

Haccombe-with-Combe Parish Council

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Minutes of a Meeting of the Parish Council held in the Village Hall, Combeinteignhead on 6 March 2024 at 7.30pm

Present: Councillors S Pattinson (Chairman for this meeting), A Cooper-Smith, J Evans, C Lockton, O'Regan and M Wakefield

Also present: County Cllr Dewhurst, County Cllr Bradford, District Cllr Radford, two members of the Hearn Field Committee and two members of the public.

Clerk: Suzanna Hughes

060324.01 APOLOGIES FOR ABSENCE

Apologies were received from:

- Cllr Humble
- Cllr Martin
- Cllr R Hussey

060324.02 DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATION

Members were reminded of their responsibility to continually update their Notice of Registerable Interests and to declare any disclosable interests, including the nature and extent of such interests they have in any items to be considered at this meeting. Members were reminded that unforeseen requests for a Dispensation to be considered at this point only if there was no way a member would have been aware of such before the meeting.

There were no declarations of interest of requests for dispensation.

060324.03 OPEN FORUM

The Chair for this meeting, Cllr Pattinson, welcomed members of the public and reminded them that they would be limited to five minutes each to allow time for everyone to speak. He was aware of communications with the Chair of the Parish Council, Cllr Humble, about the Premises Licence application. He advised that both Cllr Humble and the Chair of the Hearn Field Committee, Cllr Hussey, were both currently away but Cllr Pattinson, as Vice Chair, has been kept up to date and there are also members of the Parish Council present who are also members of the Hearn Field Committee in case there were questions relating to this. With reference to the Premises Licence application, the Parish Council has been notified that, after receiving several valid representations, the TDC Licencing Officer has called a hearing which will take place on 27 March at 2pm. If anyone present is planning to attend that meeting, they may wish to wait to make those points for discussion in front of the Licencing Committee to allow those unable to attend that hearing the opportunity to make their points. Once the open forum has concluded, there will be no other opportunity to speak unless invited by the Chair.

A resident wished to make some points regarding the premises licence application both personally and on behalf of the Friends of Hearn Field and others. She was disappointed in the Council's decision to apply for this. The Parish Council does not appear to have registered the previous issues and complaints regarding village green management over 24 hour free access rights for all parishioners and the impact on parishioners directly affected by activities on the field. There has been no public consultation and therefore no mandate for this licence. It is hoped that the Parish Council acts within the law (Open Spaces Act 1906), i.e. it has a legal duty to protect the village green and prosecute interference with it. Also the Parish Council should also comply with its own regulatory framework including its standing orders which adopt the Local Government Transparency Regulations 2015. Fundamentally, the Parish Council should be working for this community as a whole with due respect for everyone, including the vulnerable. In this resident's view, this application does not satisfy any these points. Instead, the Parish Council has formed a working group which was not

open to the public or minuted which has made decisions about this application without due consideration for the impact on the community for which it serves. She advised that she has offered to complete future TENS applications free of charge and another parishioner has offered monetary support towards the administration in connection with the TENS forms which have both been dismissed by the Chair of the Parish Council. As for the flexibility that a premises licence would give, this is not wanted nor is the flexibility wanted for future Committees. She asked that all individual councillors consider all the information and objections and decide against pursuing this application and instead, empathetically focus on ideas that bring the whole community together. Under item 10, she requested that a full update is provided to enable Councillors to make an informed decision.

District Cllr Radford reminded parishioners that they can contact him if they have any queries. He advised that some residents have asked him to raise some points/ask questions relating to the premises licence application:

1. Who owns the freehold of Hearn Field?

The land was bequeathed to the parish in a hand-written will. It was decided, at the time, that the best course of action was for the Parish Council to take ownership since it would have to be insured and managed etc. It can only manage it, however, as a registered village green. The Parish Council also has legal obligations to comply with the Open Spaces Act 1906.

2. Clarification was sought about the reason for the application and the reason why a licence was required from early in the morning, 365 days a year. Is it for weddings?

Response: No, the main driver is the village show and around the management of events and not around the sale of alcohol. The application has been made in good faith and the licence will give flexibility to stage events for the benefit of the community. The Village Show has been the main driver; the hours requested will give that flexibility. Under a TENS licence, the number of people attending is limited to 499 people and whilst endeavouring to track numbers, it is challenging with an open space with various access points.

A member of the parish commented that they did not want to see more people coming to the field and this would have been established before the application was submitted if the Parish Council had consulted with residents.

Response: One thing that everyone has in common is a passion and a care of duty for Hearn Field. The Parish Council welcomes engagement to discuss aspects of Hearn Field. In June 2023, the Hearn Field Committee first started to discuss a premises licence application and this was minuted. Any engagement with the committee would have been welcomed. If residents were unable to attend meetings, they could have corresponded.

The Chair advised that a Statement of Intent was posted next to the Public Notices stating that the two main reasons for the application is to avoid the inconvenience of having to make separate TENS applications (NB. residents are not consulted on this), and it also gives more flexibility for the organisation and management of events. The sale of alcohol is not a primary driver and at no point will alcohol be left on the premises.

A typical year was outlined: 4 outdoor theatre, bonfire night, Village Show, maximum of 4 weddings and occasional and/or nationally triggered events (Jubilee, Coronation etc). This is not about commercialisation; it is about creating events for the community to enjoy whilst generating funds to allow reinvestment into the field towards its upkeep.

3. Cllr Radford stated that under the Localism Act 2011, Parish Councils are not generally allowed to engage in activities for profit without setting up a separate company (although small-scale endeavours may not necessarily require separate company structure).

Response: He was advised that when the Field was left to the Parish Council, no funds were made available for the management and maintenance of it. The Parish Council represents the entire interests of the parish and therefore has to generate funds to reinvest into the upkeep of the field and Pavilion.

The Parish Council welcomes the hearing and completely respects the process. If part of the Hearing goes along these lines, then this is something the Parish Council will have to consider but at the moment, there is no clear interpretation of 'small endeavours'. It is difficult to see that the income received by Hearn Field is anything more than a small endeavour given the costs of maintenance, electricity, water etc.

County Cllr Bradford advised that she had not contributed to the discussion and declared her interest as a District Councillor who sits on the Licensing Committee.

On a different matter, a resident asked about blocked lanes. A tree has fallen on Gulmswell Lane and the car behind Lilac Cottage has still not been removed. These points were noted.

A resident commented on the dumping of landfill on land at 2 Holywell Cottages and the land surrounding it. Some of this waste includes gas bottles and plastic. The Parish Council agreed to report this to the Community Environment Warden. He also advised that an undetermined Certificate of Lawfulness was submitted in June for the construction of a shed in the garden which he says is visible from the estuary. The Parish Council has not been consulted on this and will look into the details of the application.

060324.04 POLICE REPORT

No crime report.

060324.05 DISTRICT AND COUNTY COUNCILLORS' REPORTS

District Cllr Radford reported on a busy month. He has attended a Full Council meeting with Queen Street being at the top of the agenda again. Recently, Newton Abbot Town Council voted against the Queen Street proposal. He also advised that he is the shadow Councillors for Environmental Health and Recycling. TDC has now ordered a small electric van. Recycling rates are slightly down and it is thought this is because the government is encouraging people to try and buy food without packaging (especially fruit and vegetables), people are cooking more and are also growing more vegetables. He is on the task and finish group looking at TDC's finance over the next four years and they are looking at ways to improve efficiency. He is on the STRATA committee and a working group is looking at ways to modernise and streamline its computer services. A TDC app is one idea it is looking at. He has also sat on Audit Scrutiny, scrutinising the various TDC departments and a visit from the auditors is awaited to give a proper report.

County Cllr Dewhirst gave a report – copy attached.

County Cllr Bradford would like to comment later in the meeting on the ongoing enquiries being made by TDC's Enforcement Officer. She encouraged the Council to 'have its say' on the Devon Devolution Deal (deadline 24 March). The draft proposal can be accessed online. Keep reporting potholes - <https://www.devon.gov.uk/roads-and-transport/report-a-problem/report-a-pothole/>. Today, DCC has done a U-turn on parking charges in town centres having listened to traders in Braunton, Crediton, Dartmouth, Honiton, Okehampton, Sidmouth, Salcombe and Tavistock. It is hoped that a similar U-turn will be made regarding the plans for Queen Street, Newton Abbot; the Town Council, traders, residents, Austins and the Federation of Small Businesses are all against the changes. She has taken photos of the water outside Centrax and sent them to the Highways Officer. South West Water has also been notified. It is thought it is being caused by a natural spring or burst main. She sits on the Public Rights of Way Committee so if there are any PROW issues, please let her know. She also sits on Children's Scrutiny and the standing committee for Religious Education. At TDC, she is Vice Chair of Planning.

060324.06 DELEGATE REPORTS

None

060324.07 MINUTES

Members approved and authorised the Chair to sign the minutes of the Parish Council meeting held on 6 February 2024 as a true and correct record of that meeting.

060324.08 FINANCE & GOVERNANCE

8.1 Expenditure

Members approved the following payments:

Payment type	Payee	Details	Amount
Online	Clerk	Salary (February)	£399.97
Online	P J Crawley	Hearn Field Pavilion - oven repair	£140
Online	Jacob Farley	Hearn Field Pavilion - toilet pan replacement	£150
Online	H O'Regan	Hearn Field - reimbursement for hedge whips	£151.72
Online	South West Water	Hearn Field - water	£66.06
Online	The Three Inch Fools Ltd	Hearn Field - Theatre event – upfront payment	£900
Online	Southern Tree Services	Hearn Field - chipping and processing brushwood	£315

8.2 Income

Members noted the income (2 February – 1 March 2024):

Received	Received from	Details	Amount
Feb	Woodshed Coffee Bar	For January: including £55 towards electricity	£263.45
Feb	Lloyds	Interest	£13.90

8.3 Bank Balances at 1 March 2024

Current account	Savings account	Sea Wall account	Total
£20,864.85	£12,606.74	£6,343.43	£39,815.02

060324.09 PLANNING

9.1 New applications/appeals/notifications

9.1.1 24/00298/CLDE – Charlecombe Hill Farm, Stokeinteignhead
Certificate of Lawfulness for existing dwelling (Use Class C3(a))

It was noted that the application had been difficult to access online and that the application itself was unclear. Cllr Bradford offered to look into it.

9.1.2 24/00003/CERT – Charlecombe Farm, Combeinteignhead
Appeal against the refusal of planning application 22/01938/CLDE Certificate of Lawfulness for non-compliance with occupancy restriction condition 4 on permission 88/2091/19/1

Members offered no comment.

9.2 Decisions

9.2.1 24/00207/CLDP – The Old Forge, Lang Barn Farm, Combeinteignhead
Certificate of Lawfulness for proposed extension of existing garage

Members noted that a Certificate of Lawfulness has been refused.

9.3 Enforcement matters

The following updates had been received from TDC's Enforcement Officer:

1 Albert Cottages

The current state of the works is noted but having looked at the details that were submitted and approved in November 2023 to discharge the conditions (reference 19/01656/FUL) there is no timescale for completing the works. It is noted that the timber needs to be added to the metal frame that has been installed and then painted. As there is no timescale for completing the works, enforcement action is more difficult. However, if the works do not progress within the next two months, he will try to contact the owner.

Teignview Cottage

He notes that works have now recommenced on the parking area. It seems that weather permitting it is now hoped to complete the works. Again, he will review this in due course.

Land associated with 22/01635/AGR

He has written to the owner and requested that the vehicles and piles of building materials are removed by the middle of March. At that time, he has suggested that a site visit is arranged to see first-hand what is being stored there.

Little Park

A site visit has been made to fully assess the works that have been carried out. This includes the areas of hardstanding and the new shed that is being built. He hopes to compare the findings from the visit with what was granted through the Certificate of Lawfulness. Once this has been done, he will be contacting the owner to set out the works that he believes require planning permission and will update the Parish Council accordingly.

060324.10 HEARN FIELD

In the Hearn Field Committee Chair's absence, Cllr Evans as Vice-Chair, gave the following report:

Hedge works

The first phase of the hedge works has been completed. An explanation of the work was shared with parishioners via this month's Parish Magazine and our various Facebook pages. Councillor O'Regan has kindly agreed to lead a group of volunteers to plant some hedge whips within the laid hedge on 9th / 10th March, weather permitting; if not, the following weekend. All support would be most welcome.

Premises Licence Application

TDC's Licensing Officer has advised us that they have received several valid Representations/objections to the application and so a Hearing will be taking place on Wednesday 27th March at 2pm. We have responded by saying we appreciate and welcome the opportunity of a Hearing and will be attending.

Combe Village Show

A working group has been set up to plan and support the running of this year's show on 26th May. All further offers of support would be gratefully received.

Open Studios

Edge of the Teign have confirmed that they are unfortunately not going to be able to host Devon Open Studios at the Pavilion this coming September.

Woodshed Café

Councillor Wakefield has kindly replaced the toilet pan in the disabled toilet and has submitted quotes for disabled toilet floor (remove existing floor, level floor screed as needed, new edging, fit commercial non slip Altro flooring, seal edges to make water tight).

The Parish Council is requested to confirm the preferred quotation:

- ID Improvements: £480
- JT Carpet and Vinyl Services: £562

It was agreed to accept the cheaper quotation of £480 with ID improvements.

060324.11 DEVOLUTION DEAL CONSULTATION

<https://www.devontorbaydeal.org.uk/>

Members were invited to comment if they so wished.

060324.12 PARISH AND TOWN COUNCIL CONFERENCE WITH TDC

Tuesday 12 March 2024, 4-7 pm, Courtenay Centre, Newton Abbot.

The Chair, Cllr Humble, will be attending.

060324.13 'ONE TEIGNBRIDGE – WORKING TOGETHER FOR A BETTER FUTURE'

Members received and noted an invitation to attend the community leaders workshop: Tuesday 26 March 2024, 6-8.30pm, Forde House, Newton Abbot.

060324.14 HIGHWAYS AND FOOTPATHS

14.1 The tree which has fallen across Gulmswell Lane (as raised in the open forum) needs to be reported.

14.2 The Chair, Cllr Humble, will be completing the annual footpath returns to DCC by the end of the month.

060324.15 CORRESPONDENCE

The Parish Council was copied in to a resident's Facebook post regarding an agricultural building on Ridge Road. Concerns about visual impact and its impact on the environment and wildlife were raised. There also appears to have been significant earthworks around it. It was agreed to send a photograph to Enforcement so that it can be investigated further.

060324.16 MEMBERS' ITEMS FOR INFORMATION OR GENERAL DISCUSSION, FOR INCLUSION ON FUTURE AGENDAS AND/OR ITEMS REQUIRING URGENT ATTENTION

Members are reminded that they have not received the statutory notice of this business to be transacted and should therefore recognise that any decision made may be taken to be unlawful if challenged in the future

The arrangements for the Annual Parish Meeting are to be discussed in April's meeting.

060324.17 ITEMS FOR INCLUSION ON SOCIAL MEDIA, PARISH MAGAZINE, NOTICE BOARDS ETC

None

060324.18 DATE OF NEXT MEETING

It was agreed that the next Parish Council meeting would be held on 3 April 2024 at 7.30pm.

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Chair

County Councillor's Report 6th March - HWC

Devon County have agreed a 4.99% increase in council tax for the coming financial year – 2224/25. It comprises 2.99% for general services with an extra 2% for adult care. It means an extra £1.56 a week for the average Band D householder.

There will be increases of 10.4% in spending on children's services, 6% on adult services and 4.7% on climate change, environment and transport.

Councillors also agreed an extra £1.5 million to boost regular road drainage since the target budget was set last month to tackle the increase in potholes caused by this winter's heavy rainfall. There will also be £716,000 extra to bring the homelessness budget back up to £1.45 million to support the work of district councils and homeless organisations for another year.

Devon's revenue spending on services will increase from just under £700 million to £743 million in 2024/25. That's an overall rise of 6.3 per cent in spending.

In addition, councillors approved a capital budget of over £155 million for investment in infrastructure such as schools and roads.

The council tax for an average Band D home will rise by £81.54 to £1,715.67 – an extra £1.56 a week.

The budget was approved by 34 votes to 14. I however, did not vote for this Budget, preferring the Opposition Lib Dem motion to add a further £1.5million for pothole repairs, £1/2 million for white lining and an additional £60,000 for Libraries Unlimited to help them increase Community Library provision – this amendment was voted down by the Conservatives.

The Council are inviting families, professionals and community organisations to help shape services that support young families. It follows a national move, announced by the Government last year, for Children's Centres to become Family Hubs, as part of its Start for Life Programme initiative.

In Devon that means extending the age range, from current services that deliver targeted support to 0 to 8 year-olds, to future services that provide targeted and universal support to 0 to 19 year-olds, or up to 25 year-old young people with Special Educational Needs and Disabilities. It would mean a wider range of services than at present, including support from local community groups, working together to help young families.

The council commissions the charity Action for Children to run Children's Centres in Devon on their behalf. The charity is already working with neighbouring Plymouth and Torbay councils to help their transition, and now they're working with Devon County Council to do the same.

Exactly which services will be integrated into a Family Hub will very much depend on the needs of local families. But the kind of services that families could access include early years services and education; Public Health Nursing and Midwifery services; activities delivered by local groups; drug, alcohol and domestic abuse support; mental health support and youth services.

Family Hubs will be located in areas of greatest need, with outreach services extending from them into local communities.

The consultation is at <https://www.devon.gov.uk/haveyoursay/consultations/family-hubs-engagement/>

A six-week public consultation was launched on Monday 12th February on the draft proposal to create a Combined County Authority (CCA) for Devon and Torbay to oversee new powers and funding transferred from Government.

The ground-breaking devolution deal announced by the Levelling Up Minister last month, proposes to create the CCA, which would be a formal partnership of elected members drawn from the councils of Devon and Torbay, including district councils, together with representatives from business and education.

People are being invited to have their say on how the CCA would work, the powers that it would have and the functions it would be responsible for. These include investment in local economic growth, delivering affordable housing, improving public transport, and meeting net zero ambitions.

Further information about our joint consultation with Torbay Council and details of how to respond are available at www.devontorbaydeal.org.uk

More than 10,000 trees are being planted this winter through the first season of our newly awarded Local Authority Treescapes Fund. The community planting scheme is being rolled out across Devon this winter with the help of local not-for-profit social enterprise ParkLife South West. This is being carried out alongside the planting of 2,250 trees this winter by landowners and communities who applied to the Free Tree scheme.

It's the third and final year that we have received support for the scheme through the Emergency Tree Fund granted by The Woodland Trust. Since Devon first piloted the Free Tree Scheme in 2019, and combining all of the tree planting initiatives, we have planted just over 48,000 trees in total as part of ongoing efforts to meet the carbon net zero targets by 2030.

Finally, after months of work, the Teignmouth Hospital closure Standing Overview Group, of which I was a member, presented its report to the Health and Adult Care Committee recommending re-referral to the Secretary of State. This was within days of that power being removed from the committee by legislation. Sadly, the Committee declined to refer after the Conservative Group blocked the move. This represents the latest small hospital that the Council has effectively written off despite local opposition.

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