

**MINUTES OF THE PARISH COUNCIL MEETING  
OF BUCKLAND BREWER PARISH COUNCIL HELD ON  
WEDNESDAY 11<sup>th</sup> MARCH 2015 AT 7:30PM AT  
BUCKLAND BREWER SCHOOL**

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

**Also in attendance** 7 members of the public, Maureen Biddulph (Torridge Volunteer Cars Scheme), Cllr. Robin Julian (DCC) and PCSO John McGovern

**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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**1428 Apologies for Absence** Kate Slocombe and Shirley Tilley. David Watson sent apologies that he would be late and joined the meeting for item 1445 onwards.

**1429 Minutes of the Meeting of the Parish Council on 11<sup>th</sup> February 2015:** The minutes of the meeting held on 11<sup>th</sup> February 2015 were confirmed and signed. An error on the draft referring to 'Monkleigh School' instead of 'Buckland Brewer School' had already been corrected.

**1430 Declarations of Interest:** George Heywood re items 1446 (i) and 1446 (iv), planning application re dwellings at Tower Hill. Trevor Mills re item 1446 (ii), planning application re Bearah Farm. Jim Lowe in respect of item 1446 (i), Tower Hill planning application and Barbara Babb in respect of item 1442, Fields and allotments.

**1431 Public Participation:** PCSO John McGovern reported that there had been no crimes reported in Buckland Brewer during the past 3 months. The Neighbourhood Team had been able to secure funding of about £1,000 for Speedwatch equipment, which would be used by Buckland Brewer School. There had been some instances of fuel thefts and shed/barn break-ins in North Devon and his team had been actively promoting vigilance and improvements in security measures. John also talked about Operation Jessica which had targeted a number of scams in the area.

**1432 Clerk's Report**

(i) **Correspondence:** A summary of 23 items of general correspondence was supplied to each member. All of these had been distributed by email prior to the meeting. The following item was specifically drawn to the Council's attention:

1. **DCC Scrutiny Survey** – a number of reminders had been received. The Clerk had suggested that members should complete their own surveys online if they so wished
2. **Message of thanks for grant from CAB**
3. **Jane Lowe:** Notification of resignation from Village Hall Committee. The Clerk had followed this up with a reminder to members about the requirement to repay S106 monies for the community hall development if the building was not completed with 10 years
4. **Phillips, Smith & Dunn:** email re sale of houses at Hillpark – see item 1439
5. **Jamie Hollis:** Pre-election period
6. **The National Plant Monitoring Survey:** The Clerk had registered on the website in an attempt to find out if there was a plot nearby but had not been able to get it to function properly. Members were asked to try themselves

## 7. Clerks and Councils Direct – to be lodged in the Information Point

Jim Lowe highlighted the information about how 4G installations were affecting Freeview transmissions.

- (ii) **May Elections:** The Clerk reported that he had nomination papers available for any prospective candidates for the May elections. These must be submitted in person to the Elections Officer by 4:00pm on 9<sup>th</sup> April 2015. A number of background papers have been prepared for the website and these should be uploaded very shortly.

**1433 Presentation by Maureen Biddulph: Torridge Volunteer Cars Scheme:** Maureen had been a member of the *Torridge Community Transport* team which had gone into liquidation on 31<sup>st</sup> January 2015. They had provided services for 2,500 passengers. She was now involved with a voluntary scheme called *Torridge Volunteer Cars*. They could provide transport in cars supplied and driven by volunteers to any local destination. There is no age limit on users. Charges are 45p per mile plus a £2 booking fee. Maureen said that the scheme would officially go live on 23<sup>rd</sup> March 2015. They were looking for more funding – including from parish councils and hoped that Buckland Brewer would be able to contribute. They are also trying to recruit more volunteer drivers and cars and asked the Council to refer people if it could. She believed that there are a number of people in the village qualified to drive a mini-bus. Her team is also support the *Ring and Ride* service (available by calling 01271 866762). George Heywood asked whether the new service could replace the summer bus and whether any contribution made by Buckland Brewer Parish Council would be earmarked for use by Buckland Brewer residents. Maureen said that they could only provide transport in cars and that she would have to discuss with her Trustees about earmarking funds.

**1434 Village Bus Services:** A meeting of the participating parish councils had been called by Bradworthy Parish Council to discuss the summer bus service. This will take place at 2:30pm on Thursday 19<sup>th</sup> March. The Clerk is unable to attend on that day but the Chairman will be accompanied by either Andrew Hewitt, Barbara Babb or both. Jim Lowe explained that it would cost £9,360 per day per annum to run the 372 mid morning and return service to Barnstaple and had suggested that, rather than cutting the service from 5 days to 2 (as proposed), whether only taking the service as far as Bideford would allow it to run more frequently. He also pointed out that, if the Petroc bus service was stopped and replaced by a coach service provided by the Education Authority it would mean that residents would also lose that service.

**1435 Babeleigh Barton Road:** Barbara Babb had passed on the information about the complaints procedure to the WI.

**1436 Stevenstone Hunt Meet: Request to hold the hunt annually:** An email had been received thanking the Parish Council for permission to allow the Hunt to meet at the village green. It had been very successful and the **organisers hoped that it could be held every year. This was agreed unanimously.** Members were pleased to note that the organisers had fenced off the green and had cleaned up after the event. George Heywood wished to thank PC Rowlands and PCSO John McGovern for their help on the day.

**1437 Thornhillhead Moor:** (i) **Fly-Tipping:** Andrew Hewitt believed that this was now all cleared.  
(ii) **Signage:** Andrew shared some photographs of the signage that is up at the moment. **It was agreed that the Clerk would contact DCC Highways to ask whether the road markings could be re-done.**  
(iii) **Sale of Entitlement:** Payment had been received of £131.30 + VAT re sale of the Small Farm Payment entitlement. **The transfer agreement was signed by Jim Lowe.** (iv) **Outstanding Invoices:** **The Clerk will check with Claire McIntosh whether any sums are outstanding for completed works by contractors.**

**1438 TAP Fund 2014/15: Vicar's Walk and other parish councils' grants:** The application had been successful. Work was already under way in Ashton's Row and the grant had already been received from TDC. Buckland Brewer's share of the grant is £718. The quote for Aston's Row amounted to £810, leaving £92 to be met from

parish funds. Grants to be forwarded to other parish councils were: Langtree, £739; Peters Marland, £174; Frithelstock, £331; and Monkleigh, £714. **It was agreed that a “DO NOT PARK” sign was needed. Andrew Hewitt will prepare a temporary laminated sign and he will ask Phil Slocombe to create a permanent one.**

**1439 Hillpark Development Update:** Based on information from Phillips, Smith & Dunn, Jim Lowe reported that all the phase 1 properties (20) had now been sold or their sale had been agreed. The developers were confident that all the houses would be sold by the autumn and they would not be pushing the sale of the phase 2 houses until next month. Jim Lowe also reported that all eight affordable houses would now be rented and that a deed of variation was being prepared to allow the housing association to borrow against the eight houses that it has bought.

**1440 New Community Hall Land Transfers Update:** Jim Lowe had heard from the Solicitors that the land transfer could happen very shortly. This would be subject to reaching an agreement with the Village Hall Trustees over the transfer of land and S106 monies for the new community hall, and the associated issues such as fencing. The Village Hall Officers are meeting on 12<sup>th</sup> March and will be discussing their funding and development options and presenting their views to the next full Trustees meeting on 18<sup>th</sup> March. The quotations for building the new hall that are currently on the table are somewhat higher than the funding that is available. Further funding options would not be available until the Village Hall Trustees own the land. Andrew Hewitt and George Heywood both said that it was a pity that Jane Lowe had resigned from her role as Liaison Officer. It was not known at this stage what impact that would have on the project. The S106 monies were discussed and the Clerk said that neither party should be considering an option that would entail repaying the money to the developer in 10 years' time as the money could not be safely invested at a high enough rate to repay the interest on it. George Heywood said that the rate of interest in the S106 agreement had never been discussed by any of the parties whilst it was being prepared. It was believed that the agreement used a standard clause and the rate was designed to encourage recipients to ensure that the monies are used for the purposes intended within reasonable timescales.

**1441 Missing Street Light: Ashtons Row:** It was noted that a new light needs to be installed but the supplier had said that this will not happen until next financial year. **Members were asked to consider the best place for positioning the new light.**

**1442 Fields and Allotments:** i) Gate post at entrance to the football pitch: Completed. Thanks were extended to Trevor and Richard Mills. ii) Report of the Football Pitch Working Group: Sally and Trevor had not had an opportunity to meet. However, Sally had spoken to the NFU who had confirmed that introducing grazing should not affect the Council's public liability insurance. This would entail fencing the field. **Sally Nicholls will talk to the archers to progress the matter further.** lii) George Heywood asked whether the issue of field tenants selling produce contrary to the terms of the leases had yet been addressed. **The Clerk said that he had not done that yet but would be incorporating it in a letter requesting the next half-yearly rents which is due to go out later this month.** iv) The Clerk reported that Darren Lulham had cancelled his lease of allotment plot 12 and that he had offered it to Mario d'Agistino from Hillpark subject to the plot being in a condition to be let. **Jim Lowe and Trevor Mills will check the plot and report to the Clerk.**

**1443 Snow Warden's Report:** George Heywood reported that no salt had been used so far this year and that Fishleigh's were holding a supply of 5 tons. Concern was expressed about the storage cost and the effect of the salt on the reinforced concrete base. Trevor Mills suggested that the Council should offer a contribution towards the cost. **George Heywood will discuss it with Fishleighs.** It was decided that any decisions about the future use of the unused budget for salt-spreading should be left to the new Parish Council.

**1444 Annual Parish Meeting 2015: Meeting Date and Guest Speaker** Barry Parsons had agreed to attend as guest speaker. Due to his availability, the potential conflict of inviting such a prominent councillor during the

period of purdah, and the requirement to hold a Parish Council meeting within 2 weeks of the May election, the date for the Annual Parish Meeting had been set at 24<sup>th</sup> June 2015.

#### **1445 Members' Reports**

**George Heywood** wished to thank the parishioners who had offered their help (and shown their patience) whilst he was moving sheep earlier in the month.

**Jim Lowe** reported that he and Steve Harding had cleaned up the flower beds. **It was agreed that he would purchase some peat and compost at a cost of about £10.00**

**Trevor Mills** had been approached about a defibrillator for the village. Cllr. Mike Stokes of Frithelstock Parish Council will be attending the April meeting to talk about that Council's scheme.

**Sally Nicholls** reported that a family had moved into a mobile home in a field in Eckworthy. **She will get a grid reference and report it to TDC'S Planning Enforcement officer.** Another parishioner had complained about the noise from the Galsworthy Wind Farm. She explained that if the noise level was over 35 decibels the developer would have to curtail it. Jim Lowe advised that the parishioner should talk to the District Councillor.

**Shirley Tilley** had asked the Clerk to report a street light not working in Gorwood Road which he had done earlier today on the DCC 'Report a Problem' website. Andrew Hewitt said that there seemed to be a number of street lights not working in the village.

**David Watson** had noticed that fibre-optic broadband was being installed in Parkham and Littleham but that it was not planned for Buckland Brewer yet.

#### **1446 Planning**

- i) **Applications:** 1/1212/2014/OUT – Outline application for 5 dwellings, including access and parking for 1 & 2 Bell Cottages and 1 & 2 Tower Hill (Affecting Public Right of Way) - AMENDED DESCRIPTION AND PLANS Jim Lowe and George Heywood had declared their interest in this item and left the room while it was discussed. Members viewed the amended plan but could find no supporting description. However, it was proposed by Sally Nicholls, seconded by Barbara Babb and **agreed unanimously that the Parish Council should repeat its preference for a mixed group of properties with some cheaper options. It was also agreed that the Council should request a Construction Traffic Plan bearing in mind the potential for a number of developments projects happening in the village at about the same time.**
- ii) 1/0180/2015/AGMB – Bearah Farm, Prior notification for the change of use of agricultural building to 1 No. dwelling under Class MB (a) Trevor Mills had declared an interest and took no part in the debate. Members noted that, unlike some similar applications in recent months, this scheme represented a genuine barn conversion. It was proposed by Barbara Babb, seconded by Sally Nicholls and **agreed unanimously to support the application.**
- iii) **Appeal:** 1/0845/2014/FUL, Appeal Ref: APP/W1145/W/15/3002659, Erection of a single wind turbine with a tower height of up to 50m and tip height of up to 77m along with associated infrastructure, Land At NGR 244042 119406, Frithelstockstone **It was agreed to make no comment.**
- iv) **Complaint:** To consider a complaint brought by Cllr. Heywood concerning defamatory remarks about himself and the conduct of the Parish Council contained in an objection to planning application 1/1212/2014/OUT, outline application for 6 dwellings at Tower Hill. George Heywood reported that comments had been made by a parishioner in an objection to planning application 1/1212/2014/OUT that were clearly directed at him and which he felt were defamatory and libellous. His solicitor had written to the Clerk who had confirmed that Mr Heywood had acted correctly at all times by declaring his interest and taking no part in any debates concerning the plot when it was

discussed for inclusion in on the Draft Local Plan or as a planning application. Cllr Heywood had written a second letter to the Clerk setting out his case in detail, which he read to the meeting and he also distributed copies of the objection in question (which had been removed from the Torridge Planning Portal following his complaint). Jim Lowe pointed out that the Settlement Plan/Local Draft Plan process had been carried out transparently, with plenty of opportunities for public participation and the proposals have been in the public domain since June 2013. Trevor Mills said that the Council should support Cllr Heywood and that the Clerk should write to the appropriate person at Torridge Council. Sally Nicholls also offered her support. Andrew Hewitt suggested that the Council should include in any correspondence with Torridge its procedures regarding declarations of interest. David Watson felt that the Council should emphasise that all councillors always endeavour what is expected of them regarding declarations of interest and that Cllr Heywood was especially careful in this respect. Barbara Babb believed that Cllr Heywood's case should be supported as it reflected badly on the whole Council and potentially brought everyone into disrespect. The Clerk and Chairman presented a possible motion for consideration. The following motion was proposed by Trevor Mills, seconded by Sally Nicholls and agreed unanimously:

***It has been brought to the Parish Council's attention that comments have been made by a member of the public in an objection to planning application 1/1212/2014/OUT which challenges the integrity of a councillor and by, inference, the Parish Council. The Council is appalled that such remarks attack both the honesty of the Council and the transparency it applies to its proceedings. The Parish Council takes very seriously its duty to adhere to procedures and codes of conduct laid down by government statute. If the individual is concerned about the way the Parish Council operates and wishes to challenge the Parish Council's decisions they have every right to do so using the independent complaints procedure, copies of which are available at Torridge District Council Offices.***

**The Clerk will respond to George's second letter offering the Council's support. A copy of the letter and an extract of this minute will be supplied to Jamie Hollis, the Monitoring Officer for Torridge District Council.**

- v) Wind Turbine Policy: To consider a response from the Chair of the Torridge Plans Committee concerning comments made about Buckland Brewer Parish Council's responses to wind turbine applications. Jim Lowe reported the response that he had received from Cllr. Lock, the Chair of the Plans Committee, which simply stated that each case was addressed by members on its own merits but did not specifically address the issue that her comments had been misleading in respect to this Council's approach to wind turbine applications. Her response was noted.

#### **1447 Accounts:**

i) Bank balances:

- Parish Council Current Account was £10,805.28 as at 27<sup>th</sup> February 2015
- Thornhillhead Moor Account was £12,054.70 as at 19<sup>th</sup> February 2015

ii) Payments due (£2,275.99)

- Parish Clerk's salary, expenses and associated PAYE: £309.49
- Buckland Brewer Village Hall – Hall Hire - £8.50
- Langtree Parish Council, TAP Fund Grant - £739.00
- Peters Marland Parish Council, TAP Fund Grant - £174.00
- Frithelstock Parish Council, TAP Fund Grant - £331.00
- Monkleigh Parish Council, TAP Fund Grant – £714.00

A cheque for £50.00 made out to *Flying Start Federation* last month needed to be amended to *Devon County Council*.

iii) Receipts (£2,807.30 + VAT)

- R Hicks & Co.-Sale of Entitlement - £131.30 + VAT
- Torridge District Council: TAP Fund Grant - £2,676.00

**Date of Next Meeting:**

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

**There being no further business, the meeting closed at 9:30 pm.**

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