MINUTES OF THE MEETING OF NORTH MOLTON PARISH COUNCIL
HELD ON WEDNESDAY 11th November 2015 IN THE OLD SCHOOL HALL

Present: Councillor Bulled (Chairman); Councillor Dunn; Councillor Gammon; Councillor Procter; Councillor O’Brien; Councillor Wallis; Councillor Geen; Councillor Peek; Councillor Palfreyman; Councillor Kelland; Cllr Clark; District Councillor Edgell and the Parish Clerk, Noel Brooks.

606/11/15 1. Apologies: Cllr Yabsley - Accepted, unanimously.

607/11/15 2. Declaration of Interests: None

608/11/15 3. Devon and Cornwall Constabulary: No representative attended but the Clerk reported that PCSO Beverley Bray had e-mailed that it had been confirmed, officially, that South Molton Police Station would remain with officers for the foreseeable future. Poaching was of concern. Action: Cllr Bulled to display latest Poaching Poster on the Notice Boards.

609/11/15 4. Representations From The Public:

Cllr O’Brien had met Richard Sables of Highways today in the Western Ball Farm area regarding traffic restriction TTR01513046 under which vehicles were using an alternative un-named road, the verges of which were being damaged by heavy lorries. Farmers had received no notice and were suffering due to the unexpected and fast-moving traffic-flow which meant, in a practical sense, that they were unable to move their sheep and tractors. Mr Sables had erected ‘Slow Down’ signs in order to mitigate the situation but farmers had felt that this was not improving the problem, significantly. Cllr Peek expressed sympathy for the farmers involved but thought that nothing could be done to stop lorries from using the public highway. Action: Under advice from Cllr Edgell, the Clerk is to phone and e-mail Cllr Yabsley first thing on 12th November to ask him, in his capacity of local member of the Highway Authority, to alleviate the situation through appropriate signage.

Cllr O’Brien asked for an update on the arched and over-hanging trees in Holywell Road towards Twitchen by the quarry. Cllr Bulled had spoken with the owner, Mr Smale, who would be attending to the issue as soon as possible.

Cllr Wallis had been approached by three parishioners regarding the potholes in New Road and, in particular, the pothole by the memorial. The timescale for the longevity of the memorial was also in question. Action: The Clerk is to write to Richard Sables of Highways on these issues.

Cllr Bulled raised the issue of personal fireworks displays taking place on days other than 5th November and the effects on domestic pets. Cllr Bulled suggested that a poster be created as a gentle reminder to people to let their neighbours know of any such firework displays they were contemplating as a matter of courtesy. Action: The Clerk is to design and display an appropriate poster.

Mr Seaton of PCL Planning raised an objection on behalf of Mr & Mrs Martin in respect of Planning Application No: 59995 regarding proposed Boarding Kennels at Fliton Barton. He considered it a poorly prepared and sparse application. There were inaccuracies in that the project had been presented as farm diversification when it was, in fact, the establishment of a new enterprise and so shouldn’t be considered under farm diversification policy. The applicant claimed that there was no noise impact but provided no
supporting information. Mr Seaton’s clients had commissioned a noise report which had sampled some existing kennels which produced noise intensity comparable to industrial levels. This would be in contravention of policy DBS3 under the Local Plan. It would be detrimental to the holiday-letting businesses and local sheep farming as well as local residents. The proposed building would have gaps in its structure which would make adequate sound insulation impossible. The separation distances between the proposed kennels and other dwellings were smaller than on other comparable planning applications which had either been refused, turned down, on appeal, or been subject to statutory noise nuisances. His clients were not against the re-use of the buildings but considered that such re-use should be for something non-noise-generating. Other parishioners raised concerns over the potential impact on sheep-farming, local residents and wildlife and, in particular, bats which were resident in the building under discussion.

Cllrs discussed and considered the issues at length. Cllr Bulled raised additional concerns over waste disposal and the exercising of the dogs which were aspects not covered in the application.

Cllr Wallis respected the applicants for endeavouring to start up a business.

Cllrs agreed to object to this application with an Action for the Clerk to respond to the Planning Authority as follows: ‘The Parish Council objects to this application. The Parish Council is not averse to a change of use for the building but considers that such change of use should be appropriate. The use of kennels is not considered appropriate where there are nearby residents and also businesses which depend on the environment. The Parish Council has concerns over noise, waste disposal and the exercising of the dogs none of which is covered in the application. The Parish Council notes, also, that this application is in respect of a new business enterprise and not the diversification of a farm’.

Cllrs considered Planning Applications: 60082 & 60147 as described later in these Minutes.

Due to the height of the car port, Cllrs decided to request a site visit to assess the impact.

Action: The Clerk was asked to obtain an appropriate extension from the Planning Authority for responding on this case. Cllrs agreed for Cllrs R. Proctor, T. Wallis, C. O’Brien, S. Palfreyman, R. Peek and J. Dunn to visit the site, make a decision on these applications and report back to the Clerk who would then provide the Planning Authority with a formal response.

610/11/15 5. Approval of the Minutes of the Meeting of North Molton Parish Council held on 14th October, 2015

Approved unanimously.

611/11/15 6. Clerk’s Report Re: 14th October, 2015 Minutes

East Street Cycling Speeding Issue - Richard Sables of Highways had replied that the Highways Act imposed no duty on the County Council to warn of hazards on the road - there was no specific sign to warn either of speeding cyclists or the public that there might be speeding cyclists - he was reluctant to pursue this further for these reasons and, in any event, it was not practical to respond with a knee-jerk reaction in respect of one reported incident.

Fore Street - Higher Poole - Give Way Signage required on road - After the Clerk had made a report, it became clear to Cllr Geen that there had been a misunderstanding by the Clerk over where the signage was required. Cllrs agreed that the signage was needed opposite Higher Poole heading eastwards up Fore Street in order to warn road users of vehicles coming down the hill. Action: The Clerk is to clarify the situation with Highways and obtain a response.
HMRC - PAYE Procedures - Further negotiations had resulted in PAYE payments being due quarterly in January, April, July and October - submissions were up-to-date.

Bank Statements - These were still not being received by the new Clerk despite Cllrs having provided appropriate authorisation to Barclays Bank on two occasions - the previous clerk had kindly put the statements for October in the post but these hadn’t been received as at 11th November and so no bank balances could be provided. The Bank would not talk with the Clerk as he was not an authorised signatory. Cllrs agreed for the Clerk to become an authorised signatory on the accounts with a stipulation for instructions to require three signatures from the revised four authorised signatories. **Action:** Cllr Gammon is to obtain the necessary forms to add the Clerk as a fourth signatory.

Damaged culvert and road surface between Balls Cross and Western Ball Farm - Richard Sables of Highways had responded by writing that this was the first time he’d heard of this and that he wanted further information. The Clerk asked him to investigate this matter in his specialist capacity and revert.

S.106 Preferences - these had been e-mailed to Lorna Jones at NDC.

Parish Precept CAP Query - DALC had confirmed that there was no CAP on Parish Council Precepts but that a realistic budget should be submitted as the Minister involved had emergency powers to invoke a CAP at any time.

Budget & Precept Setting - The Clerk suggested that this was made an Agenda item for December 2015 - all agreed. Cllr Dunn would request certain figures from the Clerk in order to prepare the Budget.

DCC Cash Offer For The Parish Council To Take Over Responsibility For Grass-cutting - No response had been received on the amount of cash on offer. **Action:** The Clerk is to make a FOI Request to ascertain the true cost of visibility and safety grass-cutting in the parish in order that this may be considered against any sum that might be on offer either as a one-off or regularly to do this work.

Parish Council Decision For North Molton To Be Placed In The South Molton Electoral Division - The Boundary Commission had been informed of this decision and had acknowledged this.

Exmoor National Park - The Clerk had written a *Thank You* Letter to the Authority for all its great work.

Request to MP to Comment on Planning Concerns - No response had been received to date. **Action:** The Clerk is to attach a copy of this letter to the October Minutes.

Gritting Plan - this had been forwarded to councillors.

**612/11/15 7. Matters Arising From These Minutes Not on This Agenda**

None

**613/11/15 8.Items For Discussion**

RoSPA Playsafety Playground Inspection Training Courses - Cllrs established that Laurel’s Playground was inspected once a year by RoSPA and once a month by one of the councillors in order to comply with insurance requirements. It was not known whether or not the training of
councillors in play equipment inspection was a requirement under the terms and conditions of the insurance policy. **Action:** The Clerk is to investigate this point with the insurance company and revert.

**TAP Fund 2014/5 - Progress of Works** - Cllr Peek reported that the contractor would be starting the TAP-related works in two weeks’ time. Concerning drainage works, the contractor had reported his understanding that DCC and Highways Agency employees were not allowed to go into the fields to complete the gutter clearance process which was the only way of fully alleviating the problem of water collecting on the roads. The contractor did enter the fields in order to complete works where he had obtained the permission from landowners. Cllrs wanted to establish the rights available under the law in this regard and discussed the possibilities and restrictions ranging from insurance issues to legal rights to enter land for this purpose. **Action:** The Clerk is to investigate the matter and report back to Cllrs.

**North Devon Community Fund (NDCF) 2015/6 - Application Progress** - Cllr Peek reported that the Project Group had decided to apply for £10k of funds in respect of 300 hours of hedge-trimming work. Estimates were being obtained from three potential contractors. This work would normally have been carried out by the County Council which was not carrying out its duties for financial reasons. Cllr Bulled pointed out that the sum represented the total pot of money available for the South Molton rural area. Whilst Cllrs were realistic about the sum which would be offered by the District Council, they considered it prudent to apply for the total cost of the works. Cllr Geen suggested that a future project could involve the cleaning of road signs which affected the area’s image.

**Publication of Minutes & Agendas on Notice Boards - Clerk’s Role and Attendant Expenses** - Cllr Bulled suggested that one way for the Clerk to become more acquainted with villagers would be for him to, say, put up the Minutes on the Notice Boards which was work currently being undertaken by Cllr Bulled in order to mitigate costs. After discussion, Cllrs agreed that the Clerk would take on the dissemination of Minutes work and be reimbursed for related travel costs under DALC guidelines. Cllr Bulled would continue to place the Agendas on the Notice Boards.

**Clerk’s Prospective Contract** - In terms of working hours, the Clerk estimated that the average week involved ten hours of work; he was paid, currently, for only six hours of work. Cllr Peek supported this request for further hours highlighting the essential role of the Clerk. He acknowledged that the Clerk lived outside of the Parish which involved travel time. Cllr Geen emphasised the requirement for a professional face for the Parish Council. Cllr Clark envisaged increased potential work for the Clerk in respect of negotiations concerning the non-finalised North Devon & Torridge Local Plan. After debate, Cllrs agreed to increase the Clerk’s hours to forty per month effective from 12th November, 2015. The Clerk would remain on Scale LC1 SCP 15 which would be re-considered at his next Annual Review. The Clerk would present the Contract reflecting this agreement for signature at the next Parish Meeting.

**614/11/15 9. Chairman’s report/urgent matters brought forward by the Chairman**

Cllr Bulled reported on the resounding success of the Hospice’s Commando Run and read out a letter of gratitude from the organiser.
Cllr Gammon raised the issue of the purchase of a Christmas tree and additional lighting which should have been included as an item on this Agenda. Cllrs agreed for Cllr Gammon to arrange these procurements with a total budget of £60.

615/11/15 10. Planning

Planning Applications For Consideration Received Since The Last Parish Council Meeting

<table>
<thead>
<tr>
<th>Case Ref</th>
<th>Address</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>59995</td>
<td>Barns at Fliton Barton, North Molton EX36 3EP Change of use of Agricultural Building to Boarding Kennels For detailed comments please see 609/11/15.4 above.</td>
<td>Object</td>
</tr>
<tr>
<td>60082</td>
<td>Higher Poole Farm, Fore Street, North Molton EX37 9DU Retrospective Application For Demolition Of Log Store &amp; Erection Of A Car Port</td>
<td>Site Visit Sought See 609/11/15.4 Above</td>
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<tr>
<td>60147</td>
<td>Higher Poole Farm, Fore Street, North Molton EX37 9DU Listed Building Application Retrospective Application For Demolition Of Log Store &amp; Erection Of A Car Port</td>
<td>Site Visit Sought See 609/11/15.4 Above</td>
</tr>
</tbody>
</table>

Planning Applications Advised Since Last Parish Council Meeting

<table>
<thead>
<tr>
<th>Case Ref</th>
<th>Address</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>58737</td>
<td>Land At Lambscombe Cross, North Molton</td>
<td>Permitted</td>
</tr>
<tr>
<td></td>
<td>Erection Of One Agricultural Worker’s Dwelling</td>
<td></td>
</tr>
<tr>
<td>59909</td>
<td>The Cottage, East Street, North Molton</td>
<td>Permitted</td>
</tr>
<tr>
<td></td>
<td>Erection Of Garage</td>
<td></td>
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</tbody>
</table>

616/11/15 11. Finance

The balance of the Community Account was unavailable due to the failure of Barclays Bank to carry out change of address instructions.

The balance of Business Saver Account was unavailable due to the failure of Barclays Bank to carry out change of address instructions.

i) Receipts – None
ii) Payments:

   a) Clerk’s net salary £165.37 plus contribution to telephone costs of £10 and expenses of £8.10 totalling £183.47

Motion passed to pay this sum. All agreed.

617/11/15 12. Correspondence

None

618/11/15 13. Reports

Sports Club - Cllr Wallis reported that things had been going well. The football teams had all been playing away from the club’s grounds recently. Also, most games in the North Devon District had been called off in the previous week due to rain. Cllr Wallis had come out of retirement to oversee the bars. The Mission Unbreakable event had led to many new visitors to the club, many of whom had expressed the view that the facilities were impressive. West Coast was being considered as the new recycling operative.

Laurel’s Playground - Cllr Procter reported that the playground passed his recent inspection. However, the leaves on the ground had been building up. Cllr Peek agreed to remove them with his vacuum facility at an appropriate time. Cllr Clark agreed to make the damaged wire fencing safe on 12th November, 2015.

619/11/15 14. Matters Brought Forward by District or County Councillor - Cllr Edgell reported that the Records Office would not be moving from above the Library at the Civic Offices site in Barnstaple. Opening times would be restricted, probably, to three days a week. Future funding would be provided by a newly-set-up Heritage Trust and Devon County Council (50%).

Date and Time of Next meeting: Wednesday 9th December, 2015 at 7.30pm in the Victory Hall, North Molton

The Meeting closed at 9.27 pm.