MINUTES OF THE MEETING OF NORTH MOLTON PARISH COUNCIL
HELD ON WEDNESDAY 14th October 2015 IN THE VICTORY HALL

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

592/10/15 1. Apologies: Cllr Clark and Cllr Yabsley - Accepted, unanimously.

593/10/15 2. Declaration of Interests: Cllr Dunn declared a prejudicial interest in Planning Application: 59909 due to the applicant being in a place of authority over him at his place of employment.

594/10/15 3. Devon and Cornwall Constabulary: PCSO Beverley Bray reported that there had been two damage-only road traffic collisions in the parish within the last month. Furthermore, a diesel spillage had been reported. Sheep on a road had been another issue. In respect of cuts in police numbers, Devon & Cornwall was looking to shed 500 officers over the next 5 years by not replacing retiring staff. Currently, there were 366 PCSOs - this number would be reduced to 166 over the next 5 years. There was no current indication that South Molton Police Station would be closed.

595/10/15 4. Representations From The Public: Cllr Gammon had received a concern from a member of the public who had been followed by a drone whilst walking their dog on Old Road. The school had also reported the sighting of a drone over the playground whilst children were present. The school was monitoring the situation and would report any future incidents to the police. Cllr Gammon provided copies of CAA rules which councillors discussed along with the provisions of the Data Protection Act. Action: Clerk to publish a poster on the parish website and notice boards referring drone users to the CAA rules and Data Protection Act, the provisions of which they might not be aware and which might lead to their being prosecuted, should they be breached.

Cllr Procter had received complaints from two parishioners regarding the new wall outside Lower Poole which was regarded as a trip hazard. Cllr Bulled understood that the wall was only a temporary feature and that the pavement was not yet adopted.

Cllr Procter had received concerns from parishioners regarding the rubbish bins not being put out for collection at Sunnyside. Cllrs agreed to monitor the situation.

Cllr Procter reported that he had phoned Devon County Council regarding the potholes on the road at Burcombe Hill.

Cllr O’Brien raised the issue of arched and overhanging trees in Holywell Road towards Twitchen by the quarry. Action: Cllr Bulled to discuss the issue with the owner, Mr Smale of Upcott Farm.

Cllr O’Brien reported a damaged culvert and broken road surface on the stretch between Balls Cross and Western Ball Farm. Action: Clerk to request Richard Sables at Highways to remedy this matter.

Cllr Palfreyman had received a request for a copy of the Minutes to be available in the village shop and the Old School due to the difficulty of reading such Minutes on the notice boards. Action: Cllr Bulled to provide such copies.
596/10/15 5. Approval of the Minutes of the Meeting of North Molton Parish Council held on 9th September 2015

Approved unanimously.

597/10/15 6. Clerks Report  Re: 9th September, 2015 Minutes

The Clerk informed councillors that electronic policing updates would not be necessary due to the return of PCSO Beverley Bray who would be reporting at future meetings.

There had been no response or acknowledgement to e-mails sent to Richard Sables at Highways regarding appropriate signage to alert speeding cyclists in East Street and the requirement for a painted ‘Give Way’ sign in Fore Street. **Action:** Clerk to refer these urgent matters to County Councillor Yabsley with a view to him liaising directly with Highways on this issue.

D.A.L.C.’s position on the authority of public meetings called by the Parish Council was as follows:

- Councillors are required to vote in accordance with their conscience;
- Councillors should not be compelled to vote the same way as the public;
- A separate vote by councillors on an issue following a public meeting at which there is a ‘show of hands’ is perfectly acceptable for informing the planning authority but so is reliance on the public’s view, should councillors choose not to vote on an issue;
- Abstention means a councillor either doesn’t mind either way or doesn’t have a grasp of the issues to form an opinion - councillors should endeavour to vote one way or another on an issue rather than abstain.

Cllr Peek underlined D.A.L.C.’s view that councillors are representatives and not delegates - they were not compelled to vote the same way as the public but according to their consciences.

598/10/15 7. Matters Arising From These Minutes Not on This Agenda

None

599/10/15 8. Items For Discussion

i) Cllr Peek informed councillors of the new deadline of 30th December, 2015 for submitting a North Devon Community Fund application. An application for the 30th September deadline had not been feasible due to the tight timescale involved and the requirement for fully planned and costed projects.

Cllrs Peek and O’Brien would be liaising with Brayford and Twitchen Parish Councils with a view to submitting an appropriate and mutually-agreeable application. Funding under the scheme did not need to be matched by the Parish Council. The Tap Fund for 2014/5 in respect of gullies would not be payable until the works were completed and an invoice was produced. Cllr Peek was of the opinion that payment under this TAP Fund application would be extended beyond February 2016 provided Devon County Council was confident that the works were in progress.
ii) Cllr Kelland reported on the possibility of alternative funding through the Leader 5 Rural Development Programme. Cllr Edgell explained that the scheme was more business-orientated but suggested that Cllr Kelland contact Katy Graham for a resume of what was supported by the scheme in the first instance.

The Clerk reported that Lorna Jones of NDDC had requested completion of a questionnaire providing headline details of the Parish Council’s preferred projects in relation to Section 106 funding.

Cllr Edgell explained that Section 106 funding for public open space use was general. There was a governmental requirement to be more specific about projects if there were to be a levy on a development’s planning consent. Cllr Geen suggested that the Parish Council put a proper plan and strategy in place in this regard. The Clerk asked for a bullet list in the meantime, in order to register the Parish Council’s broader priorities. Cllrs proffered the following: a school crossing and additional support for the community halls, public toilet facilities and the sports club. Actions: The Clerk would fill in the questionnaire and as a side issue on council funding would ascertain whether or not the Parish Precept was subject to a maximum 2% annual increase.

The Clerk reported that, under a new initiative, Devon County Council was offering parish councils an annual sum of money to take over practical responsibility for grass-cutting in respect of visibility and safety which was work currently carried out by the County. Parishes could create economies of scale by combining this work with other less pressing grass-cutting works. Cllr Edgell informed councillors that Chulmleigh Parish Council had been offered the princely sum of £35.00 in this regard.

Cllrs agreed that it was not worth taking on this responsibility for such a lowly sum of money. Action: The Clerk is to ascertain the exact sum of money which D.C.C. would make available and report back with his findings at the next parish meeting.

iii) The Clerk reported that the Boundary Commission’s consultative period for the review of Devon County Council’s electoral division boundaries was being extended to 26th October, 2015. Previously, the Parish Council had voted, by a majority, in favour of North Molton being placed in the same division as Combe Martin, due to its more rural nature. Despite the Parish Council’s request, The Boundary Commission was recommending that North Molton be placed within the South Molton Division. Cllrs discussed the issue at length. Cllr Dunn proposed that North Molton Parish Council be included in the South Molton Division. The proposal was carried by a majority vote of eight in favour and two against. Action: The Clerk is to inform the Boundary Commission of this decision.

iv) Councillors discussed the National Park Survey at length. Action: The Clerk is to write a letter to the Exmoor National Park Authority expressing a vote of support for the National Park’s work. In particular, the Clerk was to mention the commendable practice of regular rotational swaling and the effective grazing policy on Molland Moor all of which was helping to prevent the spread of gorse and scrub.
v) Cllr Bulled had received a number of representations from the village expressing concern at the procedures and wider implications involved in the granting of Outline Planning Permission in respect of Application Number: 59487 regarding Old House Barns. Specifically, these parishioners wanted the County Councillor, who sits on the North Devon Planning Committee, to explain why:

a) The Planning Committee had refused the first application but had approved the second one where the material reasons were worse in that it involved an industrial unit within full view of the village with potential attendant danger to pedestrians and other road users due to large and heavy vehicles using what was regarded by villagers as a single carriageway;

b) What would be done about the 141 new houses (a 40% increase in housing in North Molton) for which planning permission had been granted and which would place a burden on a village which lacked facilities - no other village in North Devon was being expected to expand to this extent - in May 2013, the Parish Council had voted to increase the number of houses in the village by 60 by the year 2030;

c) Why did the Planning Committee vote in favour of this application when open public meetings and the Parish Council’s vote on the issue showed large numbers against it - was the Planning Committee running scared of the Appeal in respect of the first application?;

d) Was the Planning Committee making North Molton suffer in the long term due to its failure to deliver a Local Plan within an acceptable timescale?

Cllr Bulled had scrutinised North Devon District Council Planning Committee’s Minutes where she had found no explanation as to how the decision had been arrived at. The case appeared to have been cut and dried before the meeting had been held.

As part of a debate with parish councillors and in the absence of County Councillor Yabsley, District Councillor Edgell made the following points:

1) As had been mentioned earlier on another issue, councillors were representatives and not delegates and were free to vote on an issue as they saw fit and in line with their own consciences which was applicable, too, on this planning case;

2) Local opposition to the first application had been supported by the Planning Committee and the application was not approved;

3) The District Council’s formulation of a Local Plan had been behind schedule and had been further delayed by a Minister’s statutory instrument changing Government policy to not requiring affordable housing in rural settlements unless there were more than ten houses being considered in a planning application - as a result of this the North Devon and Torridge Local Plan had to be re-drafted and re-consulted upon giving a likely submission date of Spring 2016 - even then North Devon and Torridge only had the ability to justify a four year residential housing land supply - a five year one was required to qualify for the Plan to be acceptable;

4) With a precedent being set on a similar application in Chulmleigh where the Inspector ruled, on Appeal, that due to the absence of a Local Plan and a five year residential housing land supply, (a failure of the Local Authority), the case was approved in line with Government policy under the provisions of The National Planning Framework, the applicants in respect of Old House Barns re-
submitted their case and had the case approved - this avoided the reality of incurring potential costs in respect of an Appeal on the earlier application;

5) Whilst planning permission had been granted for a further 141 houses in North Molton this did not mean, necessarily, that this number would ever be built because it was market-dependent.

Cllr Bulled proposed that in order to support the village, the Parish Council write to the MP, Mr Peter Heaton-Jones, expressing its concerns on this matter.
Cllr Edgell stated that such a letter would not change the decision already made but concerns could be expressed in terms of Government policy.
Cllr Edgell’s main argument for not granting consent was the total number of cumulative consents that were being granted for this sensitive rural settlement adjoining Exmoor National Park.

Cllrs voted: 7 in favour and 3 Against the motion. **Action:** The Clerk is to write to the local MP expressing the Parish Council’s concern over the cumulative effect on North Molton of the Government’s Planning Policy under *The National Planning Framework* in the light of the failure of the District Council to submit a Local Plan and five year residential housing land supply. Local politicians considered that they were unable to make the right democratic decisions due to central Government Planning Policy. Comments should be sought by the Minister involved on this issue via the MP.

vi) Cllrs discussed the Snow Warden Scheme which the Parish had considered joining in the past.
The inhibiting factor was the requirement to store a large volume of salt. Unanimously, Cllrs agreed not to join the scheme this year. **Action:** The Clerk was asked to ascertain the Gritting Plan for North Molton.

vii) The Clerk reported that the space remaining on the Parish’s website was only circa 2 gigabytes.
As a remedy, the Clerk asked councillors to consider removing the majority of historical audio files from the website, leaving three month’s audio files available at any moment in time - the historical files could be stored on disc for future inspection, should this be required - agreed, unanimously.

viii) The Clerk reported that he was unable to find a copy of the adopted Standing Orders in the Parish Council’s records. **Action:** Cllr Peek would endeavour to forward an adopted copy to the Clerk as soon as possible

**600/10/15 9. Chairman’s report/urgent matters brought forward by the Chairman**

Cllr Bulled thanked Cllr Palfreyman for repairing the main notice-board outside the shop.

Cllr Bulled made a general request for volunteers for the *Commando Run* which was a charity event organised by the North Devon Hospice. Cllr Bulled would be putting up posters around the village in this regard. Practicalities involving the location of a skip containing iced water and the possible shutting of Holdridge Lane on 1st November were discussed.

Cllr Bulled had contacted North Devon Homes regarding the over-hanging vegetation at Jubilee Gardens - as a result, the hedge had been cut but the over-hanging rhododendron and other foliage still required attention - Cllr Bulled would chase this latter issue. The painting of the garages was in hand.
Cllr Bulled reported that Mr Burnell was in the process of applying to relocate one of the footpaths running across the middle of one of his cornfields. Cllr Bulled had spoken with a representative from the National Park regarding the footpath running past Goldmines - the Park was negotiating with the landowner regarding remedying the potential danger to the public on this route.

**601/10/15 10. Planning**

**Planning Applications For Consideration Received Since The Last Parish Council Meeting**

<table>
<thead>
<tr>
<th>Case Ref</th>
<th>Address</th>
<th>Closing Date For Comment</th>
</tr>
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<tbody>
<tr>
<td>59909</td>
<td>The Cottage, East Street, North Molton Erection of Garage</td>
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**Planning Applications Advised Since Last Parish Council Meeting**

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<thead>
<tr>
<th>Case Ref</th>
<th>Address</th>
<th>Decision</th>
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</thead>
<tbody>
<tr>
<td>59740</td>
<td>Barn adjacent to Oakford House, Stoneybridge Hill, North Molton Change of Use of Agricultural Building to Dwelling (Class QA)</td>
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<tr>
<td>59629</td>
<td>Western Brinsworthy Road, over Brinsworthy Bridge, North Molton EX36 3LW Proposed Conversion of Redundant Barn to Form One Holiday Cottage</td>
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<tr>
<td>59671</td>
<td>2 Back Lane, North Molton Alterations and extensions to existing house to extend Living area, create bedroom and extend kitchen</td>
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<tr>
<td>58797</td>
<td>Pullens, East Street, North Molton</td>
<td>Refused</td>
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602/10/15 11. Finance

Balance of Community account stood at £5,033.16 as at 30th September, 2015.
Balance of Business Saver account stood at £5,399.91 as at 30th September, 2015.

i) Receipts – Precept of £2,711.53 which included the Parish Grant of £568.50 and Grant Assistance of £115.86.

ii) Payments:

   a) Clerk’s net salary £165.37 plus contribution to telephone costs of £10 and expenses of £8.10 totalling £183.47
   b) PAYE due to HMRC in October of £149.76 in respect of outgoing clerk’s and new clerk’s salaries
   c) £30 to Royal British Legion for Remembrance Day Wreath
   d) £500 to PCC for the burial ground
   e) £100 to North Molton Village Hall
   f) £100 to Heasley Mill Village Hall
   g) £400 to Victory Hall Toilet Fund

The Clerk informed councillors that PAYE would need to be paid monthly in future in line with current HMRC rules.

Motion passed to pay these sums and follow these proposals. All agreed.

603/10/15 12. Correspondence

None

604/10/15 13. Community News

Grass-cutting covered under 599/10/15 9 above.

605/10/15 14. Reports

Cllr Bulled reported that Laurel’s Playground passed her inspection on 14th October, 2015.

Cllr Bulled would meet with Cllr Clark at Laurel’s Playground on 15th October with a view to making safe the damaged wire fencing.
606/10/15 15. Matters Brought Forward by District or County Councillor - None

**Date and Time of Next meeting:** Wednesday 11th November, 2015 at 7.30pm in the **Old School Hall**, North Molton

The Meeting closed at 10.14 pm.