

STOCKLAND PARISH COUNCIL

Minutes of the Meeting of Stockland Parish Council held in Victory Hall on Tuesday, 5th September, 2023 at 7.30pm.

- 1) **Public Participation Time;** (SO 1e & f); None.
- 2) **Reports from;** EDDC/ DDC, Cllr Levine discussed the increasing challenge posed to the Council budget and logistics for maintaining Public Toilets.
- 3) **Resolve to exclude members of the press and public;** **None** [Public Bodies(Admission to Meetings Act) 1960].
- 4) **To record those Present and Apologies for absence;** Present were Cllrs Switzer (chair), Bright, Durrant, Trott, Derryman, Thompkins, Parris. In attendance was Cllr Levine. Apologies were received from Cllrs Drew and the Clerk, K Pearson.
- 5) **Declarations of Interest;** No Disclosable Pecuniary Interest (s31 & 33 of the Localism Act 2011) or Personal/ Prejudicial Interests declared. (Code of Conduct, 2012).
- 6) **Council Meeting Minutes;** The minutes of the Finance & Staff Committee, held on the 5th July 2023 were duly agreed and signed. Agreement and signing of the minutes of The Turbaries Management Committee, held on the 6th July was deferred as insufficient Cllr representation present to confirm the minutes represented a true and fair account. Minutes to be reviewed again at next meeting. **The minutes of the Parish Council meeting, held on the 28th March (which were previously delayed due to required amendments) were not signed and agreed as it was noted that the amendments requested to be made by the Clerk (via email) in relation to line item 9) g) and had not been incorporated into the draft due to an oversight where the Clerk's email had mistakenly not been considered. Final amendments therefore to be made by Chair and circulated for approval at the next full Council meeting.** Finally, the minutes of the Parish Council Meeting, held on 25th July were not agreed or signed due to late circulation giving Cllrs insufficient time to review ahead of the meeting and specific questions from Cllrs in relation to the drafting / meaning of Item 8) Insurance Pre-renewable Information. The Clerk to clarify the meaning and circulate re-drafted July Minutes for agreement at next full Council Meeting.
- 7) **Action Review Summary:** to receive and review the following items:
 - a) **Casual vacancy;** approval to fill the vacancy was received from EDDC, which the Clerk has progressed with the role now advertised publicly.
 - b) **Agree a Process for quotes to be established and keeping within all regulatory conditions;** The Council voted unanimously to agree and adopt the new protocols for the *Procedure for Obtaining Quotes and Engaging with Contractors, Procedure for Grant Applications*, and the associated *Grant request form*.
 - c) **Turbaries;** resolve to carry out the following work;
 - i. Bucehayes (AG00287440); Noted that spraying will not now be undertaken at Bucehayes.
 - ii. Quantock (AG00287502); Noted that bracken work will not now be carried out and that plastic boardwalk will not now be progressed.
 - iii. Horner Hill (AG00291818); Noted that grazing will not be progressed owing to concern over conditions and giving third party cattle grazing access to the Turbary in the context of recent TB outbreaks etc.
 - iv. Shortmoor (AG00305847); Noted that no bracken spraying now proposed.
 - v. Huntshayes (BPS); no work until winter; Shorebottom (BPS); volunteers to brush-cut Balsam; Noted.
 - vi. Woodland Management (AG986346) Cllr Derryman to discuss with the Managing Agent to see what's required. Noted. A wider discussion ensued regarding frequency of Turbaries Management Committee meetings and the need for more regular / periodic meetings on an informal basis to come up with a longer term strategy for managing all Turbary land as efficiently and cost effectively as possible. These meetings to include the Managing Agent, Blackdown Consulting, but not necessarily the Clerk until a suitable strategy

devised and financial implications needing to be considered. However, wherever new financial commitments being considered or applications for grant funding likely to be required then the new process adopted under item 7)b) to be followed at all times.

- vii. Ash Die back at Featherlake: Inspected by Cllr Drew and recommendation that tree is removed. Quotes to be obtained for removal from three local contractors. From a process and budgetary perspective agreed that it would be beneficial to keep these quotes below £100 with the wood then available for collection and on-sale at no cost to the successful contractor.
- d) **Highways/Ditches and Footpaths**; Cllr Trott reported Japanese Knotweed present on footpath below Beare's Farm Clerk to please inform Public Rights of Way as soon as possible for guidance on how to proceed. Damaged post on footpath at Walshams to be reported. Cllr Trott also reported that new footpath bridge below Rodway had been completely stripped for materials and that the incident had already been reported to the local Police.
- e) **Play Area, Car Park and Victory Hall**; Cllr Parris confirmed that the plans for installation of the basketball hoop and 2x free standing football goals were progressing with a letter to be submitted to the Stockland Fair Committee seeking a contribution toward the overall cost. Noted that the new process for obtaining quotations needed to be followed in relation to these items of proposed capital expenditure.
- f) **Stockland Charities**; No reports received.
- 8) **Insurance Pre-renewable Information**; currently due 8th September and this is to check that the Pony Loan Agreement is still covered for travel into and between sites when 'Looking', which it has previously. Cllrs were confused by the meaning of this Agenda item and with the Clerk not present to explain it was agreed to seek clarification from him at the next Council meeting.
- 9) **Amendment to Bank Signatories**; the Bank Mandates still require updating as the Axminster Branch is now closing. Noted. Clerk to progress.
- 10) **SCPL Shareholders Update**; newer Cllrs may not know that the Council agreed to purchase £1,000 shares in the Kings Arms distribution and received the news that the Community Pub will open again on 1st September. Noted with pub now having re-opened.
- 11) **Complaints system; ICO Subject Access requests; treated as confidential issues after the press and public have been excluded**. Subject Access request passed to Clerk to assemble data and provide a suitable response within the deadline of 17th September. (This is an extension to the statutory deadline, requested in correspondence by Chair Switzer. Acknowledged that the Clerk's hours may need to be structured (potentially including overtime), to enable him to compile information and the response.

Chair Switzer informed the Council that he had personally received a formal written complaint made against the whole Council and that he had taken advice from DALC on how to proceed. Advice taken has confirmed that the Council's own formal complaints procedure must be followed in the first instance and that he had requested details / clarification on the Council's Complaint Handling Procedure from the Clerk; failing that, DALC's recommendation is to follow LTN 9. Once the appropriate next steps are ascertained, Chair Switzer will present the complaint to Council, precipitating the appropriate response from Council. He also conveyed the advice from DALC that the process should be systematic and fair, with no pre-conceived assumptions of fault.

Cllr Thompkins raised a direct challenge to the Chair about the appropriateness of his actions regarding his refusal to inform the assembled council of the nature or any detail of

the complaint. His view being that in failing to disclose further details of the nature of the complaint at this stage the Chair was acting unilaterally and, therefore, outside of recognised procedures.

- 12) **Planning-** to consider and review any issues arising. (for Applications please go to EDDC web)
- a) **applications received: to consider and respond;**
- i) 23/1524/CPE; Red Cottage Heathstock Stockland EX14 9EU; Lawful development for an existing change of use from agricultural land to vehicle access and garden. No objection. Existing, established use confirmed by a number of Cllrs.
- ii) 23/1683/PVJ - Bright Farming The Grain Store Ridge Honiton; Installation of 210 solar photovoltaic (PV) on the north-west and south-east roof. No objection. Whilst noted as a large scale installation also recognised as required to service an established commercial agricultural business with high energy demands and therefore considered environmentally sound.
- iii) 23/1530/Ful and LBC; Cummins Farm Stockland Honiton EX14 9EZ; Undertake repairs to the interior and exterior of building, including windows, walls, ceilings and floorboards; construction of detached plant building, and air source heat pump to be installed. No objection. Noted that the building is subject to a full listing with conservation and development statements already submitted to English Heritage as part of the planning application.
- iv) 23/1495/CPE - Wadsbury Cottage Stockland EX14 9EX; Certificate for lawful development existing use of Wadsbury Farm Cottage as a holiday let. No objection. Existing, established use confirmed by a number of Cllrs.
- v) 23/1566/FUL - The Knoll Stockland Devon EX14 9EF; Proposed detached single storey store. Objections / concerns raised over proposed structure not in keeping with other buildings at the subject property, owing to nature of construction materials and the proposed colour. Also discussed concerns over potential over-development on the overall site. Clerk to feedback to EDDC.
- vi) 23/0064/FUL - The Bungalow Shorebottom Stockland Devon; Two storey side extension. **Unclear why this item appeared on the Agenda. Clarification to be sought from the Clerk at next meeting.**
- vii) 23/0703/FUL; The Cottage Stockland EX14 9DS; Changes to front elevation, partial raising of existing sunroom roof and relocation of front door. Noted that planning had already been approved.
- b) **To review applications previously considered or approved;**
- i) 23/0064/FUL-. The Bungalow Shorebottom Stockland Devon EX14 9DQ; Two storey side extension with amendments; *Awaiting decision*
- ii) 23/0840/AGR - Land At Ridge Cross Ridge, Stockland EX14 9EN; Proposed 6 bay extension to existing shed; *approved*
- c) **applications withdrawn/appealed: to decide how to respond: None**
- a) **Correspondence:** to consider items received (copies emailed to all Cllrs where appropriate). Refer notes above re Subject Access Request and Formal Complaint.

14) **Finances** to review and agree items of payments and receipts

Balances at Bank (at 30/7/23):	£39453.99
Treasurers Account	
Payments (as at 31/8/23)	
i) Staff costs Aug	481.57
ii) Blackdown Hills Parish Network subs	80.00
iii) DALC subs	190.06
iv) Insurance (Hiscox)	512.19

	TOTAL	1264.36
Receipts (as at 20/7/23)		
i) RPA		898.79
ii) RSPB refund		2310.17
	Movement of funds	3208.96
	BALANCE TOTAL	41398.59

15) **Items of Future Business** for the next Agenda. 1) Turbaries Management Strategy 2) Data Subject Access Request progress 3) A detailed update on the formal grievance raised against the Council by the Clerk 4) Confirmation of the Council’s Complaints procedure together with an update on the nature of the specific complaint raised against the Council and the proposed resolution / way forward if possible.

16) **Confidential Items:** It was agreed that the press and public would be excluded during consideration of issues agreed under item 11 of the Agenda.

Reason/Agreement

Signed.....Chair

Date 26 / 09 / 2023

Meeting closed at 9.30 p.m.