MINUTES OF THE MEETING OF NORTH MOLTON PARISH COUNCIL
Held on Wednesday 10th August, 2016 in Victory Hall

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

102/08/16 1. Apologies: Cllr Peek - Absent: Cllr Yabsley - all agreed.

103/08/16 2. Declaration of Interests: None

104/08/16 3. Devon and Cornwall Constabulary: The Clerk informed cllrs that PCSO Bray had been unable to attend the meeting but had provided the following report on crime affecting the parish since 1st July, 2016: two separate occasions of trees and cables down; sheep on the road; a broken-down vehicle & caravan, damage-only, crash on the A361 with both vehicles blocking the road; a damage-only ‘hit & run’ crash in Fore Street, North Molton; a broken-down lorry on the A361; two incidents of criminal damage (Under £5k) to property; theft of sheep from a field near Withypool but owned by a farmer in the parish. In the aftermath of the attack on a church in Normandy, the Police had been compiling a list of local church wardens for contact and provision of advice. Action: The Clerk is to provide PCSO Bray with an agreed contact.

105/08/16 4. Representations From The Public: Chairman Bulled had received a letter from a parishioner residing in East Street between Jubilee Gardens and Broad Close concerning the danger of vehicles speeding at that point. Action: The Clerk is to refer the matter to the local police for advice.

Cllr Procter had received further complaints regarding overhanging foliage and stinging nettles along the pathway at Oakford Villas, with the foliage obstructing the street lights above. Ownership of the pathway had been investigated in the past but had not been established. The nettles were at their worst by the garages and by a bungalow thought to be owned by North Devon Homes. One of the affected street lights was being obstructed by a tree owned by Mr Darley who was present at the meeting and who agreed to endeavour to attend to this. Action: The Clerk is to contact North Devon Homes with a view to resolving the nettle issue on the pathway near the bungalow and garages.

Cllr Kelland had received a representation concerning the condition of the rowan tree within the circle/triangle in Back Lane. One ‘limb’ was dead. The base required tidying-up. Action: The Clerk is to contact Andy Jones at the District Council for advice, in the first instance.

Cllr Wallis reported that a parishioner had damaged their sump on the protruding manhole cover in the Old Road/Roberts Field area near the site office. Action: The Clerk is to contact Highways with a view to the issue being rectified possibly by building up the edge around the cover with tarmac.

Cllr Wallis raised the issue of parking on the pavement in Oakford Close. Action: Cllr Wallis is to discuss the issue with the parishioner concerned in order to find a way of resolving the matter.

Cllr O’Brien brought to the attention of cllrs the sinking drains on the stretch of road past Jubilee Gardens. Action: The Clerk is to raise the issue with Highways.
106/08/16 5. Planning

Planning Applications For Consideration Received Since Last Parish Council Meeting

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<tr>
<th>Case Ref</th>
<th>Proposal &amp; Address</th>
<th>Comment</th>
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<tr>
<td>61537</td>
<td>Extension &amp; Alterations To Dwelling (Including Conversion of Stables &amp; Tack Room To Form Additional Living Accommodation)</td>
<td>Supported</td>
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<td></td>
<td>At Stable Cottage, The Square, North Molton</td>
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<tr>
<td>61538</td>
<td>Listed Building Application For Extension &amp; Alterations To Dwelling (Including Conversion of Stables &amp; Tack Room To Form Additional Living Accommodation)</td>
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<td>At Stable Cottage, The Square, North Molton</td>
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Planning Applications Advised Since Last Parish Council Meeting

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<th>Proposal &amp; Address</th>
<th>Decision</th>
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<tbody>
<tr>
<td>59487</td>
<td>Outline Planning Application (All Matters Reserved Except Access) Permitted For A Mixed Use Development Comprising Of Up To 25 Dwellings, Industrial Unit &amp; Allotments (Amended Plans) At Land To The South Of Old House Barns, North Molton</td>
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Planning Enforcement Cases Advised Since Last Parish Council Meeting

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<th>Case Ref</th>
<th>Address</th>
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<td>None</td>
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107/08/16 6. Approval of the Minutes of the Parish Council Meeting Held on 13th July, 2016 - Approved

108/08/16 7. Clerk’s Report Re: 13th July, 2016 Minutes

Footpath 3 (FP3) South Leigh to New Road - loose wire on bridge representing potential hazard - Simon Houghton had investigated the matter on 22nd June and couldn’t find any loose wire - once the process of diverting parts of FP3 had been concluded, he would have some maintenance works carried out on the steps above the bridge, and the stile into the woods - at that stage the issue would be double-checked.

Footpath 7 - Mines Bridge to Barham Bridge - erosion of the footbridge base at the Heasley Mill end - Richard Eales who is an Exmoor Park Ranger had reported that the issue had been picked up during annual bridge inspections back in the winter - he had been hoping that the bridge would have been replaced by March. However, due to their work-load this had not happened. He had been pushing for completion of this job in the last week - the new timescale for completion was three weeks’ time
He understood that the revetment stone to prevent the washout was already on site for when his team arrived.

Erosion of River Bank Down-stream at Stonybridge, North Molton, Devon EX36 Area - Potential Undermining of Bridge - On 30th May, the Clerk had written to bridges@devon.gov.uk asking for its involvement or for information on who was responsible - Ian Glover of County was still investigating - the Clerk would continue to chase.

Bent Panel On The Bridge Over The River Mole in East Street, North Molton - Chairman Bulled reported that this work had been completed.

Slippery Road Surface For Horses Descending The Hill From Roberts Field On The Newly-surfaced Part Of The Old Road, North Molton - After the reticence by Highways to provide the necessary gritting, the Clerk had asked the District Council to re-consider its stance on 12th July - the matter had been chased on 5th August. Action: In the first instance, the Clerk is to contact County Cllr Yabsley regarding the issue; involvement of The British Horse Society would follow should the County Council decide not to help.

Request For Bollard At The Entrance to Jubilee Gardens, North Molton - Highways was reluctant, still, to install a bollard; it had no objection to the Parish Council installing a bollard. Cllr Palfreyman offered to move what was considered to be a redundant bollard on the edge of the wall by the footpath to the entrance point. Action: The Clerk is to seek Highways’ permission to utilise this particular bollard and give Cllr Palfreyman the affirmative to proceed should the response be positive - all agreed.

Posters for Emergency Plan Volunteers, Encouragement of Pothole Reporting, Awareness of Rights in Helping To Clear Roadside Weeds and Volunteers For Tidying Up The Village - all agreed for publication with the weeds poster taking initial priority.

Repaing of The Walls In Laurel’s Playground - Chairman Bulled had spoken with David Clark of the PCC in respect of the Clerk’s request for a contribution towards the funding of this potential project - the PCC considered the Feoffees to be responsible for the part of the wall in question and, in any event, had no available funds to contribute due to its heavy involvement in other repair work. On behalf of the Feoffees, Cllr Geen commented that he had no objection to the Parish Council painting the part of the wall owned by the Feoffees. Chairman Bulled had spoken with Sally Worthington who owned the eastern wall - Sally was happy for the Parish Council to paint the wall and would be prepared to contribute towards part costs. Chairman Bulled estimated that the area to be painted was 200 sq metres. Cllrs agreed that the walls should be painted in a cream colour and that Cllr Procter should obtain an estimate of costs and revert.

Risks Associated With Vehicles Parking Outside The Barn Conversion in Middle Poole, Fore Street - Highways had questioned whether or not The Barn was situated along the single track part of the road - Cllrs confirmed that the property was positioned outside the single track zone - The Clerk would revert to Highways and continue to seek a way of resolving the issue.
**Street Light Issues** - Paul Pickerill of D.C.C. had responded on 4th August - generally, the lights remained on this time of year until 1.30 am - no adjustment was made for B.S.T.. Roberts Field had not been adopted yet - it was under the control of Court House Management - once adopted the issue would be resolved. Cllrs maintained that the lights in the village remained on all night.

**Actions:** The Clerk is to inform D.C.C. of the general position and request that the lighting schedule be amended, accordingly. The Clerk is to resolve the Roberts Field issue.

**The Old Road, Lower Poole - Issues** - The raised manhole cover had been debated, already, under 105/08 16.4 above. Pragmatically, the general appearance of the area would not be fully addressed until the Phase I Development had been completed.

**Drainage Issues at Upcott & Yarde Down Cross** - The Clerk was awaiting a response regarding the sunken gulley.

**Letter to MP on Planning Issues** - The letter from Mike Kelly, Head of Planning had been disseminated to cllrs. **Action:** The Clerk is to attach a copy of the letter to the August 2016 Minutes for public perusal.

**Bank Signatory Issues** - further ID had been provided and a response from Barclays Bank PLC was awaited.

**Queen’s 90th Birthday Celebrations** - The Clerk had sent an e-mail to everyone on the Committee thanking them for their hard work in making the event a success.

**Procurement of Mapping to Track Drainage and Hedge-trimming Works** - Cllr Bulled had obtained mapping for the parish from Highways detailing the position of the gullies and easements, the accuracy of which was thought to be governed by a survey carried out by students in 1986.

**Action:** The Clerk is to arrange for copies of the mapping to be made for cllrs at the Parish Council’s expense - all agreed.

**Roberts Field Section 106 Open Space Agreement Terms** - The Clerk reported that the Section 106 Agreement was dated and signed on 26th July, 2012 in respect of planning application 43722 and the Deed of Variation was dated and signed on 8th April 2013 in respect of planning application 52664. The Open Space Sum available amounted to £24,081.72 - all monies were payable to NDDC - payments thereafter would be allocated to projects within the Parish - no monies had been received to date with legal action pending - no security (bond) for the sum was held by the District Council (NDDC) - on 10th August, the Clerk had requested details on the potential projects involved but NDDC had avoided providing information and had issued, instead, an Expression of Interest Form for the Parish Council to complete. Cllrs agreed to make relevant S.106 Open Space applications but had concerns over whether or not the monies would ever be available due to the District Council’s failure to obtain security. **Actions:** The Clerk is to provide ideas and potential costs in respect of the updating of the playground equipment. Cllr Procter is to provide an estimate for
the proposed re-painting works. Cllr Kelland is to provide estimates for a tidying-up of the village project and specifically in relation to the planters in the Square.

**Deeds To HM Village Hall & Laurel's Playground** - The Clerk had located the deeds from the Council’s storage facility as requested - the documents were being held at New Hall, King’s Nympton in a fire-proof cabinet.

**Bratton Fleming Composting Site Visit** - The Clerk had arranged a site visit for parish councillors on Monday 8th August - Chairman Bulled and the Clerk attended. In essence, net income was around £8k a year which was put to community projects. If the NDDC green bin facility were withdrawn, then this might provide the impetus for further exploration into initiating such a project in North Molton.

**109/08/16.8 Matters Arising from the 13th July, 2016 Minutes not on this Agenda**

**Man Versus Moped Race - Raising Money Towards Defibrillator Costs** - Chairman Bulled reported that the Landlord of the Poltimore Inn had been unable to attend the meeting - she would be pursuing progress on his investigations into reducing maintenance costs.

**Weeds At Lower Poole** - Chairman Bulled reported that the owner of the Phase I Development would be attending to the weeds within the next two weeks - the site office (portakabin) would also be painted within an unspecified timescale.

**110/08/16 9. Items For Discussion**

**Parish Councillor Vacancy - Co-option Process - Decision Required on Who Should Fill The Post** - Unanimously, cllrs agreed to appoint Mrs Rosemarie Smaldon to the position.

**Hedge-cutting, Road & Drainage Issues - Report on Meeting With R. Sables of Highways**

**Hedge-trimming**

Cllr O’Brien reported that Highways would be letting the Parish Council’s Tap Fund Project Team know when and where its workforce would be carrying out emergency & safety hedge-trimming works as this had not happened in July as per Highways’ schedule. This would allow the parish’s team to decide where it needed to concentrate its additional resources under the TAP Fund 2015/6 and what extra funds would be required, if any, from reserves and to be agreed by parish cllrs. Cllr Geen pointed out that the £750, already secured under the afore-mentioned Fund, would pay for three, eight man-hour days, which in his opinion, would be sufficient to carry out all of the necessary hedge-trimming, notwithstanding any effort by Highways which had been zero to date.

**Drainage**

Cllr O’Brien reported that Cllr Peek would be contacting NDDC’s Grants Dept in respect of the 2016/7 TAP Fund Application involving drainage works following further discussions with Highways vis-a-vis the identification of additional works required by the Parish Council.
Concern Over Devon County Council’s Lack of Attention To Its Statutory Responsibilities In Connection With Hedge-trimming & Drainage

Cllr Geen expressed concern at the apparent lack of the proper execution of Devon County Council’s responsibilities in respect of hedge-trimming and drainage works when Somerset County Council appeared to be complying. In the absence of County Cllr Yabsley, District Cllr Edgell explained that the two county councils had different policies and priorities - Devon was concentrating its efforts on social services at the expense of some Highways and other issues. **Action:** The Clerk is to ask Cllr Yabsley to attend the next Parish Meeting with a view to explaining fully why sufficient works were not being undertaken and to discuss, additionally, the effects of the County Council’s apparent policy of dumping drainage waste on roadside verges.

Tap Fund 2016/7 Application Progress - Covered immediately above - The Clerk reiterated his concern raised at the previous two meetings that the funds were available on a first come, first served basis.

Report on Visit to Bratton Fleming’s Composting Facility - This item is covered in the Clerk’s Report, above.

111/08/16 10. Chairman’s Report/Urgent Matters Brought Forward by The Chairman

None

112/08/16 11. Finance

Chairman Bulled confirmed to clrs, her sight of the signed receipt from the Internal Auditor in respect of the Parish Council’s gift to him comprising £25 worth of Mole Valley Farmers’ vouchers with regard to his work in carrying out the 2015/6 internal audit.

Barclays Community Account Balance as at 31st July, 2016: £2,156.23
Barclays Business Premium Account Balance as at 31st July, 2016: £5,651.95
(These figures were verified from the Bank Statements by Chairman Bulled.)

i) Receipts: None

ii) Payments: **Clerk’s net salary** £275.62 plus contribution to telephone costs of £10.00 and travel expenses of £28.80 - all totalling **£314.42**;

iii) Any other accounts received after preparation of agenda: None

Unanimously, clrs agreed to pay the above sums.

113/08/16 12. Correspondence - The Clerk had received a letter from All Saints Church requesting a donation towards £2,275 costs net of VAT in respect of restoration of the church’s clock. **Action:** In the first instance, the Clerk is to ascertain whether or not alternative quotes had been sought by the church and the sums involved in order that the Parish Council could be satisfied as to value for money.
**Action:** Following advice from Cllr Edgell, the Clerk is to make the Church aware of the possibility of obtaining a District Council Grant for the project on the basis that it were presented as a benefit to the local community. The Landlord of the Poltimore Inn had obtained such a grant for a community-based project and the church might benefit from seeking his advice. **Action:** The Clerk is to make the Church aware that the project might be eligible for S.106 Open Space funding and for it to make appropriate enquiries at the District Council.

**114/09/16 13. Reports**

**North Molton Sports Club** - Cllr Wallis reported that he had resigned from the large part of his role at the Sports Club. The new football league season was about to commence.

**Laurel's Playground** - Cllr Procter reported that the playground was looking a bit scruffy, weed-wise which he would attend to. The safety-padding of the cross bar of the goal area had become insecure but he would rectify this with appropriate tape.

**Heasley Mill Village Hall Committee** - Cllr Procter reported that new Chairman, Michael Tarr, had been appointed. There was also a new Committee member in M. Platt. A quote of £790 had been received in respect of repairing the roof. Provision of an improved Notice Board facility was under discussion.

**Parish Forum Meeting** - Chairman Bulled had attended. East Devon had piloted a *once-every-three-weeks* black bin collection scheme - it was envisaged that North Devon might consider such a pilot, also. However, it was understood that any global changes to either black or green bin collections would not take place imminently and not without further investigations. Public conveniences and local plans had been discussed, also.

**115/10/16 14. Matters Brought Forward by District or County Councillor** - District Councillor Edgell reported that the consultation period on the Link Road had been extended to Friday 19th August, 2016.

**Date and Time of Next meeting:** Wednesday 14th September, 2016 at 7.30pm to be held in the Victory Hall, North Molton

The Meeting closed at 9.54 pm.
MR BROOKS
CLERK TO NORTH MOLTON PARISH COUNCIL
C/O NEW HALL
KINGS NYMPHTON
EX37 9SS

Dear Mr Brooks

THE EFFECT OF GOVERNMENT PLANNING POLICY ON THE PARISH OF NORTH MOLTON, DEVON

Thank you for your letter and enclosures dated 28th June 2016 in respect of planning applications relating to North Molton.

To set the policy context, you will appreciate that North Molton Parish Council made comments to the Publication Draft Local Plan (June 2014) the details of which were considered prior to the publication of Main Changes in March 2015. The development boundary was extended around the site west of the primary school that had been granted planning permission (application 60822 above) (MAC/469) but site NMO02 was retained as another developable site, with an extant planning application at the time of the plan’s preparation, to help meet the needs of the village.

Your letter of 23rd February 2016 specifically asks how the allocation for the village has been arrived at particularly when compared with neighbouring other centres and the reasons why the Council did not alter the development boundary for the village in response to a request to do so from the Parish Council in 2014/15.

The scale of development for North Molton responded to a consultation exercise towards Part 3 of the Local Plan. The outcome of the consultation was to provide a minimum of 141 dwellings ‘delivered through extant planning consents and allocation of two sites totalling approximately 50 dwellings’ to meet the needs of the local community (Policy NMO (North Molton Spatial Strategy) supported by site allocations NMO01 (land off Back Lane) for approximately 25 dwellings and NMO02 (land at Old Road) for approximately 25 dwellings. As noted, these allocated sites were in addition to extant planning consents (for example, land at Lower Poole) that had already been granted permission and which included permissions already commenced. Specifically, and as noted in the relevant chapter of the emerging Local Plan, as at April 2013 there was a relatively high level of housing commitments in North Molton which includes the above noted permission for a further 45 dwellings approved post April 2014 adjacent to the Primary School.
The latter application was supported by the Parish Council and following a Planning Committee Site Inspection the application was approved having particular regard to the sustainable location of the site, the community benefits being offered and the absence of site specific objections to the development.

Although I note the comment in your letter that the above noted application for 45 dwellings should have been subsumed or formed part of the above noted Local Plan allocation, this was not the case as the application was submitted by a third party irrespective of the site specific allocations at Back Lane and Old Road and, on its individual planning merits, was considered acceptable development in an appropriate location.

In determining the appropriate level of growth it was also considered that North Molton, due to its proximity and the level of community facilities it possesses, could assist in accommodating additional housing to meet the needs of the North Devon side of Exmoor National Park (under the Duty to Co-operate). This number of dwellings has been incorporated within locations accessible to the National Park and also includes South Molton and Ilfracombe.

You will further appreciate that the Government is regularly informing all Councils that the planning system is constraining the delivery of house building from a shortage of identified suitable sites and the availability of developable sites with planning permission makes an important contribution towards its growth agenda with associated economic and social benefits as part of its policy to boost significantly the supply of housing (NPPF paragraph 47).

Specifically in respect of the applications in question, there have been three major applications granted (or in the process of being granted) in the past twelve months within North Molton:

i) Application reference 57625 for 25 dwellings on land off Back Lane, North Molton. The site was for the residential development of land which has been allocated for that purpose in the adopted North Devon Local Plan for some years.

ii) Application reference 59487 for 25 dwellings on land to the south of Old House Barns. This site has been brought forward as an allocation in the recently submitted emerging Joint North Devon and Torridge Local Plan and our understanding is that the landowner was encouraged to put this site forward by the Parish Council.

iii) Application reference 60822 for 45 dwellings on land to the West of North Molton Primary School. The application was approved having regard to the sustainable location of the site, the community benefits being offered, the absence of site specific objections to the development from statutory consultees and the contribution of the site towards the Government’s 5 Year Housing Land Supply requirement.

Although I appreciate the concerns expressed over what may be viewed as a series of applications that could lead to a large scale increase in housing within the village, in practice the experience in North Devon is that historically, housing delivery has not
significantly increased in response to additional planning permissions being granted. Instead, additional permissions have led to an increase in land banking and/or reductions in the rate of house building on other sites. Indeed this latter consequence has been cited as a specific concern by the developer of one of the above noted sites in North Molton.

In an uncertain market the build out of new development is slow and any market uncertainty is likely to exacerbate this as developers will not progress schemes in the absence of sufficient market interest and adequate returns on their investment. This has been the case with the implementation of previous permission in North Molton and across the district.

I trust the above information offers reassurance but should you wish to discuss the matter further at this stage then please do not hesitate to contact me on 01271 388444.

Yours sincerely

[Signature]

P M P Kelly
Chief Planning Officer
Planning & Development Services

cc. Mr P Heaton-Jones MP