

# NEWTON POPPLEFORD AND HARPFORD PARISH COUNCIL

Minutes of an Ordinary Meeting of Newton Poppleford and Harpford Parish Council which took place at The Pavilion, Back Lane, Newton Poppleford at 7pm on Monday, 27<sup>th</sup> March 2023.

**Present:** Cllrs. Burhop (Chair), Bilenkyj, Carpenter (Vice Chair), Dalton, Lipczynski, Morgan and Walker  
Jacqui Baldwin (Clerk and RFO)  
DCC Cllr. Jess Bailey  
Ted Swan, Honorary Footpath Warden  
5 members of the public

Prior to the commencement of the meeting Chair outlined the Fire Regulations and Evacuation Procedure.

## Public Forum

Some reports may have been circulated beforehand and published on-line

- a) Neighbourhood Policing report  
There was no representation from the Neighbourhood Policing Team but a report had been submitted and circulated prior to the meeting. Chair asked the Clerk to pass on Council's thanks to the team for their update.
- b) District Councillor report: Cllr. Chris Burhop  
Cllr. Burhop noted that today marks the commencement of the pre-Election period leading up to the elections on 4<sup>th</sup> May. During this time all Council communications are subject to impartiality restrictions. Voters are reminded that Voter ID will be required for those wishing to vote in person. Those wishing to vote by post must apply to do so by 5pm on 18<sup>th</sup> April.
- c) Report from Ted Swan, Parish Footpath Warden  
Mr Swan reported that a new volunteer, Ian Kimber, is now working with him and will provide support going forward. General clearance work has been undertaken together with the erection of signage on the new Footpath 38. The Schedule 14 application for a new footpath at Lynch Head was heard by DCC's PROW Committee on 9<sup>th</sup> March. Mr Swan attended the meeting, supported by Cllr. Bailey, and was pleased to report that the committee voted in favour of the application. Further discussions must take place with the landowner prior to the application being finalised but 95% of the work is done. The application for the designation of the footpath from the car park, past the Church to the High Street will be heard by the PROW Committee in July. Work on improvements to Footpath 1 have stalled and Mr Swan is awaiting an update from Emma Hellier. Unfortunately, a proposal by DCC to carry out work on the back brook to halt erosion of Footpath 3 has been delayed as permission to carry out the work has to be sought from the Environment Agency. It is unlikely that this work will be completed by the end of March as had been originally intended. Chair thanked Mr Swan for his continuing hard work on behalf of the Parish.
- d) County Councillor report: Cllr. Jessica Bailey  
Cllr. Bailey added her thanks and congratulations to Mr Swan on the success of his application for a new footpath at Lynch Head. Cllr. Bailey reported that she had been advised that work to repair the bridge at Burrow, damaged as the result of a road traffic accident, would commence this week. As accidents on the bridge appear to have become more frequent, Cllr. Bailey suggested that chevrons, that used to be marked on the A3052 before the bridge, should be reinstated. Council agreed that such road markings, together with warning signs, would be helpful in slowing down traffic. Cllr. Bailey reported that the unplanned closure of Exmouth Road was due to a burst water main near Bicton. South West Water estimate that the repair will take 5 days to complete. Chair suggested that the regularity of bursts in Back Lane, Venn Ottery Road and Exmouth Road would indicate that SWW should be pressed to make infrastructure improvements. With regard to the Red Bridge, Cllr. Bailey has been advised that negotiations with the landowner have resumed and she hoped to have further news to report at the next meeting. Finally, Cllr. Bailey agreed to contact Mike Brown at Highways to request the removal of graffiti on the Otter bridge. As there were no questions, Chair thanked Cllr. Bailey for taking the time to attend and for her work on behalf of the parish.
- e) Report from the Allotment Management Committee

No report in the absence of the Allotment Manager but the Clerk confirmed that an allotment tenants meeting had recently taken place and communications have been improved by the creation of a new group email. Chair noted from the police report that there had been no leads in relation to the recent thefts from the allotments and the file has been closed.

f) Report from the Climate Change Group  
A report had been circulated in advance of the meeting and published on the Council website. On behalf of the CCG, Cllr. Walker asked for volunteers to assist with the mulching of the new orchard in Webbers Meadow.

g) Questions and representations from residents/parishioners  
Mr Robert Compton and Mr John Preston introduced themselves to the meeting as interested parties in relation to the surgery building in School Lane car park. Mr Compton expressed disappointment that neither he nor Mr Preston had received an invitation to a meeting of residents of Robert Way which had been arranged to discuss the future of the building. Chair stated that this was because neither Mr Compton nor Mr Preston are residents of Robert Way. The meeting was held with residents who Council knew would be immediately affected by any decision of Council in relation to the building. Mr Preston stated that he is the owner of land in Robert Way and, therefore, also directly affected. Chair confirmed that a meeting with Robert Way residents took place on 13<sup>th</sup> March and an email from Mr Compton requesting an invitation to that meeting was not received until 14<sup>th</sup> March. Chair reminded Mr Compton that he had sent multiple emails inviting Mr Compton to a meeting to discuss this matter, all of which had been refused or ignored. Mr Compton stated that it was his prerogative to decline such a meeting. Mr Compton went on to suggest that Council is seeking to override the original understanding between his father and the Parish Council for commercial gain. Mr Compton added that the Compton family and Mr Preston would fight any attempt by Council to modify or remove the restrictive covenant on the building to allow it to be used in any way other than as a GP surgery and any such application to the courts would fail. The costs of such a legal battle would, inevitably, be borne by parishioners to whom Council is accountable. When asked what he required of Council Mr Compton stated that the surgery building should be demolished and the land returned to the ownership of the original transferor's successors in title. Chair pointed out that Council could not discuss matters of a confidential legal nature in a public forum and Council would continue to deal with this matter in committee session. If Mr Compton and Mr Preston wished to discuss the matter outside the business of the meeting this could be arranged but, in the meantime, thanked them both for attending and making their position so clear.

There being no further questions or representations Chair closed the Public Forum at 7.30pm.

## Business of the Meeting:

		Action:
22/136	<b>To consider apologies for absence and approve if accepted (LGA 1972 S.85(1))</b>	
	Apologies received from Cllrs. Chapman, Hughes, Tillotson and Tribble were noted and accepted.	
22/137	<b>Declarations of interest from members / Dispensations afforded</b>	
	Chair reminded members that this does not preclude the duty to declare further interests during the meeting as applicable.	
	All members present are, by definition, members of the NPPFF Trustee Board and declare a personal interest in that capacity.	
	Chair declared his intention to abstain from voting on agenda item 22/144(a) in his capacity as Ward Councillor.	
	Chair declared his intention to abstain from voting on agenda item 22/145(b) as a personal friend of one of the payees.	
22/138	<b>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 – see item 22/150</b>	

22/139	<p><b>To consider and, if thought fit, approve the Minutes of the Council's Ordinary Meeting held on 27<sup>th</sup> February 2023 as previously circulated to members.</b></p> <p><b>Cllr. Walker proposed that the Minutes be approved as a true reflection of the meeting. Seconded by Cllr. Carpenter and unanimously resolved.</b></p> <p>To consider any Matters Arising from those Minutes:</p> <ul style="list-style-type: none"> <li>a) EV Charging – School Lane Car Park Survey responses received via social media had been circulated prior to this meeting. Further feedback is awaited.</li> <li>b) Chair thanked the Community Café for providing the funds for the purchase of the power sweeper for the MUGA which has now been delivered.</li> </ul>	
22/140	<p><b>To consider and review the Minutes of the Council's Finance Committee meeting held on 20<sup>th</sup> March 2023 as previously circulated to members:</b></p> <p>There were no matters arising from those Minutes and no questions for the chair of the Finance Committee.</p>	
22/141	<p><b>Correspondence received:</b></p> <ul style="list-style-type: none"> <li>a) Surgery building The contents of two emails received from Mr. Compton prior to this meeting were noted.</li> <li>b) A request from the Airband Community Liaison Officer to attend a future Parish Council meeting was approved.</li> </ul> <p><b>Clerk to issue an invitation to the May Council Meeting.</b></p>	<b>Clerk</b>
22/142	<p><b>Chair's announcements:</b></p> <p>None made.</p>	
22/143	<p><b>To consider matters pertaining to highways, speed reduction measures and road safety in the Parish:</b></p> <p>Clerk advised that the Community Speed Watch annual report would be presented at the April meeting.</p> <p>Chair encouraged residents to use DCC's website to report potholes. The 'report a problem' link is quite a sophisticated interactive application enabling people report potholes, fallen trees, hazards, faulty streetlighting etc and to receive text updates on progress. Chair confirmed that both large potholes on the A3052 near the Southern Cross have been reported.</p> <p>Cllr. Bailey will request an update on the progress of installing the wig wags.</p>	
22/144	<p><b>Planning Matters:</b></p>	
	<ul style="list-style-type: none"> <li>a) <b>To consider planning applications received prior to publication:</b> 23/0565/FUL – 2 Brook Meadow, NP Conversion of linked garage into living accommodation <b>Cllr. Bilenkyj proposed that this application be supported. Seconded by Cllr. Lipczynski and motion carried with 6 votes in favour. Cllr. Burhop abstained in his capacity as Ward Councillor. Clerk to upload consultee comment to the planning portal.</b></li> </ul>	<b>Clerk</b>
	<ul style="list-style-type: none"> <li>b) <b>To consider planning applications received after agenda publication (subject to circulation prior to the Ordinary meeting on separate agenda)</b></li> </ul>	

		Chair announced that application 23/0624/FUL for Luscombes, Back Lane had been received too late to be included on this agenda. This application will be discussed at an Extraordinary Meeting on 18 <sup>th</sup> April.	
		<b>c) Planning determinations/decisions advised:</b> 22/2424/FUL – Luscombes, Back Lane, NP – Withdrawn Noted that this application had been replaced by 23/0624/FUL. Cllr. Bilenkyj remarked that 6 months had elapsed since the retrospective application for Woodentop, Littledown Lane had been received and was still not determined.	
		<b>d) Planning correspondence received:</b> None received.	
		<b>e) To note and respond to planning consultations received:</b> None received.	
		<b>f) To consider Council’s Neighbourhood Plan Monitoring Report:</b> Update circulated to Councillors in advance of the meeting.	
22/145		<b>Financial Matters:</b>	
		<p>a) To consider and review Financial Reports as per documents previously circulated to members and published on-line Chair noted that Council had a balance at the bank of £70,806 with £24,363 in non-earmarked reserves and £40,241 of earmarked funds.</p> <p>b) To note March payments approved by the Finance Committee as per documents circulated to members and published on-line. Clerk itemised the three invoices that had been added to the payments list previously approved by the Finance Committee. Cllr. Carpenter took the chair for this item. <b>Cllr. Walker proposed that payments totalling £7,265.93 be authorised for payment. Seconded by Cllr. Lipczynski and resolved with 6 votes in favour. Cllr. Burhop abstained.</b> <b>Clerk to note and action payments as appropriate.</b></p> <p>c) To note arrangements for the End of Year audit and Governance Return. Clerk confirmed that an Internal Auditor had been appointed and a meeting will be arranged shortly to commence the AGAR process.</p> <p>d) Questions to RFO from members of Council relating to the financial reports. No questions were raised.</p>	Clerk
22/146		<b>BUSINESS TO BE CONSIDERED:</b>	
	A	<b>To receive an update on plans to carry out a refurbishment of the Public WC in School Lane car park.</b> Quotation and plans received had been circulated prior to the meeting although these were based on a 2-cubicle facility. Chair stated that as the facility is being used by approximately 20 people per day only one, unisex facility is warranted. The parish maintenance contractor had been approached but considered that the job was too large for him. A specification will be put together and three quotations sought. EDDC approval will also be required as freeholders of the site.	

	In response to a question from Cllr. Bilenkyj the Chair confirmed that there would be a pay on entry system fitted. Funds raised will contribute to cleaning costs.	
B	<p><b>To consider request from the Climate Change Group re: tree planting in Webbers Meadow and Chestnut Way.</b></p> <p>Members unanimously approved a request from the Climate Change Group to plant an Alder in Webbers Meadow.</p> <p><b>Clerk to advise CCG accordingly.</b></p> <p>The request to plant a Beech tree on EDDC land in Chestnut Way will be progressed by the Clerk.</p> <p><b>Clerk to note and action.</b></p>	<p>Clerk</p> <p>Clerk</p>
C	<p><b>To receive an update on plans for the parish celebration of the Coronation in May 2023:</b></p> <p><b>a) National Lottery ‘Community Fund’ grant</b></p> <p>Clerk confirmed that Council’s application for a grant had been successful and the award of £1,650 will assist with the purchase of commemorative gifts, prizes, entertainment, equipment hire and decorations.</p> <p><b>b) Events</b></p> <p>Cllr. Dalton confirmed that six volunteers had been recruited to assist the Coronation Committee with event organisation.</p>	
D	<p><b>To ratify the decision to accept a donation for the purchase of a new bench for the Burrow ‘Triangle’</b></p> <p>Chair stated that the decision to accept a donation to enable the purchase of a replacement bench had already been approved by email consensus and <b>proposed that this decision now be formally ratified. Seconded by Cllr. Bilenkyj and resolved unanimously.</b></p> <p>Chair expressed thanks to the donor on behalf of Council and residents.</p>	
F	<p><b>To consider and, if thought fit, authorise the use of weedkillers/pesticides by the parish grounds maintenance contractor in Glebelands, School Lane car park and surgery building surrounds, Venn Ottery Road Cemetery access and kerbline.</b></p> <p>Chair confirmed that a meeting had taken with the grounds maintenance contractor and three areas highlighted as requiring the use of pesticides and/or weedkiller for maintenance purposes. None of these areas are close to any water course and approval is therefore sought from Council. <b>Cllr. Morgan proposed that Council authorise the limited use of pesticides and/or weedkiller in these areas only. Seconded by Cllr. Lipczynski and carried with 5 votes in favour and one abstention.</b></p> <p><b>Clerk to advise grounds maintenance contractor of this decision.</b></p>	Clerk
G	<p><b>To consider matters pertaining to Parish and District Council elections May 2023.</b></p> <p>Clerk reported that Notices of Election had been published today and posted on the website, social media and parish noticeboards. Chair advised that information with regard to standing for election, nomination forms, election timetable, voter ID and postal voting was available on social media, noticeboards and Council’s website. If there are more nominations than vacancies on the Parish Council (11) an election will take place on 4<sup>th</sup> May. Clerk asked members to note that an informal meeting of the new Parish Council had been arranged for 11<sup>th</sup> May at The Pavilion. This would enable</p>	

	all Councillors to meet prior to the first formal meeting of Council on 22 <sup>nd</sup> May.	
22/147	<b>To consider matters viewed as urgent by presiding Chair for discussion only:</b> None raised.	
22/148	<b>Date of next Ordinary Meeting</b> Monday, 24 <sup>th</sup> April 2023 at The Pavilion, Back Lane, Newton Poppleford immediately following the Annual Parish Meeting	
22/149	<b>Chair thanked all members of the public for their attendance and 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.</b>	
22/150	<b>Matters to be considered in committee session:</b> a) Matters pertaining to the Surgery building: Members agreed that none of the comments made during the Public Forum should deflect Council from pursuing, as previously resolved, a modification of the restrictive covenant on the surgery building. <b>Clerk to instruct Council's legal advisor accordingly.</b>	<b>Clerk</b>

With no further business to consider, the Chair declared the meeting closed at 8.25pm.

**Minutes approved as a true reflection of the meeting**

**Signed .....**

**Date .....**