

**Minutes of the Annual Fremington Parish Council Meeting held
on Monday, 13th May 2019 at 7.00pm at Fremington Parish Hall,
Higher Road, Fremington**

Present: Cllrs F Biederman, J Bell, Mrs J Cann, I Capon, C Connell, I Crawford, Mrs S Kingdom, Mrs C McCormack-Hole, A Rennles, Mrs M Scott, B Sherborne and Miss L Stevenson.

Also in attendance: Mrs K Graddock (Parish Clerk/RFO), Mrs E Badcock (Services Officer), and 3 members of the public.

Councillor Mrs S Kingdom as the retiring Chairman took the Chair.

1905/01 Election of Chairman

RESOLVED That Cllr Mrs S Kingdom be elected Chairman for 2019/20.

(NC)

Cllr Mrs S Kingdom thanked fellow councillors for electing her as Chairman of the Council.

1905/02 Declaration of Acceptance of Office – Chairman

The newly elected Chairman read and signed the prescribed 'Declaration of Acceptance of Office'.

1905/03 Election of Vice Chairman

Cllr Mrs S Kingdom thanked Cllr F Biederman for his support and commitment over the past year as Vice Chairman of the Council.

Cllr F Biederman proposed Cllr Mrs McCormack-Hole be elected as Vice Chairman for 2019/20, which was seconded by Cllr A Rennles.

Cllr J Bell proposed himself as Vice Chairman for 2019/20. No seconder was received.

RESOLVED That Cllr Mrs McCormack-Hole be elected as Vice Chairman for 2019/20.

(NC)

1905/04 Apologies for absence

Apologies as recorded on the attendance sheet were received from Cllr S Adams and B Hockin.

The Clerk informed members that B Hockin was yet to sign and return his Declaration of Acceptance of Office, which meant he was unable to act as a councillor until this is received. This would also mean that he would be unable to be elected onto standing committees until the next Full Council meeting on the proviso that the Declaration of Acceptance of Office has been signed.

RESOLVED that members note that B Hockin has yet to sign his Declaration of Acceptance of Office and he is authorised to do this after the meeting but it must be before the time limit of when a casual vacancy arises.

(NC)

1905/05 Declarations of Interest

Cllr B Sherborne declared a personal interest in planning application 66453 as the applicant is known to him.

Cllr Mrs C McCormack-Hole declared an interest in item 25 on the Agenda, as she has a plot at the Cemetery.

1905/06 Chairman's Announcements

The Chairman made the following announcements:

- Councillor training – all councillors are expected to attend, unless they have spoken to the Clerk.

1905/07 To agree Agenda between Part A and Part B (Confidential)

It was **RESOLVED** to agree the Agenda between Part A and Part B.

(NC)

1905/08 Minutes

RESOLVED that the minutes of the Parish Council meeting held on 8th April 2019 were approved and signed by the Chairman as a correct record of the meeting.

(NC)

1905/09 To receive and ratify decisions therein, the minutes of the following committee meetings:**1. Parks and Playing Fields**

RESOLVED to receive and ratify the decisions therein, the minutes of the Parks and Playing Fields Committee meeting held on Thursday, 25th April 2019.

(NC)

2. Finance and Personnel

RESOLVED to receive and ratify the decisions therein, the minutes of the Finance and Personnel Committee meeting held on Thursday, 25th April 2019.

(NC)

1905/10 To receive reports from outgoing Committee Chairman

The reports from the Chairman of

- a) Finance & Personnel committee
- b) Footpaths Committee
- c) Parks and Playing Fields Committee
- d) Fremington Quay Management Committee
- e) Council Chairman's Report

were circulated with the Agenda and as part of the Council's Annual report.

RESOLVED that the reports are received and noted.

(NC)

1905/11 The General Power of Competence

Members were advised that the Council were eligible to hold and exercise 'The General Power of Competence as part of The Localism Act 2011.

1. 14 out of 15 Councillors were elected at the last election on 2nd May 2019.
2. The Clerk (Proper Officer) is a qualified Clerk and holds the BA Honours Degree in Community Governance has passed the CiLCA Section 7 on the General Power of Competence.

RESOLVED that Fremington Parish Council having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012, Fremington Parish Council qualifies for The General Power of Competence until the next relevant Meeting following ordinary elections.

(NC)

1905/12 **Review of Standing Orders**

The Council's Standing Orders were circulated prior to the meeting. Cllr Crawford felt that substitute members should have voting rights. Members agreed and therefore it was

RESOLVED

1. That Standing Order K (V) is amended to read
"Receipt of nominations to existing committees (including substitutions). At the Annual Parish Council Meeting a substitute for each Committee will be elected to attend meetings in the place of a Cllr who has submitted their apologies. The substitute will count towards the quorum of the Committee and will have voting rights but only if they are required to attend if another member is absent.
2. That Standing Order 15 (V) is amended to read
"an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with Standing Order 15(a)(iv) above) shall be permitted to participate in debate or vote on business in that meeting but only if they are required to attend if another member is absent.

(NC)

1905/13 **Review of Financial Regulations**

The Council's Financial Regulations were circulated prior to the meeting.

RESOLVED that the Financial Regulations are adopted with no amendments.

(NC)

1905/14 **Assets and Lease Arrangements**

There were some questions as to items on the Asset and Lease Arrangements document. After some discussion it was

RESOLVED that the Clerk thoroughly review the Asset and Lease Arrangements and bring back to the next meeting.

(NC)

1905/15 **Burial Authority**

RESOLVED that all members of Fremington Parish Council be appointed onto the Burial Authority.

(NC)

1905/16 **Membership of Committees**

Cllr Biederman explained that councillors are volunteers and that he felt it's important to be inclusive and would like to see one of the committees held in the evening before a Full Council meeting, in order to include those that were unable to attend day time meetings and to allow more attendance by members of the public. The Clerk explained that no decision would be able to be taken on the item at present, as there was no notice on the Agenda however, a discussion could take place.

Cllr F Biederman requested that the item be brought to the next Full Council.

Cllr Crawford explained that he felt there should be thought as to whether people take on the role of a councillor if unable to attend meetings, and that employees have an entitlement to attend Parish Council meetings.

The Clerk reiterated that Mr B Hockin was unable to be elected on to committees at present.

Finance & Personnel Committee

RESOLVED that Cllrs Capon, Mrs S Kingdom, A Rennles, I Crawford and F Biederman be appointed onto the Finance and Personnel Committee for the full 4 years term of the Council.

(NC)

Footpaths Committee

RESOLVED that Cllrs S Adams, F Biederman, A Rennles, J Bell and I Crawford be elected onto the Footpaths Committee for 2019/20 with Cllr Mrs J Cann being elected as a substitute member.

(NC)

Parks and Playing Fields

RESOLVED that Cllrs Mrs Cann, I Capon, S Adams, I Crawford, Mrs C McCormack-Hole, Ms M Scott and Miss L Stevenson be elected as members of the Parks and Playing Fields Committee for 2019/20 with Cllr J Bell being elected as a substitute member.

(NC)

Tews Lane Committee

RESOLVED that Cllrs B Sherborne, I Capon, Mrs S Kingdom, I Crawford and Mrs C McCormack-Hole be elected as members of the Tews Lane Committee for 2019/20.

(NC)

Fremington Quay Management Committee

RESOLVED that Cllrs B Sherborne, S Adams, F Biederman, A Rennles, Miss L Stevenson and Mrs S Kingdom be elected as members of the Fremington Quay Management Committee for 2019/20.

(NC)

Emergency Committee

RESOLVED that the Chairman, Vice Chairman, Chairman of Finance and Personnel and the Chairman of the relevant committee most closely related to the particular matter constitute an emergency committee.

(NC)

1905/17 Parish Council representatives

a) Fremington Hall Management Committee

RESOLVED that Cllr Ms M Scott be elected as the Council's representative for 2019/20.

(NC)

b) Tomlin Hall Management Committee

RESOLVED that Cllr Mrs J Cann be elected as the Council's representative for 2019/20.

(NC)

c) Devon Association of Local Councils

RESOLVED that Cllr S Adams be elected as the Council's representative for 2019/20.

(NC)

d) Fremington Quay Environment Group

Members were concerned regarding the insufficient information received from the Environment Group and that there have been no Agendas or Minutes received from the Environment Group, therefore it was

RESOLVED that the Clerk write to the Committee asking for clarification as to when the meetings take place and copies of the Agendas and Minutes from the past 12 months.

(NC)

e) Muddlebridge & Babbages Allotment Association

RESOLVED that Cllr A Rennles be elected as the Council's representative for 2019/20.

(NC)

f) Taw and Torridge Estuary Forum

RESOLVED that Cllr I Crawford be elected as the Council's representative for 2019/20.

(NC)

g) Fremington Local Nature Research

Members were concerned regarding the insufficient information received from the Group and that there have been no Agendas or Minutes received therefore it was **RESOLVED** that the Clerk write to the Committee asking for clarification as to when the meetings take place and copies of the Agendas and Minutes from the past 12 months.

(NC)

h) Plastic Free North Devon

RESOLVED that Cllr Miss E Stevenson be elected as the Council's representative for 2019/20 with Cllr F Biederman acting as a substitute.

(NC)

i) North Devon Public Transport Users

RESOLVED that Cllrs I Crawford and C Connell be elected as the Council's representative for 2019/20.

(NC)

j) Tree Wardens

RESOLVED that

1. Cllr J Bell be elected as the Council's representative for 2019/20 in Fremington/Yelland.
2. Cllr I Crawford be elected as the Council's representative for 2019/20 in Bickington/Roundswell.

(NC)

k) Snow Warden Co-ordinators

RESOLVED that Cllr I Capon be elected as the Council's Snow Warden Co-ordinator for 2019/20.

(NC)

1905/18 Councillor Attendance

RESOLVED that the councillors' attendance record as appended to these minutes for 2018/19 be noted.

(NC)

1905/19 Website

RESOLVED that the website statistics as appended to these minutes are noted.

(NC)

Cllr F Biederman thanked the Clerk for her social media presence and said he has noticed a difference in the page and the information that is getting to the public regarding the parish council and matters in the community.

1905/20 **Police reports**

There were no reports submitted by the Police. Members were concerned regarding the lack of reports but also the items that are included on reports when received, after some discussion it was

RESOLVED that the Clerk write to Insp. T Davies explaining that the Council wishes to receive reports detailing all crimes within the Parish and that an invitation is extended to himself and a representative from Safer Devon to raise issues and to ensure proactive communication for the future.

(NC)

1905/21 **Public Participation**

A member of the public spoke on item 34 on the Agenda, Fremington Cemetery. He informed members that an error was made on transfer paperwork and that the applicant has requested this be rectified.

1905/22 **Members' Code of Conduct**

RESOLVED that the Members Code of Conduct be received and noted.

(NC)

1905/23 **Matters to note**

RESOLVED that the following items were noted for information.

1. Notes of a meeting of Devon Senior Voice/Devon Communities Together held on the 2nd April 2019

(NC)

1905/24 **County and District Councillor reports**

Cllr F Biederman informed members that the TAP Fund/Communities Together fund has ceased, and a new funding stream has opened, Crowdfunder as well as the District and County Councillor allocation grants.

He further reported that the road through Bickington has a new surface and thanked people for their patience, however, he mentioned that some of the workers had suffered some unwanted behaviour during the work. Members were concerned to hear this but raised concerns over the level of communication regarding the road closure, which caused frustration for residents and road users.

Cllr Mrs J Cann reported that the new District Council will be working on a committee basis, which was voted in at the last District Council meeting.

1905/25 **Bench at Fremington Cemetery**

Members were circulated a request for a replacement bench in Fremington Cemetery. Concerns were raised as to the amount of benches that the Council will allow, as there is at present no maximum number. The Clerk informed members that the Parks and Playing Fields Committee has recently resolved to not limit the number of benches in Griggs Field and would assess them on a case by case basis.

RESOLVED

1. that the Bench Policy for Fremington Cemetery is reviewed and brought back to a future meeting.
2. that the replacement bench be approved with Barnstaple Town Council siting the bench on behalf of Fremington Parish Council.

(NC)

1905/26 Naming Request

Further to Minute numbers 1811/21 and 1903/13, members were circulated a further letter from the developer of a new Business Park at Roundswell which asked for the Council's approval to name the new Business Park 'Horton Business Park' in honour of Ms Horton, who was killed on the link road in January 2019. Members did not feel that the naming of this park was appropriate given how recent the incident was and that it is contrary to Policy as previously stated, therefore it was

RESOLVED

1. That the request is declined.
2. That Hele Manor Business Park be suggested, due to there being a large farm that was based on the site in the 1960's and the name being historical to the area.

(10.1abs)

1905/27 Dog Waste emptying

Members were informed that North Devon Council has written to the Parish Council with a proposal for around £1.50 per bin per empty, which results in £426.00 per month. Fremington Parish Council was fortunate to receive the services of the Council's grass contractor at present to empty the bins, however, this is likely to be in the region of £650.00 per month due to disposal costs. Members were thankful for the grass cutting contractor's support and quick action to stop the dog bins being removed however, there would be quite a large financial difference. Therefore it was

RESOLVED that the current grass contractor continue with the service until a firm proposal is received from North Devon Council.

(NC)

1905/28 Devon County Council – Planning Applications

No planning applications were received.

1905/29 North Devon Council – Planning Applications

North Devon Council, the determining Authority, 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.

- 66284 Proposal: Erection of garages on plots 33, 35, 36 & 37 (amended design)
 Location: Land adjacent B3233, West Yelland, Barnstaple
 Applicant/Agent: Miss G Brierley, Barratt David Wilson Homes
RESOLVED that the application is refused on the design and amenity as there will be adverse impact on neighbouring properties and it is against the Planning Inspectors principle in the report.

(10.1abs)

66413 Proposal: Extension to dwelling
Location: 51 Bickington Lodge, Bickington, Barnstaple
Applicant/Agent: Mrs T Duncan
RESOLVED that the application is deferred as the Parish Council was unable to comment due to insufficient information on the application form.
(NC)

66453 Proposal: Erection of porch & WC
Location: 14 Bickington Lodge, Bickington, Barnstaple
Applicant/Agent: Mr G Passmore
RESOLVED that the application is recommended for approval.
(NC)

66490 Proposal: Extension to dwelling
Location: 1 Beech Park, Fremington, Barnstaple
Applicant/Agent: Mr A Pateman
RESOLVED that the application is recommended for approval subject to no adverse impact on the Conservation Area and the design is in keeping with the area.
(NC)

*** Cllr Mrs McCormack-Hole declared an interest in the following application and left the meeting.

66503 Proposal: Alteration to existing access to create vehicular access together with erection of garage
Location: Old School House, Bickington Road, Bickington, Barnstaple
Applicant/Agent: Mr Capner
RESOLVED that the application is recommended for refusal as per council's former recommendations with a particular concern of the B3233 and the impact on the surrounding buildings.
(NC)

66510 Proposal: Extensions to dwelling
Location: 21 Elmlea Avenue, Fremington, Barnstaple
Applicant/Agent: Mr A Little
RESOLVED that the application is recommended for approval subject to no adverse impact on the neighbouring properties and sufficient off-street parking.
(NC)

*** Cllr Mrs McCormack-Hole returned to the meeting. ***

66521 Proposal: Demolition of extension & erection of single storey area extension
Location: Meadowbank, Pottery Lane, Yelland, Barnstaple
Applicant/Agent: Mr & Ms Todd & Aston
RESOLVED that the application is recommended for approval subject to no adverse impact on the neighbouring properties.
(NC)

66548 Proposal: Application for permanent retention of one polytunnel (24m long x 6.3m wide) previously approved under application 62798
Location: Land adjacent to Combrew Farm, Combrew Lane, Bickington, Barnstaple
Applicant/Agent: Mr M Buckingham
RESOLVED that the application is recommended for approval.
(NC)

66549 Proposal: Notice of an application to modify a planning obligation under Regulation 3 of the T&CP (Modification & Discharge of Planning Obligations) Regulations 1992 in respect of affordable housing requirements
Location: Glenwood Farm, Brynsworthy Lane, Barnstaple

RESOLVED

1. that not enough information was on the application, however the Parish Council wishes to see no reduction in affordable housing.
2. That the District Councillors for Fremington be asked to look into this application.

(NC)

66570 Proposal: Notice under Regulation 3 of the T&CP (Modification & Discharge of Planning Obligations) Regulations 1992 in respect of variation of the Section 106 Agreement attached to planning permission 57663 & Deed of Variation 65147 in relation to mortgage provisions
Location: Land at West Yelland, Barnstaple

RESOLVED

1. that not enough information was on the application, however the Parish Council wishes to see no reduction in affordable housing.
2. That the District Councillors for Fremington be asked to look into this application.

(NC)

66620 Proposal: Application for consent for works to trees covered by a Tree Preservation Order in respect of selective branch reduction of 1 Oak tree and removal of 1 Ash tree

Location: 1 Beech Park, Fremington, Barnstaple

Applicant/Agent: Mr A Pateman

RESOLVED that the removal of the Ash Tree is refused due to the tree being healthy and it is in the Conservation area, however, the Oak Tree management is accepted.

(NC)

The following application was taken with 66630.

66629 Prior approval for change of use of agricultural building (barn A) to one dwelling house (class Q (A) (B))

Barn at Little Knightacott Farm, Lydacott, Barnstaple

Applicant/Agent: Mr & Miss Ward

66630 Proposal: Prior approval for change of use of agricultural building (barn C) to one dwelling house (class Q (A) (B))

Location: Barn at Little Knightacott Farm, Lydacott, Barnstaple

Applicant/Agent: Mr & Miss Ward

RESOLVED that a site visit from North Devon Council is requested as there is no evidence or clear explanation to show that there is no need for the agricultural buildings, which members understand is a legal requirement.

(NC)

66659 Proposal: Erection of one building (use classes B1, B2 & B8) together with associated works
Location: Land off Fishleigh Road, Roundswell Business Park, Barnstaple
Applicant/Agent: Mr P Young, Youngs Wholesale
RESOLVED that the application is recommended for approval subject to the scale and design being in keeping with the area.

(NC)

1905/30 **North Devon Council – Planning Decisions**

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

65832 Proposal: reserved matters erection of 34 dwellings to include 11 affordable dwellings (phase 2) (outline planning permission 50265) (amended plans)
Land south of Yelland Road, Fremington, Barnstaple
Applicant/Agent: Thrive Architects (South West) Ltd

66207 Proposal: Change of use & conversion of unit to a café (A3)
Location: Unit 1 Sandbanks Business Park, Yelland Quay, West Yelland, Barnstaple
Applicant/Agent: Claywater Planning Group Ltd

66216 Proposal: Extension to existing tennis pavilion to form enhanced facility
Location: Longmead, Bickington Road, Bickington, Barnstaple
Applicant/Agent: Woodward Smith Chartered Architects

66248 Proposal: Formation of an off-road parking area
Location: 16 Barracks Road, Fremington, Barnstaple
Applicant/Agent: Mr M Lester

66279 Proposal: Change of use of Parish Council offices (B1) to residential dwelling (C3)
Location: 12 Higher Road, Fremington, Barnstaple
Applicant/Agent: Woodward Smith Chartered Architects

66294 Proposal: First deed of variation under section 106 & 106A of the T&CP Act 1990 attached to planning permission 62783
Location: Land at Mead Park, Bickington, Barnstaple
Applicant/Agent: Wainhomes

66345 Proposal: Extension to dwelling
Location: 23 Seaking Road, Fremington, Barnstaple
Applicant/Agent: Anglian Home Improvements

66346 Proposal: Demolition of conservatory & erection of single storey extension
Location: 28 Taw View, Fremington, Barnstaple
Applicant/Agent: D & J May Architectural Services

66429 Proposal: Extension to dwelling
Location: Roundhayes, Bickington Road, Bickington, Barnstaple
Applicant/Agent: Proplans Architectural Design Ltd

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

66513 Proposal: Application for a non-material amendment to planning permission 63135 (erection of 21 dwellings together with associated roads, drainage, garages, parking & landscaping) in respect of creation of two allocated car parking spaces
Location: Land formerly occupied by Oakwell House Residential Home, Lyddicleave, Bickington, Barnstaple
Applicant/Agent: Mr T Biddle

RESOLVED that the information be noted.

(NC)

1905/31 Councillors questions

Cllr McCormack-Hole stated that she was holding an event at Barnstaple Library from Thursday, 30th until Saturday, 1st June 2019 inc for One Barnstaple.

Cllr F Biederman asked when the grass at Beechfield Football pitch was being cut. The Clerk replied that she would contact the grass contractor to enquire.

Cllr J Bell asked members regarding a concern over the power station site.

*** Cllr A Rennles left the meeting having declared an interest. ***

Cllr Bell continued and stated that someone has raised the level at the power station by 3 metres but could not find any evidence that there was approval for this and asked the Clerk to query this with North Devon Council.

*** Cllr A Rennles returned to the meeting. ***

Cllr Mrs J Cann reported that the bus shelters in Bickington near Magdala need cleaning, however, these were not owned by the Parish Council. Members asked for the Clerk to put this on to a future Agenda for discussion as to what shelters the Council owns and how many are owned privately or by other authorities and needed attention.

Cllr Capon wanted to offer his thanks to Cllr R Cann for his service and commitment to Fremington Parish Council. The Clerk informed members that she would write a letter on behalf of the Council.

1905/32 Part B – Exclusion of Press and Public

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 likely disclosure of confidential information.

(NC)

1905/33 Strategic Review

Further to the last meeting, members were given an exempt report by the Clerk.

RESOLVED that the invoice of £3,175.00 + VAT be paid immediately and that the Clerk investigate the matters within the Strategic Action Plan and return to the Council with some ideas to start implementing the actions contained within the plan.

(NC)

1905/34 Fremington Cemetery

Members were given an exempt report detailing information as to the original transfer of land from an anonymous donor to Fremington Parish Council for an extension to the Cemetery. There were errors within the land registry document, therefore, these were requested to be corrected together with details of a pathway and additional parking being completed by the requestor.

RESOLVED

1. That the Land Registry document is corrected subject to the Parish Council's legal fees being paid and that the work for the pathway and additional parking is sought and completed to a satisfactory standard by the requestor.

In addition, the requestor has asked for an additional piece of land to be cleared within the cemetery to allow for grave spaces to be allocated and the hedgerows to be cut. The Clerk had met a contractor on site and it was

RESOLVED

1. That the hedge cutting is approved subject to the Clerk receiving written confirmation that no nesting is taking place.
2. That the clearance is deferred until the next meeting, due to birds nesting within the area.

(NC)

1905/35 Riverside Park

Members were verbally reported on the situation to date with regards to the sports facilities and buildings at Riverside Park.

RESOLVED That the Clerk writes to Cllr Biederman and Cllr Mrs J Mackie to ask for assistance in gaining information in relation to the 106 agreement.

(NC)

1905/36 Close

There being no further business to transact, the meeting closed at 10.01pm.

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