Chairman: Cllr. Mark Nequest

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

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29th October 2026

DRAFT MINUTES OF ROCKBEARE ORDINARY PARISH COUNCIL MEETING

HELD ON

21st October 2026

PRESENT: Cllr. M.Nequest (Chairman), Cllr. R. Nequest, Cllr. Wall, Cllr. Brookes, Cllr. Harvey

Also: Cllr. T. Olive (EDDC) and one member of the Public.

Parish Clerk: Carolyn May

Prior to the Commencement of the Meeting, the Chairman advised those present that the meeting would be recorded

AGENDA

57/26-27 Co-option of New Councillors

This matter was deferred until November 2026.

58/26-27 Apologies for Absence

The Clerk, as Proper Officer of the Council, confirmed that the following apologies for absence were duly notified in advance of the meeting.

Apologies: Cllr. H. Gent (DCC)

59/26-26 **Declarations of Interest –** No declarations of interest were made.

60/26-27 **Minutes of the Ordinary Parish Council Meeting held on 16th September 2026**

Councillor Brookes raised the matter of her being included in the attendees at the said meeting. The Councillor had, in fact, sent her apologies. It was agreed that the Minutes would be properly amended to reflect the error.

Resolution It was **proposed** by Cllr. M. Nequest **seconded** by Cllr. Wall and RESOLVED that, except for the above detailed amendment, the Minutes for Ordinary Meeting of the Parish Council, held on 16th September 2026, provided a true reflection of the discussions undertaken, and that the Minutes would be approved. Unanimous. **Carried.**

61/26-27 **Public Participation Session**

Mr R. Knight, a Marsh Green parishioner, informed the meeting that he had engaged in discussions with EDDC Environmental Health regarding the level of noise generated by works at the solar farm. An Officer attended the site and accompanied Mr Knight on a walk-round of the affected area. The Officer advised that, in her assessment, the noise levels may not exceed the acceptable threshold for the site.

A further issue raised by Mr Knight concerned the uncontrolled egress of water arising from the contractors' failure to install the required drain in accordance with the agreed specification, resulting in avoidable discharge and preventable surface-water escape.

Cllr Olive (EDDC) indicated that he wished to speak during the Public Participation Session. He raised an objection to Appendix F of the Agenda, asserting that the regulations cited therein did not apply to District or County Councillors. He further stated that there was no requirement for him to submit apologies for non-attendance and requested that the document be amended or withdrawn.

The Clerk advised that the document had been published in good faith and noted that the submission of apologies is a matter of courtesy. This point was acknowledged by Cllr Olive. It was agreed that the document would not be withdrawn.

Cllr Olive then made a statement, regarding his desire repair the relationship between himself and the Parish Council, which has 'clearly deteriorated' and he hoped that the Parish Council was of the same mind.

62/26-27 **Reports**

62/26-27(1) **Chairmans' Report**

September and October have been notably busy months for the Parish Council, with several significant matters requiring sustained attention from both the Clerk and himself.

Marsh Green War Memorial – Improvement Works

The Clerk has devoted considerable time to overseeing the refurbishment of the Marsh Green War Memorial. This has included coordination with contractors, ensuring compliance with the Council's specifications, and managing the logistical aspects of the works. The improvements

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are progressing well and will provide a dignified and lasting enhancement to this important site of remembrance within the parish.

Millennium Field Consultation

Both the Clerk and the Chairman have arranged and facilitated the Millennium Field Consultation, which took place this evening. Parishioners engaged constructively with the proposals. The Clerk will now undertake a full analysis of the consultation responses and prepare a written report for Members to consider at the November meeting.

EDDC Boundary Decision – Parishioner Complaints

Several complaints have been received from parishioners regarding the recent decision by East Devon District Council to remove part of Rockbeare Parish and transfer it to Cranbrook Town. Members will be asked to determine how the Parish Council wishes to address this matter going forward. It may be necessary to hold a public consultation to ensure parishioners' views are formally captured and considered.

Rockbeare Primary School – Expansion Consultation

Due to the limited timeframe for responding to the First Federation Trust's consultation on increasing the school roll at Rockbeare C of E Primary School, the Clerk—acting with the permission of the Chairman - exercised her delegated authority to submit a formal response on behalf of the Council.

Members were provided with the consultation documentation, and several offered comments which were incorporated into the objection submitted. The Council's concerns centred on:

- The increased traffic and congestion associated with additional pupil drop-offs and collections.
- Demographic evidence indicating that additional school places are not required for children residing within Rockbeare Parish.
- The high proportion of pupils currently attending from outside the parish, particularly from Cranbrook.
- Issues relating to the Educational Impact Assessments and the physical capacity of the existing school site.
- The planned construction of a new primary school in Cranbrook, which is intended to meet the growing demand in that area.

The Clerk's response was submitted within the required timeframe and reflects the Council's position on the matter.

Remembrance 2026

Remembrance is now imminent. The Clerk has obtained two poppy wreaths, one for each of the parish memorials. The Chairman will lay the wreath Marsh Green and Cllr. Wall will lay the wreath at Rockbeare.

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Arrangements will also be made for the re-dedication of the Marsh Green War Memorial following completion of the refurbishment works. This will provide an opportunity for the community to come together and acknowledge the significance of the improvements undertaken.

62/26-27(2) District Councillor (EDDC)

Cllr Olive had submitted his report to the Clerk at 21.55 hrs on the 20th of October 2026, following publication of the agenda. Although it was subsequently disseminated to all Councillors, the document could not be incorporated into the agenda papers due to its late receipt. The document has been published in the News Section of the Parish Council websit

Cllr Olive distributed hard copies of his report to Members, remarking 'I wouldn't propose to repeat any of it. It is as it is written'.

EDDC Boundary Review - Matters of Concern

The Chairman stated that he had several questions to raise in relation to East Devon District Council's recent decision to transfer part of Rockbeare Parish into Cranbrook, together with matters arising from comments made by Cllr Olive at the January 2026 meeting of the Parish Council.

The Chairman asked: *"On what basis did you assert at the January 2026 Parish Council meeting that 'the Parish could not support the proposed development', when no evidence was provided to justify that comment?"*

Cllr Olive responded by stating that he had not presented the remark as a statement of fact, but that he had expressed it merely as his opinion.

The Clerk intervened at this juncture, advising that the statement had not been presented as an opinion at the January 2026 meeting, but had been expressed as **a definitive assertion** regarding the Parish's position. The Clerk further reminded Members that Cllr Olive had undertaken at that meeting to provide the evidence supporting his claim, yet no such evidence had ever been supplied.

The Clerk noted that Cllr Olive had received the Draft Minutes for January 2026 and had raised no objection to their accuracy. The Minutes were subsequently ratified, without amendment, by Members who had been present at the meeting.[1]

The Clerk also reported that, to establish the basis for the assertion made by Cllr Olive, a Freedom of Information request had been submitted to East Devon District Council seeking the meeting notes and any evidence relied upon in reaching the purported conclusion. EDDC later confirmed that no such evidence existed, it was further confirmed by that body, in writing,

[1] *As a matter of law, and in accordance with the Council's Standing Orders, the approved Minutes constitute the sole authoritative record of the proceedings of the meeting*. This principle reflects the statutory requirement that parish and town councils must maintain an accurate written record of decisions and business transacted: *Local Government Act 1972*, **s. 41** (minutes of proceedings) and **Sch. 12, para. 41(1)** (duty to keep minutes and for them to be signed as a true record).

that **no assessment (financial or otherwise) had been carried out by EDDC in relation to the parish's ability the manage the new development.**

Cllr Olive continued to dispute the Clerk's account, stating that he knew what he had said. The Clerk did not accept this retrospective reinterpretation and reiterated that the Minutes speak for themselves and reflect the statement as it was presented at the time.

The Chairman then asked Cllr Olive why he had not provided the evidence which he had undertaken to supply at the January 2026 meeting. Cllr Olive again maintained that he had merely voiced his opinion at that meeting. He further stated that he had advised Members that he "would try to provide evidence".

The Clerk responded that this explanation was inconsistent with the way in which the statement had been presented at the January 2026 meeting. She noted that the way the remark had been expressed at that time implied an expectation that supporting evidence would follow (which would not ordinarily arise had the comment been intended solely as personal opinion). The Clerk reiterated that the statement had been presented as a **definitive assertion** regarding the Parish's position, and that the undertaking to provide supporting material had been clear at the time.

Cllr Olive was asked whether he accepted that, by failing to provide the evidence he had undertaken to supply at the January 2026 meeting, he had directly undermined the Parish Council's ability to scrutinise the proposal and had also failed the parishioners who had elected him to represent them.

Cllr Olive responded by stating that he had only declined to assist the Parish Council in relation to the transfer of part of Rockbeare Parish into Cranbrook. The Clerk reminded Members that, at the January meeting, Cllr Olive had clearly stated that he would not assist the Parish with its objection, and that when asked why, he had stated that he 'supported the proposal'. That statement is recorded in the Minutes for the January 2026.The Clerk pointed out that Cllr Olive had failed to support the parishioners of Rockbeare in their expressed wish.

The Clerk then asked why Cllr Olive had not declared his Chairmanship of the Cranbrook Place Making Group. Cllr Olive responded by stating that his position was a matter of public knowledge and that he held the view that it was of no consequence to the matter being discussed (CGR). The Clerk challenged this view, noting that the group's purpose was to support and improve Cranbrook, and that the annexation of part of Rockbeare Parish — an area with extant planning permission and associated income streams — had benefited Cranbrook, to Rockbeare's detriment. The Clerk also alluded to Cllr Olive's Chairmanship of the EDDC Strategic Planning Committee, which he again sought to dismiss as irrelevant to the matter under discussion.

Cllr Olive added that he had declared an interest at the final debate on the CGR proposal and that he had not taken part in that debate nor voted on the matter. The Clerk asked whether he had taken part in any previous discussions on the proposal. He stated, 'I made a comment 'calling out the level of abuse that has been directed at some councillors over the issue', and then I left the room'. The Clerk noted that this response did not answer the question relating to the participation in earlier discussions, which sought to determine the extent of his involvement in the wider discussion and decision-making process.

EDDC Councillors Conduct Towards the Parish Clerk

The Chairman alluded to the correspondence directed at the Parish Clerk following the January meeting, noting that the tone and content of that correspondence had been wholly inappropriate. He stated that the Clerk had been carrying out her duties in accordance with Standing Orders and the lawful instructions of the Parish Council, and that the nature of the comments made towards her by two EDDC Councillors (in particular) had been unjustified and unacceptable.

The Chairman asked whether Cllr Olive understood the impact that the conduct of his EDDC colleagues had had on the Clerk. The Clerk asked whether the comments contained within the correspondence from EDDC Councillors represented personal views or an agreed party position. Cllr Olive confirmed that the Liberal Democrats 'do not have a formal position'. Consequently, these were personal views. The Clerk thanked him for confirming what the EDDC Monitoring Officer and other Senior Officers had consistently declined to clarify, adding that she considered the comments to be defamatory in nature.

Cllr Olive stated that the letter sent by the Parish Council to EDDC Councillors had contained comments about him. The Clerk responded, stating that the letter had simply set out the precise comments made publicly by Cllr Olive in January 2026, his failure to provide the evidence requested (and which he had publicly undertaken to provide), and had highlighted procedural and legal concerns arising from EDDC's handling of the proposal. She stated that the letter content had been entirely factual and did not constitute defamation, in contrast to the correspondence directed at her.

Failure to Respond to Freedom of Information Requests – Contrary to the Freedom of Information Act (2000)

The Chairman raised the matter of East Devon District Council's continued failure to respond to several Freedom of Information (FOI) requests and queries submitted by the Clerk. These requests related to the Boundary Review and Officer. Member conduct.

The Clerk further reported concerns regarding EDDC's internal handling of conduct complaints, noting that several matters appeared to have been investigated by EDDC staff members into the conduct of other EDDC staff, with the outcome in each case being that no misconduct had occurred. The Clerk expressed the view that this practice raised questions of independence and transparency. The Clerk added that research into the practices of EDDC show that such conduct has occurred regularly with EDDC.[2]

The Chairman asked Cllr Olive to raise these matters formally with EDDC, specifically:

[2] *Evidence relating to FOI handling failures and investigative deficiencies at East Devon District Council is drawn from official sources, including: (a) the Information Commissioner's Office (ICO) FOI-complaints datasets for 2025–26, which record multiple cases where EDDC was found to be in breach of statutory duties under the Freedom of Information Act 2000; (b) the independent Verita investigation reports commissioned by EDDC in 2023, which identified significant omissions and procedural shortcomings in EDDC's investigative processes. These documents are publicly available via the ICO and Verita websites.*

- the outstanding FOI requests submitted by the Clerk.
- the lack of response to complaints submitted by the Parish Council.

It was agreed that the Clerk would provide Cllr Olive with a list of all outstanding matters requiring response, and that Cllr Olive would seek to obtain answers from EDDC and report back to the Council.

Reference to Cllr Olive's Statement on Improving Relations

It was noted that, although Cllr. Olive had expressed a wish to "return to a positive and meaningful relationship" with the Parish Council, the consequences of his earlier decision not to support the Parish's objection to the removal of part of Rockbeare Parish for the benefit of Cranbrook had already resulted in a permanent loss to the Parish which cannot now be reversed. The Clerk therefore sought clarification as to how such a relationship could realistically be achieved considering this outcome and in view of his subsequent reinterpretation of statements previously made.

In his meeting report, Cllr. Olive highlighted several positive matters; however, the Clerk observed that the matters described appeared to relate primarily to developments benefiting Cranbrook rather than Rockbeare. Cllr. Harvey further noted that, as a resident of Rockbeare, he had been unable to register at the Cranbrook Medical Centre and had instead been required to register with a practice in Exeter, illustrating the limited benefit to Rockbeare residents.

Procedural Concerns Arising During the Meeting

The Clerk raised concerns regarding the practice of EDDC Officers "investigating each other", seeking clarification as to why such an approach was permitted. Cllr Olive responded that it was unreasonable to expect him to be familiar with all EDDC practices and policies. The Clerk disagreed, noting that a District Councillor should reasonably be aware of the administrative approach being taken by the District Council, and reiterated that research had identified several administrative failures within EDDC.

During this exchange, Cllr Olive stated that the Clerk was "standing on her soapbox", a remark which was considered inappropriate within the context of the meeting. He then spoke over the Clerk repeatedly until she asked him to stop, stating "Do not talk over me". Cllr Olive subsequently dismissed the Clerk's remarks and attempted to move the meeting on prematurely by inviting questions on his report, despite the Clerk legitimately presenting concerns on behalf of the Council.

It is noted for the record that it is not within the remit of an individual councillor to curtail the Clerk's enquiries or redirect the meeting in this manner, as the Clerk is required to present matters relevant to the Council's administration and governance.

Closure of Discussion

The Chairman, recognising that the discussion could not be progressed in any meaningful or constructive manner elected to close the item and proceed to the next agenda item.

62/26-27(3) County Councillor Gent

Cllr Gent had submitted his report which outlined his views in respect of the proposed expansion of the roll of Rockbeare School.

Cllr Gent reported that, according to Autumn 2025 figures, 64 primary-school-age children lived within the Rockbeare School catchment, of whom 32 attended Rockbeare School. A further 32 children living in-catchment attended other schools for reasons including parental work location, previous residence, SEND provision, private education, or parental choice. The total roll at Rockbeare School was 134 pupils, meaning approximately 100 pupils were travelling in from outside the catchment.

It was noted that this results in a significant number of vehicle movements into the village. Some out-of-catchment pupils may live within walking distance, but the lane from the B3174 London Road has no footway, requiring pedestrians to walk in the carriageway. No current plans exist for a safe walking or cycling route. Concerns were therefore expressed that any increase in school numbers would increase traffic.

Cllr Gent stated a preference for children to walk or cycle to school where possible, noting the health and developmental benefits. In this context, it was suggested that some out-of-catchment pupils might more appropriately attend their nearest school where safe off-road routes exist. The forthcoming new primary school in Cranbrook was expected to provide an additional local option within Cranbrook's walking and cycling network.

Rockbeare School was reported to be operating above its nominal capacity of 105 places, with 134 pupils on roll. The consultation proposes increasing capacity to 140 places through raising the Published Admission Number (PAN) from 15 to 20. It was understood that schools require permission to exceed their PAN, which had enabled Rockbeare to reach 134 pupils. The proposed PAN of 20 would formalise this arrangement, and the increase to 140 pupils would represent only a modest rise from current numbers. The new classroom was expected to support more efficient accommodation of the expanded PAN.

Cllr Gent stated support for the school being sufficiently sized to remain viable and continue offering good-quality education, noting its popularity with parents. A capacity of 140 places was considered a reasonable compromise. Devon County Council had already supported the expansion and funded the new classroom.

Cllr Gent confirmed ongoing commitments to:

• supporting a 20mph zone in the village, subject to parish council wishes and funding availability.

• supporting delivery of the new primary school at Cobden, Cranbrook.

• promoting walking and cycling routes to school wherever feasible.

• working with the parish on any practical measures to ease congestion at drop-off and pick-up times.

• supporting the retention of Rockbeare School, noting falling birth rates and the importance of maintaining viable rural schools.

62/26-27(4) **County Councillor Vanstone –** No report received.

7.36 pm **Cllr Olive left the meeting at this juncture.**

62/26-27(5) **Clerk's Report**

The contract for the installation of new metal railings around the War Memorial site at Marsh Green has been awarded to Kernow Metals Ltd, whose submission represented the most competitive quotation for the works. The associated landscaping contract has been awarded to AG Tree and Garden Services. Both contractors are fully aware of the need to liaise throughout the programme and to ensure that all works are completed on site by Armistice.

The total cost of the refurbishment is expected to be in the region of £8,000, which remains below the budget set by the Parish Council.

Design and Site Improvements

The War Memorial itself has now been professionally cleaned, restoring the stonework and ensuring that the monument continues to stand as a dignified focal point for remembrance.

It has been determined that the new railings will encompass the entire memorial site. Access will be provided via a double gate.

To improve the approach and accessibility, two or three new steps will be installed leading directly to the memorial, the steps will be bordered by a metal handrail.

All existing slabs within the site will be removed and replaced with new, appropriate, materials selected to complement the memorial and enhance its setting. The remainder of the area will be sensitively landscaped to create a respectful and coherent environment.

Honouring the Fallen

It is hoped that villagers, together with the descendants of those named on the memorial, will feel that the Parish Council has taken appropriate and considered steps to honour the fallen of Marsh Green, ensuring that the site reflects the dignity and respect they deserve.

Following Armistice, the Marsh Green bus shelter will be the next village amenity scheduled for refurbishment.

Cherry Tree Close

The Parish Council wishes to inform residents that the diseased cherry tree at the entrance to Cherry Tree Close will be removed by the Parish Council gardener. The cost of this work is £500.

Removal of the tree is necessary on the grounds of public safety, as the condition of the tree has deteriorated and poses a risk to pedestrians and nearby properties.

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Expansion of Rockbeare Primary School Roll

The First Federation Trust has launched a consultation on a proposal to increase the capacity of Rockbeare Church of England Primary School to 140 places. The consultation runs from 12 October to 3 November 2026.

The Parish Council was not formally advised of the consultation, despite the significance of the proposal for the parish. Key issues identified include:

- Parking and congestion at school drop-off and pick-up times, which already cause difficulties for residents and have led to incidents of aggressive behaviour.
- No available options to increase parking capacity in the vicinity of the school.
- A high proportion of pupils attending from outside the parish, particularly from Cranbrook.
- The proposed expansion appears to primarily benefit Cranbrook rather than meeting a demonstrated need within Rockbeare.
- A new, modern primary school is planned for Cranbrook, designed to meet growing demand there, raising questions about the necessity of expanding Rockbeare's roll.

  Given the short consultation period, the Clerk, in discussion with the Chairman and Councillors, exercised her Delegated Power to submit a response to the proposal. The Parish Council's position is that any increase in the school roll is likely to result in additional traffic movements within the village, and that this would have an adverse impact on residents of Rockbeare.

63/26-27 EDDC/ Cranbrook Boundary Change Update

It is a matter of record that EDDC has elected to remove a portion of Rockbeare Parish for the benefit of Cranbrook. The land in question already carries planning permission and is expected to generate future income, meaning its transfer represents a material loss to Rockbeare. While boundary reviews inevitably involve complex considerations, it is reasonable to observe that the decision may not have fully reflected the interests or long-term sustainability of the smaller parish. The removal of a productive and strategically valuable area raises legitimate questions regarding proportionality, transparency, and whether the broader implications for Rockbeare were afforded sufficient weight in the decision-making process.

64/26-27 Planning

Reference	**26/2018/LBC**
Address	Yeomans Cottage Marsh Green Exeter EX5 2EX
Proposal	Installation of 1no. extractor fan in first floor window and 1no. extractor fan in ground floor window on rear elevation. Rooms: bathroom and shower room with surface mounted cabling.
Parish Council Decision	**The Parish Council supports the application**

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Reference	**26/2057/FUL**
Address	Sydney Cottage Rockbeare Exeter EX5 2EG
Proposal	Single-storey rear extension to enlarge the existing kitchen
Parish Council Decision	**The Parish Council supports the application**

Resolution It was **proposed** by Cllr. Nequest, **seconded** by Cllr. Wall and RESOLVED that the Parish v

Planning decisions were **noted.**

65/26-27 **Finance**

Members considered the payment schedule for September 2026.

Payee	Invoice	Gross (£)	VAT (£)	Net (£)	Statutory Power
Ionos	47267	22.80	3.80	19.00	LGA 1972 **s.111** (administration / ICT services)
RVH (Hall Hire)	88	88.00	0.00	88.00	LGA 1972 **s.133** (use of buildings for meetings)
AG Tree & Garden Services	1379	60.00	0.00	60.00	Open Spaces Act 1906 **ss.9–10**
AG Tree & Garden Services	1384	720.00	0.00	720.00	Open Spaces Act 1906 **ss.9–10**
T. Brookes (Reimbursement)	55	55.00	0.00	55.00	LGA 1972 **s.111** (ancillary expenditure)
C. May – Salary/Expenses	N/A	2149.30	0.00	2149.30	LGA 1972 **s.112** (salary) and **s.111** (expenses)
HMRC	N/A	850.25	0.00	850.25	LGA 1972 **s.112** (employment deductions)
Western Web	25640	576.00	96.00	480.00	LGA 1972 **s.111** (website / ICT support)
		4521.35	**99.80**	**4421.55**	

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

66/26-27 **Projects 2027/28** - Deferred

67/26-27 **Marsh Green War Memorial/ Bus Shelter and Millennium Field Upgrade**

War Memorial - The project remains on schedule. The new steps and slabs are due to be laid next week. The railings are currently undergoing galvanising and powder-coating, and installation will take place prior to Armistice.

Millennium Field Update - A consultation exercise was undertaken on 21 October at Marsh Green Village Hall. Attendees indicated their support for the placement of a suitable community amenity at the site. The Clerk will collate all responses and provide the Parish Council with a comprehensive report.

68/36-27 **Correspondence Received** – Noted

69/25-26 **Community Projects Update**

Community Café/ Bingo – Café attendances have increased; the group has purchased some play equipment. A Community Grant is being sought, and the Parish Council has been asked to confirm that it is currently holding funds on behalf of the group.

20 is Plenty – There are now four members in the group. A further session is planned.

Rockbeare Bus Shelter Bench – The Chairman must measure the shelter to ensure the chosen bench will fit into it.

Telephone Box – Cllr Harvey expressed his concern in relation to the external appearance of the telephone box library in Rockbeare. He advised the meeting that the amenity required to be painted. Cllr. Wall advised the meeting that a member of the Café Committee had offered to paint the box and had asked the person previously commissioned to undertake the work to provide her with the paint which had already been purchased. It was agreed that the telephone box could be painted by the volunteer. A further question was raised in relation to the ground covering at the entrance of the box. The clerk stated that she had identified a suitable product but had to arrange for the gardener to lay the same.

70/26-27 **Meeting Schedule/ Apology Rules –** deferred

Date of Next Meeting: 18TH November 2026

The Meeting Closed at: 7.57 pm

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