she had reconsidered the proposal to increase Allotment maintenance/water charges to £6 per annum for each quarter plot. In view of the costs of servicing machinery and buying fuel, skip hire and maintenance of the water pumping system Cllr. Tillotson proposed that the maintenance/water charges be increased to £10 per annum making a total charge per quarter plot of £20 per annum from 1st April 2025. Seconded by Cllr. Walker and resolved unanimously.</p>	
23/128	<p>Correspondence received:</p> <p>a) Exmouth & District Community Transport Acknowledgement of grant received.</p> <p>b) Otter Trail Group As resolved at the March Council meeting a letter in support of the Otter Trail project had been sent to EDDC. An email has been received from the Otter Trail Group expressing thanks for Council's support.</p>	
	<p>Chair proposed that Standing Orders be suspended to allow the participation of members of the public in the following agenda item. Seconded by Cllr. Lipczynski and resolved unanimously.</p> <p>Cllr. Compton declared a personal interest in planning application reference 24/0512/FUL as an acquaintance of the applicant and stated his intention to abstain from the vote. Cllr. Compton also declared an interest in application reference 22/2779/PIP.</p> <p>Cllr. Tribble declared a personal interest in planning application reference 24/0422/FUL as an acquaintance of the applicant and stated her intention to abstain from the vote.</p>	
23/129	<p>Planning Matters:</p> <p>a) To consider planning applications received prior to publication: 24/0422/FUL – The Gardens, High Street. NP Cllr. Carpenter proposed that this application be supported conditional upon the approval of the EDDC Conservation Officer. Seconded by Cllr. Lipczynski and resolved with 6 in favour and 2 abstentions. 24/0449/FUL – Penshurst, High Street, NP Chair proposed that this application be supported conditional upon the applicants obtaining a permit to carry out the work from the Environment Agency. Seconded by Cllr. Walker and resolved with 6 in favour and 2 abstentions. 24/0512/FUL – Woodentop, Littledown Lane, NP Chair proposed that Council oppose this application for the same reasons that it had opposed a previous retrospective application for the same site, planning reference ref 22/2243/FUL, which was refused by EDDC on 1st August 2023. Seconded by Cllr. Lipczynski and resolved with 7 votes in favour and one abstention. 24/0641/FUL – Land at Back Lane, NP The applicants and their Agent were present and discussed various aspects of this proposed development with Councillors. Cllr.</p>	

	<p>Carpenter pointed out that, since the adoption of the Neighbourhood Plan, Council had never supported residential development on a greenfield site outside the Built-Up Area Boundary. To do so would set a dangerous precedent. Cllr. Tillotson proposed that Council object to this application as it contravenes policies of the Neighbourhood Plan. Seconded by Cllr. Walker and carried with 7 votes in favour and one abstention.</p> <p>Clerk to upload Council's comments on all planning applications to the EDDC Planning Portal.</p>	Clerk
	<p>b) To consider planning applications received after agenda publication: None received.</p>	
	<p>c) Planning determinations/decisions advised: 23/1067/FUL - Swallowfield Cottage, NP - Application withdrawn 24/0255/FUL - Waterleat, NP - Application withdrawn 24/0316/FUL - Fen Equestrian, Venn Ottery - Application withdrawn 24/0455/FUL - Parsons Close, NP - Approved with conditions 22/2779/PIP - Land at Down Close, NP - Appeal dismissed</p>	
	<p>d) Planning correspondence received: None received.</p>	
	<p>e) To note and respond to planning consultations received: None received.</p>	
	<p>f) To consider Council's Neighbourhood Plan Monitoring Report: Update circulated to Councillors in advance of the meeting.</p> <p>Chair proposed that Standing Orders be reinstated to preclude members of the public from any further participation. Seconded by Cllr. Carpenter and resolved unanimously.</p>	
23/130	<p>Financial Matters:</p> <p>a) To ratify April payments as approved by the Finance Committee as per documents circulated to members and published on-line. Cllr. Walker proposed that invoices in the sum of ££9,194.88 be approved for payment. Seconded by Cllr. Tribble and resolved unanimously. Clerk to note and action</p> <p>b) To consider and review Financial Year 2023/24 Reports as previously circulated to members and published on-line.</p> <p>c) To deal with matters pertaining to the End of Year Audit and Governance Return:</p> <p>i) To review and approve the Fixed Asset Register as at 31st March 2024 as recommended by the Finance Committee. Cllr. Walker proposed that the revised Fixed Asset Register be approved. Seconded by Cllr. Tribble and resolved with 7 votes in favour and one abstention.</p> <p>ii) To review and approve Internal Financial Controls as recommended by the Finance Committee. Chair proposed that this document be approved by Council. Seconded by Cllr. Walker and resolved unanimously.</p> <p>d) To note Reserve Funds and virements for the Financial Year 2024/25. Clerk confirmed the revisions to Reserve Funds as approved by the Finance Committee at its meeting on 22nd April.</p> <p>e) Questions to RFO from members of Council relating to these financial reports. None received.</p>	Clerk

23/131		BUSINESS TO BE CONSIDERED:	
	A	<p>To review extant Traffic Regulation Orders and consider whether to make a request for additions and/or revisions: Chair proposed that Standing Orders be suspended to allow members of the public to participate in the business to be discussed. Seconded by Cllr. Lipczynski and resolved unanimously.</p> <p>Prior to the meeting Councillors had been sent a link to an interactive map showing all TRO's in the parish.</p> <p>A resident of Brook Meadow stated that traffic restrictions in this road had been altered following roadworks and, for safety reasons, should be restored. Brook Meadow is frequently used as parking by customers of the local shops. Cllr. Dalton pointed out that, with parking restrictions having increased in recent years, there are now very few places for residents and visitors to park.</p> <p>Cllr. Burhop advised that the East Devon Highways and Traffic Orders Committee requires a request from the Parish Council for any proposed revisions or additions to parking restrictions in the parish. Any such proposals should be put to the committee by September in time for the annual review.</p> <p>Cllr. Carpenter proposed that Councillors should take some time to review the map and put forward any suggestions for additional restrictions and/or amendments to the June Council Meeting. Seconded by Cllr. Lipczynski and resolved unanimously.</p> <p>In the meantime, Cllr. Bailey stated that she would be happy to arrange a site visit to Brook Meadow with Mike Brown from Highways to meet and discuss the situation with residents. Cllr. Bailey was asked to progress this.</p>	
	B	<p>To note the contents of the Annual RoSPA Play Safety Inspection Report:</p> <p>Clerk advised that arrangements are being made for the necessary repairs to be carried out.</p>	
	C	<p>To consider a recommendation from the Finance Committee that Council instruct a specialist property barrister to provide written advice on matters pertaining to the former surgery building:</p> <p>Dealt with at Agenda item 23/135.</p>	
	D	<p>To consider entering into a Licence Agreement with DCC for the planting and maintenance of the grass bank in School Lane.</p> <p>Chair advised that in 2021 the former Clerk had opened discussions with DCC about transferring this piece of land to the Parish Council. At the request of the Climate Change Group the Clerk recently contacted Mike Brown who suggested that, given the legal and other costs associated with the disposal of land of minimal value, the granting of a long-term licence to cover this situation would be the simplest way forward. The Climate Change Group would like to tidy and plant up the area. Clerk confirmed that DCC would not charge a licence fee in this respect.</p> <p>Chair proposed that the Clerk be tasked with completing the formalities on behalf of Council. Seconded by Cllr. Walker and resolved unanimously.</p> <p>Clerk to note and action.</p>	Clerk
	F	<p>To discuss matters pertaining to the Public WC in School Lane Car Park.</p> <p>Chair stated that Council needs to reach a conclusion on this matter. A number of proposals have been put forward and discussed at length and responses to requests for public engagement have been minimal. Chair therefore requested that any Councillor wishing to put forward a proposal to be formally voted on should provide the Clerk with the wording of the motion no later than 7 days prior to the Council meeting to be held on 20th May. All</p>	

	<p>proposals will be debated and voted on at that meeting so that a final decision on the way forward can be reached.</p> <p>Cllr. Malawana said that having sat through the arguments several times, this was a fair way to move forward. Cllr. Carpenter agreed, on the basis that there is clearly no consensus amongst members of Council.</p> <p>Chair confirmed that EDDC had advised that they would be supportive of Council retaining one toilet cubicle and re-purposing the remaining building. However, they would not allow Council to retain the building if there was to be no toilet facility.</p> <p>Clerk was requested to investigate whether there are rules governing Parish Councils holding public referenda.</p> <p>A member of the public present expressed the view that it would be a great shame for the public toilet facility to be lost and that Council should consider maintaining it but charging for use to mitigate cleaning costs.</p>	Clerk
23/132	<p>To consider matters viewed as urgent by presiding Chair for discussion only:</p> <p>None raised.</p>	
23/133	<p>Date of next Ordinary Meeting and Annual Meeting of Council</p> <p>Monday, 20th May 2024 at The Pavilion, Back Lane, Newton Poppleford immediately following the Annual Meeting of Council.</p>	
23/134	<p>At 8.40pm Chair proposed that, under the provisions of the Public Bodies (Admission to Meetings) Act 1972, the public (including the press) be excluded from the meeting as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be discussed. Seconded by Cllr. Dalton and resolved 7 votes in favour and one abstention.</p> <p>Cllr. Compton declared an interest in agenda item 23/135 and requested that the Clerk register his departure from the meeting at this point.</p>	
23/135	<p>Matters to be considered in committee session:</p> <p>To consider a recommendation from the Finance Committee that Council instruct a specialist property barrister to provide written advice on matters pertaining to the former surgery building:</p> <p>Cllr. Lipczynski proposed that the Finance Committee's recommendation be accepted and the recommended barrister be instructed. Seconded by Cllr. Tillotson and resolved unanimously.</p> <p>Clerk to note and action.</p> <p>Councillors discussed the instructions to be given to the barrister to ensure that Council receives advice on all aspects of this case including potential costs. Clerk to be provided with assistance in this regard.</p> <p>Councillors also discussed the content of an email received from Mr Compton which, at his request, had been circulated to all Councillors.</p>	Clerk

With no further business to consider, the Chair declared the meeting closed at 9.10pm.