Chairman: Cllr. Mark Nequest

Clerk: Carolyn Y. May LLB(Hons), M.A,

32 Victoria Commercial Centre,
Station Approach
Victoria, Roche,
Cornwall PL26 8LG

Telephone: 01726 210139

Email: clerk@rockbeareparishcouncil.co.uk

Web: www.rockbeareparishcouncil.co.uk

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17th September 2026

DRAFT MINUTES OF ROCKBEARE ORDINARY PARISH COUNCIL MEETING

HELD ON

16th September 2026

PRESENT: Cllr. Franklin (Chairman), Cllr. Brookes, Cllr. Wall.

Also: Three members of the Public

Parish Clerk: Carolyn May

AGENDA

39/26-27 Co-option of New Councillors

The Council confirmed that the co-option process had been conducted in accordance with the Council's Standing Orders, Co-option Procedure, and statutory requirements.

The Clerk confirmed that the successful candidates met all qualification criteria under Section 79 LGA 1972 and were not disqualified under Section 80.

Therefore, Mrs Rebecc Nequest and Mr Nigel Harvey were co-opted as Members of Rockbeare Parish Council.

Each of those newly co-opted duly signed the Declaration of Acceptance of Office, as required by Section 83 of the Local Government Act 1972, in the presence of the Proper Officer, and took their seat forthwith.

40/26-27 **Member Resignation**

The Council received formal notice from Cllr Franklin tendering his resignation as a Member of the Parish Council, in accordance with Section 86 of the Local Government Act 1972. Cllr Franklin, a long-standing Member and Chairman of the Council, stated that he now wished to pursue other interests. The resignation was noted, to take effect from the end of the extant meeting.

On behalf of the Council, Cllr Nequest expressed sincere thanks to Cllr Franklin for his service, leadership, and dedication over many years. It was noted that, under his chairmanship, the Parish Council had undertaken and completed several substantial projects for the benefit of the community.

Cllr Franklin declined to select a gift as a mark of the Parish's appreciation and requested instead that a sum be donated to a charity supporting individuals affected by Alzheimer's. The Council recorded its gratitude for his contribution and agreed that the Clerk would make the necessary arrangements to honour this request.

Resolution It was **proposed** by Cllr. Nequest, **seconded** by Cllr. Wall and RESOLVED that the Parish Council would donate £150.00 to the charity of Cllr. Franklin's choice. Unanimous. **Carried.**

41/26-27 **Election of Chair**

Following the resignation of Cllr Franklin, the office of Chairman of the Parish Council was vacant. In accordance with Section 15 of the Local Government Act 1972, the election of Chairman was taken as the following item of business.

Nominations for the Post of Chairman.

Resolution It was **proposed** by Cllr. Wall, seconded by Cllr Franklin RESOLVED that Cllr Nequest be elected Chairman of the Parish Council for the remainder of the municipal tear. Unanimous. **Carried.**

Cllr Nequest signed the Declaration of Acceptance of Office, as required by Section 83 of the Local Government Act 1972, in the presence of the Proper Officer, and thereupon assumed the Chair.

The post of Vice Chair is to remain unfilled for the present.

42/26-27 **Apologies for Absence**

The Clerk, as Proper Officer of the Council, confirms that the following apologies for absence were duly notified in advance of the meeting. The notifications were made in accordance with the statutory framework governing parish-council administration, including the Proper Officer functions set out in the Local Government Act 1972, and in line with the general principles of expected and accepted member conduct.

The Council is therefore satisfied that the following apologies were properly submitted, received, and recorded for consideration under the relevant agenda item.

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Apologies: Cllr. Brookes – received and approved under Section 85 of the Local Government Act 1972.

Apologies were also received from:

Councillors Gent (DCC)

Councillor Vanstone (DCC)

The Council noted that a reason for absence had been provided privately to the Clerk and the apologies were accepted accordingly.

Breach of Statutory Communication Procedure and Persistent Non-Engagement

(Local Government Act 1972: ss.101, 151, 270 – Proper Officer Functions; Local Government (Access to Information) Provisions)

The Council wished to record that the District Councillor had submitted an apology and ward report directly to the Chairman rather than to the Clerk, who is the Proper Officer of the Council for the purposes of the Local Government Act 1972. Under Sections 101, 151 and 270 of the Act, the Clerk is the designated Proper Officer responsible for receiving official communications, maintaining the Council's records, and ensuring the lawful administration of its business.

Checks undertaken by the Clerk and the Chairman confirmed that the Proper Officer had correctly forwarded the Meeting Agenda to the District Councillor, but that she had not been copied into the District Councillor's correspondence. As a result, the ward report was not available for inclusion within the agenda papers and could not be considered by Members.

The Council further noted that, in accordance with established statutory governance practice and the Local Government (Access to Information) provisions***, any communication sent solely to the Chairman cannot be formally received by the Council, cannot be added to the agenda, and cannot be considered by Members.*** The Chairman may not act outside the meeting in respect of official Council business and does not possess authority to receive apologies, reports, or formal communications on behalf of the Council. ***These functions rest exclusively with the Proper Officer.***

Members also recorded (Appendix F of the agenda refers to protocol) that reports and apologies have *not been received for a considerable period* from the District Councillor. This prolonged lack of engagement, combined with the present procedural breach, has caused significant concern regarding the District Councillor's adherence to statutory requirements, expected standards of conduct, and representative responsibilities.

43/26-26 **Declarations of Interest –** No declarations of interest were made.

44/26-27 **Minutes of the Ordinary Parish Council Meeting held on 17th June 2026**

Resolution It was **proposed** by Cllr. Franklin **seconded** by Cllr. Wall and RESOLVED that the Minutes for Ordinary Meeting of the Parish Council, held on 17th June 2026, provided a true reflection of the discussions undertaken, and that the Minutes would be approved. Unanimous. **Carried.**

45/26-27 Public Participation Session

No matters raised.

46/26-27 Councillor Reports

Chairman – no report submitted.

District Councillor (EDDC) – no report submitted (note 42/26-27 ibid)

County Councillor Gent – No report Submitted.

County Councillor Vanstone – reported that he had contacted Devon Highways in relation to the poor state of local roads.

Cllr. Nequest requested that the Clerk should read her report to Members, as it included several important matters including:

- Inquoracy and the need for a Formal Meeting Schedule.
- Public Participation Guidelines.
- Recommendations from the External Auditor.
- EDDC/Cranbrook Review.
- London Road Workspace Development.
- Regulation governing Parish Council Payments.
- Co-operative Bank – On-going Issues
- The Requirement to Respond to PC emails.

47/26-27 Update from Mr Toby Russell – Devon Air Ambulance

48/26-27 External Auditor Report

The Clerk advised the meeting that the External Auditor's report had been received and that the Notice of Conclusion of Audit (and ancillary documents) had been posted on the Parish Council website.

The only matter addressed by the auditor was the inadequacy of the Parish Council website, which had been deemed 'not compliant with DDA requirements.

The Council had addressed this problem immediately and had commissioned a new website, designed by Western Web Ltd. The Clerk confirmed that the new website (www.rockbeareparishcouncil.gov.uk) meets all the Assertion 10 requirements.

Parishioners may also access EDDC Planning matters through the new website.

Resolution It was **proposed** by Cllr. Nequest, **seconded** by Cllr. Wall and RESOLVED that the Parish Council would accept the External Auditor's report. Unanimous. **Carried.**

49/26-27 New Parish Council Website

Following receipt of the External Auditors report, it had been decided, as a matter of urgency, to commission a new parish council website. This site is now operational. However, the new email addresses are still to be set up.

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50/26-27 New Parish Council Logos

Members **formally recorded their approval** of the newly designed Parish Council logos, and expressed that the designs provide a fresh, contemporary, and professional civic image.

Cllr Nequest addressed the meeting and explained the relevance and symbolism of the principal Parish Council logo, noting that it represents an amalgamation of the two village identities:

- Blue reflecting Rockbeare
- Green reflecting Marsh Green

This combined palette was described as a visual expression of unity across the Parish.

Cllr Nequest further thanked the Clerk, as Proper Officer, for the work undertaken in designing the logos and for producing versions suitable for both digital and print use. Members concurred that the designs were of high quality and conveyed an appropriate civic tone.

Resolution It was **proposed** by Cllr. Nequest, **seconded** by Cllr. Wall and RESOLVED that the Parish would Council adopt the new logos. Unanimous. **Carried.**

51/26-27 EDDC/ Cranbrook Boundary Change Update

Correspondence received from EDDC had previously been distributed to Members and placed on the Parish Council website.

It was **agreed** that this matter would be discussed, following the EDDC Meeting scheduled for the 17th instant.

52/26-27 Planning

Reference	**26/1753/FUL**
Address	Raggetts, Rockbeare Hill, Rockbeare, Exeter EX5 2EZ
Proposal	Construction of detached double garage.
Parish Council Decision	**The Parish Council supports the application**

Reference	**26/1785/FUL**
Address	6 Cedar Court London Road Rockbeare EX5 2EA
Proposal	Single storey side extension (3.4m x 7.5m)
Parish Council Decision	**The Parish Council supports the application**

Reference	**26/1706/FUL**
Address	Stillwoods Bungalow London Road Rockbeare Devon EX5 2EE
Proposal	Construction of entrance porch and rear ground-floor extension; conversion of existing carport to living space and construction of a new garage; creation of a new first floor and alterations to external materials.
Parish Council Decision	**The Parish Council supports the application**

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Resolution It was **proposed** by Cllr. Nequest, **seconded** by Cllr. Wall and RESOLVED that the Parish Council would support all three planning applications. Unanimous. **Carried.**

53/26-27 Finance

Members considered the payment schedule for September 2026.

Date	Payee	Invoice	Gross	VAT	Net
16/09/2026	RVH	Various	585.00	0.00	585.00
16/09/2026	Moore & Franks	1343	474.00	79.00	395.00
16/09/2026	AG Tree & Garden Services	1351/1361/1368	290.00	0.00	290.00
16/09/2026	C. May (Salary & Expenses)	N/A	2104.65	0.00	2104.65
16/09/2026	HMRC	N/A	850.25	0.00	850.25
16/09/2026	PKF Littlejohn	2026127	378.00	63.00	315.00
			4681.90	**142.00**	**4539.90**

Resolution It was **proposed** by Cllr. Nequest, **seconded** by Cllr. Wall, and RESOLVED that the Parish Council would approve the payments listed Unanimous. **Carried.**

The Clerk raised concerns relating to a number of invoices received from RVH. A problem exists as, at present, the Co-operative Bank Account cannot be accessed. Therefore, the account cannot be checked for payments already made.

The problems with the Co-operative Bank Account have been numerous and it was **agreed** by Members that the Clerk should research alternative establishments for the Parish Council funds.

54/26-27 Marsh Green War Memorial/ Bus Shelter and Millennium Field Upgrade

The Clerk reported that the Marsh Green War Memorial had been cleaned. Two quotations had been received for the manufacture and installation of new railings at the site. Members considered these. The price differential was substantial. Cllr Harvey asked if there was a like for like (comparative quality and finish). The Clerk advised the meeting that she provided a full specification to each company.

Resolution It was **proposed** by Cllr. M. Nequest, **seconded** by Cllr.R. Nequest and RESOLVED that the Parish Council would tentatively accept the quotation provided by Kernow Metals, for £4,300 (including VAT). Unanimous. **Carried.**

It was **agreed** that Cllr. M. Nequest would meet on site with representatives from Kernow Metals to discuss the Parish Councils' requirements further. Some additions would be made to the design and these must be agreed prior to any work being carried out.

A consultation in relation to Marsh Green improvements had been carried out previously. It was **agreed** that the Clerk should contact the S.106 Officer to request a contribution towards the complete project cost.

It was noted by the Council that the MG War Memorial proposal would include the installation of black powder coated metal railings around the site, the provision of a double gate, with 'Marsh Green War Memorial' plate, metal flower boxes to be attached to the inside of the

fence. Additional works to include the replacement of the slabs with new, aesthetically pleasing, slabs, the installation of two/ three steps from the corner of the third post to the memorial (providing a straight access to the memorial) and a handrail on one side of the steps. The remainder of the site is to be re-turfed and maintained by the gardener. It is felt that this proposal will provide a respectful upgrade to the site.

Refurbishment of the bus shelter is an on-going project.

Resolution It was **proposed** by Cllr. M. Nequest, **seconded** by Cllr. Wall and RESOLVED that the Parish Council would allocate the sum of £11,000 for the refurbishment of the War Memorial **Unanimous. Carried.**

55/26-27 Correspondence

Operation Rudolph – It was noted that several Parishioners had benefitted from this project last Christmas. Members believed the service offered was advantageous and id was **proposed** by Cllr. Nequest, **seconded** by Cllr. Harvey and RESOLVED that the Parish Council would donate the sum of £450 to the project. Unanimous. **Carried.**

LSOA Naming – deferred.

Interim Warding – deferred.

Code of Conduct Slides – n/a

Cranbrook CGR – it was **agreed** that this would be discussed following the EDDC Planning Meeting scheduled for 17th September 2026.

NJC Pay Agreement – deferred.

56/26-27 Community Projects Update

Birchend – Transfer of Land	**Signature of Deed to be arranged.**	**Deed received. Signatures to be obtained.**
Millennium Field	**Well used. Requires water/ electrical connection.** **Still awaiting costs from Paul and Julian**	**Costings to be obtained for additional shelter, tables and chairs, lighting, and water connection, bus stop repair and replacement fencing at war memorial. (MG residents), Clerk to discuss additional. groundworks with Infinis.**
Telephone Box (Library)	**Unable to have tamac laid due to small amount required**	**Alternative surfaces identified – gardener to be commissioned to lay this.** **Clerk**
EDDC Boundary Review	**Awaiting substantive Responses to FOIs/ Objection, and second stage complaint.**	**Awaiting the outcome of EDDC Planning Meeting on 17th September**
20 is Plenty	**A team has now been**	**Cllr Brookes**

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	assembled and Community Speed Watch Training is being. undertaken.	
Marsh Green War Memorial	**The War Memorial has been cleaned and quotations obtained for new metal railings**	**Cllr M. Nequest**

The meeting closed at 20:10 hrs.

Next Meeting: 21st October 2026

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