

**Minutes of the Fremington Parish Council Meeting  
Held on Monday 8<sup>th</sup> October 2018 at 7pm at Fremington Parish Hall,  
Higher Road, Fremington**

**Present:** Cllrs Mrs S Kingdom (Chairman), S Adams, F Biederman, Mrs J Cann, R Cann, D Chalmers, I Crawford, Miss L Goodger, Mrs C McCormack-Hole, Ms M Scott (from Minute No. 1810/06), B Sherborne and P Thorn  
Mrs V Woodhouse, Parish Clerk and Mrs E Badcock, Services Officer

**In Attendance:**

Mrs J Watkins, Planning Officer, North Devon Council  
2 representatives from Baker Estates  
14 Members of the public

1810/01

**Apologies**

Cllrs D Brailey, K Groves and A Rennles.

1810/02

**Declarations of Interest**

Cllr Ms Scott declared a Personal Interest in Item 1810/15 application 65600 as the Matron of the Manor is known to her.

Cllr Biederman declared a Personal Interest in Item 1810/09 as a County Councillor and the impact on his children and a Personal Interest in Item 1810/15 application 65600 as the Matron of the Manor is known to him.

1810/03

**Chairman's Announcements**

The Chairman announced that unfortunately the person who had been maintaining the Elmfield Road floral display was no longer able to continue. District Cllr Mrs Flynn was prepared to maintain in the short-term but was looking for volunteers long-term. Cllr Mrs Cann informed members that there is someone willing to take over the maintenance. It was agreed to write a letter of thanks to the former volunteer.

1810/04

**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).

1810/05

**To receive a report from the Police/Councillor Advocate**

The report was circulated and is attached as Appendix One. Cllr Chalmers, as the Councillor Advocate, reported that he had asked about including cybercrime on the reports and this was being investigated. Cllr Chalmers further reported that the proposed merger of the Devon and Cornwall and Dorset Police force will not happen.

1810/06

**Public Participation Period**

Baker Estates updated members on the redevelopment of the former Oakwell Care Home and explained that the first occupation should be after Christmas and completion should be around spring 2019. Any feedback would be welcomed, they had received some complaints about parking and have resolved this with their contractors. Cllr Cann said he had received one or two concerns and would follow those up. The representatives were thanked for attending the Council meeting and updating members throughout the development.

A member of the public explained that some of the residents of Riverside Park were trying to form a Residents Association and asked for clarification on the adoption of areas on the estate. It was explained that the Parish Council had agreed in principle to adopt the formal open space, although a final decision had not been taken. The informal open space would remain the responsibility of the management company. Cllr Biederman explained that there was still an ownership dispute over Military Road and this would not be adopted by the Highway Authority until resolved.

A member of the public made representations against planning application 65541 and explained the impact it would have on their privacy and the over shadowing it would cause to their garden and solar panels, they also felt the proposal was out of character with the area and the amended plans had done nothing to address these issues.

A resident who is also the Chairman of the Fremington Football Club spoke in favour of the Parish Council adopting the Multi Use Games Area on Riverside Park. He explained that the community had been fighting for this much needed facility for a long time, he was concerned about the management and access to the MUGA if the Council does not adopt the facility and felt it needed to be managed by the Parish Council for and on behalf of the whole community.

Cllr Ms Scott entered the meeting at 7.14pm.

The resident explained that the Football Club was at breaking point with a lack of facilities and had been waiting since 2012 for an all-weather pitch and since the previous plans fell through, he felt this would be a facility the parish could be proud of and felt the Parish Council should embrace.

1810/07      **To approve and sign the minutes of Fremington Parish Council meeting held on Monday 10<sup>th</sup> September 2018**

Copies were circulated with the agenda.

It was **resolved**, with no votes to the contrary and two abstentions, to approve and sign the minutes of the meeting on the 10<sup>th</sup> September 2018 as a correct record. Cllr Mrs Kingdom duly signed the minutes.

1810/08      **To receive and to ratify the decisions therein, the minutes of the following Committee meetings**

- Parks & Playing Fields Committee Meeting held on Thursday 27<sup>th</sup> September 2018

It was **resolved**, with no votes to the contrary, to receive and ratify the decisions therein the minutes of the Parks & Playing Fields Committee Meeting held 27<sup>th</sup> September 2018.

- Finance & Personnel Committee Meeting held on Thursday 27<sup>th</sup> September 2018  
It was **resolved**, with no votes to the contrary, to receive and ratify the decisions therein the minutes of the Finance & Personnel Committee Meeting held 27<sup>th</sup> September 2018.

- Tews Lane Committee Meeting held on Thursday 27<sup>th</sup> September 2018  
It was **resolved**, with no votes to the contrary, to receive and ratify the decisions therein the minutes of the Tews Lane Committee Meeting held 27<sup>th</sup> September 2018.

1810/09      **Highways issues – update**  
**To receive response from Devon County Council to the traffic issues on the B3233**

The information was circulated prior to the meeting. Cllr Cann felt the response was disingenuous. Members agreed and did not feel that the response was sufficient and felt that DCC as the Highway Authority had undermined us by recommending approval to the developments and now needed to demonstrate how they are going to deal with the extra traffic. Members noted that originally the Larkbear development would have an access off of Lake Roundabout and now the proposal was to bring the traffic through Roundswell and up to the Cedars Roundabout adding to the congestion on the B3233 and not providing an access at the rear of Petroc.

Cllr Biederman explained that the Highway Authority can only turn down an application if the impact on traffic would be "severe" and the use of "severe" needs clarifying. Cllr Biederman explained that his children have been late to school every day and was concerned about the impact this was having on their education.

Cllr Crawford had noticed a huge increase in traffic over the last four years and asked why the Parish Council is not looking at proposals for other infrastructures such as railways. It was noted that the roads are the responsibility of the Highway Authority.

It was agreed to invite the Head of Planning, Transportation and Environment and the Development Management Officer (North Devon and Exmoor National Park) from Devon County Council to a future Council meeting to explain how the problem is going to be dealt with and to share a copy of the letter with DALC.

- 1810/10      **Matters to Note** (all held in the office unless specified as enclosed)
- North Devon & Torridge Local Plan – publication of Inspector's report (Copy enclosed for Cllrs)
  - NDC - Certificate of Lawfulness for proposed siting of a twin unit mobile home at 23 Yelland Road, Fremington, Barnstaple
  - Age Concern Letter "Good News" the charity has secured vital funding and has been saved from closure in this current year
  - Grant of Marine Consent for Fremington Army Camp for surface water drainage works
  - DCC – Temporary Prohibition of Through Traffic & Parking - A3125, Barnstaple from Gratton Way to Old Bideford Road – 12<sup>th</sup> October to 13 October 2018 (copy enclosed for Cllrs)

Cllr Cann reported that the Local Plan had been agreed by the Inspector and was nearing adoption which would strengthen NDC's role in objecting planning applications.

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

- 1810/11      **County and District Councillors' Reports** - To receive reports from the County Councillor and District Councillors for information only.
- Cllr Cann reported again that the trial area for the refuse collections had been successful and explained that NDC was looking to replace the plastic boxes with strong bags which are bigger and enable more recycling.

Cllr Biederman gave apologies from Cllr Mrs Mackie who is on holiday and explained that he had recently attended a meeting about the "bridge to nowhere" in Roundswell and an application would be submitted in the near future for the Enterprise Centre which will provide units for start-up businesses.

- 1810/12      **To receive Notice of Conclusion of Audit and completed Annual Governance & Accountability Return for years ended 31<sup>st</sup> March 2018**
- The information was circulated prior to the meeting and it was **resolved**, with no votes to the contrary, to note the information.

- 1810/13      **To receive update on the future management of the Multi Use Games Area on the former Army Camp Development Site, Riverside Park and consider the adoption**
- Information and an update following the Working Party's meeting on site with the Developer and Planning Officer was circulated prior to the meeting. It was noted that the Developer was of the opinion that they have done as much as they are going to, which is in fact more than was required of them, the increased height in the fence next to the listed property was agreed with the owners of the Old Barn and Planning Officer, it was noted that the location of the MUGA had been through the planning system and approved at Appeal.

Netting on top of the fence was discussed at the site meeting and the Developer had suggested that an additional sum could be provided for the Parish Council to install a net at a later date, details of the offer along with maintenance costs of the facility were included in the briefing note circulated prior to the meeting.

It was noted that the Parish Council's Solicitor's advice was not to adopt the facility whilst there is a risk of a nuisance claim.

Cllr Chalmers proposed and it was **resolved**, with one vote against and one abstention, to suspend Standing Orders to allow the Planning Officer to speak.

Ms Watkins explained that the Developer suggested that they would be happy to include a sum of £5,000 for the Parish Council to install a net in the future should it be required.

It was **resolved** to reinstate Standing Orders.

It was noted that that the Planning Officer had confirmed that the MUGA was not built on listed land and NDC's mapping system had been generous with the curtilage of the adjacent listed building.

Cllr Biederman felt that the Parish Council should adopt the facility, he explained that Fremington is a huge parish bigger than Braunton and South Molton but we have not got the same level of facilities. He was concerned about the management of the facility if it were to be passed to the Management Company which would implement an open door policy and would mean certain groups would find themselves excluded from being able to use the facility. He felt it was a fantastic opportunity and the Solicitor was airing on the side of caution when advising the Council and the control and adoption of a community asset was important.

Cllr Mrs Kingdom raised concerns about the cost of maintenance of the facility as detailed in the briefing note. It was noted that the facility would have to be maintained in accordance with the manufacturer's requirements so as not to invalidate the guarantees and the resources required to achieve this need to be considered.

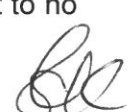
Members discussed whether or not it is actually physically possible to kick a ball over the fence. Cllr Thorn explained that this was unlikely to happen during supervised sessions and five a side football is below shoulder height.

Cllr Cann did not feel that the Parish Council was in a position to accept the facility at the moment and felt that the Council required clarification on several points including the impact on the listed building, the lighting impact and requirements.

Members noted that if the Parish Council adopts the facility the LTA entry system would be installed and used to manage and book the facility and both the developer and planning officer were aware of this intention and had not raised any objections to this method. All bookings would be made via the app which would unlock and lock the facility and could be linked to the lighting and provide a responsible person for each booking who has agreed to terms and conditions of use, there would be some free sessions and paid for sessions available.

After much discussion and consideration of all of the information the Chairman proposed and it was unanimously agreed to take a recorded vote.

It was **resolved**, with Cllrs Adams, Biederman, Mrs Cann, Chalmers, Crawford, Miss Goodger, Mrs McCormack-Hole, Ms Scott, Sherborne and Thorn in favour, Cllr Mrs Kingdom against and Cllr Cann abstaining, for the Parish Council to accept the transfer and adopt the Multi Use Games Area on Riverside Park subject to no negative impact from the lighting on neighbouring properties.





1810/14 **To receive update on Asda's Community Champion** (item requested by Cllr Groves)  
Members were informed that the Community Champion had organised an event with Cllr Groves on the 21<sup>st</sup> October between 10am and 1pm meeting at the Quay car park. The volunteers would clear the encroaching vegetation along the bank side of the By Way and litter picking etc.

1810/15 **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*

65492 Proposal: Conversion of garage & internal alterations  
Location: 36 Wester-Moor Drive, Roundswell, Barnstaple  
Applicant/Agent: Miss Wilkins

It was **resolved**, with no votes to the contrary, to recommend APPROVAL.

65498 Proposal: Extension to dwelling & creation of additional parking  
Location: 5 Parklands, Roundswell, Barnstaple  
Applicant/Agent: Mr & Mrs Brown

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to an appropriate design and no adverse impact on the amenity of neighbouring properties.

65500 Proposal: Extension & alterations to dwelling including raising of roof & insertion of dormer windows & balcony  
Location: 46 Park Avenue, Sticklepath, Barnstaple  
Applicant/Agent: Mr Dennis

It was **resolved**, with no votes to the contrary and two abstentions, to recommend REFUSAL, the proposal is over intensification of the site, the design is out of keeping with the area and it will have an adverse impact on the amenity of neighbouring properties.

65503 Proposal: Erection of one replacement dwelling with attached garage  
Location: Victoria Cottage, Bickington Road, Bickington, Barnstaple  
Applicant/Agent: Mr C Lovell

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to an appropriate design and the proposal not impacting on the traffic or highway safety.

65541 Proposal: Conversion of bungalow to two storey dwelling with external alterations & addition of a new balcony  
Location: 25 Allenstyle Road, Yelland, Barnstaple  
Applicant/Agent: Mr & Mrs Brayne

It was **resolved**, with no votes to the contrary and one abstention, to recommend REFUSAL the Parish Council would raise concerns about the design which is out of keeping with the area, the impact on the amenity and loss of privacy of the neighbouring property. The proposal is over development of the site,

65563 Proposal: Erection of garage  
 Location: Elmsleigh, Bickington Road, Sticklepath, Barnstaple  
 Applicant/Agent: Mr Wharton

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

Cllr Biederman left the meeting.

65600 Proposal: Works to trees covered by a Tree Preservation Order in respect of crown reduction of no1 Cedar tree & re- pollarding of no1 London Pine Plane tree  
 Location: Fremington Manor, Fremington, Barnstaple  
 Applicant/Agent: Mr Ricky Williams

It was **resolved**, with no votes to the contrary and one abstention, to recommend APPROVAL as long as the works are in the interest of good tree management.

1810/16

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

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

64319 Proposal: Application for consent for works to trees covered by a Tree Preservation Order in respect of removal of 1 Spruce tree  
 Location: The Vicarage, Fremington, Barnstaple  
 Applicant/Agent: Arbmark Tree Care

65173 Proposal: Variation of Condition 2 (approved plans) attached to planning permission 64234 (reserved matters application for erection of one dwelling with integral garage together with erection of detached garage for existing dwelling (outline planning permission 62093) to allow the finished floor level to be raised & for the addition of a window to the garage  
 Location: Land adjacent to 1 Lagoon View, Yelland, Barnstaple  
 Applicant/Agent: D & J May Architectural Services

65216 Proposal: Demolition of existing garage & erection of new garage together with loft conversion with erection of dormer window  
 Location: 83 Yelland Road, Fremington, Barnstaple  
 Applicant/Agent: Mrs S La Masurier

65241 Proposal: Approval of details in respect of discharge of Condition 3 (materials), 4 (landscape proposals), 6 (flood damage), 7 (lighting scheme) & 8 (groundworks) attached to planning permission 64305 (demolition of one industrial building & erection of two industrial buildings (block A comprising three industrial units & block B comprising five industrial units))  
 Location: Freebird Leisure, Yelland, Barnstaple  
 Applicant/Agent: PWH Associates (Barnstaple) Ltd

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

Cllr Biederman returned to the meeting.

1810/17

### **Councillors Questions**

Cllr Chalmers reported that he had attended the recent DALC AGM along with Cllrs Adams and Mrs McCormack-Hole, the Chief Constable and Police Crime Commissioners Officer were in attendance and gave a presentation. The Chief Executive of LEP had said that he would support DALC in helping Town and Parish



Councils get a seat at the table of the Heart of the South West although this would not give them a vote but would see them represented. There was a presentation on Community Infrastructure Levy and Section 106 money and how to secure and Brixham gave a presentation on the work they have been undertaking around mental health. Cllr Chalmers reported that only two councils in Devon hold the Quality level of the Local Councils Award Scheme with Fremington being one of the two and credited the staff for their work.

Cllr Adams asked if the Council could look to install CCTV on the MUGA, it was noted that this would have to be in line with GDPR.

Cllr Mrs Cann raised concerns about the safety of the trees along Bickington Road, Cllr Biederman confirmed that he would pursue with Highways and urged Councillors not to wait until Council meetings with DCC issues and to e-mail him direct.

Cllr Crawford asked when is the Parish Council going to campaign for the railways to be reopened? Cllr Crawford was advised that if he would like to add an Agenda item to contact the Parish Clerk.

Cllr Chalmers reported that Oak Rail had given a presentation at the DALC conference and were on the verge of having a rail link re-opened.

Cllr Ms Scott stated that she had attended the meeting with those providing mental health and the MP and she would provide feedback on the meeting, lots of issues were raised and those providing the services did not realise that the transitional process was such a problem.

Cllr Biederman confirmed that the MP had hosted the meeting and the CCG, DCC and Virgin Care were in attendance, they were not aware of the services provided by the other organisations including the voluntary services, Mr Heaton-Jones will follow up the issues raised. Cllr Biederman was concerned about the impact on young people of witnessing life threatening events especially on Barnstaple Bridge and the help that is available to them if they witness an event.

Cllr Chalmers reminded members that there is an event on 12<sup>th</sup> October 2018 in Umberleigh focusing on mental health.

Cllr Mrs McCormack-Hole reported that the issues being experienced in this parish were being raised at the DALC meeting and are issues everywhere.

1810/18

It was **resolved** that under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 that the public and press be excluded from the meeting for the following items as they involve the likely disclosure of confidential information.

Members of the public left the meeting.

**PART B**

1810/19

**To consider sale of current Parish Council Offices to release funds towards the replacement of the Beechfield Centre**

Information had been circulated prior the meeting and the options were debated.

Cllr Miss Goodger left the meeting and did not return.

Further options were considered along with timescales.

Cllr Cann left the meeting and did not return.

It was **resolved**, with no votes to the contrary, to apply for planning permission for change of use as a residential property and proceed to sell the Parish Council Offices at Auction as and when the Beechfield Project progresses and when appropriate to release the funds towards the replacement of the Beechfield Centre.

1810/20

**Close**

There being no further business the meeting closed at 9.22pm.

Signed .....



Dated .....

12.11.18