

**Minutes of the Virtual Fremington Parish Council Meeting Held on Monday
6th July 2020 at 7pm via Zoom**

Present: Cllrs S Kingdom (Chairman), J Bell, F Biederman, I Capon, C Connell, I Crawford, C McCormack-Hole, A Rennles, M Scott and B Sherborne
Mrs V Woodhouse, Executive Officer
Cllrs J Mackie, H Walker and G Lofthouse, North Devon Council

9 Members of the public

2007/01

Apologies

Cllrs S Adams, K Groves and J Cann.

2007/02

Declarations of Interest

Cllr Connell declared a Personal and Prejudicial Interest in Item 2007/18 application 71544 as he knows the application and Item as he lives on the estate.

Cllr Rennles declared a Personal and Prejudicial Interest in Item 2007/18 application 60823 as a family member owns the site and 71669 as he is a neighbouring property.

Cllr Bell declared a Personal and Prejudicial Interest in Item 2007/18 application 60823.

Cllr Biederman declared a Personal Interest in Item 2007/14 as he walks his dog Instow beach.

Cllr Crawford propose an alteration to the order of business on the Agenda and asked if item 15 could be considered prior to item 10, it was unanimously agreed to alter the order on the Agenda accordingly.

2007/03

Chairman's Announcements

The Chairman informed those present that Steps were being made to open play areas owned and/or managed by the Parish Council, however, measures do need to be put in place to ensure they are opened as safely as possible. The Government's announcement that play areas can re-open was unexpected and no prior indication was given, the guidance was published less than a week ago giving staff very little time to implement the necessary changes. Staff are working with the Council's insurance company and alongside the Government's guidance but there is a clear indication, which has been confirmed by the Devon Association of Local Councils, that the re-opening should not be rushed and should only be opened when safe and all necessary inspections, risk assessments and alterations have been completed.

The Chairman reminded members that the Tarka Trail will close in July for 10 days to allow resurfacing works and informed members that the Deputy Executive Officer (DEO) had accepted a part-time position with the Barnstaple Alliance, the Chairman conveyed her best wishes, for the DEO in her new role, to the meeting.

2007/04

Public Participation Period

Cllr Rennles and Biederman left the meeting.

Written representations were received on planning application 60823 which explained that the applicant was asked to produce an Infrastructure Delivery Plan Drg 205 indicating milestones for S106 payments, types of homes, phasing of development and delivery of the affordable homes provision. This provides a 'go to' drawing that would be used for subsequent Reserved Matters application if application 60823 is approved.

There are no changes to the application description; it is still for 250 units with the additional commercial floorspace as per the Jan 2020 submission.

There were minor changes to the masterplan requested by the consultees; these were as follows:

- Areas of play space within the development are now shown
- The removal of the undercover areas along the western bird screen
- The extension of the post and rail fence around the entire site up to the RSPB reserve.

There were a number of objection letters that required a response and the response is included within the additional information.

The Local Planning Authority and the applicant have jointly commissioned an independent review of the Viability Assessment for the site and are currently awaiting the results of this.

A Member of the public spoke against planning application 71669. concerns were raised about the height of the proposed dwellings and overlooking, the member of the public felt the proposal was out of keeping with the area and asked where the water will go?

A member of the public spoke in favour of planning application 71669 and explained that this is a repeat application of a permission that was granted but has lapsed. The environmental perceived concerns were not founded but the development did not go ahead due to circumstances of the applicant. The proposal is for one and a half storey buildings not two so the plots can be sold off plan so design etc can be discussed with buyers and neighbours.

A further member of the public spoke against planning application 71669 it was noted that the original development was turned down due to ground contamination and he asked what has changed? The report says about removing a certain amount of topsoil and this has not been done, it was felt that there would not be a good representation of the views of the neighbouring properties as there were several empty houses. Concerns about issues with noise, water run-off and subsidence were raised.

Cllr Rennles returned to the meeting.

2007/05

County and District Councillors' Reports - To receive reports from the County Councillor and District Councillors for information only.
Cllr Biederman returned to the meeting.

Cllr Biederman confirmed that he has been sending weekly reports to the office which are being sent to Cllrs. £30,000 S106 money has been allocated to start repair works to the wall at Fremington Quay. Cllr Biederman explained that this was originally set aside for walled garden, however, the owners would not give permission for the works and if it is not spent within the five-year period it must be returned to the developer. There has been an increase in people presenting to NDC as homeless (30 – 40 people a week).

Cllr Mackie reported on the milestones for application 60823.

Cllr Rennles left the meeting.

Cllr Mackie asked that the Council only submits any additional comments and does not repeat those that have already been submitted. The viability assessment is the subject of an independent review and if found to be viable the North Devon Council will be informed that the process will continue. The application will be dealt with by the Planning Committee as a matter of course. The Environment Agency has recommended approval and Devon County Council does not have any objections. Cllr Mackie explained that the amendment to application 66389 does not relate to the care home application but to the original planning permission and the amendment is required for the developer to be able to complete the development and deliver the affordable housing. Cllr Mackie explained that the North Devon Council responded to the Future Homes Standard consultation, NDC did not think the level of requirements proposed by the Government were high enough.

Cllr Rennles returned to the meeting.

Cllr Walker informed members that car parks are charging again, they were only taking contactless payments and the RINGO application did not work in the Fremington Medical Centre car park due to a lack of signal, therefore, she had managed to arrange with NDC that this car park would be free, car parks are now accepting cash payments and Cllr Walker was unsure whether the charges had been re-introduced in the Medical Centre car park. Cllr Walker reported that she had called in planning application 71683 due to the amount of times this application has been submitted and the development that has taken place without permission. Cllr Walker further informed members that £23,000 S106 funding had been allocated for Babbages play area which requires some urgent repairs and there is also an issue with some of the play equipment at the Ellerslie play area and so far £11,000 has been identified. Cllr Walker reported on the potential financial losses of NDC due to COVID-19.

Cllr Lofthouse explained about the homeless pods which have been agreed in principle and that there will be additional funding from the Government to help the homeless. Cllr Lofthouse encouraged Cllrs and members of the public to attend the Planning Committee meeting that was due to be held on Wednesday, as the Leisure Centre application will be discussed at this meeting which is important for the area. Cllr Lofthouse confirmed that the Leader of the Council has written to the Government regarding funding and housing.

2007/06 **To approve and sign the minutes of Fremington Parish Council meeting held on Monday 1st June 2020**

It was **resolved**, with no votes to the contrary, to approve and sign the minutes of the meeting held on 1st June 2020 as a correct record.

Cllr Biederman left the meeting.

2007/07 **To receive, and to ratify the decisions therein, the minutes of the following Committee meetings**

- Parks & Playing Fields Committee meeting held on Thursday 28th May 2020
It was **resolved** to receive and ratify the decisions therein, the minutes of the Parks & Playing Field Committee meeting held on Thursday 28th May 2020.
- Finance & Personnel Committee Meeting held on Thursday 28th May 2020
It was **resolved** to receive and ratify the decisions therein, the minutes of the Finance & Personnel Committee meeting held on Thursday 28th May 2020.
- Fremington Quay Management Committee meeting held on Thursday 28th May 2020
It was **resolved** to receive and ratify the decisions therein, the minutes of the Fremington Quay Management Committee meeting held on Thursday 28th May 2020.
- Parks & Playing Fields Committee meeting held on Thursday 25th June 2020
It was **resolved** to receive and ratify the decisions therein, the minutes of the Parks & Playing Field Committee meeting held on Thursday 25th June 2020.
- Finance & Personnel Committee Meeting held on Thursday 25th June 2020
It was **resolved** to receive and ratify the decisions therein, the minutes of the Finance & Personnel Committee meeting held on Thursday 25th June 2020.
- Tews Lane Committee meeting held on Thursday 25th June 2020
It was **resolved** to receive and ratify the decisions therein, the minutes of the Tews Lane Committee meeting held on Thursday 25th June 2020.

2007/08

Assets and Lease Arrangements

The Parish Council reviewed its Assets and Lease Arrangements as at 31st March 2020 and it was **resolved**, with no votes to the contrary, to note the information.

2007/09

Annual Governance and Accountability Return 2019/20

Members were circulated the Annual Governance and Accountability Return for 2019/20 prior to the meeting.

- a) To discuss and agree the Annual Governance Statement detailed in the Annual Governance and Accountability Return 2019/2020.
It was **resolved**, with no votes to the contrary, that the Annual Governance Statement for 2019/2020 be received and approved.
- b) To receive and agree the Accounting Statements contained within the Annual Governance and Accountability Return 2019/2020 along with the Internal Auditor's Report.
It was **resolved**, with no votes to the contrary, that the Accounting Statements and Internal Auditor's Report for 2019/2020 be received and approved.
- c) To consider and agree the Annual Governance and Accountability Return for 2019/2020.
It was **resolved**, with no votes to the contrary, that the Annual Governance and Accountability Return for 2019/2020 be received and approved and submitted to PKF Littlejohns for review.

Cllr Rennles thanked the staff and the Auditor for all their work and the comprehensive reports.

2007/10

Request from Climate Emergency Working Party – Cllr Crawford to Report

The Parish Council was asked to consider writing to North Devon Council to encourage them, as the Planning Authority, to look at applying the highest standards possible now when deciding planning applications, as documented in the Future Homes Standard 2025. It was noted that NDC had responded to the Government consultation to express its view that NDC would like to see even higher standards.

Cllr Lofthouse spoke in support of NDC's consultation response and explained that NDC would also like to see the standards brought in quicker and suggested lobbying the MP and Minister.

Cllr Biederman returned to the meeting.

It was **resolved**, with no votes to the contrary and one abstention, to support the recommendation and identify that Fremington Parish Council supports the standards and North Devon Council's consultation response of higher standards and to write to the NDC with a copy to the MP.

2007/11

Neighbourhood Plan

A draft Neighbourhood Plan was circulated to members prior to the meeting. Members felt that there should be more detail on Bickington and Roundswell. Cllr Biederman felt that the draft had taken so long, and we are now living in a very different world to when the process began. He felt that the Climate Emergency Working Party should have an input into the plan.

Cllr Kingdom felt that the Parish Council and Steering Group had been working on this document since 2015, and a draft has been produced very late, the content is disappointing and there is nothing about the future. Cllr Kingdom felt the Parish Council should meet with the consultants.

Cllr Capon highlighted that there had been a lot of new housing in the parish since the initial consultations and those moving into the parish would be unaware of the consultations, he did not feel that the draft was specific enough.

Cllr Rennles left the meeting.

Cllr Biederman felt that the consultation process had been the most comprehensive consultations that he had ever seen, and he gave an overview of the type of consultation that had taken place. The document cannot contradict the Local Plan.

Cllr Crawford felt there were gaps in areas such as transport and that the draft should go back to the Steering Group with input from the Climate Emergency Working Party.

It was **resolved**, with no votes to the contrary, to hold a Steering Group Meeting the last week of July and to invite all Parish Councillors and representations from the Climate Emergency Working Party via Cllr Crawford, it was further agreed to allow members who could not attend the meeting to submit written representations and to meet with the consultants following the Steering Group Meeting.

2007/12

Emergency Plan

The draft Emergency Plan was circulated to members prior to the meeting. The document was welcomed by members especially as there was no response team in place for the COVID-19 pandemic. Cllr Biederman felt there had been an amazing community effort in response to the pandemic and would be happy to lead a Working Party to appoint the team and complete the document. It was noted that some volunteers had already identified themselves and would be invited to a Working Party Meeting and it was **resolved**, with no votes to the contrary, for Cllr Biederman to lead a Working Party to complete the Emergency Plan.

2007/13

Street Naming

Members were asked to consider the proposed names for the naming of the new road which serves the business park and enterprise centre development at Roundswell.

Members felt that “Roundswell South Drive” did not highlight the purpose of the development and “South Drive” did not highlight the relationship to the area. Therefore, it was **resolved**, with no votes to the contrary, to propose Roundswell Enterprise Park.

2007/14

Public Space Protection Order

Members considered the Public Space Protect Order Consultation. Cllr Bell questioned why Instow beach had been included within the consultation when the Parish Council has taken matters into its own hands. Cllr Bell spoke in favour of the recent signs that the Parish Council had installed which is a voluntary code of conduct stating that between July and August dogs should be on a lead on the “upper beach/soft sand” and off of the main beach between 10am and 5pm.

Cllr Biederman explained that the PSPOs end in October and NDC is required to consult and re-introduce the PSPOs, the consultation covers where public have made representations and the question is does the Parish Council wish to respond to the consultation.

Cllr Biederman declared a Personal interest as he walks his dog on Instow beach.

It was noted that disabled people access the Tarka Trail to exercise their dog and it is unfair to say that all dogs should be on a lead – it is a shared space, the Tarka Trail is subject to its own code of conduct.

It was **resolved**, with no votes to the contrary, to respond to the consultation to support Instow Parish Council’s latest signage for the beach but from April – to September and express the Council’s view that the Tarka Trail should operate under the existing Code of Conduct and dogs should not have to be on a lead at all times.

2007/15

Play Area Inspections – Item Requested by Cllr Biederman

Members were asked to consider that Cllrs are appointed to undertake monthly play inspections (as advised by the Parish Council’s insurance company) until an Amenities Officer is recruited. It was **resolved**, with no votes to the contrary, for Cllrs to undertake the monthly play inspections and for the Executive Officer to circulate a list of the play areas to be inspected so Cllrs can volunteer.

2007/16

Local Action on Coronavirus Covid 19 – Item Requested by Cllr Crawford

Cllr Crawford has requested the item to ask Devon County Council to ensure that all residents know about the County Council’s role in relation to Covid-19 and what it is doing to help prevent the spread of the virus, however, he was pleased to see that DCC had add the information to its website. Members felt that they had been inundated with information via email from DCC and NDC.

Cllr Crawford requested that the Parish Council consider joining with the medical centre and hospital to encourage the public to wear masks when inside. Some members felt this was a political movement, DCC is the authority in Devon responsible for public health, there has been an incredible community response with an overload of information. It is a necessity to wear a mask on public transport and recommended to wear when in an enclosed space, it was felt that the Government had gone as far as it could, each person needs to take responsibility for themselves and the Parish Council should and could only control its areas of responsibility.

Cllr Crawford did not see this as a political move and felt it was a medical request.

It was noted that those working with children cannot wear masks and there are other instances when wearing a mask is not recommended. The sharing of appropriate information relating to masks on the Parish Councils social media was discussed and it was felt that it should be an individual choice on whether or not to wear a mask, alongside the official health advice.

2007/17 **North Devon Council – Planning Decisions**

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

70761 Proposal: Erection of dwelling
Location: Ellerslie House, Lane to Pine Lodge, Bickington
Applicant/Agent: Mr M Patel

70939 Proposal: Retrospective Application for erection of agricultural building for the storage of agricultural equipment and the keeping of poultry and associated works
Location: Rooksbridge Yard, Roundswell
Applicant/Agent: Mr J Knight

71379 Proposal: Erection of one dwelling
Location: Garden of Milton House, East Fremington
Applicant/Agent: Mr & Mrs Evans

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

2007/18 **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.

60823 Proposal: Hybrid planning application (a) full application for the access, scale & layout of site including raising of the ground levels, site access works & highway infrastructure to site, together with purpose-built bat building. (b) outline application for 250 dwellings (use class c3). Space of up to 3000sqm employment (use class b1). Space of up to 250sqm (a1) gross floorspace; space of up to 2000sqm (a3). Gross floorspace; space of up to 250sqm (d1). Gross floorspace; space of up to 250sqm (d2). (c) all the associated infrastructure including removal of any contamination, roads, footpaths, cycleway, drainage (including attenuation works), flood defence works, landscaping & appearance, public open space, utilities & vehicle parking & including demolition of buildings (amended scheme & supporting documents)

Location: Former Yelland Power Station Lower Yelland Yelland Barnstaple
Applicant/Agent: WOODWARD SMITH CHARTERED ARCHITECTS - MR M STEART

It was noted that a viability assessment had appeared on the Planning Portal and then disappeared, the Parish Council would ask if the Viability Assessment that is being independently reviewed is the same assessment as was published or a new assessment.

66389 Proposal: Variation of Condition 2 (Approved Plans) attached to planning permission 58335 (as amended by 60781 and 61482) to allow a change of design (amended description)

Location: Land at Allenstyle Road, Barnstaple
Applicant/Agent: Mr Guy Greenfield

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

71544 Proposal: Siting of four internally illuminated digital freestanding signs & one internally illuminated digital booth screen at Mcdonalds Restaurants Ltd

Location: John Penrose Road Roundswell Barnstaple
Applicant/Agent: Mcdonalds restaurants ltd

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to the signs being in keeping and of the same scale as the current signage.

71565 Proposal: Siting of 3x internally illuminated fascia sign & 1x non-illuminated fascia sign

Location: Unit 5 Roundswell Retail Park John Penrose Road Roundswell
Applicant/Agent: Aldi Store Ltd

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to the signs being in keeping and of the same scale as the current signage.

71596 Proposal: Extensions to dwelling
Location: 3 Collombelles Close Fremington
Applicant/Agent: Mr and Mrs Fennell

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to it not being an over intensification of the site and adequate parking being available.

71641 Proposal: Prior Approval for Conversion of barn to dwelling (CLASS Q)
Location: West Penhill Farm Fremington
Applicant/Agent: Mr & Miss Ward

It was **resolved**, with no votes to the contrary and one abstention, to recommend APPROVAL subject to an appropriate design and no adverse effect on the amenity of Fremington Quay.

71651 Proposal: Variation of condition 2 (approved plans) attached to planning permission 70927 to allow for an amended design
Location: Little Knightacott Farm Lydacott Barnstaple
Applicant/Agent: Mr & Mrs Lake

It was **resolved**, with no votes to the contrary to recommend APPROVAL, subject to an appropriate design and in keeping with the area and there is no agricultural need for them.

71662 Proposal: Extension to dwelling, dormer loft conversion and erection of raised decking area
Location: 20 Elmfield Road, Bickington
Applicant/Agent: Mr C Gratton

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

71669 Proposal: Outline application for erection of 6 No. dwellings and associated works (All matters reserved)
Location: 10 Linden Close Sticklepath
Applicant/Agent: Mr Saye

Cllr Scott left the meeting.

It was **resolved**, with no votes to the contrary and one abstention, to recommend REFUSAL until the land contamination report is produced by an independent, qualified and competent person in accordance with the Environmental Officer. The proposed location is an area of bungalows and the proposal is for, what looks like on the plans, two-storey buildings, it is over intensification of the site and a departure from the Local Plan. It was agreed to ask that the District Cllrs call this application in to be dealt with by the Planning Committee.

71683 Proposal: Extension to dwelling
Location: Annexe 39, John Smale Road, Sticklepath
Applicant/Agent: Mr P Mayne

It was **resolved**, with no votes to the contrary, to recommend REFUSAL the proposal is over intensification of the site, will have a negative impact on the street scene, and amenity of neighbouring properties. It is not in keeping and will result in parking issues.

71697 Proposal: Loft conversion with rear dormer & extension to dwelling
Location: Wilmar Chestwood Avenue, Sticklepath
Applicant/Agent: Mr & Mrs D Benham

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

2007/19

Councillors Questions

Cllr Sherborne asked if there were restrictions or rules governing electric scooters on the Tarka Trail. Cllr Biederman confirmed he would speak to the Public Rights of Way Officer.

Cllr Bell explained that he had been asked by members of the public if the Parish Council could write to the supermarkets and ask them to stop selling disposable BBQs due to the nuisance they are when people bury them hot in the sand on a beach or set fire to the moors. Cllr Biederman will raise the issue with NDC and through the Public Space Protection Orders but felt that Government would need to be lobbied to ban the sale of this item.

Cllr Crawford asked what could be done to prevent motorists running bicycles off the road at Fremington Quay. Cllr Biederman explained that it is a BOAT road and as such as shared space.

Cllr Biederman requested that an item be placed on the next Fremington Quay Management Committee Agenda to discuss the "out of hours" anti-social behaviour.

2007/20

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 and Cllr Connell left the meeting.

PART B

2007/21

Riverside Park/Former Army Camp

Members were informed that the solicitor required instruction on the rental figure for the storage facility and sports pitch for the Football Club. It was **resolved**, with no votes to the contrary, for the rent to be set at £700 for the first year with a review period at the end of the year and then every two years going forward.

There being no further business the meeting closed at 9.46pm.

Signed Dated

DRAFT