

**Minutes of the Virtual Fremington Parish Council Meeting  
Held on Monday 11<sup>th</sup> May 2020 at 7pm via Zoom**

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

The Chairman welcomed those in attendance and thanked everyone for joining the meeting. Technical checks were undertaken, the Chairman read out the procedures for virtual meetings and confirmed that the meeting was not being recorded.

2005/10

**Apologies**

Cllr K Groves.

**a) To consider approval of apologies for Cllr Adams until September 2020 due to training**It was **resolved**, with no votes to the contrary, to approve Cllr Adams' apologies.

2005/11

**Declarations of Interest**

Cllr Rennles declared a Disclosable Pecuniary Interest in Item 2005/21 Planning Application 71018 as a neighbouring property. Cllr Rennles made a statement in relation to Item 2005/21 Planning Application 71405, he stated that as a Barnstaple Town Councillor he had not seen the application as this was the primary parish for the application he would not make any comment.

Cllr Scott declared a Personal and Prejudicial Interest in Item 2005/21 Planning Application 71379 as the applicants are friends.

Cllr Biederman declared a Personal and Prejudicial Interest in Item 2005/21 Planning Application 71405 as a District Councillor.

Cllr Cann declared a Personal and Prejudicial Interest in Item 2005/21 Planning Application 71405 as a District Councillor.

2005/12

**Chairman's Announcements**

None.

2005/13

**Public Participation Period**

None.

2005/14

**To consider the adoption of supplementary Standing Orders to meet the statutory requirements for the holding of remote meetings**

Information was circulated to members prior to the meeting and it was **resolved**, with no votes to the contrary, to adopt supplementary Standing Orders to meet the statutory requirements for the holding of remote meetings, and this lasts until May 7<sup>th</sup> 2021 or the repeal of legislation whichever is earlier.

2005/15

**To note the procedures for virtual meetings**

The procedures were circulated prior to the meeting and are attached to these minutes as appendix one. It was **resolved**, with no votes to the contrary, to note the procedures.

2005/16

**County and District Councillors' Reports** - To receive reports from the County Councillor and District Councillors for information only.

Cllr Mackie informed members that NDC's Community Cllr Grant Scheme was now

open for applications, however, each Cllr would only have £500 as they were asked to contribute towards the prompt action Covid-19 fund. £30million has been paid out to small businesses and there are still around 900 eligible business to apply.

The housing team have managed to find permanent housing for 16 families that were suddenly made homeless due to the crisis and the waste and recycling service is operating normally, for now, despite a 30% reduction in staff. Many members of staff have been redeployed to other areas, currently NDC is experiencing a loss of revenue of around £2million a month. Cllr Mackie explained that there were concerns about access onto the main road in application 71379 and explained that 71472 required careful study of some of the elements involved in the application, it is in flood zone one and the possible increase in traffic is a material consideration, Cllr Mackie further explained that the site is subject to an enforcement investigation.

Cllr Walker thanked NDC's finance team who are working hard. The Crematorium had been able to reduce the impact social distancing has on the numbers attending services by offering free streaming and the Crematorium was coping without a problem. Cllr Walker thanked the Executive Officer and staff of the Parish Council for responding to the community support and explained that NDC could not help those in need without the support of the Parish Council and volunteers. Cllr Walker raised concerns about the access for disabled people in the plans for the new leisure centre and the facilities that were available she felt they should be on the public facing side and not after you pay to ensure they are accessible to disabled people using the whole facility.

Cllr Biederman explained that DCC recycling centres were now open but were for essential hazardous items. Cllr Biederman felt that both DCC and NDC's websites were very effective in providing information to the community but there were scams circulating and he urged people to be aware. Cllr Biederman thanked all DCC, NDC and FPC staff, there had been a rapid change in how the staff work and they have adapted with the situation. Cllr Biederman had spoken to Fremington School and was pleased it was operating well in the circumstances with around 5% of pupils in school and the school had managed to get the food out to those that would have been entitled to free school meals. Cllr Biederman raised concerns about the deduction in collection of Council Tax and urged the Parish Council to be careful with funds as there could be a shortfall.

Cllr Walker further reported that those who would have received assisted bin collects have now been identified and letters sent.

2005/17

**To approve and sign the minutes of Fremington Parish Council meeting held on Monday 2<sup>nd</sup> March 2020**

It was **resolved**, with no votes to the contrary, to approve and sign the minutes of the meeting held on the 2<sup>nd</sup> March 2020 as a correct record.

2005/18

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

- Parks & Playing Fields Committee meeting held on Tuesday 10<sup>th</sup> March 2020  
It was **resolved** to receive and ratify the decisions therein, the minutes of the Parks & Playing Field Committee meeting held on Tuesday 10<sup>th</sup> March 2020.
- Finance & Personnel Committee Meeting held on Thursday 12<sup>th</sup> March 2020  
It was **resolved** to receive and ratify the decisions therein, the minutes of the Parks & Playing Field Committee meeting held on Thursday 12<sup>th</sup> March 2020.

- Parks & Playing Fields Committee meeting held on Friday 1<sup>st</sup> May 2020  
It was **resolved** to receive and ratify the decisions therein, the minutes of the Parks & Playing Field Committee meeting held on Friday 1<sup>st</sup> May 2020.

2005/19      **To ratify decisions taken during COVID-19 pandemic and since 17<sup>th</sup> March 2020**  
It was **resolved**, with no votes to the contrary, to ratify the decisions taken during the COVID-19 pandemic and since 17<sup>th</sup> March 2020 which are attached to these minutes as appendix two.

2005/20      **To appoint a member of the Parks and Playing Fields Committee following disqualification as in line with Standing Order 15 (ix)**  
It was resolved, with no votes to the contrary, to appoint Cllr Biederman to the Parks and Playing Fields Committee.

2005/21      **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.*

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

Concerns were raised that the wording associated “works” was too vague and not specific after discussion:

Cllr Cann proposed, seconded by Cllr Crawford to recommend refusal as the proposal is not in keeping, is a bad design and further investigation into the associated “works” is required. When put to the vote there were 8 in favour, 2 against and 1 abstention for the proposal.

Cllr Biederman proposed, seconded by Cllr Bell to recommend approval subject to no adverse impact on the amenity of neighbouring properties, and the inclusion of bird and bat boxes. When put to the vote there were 3 in favour and 8 against the proposal.

Therefore, it was **resolved**, with two votes to the contrary and one abstention, to recommend REFUSAL as the proposal is not in keeping, is a bad design and further investigation into the associated “works” is required. It was noted that Cllr Walker would call the planning application in to be dealt with by Planning Committee.

Cllr Rennles declared a Disclosable Pecuniary Interest and was removed from the meeting to the waiting room for the following item.

71018 Proposal: Alterations to dwelling to include conversion to loft to provide en-suite bedroom  
Location: Blue Gables, 8 Linden Close, Sticklepath  
Applicant/Agent: Mrs S Neave

It was noted that there were not any plans available for the above application and it was therefore **resolved**, with no votes to the contrary and one abstention, to recommend REFSUAL due to a lack of information and plans.

Cllr Rennles was returned to the meeting.

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

Cllr Scot declared a Personal and Prejudicial Interest and was removed from the meeting to the waiting room for this item.

It was **resolved**, with no votes to the contrary, to recommend REFUSAL due to the location and close proximity to the Nature Reserve which would have a detrimental impact, the proposal would spoil the Conservation Area of the Village and the access is inadequate and does not provide a safe access.

Cllr Scott was returned to the meeting.

Cllr Biederman and Cann declared a Personal and Prejudicial Interest as Members of the North Devon Council and were removed from the meeting to the waiting room for the following item.

Cllr Rennles was removed from the meeting to the waiting room for the following item.

Cllr Walker and Mackie had left the meeting.

71405 Proposal: Reserved matters application for the erection of a new swimming facility in an extension to the existing centre, to include 25m swimming pool & learner pool, sports hall & associated facilities; together with the extension of the existing car parking, relocation of HGV parking to accommodate the new car parking, hard & soft landscaping (outline planning permission 63351)  
Location: Tarka Tennis Centre, Seven Brethren Bank, Barnstaple  
Applicant/Agent: Parkwood Leisure Limited

It was resolved, with no votes to the contrary, to recommend REFUSAL the size is inadequate for the size of Barnstaple as a town and tourist area, the provision of disabled facilities is inadequate and there is a lack of other facilities such as squash and short mat bowls.

Cllrs Biederman, Rennles and Cann were returned to the meeting.

71437 Proposal: Creation of new vehicular access  
Location: 1 Heather Cottage, Bickington Road, Bickington  
Applicant/Agent: Mrs Wheatley

It was **resolved**, with no voted to the contrary, to recommend REFUSAL this is an unsafe access given its location on a bend on the main road.

71468 Proposal: Variation of Condition 2 (approved plans) and removal of condition 4 (LEAP) attached to planning permission 64378 (reserved matters application for erection of 61 dwellings (outline planning permission 63356) to allow for an amended layout

Location: Land West of Mead Park, Bickington

Applicant/Agent: Mrs K Holden

It was **resolved**, with no votes to the contrary, to recommend APPROVAL subject to confirmation that the boundary line of the development is the approved line, there are concerns that the boundary may have crept into the green wedge, and there is still the provision of 17 affordable homes.

71472 Proposal: Change of use of land to form seasonal tent and motor caravan site (March to October) together with erection of reception / facilities building

Location: Tarka Trail Camping, Lower Yelland Farm, Yelland

Applicant/Agent: Mr & Mrs Birch

It was **resolved**, with no votes to the contrary, to recommend REFUSAL due to the noise and disturbance to the estuary birds, the adverse impact on the Tarka Trail, this is overdevelopment and over intensification of the site, it is creeping into the open countryside. There would be an increase in traffic on the B3233, there is no mains drainage and the discharge would be into the estuary. There is no business case or strategic plan for the proposal and the Parish Council would like to see stricter enforcement of conditions on previous planning approvals.

The Parish Council would also ask if this is in line with the adopted local plan?

2005/22

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

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

70934 Proposal: Conversion of attached garage to form additional living accommodation together with repositioning of oil tank.

Location: Crawfordton, Bickleton, Barnstaple

Applicant/Agent: Mr & Mrs Horsgood

71228 Proposal: Extension to dwelling

Location: 2 Linden Close, Sticklepath

Applicant/Agent: Mr S Maurice & Mrs S Bridgman

71218 Proposal: Conversion & extension of garage to form annexe

Location: 5 Lower Cross Road, Bickington

Applicant/Agent: Mr & Mrs Stow

71162 Proposal: Extension to dwelling

Location: 33 West Yelland, Yelland

Applicant/Agent: Mr & Mrs McLynn

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

2005/23

#### **Councillors Questions**

Cllr Crawford asked if a report on the Neighbourhood Plan could be placed on the next Council Agenda.





## CORNWALL ASSOCIATION OF LOCAL COUNCILS

UNIT 1/1A, 1 RIVERSIDE HOUSE, HERON WAY, NEWHAM, TRURO TR1 2XN

*Serving the parish and town councils of Cornwall*

### NOTES TO SUPPLEMENTARY STANDING ORDERS ON REMOTE MEETINGS

As part of the management of the Covid19 pandemic, the government has published regulations to permit remote council meetings. Councillors, the public and press no longer have to be present in a single physical space in order to meet and conduct council business. The regulations remain in place until May 7<sup>th</sup>, 2021 and this advice builds on the paper prepared by Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO).

The Coronavirus restrictions mean that there are no physical meetings at present. As restrictions are lifted it is possible that the council may wish to return to physical meetings. These regulations require the council to offer remote access to meetings until May 7<sup>th</sup>, 2021 or earlier if the government repeals the legislation.

The temporary legislation now requires some changes to Standing Orders. We have prepared a supplement which can be adopted to extend your council's standing orders to accommodate remote meetings for the life of the legislation, without the need for redrafting at a later date. This guidance may seem complicated at times, but we have tried to cover the requirements for remote and mixed remote/physical meetings until May 7<sup>th</sup>, 2021 so that you do not need to make other changes.

#### Introduction

- 1) All meetings of the council must be open and accessible to the public with adequate provision for access to the papers for the meeting. The new legislation simply expands on how the council may meet virtually and varies the requirement for an annual meeting.
- 2) Public access to meetings by remote means is different from attendance at a council meeting in order to speak during the public session.
  - a) An IT failure which prevents public access to the meeting renders the whole of the meeting incapable of proceeding.
  - b) An IT failure which prevents a member of the public from addressing the council during public participation will not invalidate the meeting.

#### 1) Annual Meetings

- a) The requirement to hold an annual meeting in May 2020 has been removed, giving local councils the option to continue without an annual council meeting in 2020/21 or to set a date for a meeting later in the year.
- b) If you choose to continue without an meeting, the appointments made in May 2019 will continue until the annual meeting in May 2021.



- c) The regulations do not cover Annual Parish/electors meetings which may be called by the council or by electors. The NALC/SLCC advice is that social distancing principles remain in place and that you should not call the annual electors meeting at this time.
- d) Draft minutes of remote meetings should be made available on the council's website within a reasonable time, especially as the number of meetings may vary. The delegated decisions register should also be kept up to date on the website in between meetings for transparency.

## 2) How should agendas for meetings and papers be provided?

- a) The regulations do not amend any of the legal requirements for the calling of meetings including the days of notice required for holding a meeting of the council or its committees and sub committees.
- b) The regulations state that the council should use its website for the publication of documents and the calling notice for meetings which must give the date and time and the virtual location of the meeting. If your council does not have a website the notice must be placed on Cornwall Council's site.
- c) The public notice and summons must now include details of how to join the meeting and links to the associated papers for the meeting.
- d) The summons can be issued to all members of the council by email, and should include :
  - i) links to the agenda and associated documents for the meeting or
  - ii) email versions of documents necessary for the meeting
  - iii) details of how to join the meeting and how to phone into the meeting if necessary.

## 3) How should remote access be provided?

- a) Councillors, members of the press and public are encouraged to use facilities provided by the council to attend and participate in remote meetings. There are numerous packages available and the LGA has produced a comparison table which can be downloaded [here](#)
- b) The Council should choose a suitable platform and encourage members to spend some time familiarising themselves with the software before the first remote meeting.
- c) It will not always be possible for members and the public to use video conferencing. Alternative methods of attending include audio link or telephone call.
- d) The Council must ensure that the software allows members of the press and public to have access to the meeting and be able to participate.
- e) Non members of committees have the same rights as members of the public and must also be able to access meetings via real time technology if they are attending to observe and participate at the discretion of the chairman.
- f) If the Council's technology fails the Council must allow time for a connection to be re-established. If it is not possible to reconnect the public access, the Chairman will have to consider what other options to take including carrying forward items to the next agenda or referring matters to a committee.
- g) The council will need to identify who will control the IT during the meeting and it may not be practicable for that to be the Chairman or Clerk.





**4) Remote access by members of the public**

- a) Where ever possible a breakdown in the IT should not disadvantage the public from having remote access to the meeting.
- b) The Council must consider how to manage the public session. Unlike physical meetings the council could vary standing orders to ask members of the public to either
  - i) submit their questions in advance so that person can be sent the joining information to access the meeting and speak OR
  - ii) Only take written questions submitted in advance

**6) Declarations of Interest and the Code of Conduct**

Members must act in accordance with the Code of Conduct, making the necessary declarations of interest and 'leaving the meeting' whenever the matter is being discussed. There must be a clear minute of the member leaving and re-joining the meeting.

Depending on the software being used, this may require the councillor to leave the call and then be re-invited once the item has been completed.

It is important that the public see that the member has 'left' and then re-joined.

**7) Exclusion of the press and public from meetings**

- a) Having passed the resolution to exclude the press and public, it is important to confirm that there are no members of the public present on the IT system.
- b) Members of the council should remember that the 'closed session' applies to confidentiality at home at remote meetings and it is their responsibility to make sure that confidential discussion cannot be overheard by other household members.

**SUGGESTED RESOLUTION FOR THE ADOPTION OF THE SUPPLEMENTARY STANDING ORDERS :**

*To resolve to adopt supplementary Standing Orders to meet the statutory requirements for the holding of remote meetings, and this lasts until May 7th, 2021 or the repeal of legislation whichever is the earlier.*





# Item 10

DATE	DECISION	COMMITTEE	ACTIONED BY
17/3/20	Closure of the Office, Beechfield Centre and staff to work from home	Finance and Personnel/Parks and Playing Fields	VW
18/3/20	Planning Application 71113 – submit the Council's previous recommendation	Full Council	VW
18/3/20	Taken re-wilding out of the allotment tenancy following advice from Solicitor	Parks and Playing Fields	KG
18/3/20	Signed Allotment Lease with Glebe Agents	Parks and Playing Fields	KG
19/3/20	Payment of Salaries, PAYE, NI & Pension Contributions	Finance and Personnel	KG
23/3/20	Review of salary	Finance and Personnel	VW
24/3/20	Closure of Play areas (with equipment)	Parks and Playing Fields	VW
24/3/20	Replacement of metal railing at Beechfield Play Area	Parks and Playing Fields	KG
26/3/20	Payment of Invoices and acceptance of receipts	Finance and Personnel	KG Reports in Teamsite, Admin, Agendas, F & P
26/3/20	Renewal of Water Hygiene and Monitoring Contract with Clearwater	Finance and Personnel	VW
26/3/20	Reduction of grass cutting at Tews Lane from fortnightly to Monthly for time being	Parks and Playing Fields/Tews Lane	KG
27/3/20	Not to renew contract of Maintenance Officer due to no work for the foreseeable future	Finance and Personnel	VW & KG
	71278 – Cllr Biederman prejudicial interest his house		
02/04/20	After HR advice, HMRC Guidance and Thomas Westcott advice send in final HMRC submission and notify staff member	Finance and Personnel – all members in favour.	KG

## Item 10

7/4/20	Renewal of DALC membership	Finance and Personnel	VW
15/4/20	<p>Planning Applications</p> <p>71278 – Approval subject to no adverse impact on the amenity of neighbouring properties</p> <p>71210 – echo the response from Horwood, Lovacott and Newton Tracey Parish Council “to recommend approval subject to there being no adverse impact on the amenity of neighbouring properties and that the design is in keeping with neighbouring listed buildings and of the area.”</p> <p>71218 – Refusal, the proposed is over intensification</p> <p>71228 – Approval subject to no adverse impact on the amenity of neighbouring properties</p> <p>71292 – Reiterate previous comments</p>	Full Council	VW & NW
22/4/20	Payment of Salaries, PAYE, NI & Pension Contributions	Finance and Personnel	KG