

wa LOXHORE PARISH COUNCIL MEETING

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Minutes

Date: Thursday 6th May 2021

Venue: Virtually on-line video conference

Present: Chris Bryars {Chair}
Mike Young {Vice Chair and Clerk}
Carole Delve {Councillor}
Jane Vanstone {Councillor}
Trevor Batson {Councillor}
Malcolm Prowse {District Councillor}

Note: No requests were received from Parishioners to join in.

Minutes taken by: Mike Young {Clerk}

The Chair opened the meeting at 18:45.

1. Apologies: Councillor Andrea Davis

2. Declarations of interest: None

3. All councillors present agreed that the minutes of the previous meeting held on 12th November 2020 were a true and accurate record of that spoken and written. The Chair signed accordingly.

4. The Parish Council wish to record their deep sadness and sympathy with Her Majesty the Queen and her family on the death of His Royal Highness Prince Philip, the Duke of Edinburgh on 9th April 2021. We would also record that Councillor Delve arranged for the Union flag to be flown at half mast at the village hall and that at noon on Saturday 10th April 2021, the Tenor bell at St Michaels & All Angels Church in Loxhore was tolled 99 times in recognition of the age of HRH Prince Philip. All churches were asked to commemorate in this way, throughout all of the United Kingdom and beyond. The bell was then rung for a further 10 minutes, because it was allowed and because it had not been rung for over a year due to the closure of the church under the Covid regulations.

The bell ringers were Bev Gould (Tower Capt.), Mike Matthews (Church Warden) & Chris Golds.

5.0	<u>Action points from previous meeting dated 12th November 2020</u>	
5.1	Additional potential flooding is possible and potential road closure due to erosion of edge of road near Oak Cottage. Clerk to log the problem on the DCC interactive reporting system which AD informed the PC goes straight to the contractor. Post meeting the clerk	

	<p>did this and DCC reference is W191274282. Response received as Highway's officer had visited. No immediate danger but he will seek funds to strengthen the bank. Clerk will monitor. Further erosion has since occurred and all are urged to upgrade the matter on the Devon Highways website using the reference number above. (5 March 2020) CD has emailed DCC Highways as further erosion. (Nov 2020) The boundary wall of Corner cottage, Lower Loxhore has collapsed into the stream. Clerk to write to owner asking that the debris be removed from the stream to prevent potential flooding problems.</p> <p>TB and JV reported that hedges bordering the highway up Cott hill and owned by National Trust have not been trimmed and so the road is being restricted. Clerk to write to NT enclosing responsibility document from Devon CC. MY wrote to NT but no response received due to Corona Virus lockdown. MY tried follow up 27 October. Office still shut. Obviously, the seasons have passed. Clerk will contact when possible, to establish that NT will when allowed maintain the hedgerows. (March 2021) Mr Baiment informed the clerk that the hedges again need cutting and that it is Murray Sharpe of South Town Farm who rents the fields from the NT and thus is responsible for the hedgerows. Before the clerk could contact Murray, they were coincidentally trimmed. If any future problems, then we should approach Murray directly.</p>	<p>ALL Clerk</p> <p>Closed</p>
5.2	<p>(Nov 2020 Para 7.3) P3 report reminder has come. Report due by February 2021. JV will be walking all paths over next few weeks and documenting any problems including an inventory of signs that cannot be read. P3 have offered stick on replacements and JV has indicated she can affix these to the signs. They have also given contact for contractor who can replace the damaged posts by the Methodist chapel, the pathway sign opposite Mr Baiment's house pointing up to Mr M Batson's house and the one on Loxhore Cott road that leads up to Longpot Lane behind the old quarry. (6 May 2021) JV has submitted the report (attached at Annex A). Financial details have not been completed as the subcontractor has not provided his estimate for the repairs. Signposts have now been fixed successfully after one was mounted the wrong way round. JV meeting soon with P3, Highways and possibly a contractor to discuss gulying on many paths and possible concrete at end of Red Lane. CB will ask Mike Matthews if he would consider planing a hedgerow along his/Tom Matthews boundary to help with preventing erosion and spoil coming down Bratton Lane.</p> <p>JV mentioned that she has been made aware of a possible old footpath near the church that might be resurrected. She is waiting for the old maps to be presented and will report back to council. She has also been informed of discourteous bike behaviour on one bridleway where it crosses a farm yard. This will be monitored.</p>	<p>JV</p> <p>CB</p> <p>JV</p>
5.3	<p>The other request was that Council consider installing a solar powered light in the box which would illuminate at night. This was voted down by majority. Mike Mathews stated that there was a light and he will kindly investigate whether a bulb failure or that power has been removed by Western Power. Clerk to liaise with MM. (5 March 2020) MM is trying to locate a bulb for the phone box as the one he has removed is not common. (12 Nov 2020) Linda and Mike Matthews have put a bookcase in the box along with many books as a Book Swap location. No progress on bulb. (6 May 2021) Council decided to close this matter. It can be reopened if any progress ensues.</p>	<p>Closed</p>
5.4	<p>(November 2020 para 5.4) CD reported that the Village Hall secretary has been unable so far to cast light on the insurance. CD to pursue. (5 March 2020) Cd reported that the village hall treasurer has checked and our property is not covered. CD will pursue getting our inventory added to the policy and we will pay any delta required. Property now insured through our new Zurich Policy, see para 6.4 below.</p>	<p>Closed</p>
5.5	<p>(March 2020 para 7.2) Clerk asked if efforts could be made to find a Parish Clerk again as he is due to take the chair in May and cannot do Chair and Clerk. (Nov 2020) Efforts continue to find a Parish Clerk. MY will not now be taking chair until May 2021 at the earliest. The potential candidate that the clerk had approached has declined. All to see if they can identify a candidate. (6 May 2021) As CB has kindly offered to remain as chair,</p>	

	MY can continue as clerk but we do need to find someone for this duty. All please continue to canvas a likely candidate, (Does not have to be a parishioner)	ALL
6.0	<u>Matters arising from meeting dated 12 November 2020</u>	
6.1	County Council News. None	Closed
6.2	District Council News. Councillor Prowse briefed: Covid has taken over the agendas for most District Council matters. Grants awarded are running at 13 x normal council expenditure plus multitude of housing problems to deal with. Fund of £6.4 million from central government for town centre development. NDDC are to borrow a further £4 million and plan on buying old property on Boutport street and old dept. store at the end of butcher's row. Then the pannier market will be refurbished with new roof and glass windows along butchers' row and a combination of shops and housing will be developed. The new leisure centre is on time and budget. New water sport centre in Ilfracombe is progressing at a good central location. Other infrastructure plans to revamp the town are in progress.	Closed
6.3	Council was approached from Citizen's advice North Devon regarding financial assistance to keep them going. Councillors all agreed that they do and continue to do excellent work and unanimously voted to donate £50. RFO arranged a cheque and subsequently a thank you was received from the organisation.	Closed
6.4	(Para 7.1 November 2020) Repair is needed to the stile on Bratton Bridleway providing access to Roborough Castle mound. An obvious step had broken and JV kindly repaired 2 steps however she suggests that the original design was not the best for safety and longevity. Mr C Comer was invited to quote but he reported that it needed a more substantial construction than his expertise would allow. Clerk wrote to P3 who will task the Highways officer to report and then use their subcontractor if applicable. Feedback from P3 – "The reason the stile has not been repaired is because it is not a right of way and not DCC responsibility." Unfortunately, they do not know who installed the structure – it might be worth having a chat to the landowner to see if they know anything about who is responsible for the access. TB will enquire as to whom owns the field with the mound (possibly Mr Kingdom of Swimbridge) and ask if they know who installed the stile and signposts. The stile was installed by the Parish Council post the Millennium. Permission is granted by Mr Kingdom for access to Castle Roborough. This is reaffirmed as the clerk spoke with him as he was installing a barbed wire fence round the field which blocked the stile. The clerk got quotes for the work if repair and to extend the stile over the barbed wire. Mr Baiment was authorised to do the work which was completed in January 2021. The Invoice of £240 has been paid and the clerk submitted the claim to Councillor Davies who kindly offered to pay for the work from her discretionary fund. (May 2021) Funds have been received from Devon County. Many thanks to Councillor Davis. Council decided that as we own the stile, we need liability insurance in case someone injures themselves. A Parish Council policy has been arranged with Zurich Insurance for a premium of £175. Councillor Davis has agreed to pay this first-year premium as it is an unexpected outlay for us. RFO will build this into future budget/precept. Other items are also covered such as the tools at the village hall and the red phone box. Additionally, any volunteers, like the pot hole and verge team have cover for injury etc. CD to advise her volunteers.	CB CD Closed
6.5	It has been brought to the Parish Council's attention, by a former resident, of a possible violation of planning approval. The clerk asked CD to investigate. In 2016 application 61138 for a barn conversion at Smythapark House was approved. In the decision notice it stated: (4) The converted barn hereby permitted shall not be used otherwise than for the provision of short let holiday accommodation. The property shall not be occupied as a permanent dwelling and shall not be occupied by any one person for a period exceeding	

	<p>28 days in any calendar year. The owner or operator shall maintain a register of occupants for each calendar year. This shall be made available on request for inspection by any duly authorised officer of the Local Planning Authority. It now appears that the property has been offered for permanent let and has been advertised at a monthly rate. CD briefed council on details and that there is a tenant. It was agreed that in the first instance the chair (CB) would speak with the owners Nick and Karen Loosemore and suggest that they apply for a variance in planning application. CB did this on 13 Nov 2020 but they did not want to as this situation is only while the pandemic is ongoing and they intend to return to short term holiday letting next year. Councillor Prowse checked with the planning department and was told that all cases should be reported and it was then up to the planners to make a decision on whether and perhaps more importantly when to take any action. He thinks therefore that we have no option here but to pass the issue on to the District. The Clerk therefore informed the planning enforcement team. Clerk received an acknowledgement that stated that the matter might or might not be investigated once the facts were ascertained.</p>	Closed
7.0	Finance	
7.1	<p>Annual Accounts for 2020/2021 were presented by RFO. Please see Annex B</p> <p>Council voted unanimously to approve the accounts.</p>	Closed
8.0	Chair's Business	
8.1	<p>Councillor Young raised the fact that yet again the Parish has been subjected to a nauseous and noxious stench from the spreading of human waste by Mr Joe Watts, a farmer from Goodleigh who works the fields above Lower Loxhore. (These fields naturally slope down towards Lower Loxhore so any run off affects residents back gardens) The clerk had immediately advised NDDC who responded 2 days later and stated that NDDC Environment is only responsible for smell nuisance complaints and that 2/3 days is not considered a nuisance! They advised we should go direct to the Environment Agency regarding run off and contamination. Mrs Carol White had tried DEFRA who referred her to Trading Standards who then tried to refer her back to DEFRA!!!! The clerk will liaise with the EA in future. Council discussed this practice and felt that in this age of environmental awareness that it should cease. The citizens of Goodleigh are subjected to the same by the same farmer. When the farmer does not follow the strict rules about storage and ploughing in, by the time any agency responds and visits it is too late. Residents have lost ponds full of fish due to run-off contamination. Councillors discussed and unanimously agreed that we should appeal to our County and Local District Councillors as well as our MP to urge that the law be changed to stop the use of human waste in agriculture. Clerk will also inform Goodleigh Parish Clerk of our actions. Post meeting clerk has written to all accordingly.</p>	Clerk
8.2	<p>In the Clerks and Councils newsletter for March 2021 there was a lot of correspondence indicating that we along with many other Councils have contravened the law!!! There was a conflict in guidance between Local Government and National Government rules and it was stated in May 2020 clearly by NALC that National law takes precedence and so donations cannot be given to church buildings or graveyards. Therefore, regrettably, we must halt any future contribution to the upkeep of the graveyard. NALC and DALC are working with Government to try and sort out this matter.</p>	Closed
8.3	<p>The clerk received a request from Poppy and Amalia Challacombe of Horseshoe barn Lower Loxhore for admin support to obtain funding for their project to tidy up, plant apple trees and provide a picnic seat at the orchard at the bottom of the village hall grounds. The clerk agreed to help. The Parish Council needs to be involved as any grant from NDDC or a Councillor has to be paid via the parish Council. On advice from the clerk the young ladies wrote a business plan and following written confirmation from the Village Hall Committee that they fully support the plan this was submitted to Councillors</p>	

	Davis and Prowse. Both are amenable to helping but Councillor Davis cannot, at this time as any funds are frozen due to the election for County Councillors. Councillor Prowse offered two possibilities either his discretionary fund and/or a climate and environment grant from NDDC. This was discussed. It was suggested that the proposed cherry trees do not do well and that an alternative be planned. JV will liaise with the young ladies. It was also tabled that the grant committee can put a management plan caveat on the grant so that the grass, which is currently mowed regularly be allowed to grow around the orchard to improve the natural environment. The recommendation is that the application be made by the clerk to the NDDC climate and environment grant committee. Should the whole amount not be approved Councillor Prowse said he could fund any delta.	JV Clerk
8.4	The clerk reported that the emergency legislation allowing virtual meetings ceases tonight. Hertfordshire CC went to court to get virtual meetings extended but lost their case. Thus, as it stands any future meetings that we hold have to be in the village hall or outside in order to be able to accommodate the council and any parishioners who wish to attend.	Closed
9.0	<u>Next meeting</u> The Chair closed the meeting at 19:40, thanking everyone for attending. The next meeting will be held when either any urgent business arises, a planning application is submitted, or hopefully back to our normal schedule (1 July 2021) once the village hall reopens fully.	Closed

Minutes approved by Chair..... Date