

**Minutes of the Annual Fremington Parish Council Meeting  
Held on Monday 9<sup>th</sup> May 2016 at 7.00pm at Fremington Parish Hall,  
Higher Road, Fremington**

- Present:** Cllrs Mrs S Kingdom (Chairman), J Bell, F Biederman, R Cann (from minute No. 1605/04), D Chalmers, Mrs J Dyson, K Groves, Ms M Scott, B Sherborne, G Turner (from Item No. 1605/05) and T Wood  
Mrs V Woodhouse, Parish Clerk, Mrs E Badcock, Services Officer and Mrs L Steer, Deputy Services Officer
- In Attendance:** 62 Members of the public
- 1605/01      **To Elect the Chairman for 2016-2017 and presentation of the Chain of Office**  
Cllr Biederman nominated, seconded by Cllr Chalmers, that Cllr Mrs Kingdom be elected Chairman for 2016-2017.
- It was **resolved**, with no votes to the contrary, that Cllr Mrs Kingdom be elected Chairman for 2016–2017.
- 1605/02      **The Chairman will read and sign the prescribed ‘Declaration of Acceptance of Office’**  
The Chairman, Cllr Mrs Kingdom, read and signed the prescribed ‘Declaration of Acceptance of Office’.
- 1605/03      **To Elect the Vice-Chairman for the year 2016-2017**  
Cllr Mrs Kingdom nominated, seconded by Cllr Chalmers, that Cllr Biederman be elected Vice-Chairman for 2016-2017.
- It was **resolved** that Cllr Biederman be Vice-Chairman for 2016–2017.
- Cllr Cann entered the meeting at 7.02pm.
- 1605/04      **Apologies**  
Cllrs D Brailey, Mrs J Flynn and A Rennles.
- 1605/05      **Declarations of Interest**  
Cllr Bell declared a Personal Interest in Planning Application 60882 as the applicant is a close neighbour.
- Cllr Turner entered the meeting at 7.03pm.
- Cllr Chalmers declared a Personal Interest in Planning Application 60895 as he lives in the vicinity.
- 1605/06      **Chairman’s Announcements**  
The Chairman announced that she had attended the opportunity Barnstaple event, there were lots of discussions on the river and free Wi-Fi in the town.
- 1605/07      **To agree the agenda between Part A and Part B (Confidential)**  
It was **resolved** to agree the agenda between Part A and Part B (Confidential).
- 1605/08      **To approve and sign the minutes of Fremington Parish Council meeting held on Monday 25<sup>th</sup> April 2016 as a correct record**  
Copies were circulated with the agenda.  
It was **resolved**, with no votes to the contrary, to approve and sign the minutes of the meeting on the 25<sup>th</sup> April 2016 as a correct record. Cllr Mrs Kingdom duly signed the minutes.

1605/09 **To receive, and to ratify the decisions therein, the minutes of the following Committee meetings**

- Fremington Quay Management Committee held on Tuesday 26<sup>th</sup> April 2016  
It was **resolved** to receive and ratify the decisions therein, the minutes of the Fremington Quay Management Committee Meeting held on Tuesday 26<sup>th</sup> April 2016.
- Finance & Personnel Meeting held on Thursday 28<sup>th</sup> April 2016  
It was **resolved** to receive and ratify the decisions therein, the minutes of the Finance & Personnel Committee Meeting held on Thursday 28<sup>th</sup> April 2016.
- Parks & Playing Fields Meeting held on Thursday 28<sup>th</sup> April 2016  
It was **resolved** to receive and ratify the decisions therein, the minutes of the Parks & Playing Fields Committee Meeting held on Thursday 28<sup>th</sup> April 2016.

1605/10 **To receive reports from outgoing Committee Chairmen:**

- **Finance & Personnel Committee**
- **Footpaths Committee**
- **Parks & Playing Fields Committee**
- **Tews Lane Committee**
- **Fremington Quay Management Committee**

The reports were contained within the Annual Report and circulated. It was **resolved** to note the reports.

1605/11 **To review the Council's Standing Orders**

It was **resolved**, with no votes to the contrary, to amend Standing Orders as follows: -

**1. Public participation – Amendment**

D Subject to Standing Order 1(f) a member of the public may speak on any item relating to Council business subject to the agreement of the majority of Councillors present and with permission of the Chairman.

E Subject to Standing Order 1(c) above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business relating to the Council during the Public Participation Period which shall not exceed 15 minutes.

F Subject to Standing Order 1(d & e) above, each member of the public is entitled to speak once only and shall not speak for more than 3 minutes.

G In accordance with Standing Order 1(e) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate at the meeting.

H A record of a public participation session at a meeting shall be included in the minutes of that meeting.

I A person shall raise his hand when requesting to speak

J Any person speaking at a meeting shall address his comments to the Chairman.

K Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

## 2 Substitutions – **Addition**

At the Annual Parish Council Meeting a substitute for each Committee will be elected to attend meetings in the place of a Councillor who has submitted their apologies.

The substitute will count towards the quorum of the Committee but will have no voting right.

## 3 Length of service on the Finance and Personnel - **Addition**

The Finance and Personnel Committee will be elected at the Annual Parish Council Meeting following a local election and the membership will remain in place, unless a Councillor resigns from the Committee, until the Annual Parish Council Meeting following local election.

- 1605/12      **To review the Council's Financial Regulations**  
The Financial Regulations were reviewed and no changes were proposed.
- 1605/13      **To appoint all members of the Council to serve on the Burial Authority**  
It was **resolved**, with no votes to the contrary, to appoint all members of the Council to serve on the Burial Authority.
- Cllr Cann proposed and it was **resolved**, with no votes to the contrary, for all Committee memberships to remain the same except for the Tews Lane Committee for the ensuing year.
- 1605/14      **To appoint five Councillors to serve on the Finance & Personnel Committee**  
*All members elected to this committee to please sign bank mandate forms before leaving the meeting*  
It was **resolved**, with no votes to the contrary, to appoint Cllrs Rennles, Wood, Mrs Kingdom, Chalmers and Groves to serve on the Finance & Personnel Committee.
- 1605/15      **To appoint seven Councillors to serve on the Parks & Playing Fields Committee**  
It was **resolved**, with no votes to the contrary, to appoint Cllrs Bell, Wood, Sherborne, Biederman, Turner, Chalmers and Groves to serve on the Parks & Playing Fields Committee.
- 1605/16      **To appoint five Councillors to serve on the Footpaths Committee**  
It was **resolved**, with no votes to the contrary, to appoint Cllrs Mrs Flynn, Bell, Wood, Chalmers and Groves to serve on the Footpaths Committee.
- 1605/17      **To appoint five Councillors to serve on the Tews Lane Committee**  
It was **resolved**, with no votes to the contrary, to increase the Committee membership to seven and to appoint Cllrs Mrs Flynn, Sherborne, Cann, Mrs Kingdom, Mrs Dyson, Turner and Chalmers to serve on the Tews Lane Committee.
- 1605/18      **To appoint nine Councillors to serve on the Fremington Quay Management Committee**  
It was **resolved**, with no votes to the contrary, to appoint Cllrs Mrs Flynn, Rennles, Bell, Wood, Cann, Sherborne, Biederman, Turner and Chalmers to serve on the Fremington Quay Management Committee.

- 1605/19      **To approve that the Chairman, Vice Chairman, Chairman of Finance & Personnel Committee and the Chairman of the relevant committee most closely related to the particular matter constitute an Emergency Committee**  
It was **resolved**, with no votes to the contrary, to approve the appointment of the Chairman, Vice Chairman, the Chairman of Finance & Personnel Committee and the Chairman of the committee most closely related to the particular matter as an Emergency sub-Committee of the Council.
- 1605/20      **To appoint representatives to outside bodies**  
It was **resolved**, with no votes to the contrary, to make the following appointments:
- |   |                                      |
|---|--------------------------------------|
| Fremington Parish Hall Management Committee   | Cllr Mrs Dyson                       |
| Tomlin Hall Management Committee              | Cllr Chalmers                        |
| Devon Association of Local Councils/AGM       | Cllr Chalmers                        |
| Taw/Torridge Estuary Forum                    | Cllr J Bell                          |
| Fremington Quay Environment Group             | Cllr Groves & Mrs Dyson              |
| Muddlebridge & Babbages Allotment Association | Cllr Rennles subject to confirmation |
| Tree Warden (Fremington /Yelland)             | Cllr Wood and Cllr Groves            |
| Tree Warden (Bickington/Roundswell)           | Cllr Chalmers and Wood               |
- 1605/21      **To review the Council's Assets and Lease Arrangements**  
A copy of the Council's Asset and Lease Arrangements had been circulated with the agenda. It was **resolved** to note the Council's Assets and Lease Arrangements.
- 1605/22      **To receive the Councillors attendance record for 2015/16**  
A copy of the Councillors Attendance Record had been circulated with the agenda. It was **resolved**, with no votes to the contrary, to note the Councillors attendance record for 2015/16 a copy of which is attached as Appendix One.
- 1605/23      **To receive a report from the Police**  
A report was not received.
- 1605/24      **Public Participation Period**  
A member of the public reported that on the 4<sup>th</sup> May 2016 an un-sheeted lorry carrying contaminated soil went from the former Army Camp Development site to a development site in Barnstaple. The contamination was identified and the lorry drove back to the former Army Camp un-sheeted. The Council was asked if it would support the Yelland Action Group in calling for a public inquiry.
- A member of the public informed the Council that he was given assurances in December 2015 that the lorries carrying the material would be sheeted and they are still not sheeted.
- 1605/25      **To receive and agree the Internal Audited Accounts for the Financial Year 2015/2016 together with the Parish Council's Internal Auditor's Report**  
Copies of the documentation had been circulated with the agenda. It was **resolved** to agree, with no votes to the contrary, the Internal Audited Accounts for the Financial Year 2015/16 together with the Parish Council's Internal Auditor's Report. It was further **resolved**, with no votes to the contrary, to increase the Parish Council's Fidelity Guarantee from £240,000 to £280,000.
- 1605/26      **To review the Council's Statement of Internal Control for the financial year 2015-2016 in accordance with the Local Government Act 2003**  
Copies of the documentation had been circulated with the agenda. It was **resolved**, with no votes to the contrary, to note and agree the Statement of Internal Control.

- 1605/27      **To consider and agree the Audit Commission's Annual Return for the Year Ended 31<sup>st</sup> March 2016**  
Copies of the documentation had been circulated with the agenda. It was **resolved**, with no votes to the contrary, to note and agree the Audit Commission's Annual Return for the year ended 31<sup>st</sup> March 2016.
- 1605/28      **To discuss and agree the Annual Governance Statement Detailed in the Audit Commission's Annual Return for the Year Ended 31<sup>st</sup> March 2016**  
Copies of the documentation had been circulated with the agenda. It was **resolved**, with no votes to the contrary, to agree the Annual Governance Statement for the year ended 31<sup>st</sup> March 2016.
- 1605/29      **To review the Members' Code of Conduct**  
The Members' Code of Conduct was reviewed and no changes made.
- 1605/30      **Matters to Note (all held in the office unless specified as enclosed)**
- Came & Company – Local Council Matters – Spring 2016
  - Devon Hedge Tree Competition 2016
  - Healthwatch Devon – Voices magazine – Issue 12 Spring 2016
  - Notice from DCC – Temporary Prohibition of Traffic Order - closure of Footpath 41 at Allenstyle
  - Letter from Stagecoast South West regarding recent changes to the 21A bus service (Copy attached for Cllrs only)
  - Email from Stagecoach South West re North Devon Bus Surgeries
  - Email from NDC re agreement to street naming and numbering of Mead Park development as Sea King Close
- It was **resolved**, with no votes to the contrary, to note the information.
- 1605/31      **District and County Councillors' Reports** – To receive reports from the District & County Councillors  
Cllr Biederman reported that the situation with the moving of contaminated soil from the former Army Camp Development site was being investigated, he has requested the planning officers to attend the next Full Council meeting and was awaiting a reply.
- 1605/32      **To consider the adoption of the open space at the Former Army Camp Development**  
It was **resolved**, with no votes to the contrary, to defer this item until the next meeting in light of the investigations.
- 1605/33      **To consider North Devon Council's Consultation on the re-commission of its CCTV service**  
It was **resolved**, with no votes to the contrary, to note the information.
- 1605/34      **To consider comments on the draft Parish Council's Bill** (Item requested by Cllr Chalmers)  
Cllr Chalmers explained that the draft bill was seeking to give parish councils more influence in planning and licensing amongst other areas. Members were in favour of the draft bill and Cllr Chalmers confirmed he would forward the support for the Bill to DALC.

1605/35

**North Devon Council – Planning Applications**

North Devon Council, the determining Authority, has asked for comments from this Parish Council on the following planning applications:

*It was formally noted that participation of the Councillors who are also members of NDC in both the debate and subsequent vote (in respect of any of the above, were preliminary taking account of the information matters) was on the basis that the views expressed made available at the time to the Parish Council. The District Councillors were reserving their final views on the applications until they were in full possession of all the relevant arguments for and against*

57310 Proposal: Outline application for 34 dwellings (amended plans & description)

Location: Land west of Oakland Park South, Sticklepath, Barnstaple

Applicant/Agent: David Tucker Associates

It was **resolved**, with no votes to the contrary, to suspend Standing Orders to allow members of the public to speak.

Members of the public raised concerns over the loss of a green space, the visual impact of the proposed development.

Cllr Turner left the meeting.

The impact on the wildlife, the precedence the development would set for further applications along the estuary. A member of the public asked what rights the developer had to use the footpath as an emergency access. Cllr Biederman agreed that he would pursue this matter.

Cllr Turner returned to the meeting.

Concerns were also raised over the width of the pavement, Cllr Biederman agreed to pursue with the County Cllr for the area, and traffic and sewage capacity.

Members of the public were encouraged to write to NDC with their concerns.

Standing Orders were reinstated.

It was **resolved**, with no votes to the contrary and one abstention, to recommend REFUSAL, the site was considered by the SHLAA Panel who concluded that "land to the north of the ridge is not considered acceptable for development due to the likely impact on the setting of the estuary and wildlife interest" it is outside of the development boundary and would constitute development in the open countryside and agricultural land. There are protect species in the area, it would be a visual intrusion on the landscape which would have a significant adverse impact on the area, there would be an unacceptable increase in traffic generated from the development. The green field has not been included in the emerging North Devon Local Plan and there is already adequate land allocated to the South of the Taw to meet the five year land supply. There are concerns over the flood risk and the site also holds archaeological value. The local education and medical services are already meeting saturation point.

It was **resolved**, with no votes to the contrary, to suspend Standing Orders to allow members of the public to speak.

A member of the public reported that he had carried out a bus survey of those using the bus stop at the end of the access road and explained the results to the Council.

Standing Orders were reinstated

60645 Proposal: Erection of two dwellings (amended red outline)  
Location: Bickington Road, Bickington, Barnstaple  
Applicant/Agent: Mr C Bell

It was **resolved**, with one vote to the contrary and two abstentions, to recommend APPROVAL subject to a satisfactory highway report.

It was **resolved**, with no votes to the contrary, to suspend Standing Orders to allow members of the public to speak.

A member of the public raised concerns about the inaccurate information that had been submitted with the planning applications and asked that any approval should condition the development to a retired or disabled person in perpetuity and be DDA compliant. It should have due regard for the wildlife and the design should be in keeping with the area.

Standing Orders were reinstated.

60882 Proposal: Outline application for erection of one detached bungalow  
Location: Garden of 46 Yelland Road, Fremington, Barnstaple  
Applicant/Agent: Mr J Ager

It was **resolved**, with no votes to the contrary and two abstentions, to recommend REFUSAL the development is back land development, it would have a negative impact on the amenity of the adjoining properties and the access onto the highway is inadequate. If the North Devon Council is mindful to approve the application it should be called in to be dealt with by the planning committee. It is noted that the current property appears to be for sale on the open market.

60959 Proposal: Erection of one dwelling with parking area  
Location: Garden of Pixie Croft, Beechfield Road, Fremington, Barnstaple  
Applicant/Agent: Mr F C Harris

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to adequate access onto the highway and no adverse impact on the amenity of adjoining properties.

60969 Proposal: Erection of one dwelling  
Location: Garden of Oakwell Cottage, Bickington, Barnstaple  
Applicant/Agent: Wasteworx Ltd

The Parish Council has concerns over the vehicular access to the proposed dwelling and the impact it will have on the character of the village, if approval is given the design should respect the character of the village.

61035 Proposal: Erection of dwelling  
Location: 2A Chilpark, Fremington, Barnstaple  
Applicant/Agent: Mr G Price

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to no adverse impact on neighbouring properties

61055 Proposal: Reinstatement of original pitch roof & change of use of agriculture land to domestic curtilage  
Location: Collacott Farm, Newton Tracey, Barnstaple  
Applicant/Agent: Mr I Stagg

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to it not having a negative impact on the area and the land only being used as a garden and not for development.

60291 Proposal: Reserve matters application for erection of 264 dwellings (outline Planning Permission 53881) (amended plans identifying revised layout & design together with additional drainage, landscape & engineering information)  
 Location: Land at Tews Lane, Bickington, Barnstaple  
 Applicant/Agent: Mr James Phillips Linden Homes South West C/O Agent

It was **resolved**, with no votes to the contrary and one abstention, to forward the comments that the Parish Council would not recommend approval unless the developers stick to the approved access plans and only use the Old Bideford Road to access the site.

60895 Proposal: Outline Application For The Erection Of Up To 61 Dwellings, Including Affordable Housing, Areas Of Open Space & Landscaping, New Vehicular Access & Associated Site Infrastructure  
 Location: Land West Of Mead Park Bickington Barnstaple  
 Applicant/Agent: Cavanna Homes (South West) Limited C/O Agent

It was **resolved**, with no votes to the contrary and one abstention, to recommend REFUSAL, the development would be an unacceptable intrusion into a green belt between two villages. It is visually intrusive on the village of Bickington and of a scale that would adversely impact on the character of the village.

Any development in this location would create an unacceptable increase in water runoff that would add to the flood problems already being experienced in the area. The application is a major departure from the current Local Plan, the site is outside of the development boundary for this locality as shown in the emerging North Devon Local Plan. The increase in traffic would add to existing congestion at the Cedars Junction. There are recent approvals and sites identified and supported in the emerging Local Plan that would more than meet the five year housing land supply and further applications submitted. There is already adequate land allocated nearby for over 1200 dwellings at Larkbear, Tews Lane, Allenstyle, Fremington Army Camp and Glenwood Farm. The emerging local plan already identifies sufficient sites to meet twenty year land supply in better locations. Given the availability of alternatives this site is not required.

1605/36

### **North Devon Council – Planning Decisions**

To note that North Devon Council, the determining Authority, has APPROVED the following applications with conditions as filed:

60229 Proposal: Demolition of existing & erection of replacement community building  
 Location: Community Centre, Beechfield Road, Fremington, Barnstaple  
 Applicant/Agent: John & Stromski & Associates

60637 Proposal: Extension to dwelling  
 Location: 12 Ballards Crescent, Yelland, Barnstaple  
 Applicant/Agent: Mr N Denton

60662 Proposal: Variation of Condition 11 (temporary access track) attached to planning permission 58715 erection of a 4.5Mw solar photovoltaic power plant, together with inverters, transformers, substation & other ancillary equipment – to allow use of the access for the lifetime of the development  
 Location: Collacott Farm, Newton Tracey, Barnstaple  
 Applicant/Agent: Temporis Wind

60686 Proposal: Alterations & extension to dwelling  
 Location: 48 West Yelland, Yelland, Barnstaple  
 Applicant/Agent: Mr P Turner



- 60701 Proposal: Extension to dwelling  
Location: 2 Rosewood Grove, Roundswell, Barnstaple  
Applicant/Agent: D & J May Architectural Services
- 60821 Proposal: First floor extension to property  
Location: 25 Cross Close, Fremington, Barnstaple  
Applicant/Agent: Mr M Colley
- 60827 Proposal: Creation of passing place & bend realignment to unclassified road access (amended plans)  
Location: Land at Little Knightacott Farm, Lydacott, Barnstaple  
Applicant/Agent: Mr N Polkinghorne, NPAS Devon Ltd
- 60852 Proposal: Extensions & alterations to dwelling  
Location: 4 Oaklea Crescent, Fremington, Barnstaple  
Applicant/Agent: Mr M Brown
- 60979 Proposal: Prior approval for a larger home extension in respect of extension to rear which extends 8m beyond the rear wall, 4m to ridge & 4m to eaves  
Location: Old Pottery House, Combrew Lane, Bickington, Barnstaple  
Applicant/Agent: Mr M Hastings

North Devon Council, the determining Authority, has REFUSED the following application :

- 60889 Proposal: Erection of dwelling  
Location: 11 Swallow Field, Roundswell, Barnstaple  
Applicant/Agent: Mr N Polkinghorne, NPAS Devon Ltd

It was **resolved**, with no votes to the contrary, to note the information.

1605/37

**Councillors Questions**

Cllr Ms Scott asked for clarification on the articles in the press relating to the closure of A&E at the hospital. Cllr Ms Scott was informed that all the services were being reviewed, a question had been asked at a consultation event if it would lead to the closure of A&E and confirmation was given that it would not. Further consultation events will be taking place in the near future.

Cllr Groves asked for clarification on the situation with the contamination and meeting for the Army Camp development. It was agreed to invite the NDC's Environmental Health Officer to the next Parish Council meeting.

1605/38

**Close**

There being no further business the meeting closed at 8.30pm.

Signed ..... Dated .....