

9.10.2023 - FINAL

Summonses to the Meeting of Sampford Peverell Parish Council to be held at the Memorial Hall, Lower Town on 9 October 2023, starting at 7.00 pm, were distributed with the agenda and posted on the website 2 October 2023.

Minutes of the Meeting of Sampford Peverell Parish Council held on 9 October 2023

Present:

Councillors D Cutts (Chairman), T Burt, E Castle, C Cottrell and B O'Connell together with Councillor Westcott (MDDC Ward Councillor) and S McGeever (Clerk)

The Chairman, Councillor Cutts, opened the meeting and welcomed those present.

2023/24/015/1 - Open Forum

No members of the public were present.

2023/24/015/2 - Apologies/Co-Options

Apologies had been received from Councillor Taylor, Councillor Lock, MDDC Ward Councillor and Councillor Radford DCC Councillor.

It was noted that the Parish Council required three more councillors and it was RESOLVED that a notice would be placed in the Parish magazine and on various social media sites.

2023/24/015/3 - Declarations of Interest

There were no declarations of interest.

2023/24/015/4 - Approval of the Minutes of the meeting of the Parish Council held on 24 July 2023

It was RESOLVED that the minutes of the meeting held on 24 July 2023 were a true record of proceedings and they were duly initialled and signed by the Chairman.

2023/24/015/5 – Planning

a) Consultation requests received since the last full Parish Council meeting:

23/01141/FULL

Proposal: Removal of condition 13 of planning permission 22/00868/MFUL (Removal of condition 13 of planning permission 17/01142/FULL - further noise assessments) relating to the submission of a noise assessment

Location: Land at NGR 299621 112764 (Red Linhay) Crown Hill Halberton

Devon Grid Ref: 299621 : 112764

Parish: Halberton 25

The deadline for comment had been 17 August 23 and an extension could not be given to work with PC meeting dates. It has, however, come forward to consultation again.

23/01141/FULL

Proposal: Variation of condition 13 of planning permission 22/00868/MFUL (Removal of condition 13 of planning permission 17/01142/FULL - further noise assessments) relating to the submission of a noise assessment Location:

Land at NGR 299621 112764 (Red Linhay) Crown Hill Halberton Devon

Grid Ref: 299621 : 112764

Parish: Halberton 25

The deadline for comment was 20 October 2023 and the Parish Council RESOLVED that the amended description and additional information did not allay their concerns that any variation to the noise condition would result in greater output and thus more agricultural vehicles travelling through the village with the associated road safety, noise and vibration issues.

The Parish Council RESOLVED to object to any removal or variation of the condition and its requirement for a noise assessment to take place.

Action: Clerk to prepare submission and circulate

The Parish Council also noted that the applicant had submitted an appeal to the decision made in December 2022 that a further noise assessment was required.

22/00868/MFUL

Proposal: Removal of condition 13 of planning permission 17/01142/FULL - further noise assessments

Location: Land at NGR 299621 112764 (Red Linhay) Crown Hill Halberton

Application No: 22/00868/MFUL

Appeal Ref No. APP/Y1138/W/23/3323381

The Parish Council's previous comments on this application would be taken into consideration at the appeal.

22/02102/MFUL

Proposal: Construction of on-farm anaerobic digestion plant with associated equipment and works

Location: Land at Grid Reference 300503 112348 Lower Town Halberton Devon

Grid Ref: 300503 : 112348

Parish: Halberton 25

The revised information did not address the Parish Council's concerns and their objection was re-stated before the deadline for comment date of 6 September 2023. It was likely that this application would come forward for further consultation.

23/01351/MFUL

Proposal: Construction, operation and maintenance of a Battery Energy Storage System (BESS) facility with associated infrastructure and works including highway access, landscaping and biodiversity enhancements

Location: Land at NGR 304444 114510 North of A361, Junction 27 Westleigh

Site Vicinity Grid Ref: 304444 / 114510

Parish: Burlescombe 06

The Parish Council had received an extension to the deadline for comment to 11 October 2023 to allow the application to be discussed at the meeting.

Councillor Taylor had submitted a comprehensive report on the application and highlighted the key concerns which Councillors considered as part of their decision-making process. The Parish Council was also aware that local residents had submitted objections to the application on the planning portal.

The Parish Council RESOLVED to object to the application but, if, MDDC were mindful to approve the application then the Community Benefit Fund should, if possible, be in place prior to the decision notice. Key concerns were the use of agricultural land, increased industrial development of a rural area, fire and that the resultant EMC could affect communications in particular given the closeness of the railway. A recent case in Japan had showed that EMC could affect train communications.

Action: Clerk to prepare submission and circulate

The Clerk advised that Community Benefit Funds did not fall under MDDC's planning department albeit that she understood that MDDC were considering having a guidance document to cover renewable energy projects in Mid Devon that would assist Parish Council's in the process. It was noted that the Government Landfill Tax (Viridor) had been a statutory tax whereas community benefit funds were voluntary.

Existing applications:

Planning Reference DCC/4358/2023

Planning Application at Land at Greenway, Uplowman, Tiverton

It was noted that there was ongoing opposition to the application with concerns expressed about traffic routes.

Public consultation on a Meeting Housing Needs Supplementary Planning Document

The Parish Council's submission had been acknowledged.

b) the following decisions notified by MDDC were noted

23/01042/CAT – NO OBJECTION – 26 July 23

Proposal: Notification of intention to pollard one Alder tree (T1) to previous points and one Lime tree (T2) at main trunk break approx. 5m within a Conservation Area

Location: 25 Higher Town Sampford Peverell Tiverton Devon

23/00907/FULL – APPROVED – 9 August 23

Proposal: Variation of conditions 2 of planning permission 19/01897/FULL (Erection of 3 dwellings following demolition of agricultural buildings) to allow substitute plans relating to the internal and external layout of the 'Cottage' and 'Barn'

Location: Land and Buildings at NGR 303139 114216 (Morrells Farm) Lower Town Sampford Peverell Devon

22/01209/FULL – APPROVED – 17 August 23

Proposal: Erection of dwelling following demolition of an agricultural building utilising the Class Q fallback position

Location: Land and Buildings at NGR 302779 113776 (Morrells Farm, South West of Chains Road) Sampford Peverell Devon

23/00145/FULL – APPROVED – 17 August 23

Proposal: Erection of an agricultural building (revised siting of Barn 2) previously approved under 21/01685/FULL

Location: Land at NGR 302812 113818 (Morrells Farm, South West of Chains Road) Sampford Peverell Devon

23/01109/CAT – NO OBJECTION – 22 August 23

Proposal: Notification of intention to remove 1 Ash tree within the Conservation Area

Location: Sampford Peverell Church of England Primary School Higher Town Sampford Peverell Tiverton

Site Vicinity Grid Ref: 302824/114275

23/00936/PNCOU – APPROVED – 23 August 23

Proposal: Prior Notification for change of use of an agricultural building to 3 dwellings under Class Q

Location: Land at NGR 304560 116846 (Goldsmoor House) Westleigh Tiverton

23/01304/NMA – REFUSED – 11 September 23

PROPOSED NON-MATERIAL AMENDMENT

Proposal: Non-Material Amendment for 20/00748/FULL to allow alterations to number of rooflights and positions, addition of PV panels, addition of window on the East elevation and removal of window on North elevation

Location: 22 Lower Town Sampford Peverell Tiverton

c) enforcement matters

ENF/22/00302/RURAL - 31/10/22

Construction of pond

Land off Station Road, Sampford Peverell

It was noted that no update has been received from the MDDC Enforcement Team who were actively recruiting for a second officer. There was a considerable backlog and there was a priority system in place to address high risk application first.

d) any other planning matters and planning correspondence

A request has been sent to the developers for a date of first occupancy and the Clerk was given to understand that this would be early in the new year.

The developers had advised that the Parish Council would be consulted on the new planter at the edge of the development.

The Parish Council was pleased to note that solar panels had been placed on the roofs.

It was noted that the new pavement was being put in and concern was expressed about the narrowness of the road on the blind bend and the potential for accidents. This was compounded by the amount of overhang from adjacent hedges and trees.

Action: Councillors to speak to local residents where hedges overhung and Clerk to contact the Neighbourhood Highways Officer to see if any priority system could be put in place.

Mid Devon Landscape Character Review Workshop - 12 October 23 – at Pheonix House
Councillor Burt advised that he could not attend, and no other Councillor came forward.

Q class training - 19 October 23 - online

Councillor Taylor had advised he would attend the session.

2023/24/015/6 - Finance

a) Close of external audit

The paperwork was added to the website by the due date of 30/9/23.

The external auditor had raised the following points:

The revised asset figures should have been re-stated for the year 2021/22 given that they had been re-assessed during the year 2022/23. The figures for 2021/22 should have been re-stated to show actual amounts in the bank.

Action: The figures for 2022/23 will be re-stated in the 2023/24 documentation.

The external auditor had also raised the internal auditor's concerns regarding proper practice.

b) Current Financial position – to 30/09/23

Due to there being no meeting in August and September, the financial information given at the meeting included July, August and September.

Business Reserve Account

Balance 30/06/23	£ 3996.11	
Balance 31/7/23	£4000.60	
Balance 31/8/23	£4005.36	
Balance 30/9/23	£4009.97	

Receipts:

July	£ 4.49	
August	£ 4.76	
September	£ 4.61	

Bank reconciliation

Balance at 30 June 2023	£3996.11	
Receipts July	£ 4.49	
Balance at 31 July 2023	£4000.60	
Receipts August	£ 4.76	
Balance at 31 August 2023	£4005.36	
Receipts September	£ 4.61	
Balance at 30 September	£4009.97	
Reconciles to bank statements		

Current Account

Balance at 30/06/23	£31483.09	
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Statement to 31/07/23

Receipts: FOTP	£ 8.00	
MDDC (S106) (ring-fenced)	£4303.00	£4311.00
Reconciles to bank statement		

Payments:

001668 – B O’Connell (public conveniences)	£1140.00	
001671 – HMRC (PAYE)	£ 90.80	
001670 – S McGeever (wages)	£ 363.37	
001669 – NPower (electricity public conveniences)	£ 37.66	£1631.83
Reconciles to bank statement		

Statement to 31/08/23

Receipts: FOTP	£ 8.00	£ 8.00
Reconciles to bank statement		

Payments:

001674 – NPower (electricity - public conveniences)	£ 38.81	
001676 – Zurich insurance (additional premium)	£ 700.02	
001680 – J Worsfold (Twinning Association)	£ 91.78	
001672 – Sol (electrics for servery)	£3949.20	
001679 – S Taylor (Twinning Association)	£ 52.59	
001678 – HMRC (PAYE)	£ 90.80	
010677 – S McGeever (wages/expenses)	£ 389.16	£5312.36
Reconciles to bank statement		

001673 – void

001675 – cancelled

Statement to 30/09/23

Receipts: FOTP	£ 8.00	£ 8.00
Reconciles to bank statement		

Payments:

001681 – NPower (electricity public conveniences)	£ 42.57	
001684 – S McGeever (wages)	£ 363.37	
001682 – Source for Business (water public conveniences)	£ 193.64	
001683 – HMRC (PAYE)	£ 90.80	
001686 – B O’Connell (public conveniences)	£1175.10	£1865.48
Reconciles to bank statement		

Uncashed cheques

001659 – Village Hall meeting room	£ 15.00	
001685 – Recreation Ground and Village Hall Charity (meeting room)	£ 30.00	

Bank reconciliation

Balance at 30 June 23	£31483.09	
Receipts 31/7/23	£ 4311.00	
Payments 31/7/23	£ 1631.83	
Balance at 31/7/23	£34162.26	
Receipts 31/8/23	£ 8.00	
Payments 31/8/23	£ 5312.36	
Balance at 31/8/23	£28857.90	
Receipts 30/9/23	£ 8.00	
Payments 30/9/23	£ 1865.48	
Balance at 30/9/23	£27000.42	
Reconciles to bank statement		

Financial position:

Reserve account	£ 4009.97	
Current account	£27000.42	
Sub Total	£31009.89	
Less VAT obligation	£16000.00	
Less S106 monies	£ 4303.00	
Sub Total	£10706.89	
Plus outstanding precept (received)	£ 8725.50	
Total	£19432.39	
including earmarked reserves and contingency fund		

c) Payments made since the last meeting

These payments have been bolded in b) above

d) Authority to pay accounts rendered

It was RESOLVED that the following invoices would be paid:

Recreation Ground and Village Hall Charity (hire of meeting room)	£ 52.50
PKF External audit fee	£252.00
MDDC (uncontested election fee)	£147.35
Npower (electricity – public conveniences)	£ 43.54
S McGeever (wages/expenses)	£389.95
HMRC (PAYE)	£ 91.00

e) Six-month accounts/budget forecast

The six-month accounts had been circulated to councillors prior to the meeting.

The majority of figures were running in line with the published budget, however, it was noted that the allocation for water bills for the public conveniences were likely to go over budget and the amount for insurance was also over budget to reflect the significant increase in the asset register.

f) S106

i) The first tranche of money has been received for the access improvements at the playing field. The Parish Council were awaiting the first invoices.

ii) With regard to the Heathcoat's request in relation to S106 funds for score boards, no further information has been received.

iii) The application for inclusive play equipment been submitted in the name of the Parish Council with approval from both MDDC Councillors Jane Lock and Gill Westcott. A decision was awaited from S106.

Action: Clerk to contact

g) VAT

In the absence of full documentation from the previous clerk to substantiate the claims, the Clerk had met with the Village Hall Treasurer and looked to identify which amounts listed on the returns had come from the Parish Council bank account.

It was noted again that the council can only reclaim VAT where the goods are ordered by the PC, the PC receives the invoice, and the PC pays the bill with its own funds (or funds given to the PC for PC purposes). It cannot reclaim VAT on behalf of other bodies.

The 2022/23 VAT return was in process and any monies from this would go towards paying off the VAT amount owed. It had also been agreed that a cheque for £5000 would be written by the Parish Council. Councillor Cutts advised that negotiations were ongoing with the Village Hall. HMRC had agreed that payments could be staggered.

Action: Councillor Cutts/Clerk

h) Banking

The applications for the change of signatories and online banking were ongoing.

Given the increase in interest rates, it was agreed to transfer £20,000 from the current account to the reserve account.

Action: Councillor Cutts/Clerk

i) Grants

Sampford Peverell Parochial Church Council

It was RESOLVED to make a grant of £350.00 towards the upkeep of the closed churchyard.

It was noted the Parish Council could not give funds toward the costs of the open churchyard or maintenance of the church itself.

CAB – Torrington – North, West and Mid Devon

It was RESOLVED to revisit this application at the December meeting when other grant applications might have been received from more local bodies.

Dream A Way

Councillor Castle suggested that the Community Lunch Club may consider raising money on behalf of this charity.

British Legion

Councillor Cutts noted that it was usual for the Parish Council to pay for a wreath for Remembrance Sunday and it was RESOLVED to set a budget of £50.00.

Action: Clerk to contact Keith Aspray

2023/24/015/7 - Report from Working Groups/Individual Roles

a) Communications & Engagement

Councillor Cutts advised that he had nothing to report.

Councillor Castle advised that she continued to post on social media.

b) Climate Change and environmental issues

Councillor Burt advised that there was nothing to report but that he would be attending a Connecting the Culm event to review water quality.

It was noted SouthWest Water had not responded to the request for information on the capability of the sewage works given the 60 new houses coming online.

Action: Clerk to chase

There had been some flooding at Boobery and the Allotments.

c) Roads, Pavements & Footpaths/Road Safety

This item has been discussed in part under Higher Town.

Concerns had also been expressed regarding lorries in Higher Town and this had been followed up by the Clerk.

It was noted that DCC had announced that applications for self-funded 20mph areas would be accepted. The Clerk was awaiting costings for carrying out the required consultation and purchase of the signs.

Action: Clerk to chase

A reduction in speed limits could mean that SatNavs would indicate that the A361 was the faster route.

The Clerk had met with Devon and Cornwall Police to discuss the lorry situation in the parish of Halberton and this discussion had included lorries coming off the A361 to travel through Sampford Peverell to Tiverton. A report had been submitted to Devon County Council.

Action: Clerk to monitor

Given the complaints about weeds on pavements and the pothole problem, Councillor Castle raised the question whether Sampford Peverell should join the Road Warden scheme.

It was RESOLVED that having a qualified Road Warden would allow the Parish Council to assist in the repair of potholes that were not of a sufficient size for DCC to deal with. Equipment and tarmac could be requested through the Road Warden scheme.

Action: Clerk to complete application

d) Public Convenience Development Group

Councillor O'Connell advised that work was ongoing to clean the servery area.

Anne Williams had undertaken to assist the Parish Council in setting up the servery area.

e) Affordable Housing – Community Lands Trust

Councillor Cutts reported that at the CLT meeting, one third of members had been present and voted in favour of negotiations with the developer of Mountain Oak Farm.

Both the developer and the CLT were looking to hold public meetings on the proposed site which would be a combination of properties for sale and affordable housing.

Councillors expressed concern that the site was suitable or that the affordable housing would be present in the percentages given by the developer due to ever changing costs.

Whilst the Parish Council did not have a Neighbourhood Plan, it could develop a policy on housing and affordable housing that it could refer to when developers put forward initial proposals.

Action: Councillor Burt/Clerk

Key concerns centred around the villages' ability to have the infrastructure that would support additional residents – roads, health, schools etc.

It was noted that the Tiverton-Sampford Peverell corridor was being considered for further housing developments.

It was noted that a decision on the Hartnoll Farm appeal for 150 houses was awaited and this would give a further indication as to MDDC's 5 year housing supply and the use of agricultural land for development.

f) Snow Warden

Councillor Taylor advised there was nothing to report.

g) Tidiness/Litter-picking

It was noted a young resident undertaking the DoFE qualification was keeping the village very tidy as part of the award.

h) Defibrillator maintenance

Councillor Taylor has advised that all 3 defibrillators are in service, and there is a new defibrillator outside Tiverton station.

2023/24/015/8 – Other Highways and village matters

a) Vandalism/ASB/criminal damage in the village

A fire incident had taken place in the public conveniences and it was understood that shop-lifting had been taking place.

Shop owners were responsible for reporting any shop-lifting incidents.

The Clerk had contacted the police about previous fire incidents but a regular police presence was not something the police could currently offer.

Action: Councillor O'Connell to monitor

b) Other highways matters: road maintenance/Boobery

This item has been covered in previous discussion and the decision to look towards the Road Warden scheme.

2023/24/015/9 – Discussions with Cllr Ray Radford, DCC and also with MDDC Ward Members, Cllrs Jane Lock and Gill Westcott

Councillor Westcott gave a brief report on MDDC's Let's Talk initiative as well as her work on the Scrutiny Committee which was currently considering inclusivity. The committee had also met with South West Water regarding the capability of the sewage system. This was not taken into account when making planning decisions.

MDDC were also looking to see how the cumulative effect of developments on the traffic situation could be assessed.

2023/24/015/10 – Brief reports from Parish Council representatives on any recent activities

a) Village Hall and Recreation Ground Charity Committee

Councillor Cutts there was nothing further to report except that Autumn bookings had increased.

b) Grand Western Canal Joint Advisory Committee

Councillor Cutts advised that the horse-drawn barge had been short-listed for a Tourist Award.

c) Sampford Peverell and District Twinning Association

Councillor Castle advised that an EGM would be called to discuss recruiting more younger members.

A visit to France would be planned.

d) Sampford Peverell Society

Councillor Burt advised he had nothing to report but would be attending their AGM.

e) Tree Warden

The Tree Warden had reported as follows:

Our team of volunteers worked last Saturday to cut up and remove an apple tree from the Community Orchard that had blown over in a storm. This tree had had canker and we had had to cut limbs off it previously, so its demise was not a surprise. Whilst in the Orchard, we raked up most of the grass and wildflowers that the Canal Rangers had power-scythed a few days earlier.

We will resume our activities later in the autumn.

2023/24/015/11 – Correspondence

a) D-Day 80 Celebrations – June 2024

Bring forward to the next meeting.

b) Devon Walking Festival – September 2024

Sampford Peverell had completed the expression of interest and further information was awaited.

c) Slow ways

The Grand Western Canal footpaths were important to this initiative to promote walking

d) MDDC Grant funding workshop

No councillor put themselves forward to attend the workshop.

e) Cullompton & Tiverton Cycling and Walking Infrastructure Plan (LCWIP)

Councillor Burt had attended the initial meeting and the Grand Western Canal was part of the initiative and further information was awaited.

f) RSN Rural Funding

The Clerk would monitor funding opportunities.

g) Let's Talk Mid Devon

This initiative by MDDC was to hear the views of residents.

h) South West's Cyber Resilience Centre

A free police initiative to assist with organisations being cyber resilient.

2023/24/015/12 – Any Other Business

Councillor Castle raised the problems facing parents of school aged children with regard to wrap around childcare. The Government initiative for all schools to provide wrap around care did not come into effect until 2026. In the meantime, the school was not in a position to provide such a service and, private suppliers whilst available were expensive and required transport.

Action: Clerk to contact Councillor Radford

2023/24/015/13 – Next meetings of the Parish Council

The dates of the next meetings were:

27 November 23 – Full Council

4 December 23 - Finance

The Chairman closed the meeting at 9.20pm

Signed _____
Chairman

Date: _____