



**ROCKBEARE
PARISH COUNCIL**

Chairman: Cllr. Phil Franklin

Clerk: Carolyn Y. May
A209, Victoria Advent House,
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11th January 2023

ORDINARY MEETING OF ROCKBEARE PARISH COUNCIL

To all Members of Rockbeare Parish Council

You are hereby summoned to attend an Ordinary Meeting of Rockbeare Parish Council, to be held at **7.15 pm**, on **Tuesday 17th January 2023**, at Marsh Green Village Hall, for the purposes of transacting the following business:

Carolyn May
Clerk to Rockbeare Parish Council

AGENDA

To: Cllrs. Phil Franklin (Chairman), Mark Nequest, Rebecca Nequest and Adele Roberts

All Councillors are politely reminded of their obligation to declare interests under the Code of Conduct.

Please Note: This meeting will be recorded.

- 1.0 APOLOGIES:** To receive apologies for absence.
- 2.0 DECLARATIONS OF INTEREST:** To receive declarations of interest.
Members – please remember that you must declare any personal or prejudicial interest at the start of the meeting. Please ensure that you state the reason for your interest, as this must be included in the Minutes of the meeting. If your interest is a 'Declarable Pecuniary Interest' then you must leave the meeting whilst the matter is discussed.
- 3.0 TO RECEIVE QUESTIONS FROM THE PUBLIC – Strictly 15 minutes in total. Thereafter, members of the public may not enter discussions without the express permission of the Parish Council Chairman.**
- 4.0 MINUTES:** Minutes of the last Meeting of Rockbeare Parish Council, held on **Tuesday 13th December 2022** to be signed as a true correct record of that Meeting (Appendix A).

5.0 REPORTS

- 5.1 Chairman's Report
- 5.2 Member Resignation
- 5.3 County/ District Councillors Report
- 5.4 Any other reports

6.0 PLANNING

- 6.1 To consider Planning Applications – Appendix B
- 6.2 To consider Planning Applications received since the date of this Agenda
- 6.3 To receive, and note, details of Planning Determinations - Appendix D.

7.0 CORRESPONDENCE

Parish Newsletter – Cllr Franklin

8.0 BUSINESS AND FINANCE

8.1 Schedule of Payments

Date	Invoice	Payee	£
17/01/2023	2196	Payroll Bureau	21.96
17/01/2023	2022/25	MGVH	45.00
17/01/2023	Nil	HMRC	597.85
17/01/2023	TBA	Viking	136.50
17/01/2023	TBA	Colourscape	140.00
17/01/2023	TBA	Colourscape	20.00
Total			£961.31

9.0 WARM SPACES / PARISHIONER SUPPORT – Service Level Agreement to be signed.

10.0 GRANT APPLICATION – Pavilion (Appendix F)

10.0 RE-AFFIRMATION OF POLICIES – To follow

- Standing Orders (Appendix G)
- Financial Orders (Appendix H)
- Statement of Internal Control (Appendix I)
- Data Protection Policy (Appendix J)
- Complaints Process (Appendix K)

10.0 MILLENIUM FIELD PROJECT - PLAN – Cllr Nequest

- Outline Plan
- Storage Unit
- Fencing
- Paths

11.00 BIRCHEND PLAN – Clerk

- Outline Plan
- Funding application for amenities



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MINUTES OF THE ORDINARY MEETING OF ROCKBEARE PARISH COUNCIL HELD ON TUESDAY 13TH DECEMBER 2022

DRAFT MINUTES

Present: Cllrs Franklin (Chairman), Forrest, M. Nequest, R. Nequest and Roberts

Also: Cllr Richard Lawrence (EDDC) and three members of the public

Apologies: Cllrs S. Randall-Johnson and H. Gent (DCC)

Clerk/ RFO: Carolyn Y. May

AGENDA

753.0 Declarations of Interest - none.

754.0 Questions from the Public

One member of the public raised the issue of the proposed Ford Oaks Solar Farm. He stated that he has been allocated 3 minutes to address the next EDDC Planning Committee meeting (20th December) and he wished to ascertain the current feelings of the Parish Council on the matter.

The gentleman has already submitted a document to EDDC on the subject, this was read out to the Planning Committee at the last meeting, and is now on record. However, having taken an opportunity to discuss the proposal with some of the EDDC Planning Committee Members, the Parishioner expressed his disappointment with some of their responses. He felt that there were a number of 'hard-liners' on the committee who were intent on the application being approved, irrespective of the views of parishioners and the impact of the installation on the area. He also articulated the view that there appeared to be a general fear that any decision to deny the application would be taken to appeal, and that this was swaying Members, rather than the aforementioned views and impact on residents. That situation is totally unacceptable.

The Parishioner alluded to the role of Cllr Skinner (EDDC), who was instrumental in ensuring that the Planning Committee Members undertook a site visit, prior to making any decision.

The Parishioner had attempted to contact Simon Jupp MP, to ascertain current government policy/views. However, no response had been received. Neither had the Environment Agency responded to his queries. He added that there seems to be no consideration given to residents / the use of land, rather there is a sole desire for cheap connection to a power source.

The public are not to be permitted to attend the proposed site visit. The Parishioner articulated the view that residents should be present during the same, as it is they who will be most affected, should the application be approved by EDDC.

Cllr R. Nequest suggested that the Parishioner could allude to the lack of a maintenance agreement for the site, adding that forty years is a long period of time, where no such arrangement has been made.

The Chairman thanked the Parishioner for his contribution to the meeting.

755.0 Approval of Minutes

- 755.1 The Minutes of the last meeting of the Parish Council, held on Tuesday 18th October 2022 were considered.
- 755.2 Cllr Forrest made a vociferous objection to Item 741.0 within the same. He stated that he did not believe that the co-option had been undertaken, as presented. He advised the meeting that neither he, Cllr M. Nequest, or R Nequest had been present*. Cllr Forrest alleged that there was no vote on the matter and stated that Cllr Roberts should 'return to the public area and re-apply to come on to the Council.
- 755.3 The Clerk intervened to advise that the observation was not fair. Adding that the applicant had applied to the Parish Council and been co-opted. Cllr Forrest then responded by advising the Clerk to 'take care with your language here'. The Clerk asked if that comment constituted a threat. Cllr Forrest stated that none of those present had voted on the issue. **
- 755.4 Cllr R. Nequest asked if the body knew for a fact that it had been a proper co-option. The Clerk assured her that it had indeed been properly conducted. The Clerk added that the matter had been listed for discussion on the agenda for the 18th October, therefore Members had proper notice of the matter. No queries had been raised prior to, or at, the meeting. Where Members are not present at a meeting, there can be no retrospective amendments/ decision relating to business conducted at the missed meeting. The vacancy had been reported to EDDC, authority given to co-opt, and the vacancy advertised. That was correct process. Other than the said process, there is no other specific format for co-option.
- 755.5 Cllr Roberts offered to withdraw from the Members table and have the matter discussed further at the next meeting. The Clerk suggested that such a move was not necessary, as the requirements to co-opt had been fulfilled. The Chairman stated that the matter had been addressed at the last meeting and the co-option had been agreed.
- 755.6 Cllr Forrest responded that the Chairman should declare an interest in the matter, adding that he had made his point. He wished it to be recorded that he did not deem the Minutes to be an accurate reflection and maintained that there had been no vote. Cllr Forrest then added that there had been two other Councillors there that night and that no vote was held.*** The Clerk advised that if there was to be an objection to the co-option of Cllr Roberts, it should be voiced at this point.
- 755.7 The Clerk added that the Councillor was present and was most likely mightily embarrassed at this discussion. She added that it was unfair to that Member and apologised, on her own behalf, to the Member adding that 'nobody should be placed in such an invidious position'.
- 755.8 It was **proposed** by Cllr. R. Nequest, **seconded** by Cllr M. Nequest and **RESOLVED** that, except for the objection raised by Cllr Forrest, the Minutes would be accepted as a true and accurate reflection of the meeting held on 18th October 2022. Three in favour, one abstention and one objection. **Carried**.

The Minutes were duly signed by the Chairman.

756.0 Reports

756.1 Chairman's Report

The Chairman reported that he had recently attended an 'on-line' meeting of the EDDC Planning Committee, in respect of the body's consultation on the Local Plan. The link to the document has been circulated to all Members, and comments in relating to the document may be recorded on the site. The Chairman has also circulated the Minutes for that meeting, to all Members of RPC.

There are plans for development on the airport side of the area but there are no plans to hold consultation meetings in respect of the same (explicitly).

Several thousand houses are proposed, the number having been calculated in accordance with the Government's formula. However, the formula is currently under consideration, therefore, it is possible that there will be changes to the same.

Cllr. Lawrence highlighted the fact that it had been proposed that both Fenniton and Whimble could become towns, under the scheme. However, at the Whimble consultation event, only thirty new houses were alluded to by EDDC Officers. Giving consideration to on-going Government discussions, there is a chance that such development will not go ahead.

Cllr Lawrence added that principal councils are obliged to show that they possess a five-year housing land supply. If councils fail to do this, the opportunity arises for private developers to make application to build houses. The five-year housing land supply for EDDC now excludes Cranbrook. Infrastructure issues were also alluded to.

The Chairman encouraged all Members to access the Local Plan website and, if desired, leave their comments on the proposals.

The Chairman had also attended a recent Rockbeare Village Hall Committee meeting. There was nothing to report from the same.

Football Club – The Chairman has spoken with the gentleman who runs the Football Club. He has asked that a representative attends the PC Meetings to provide a regular update on the project.

756.2 District Councillor Report

EDDC Local Plan - Cllr Lawrence alluded to Rockbeare's omission from the new Local Plan (due to the non-sustainable classification of the village). He asked if this omission was a matter of concern to the Parish Council and asked if the body wished the village to expand. Members voiced their concerns over the development of Cranbrook, on the area south of the A30, and the Cobden and Grange development proposals.

It was noted that, despite the agreed boundary for development of Cranbrook, being Cobden Lane, a further 154 houses and a travellers site had been planned for the other side of the lane

It was agreed that the Local Plan, and non-sustainable village designation, would not preclude any further development within the village, with any application being submitted to EDDC Planning in the usual manner.

Solar Farm Planning Application - Cllr Lawrence alluded to the next meeting of the EDDC Planning Committee, and highlighted the reports which he would, again, allude to, along with any new information obtained.

The process and costs of Judicial Review of a decision were briefly discussed.

The Clerk advised the Members that a prominent EDDC Planning Officer had declined, in writing, to forward a report submitted by the PC to all Members of the EDDC Planning Committee. The Clerk had been advised to send the report to each EDDC Member herself. The Officer then unilaterally elected, without the express permission of the Parish Council, to forward the report to the Solar Farm applicant. It was deemed that the conduct of the EDDC Officer had been unacceptable, and (inter alia) a breach of Data Protection laws. The Clerk suggested that the PC might wish to send a letter of complaint to the Chief Executive Officer of EDDC. Cllr Lawrence had, at the time, attempted to address the conduct of the Officer, copying in the CEO/ EDDC Barrister of EDDC to the correspondence.

It was **agreed** that a formal letter of complaint would be forwarded to the CEO of EDDC.

757.0 PLANNING MATTERS

PLANNING APPLICATION – None

PRE- NOTIFICATION 22/2532/AGR – Land North West of Lower Upcott, Marsh Green

Erection of an agricultural building for the housing of cattle, feed and equipment. Ref.

It was **proposed** by Cllr. R. Forrest **seconded** by Cllr M. Nequest and **RESOLVED** that there would be no objection to the proposal. Unanimous. **Carried.**

DECISIONS – None

758.0 CORRESPONDENCE

Parish Newsletter – Mr Mark Readman contacted the Chairman to ascertain the PC's plans for the future of the Parish Newsletter. Mr Readman remains willing to undertake the ask, if required.

Members felt that the Newsletter should continue but that they would like it to be a little 'snappier'. The paper used should be reviewed – as this is glossy and may cause difficulties for those with visual impairment. Although the paper version has been withdrawn, it was felt that those with no access to the internet were being disadvantaged, and it was agreed that it would be advantageous to reinstate a paper version. Distribution of paper copies was discussed. Cllr R. Nequest stated that she would be willing to deliver to part of the parish. Members felt that there may be an opportunity to involve the Football Club with this task.

It was felt that the draft document should be reviewed, prior to publication, and that there should be encouragement for the submission of articles from parishioners. Stories, updates, puzzles etc.

Actions:

- Cllr Franklin to speak with Mark Readman.
- Members to consider this matter and discuss the same at the January 2023 meeting.

Parking Area within Rockbeare Village

The Clerk advised the Meeting that she had obtained Office Copy Entries from the Land Registry, in respect of the small parking area opposite Rockbeare Primary School. It has been established that the land is the property of the Parish Council.

At present, 'Residents Only' parking signs have been erected, and other motorists have been discouraged from using the site (even to drop off/ collect children from the school).

The parking signs were not installed by the Parish Council, and there are no agreements in place with residents, which grant exclusive parking rights.

Members discussed the removal of the 'Residents Only' parking signs, and the erection of a Parish Council sign, to indicate ownership of the area, and to notify people that it is for 'public use'.

It was **agreed** that a map of the area, and some narrative, should be placed on the PC website. The persons who erected the signs should be invited to remove the same.

National Grid Budget Estimate for the Defibrillator (Marsh Green)

Cllr M. Nequest provided the estimated connection charge for the defibrillator at Marsh Green. The sum has been estimated at £1,141.00 (including VAT). The sum does not cover ancillary works (ie digging a trench/ installing posts). Altogether, the costs will be around £2,000. The Clerk suggested that this work could be included in the budget discussion, and added as a project, with an allocated budget. It was **agreed** that this would be addressed later in the meeting.

DALC (National Joint Council Pay Award)

The National Salary Awards have been published. From 1st April 2022, there has been a £1.00 p/h increase on Clerk's salaries. The mileage charges have also increased.

The increases to the Clerk's salary and travelling expenses were approved unanimously by the Council.

759.0 BUSINESS AND FINANCE

Members considered the Schedule of Payments for November and December 2022. The Clerk advised the meeting that an additional sum of £143.12, payable to Cllr M. Nequest (in respect of BBQ expenses) has been added to the list. A further payment for hedge trimming at the Millenium Field was also added

It was **proposed** by Cllr. Franklin, **seconded** by Cllr M. Nequest, and **RESOLVED** that the schedule of payments would be approved. Unanimous. **Carried.**

760.0 Warm Spaces

760.1 Sharon Thorne addressed the meeting in relation to the 'Warm Spaces' proposal. She advised the meeting that a sum of money had been granted by the Community Foundation Trust, for the provision of a warm space in the parish.

760.2 Sharon alluded to her prior proposal for the parish. Namely that two events should be held each week, one at Marsh Green and one at Rockbeare. Following the BBQ at Birchend, two

people have contacted Sharon to ask for an update on the project. It was felt that the way forward should be determined at the extant meeting.

- 760.3 Cllr Franklin alluded to the decision to run a pilot scheme', we would have to determine how long that this would run for and how much it would cost. So that any arrangements can be communicated to residents, it was suggested that any information should be published on the PC website and on FB.
- 760.4 Cllr M. Nequest asked how many hours the Rockbeare Village Hall would be available for on a Thursday. He felt that running the pilot at that site would provide the best opportunity for gauging usage. He based his view on the following:
- RVH was an easier venue to access than MGVH;
 - Most of those likely to use the service would live in the vicinity of RVH;
 - The opportunity for passers by to drop into the events was greater at RVH.
 - Those able to drive to MGVH, would also be able to drive to RVH.

Should the Pilot be a success, then the project could be expanded to include events at MGVH. Cllr Franklin advised the meeting that the longevity of the government initiative was unknown but that we, as a Parish Council, should be seen to engage with the proposal. Cllr M. Nequest added that the Parish Council should be seen as being progressive in its actions to assist our parishioners.

It was **proposed** by Cllr Franklin, **seconded** by Cllr M. Nequest and **RESOLVED** that the pilot project would be run at Rockbeare Village Hall, for an initial period of six months. The project to be reviewed following that period. Regular reporting on usage to be received. Unanimous. **Carried.**

761.0 Land Acquisition

- 761.1 The Clerk provided the Heads of Terms for the transfer of the land at Birchend from EDDC to RPC. It was **agreed** that the Parish Council would not instruct a solicitor to deal with this matter. The agreement was duly signed by the Chairman.
- 761.2 The investigation relating to the transfer of the land at Delia Gardens has highlighted a change in the process for transfers from EDDC. The PC must now conduct a consultation with those who will be affected by any such transfer of land. The consultation will be considered in early 2023.

762.0 Millenium Field Update

- 762.1 The hedges at the site have been cut.
- 762.2 Cllr M. Nequest reported that he had visited the site. There are essentially, three elements to the work to be undertaken:
- Clearing all deadwood.
 - Creating natural pathways to enable the site to be used, and;
 - Wilding of the area.
- Trees to be removed will be cut into logs and distributed to villagers.
The estimated cost of this work, plus fencing is circa £8, 000.
- 762.3 Cllr M. Nequest proposed that this work should be undertaken as a Parish Council Project, and a suitable budget made available. Once this initial work programme is completed, it is understood that villagers will assist with the maintenance of the site.
- 763.4 It was **proposed** by Cllr. M. Nequest **seconded** by Cllr Franklin and **RESOLVED** that there this work would be designated a Parish Council project, with a budget of £10,000. Unanimous. **Carried.**

763.0 Precept/ Budget Setting

- 763.1 The Clerk advised Members that the agreed projects were as follows:
- Millennium Field
 - Land Acquisition Consultation
 - Birchend Site improvement

- Warm Rooms
- Preliminary investigations for PC Hall/ Sports Facilities

- 763.2 The Clerk briefly discussed the need to earmark CIL monies to projects. A discussion ensued in respect of potential land acquisition. Purchase of land was discussed at length It was **agreed** that this would be considered at a later date.
- 763.3 The Clerk had provided Members with budget Setting documentation prior to the meeting. Perusing the same, it was highlighted that, for the first time, projected spend would exceed the precept. The parish precept has not been raised for at least 5 years. However, the anticipated project costs may necessitate an increase in the 2023/24 precept.
- 763.3 Members considered the current budget in detail, amending figures where necessary for the 2023/24 financial year The estimated budget for 2023/24 was £46,870.
- 763.4 It was **proposed** by Cllr. Franklin **seconded** by Cllr M. Nequest and RESOLVED that the precept would rise by 12%. An amendment to the proposal was presented by Cllr Forrest, who suggested that the rise in precept should be 10%, this was **seconded by** Cllr R Nequest. It was RESOLVED that the Precept should be increased by 10% (£3,195). Unanimous. **Carried.**

The meeting closed at 9.36 pm.

Next Meeting: 17th January 2023 at Marsh Green VH

Notes Pertinent to Matter 755.0

*This comment is captured on the recording of the meeting of the 13th December 2022. It is noted that, in fact, all three Members were recorded on the Minutes as being present at the meeting of 18th October. Also present were three members of the public and ex Councillors J. Wollen, S. Wollen and the Clerk).

** It should be noted that Cllr R. Nequest had been co-opted at the same meeting, under the same Minute number.

The Minutes for the meeting of the 18th of October 2022 had been provided to each Councillor, in advance of the meeting of the 13th December 2022 - no comment/ objection had been raised in respect of the matter, prior to the extant meeting. Had any objection been raised, this would have been addressed under Part II Confidential Discussions.

*** This statement was at odds with the comment made at 755.2

Appendix B**Planning Application**

Reference	22/2824/OUT
Alternative Reference	PP-11765333
Application Validated	Tue 10 Jan 2023
Address	The Littlefield Land South Of Hazel Grove Rockbeare
Proposal	Outline application (all matters reserved) for the construction of up to four dwellings
Status	Awaiting decision

Appendix C**Planning Decision**

Reference	22/0173/FUL
Alternative Reference	PP-10523488
Application Validated	Fri 11 Feb 2022
Address	Brake View Rockbeare Hill Rockbeare EX5 2EZ
Proposal	Erection of a replacement two storey 4-bed detached dwelling.
Status	Refused
Decision	Refusal
Decision Issued Date	Thu 15 Dec 2022

