

# BRANSCOMBE PARISH COUNCIL



MINUTES OF THE BRANSCOMBE PARISH COUNCIL MEETING held in the Branoc Hall Social Room (Village Hall) on **THURSDAY 15 September 2016 at 19.30hrs.**

PRESENT: Cllrs Bass, Lambert, Pike, Evans, Wallford-Howell, Cllr. Knight (DCC), Pook (EDDC) Peter Blythe (NT)

APOLOGIES: Cllrs. White, Hall and Mayes

NO. OF PUBLIC: Two

PRESS: None

CLERK IN ATTENDANCE: Gail Llewellyn

PUBLIC SPEAKING:

## **Jenny Lonnberg and Ian Crowe – Relocation of Gays Farm presentation:**

Ian Crowe advised that there is a planning application pending for Gays Farm and it has recently been sold. He has had to move the market gardens and put some poly tunnels up. There is a need to live there to look after the stock and animals, and they are looking to be in full production next year. They have strong environmental standards and concerns and they have retained the land adjacent to the farm. Cllr Bass asked if the application has gone in yet for the mobile homes, Ian advised that this had not and there is a debate going on with EDDC Planning. Cllr Pook offered to assist if need be in advising who to contact etc. Cllr Evans applauded what they are trying to do but made them aware the decision is made by EDDC not the Parish. Cllr. Pook suggested a planning agent would be advisable to help them through the process, Ian agreed that he was looking into this. Cllr Lambert welcomed them back to Branscombe as they have been away in Sweden.

MINUTES OF PREVIOUS MEETING: Parish Council meeting minutes dated 25<sup>th</sup> August 2016, which were previously circulated, were agreed and signed by the Chairman as a true record with one slight amendment to the second bullet point under National Trust with the “*budget of £5k for this year and £2k next year*”, not £25k.

## DECLARATION OF INTEREST

7.1b) – Cllr Evans – non pecuniary interest as he is a neighbour

7.1.c) – Cllr Bass – non pecuniary interest as he is a neighbour

## POLICE AND NATIONAL TRUST REPORT

### **Police – Cllr Bass read from PC Richard Jenkins email dated 15<sup>th</sup> September as follows:**

Of the 3 crimes reported, one is a civil dispute, one is a theft from a vehicle during daylight hours and one is a break into a caravan to cook a meal (investigations continue re that one with scenes of crime). As reported last month, vehicle crime is increasing throughout all rural areas and drivers are reminded to not leave anything in their vehicles and, where possible, keep all areas of the vehicle in open view to deter anyone from breaking in to ‘have a look’.

Of the incidents, the one of note is the serious road accident near Coxes Farm in which a young man was seriously injured when his dumper truck overturned. The male is recovering well but will have probable life-changing injuries.

The Clerk had received a new padlock for the Wishing Well from PC Jenkins which is alarmed. This was handed to Cllr Pike. There are two padlocks on the well so there will be a need for a further one once Cllr Pike has confirmed that it fits ok.

The following are the figures provided:

Crimes Recorded - 01/09/2016 to 11/09/2016 - KN3F

Offence	Recorded Crime 01/09/2016 to 11/09/2016	Recorded Crime 01/09/2015 to 11/09/2015	Recorded Crime % Difference
Violence with Injury	0	1	-100.0%
Vehicle Offences	1	0	-
Other Theft	2	0	-
<b>Total</b>	<b>3</b>	<b>1</b>	<b>200.0%</b>

Incidents Recorded - 01/09/2016 to 11/09/2016 - KN3F

Incident Closing Category	Incidents - 01/09/2016 to 11/09/2016	Incidents - 01/09/2015 to 11/09/2015	Incidents % Difference
Crime Recorded	1	0	-
Transport	1	1	0.0%
<b>Total</b>	<b>2</b>	<b>1</b>	<b>100.0%</b>

#### National Trust:

Peter Blythe advised the meeting of the following:

- The wall in the car park has become unstable and this will be rebuilt at the end of the week, he advised that he has Listed Building consent.
- The cabinet will be fitted on 24<sup>th</sup> September
- The Scrapbook – He thanked Branscombe Parish Council and the Branscombe Project for their help and he will bring a copy to the next meeting.
- Bridge to Car Park is rotting at the posts on the Village Hall land but the National Trust will be fixing this towards the end of the month.
- He advised that the National Trust staff are now not parking in the Village Hall Car Park

- The hedges in the lane behind The Masons Arms which is closed to traffic is going to be trimmed back if the equipment Peter has found can get in as there is still no sign of the padlock to the bollards.
- Hill End hedge overgrown – it is the tenants responsibility but Peter is dealing with this.
- Harvest Fare – The National Trust will be in attendance with the apple press.
- Events – The Big Run – Sidmouth to Beer 16<sup>th</sup> October – need to contact the landowners and the National Trust have said this is OK but they have made it clear that they need to contact Cllr White and others for permission.
- Hedge in front of school – this is not the NT responsibility, Ian has signed up to a hedgerow management plan and it's not as straight-forward as it may seem. National Trust will respond to the correspondent to advise.
- Cllr Bass – Tenancy Allotments – A couple of the allotments are unusable and we are paying the full amount, what is the National Trust view on this? Peter advised that he will check the official response but it is usually up to the tenant to sort this out themselves. Cllr Lambert advised that there are some fairly committed allotment users.
- Cllr Bass asked about “bashing the balsam” - Peter advised that this needs managing as a whole as it is a water borne problem and spreads through streams and hedgerows. Cllr Knight advised that if it is a highway safety issue DCC will have them cut back.

## MATTERS ARISING

### **Cllr Bass –**

**Shoreline Management Plan** – It was noted that a consultation on the Shoreline Management Plan was to take place and that Branscombe Beach will be included this time. We await consultation on this.

**Green Lane Hedges opposite the School** – Cllr Bass had received a copy of a letter sent to the National Trust from Judith Langton at the School House, explaining that the hedge opposite the school has now got so high that the view has been obscured and requesting that it is cut back. The Airfield hedges have been cut on one side of the road but not the other. Cllr Knight advised that DCC would only cut hedges/trees back if they were a danger to the public. Discussion took place on what could be done about the restrictions on landowners/farmers cutting back hedges out of season and if there could be anything done with the NFU and DCC as the hedges are becoming a danger to cyclists and walkers having to go into the hedges to avoid traffic and getting attacked by the stinging nettles. Cllr Bass suggested that Branscombe Parish Council write to the NFU for advice on this. The Clerk agreed to do this.

## PLANNING

**Planning Update** – The update was noted.

**Appeals** - Noted

### **Planning Applications:**

**16/1996/FUL – Kings Down Tail Caravan and Camping Park Salcombe Regis Sidmouth EX10 0PD – Construction of open sided car port** – After discussion, Cllr Bass proposed

and **IT WAS RESOLVED** that the council **SUPPORT** the application. This was seconded by Cllr Pike with **ALL IN FAVOUR**.

**16/2030/FUL - 6 Chapel Row Branscombe, Seaton EX12 3AZ - Excavation of garden levels and construction of retaining walls to provide single storey rear extension and pedestrian access** – Cllr Bass advised that he had received a letter of objection from Mrs. Bass addressed to Branscombe Parish Council. The objection was based on *“safety concerns with the proposed pedestrian access and the removal of part of a wall that may have historical merit. Since the last application the road has become part of the National Cycle Network which has resulted in a huge increase in the number of cyclists using the road, often at speed. Pedestrians would not be able to hear cyclists or electric cars approaching and any person with hearing difficulties may not be able to hear any traffic. The entrance will require pedestrians to step down onto the road whilst being obscured by the house and garden walls. The road is so narrow with walls on both sides that drivers have no room to take evasive action should anyone step out in front of them.”* Cllr Pook advised that there is a previously approved, albeit possibly lapsed application. Cllr Bass expressed his concerns that it is an increasing danger and it should be referred to DCC Highways. Cllr Evans pointed out potential dangers. The previous application did not have Margells using the access, so there is an increased usage by pedestrians. After this full discussion, Cllr Bass proposed and **IT WAS RESOLVED** that the council **NOT SUPPORT** the application for the following reasons:

- Highway/Pedestrian safety issues regarding the positioning of the gate and steps
- The profiled metal roof of the lean-to is not in keeping with the thatched Grade II listed building

This was seconded by Cllr Evans with **ALL IN FAVOUR**.

**Enforcement** – None

The Clerk advised that she had received notice of a TPO to a Tree in Weston 16/0064/TPO Land at Hornshayne, however there was no information on the web site so it was not clear if this was the same tree that was thought to already have a TPO on it in respect to appeal no. APP/TPO/U1105/5393/Appeals she will investigate further.

#### PLANNING CORRESPONDENCE

**Branscombe Airfield** – The Clerk advised that she had written to EDDC Health and Safety Team on 3<sup>rd</sup> September 2016 regarding the dangerous location of the camp/caravan site, and is awaiting a response. She also advised that there had been no further advise from Ed Freeman regarding his letter in respect to enforcement.

**Planning Policy regarding safeguarding housing similar to St. Ives** – The Clerk advised that she had a response from EDDC Planning Policy Team and they have advised following:

*“I have spoken to a Planner at Cornwall Council and they confirm that the St Ives Plan was*

*made with the Second/holiday home Policy in it but it is currently subject to a legal challenge. The challenge is due to be heard in court on 6 and 7 October and the decision should be issued by the end of October. Having said that, it is an approach which has been supported by several examiners (see also the St Minver Plan) and is also featuring in a number of Plans in production. I think the challenge relates to the production process as much as the principal of the Policy.*

*We would support the policy in principle but would suggest you call it a 'Primary Residence Policy' rather than second or holiday home policy.*

*Reading the St Ives policy I would be concerned that there may be unintended consequences, and you should think these through, to ensure you are happy with them, before including the Policy in your Plan;*

*How will the policy be implemented?*

*Who will ensure it is adhered to and how will it be enforced?*

*Will it affect mortgagability/ be so restrictive that local people can't buy the houses?*

*Will it cause harm by affecting viability to the extent that affordable housing isn't delivered?*

*Evidence will be key to the success of your Policy, so you may wish to speak to the St Ives/St Minver NP producers, but also wait until the end of October and the outcome of the challenge as the decision notice should be very interesting."*

This would involve Branscombe Parish Council producing a Neighborhood Plan which has been discussed in the past and agreed that it was not the way forward for Branscombe. Cllr. Bass was concerned with the loss of the Post office and wanting to protect the continuation of the school. Cllr Pook advised that 66% of any new housing has to be affordable in perpetuity.

#### REPRESENTATIVES' REPORTS:

##### **Cllr Knight –**

- Advised that there is a shortage of funding for flooding and highways however the Flood defence works at the Fountain Head will go ahead but he does not have any dates yet.
- He has carried out his tour of the village on Tuesday this week and they have sent out quite a few hedge cutting notices.
- The potholes and cattle grid will be done.
- He also reported that the bollard on Vicarage Hill which are giving way will be replaced.

##### **Cllr Pook –**

- Advised that EDDC have received a few complaints about the car park at the beach regarding fines for non-payment of fees. All agreed that there appeared to be sufficient evidence in each case to support that there was not really an issue and the fines should be paid.
- He also advised that the regeneration of Port Royal Sidmouth had been approved.
- With respect to Fly tipping, EDDC have achieved clearing within less than 2½ days of it being reported, however they have been unable to prosecute to date.
- 47% of waste is now being recycled.

**Cllr Bass –**

Asked about the Beach Management Plan – Cllr Pook advised that it will be reviewed but there is no further information on it as yet.

The Clerk raised that Sidford Industrial Estate has no received planning consent, it was considered that it is being branded as a distribution centre.

**HIGHWAYS:**

**School Lane hedges** – discussed above. The Clerk also emailed Peter Blythe asking if there was anything he could do to help and he responded as follows:

*“I will respond more fully to Ms Langton when I receive the letter, but in essence the management of this hedge is the Westlakes responsibility, and any decision on variation of their hls scheme is between them and natural England. There is therefore nothing I can do to expedite this issue.”*

**Hedgecutting** – the Clerk advised that she had written to the NFU and received the following response:

*“We are in agreement with you that the current requirements for hedge trimming are causing unacceptable disruption to both farmers and those that use access routes adjacent to farmland. Unfortunately the current EU regulations that farmer must adhere to mean that for the last 2 years most hedges can now not be trimmed in the month of August. This is based on the protection of nesting birds, whilst the basis of this restriction is questioned, we remain with these rules at this time.*

*The NFU has lobbied hard for a number of exemptions within the rules that farmers need to follow in order to receive support payments (now under the Basic Payment Scheme arrangements) to help minimise adverse impact of these restrictions.*

*For your information, the rules on hedge trimming that farmers have to follow in order to secure claim support payments are set out below, we do make our members aware of these rules during the year.*

***Cutting & trimming***

*You must not cut or trim a hedge between 1 March and 31 August (inclusive) unless:*

- *the hedge overhangs a highway, road or footpath over which there is a public or private right of way and the overhanging hedge obstructs the passage of, or is a danger to, vehicles, pedestrians or horse riders*
- *the hedge is dead, diseased, damaged or insecurely rooted and because of its condition, it or part of it, is likely to cause danger by falling on to a highway, road or footpath; or obstructs the view of drivers or the light from a public lamp*
- *it is to carry out hedge-laying or coppicing during the period 1 March to 30 April (inclusive)*
- *it is to trim a newly laid hedge by hand, within 6 months of it being laid*

- you have received written permission from RPA to cut or trim during the month of August for the purposes of sowing oil seed rape or temporary grassland during the same August.

The cutting, trimming and removal rules do not apply:

- to hedges within the curtilage of a dwelling-house
- to the side of any hedge facing a dwelling-house when the hedge marks the boundary of the curtilage of the dwelling-house.

I hope this helps you, and I have copied into this email my colleague Andrew Butler who is our Devon County Adviser, if you have any other farming issues.

**FOOTPATHS:** Nothing reported.

**CORRESPONDENCE:**

**Bags of Help** – The revenue Tesco receive from their bags was being offered for funding projects that may be of interest to the Village Hall and Allotment Society, the Clerk handed over the paperwork.

**BT Phone Boxes** – The Clerk had been consulted on the removal of telephone boxes in the village, only one being possibly removed is the one by the Fountain Head. They are also being offered to Parish Councils for £1 for them to use as seen fit. It was agreed that there was no objection to this box being removed as it was rarely used and that we would pay the £1 for it to remain on our land for a use to be decided in the future. The Clerk will advise BT.

**AONB Annual Forum** – This was noted

**FINANCE:**

**Finance Update 2016/17** – the Clerk advised the following:

**Asset Register** – This is now published on the web site under Finance

**Audit 2015/16** - The Clerk reported that she is awaiting response from the Auditors; Grant Thornton on the additional information they requested which was send off after the last meeting.

**Cheques** –

HMRC - 2 <sup>nd</sup> Qtr PAYE.NIC	-	£132.60 – chq.no. 944
Clerks Wages & Exp. July/Aug/Sept	-	£663.36 – chq.no. 945

**PART B MATTER** - None

**MATTERS BROUGHT FORWARD WITH PERMISSION OF THE CHAIRMAN:**

Cllr Evans asked if we could purchase a dedicated laptop for the Parish Clerk. The Clerk advised that this had been approved and she was researching the best options.

Cllr Pike asked if he could have any volunteers for organising the Xmas Fare to advise him.

The next meeting is due on 6<sup>th</sup> October 2016 @ 19:30 in Branoc Hall (Village Hall).

Meeting closed at 21.45hrs

Signed..... Date .....