



ROCKBEARE PARISH COUNCIL

Chairman: Cllr. Phil Franklin

Clerk: Carolyn Y. May
A209, Victoria Advent House,
Station Approach
Victoria, Roche,
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11th September 2023

PARISH COUNCIL 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 **6pm**, on **Tuesday 19th September 2023**, at Marsh Green Village Hall, for the purposes of transacting the following business:

Carolyn May

Clerk to Rockbeare Parish Council

AGENDA

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 **18th July 2023** to be signed as a true correct record of that Meeting (Appendix A).
- 5.0 REPORTS**
 - 5.1 Chairman’s Report**

- 5.3 County/ District Councillors Report - attached at Appendix B
- 5.4 Any other reports

6.0 PLANNING

- 6.1 To consider Planning Applications –Appendix C
- 6.2 To consider Planning Applications received since the date of this Agenda - None
- 6.3 To receive, and note, details of Planning Determinations - None
- 6.4 Ford Oaks Solar Farm Appeal - Update

7.0 CORRESPONDENCE

8.0 BUSINESS AND FINANCE

- 8.1 **Schedule of Payments** – to follow.
- 8.2 **Bank Reconciliation** – to follow

9.0 WARM SPACES / PARISHIONER SUPPORT – Update (Appendix D) and Discussion.

10.0 CAR PARKING AREA – Rockbeare – Update

11.0 PARISH NEWSLETTER

12.0 MILLENNIUM FIELD PROJECT – Update



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MINUTES OF ROCKBEARE PARISH ANNUAL COUNCIL MEETING

HELD ON

WEDNESDAY 18TH JULY 2023

PRESENT: Cllr. Franklin (Chairman), Cllr M. Nequest (Vice-Chairman), Cllrs. R. Nequest, S. Brodie, A. Dunn and P. Dunn

Also: Cllr. S. Randall-Johnson (Devon County Council), Cllr. T. Olive (EDDC) and ten Members of the Public

Parish Clerk: Carolyn Y. May

AGENDA

32/23 Apologies – None

33/23 Declarations of Interest - None

34/23 Public Session- None

35/23 MINUTES OF THE MEETING HELD on 13th JUNE 2023

Members considered the draft Minutes for the last meeting of the Parish Council, held on June 13th 2023.

It was **proposed** by Cllr Brodie, **seconded** by Cllr M. Nequest and **RESOLVED** that the Minutes would be accepted as a true and accurate reflection of the meeting, Unanimous. **Carried.**

36/23 Reports

36/23.1 Cllr Sara Randall-Johnson (Devon CC) addressed the meeting. The Councillor raised the matter of addressing overgrown verges and potholes on highway land. She advised that these issues should be reported, using the appropriate website page, to Devon CC Highways Department.

Cllr Randall-Johnson also spoke about the dangers that were faced by young person who indulge in vaping. Whilst it was acknowledged that vaping is a positive means of assisting

adults who wish to cease smoking tobacco, it has been noted that children and young people are taking up the vaping habit. It was noted that it is unlawful to sell those products to those under the age of 18 years, however many of the illegal vapes appear to be targeted at that age group.

Apart from the physical damage that can easily be sustained by young people indulging in vaping, other issues arise, such as the discarding of single use vapes with lithium batteries. This is deemed to be a dangerous practice which, to date, is not covered by legislation.

36/23.2 Cllr Olive (EDDC) addressed the meeting. In the first instance he alluded to the Planning Matter relating to the development off Gribble Lane, Rockbeare. The Cllr. advised the meeting that this application had been approved by EDDC, despite his having put forward the Parish Council's reasons for objecting to the same. He advised the Parish Council that the application, was approved on the basis that it formed part of the original Cranbrook Plan. Members were also advised that they should learn to expect that response in the future.

Cllr. Olive then proceeded to address the Rockbeare NDP, stating that it did not cover the Gribble Lane Area, and that the Parish Council should seek to review the document.

37/23 Ford Oaks Solar Farm

Mr Paul Jefferson addressed the Meeting, on behalf of the Marsh Green Objectors Group.

The Chairman thanked Mr Jefferson for his comprehensive report on the matter, which had been disseminated to all Councillors by the Clerk.

The group has now identified the Expert Witnesses that it wishes to appoint, to represent them at the Appeal Hearing, in September. The sum required to cover the costs of these witnesses is in the region of £15,000, plus VAT.

Following the last PC meeting, the group set up a 'Go Fund Me' webpage and succeeded in raising just under £10,000. A further £3,000 had also be paid into the group's bank account. A request was made to the Parish Council to cover the shortfall between what had been raised and the cost of the representatives, plus the Value Added Tax – which was believed could be reclaimed by the Parish Council.

The Chairman explained the position of the Parish Council in relation to the request. The following points were raised:

- The advice received from the Devon Association of Local Councils (DALC) had been clear. As previously emphasised, the Parish Council should not provide funding for the action. The group have a legal right to represent themselves at the appeal hearing and, therefore, do not require legal representation. Civil Infrastructure Levy Monies (CIL) cannot be used for the purpose of providing legal support, and there was no evidence provided by the group to support the view that the action would benefit the whole Parish. The Chairman reiterated the point that no provision had been made in the current budget for this matter.
- The Clerk stated that the advice provided by DALC mirrored that which was received previously, and that the advice remained 'on the table'. The Clerk, as the Responsible Finance Officer, could not advise the Council Members to act in contravention of the DALC stance, as such an action would be deemed 'ultra vires'.
- The Clerk also advised the meeting that the situation relating to VAT was not as had been presented. It is not permissible for the Parish Council to seek to recover VAT on behalf of a group not constituted by / affiliated to the Parish Council. The intention was, as had been acknowledged, to avoid the payment of VAT. The Clerk stated that what was proposed was likely an unlawful act. However, the Clerk did undertake to discuss the

matter with HM Excise and Customs. A suggestion was made that the Council could commission the services of the Expert Witnesses. Again, regulations governing the Parish Council would not permit such action.

- DALC had also advised that Earmarked Reserve monies and CIL monies cannot be used for purposes, other than those provided for in the budget. The General reserve is for the maintenance of the Parish Council Function and should not be utilised either. If funds are withdrawn from a reserve, then the Parish Council must account for this to Internal and External Auditors and make provision for the recovery of the monies. This would likely result in the monies awarded being reclaimed through an increased precept for 2024/25.
- DALC did, however, advise that should the Parish Council decline to observe the advice provided and be minded to donate to the fund, a parish-wide consultation would have to be undertaken to determine the majority view in respect of expending and recovering the Parish Funds utilised. The Parish Council must also ensure that all parishioners have been contacted and that a minimum response is required.

It was **proposed** by Cllr Franklin, **seconded** by Cllr Brodie and **RESOLVED** that the Parish Council would conduct a public consultation, in order to determine whether or not parishioners supported the provision of a donation to the appeal fund. Unanimous. **Carried.**

It was noted that the Parish Council does not meet in August. Therefore, following the close of the consultation, if necessary, an Extraordinary Meeting of the Body will be called to discuss the result.

38/23 PLANNING

Reference	23/1250/MOUT
Alternative Reference	PP-12134536
Application Validated	Wed 21 Jun 2023
Address	Land East of Antiques Complex / Harriers Court Industrial Estate, Long Lane, Rockbeare
Proposal	Outline Application for the erection of HVDC converter station and associated infrastructure with all matters reserved.

Members discussed this application. It was **proposed** by Cllr Franklin, **seconded** by Cllr. M. Nequest and **RESOLVED** that the Parish Council does not object to this application. Unanimous. **Carried**

Reference	23/1462/FUL
Alternative Reference	PP- 12289548
Application Validated	Thurs 6 July 2023

Address	Marrickville, London Road, Rockbeare, Devon EX5 2EA
Proposal	Installation of 12 Ground Mounted solar panels on 2 frames of 6 panels.
Status	Awaiting decision
Appeal Status	Unknown

Members discussed this application. It was **proposed** by Cllr Franklin, **seconded** by Cllr. Brodie, and RESOLVED that the Parish Council does not object to this application. Unanimous. **Carried**

39/23 CORRESPONDENCE

- **CPRE Devon** – a renewal reminder for the PC’s subscription. It was **agreed** that the Membership would be renewed.
- **Mr David Stam – Trees at NML** – Mr Stam reported overhanging trees from NML, onto his property. Members **agreed** that the parishioner had the right to cut overhanging branches and return them to NML. Cllr Nequest **agreed** to ask the tree surgeon, currently working at the Millenium Field, to inspect the trees at NML. The Clerk to advise the parishioner accordingly.

40/23 BUSINESS AND FINANCE

40/23.1 Members considered the Schedule of Payments and Bank Reconciliation

It was **proposed** by Cllr M. Nequest, **seconded** by Cllr Brodie, and RESOLVED that the schedule of payments would be accepted, and the liabilities discharged. Unanimous. **Carried.**

40/23.2 The Bank Reconciliation was accepted.

41/23 WARM SPACES/ PARISHIONER SUPPORT – Report previously disseminated.

42/23 CAR PARKING AREA

The Clerk stated that she had been disappointed to note that the tarmacing of the parking area at Rockbeare had not been undertaken, as per the contractual agreement. Notification has been received that the work would be carried out in September. Cllr Nequest is to contact another contractor.

43/23 LAND ACQUISITION/ DISPOSAL - This matter is currently on-going.

44/23 PARISH NEWSLETTER

The next Parish Newsletter will be dedicated to the Ford Oaks Solar Farm Consultation. It was **agreed** that the questions would be settled by the end of the week and that the proofs would be sent to the printer early the following week.

45/23 MILLENNIUM FIELD UPDATE

Following on from the June meeting, the Clerk advised the Members that a perusal of the Deeds for the Millenium Field highlighted no caveats appended to the land.

Enquiries are to be made in relation to Planning Permission being sought for the storage container.

Suitable benches have been ordered for the site.

The Meeting Closed at 19.38 hrs.

September 2023 - DCC Monthly Report **Cllr Sara Randall Johnson**

Welcome back after the summer break which I hope has gone well for you all and your batteries are recharged and this month's Division members report has a schools, health and community focus. I also hope the Indian summer we have in early September lasts a little longer.

Reinforced Autoclaved Aerated Concrete (RAAC) in Devon School

There is understandable concern about RAAC in the Devon County Council Schools area of responsibility and what work DCC has done to establish if any schools are constructed with reinforced autoclaved aerated concrete that poses any risk to children and teaching staff?

No Local authority run Devon Schools have been identified with RAAC and an urgent piece of work is being done to check the status of other schools in Devon that were formerly Local Authority run and now academies.

Ultimately If RAAC is identified, a full condition and structural review would be undertaken and if remedial works were to be identified then these works would form a priority for investment under the DCC Schools Capital Maintenance programme where Health & Safety works are deemed the highest priority for investment.

In detail DCC have undertaken a review of the school estate that Devon County Council are the responsible body for to identify buildings where RAAC may be present. Any buildings that were identified were subject to more intrusive investigation to ascertain whether RAAC was present.

None of the identified buildings were subsequently confirmed as being constructed of RAAC. In 2020/21 the County Council put in place arrangements within the existing school quinquennial condition survey programme for condition surveyors to highlight and report any material they suspected might be RAAC during their condition survey. To date no RAAC concerns have been raised.

The Department for Education recently updated their RAAC guidance for schools/responsible bodies and following this guidance the County Council is in the process of improving the robustness of our processes. This will involve a desktop exercise to identify specific properties constructed during the period and of the construction type where RAAC might be present. Property professionals undertake various surveys across the school estate to ensure compliance on an annual basis in addition to the quinquennial condition surveys. It is proposed to add a RAAC review as part of the surveyors visit, where they are attending a building that has been as identified meeting the age and construction type criteria.

Immunisation advice to parents and carers at the start of the new school year

4 The relevant immunisations?

Pre-school boosters, offered to children from age three years and four months, are:

- The four in one pre-school booster (diphtheria, tetanus, whooping cough and polio)
- The MMR (measles, mumps, rubella) vaccine is given at one year (first dose) and at three years and four months (second dose)

A list of all the vaccinations your child should have had, by age, and by when, is <https://www.nhs.uk/conditions/vaccinations/nhs-vaccinations-and-when-to-have-them/>

If you are not sure if your child has had all of their vaccinations, please check their personal health record (the red book) and if you have any questions, contact your child's doctor's surgery.

Annual flu vaccinations are also available to all school children from reception age to year 11, and these are usually given at school. The vaccine for children is a nasal spray. Vaccinating your child protects them, but also others who are vulnerable to flu, such as babies and older people.

Children who are aged two or three by Thursday 31 August 2023 will be invited for vaccination at their registered GP practice, as well as any children who are at greater risk from flu to enable them to access the vaccine as early as possible in the flu season.

Safeguard cash as a vital payment method for many people

Devon County Council is a member of the Rural Services network <https://rsnonline.org.uk/> and they have joined a coalition of businesses, charities and consumer groups to issue an open letter to Jeremy Hunt, Chancellor of the Exchequer, urging for the protection of cash as a critical payment method for both consumers and businesses. As the cost-of-living crisis escalates, cash has become an essential tool for budgeting, allowing for greater financial control and flexibility

Signatories acknowledge the Government's recent release of its cash access policy statement as a positive first step, but emphasise that a more comprehensive effort is required to ensure the robust funding and safeguarding of the UK's cash network.

Despite the huge increase in digital payments cash remains the second most widely used payment method in the UK, accounting for a substantial 15% of all payments...

However, the viability of the UK's cash infrastructure is under threat due to bank branch closures and successive reductions in funding for the free-to-use ATM network, which comprises nearly 80% of the country's cash machines.

Since 2018, 14,400 free-to-use ATMs have vanished from communities throughout the UK, and an additional 37,000 now face the imminent risk of closure or conversion to pay-to-use machines. This puts at risk the role of cash in future payment systems but also endangers the financial inclusion of vulnerable populations.

ENDS

Planning Applications – none at date of publication

Planning Decisions

Reference	23/1462/FUL
Alternative Reference	PP-12289548
Application Validated	Thu 06 Jul 2023
Address	Marrickville London Road Rockbeare Devon EX5 2EA
Proposal	Erection of a rear extension
Status	Approved
Decision	Approval - standard time limit
Decision Issued Date	Mon 14 Aug 2023

Reference	23/1234/V106
Alternative Reference	
Application Validated	Thu 08 Jun 2023
Address	1-3 Hazel Grove & 19 Birch End Rockbeare Exeter EX5 2HH
Proposal	Modification of S106 Agreement dated 8 May 1992 between East Devon District Council and Devon and Cornwall Housing Association
Status	Withdrawn
Decision	Withdrawn

Reference	23/1211/FUL
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Alternative Reference	PP-12210298
Application Validated	Mon 12 Jun 2023
Address	Palmers Farm Marsh Green EX5 2EY
Proposal	Installation of 12 Ground Mounted solar panels on 2 frames of 6 panels.
Status	Approved
Decision	Approval with conditions
Decision Issued Date	Thu 24 Aug 2023

Appendix D

Summary - Sep 2023

Hello –

RPC19092023

Since starting on 19/01/2023 the hub has had over 1444 people come in! On the whole, the numbers have remained steady for most sessions, with a rise during the holidays. The care home has been regular attenders, but do not come in over the holidays as I'm sure the mix of people can be a tad noisy!

The summer holidays went well, Thank you for the craft supplies. As we had to cancel the bouncy castle for the Coronation I rebooked it as a celebration at for the end of the holidays. There have been some great interactions across all ages, from Phil and his dog Jess to residents using the space as a supervised family visit space.

Summary –

The hub space still seems to be used and valued by a cross-section of the community. The new vicar is a regular attendee, but sadly the cherry tree residents have not yet returned regularly (since a change of staff). I did email Henry/Manager, and he said the residents have chosen not to come back yet but I think there has also been a change in their weekly schedule as well. They know they are welcome anytime.

My plan is still to undertake a lottery grant application, but feedback has been slow over the holiday period. I aim to refocus on this in September and submit an application in early /mid-October.

Any feedback/thoughts – just let them know.

Take care

Sharon

Date	number kids pre school	number adults pre school	Care Home	Residential Home	Other adults	Other kids	Total	Comments
19/01/2023					6	2	8	1st Hub!
26/01/2023					16	4	20	request to open earlier
02/02/2023	4	2		5	23	3	37	first time for local residential home (cherry tree close)
09/02/2023	9	4	4	5	22	0	44	We welcome the Court Care Home
16/02/2023	8	6	6	5	30	0	55	Half Term + we had a shop (for a breif while) and had extra 10/15 who came in just for that! 2 mums as well with 'babes in arms'
23/02/2023	8	6	6	5	40	3	68	And Teacher strike - so 3 'teenagers'
02/03/2023	12	5	6	5	25	6	59	6 for teacher strike day as well. Plus, as it was world book day, we had 3 harry Potter!
09/03/2023	13	5	8	6	30	2	64	What a mix - NHS staff , PTA and both homes!
16/03/2023	9	4		6	20	0	39	Link in wth Tony - the allotment veg man!
23/03/2023	11	6	6	3	14	0	40	Cake for Jim, printing and photos
30/03/2023	12	7	5	4	8	0	36	
06/04/2023	0	0	6	5	24	20	55	1st week easter half term
13/04/2023	0	0	0	2	16	20	38	2nd week easter half term
20/04/2023	12	5	5	5	18	0	45	2 new mums and the new vicar
27/04/2023	13	5	7	3	15	1	44	Jim and 1 new 'mum'

04/05/2023							0	Closed due elections
06/05/2023	0	0	0	6	40	35	81	Cornation event - it rained, canx bouncy castles
11/05/2023	9	3	10	8	16	0	46	new school breakfast club
18/05/2023	12	6	8	0	6	0	32	
25/05/2023	10	4	7	0	8	1	30	
01/06/2023	0	0	7	0	24	20	51	half term- plus had 2 refugees
08/06/2023	12	6	8	0	14	2	42	
15/06/2023	4	11	0	0	16	1	32	new lady moved to the village and came along with her neighbour and granddaughter. Plus FRSA meeting to plan school events.
22/06/2023	6	8	0	0	12	2	28	
29/06/2023	11	9	8	0	14	1	43	meet Dulcie - lived in village all her life. She missed the shop and the places where people used to meet us.
06/07/2023	9	7	8	0	12	3	39	helped plan celebrations for 100th birthday at care home
13/07/2023	8	7	8	0	13	1	37	
20/07/2023	9	11	0	0	15	7	42	1st week school holidays
27/07/2023	0	0	0	0	22	17	39	crafts
03/08/2023	0	0	0	0	22	21	43	outdoor games
10/08/2023	0	0	0	0	19	24	43	treasure hunt
17/08/2023	0	0	0	0	24	30	54	teddy bears picnic
24/08/2023	0	0	0	0	22	18	40	school holiday - chocolate fountain
31/08/2023	0	0	0	0	25	45	70	school holidays - had bouncy castle.
Totals	154	74	99	73	631	289	1444	