

**MINUTES OF THE PARISH COUNCIL MEETING  
OF BUCKLAND BREWER PARISH COUNCIL HELD ON  
WEDNESDAY 10<sup>th</sup> JUNE 2015 AT 8:00 AT  
BUCKLAND BREWER SCHOOL**

**Members Present:** Mrs Barbara Babb, Mr George Heywood, Mr Jim Lowe, Mr Trevor Mills, Miss Sally Nicholls, Mrs Shirley Tilley and Mr David Watson.

**Also in attendance** 5 members of the public

**Parish Clerk:** Patrick Blossie

<b>KEY: Actions are shown in bold blue type    Decisions are shown in bold red type</b>
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**31. Apologies for Absence**                      Cllr. Robin Julian

**32. Minutes of the Meeting of the Parish Council on 13<sup>th</sup> May 2015:** The minutes of the meeting held on 13<sup>th</sup> May 2015 were confirmed and signed.

**33. Declarations of Interest**                      George Heywood in relation to item 52(b), Bowden Farm wind turbine and item 42, Galsworthy Wind Turbines. Also, Barbara Babb in relation to item 49 (b), termination terms for Mr B Chapple

**34. Public Participation**                      a. Margaret Sandon talked about the works recently completed by Western Power, which she said had not been properly advertised or explained and complained that the disruption had been “appalling”. She thought that the works were related to George Heywood’s application to erect a wind turbine but Councillor Heywood refuted this and Margaret accepted his explanation. Trevor Mills explained that the works were to install a new feed to the sub-station to improve the supply and reduce the likelihood of downtime. Jim Lowe had explained that Western Power’s original proposal would have caused far more disruption and would have effectively cut off the village for a month. b. Yvonne Hasler also questioned the purpose of the new cabling and asked if the contractor would be re-instating the verges. Trevor Mills explained that he and Barbara Babb would be meeting with the contractor at 2:00pm on 11<sup>th</sup> June (the next day) to agree on what works were required. He felt that some verges would need levelling and re-turfing Yvonne complained that the traffic lights had not been synchronised properly, She made a separate observation that this meeting had been advertised in Village Scene as starting at both 7:30 and 8:00pm.

**35. Co-option of One Additional Parish Councillor**                      Two nominations had been received for the vacant position, from Marie Douglas and George Schofield, both of whom gave a short presentation outlining their background and why they had put their name forward for co-option. It was agreed by 5 votes to 2 to co-opt Marie Douglas. Marie confirmed her agreement to the declaration of acceptance, which it was agreed would be signed at a later time, and Marie joined the meeting. Shirley Tilley and George Heywood offered their thanks to George Schofield for his continued hard work on administering the website

**36. Organization and allocation of Responsibilities for Cabinet Style Council:**

**a. Portfolios**                      **Following a discussion about the appropriate allocation of portfolios the following responsibilities were agreed unanimously:**

- i. Jim Lowe – Draft Plan and the Hillpark Development S106 Agreement**
- ii. Barbara Babb – Planning Applications**
- iii. Sally Nicholls – Thornhillhead Moor (jointly with GH), Fields and Allotments (jointly with Trevor Mills) and Village Hall Trustee**

- iv. **George Heywood – Thornhillhead Moor (jointly with SN) and Snow Warden**
- v. **David Watson – Community Support (inc. welfare, housing and transport)**
- vi. **Andrew Hewitt – Communications and External Liaison**
- vii. **Marie Douglas – Finance and Village Scene correspondent**
- viii. **Trevor Mills – Governance and Fields & Allotments (Jointly with Sally Nicholls)**

It was noted that these portfolios represent councillors' areas of interest and expertise. Each member would be expected to keep themselves up to date with developments within their areas, to report significant items to the Council and to work with the Clerk on projects where appropriate to relieve some of the pressure that would otherwise fall on the Chairman. Decisions would continue to be taken by the full council.

- b. **Sub-Committees** **Barbara Babb suggested that the Budget Review sub-Committee might now be unnecessary. This was agreed unanimously.** It was noted that additional budget setting meetings for the full council might be required. **It was agreed unanimously that the Personnel sub-Committee should continue as the annual Clerk's review would be dealt with as a Part II meeting with the public excluded. The representatives would be Trevor Mills, Shirley Tilley and Andrew Hewitt.**
- c. **Working Groups** **It was agreed that the Football Pitch Working Group comprising Trevor Mills and Sally Nicholls would continue for the time being.**
- d. **Amendments to Standing Orders** **It was agreed unanimously that it would not be necessary to incorporate any of these changes into Standing Orders, which it was also agreed would be re-adopted without any amendments.**

37. **Training Opportunities** a. **Sally Nicholls and Marie Douglas wish to attend the 'Effective Councillor' course in Fillingeh on 21<sup>st</sup> July 2015 (date to be confirmed by Marie after the meeting), which the Clerk will arrange.** b. **The Clerk asked for permission to attend a one-day course on Planning in Newton Abbot on 2<sup>nd</sup> July which was approved unanimously.** He will endeavour to share the cost of £145 + VAT with Frithelstock and Monkleigh Councils.

### 38. **Clerk's Report**

- a. **Correspondence:** A summary of 25 items of general correspondence had been provided. All of these had been distributed by email prior to the meeting. The following were specifically brought to members' attention:
  - i. **Devon & Somerset Fire & Rescue:** Offer to make a presentation by the Local Risk Manager – It was agreed unanimously to invite a representative to give a talk. The Clerk explained that Monkleigh Parish Council would also like a presentation and he suggested trying to arrange a joint public meeting. This was agreed unanimously and it was suggested that this should take place in the Village Hall on the 3<sup>rd</sup> Wednesday of either July or September
  - ii. **Armed Forces Day:** Invitation to raise a flag in support of Armed Forces Day, 22<sup>nd</sup> – 27<sup>th</sup> June 2015 – Noted
  - iii. **Get Up To Speed:** The Clerk was asked to invite the company to give a presentation at a future meeting

Jim Lowe noted that this was National Allotments Week and asked if the Council wanted to mark this in any way. No decision was taken. He also talked about the correspondence that had been received that indicated that Parish Councils would, in future, have more influence over wind turbine planning decisions.

- b. **Changes to Pension Legislation** The Clerk explained that a change in the law will require all employers, including those with only one employee and irrespective of the number of hours worked, to offer a company pension scheme. The 'staging date' for Buckland Brewer is 1<sup>st</sup> July 2017. The Clerk will keep members informed as more details are made available. Marie Douglas thought that it would be necessary to complete the process of establishing a pension fund scheme even if the Clerk wished to opt out of it.

39. **Local Government Boundary Commission: Consultation re Review of Devon County Council** David Watson noted that the recommendations would place Buckland Brewer within the Holsworthy Rural area rather than Bideford South and Hartland. Jim Lowe pointed out that the change would put into a predominantly rural area rather than a mixed urban/rural one and that this should be to the parish's advantage. **It was agreed that the Clerk would respond to the consultation supporting the recommendation on these grounds.**
40. **Defibrillator, including possible adoption of Telephone Box** A letter had been received from the Community Shop offering to site a defibrillator on the decking area outside the shop and this offer was accepted gratefully by all the members. Use of the telephone box was discounted as members noted that it is still being used on average 5 times per week. Members would like the opportunity to reconsider the option to adopt the box if and when BT decides that it should be decommissioned. The Clerk explained that the scheme would cost in the region of £1,500 to £2,000 including the machine, a heated box and electrical supply. Jim Lowe said that about £700 could be raised through a TAP Fund application and he offered to hold a Quiz Night that might raise another £300 or so. It was agreed that the scheme would be discussed further at the Annual Parish Meeting.
41. **Local Transport Services** Jim Lowe reported that the early morning/late afternoon Petroc bus had now ceased and that the 5 days a week service would drop to 2 or possibly 3 days from late June/early July. There appeared to be little enthusiasm among neighbouring parish councils for a joint summer bus scheme or any other joint venture. It had been discussed at an earlier meeting that a contribution could be made to Torridge Volunteer Cars. This organisation was now a registered charity and therefore it was proposed by Jim Lowe, seconded by Shirley Tilley and **unanimously agreed to approve a grant of £150.**
42. **Galsworthy Wind Turbines** There had been no further contact from the Planning Department. Jim Lowe suggested that the Parish Council had done all that it was within their power to do and no further action was taken.
43. **Babeleigh Barton Road** George Heywood said that he had followed a cyclist along this road recently and seen how hazardous it was. Sally Nicholls had cycled the route herself and she said it was "hair-raising". Jim Lowe suggested that DCC will eventually close it and that this subject was probably a suitable one for a question for Cllr Barry Parsons.
44. **Reinstatement Works by Western Power** A meeting had been arranged for 2:00pm on Thursday 11<sup>th</sup> June between Trevor Mills, Barbara Babb and a representative from Western Power's contractor, Kier, to agree any works that might be required. A letter had been received from Margaret Sandon but she had already spoken on the subject (see item 34, Public Participation).
45. **Obstruction in Back Lane and Use of Public Right of Way by Heavy Vehicles** The Clerk read out an email from the Public Rights of Way officer stating that the lane is designated as a footpath only and that the landowner should be required to undertake any remedial works, although his inspection had shown that they were probably not needed. He advised that any obstruction or misuse of the footpath could be subject to the laws of trespass. DCC did not want to take any further action. It was agreed that the Clerk would try to ascertain who was the landowner from the Land Registry and that he would also ask Bob Wilson to ask if he knew or if, in fact, he was the landowner. The Clerk will also write to Mr Nicholls about the obstructing vehicles.
46. **Thornhillhead Moor: Report on the Legal Framework for Common Land by Cllr. Sally Nicholls** Sally explained that this was not a straightforward subject. She had determined that the Parish Council's stewardship of the land was governed by the Crow Act, 2000, which was in its favour. She has been in touch with Nicola Harper of Natural England who has explained that, should we get any complaints about the use of the land, there is a disclaimer that can be used. She will be sending this to Sally shortly. It might mean that some additional signage will be needed to explain the Parish Council's rights. Trevor Mills said that the latches on the gates needed replacing as they don't meet. **George Heywood suggested that the Clerk should write to the fencing contractors saying that they were not fit for purpose, which he will do via Claire McIntosh.**

**47. Hillpark Development Update** Jim Lowe reported that all of the affordable houses had now been let with 5 of them going to families with links to Buckland Brewer and 1 to a family from Parkham. Five of the new families have babies due or young children that will attend the local school. Aster Housing had said that they had experienced some difficulty in finding applicants that could fulfil the local connection criteria and asked whether this could be extended to grandparents, siblings and aunts in any future s106 agreements.

**48. S106 Land and Community Hall Monies Transfer Update** Jim Lowe summarized the position regarding Pearce's additional clause in the transfer agreement regarding the access road. Steve Harding, on behalf of the Village Hall Trustees, had discussed the matter with Pearce's and he felt that the Village Hall had no option but to accept the clause. Jim pointed out that the s106 agreement did not require Pearce to build the village hall and he believed it might be necessary to refer the matter to Torrridge's solicitors to activate the agreement. Trevor Mills will be discussing the situation with Steve Harding tomorrow (11<sup>th</sup> June 2015).

**49. Fields and Allotments:**

**a. Report of the Football Pitch Working Group** Sally Nicholls had discussed the use of the field with Eric Tucker and had agreed a rate of £30 per acre for grass cutting between now and 1<sup>st</sup> November 2015, pending making a decision on the future of the football pitch. Eric had offered to take on the field rent free for 6 years if he met the cost of fencing it. Sally had turned this down and they had ended their meeting on bad terms. June Gaydon, who has a lease for archery, was not willing to take on responsibility for the whole field. Trevor Mills believed that there were people willing to take on the field for horses and said that temporary stables could be installed without the need for planning permission. The possibility of the archers transferring to the Playing Field was discussed. **It was agreed unanimously that the field would be put out to tender.**

**b. To consider termination terms offered by Mr B Chapple** George Heywood had inspected Brian's field and identified a number of things that needed to be put right before the lease could be terminated. It was noted that the terms of the lease would mean that any small farm payments would revert automatically to the Parish Council on termination. **The Clerk was asked to write to Mr Chapple offering termination of lease in September 2015 provided that the following works were carried out satisfactorily:**

- i. clean out all of ditch
- ii. clean out ditch and spread spoil as per environmental regulations and clear outlet from ditch and make sure water is entering and draining away down the outlet and not over the field or over top of the lane
- iii. steep and bank up hedge against playing field
- iv. make good and or replace stockproof fence against playing field
- v. repair stockproof fence where required on rest of boundary hedges
- vi. remove all round bales from field
- vii. reseed with clover based good quality grass seeds where round bales have killed grass and grass seed damaged area caused by machinery when removing round bales
- viii. to leave entrance gate to field in good operational quality and hung and working and swinging on sound gate posts and gate hangings and latching soundly
- ix. to trim all hedges or to reimburse parish council for cost of operation if hedge trimming time table regulation does not allow this to be done whilst tenancy agreement is still in place.

**c. Vacant Allotments** The Clerk reported that 4 allotments were currently vacant and that both the applicants on the waiting list had only recently moved into the area and wanted to wait until next year before committing themselves to taking one on. It was agreed that plots 8 and 12 were now ready for occupation by Lucy Dignam and Mario d'Agistino respectively. It was noted that one of the gate posts needs replacing. **The Clerk will ask Tom Lloyd to do it.**

**50. Agenda Items for Annual Parish Meeting, 24<sup>th</sup> June 2015**

Jim Lowe had supplied a number of question for Cllr. Barry Parsons but no-one else had submitted any so far. The closing date for submitting questions was 15<sup>th</sup> June. The agenda would comprise only the Chair's Address, the guest speaker, a discussion about a possible defibrillator and an open forum session. Refreshments will be served. **The Clerk will distribute a notice and agenda one week before the meeting.**

**51. Members' Reports**

**Barbara Babb** had received complaints about the state of minibus and the fact that there was no space between the seats for trolleys. Jim Lowe will supply Barbara with the DCC contact so that Barbara can either advise the complainants or contact them directly herself.

**Trevor Mills** was pleased to see that S W Highways had trimmed the banks.

**Sally Nicholls** reported that the Big Breakfast event was scheduled for the coming Sunday with half the profits going to the Community Hall project and half to the Devon Federation of Young Farmers.

**Shirley Tilley** said that the grass verges were getting too long and should be cut back.

**David Watson** had been to an event where superfast broadband had been discussed and had been told that there was no reason why Buckland Brewer should not get it.

**52. Planning**

- a. Application: 1/0154/2015/FUL, High View, Two storey extension to rear of dwelling (comprising leisure room / conservatory) – this item had been referred to the Plans Committee 4/6/15 as the applicant was an officer of the council. It had been granted permission
- b. 1/0508/2015/2015/FUL, Bowden Farm, Variation of condition 2 of planning application 1/0017/2013 revised infrastructure (substation, crane pad and turning head) – It was noted that this was a minor variation only to provide a slightly larger housing for equipment and was **supported unanimously**
- c. Decisions: i) 1/0305/2015/REM, Land adj. Ross House, Reserved matters pursuant to 1/0302/2014/OUT for design, parking provision, landscaping and scale – Granted Permission  
ii) 1/0474/2015/FUL, 8 Hillpark, Conservatory – Granted permission
- d. Enforcement: Occupation of Land at Eckworthy                      The Enforcement Officer had determined that there is unauthorised use of the land and had referred the matter to the Torridge Solicitor but no action had been taken yet as the solicitor is currently on leave. The Parish Council has been registered as a complainant and should be notified automatically of any action taken.

**53. Accounts:**

- i) Bank balances:
  - Parish Council Current Account was £11,536.08 as at 29<sup>th</sup> May 2015
  - Thornhillhead Moor Account was £12,053.70 as at 17<sup>th</sup> May 2015
- ii) Payments due (£721.61)
  - Parish Clerk's salary, expenses and associated PAYE: £303.11
  - South and west Internal Audi: £250.00
  - Buckland Brewer Village Hall, Hall Hire 23/3/15: £8.50

- TTVS, Annual Membership Fee: £10.00
- Torridge Volunteer Cars, Grant - £150.00

iii) Receipts (£25.00)

- Allotment rents - £25.00

**Date of Next Meeting:**

Parish Council: 8<sup>th</sup> July 2015 (Buckland Brewer School) (8:00pm)

**There being no further business, the meeting closed at 10:50 pm.**

**Chairman:** ..... **Date:** .....