

## **BRAUNTON PARISH COUNCIL**



### **Minutes of the Annual Braunton Parish Council meeting held on Wednesday 10 May 2023 at 7pm in the Parish Hall, Chaloners Road, Braunton.**

	<b><u>Present</u></b>	<p>Cllrs: E Spear, D Spear, J Chesters (part), G Bell, V Cann, M Shapland, R Shapland, M Cann, L Childs, R Byrom, T Kirby, D Relph and A Bryant.</p> <p>Officers: T Lovell, Parish Clerk &amp; RFO A Corner, Senior Council Officer</p> <p>County Cllr Pru Maskell.</p> <p>2 members of the public.</p>
001/2023/24	<b><u>Declarations of Acceptance of Office</u></b>	<p>It was noted that all Declarations of Acceptance of Office were signed and received prior to the meeting.</p>
002/2023/24	<b><u>Election of Chair and Declaration of Acceptance of Office</u></b>	<p>There were two nominations, Cllrs D Relph and M Shapland.</p> <p>The meeting was adjourned as per Standing Order 21 to allow the Clerk to update the ballot papers.</p> <p>The meeting was readjourned.</p> <p>A ballot was held</p> <p>RESOLVED: That Cllr M Shapland be elected Chair of the Council for the Municipal Year 2023/24. (7.6.0abs)</p> <p>Cllr M Shapland signed her Declaration of Acceptance of Office, witnessed by the Clerk and it was</p> <p>RESOLVED: That the Chairman's Declaration of Acceptance of Office be received by members. (NC)</p>
003/2023/24	<b><u>Election of Vice Chair</u></b>	<p>There was one nomination, Cllr V Cann.</p> <p>RESOLVED That Cllr V Cann be elected Vice Chair of the Council for the Municipal Year 2023/24.</p>

004/2023/24	<b><u>Election of Chair of Finance &amp; Administration</u></b>	<p>There was two nomination, Cllr D Spear and Cllr M Cann. A ballot was held.</p> <p>RESOLVED: That Cllr M Cann be elected Chair of the Finance and Administration Committee for the Municipal Year 2023/24.</p> <p style="text-align: right;">(7.6.0abs)</p>
005/2023/24	<b><u>Election of Finance and Administration Committee</u></b>	<p>There were five nominations, Cllrs D Spear, J Chesters, E Spear, G Bell and T Kirby. A ballot was held.</p> <p>RESOLVED: That Cllrs M Shapland (Chair Ex Officio), V Cann (Vice Chair Ex Officio), M Cann (Chair of Finance and Administration Ex Officio), T Kirby, E Spear, G Bell and D Spear be elected members of the Finance and Administration Committee.</p> <p style="text-align: right;">(NC)</p>
006/2023/24	<b><u>Election of Parks &amp; Gardens Committee</u></b>	<p>There were four nominations, Cllrs D Spear, G Bell, R Shapland and L Childs.</p> <p>RESOLVED: That Cllrs M Shapland (Chair Ex Officio), V Cann (Vice Chair Ex Officio), M Cann (Chair of Finance and Administration Ex Officio), D Spear, G Bell, R Shapland and L Childs be elected members of the Parks and Gardens Committee.</p> <p style="text-align: right;">(NC)</p>
007/2023/24	<b><u>Election of Property Committee</u></b>	<p>There were five nominations, Cllrs J Chesters, T Kirby, E Spear, R Byrom and R Shapland. A ballot was held.</p> <p>RESOLVED: That Cllrs M Shapland (Chair Ex Officio), V Cann (Vice Chair Ex Officio), M Cann (Chair of Finance and Administration Ex Officio), T Kirby, E Spear, R Byrom and R Shapland be elected members of the Property Committee.</p> <p style="text-align: right;">(NC)</p> <p>Cllr J Chesters left the meeting.</p>
008/2023/24	<b><u>Election of Lead Member for Planning</u></b>	<p>There was one nomination, Cllr M Shapland.</p> <p>RESOLVED: Cllr M Shapland be elected Lead Member for Planning.</p> <p style="text-align: right;">(NC)</p>
009/2023/24	<b><u>Election of Deputy Lead Member for Planning</u></b>	<p>There were no nominations.</p>
010/2023/24	<b><u>Calendar of Meetings for 2023/24</u></b>	<p>Members considered the proposed calendar of meetings circulated prior to the meeting.</p> <p>The Clerk advised members that virtual meetings were no longer legal as the legislation was revoked in May 2021. The Council have been meeting in the Parish Hall since August 2021 to allow social distancing. There is demand from hirers to book the hall on Council meeting nights. The Clerk requested if the Council would consider moving</p>

its meetings back to the Council Chamber.

RESOLVED: That the Council

- a. agrees the calendar of meetings for 2023/24, subject to the Parks and Gardens meetings being held on a Wednesday.
- b. moves its monthly full Council meeting back to the Council Chamber. Meetings to continue to be held on a Tuesday evening and this to be reviewed later in the year.
- c. continues to hold advisory discussion meetings via zoom on the fourth Monday of the month to consider planning applications. The Clerk to be given delegated powers to respond to planning applications that are discussed at these meetings.

(NC)

011/2023/24	<b><u>Apologies</u></b>	There were no apologies received.
012/2023/24	<b><u>Declarations of Interest</u></b>	Cllr R Byrom declared a Prejudicial interest in Minute Ref: 021/2023/24 (e – 77023), as his mother lives adjacent to the site.
013/2023/24	<b><u>Items not on the agenda, which in the opinion of the Chairman should be brought to the attention of the Council</u></b>	There were none.
014/2023/24	<b><u>Public Participation</u></b>	<p>A member of the public commented on planning application 77031. He was concerned that the drainage issues on this site had not been properly addressed by the developer. The proposed small treatment works in the garden of Plot 3 is unacceptable, as it will result in treated effluent being discharged into the nearby watercourse.</p> <p>He further commented on the traffic movements on Wrafton Road. He requested if it would be possible to install double yellow lines to prevent parking and obstructing this busy road. The grassed verge outside Travis Perkins is constantly churned up because cars have to mount the verge to get passed parked vehicles. The County Cllr agreed to take this matter to highway officers for their consideration.</p>
015/2023/24	<b><u>Request for Dispensation</u></b>	There were none.
016/2023/24	<b><u>Minutes</u></b>	RESOLVED: That the a. Minutes of the Council meeting held on 11 April 2023 be approved and signed as a correct record.

(6.0.6abs)

- b. Minutes of the Finance and Administration Committee held on the 27 April 2023 be ratified and adopted by Council.

(6.0.6abs)

017/2023/24 **Action Sheet**

RESOLVED: That the action sheet be noted.

(NC)

018/2023/24 **Police Representation**

Members considered the police newsletter for May 2023. Cllr G Bell had contacted the police regarding alleged drug dealing in parts in of the village. Members requested when the police would be doing their community 'drop-in' sessions. The Clerk reported that she had provided dates when the Parish Hall is available.

RESOLVED: That the

- a. Council notes the May 2023 police newsletter.  
b. Clerk to request an update regarding their proposed community 'drop-in' sessions.

(NC)

019/2023/24 **Report from Devon County Councillor**

The County Cllr congratulated the new members of the Parish Council on their election.

Exeter Road – Following the spate of parking problems along the Exeter Road affecting access to Colley Park Road in particular. The County Cllr has asked Highways if they can look again at some solutions. If Highways were to put double yellow lines there it would mean that residents would no longer be able to park outside their houses and would create parking issues elsewhere. The cycle lane cannot be used because of the parked cars and it definitely needs some road markings across the visibility splays.

Refuge Islands – The County Cllr was pleased to update members that the three damaged refuge islands along the Exeter Road have finally been replaced.

Funding Announcement – The County are waiting for the government to announce the successful Active Travel funding bids which should be any day. This will hopefully provide funding for the next stage of the Tarka Trail to Foxhunters (The Woodpecker). Planning permission has gone in this week for the section.

020/2023/24 **Report from North Devon District Councillors**

Cllr E Spear reported that not much had been happening at NDC due to Purdah. Those elected will now have to attend an extensive training programme some of which is mandatory.

(a) 76974

Proposal: Change of use of storage containers to allow for sighting of 7No Holiday Lodges

Location: LPG Storage Yard Sandy Lane Braunton EX33 2NU

Applicant: Mr Sampsom

RESOLVED: That this planning application be deferred to allow it to be considered in conjunction with planning application 76973 which is on the same site.

(NC)

(b) 77005

(For information only)

Proposal: Application for consent for works to trees covered by a tree preservation order in respect of selective reduction of 3 Aspen trees

Location: Arundell Lodge 3 Seven Acres Park Braunton Devon EX33 2PD

Applicant: James Fitzgerald

(c) 77065

For information only)

Proposal: Approval of details in respect of discharge of condition 3 (written scheme of investigation) attached to planning permission 70637 (conversion of barn to create 5 dwellings and associated parking and garaging)

Location: Park Farm Lower Park Road Braunton EX33 2LQ

Applicant: Mrs Caroline Chugg

(d) 77031

Proposal: Reserved matters application for erection of three dwellings providing details of; layout, scale, appearance, access and landscaping (outline planning permission 73904 - outline application for the erection of up to three dwellings)

Location: Park Farm Lower Park Road Braunton EX33 2LQ

Applicant: Mr H McDowell

Moved by Cllr D Relph, seconded by Cllr G Bell to suspend Standing Orders to allow the Chair of Love Braunton to speak on this application.

RESOLVED: That Standing Orders be suspended.

(NC)

Love Braunton have objected as it is over intensification of development on the site and it does not reflect the character of development in the neighbouring properties. The development will also have a negative impact on the calmativ traffic volumes. The Applicant has not addressed the following conditions:

- Condition 8 lacks the requisite detail needed to manage flood risk on what is a very wet site

- Condition 9 requires a treatment plant which appears to have been meet but no consideration is given to impact upon Knowl Water quality which is already the recipient of waste runoff by adjacent developments
- Condition 10 addresses the visibility splay and the developer appears to have submitted a vehicle speed survey conducted for 1 hour in the middle of the day and which bears no resemblance to residents experience
- Condition 12 Landscape scheme requires details of lighting – there is none
- Condition 16 documents indicate that there will be a loss of 9 healthy mature trees, some of which will negatively impact the lane scape

RESOLVED: That Standing Orders be reinstated.

(NC)

Moved by Cllr D Relph, seconded by Cllr G Bell to recommend refusal.

RESOLVED: That the Council recommends refusal on the grounds, as follows:

- Over intensification of development on the site.
- The proposed development is not in keeping with the surrounding area and not sympathetic to the character of developments in neighbouring properties, as detailed in the Braunton Design Guide.
- Insufficient drainage to cope with the size of the development.
- Inadequate surface water drainage. Watery Lane which lies adjacent to the site is known to flood, this development would exacerbate the current situation regarding surface water flooding.
- Concerns regarding the loss of 8 mature trees and part of the hedge bank. These should be replaced as stipulated in NE4(iv)– Protecting Devon Banks, Hedgerows and Trees in the emerging Neighbourhood Plan.
- The proposed development would result in an increase in the volume of traffic entering and leaving the highway which is considered to be insufficient for the additional traffic flow, and consequently would result in the risk of additional danger to all users of the road in accordance with Policy DM27.

If the Local Planning Authority is minded to approve this application the dwellings should be for primary residency in accordance with Policy H1 in the emerging Braunton Neighbourhood Plan.

(NC)

Cllr R Byrom declared a Prejudicial interest and left the meeting.

(e) 77023

Proposal: A new development of 12 dwellings with associated parking and gardens and a new access road  
Location: Candar Nursery Exeter Road Braunton Devon EX33 2BJ  
Applicant: Mr Andy Wreford

Moved by Cllr V Cann, seconded by Cllr M Cann to recommend approval.

RESOLVED: That the Council recommends approval, subject to the dwellings being for primary residency in accordance with Policy H1 in the emerging Braunton Neighbourhood Plan. There also be no access to Brookfield Close.

(NC)

Cllr R Byrom rejoined the meeting.

022/2023/24

**North Devon**  
**Council**  
**Planning**  
**Decisions**

76808

Description: Two single storey rear extensions, internal alterations, and replacement terrace and slope to garden  
Site Address: 5 South Park Braunton Devon EX33 2HT  
Applicant: Mr and Mrs W Moore  
Decision: APPROVED  
Decision Date: 17/04/2023

74303

Description: Extensions and alterations to dwelling and associated works  
Site Address: Thistledene Exeter Road Braunton EX33 2BN  
Applicant: Mr & Mrs Williams  
Decision: REFUSED  
Decision Date: 26/04/2022

76591

Description: Extension and alterations to dwelling  
Site Address: 8 Silvan Drive Braunton Devon EX33 2EQ  
Applicant: Mr James Sanders-Elliott  
Decision: APPROVED  
Decision Date: 21/04/2023

76642

Description: Side extension to dwelling to include new garage, store and gym  
Site Address: 2 Mint Park Road Braunton Devon EX33 1LE  
Applicant: Mr Jonny Poland  
Decision: APPROVED  
Decision Date: 18/04/2023

76560

Description: Replacement rear extension, loft conversion, parking alterations and new front wall and gate

Site Address: 68 Saunton Road Braunton Devon EX33 1HF

Applicant: Mr & Mrs Oliver and Karen Lines and Shillingford

Decision: APPROVED

Decision Date: 24/04/2023

76367

Description: Proposed works to widen the existing vehicular access and car parking area

Site Address: Saunton Heath Saunton Braunton Devon EX33 1LG

Applicant: Mr Simon Cresswell

Decision: APPROVED

Decision Date: 25/04/2023

- 023/2023/24      **Finance**
- (a) RESOLVED: That the cheques on the schedule were approved and drawn in the total sum of £20,728.85
- (b) RESOLVED: That the Council receives a Supplier Credit from Vincent Tractors for the sum of £960.
- (c) RESOLVED: That the PAYE, NI and pension contributions for May 2023 be approved. (NC)
- 024/2023/24      **To ratify decision taken under delegated powers since the 12 April – 10 May 2023 Inauguration of the North Devon World Surfing Reserve**
- RESOLVED: That the decisions taken under delegated powers from the 12 April to 10 May 2023 be ratified and adopted, attached as appendix one. (NC)
- Further to the presentation received from Kevin Cook Chair of Trustees at the Museum of the British Surfing (MOBS) Min. Ref. 209/2022/23. Two representatives from the Council have been invited to the official Inauguration of the North Devon World Surfing Reserve. Details of the events were circulated to members prior to the meeting.
- RESOLVED: That
- a. Cllr D Relph to attend the event being held at the Red Barn, Woolacombe on the 12 May at 12pm.
- b. Cllr V Cann and Cllr M Cann to attend the event being held at the MOBS on the 13 May at 11am.
- c. Cllr V Cann and Cllr M Cann to attend the event being held at the Saunton Sands Hotels on the 13 May at 2pm
- d. Kevin Cook to be invited to attend a future meeting to update members regarding the North Devon World Surfing Reserve. (NC)
- 025/2023/24      **Internal Auditor Report 2023/24**
- Copies of the Internal Auditor's Report including his observations and recommendations, had been circulated prior to the meeting.

The Auditor's report indicated that the internal controls had



not been met during 2022/23 in terms of the requirements for the exercise of public rights as required by the Accounts and Audit Regulations. Regulation 14 of The Accounts and Audit Regulations (2015) requires that the Exercise of Public Rights must be for a period of 30 days. The Council set its period for the Exercise of Public Rights for 31 working days as evidenced in Min Ref: 026/2022/23(d).

RESOLVED: That the Council considered and endorsed the

- a. Braunton Parish Council Year End Internal Audit Observations and Internal Audit Summary 2021-22 (Appendix two).
- b. Annual Internal Audit Report 2022/23 (Appendix three).

(NC)

026/2023/24

**Annual  
Governance  
Statement**

The Council reviewed the Annual Governance Statement Section 1 (Appendix four), in relation to its system of internal controls for 2022/23

RESOLVED: That

- a) with regard to the Annual Governance Statement for the year ended 31 March 2023, the answers to the questions listed in Section 1 of the Annual Return be as follows: questions 1, 2, 3, 5, 6, 7, 8 be answered 'yes',
- b) question 4 be answered 'no', as the Council did not meet its internal control in relation to the Exercise of Electors Rights, as details in Min. Ref: 025/2023/24.
- c) question 9 be answered 'n/a'.
- d) Braunton Parish Council authorises the Chairman and Clerk to sign the Annual Governance Statement for the year ended 31 March 2023 as shown in Section 1 of the Annual Governance & Accountability Return.

(NC)

027/2023/24

**Accounting  
Statements**

The Council considered the Accounting Statements 2022/23 Section 2 (Appendix five) of the Local Councils, Internal Drainage Boards and Other Smaller Authorities, Annual Governance and Accountability Return 2022/23.

RESOLVED: That

- a. Braunton Parish Council approves the accounting statements for the year ended 31 March 2023 as shown at Section 2 of the Annual Governance & Accountability Return.
- b. Braunton Parish Council authorises the Chairman to sign the unaudited accounting statements for the year ended 31 March 2023 as shown at Section 2 of the Annual Governance & Accountability Return.
- c. Braunton Parish Council approves the Annual Governance & Accountability Return for the year ended 31 March 2023 for the submission to the external auditor.

(NC)

028/2023/24      **Exercise of Public Rights**      In view of the requirements associated with the timeframe for the period for the exercise of public rights it was

RESOLVED: That the period for the exercise of public rights of inspection of Braunton Parish Council's unaudited Annual Government and Accountability Return – Accounts for the year ended 31 March 2023 be 5 June to 14 July 2023.

(NC)

029/2023/24      **Purchase of Grass Cutting Machinery**      The Clerk had emailed members on the 18 and 19 April regarding the purchase of a new Trimax Flail for the Kubota F3680. The Wessex Flail purchased in 2015 is now obsolete and the Council is unable to buy replacement flail cutters.

RESOLVED: That the Council

- a. purchases the Trimax FX135 Flail at the cost of £5,800 plus VAT.
- b. agrees to part exchange its Wessex Flail for £800 plus VAT.

(NC)

030/2023/24      **Preserving the Historic Railway at Station Road**      The Chairman explained that there had been public concern regarding preserving the historic railway in Station Road. Members agreed that this is an important historic feature in Braunton and it needs to be protected and preserved for future generations. As part of the railway is on the Highway the Council would need to have discussions with Devon County Council about what could be done. It was noted that traffic calming measures in this area might help.

RESOLVED: That the Parish Council to contact Devon County Council regarding this matter, and invite them to attend a future Council meeting to begin discussions.

(NC)

031/2023/24      **Parish Hall Hire**      RESOLVED: That the Council grants permission for the Parish Hall to be hired out for a private party on Saturday 3 June 2023 until 11.30pm. There to be no alcohol sold on site.

(NC)

The meeting closed at 9.05pm.

Signed by the Chair: .....

(Cllr M Shapland)

Date: .....