

## WASHFIELD PARISH COUNCIL

### **The Minutes of a Meeting of the Parish Council held on Wednesday November 23rd, 2022, in Washfield Memorial Hall at 7.30pm.**

**Present:** Cllr's Mrs A Taylor-Ross (Chair), M Balment, J Boundy, R Webber, W Wood and Mrs A Wych.

**In attendance:** Mr & Mrs A Roberts (Footpath Wardens), six members of the public and the Clerk, Mrs J Larcombe.

**51/11/22. To receive apologies.** Apologies were accepted from Cllr J Mock.

**52/11/22. Disclosure of interest in item on the agenda.** No interests disclosed.

**53/11/22. To agree the minutes of the meeting held on 28<sup>th</sup> September 2022 as an accurate record of the meeting.** The minutes were agreed as an accurate record of the meeting and were duly signed by the Chair.

**54/11/22. Matters arising from the minutes (not already covered by the agenda).** None.

**55/11/22. Public questions.** Mrs Kelly Duckett, who attended the meeting with her husband, thanked councillors for letting the landowners speak at the meeting. Mr and Mrs Duckett own Pond House. Since receiving notification of the proposals she said they had spoken to both former and present owners of the land through which proposal 1 runs or abuts, with the exception of one. Some of the current owners were present and others had asked her to speak on their behalf. They all dispute the existence of the alleged public right of way and object to the addition of the proposal 1 bridleway to the Definitive Map. They have already or will very shortly be submitting landowner evidence forms to DCC to that effect, most of which have already been provided to the Parish Council. She said she could not begin to do justice to that evidence in 3 minutes but by way of a very brief summary:

- Those who owned the land in 2009 when the Stoodleigh Parish Council claim was first made dispute that the track was then or has ever been a public right of way. They say that:
  - It was gated at top and bottom with PRIVATE or PRIVATE NO RIGHT OF WAY signs.
  - Of the very limited number of users, most asked for and were given permission including:
    - Some local residents known to the landowners;
    - On occasion, local walking groups;
    - The local school;
    - The hunt but permission for the followers was always refused.
    - Others trespassed, ignoring the gates and signs, and were challenged and turned away when encountered.
    - The track was impassable for significant periods when felling operations were being carried out.

In short their position is that this was and always has been a purely private forestry and farm track.

- Those who have purchased since 2018 (including the woodland company) also dispute that there are any public rights of way over the track.
  - All carried out searches, including enquiries of the sellers. Nobody disclosed the existence of any public rights of way or even that there was any claim/dispute that the track was a public right of way.
  - There are locked gates at the top and bottom of the track.
  - The individuals have bought their respective land to enjoy the peace and quiet of a private woodland which they wish to preserve and conserve as a wildlife habitat. Adding the track to the Definitive Map will only threaten that.
  - It will also present significant safety issues given, among other matters, the vehicular use of the track by the landowners.

Against that backdrop, they asked the Parish Council to confirm that (as per minutes of 20 July 2022 meeting) it would not be supporting proposal 1 in the final part of the consultation process.

The other members of the public present supported the comments.

## **56/11/22. Footpaths**

**a) To discuss landowner objections to the proposed bridleways as part of the Definitive Map Review.** The Parish Council received nine emails objecting to the proposed bridleways. These emails from local landowners were collated into one document and circulated to councillors prior to the meeting.

Jon and Edwina Novoa, owners of Hill Fort Wood, part of Barehills Wood which borders the proposed bridleway between Pond House and Dryhills asked that their strong objection to the proposed bridleway through Barehills Wood be recorded in the minutes.

Cllr Mrs Taylor-Ross noted that at the Parish Council meeting held on 20<sup>th</sup> July 2022 the Council agreed to support the claims for the bridleways subject to landowner agreement and evidence of historical use. The Council now has clear evidence that the claim is not supported by landowners and they are strongly objecting to the proposals. It was agreed to write a further response to Tania Weeks, Public Rights of Way Officer - Definitive Map Researcher for Mid Devon to say it has become clear to the Councillors that the landowners are not in agreement and evidence of historical use is contested and Washfield Parish Council agreed that it does not support proposal 1 (Addition of a public bridleway from Park House Water through Barehill Woods to Dryhill) or proposal 2 (Addition of a public bridleway along the green lane by Shilhay Copse and Springfield Cottage).

The members of the public left the meeting.

**b) Footpaths update.** Mr & Mrs Roberts met with Stuart Howell, DCC Rights of Way Warden, on November 10<sup>th</sup>. They reported it was a very good meeting.

The summary of the site meeting for Footpath 2 is:

1) Mousebeare Lane: the broken unused gate to be left as a gap, monitor if gate goes back up and DCC to replace/repair as necessary.

2) Landowner to move electric fence uphill at narrowest locations by 2 metres. Monitor situation over 12 months. The compromise is to move the footpath into the field where it is more level. If it is felt it is not a satisfactory solution when it is reviewed it will be looked at again.

3) DCC to replace stile with pedestrian self-closing gate and 10 ft field gate to the side.

4) DCC to replace all footboards on bridge at Ford.

5) DCC to fit new way post at junction with Barn Court to show paths goes through entrance pillars.

6) DCC to fit weld mesh to stile, next to new barns. Waymark.

7) DCC to replace homemade landowner stile (Court Barton horse field) with new pedestrian gate.

Stuart also agreed DCC will carry out ditching/drainage work on the Lane near the footbridge by the ford as well.

Mr & Mrs Roberts and Cllr Mrs Taylor-Ross will meet with Ros Davies, Public Rights of Way Parish Paths Liaison Officer, on 8<sup>th</sup> December to find out more about the P3 Scheme.

A written report summarising all the work that had been carried out on the Washfield footpaths (Nos 1 – 11) between October 2021 and November 2022 was circulated by email prior to the meeting.

Mr & Mrs Roberts left the meeting.

## **57/11/22. Planning**

**a) To make a recommendation on any planning applications received before the meeting.** No applications received.

**b) Application circulated between meetings.**

**22/01725/FULL** Erection of carport with bat roost above and conversion of barn to dwelling. Pylemoor Farm. Washfield. Revised drawings and additional information. No comment made.

**c) To note any decisions on planning applications made by MDDC.**

**21/02551/HOUSE** Erection of 2 storey side extension. Cowlins Farm, Washfield. Decision: conditional approval granted.

**22/00844/FULL** Change of use of agricultural barn to Class E (6) fitness use and erection of 2 holiday pods, 2 shepherds huts and 2 shower blocks. Land at NGR 292752:115325, (Lower Pitt), Washfield. Decision: conditional approval granted.

**22/00914/LBC** Listed Building Consent for two storey extension, removal and replacement of roof, demolition of lean-to extensions and replacement staircase. Location: Cowlins, Washfield – revised drawings. Decision: conditional approval granted.

**22/01507/FULL** Conversion and change of use of an existing agricultural building into a hotel/guesthouse (Use Class C1). Location: Building at NGR 293030 116729 (Moorhayes Farm), Washfield. Decision: conditional approval granted.

**22/01631/FULL** Amendment to design of new dwelling previously approved under planning application 20/01619/FULL. Land and buildings at NGR 292593 116970 (Pilemoor Lane), Washfield. Decision: conditional approval granted.

**22/01689/CLU** Certificate of lawfulness for the existing use of a dwelling house and associated garden area in breach of occupancy condition (e) of Planning Permission 89/00434/OUT for a period in excess of 10 years Location: Little Mead, Washfield.  
Decision: certified.

**d) Public consultation on an Air Quality Supplementary Planning Document and Non Statutory Interim Planning Policy Statement: Climate Emergency.**

Noted. The consultation runs from 24<sup>th</sup> October to 16<sup>th</sup> December.

**e) Any other planning matters.** No other planning matters.

**58/11/22. Highways**

**a) To report on any highways work carried out in the parish and to note any highways work needed.** It was noted that the gullies on the A361 North Devon Link Road have been sucked out.

Work to finally repair the damaged culvert at Emmerford is planned for this week.

There is an issue with flooding on Long Lane.

A letter has been received from a resident at Parkhouse Water saying the road there is appalling to drive along unless you have a four wheel drive vehicle.

There is damage to the mesh on the railings on one side of the bridge over the A361. Cllr Boundy told councillors that he had reported potholes on Long Lane and near Middle Hill on a Monday and they were filled in on the Friday.

**b) Update on proposal to join the DCC Highways Self Help Scheme.** When the Clerk tried to arrange a site meeting with Russell Hookway he replied to say he was no longer the Neighbourhood Highways Officer for Tiverton West. The Clerk will contact Cllr Chesterton for an update and to find a point of contact.

**c) Any other highways matters.** No other highways matters.

**59/11/22. Reports**

**a) County Cllr.** No report.

**b) District Cllr.** No report.

**60/11/22. Finance:**

**a) To approve any payments.** Since the last meeting the NALC Pay Scales for 2022-23 have been agreed and the recommendation is that the increase should be backdated to 1<sup>st</sup> April 2022. It was agreed to pay the Clerk the increase to her pay scale and back date it to 1<sup>st</sup> April 2022.

It was resolved to make the following payments:

Mrs J Larcombe - £136.48 Clerk's salary and backpay (Chq no 550).

Harvey Boniface - £210.00 cutting back vegetation on the Village Green (Chq no 551)

Arrangements will be made to remove the weeds on the pavement by the Village Green.

Quotes are needed to apply to use S106 funding for replacement railings around the Village Green. Cllr Balment will try to find out how high the replacement railings need to be for safety reasons.

**b) To discuss letter from MDDC Deputy Chief Executive.** The letter explained that the recent inflationary pressures facing councils at all levels of community representation have meant that councils are now charged with the most rigorous prioritisation of public expenditure seen since the austerity programme implemented

in the wake of the 2008 financial crisis. This current financial challenge is already adding circa £1m of unplanned costs to the Council's 2022/23 financial position and is highly unlikely to return to anything like "normal" before they set their 2023/24 budget. Based on current and future projections of inflation, interest rates, levels of government funding, referendum limits, pay awards, service demand/usage levels, etc., MDDC are estimating a budget gap of £2.111m for 2023/24 growing to £5.219m by 2025/26. In order to retain the majority of the service provision that communities rely on MDDC are asking for help from town and parish councils. Councillors agreed there was nothing they could take on.

**c) To review Financial Regulations.** The updated Financial Regulations were agreed.

**d) To agree the Business Risk Management Document.** This was agreed. The Clerk will arrange to share her folder of Washfield Parish Council e-documents with the Chair via a cloud platform.

**61/11/22. To review Standing Orders.** The updated Standing Orders were agreed.

**62/11/22. Community Resilience Plan for Washfield.** Cllr Mrs Taylor-Ross reported that she had been unable to attend the Devon Community Resilience Forum virtual conference. A new template for creating a plan has been produced. There is no legal requirement to have a plan but if there is a plan on place there is access to grants. Plans need to be updated every 3 years. The Chair will fill out the new template and will share with councillors.

**63/11/22. Update on plans for the 2022 Annual Parish Meeting.** South West Water are now saying they need to receive a complaint before they will send someone out to speak at a meeting.

**64/11/22. Chairman's Announcements and Correspondence.** The following correspondence was noted:  
Saving Devon's Treescapes Project – offer of free landmark tree  
Let's Talk Mid Devon – Residents Survey 2022  
Mid Devon Wildlife Warden Scheme  
Citizens Advice Torridge, North, Mid and West Devon – request for a donation. It was decided to ask a representative to speak at the 2023 Annual Parish Meeting.

**65/11/22. Date of next meeting.** The next meeting will be held on 18<sup>th</sup> January 2023.

Signed:  
Chair

Date: