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| **Monday 7 February 2022** Minutes of Burlescombe Parish Council |

**BUSINESS TODAY AT WESTLEIGH UNITED REFORMED CHURCH**

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| 19:00 | **OPENING REMARKS** |
|  | **LW** Members of the Council, with your permission I would like to make a statement:  Burlescombe Parish Council recently founded a successful partnership that currently includes Burlescombe Community Together; Canonsleigh Residents Association and Sampford Peverell Team Mission Community. Since then, this Partnership has come to advise the Council on issues relating to public life and make recommendations as to change present arrangements to promote better standards.  Recently, this Council incorporated several recommended mechanisms that enable a more participatory democratic system, ranging from consultations and petitions to public meetings with community groupsand Questions to the Chairman.  Members of the Council, through a variety of proposals made to increase participation through the utilization of technology, we today see this Council re-focused on community-based activity within our society, and renewed shared belief that a strong non-governmental public sphere is a precondition for a strong democracy.  Today then this Council is reminded of what that means and the words Virgil wrote on the wall when Bathyllus plagiarized his work: “Sic Vos Non Vobis” ('Thus you labour, but not for yourselves'). The will of the people must never be replaced by the will-o'-the-wisp. |

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| 1 | **PRESENT AND APOLOGIES** |
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| 1.1 | *Present* |
|  | Lewis Worrow (Chair), Councillors Luke Trevelyan; Sarah Dobson: Les Brice: David Worrow. District Councillor Jo Norton. Sue Jarvis Clerk/RFO |
| 1.2 | *Apologies* |
|  | Councillor Shelley Scribbins: County Councillor Ray Radford. |
| 2 | **DECLARATION OF INTERESTS** |
|  | Councillors David Worrow and Lewis Worrow declared an interest in agenda item 11.1.1 |
| 3 | **MINUTES OF PREVIOUS MEETING AND MATTERS ARISING**  The minutes were unanimously approved by councillors and signed by the chairman as a true and correct record. |
| 3.1 | Plan Mid-Devon  MDDC are preparing a new Local Plan for Mid Devon and have opened a consultation period until 28th March 2022. More details at middevon.gov.uk  BPC to consider a response before the next meeting. |
| 3.2 | ORL Quote Annual maintenance (Grahame Hawkins) £930  Councillors decided to obtain a second quote and will decide next meeting. |
| 3.3 | MDDC Grass Cutting Quote £1297.11 +VAT |
|  | Councillors agreed to this in principle but Clerk needs to contact Mid Devon regarding the grass cutting schedule to include additional area. |
| 3.4 | Commemorative Books for Queen’s Platinum Jubilee |
|  | The PC has been informed that all school children will receive a commemorative book for the Queen’s platinum jubilee. The PC will consider whether to give school children anything above this. |
| 4 | **DISTRIBUTED DEMOCRACY** |
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| 4.1 | **Consultations** |
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| 4.1.1 | *Report of Consultations Sought* |
| 4.1.1.1 | Consultation ID: JANU220204A - Renaming of Public Space (Westleigh Quarry Trail)  Burlescombe Parish Council sought consultation on the following question:  *Should Burlescombe Parish Council rename the public space known as Westleigh Quarry Trail to the "Old Railway Line"?*  The consultation opened on 04/01/2022 at 08:00:00 and closed on 04/02/2022 at 16:30:00.  The Clerk was invited by the Chair of the council to indicate whether respondents agreed or disagreed by stating "aye" or "no":  The Clerk stated the following: The noes have it.   |  |  |  | | --- | --- | --- | | **Aye** | **No** | **Spoiled** | | 7 | 15 | 7 |   The Chair then put the question “Should Burlescombe Parish Council rename the public space known as Westleigh Quarry Trail to the "Old Railway Line"? to the Councillors. Councillors voted unanimously against doing so, noting that the trail was already referred to locally as the Old Railway Line. |
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| 4.1.2 | *Report of Consultations to be Sought* |
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| 4.1.2.1 | Consultation ID: FEB220207A - Creation of Public Space (Westleigh Quarry Trail Community Garden)  It is the intention of Burlescombe Parish Council to seek consultation on the following question:  *Should Burlescombe Parish Council consider creating a public space known as the “Westleigh Quarry Trail Community Garden”?* Councillors voted to open said consultation.  The consultation will open on 07/02/2022 at 08:00:00 and close on 04/03/2022 at 16:30:00. |
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| 4.2 | **Petitions** |
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| 4.2.1 | *Report of Petitions Received* |
|  | None received. |
| 4.3 | **Grants** |
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| 4.3.1 | *Report of Grant Applications Received* |
|  | None received. |
| 4.4 | **Questions to the Chairman** |
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| 4.4.1 | *Questions to the Chairman Received* |
|  | None received. This is a new initiative whereby members of the public can put a question forward to the Chairman (either via the website, post, email or by phoning the Clerk) ahead of parish council meetings. |
| 5 | **COMMITTEE FOR BUSINESS AND INNOVATION (CBI)** |
|  | No report filed. |
| 6 | **COMMITTEE FOR DEVELOPMENT, PLANNING AND TRANSPORTATION (CDPT)** |
|  | No report filed. |
| 6.1 | **Planning** |
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| 6.1.1 | *Report of New Applications* |
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| 6.1.1.1 | 21/02217/HOUSE Erection of extension and car port Location: Chapel Cottage Burlescombe Tiverton. Councillors had no objections. |
| 6.1.1.2 | 21/02167/HOUSE Raising of roof to provide first floor living accommodation and balcony and erection of single storey extensions to front and sides Location: Westford Burlescombe Tiverton. Councillors had no objections. |
| 6.1.2.3 | 22/00204/HOUSE Erection of single storey side extension Location: Pugham Farm Westleigh Tiverton. Councillors had no objections. |
| 6.2 | *Reports of Decisions on Applications* |
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|  | 21/02010/TPO Application to fell 38 trees and works to 23 trees protected by Tree Preservation Order 97/00007/TPO Location: XYZ Machine Tools Ltd Unit 1 Woodlands Business Park. Granted |
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| 6.3 | **Transportation** |
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| 6.3.1 | *Report of Repairs to be Addressed* |
|  | Nothing to report. |
| 6.3.2 | *Report of Repairs Addressed* |
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| 6.3.4 | Blocked Gully Opposite Burlescombe Community Hall W221482911. Resolved 28.01.22 |
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| 6.3.5  6.3.6 | Welcome to Devon Sign A38 W221482180 Due to be resolved 09.02.22  Priority lines Burlescombe Railway Bridge W221482169 Due to be resolved 16.02.22 |
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| 7 | **FINANCE, AUDIT AND RISK COMMITTEE (FARC)** |
|  | No report filed. |
| 8 | **PUBLIC RIGHTS OF WAY (PROW)** |
|  | Nothing to report |
| 9 | **GRAND WESTERN CANAL JOINT ADVISORY COMMITTEE (JAC)** |
|  | Nothing to report |
| 10 | **QUARRY LIAISON COMMITTEE –** report attached |
|  | **LW** Members of the Council, with your permission I would like to make a statement:  The Westleigh Quarry Survey commissioned by Burlescombe Parish Council in 2014 and sponsored by Aggregate Industries UK, Burlescombe Parish Council, Devon County Council and Mid Devon District Council had two purposes:   * ascertain whether there are were any issues or areas of Westleigh Quarry’s operation which were having significant negative impacts upon quality of life of residents of the Parish of Burlescombe; and, * if there were significant impacts, to work out whether there are realistic and appropriate actions that could be undertaken to lessen them.   Section 3 Responses, Sub-section 3.1 General states that out of a population of 938, 135 responded to the survey (equal to 14.39%).  Section 3 Responses, Sub-section 3.1 General also confirms that out of a population of 938, 803 did not respond to the survey (equal to 85.61%).  Section 3 Responses, Sub-section 3.4 General Answers states that of 133 responses, 33% of respondents responded to the question “To what extent do the quarry’s activities have a negative impact upon your quality of life as a resident of the Parish of Burlescombe” answered, “Negative Impact” (equal to 2.64% of the population).  Section 3 Responses, Sub-section 3.4 General Answers also states that of 133 responses, 29% of respondents responded to the question “To what extent do the quarry’s activities have a negative impact upon your quality of life as a resident of the Parish of Burlescombe” answered, “Very Negative Impact” (equal to 2.32% of the population).  Section 3 Responses, Sub-section 3.4 General Answers, therefore, shows that of 135 responses, 62% of respondents responded to the question “To what extent do the quarry’s activities have a negative impact upon your quality of life as a resident of the Parish of Burlescombe” answered, “Negative Impact” or “Very Negative Impact” (equal to 4.96% of the population).  The Westleigh Quarry Survey also found that the community’s perspective was that particular measures would be more likely to be effective in ameliorating their concerns over the various impacts of the quarry and its operations.  These were then put in a ranking order based on a calculation made around the preferred options set against the most significant issue.  **[1] The movement of the asphalt production plant from the quarry to a site nearer to the A38:**  Aggregate Industries UK has evidenced their commitment to ameliorating this activity through the securing of planning permission to relocate the Asphalt Plant to be a site located at a Broadpath site.  Aggregate Industries UK received planning permission from Devon County Council along with legal binding conditions (Section 106) on August 13th, 2021 and subsequently have recently secured a 30-year lease agreement with Viridor of this site.  The conditional planning permission contains some 18 conditions to the planning permission that ensure any environmental impacts resulting from operations at the new site are an acceptable minimum.  The target completion date for the new asphalt plant to become fully operational is the end of the Q2 of 2024. Consequently, under the legally binding agreement, Aggregate Industries UK is obliged to carry out the following: (i) the implementation of the Mitigation Planting in the first planting season after the completion of the new site entrance off Clay Lane and to maintain the Mitigation Planting Area for a minimum period of five years following completion of the Development and replace trees or shrubs that die or become diseased in the following planting season ;(ii) within seven days of the new site being commissioned and becoming fully operational, to permanently cease the production of asphalt at the existing Asphalt Plant within Westleigh Quarry; and, (iii) within 12 months of the date on which the new Asphalt Plant becomes fully operational, to remove the existing Asphalt Plant from Westleigh Quarry.  **[2] The limiting of the speed of heavy goods vehicles (HGVs):**  Aggregate Industries UK implemented a variety of measures to ameliorate the effects of heavy goods vehicles (HGVs) in Burlescombe and Canonsleigh.  To date, this has included limiting heavy goods vehicles (HGVs) travelling through Burlescombe and Canonsleigh to 20 miles per hour (MPH) by installing 'Navman Trackers' in all Aggregate Industries UK franchised and regular hauliers lorries.  These devices monitor and record the speed of all aforementioned heavy goods vehicles (HGVs) within a geo-fence. The data confirm that these same said heavy goods vehicles (HGVs) have a 97% compliance rate.  Aggregate Industries UK has also embargoed all movements during peak times wherein children are arriving and departing from Burlescombe Primary School.  **[3] The use of different routes for heavy goods vehicles (HGVs) on the condition they use exiting road networks:**  Aggregate Industries UK employs a strictly enforced one-way routing agreement which explicitly states that: (i) all in-bound heavy goods vehicles (HGVs) to Westleigh Quarry are to use the A38/White-Ball junction and (ii) all out-bound heavy goods vehicles (HGVs) from Westleigh Quarry are to travel through Canonsleigh and Burlescombe to join the A38 at the A38/ Burlescombe junction.  **[4 =] The use of altered and/or restricted vehicle movements:**  Aggregate Industries UK has confirmed that with the relocation of the Asphalt Plant, any and all movement of Asphalt Plant night-time movements will cease.  In addition to this, materials being delivered from other Aggregate Industries UK operated sites will be routed directly to the new site.  **[4 =] The improvement of heavy goods vehicles (HGVs) driver safety:**  Aggregate Industries UK’s has confirmed that its transport management team hold regular driver safety meetings with hauliers and employ strict measures that hold if any driver commits an offence by not adhering to Aggregate Industries UK’s haulage stated obligations they are reprimanded through a yellow and red card system.  If a driver accumulates a certain number of points then they are barred from any Aggregate Industries UK operated site.  The five most highly ranked items in the order they appeared in Section 4 Ranking of Solutions and Section 5 Next Actions have since then both met and exceeded the community’s expectations on the particular measures expected to implemented to ameliorate their concerns over the various impacts of the quarry and its operations.  To this end, I give thanks to Aggregate Industries UK not just on behalf of the Council, but on behalf of the people too. |
| 11 | **CLERK’S REPORT** |
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| 11.1 | *Report of Expenditure to be Approved* |
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| 11.1.1 | Westate Group (formally Ivanova Studios) £473.69 Approved |
| 11.1.2 | Clerk Salary February £330.00 Approved |
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| 11.2 | *Report of Expenditure Approved* |
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| 11.2.1 | Grahame Hawkins Tree Clearance £200.00 |
| 11.2.2 | Grahame Hawkins Bray Close vegetation £200.00 |
| 11.2.3 | URC Hall Hire £14.00 |
| 11.2.4  11.2.5 | MDDC Grass cutting £1507.07  Sylvester Tree services £410.00 |
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| 12 | **CORRESPONDENCE** |
|  | All correspondence had been circulated to Councillors and if appropriate placed on the website or noticeboards.  Statement from the Chairman: Members of the Council, with your permission I would like to make a statement:  The Seven Principles of Public Life (also known as the Nolan Principles) outline the ethical standards those working in the public sector are expected to adhere to.  They were first set out by Lord Nolan in 1995 in the first report of the Committee on Standards in Public Life and they are included in a range of codes of conduct across public life.  The Seven Principles of Public Life requires holders of public office to act selflessly, with integrity, objectively, accountably, openly, honestly and as leaders.  These Seven Principles apply to anyone who works as a public office holder including those elected or appointed to public office, nationally or locally; those appointed to work in the civil service, local government, the police, courts and probation services, Non Departmental Public Bodies, and in the health, education, social and care services, and those in the private sector delivering public services.  This Council, however, is committed to holding ourselves and the community to a higher standard of ethical conduct and integrity. When, then, engaging and handling correspondence, this Council will henceforth conduct due diligence on all third parties, covering a range of issues – including adherence to the Seven Principles of Public Life.  Our code of conduct will in turn be amended to reflect this furtherance of our commitment to the principles as custodians with a duty of care to safeguard the public when engaging with third parties. |
| 12.1 | Parish Review  The PC believes we should maintain the status quo unless we have a reason to change things. One thing we could consider is reducing the number of councillor positions from 9 to 7 because of the difficulty of filling seats and possibly review J27 being part of Burlescombe parish. |
| 12.2 | Precept  A resident has raised questions about the increase in the precept agreed by Councillors for the year 2022-2023. Public notice of the precept discussion at the December meeting had been published in the Parish News before the meeting. Parish Council meetings are open to members of the public if they wish to raise an issue or have a particular interest in an agenda item, like the setting of the precept for example. In real terms the precept rise will lead to Band D properties paying £3.93 a month up from £2.79 (equal to an increase of £1.14 per calendar month increase year on year). There is a full explanation on the parish website as to why the precept was increased as it was and Councillors acted in good faith in agreeing the increase. Councillors did agree, however that in future there should be further opportunity for public consultation and comment regarding the precept with the suggestion of a meeting in January 2023 solely to discuss the precept. |
| 12.3 | Fossend Bridge repairs  These are the responsibility of the canal and not the Parish Council. |
| 12.4 | Trees Down on Burlescombe Playing Field and ORL  Both trees have now been addressed and made safe. |
| 12.5 | ‘20 is Plenty’ Signs |
|  | The PC was informed that the Highways Officer will be looking at the new 20 is plenty signs around the village. If any are on the highway or look like legal highway signs on private property then they will be removed. If the signs are not like legal signs and just state 20 is plenty, on private land, then they can remain. |
| 13 | **OPEN FORUM** |
|  | * A resident requested that the area under the millennium trees be included in the MDDC grass cutting schedule. Clerk to action. * The Councillors were asked to consider the Parish Council will be giving the school children anything for the jubilee as well as the book they will be receiving from the government. * It was felt that people should be allowed to contact the parish council anonymously and to challenge if they wish. The Chairman pointed out that the names of those who contacted the parish council were never made public and that all communication was treated in the utmost confidence. The Chairman drew attention to the Report It button on the website which allows residents to report concerns. * It was suggested that there should be a short bio of each councillor on the parish website. The Chairman said that this could be something to consider. |
| 14 | **MATTERS BROUGHT FORWARD FOR INFORMATION OR FUTURE AGENDA** |
|  | Plan Mid Devon response. |
| UNTIL 21:00 | **CLOSING REMARKS** |

There being no other business the meeting closed at 9.20pm.

**FUTURE BUSINESS**

**Date and Time of Next Meeting:** 7 March 2022, 19:00

**Venue of Next Meeting:** URC Hall Westleigh

Lewis Worrow

Chairman

Burlescombe Parish Council