

Fontmell Magna Parish Council

Minutes of Parish Council meeting held on Monday 12th November 2018 at St Andrews Primary School, Fontmell Magna at 7.00pm

Present: Cllr H Horstead (Chairman), Cllrs. C Bellers, M Humphreys, L Williams, H Lister, and A Newbury

In attendance: Cllr. Graham Carr-Jones – County Councillor, M Wheatley – Clerk, R East – Parish Highways Representative, and 21 members of the public.

Public Questions:

A resident commented that the minutes of the meeting on 10th September 2018 said that the residents of St. Andrew's View did not want the path to the village to become a permissive path. The resident thought that there was some confusion. The path was a permissive path but only for the use of the residents of St. Andrew's View. The residents of St. Andrew's View did not want the path to become a public footpath. It was agreed the minutes would be amended accordingly.

Another resident commented that assuming that the new housing development on South Street was one of the most important aspects of the Neighbourhood Plan it should be made clear that the submission by the developer's agent suggested the need for greater flexibility and had suggested that the Neighbourhood Plan should be amended to say that the site should have at "least" 30 houses to ensure viability. The Inspector commented on this and confirmed that the reason given for the proposed amendment was to ensure viability. He saw no reason to believe this was an issue in real terms and that any practical problems of this kind should be addressed at the planning application stage where viability could be a material consideration. The Neighbourhood Plan was not amended and still specifies that the number of houses should not exceed 30 houses but the resident was concerned to ensure that the village residents were not misled into thinking that this was a limit that could not be exceeded.

Cllr. Humphreys replied saying that there were a number of issues in play and it was incorrect to say that the plan was misleading. The relevant policy within the Neighbourhood Plan says that the number of houses on site 20 should not exceed 30. This policy is very clear. NDDC would not let the Neighbourhood Plan have any stronger wording than "should not". The Neighbourhood Plan Working Group wanted "must not" but NDDC would not allow this wording. The wording of this policy is therefore as strong as it can be. It should also be noted that the developer has not asked for more than 30 houses and that the application for outline planning permission was in accordance with the Neighbourhood Plan. Assuming the Neighbourhood Plan is adopted the planners will look at whether any application is aligned with the policies in the Neighbourhood Plan. If there was no Neighbourhood Plan there would be no protection. The policies in the Neighbourhood Plan reflect the view of the majority of the residents. The residents had been consulted on numerous occasions throughout the process. If the referendum is successful the Neighbourhood Plan will form part of the Local Plan and any planning application will be assessed to see how well it aligns with the policies in the Neighbourhood Plan. Whilst the Neighbourhood Plan gives some protection it is not fool proof. NDDC can go against the Neighbourhood Plan but will have to demonstrate why they are doing so.

Cllr. Carr-Jones commented that it was important for Fontmell Magna that the Neighbourhood Plan is adopted to provide some protection against numerous developers applying to develop within the village. The issue of viability in his experience usually related to the number of affordable housing.

It was confirmed that the Neighbourhood Plan Working Group had had discussions with the developer and site 20 was the site favoured by the residents in the consultations with them. It is a green field site and there is nothing to demolish. The need within the village was for affordable open market 1 & 2 bedroom properties. Hopefully NDDC will pay attention to this need and will pay attention to the Neighbourhood Plan when the developer puts forward the final figure for the number of houses to be developed.

There were no other topics raised.

- 12/11/01 Apologies for Absence.** There was an apology for absence from Cllr. Langham – District Councillor.
- 12/11/02 Declarations of Interest.** Cllr. Williams declared an interest in the noticeboard at the Bedchester crossroads.
- 12/11/03 Co-option.** The Chairman confirmed that there was one vacancy on the Parish Council and that Jeremy Long had volunteered to fill this vacancy. Cllr. Humphreys commented that the Parish Council had had no opportunity to meet with Jeremy Long and asked what his areas of interest were. Jeremy Long confirmed that he wanted to support the work of the Parish Council and also appreciated that in the future some aspects of the Parish Council would be looked at. He also confirmed he had had long discussions with a member of the Neighbourhood Plan Working Group and fully supported the Neighbourhood Plan. The Parish Council then unanimously voted to co-opt Jeremy Long onto the Parish Council and the Chairman invited Jeremy Long to join the other members of the Parish Council.
- 12/11/04 Minutes of the Meeting on 10th September 2018.** Cllr. Bellers queried the fifth paragraph of paragraph 10/09/011. It was confirmed that the Chairman had expressed his concern regarding DCC's decision regarding the costs of the judicial review brought by Melbury Abbas. The minutes were then approved unanimously subject to the amendment regarding the footpath in St. Andrew's View as referred to above.
- 12/11/05 Matters Arising from the Minutes of the Meeting.** Cllr. Bellers commented that the actual grant given to the Church Graveyard was £500 not £600 as referred to in the minutes. The Clerk confirmed that the minutes reflected the decision at the time but subsequently it was decided having reviewed the Church's request that the grant should be £500. Cllr. Bellers also commented that he had thought that it had been decided that the Parish Council would write to the Cranborne Chase AONB confirming its support for the International Dark Sky Reserve. The Chairman confirmed that this was not his recollection he confirmed that his recollection was that the Parish Council had just expressed its support. Cllr. Bellers asked if the Parish Council could write to the AONB confirming its support in this regard in accordance with the AONB's recent email. It was agreed that the Clerk would write to the AONB.
- Cllr. Humphreys confirmed that in accordance with paragraph 10/09/08 of the September minutes a letter had been sent to the developer's agents for the Mill St. site regarding that agents assertions of impropriety in relation to the selection of the sites for development made in its response during the consultation process on the Neighbourhood Plan. Cllr. Humphreys confirmed that the assertions of impropriety had been removed and a redacted copy of the reply was now on the Dorset for You website.
- 12/11/06 County Councillor and District Councillor's reports.** Cllr. Carr-Jones commented that he had circulated various reports and had recently spoken with Cllr. Langham. There was going to be an extraordinary NDDC meeting on 28th November 2018 to discuss the Neighbourhood Plan and assuming it was adopted by the village in the referendum to formally adopt the same. Cllr. Carr-Jones confirmed that Matt Prosser had been confirmed as the Chief Executive of Dorset Council and had taken up this position with effect from 1st October 2018. Cllr. Carr-Jones confirmed that the branding for the new council had been finalised and that all of the work had been done in-house. The results of the Boundary Commission review had been published and Fontmell Magna would no longer be in Cllr. Carr-Jones' ward. As soon as the potential successor had been identified Cllr. Carr Jones would introduce that successor to the Parish Council. The Chairman thanked Cllr. Carr-Jones for his efforts as the County Councillor for the Parish.
- 12/11/07 To consider Development Control Matters.**
- a. Applications/other matters considered since the last meeting.** The Chairman confirmed that the following matters as set out in the agenda had been considered since the last meeting and that the Parish Council had had no objections to the same:
- i. 59 West St – Internal alterations/roof lights
 - ii. Croft Farm - change of use
 - iii. Lower Hartgrove Farm – change of use
 - iv. Penn Hill Farm – erect agricultural storage building/hardstanding
 - v. Brach Farm - hardstanding

- vi. Gupples Farm - form access track
- vii. Land south of Little Orchard, Fontmell – erect dwelling
- viii. Little Orchard Bedchester – replacement of french doors
- ix. Brookfield – Tree works

b. Applications to be considered. The Chairman confirmed the following application was still to be considered.

- i. Lower Hartgrove Farm – change of use.

The Clerk confirmed there was also an application by 3 Marshlands to be considered and that Cllr. Lister was looking at an application by 4 & 5 Elbury View for tree works.

c. Update on developments Mill St. & South St – The Clerk confirmed that it would appear that both matters would be decided by the case officer under his delegated powers as his views were likely to coincide with the views of the Parish Council namely that the permission should be given for the South St. development but refused for the Mill St. development. However the officer's reports were unlikely to be ready until December or more likely January.

d. Formation of Planning Working Group – Cllr. Bellers confirmed he had circulated the terms of reference to set up a body to look at planning applications to ensure that all applications comply with policies within the Neighbourhood Plan and to inherit the on-going work of the Neighbourhood Plan Working Group. Assuming the Neighbourhood Plan was adopted it would have to be reviewed regularly to ensure it was in accordance with the Local Plan and the wider planning policies. At all stages the Planning Working Group would report back to the Parish Council. The Parish Council would not lose any of its powers or functions to comment on any planning applications. The prospective Working Group had reviewed the application made by Little Orchard and had identified two concerns in relation to the hedges and the drainage which had not been identified by the Parish Council. Cllr. Bellers had produced a revised version of the terms of reference which had been circulated. The proposal was to invite not just members of the Parish Council but members of the wider community to join the Working Group. The Working Group would keep its own records and produce a report to the Parish Council for the Parish Council to consider prior to submitting its comments to NDDC. The Clerk asked which Councillor would be a member of the Working Group. It was confirmed that this was yet to be decided.

Cllr. Williams confirmed that he would not be voting in favour of the Working Group as he felt that the proposal would mean that the Parish Council would simply be rubber stamping the decision of the Working Group and he did not believe this was appropriate. It was confirmed that it had already been agreed in principle that there should be a Working Group. The proposal was that the Working Group would submit a report to the Parish Council within 10 days of the Working Group having received notification of a planning application. The role of the Parish Council would not change. The Working Group would simply be there to assist the Parish Council.

Cllr. Humphreys commented that he saw the role of the Working Group as serving 2 purposes: 1. To thoroughly investigate any planning application in the context of the Neighbourhood Plan calling on the expertise of the members of the community who had been involved in producing the same, and 2. To keep the Neighbourhood Plan up to date and to keep it as a working document.

The terms of reference were agreed by the Parish Council with 4 in favour, 1 against and 2 abstentions.

12/11/08 Update on the Neighbourhood Plan - Cllr. Humphreys confirmed that the recent drop in session had been successful. As had been previously stated he would urge everyone to exercise their vote on Thursday, to vote in favour of the Neighbourhood Plan and to urge their friends and Neighbours to vote in favour of the Neighbourhood Plan. If the Parish did not have a Neighbourhood Plan there could be a large number of applications coming forward which could

change the nature of the village. This was what was happening in Marnhull who did not have a Neighbourhood Plan and now regret not pursuing their Neighbourhood Plan project. It was queried whether the Neighbourhood Plan would have any teeth. Cllr. Humphreys confirmed that there was a recent example, where in Hazelbury Bryan, DDC had overturned the Planning Officer's decision because the proposed development was not in line with the Neighbourhood Plan. It was also queried whether the figure in the Neighbourhood Plan for the number of houses that needed to be built in Fontmell Magna was correct. Cllr. Humphreys confirmed that the figure of 40 houses was correct and had been verified by NDDC.

12/11/09 To consider report from the RFO including draft budget – The Clerk confirmed that the latest financial reports had been circulated to the Parish Council and that the balance as at 31st October 2018 was £12088.16. The Clerk had also circulated a draft precept plan she asked for any comments to be emailed to her in advance of the January meeting so that she could incorporate any matters she had overlooked into the plan so that the plan could be approved at the meeting in January. Cllr. Lister confirmed she would email the Clerk regarding funding for the play area. The Chairman confirmed that the election approximately 8 years ago had been contested. The Clerk asked whether it was possible to ascertain who would or would not be standing for election prior to the budget being finalised in order to ascertain whether any election costs needed to be included in the budget.

12/11/010 To resolve to pay Bills presented. The Clerk had circulated a schedule showing the invoices and standing orders which had been paid since the last meeting. The Parish Council agreed to pay Vale Garden Services' invoice for £25.00 and Perry & Sons' invoice in the sum of £664.80. Cllr. Williams having an interest in the Perry & Sons invoice did not vote on the same.

12/11/011 Other Parish Matters

a. Highways - Robin East confirmed he had recently emailed DCC thanking them for replacing the signs on the A350. There were a few matters still outstanding and he had also asked DCC about: the white lines that were still missing in Mill St.; the hedge trimming along the A350 so that the speed limit signs could be seen; and what was happening with Gore Clump and the improvements in Melbury Abbas. He now proposed to draw a line under the traffic improvements in Fontmell Magna as the Parish had obtained 90% of what it had asked for. The lack of a pinch point south of the village might resolve itself depending on the proposed development at that end of the village. He was still unhappy about the lack of enforcement of the speed limits.

The A350 Community Group was the collective name of the 7 parishes who had adopted the mandate and terms of reference of that Group to lobby on the long term infrastructure issues along the A350. The Group were effectively the operations committee and consisted of 6 people who met fortnightly and undertook work including meeting with various other bodies and organisations. The Group then reported back to the Parishes. The A350 Group were calling a meeting of all of the Parishes on 5th December 2018 and Robin East confirmed this was likely to be his last meeting as he was going to be standing down. Representatives from the new Parishes and Towns who had recently joined the Group would be attending the meeting on 5th December 2018. The Group would now be representing nearly all of the communities on the A350 from Shaftesbury nearly to Poole.

It was confirmed that Cllr. Long would take on the role being vacated by Robin East.

The Chairman thanked Robin East for all of the work he had done on behalf of the Parish which was greatly appreciated.

b. Footpaths – including proposed path along A350. Cllr Bellers confirmed that he had been approached by a resident who lived in Bedchester and had been asked whether the end of the footpath from Bedchester could be improved so that it did not come out directly onto the A350 but went behind the hedge along the verge to St. Andrew's View. The landowner had not been averse to this suggestion and Cllr. Bellers had approached the St. Andrew's View Management Committee. The Management Committee had made it very clear that they did not want the path across the bridge to the village to be a public footpath as they did not want any increased footfall through St. Andrew's View. At a recent meeting of St. Andrew's View the overwhelming view was that St. Andrew's View residents did not want the path from

Bedchester to be improved in the way being suggested. The landowner was present at the meeting and confirmed that he had taken legal advice and for various reasons he had decided not to take this matter any further.

- c. **Defibrillator** – Cllr. Humphreys confirmed that the cabinet had now been installed but the defibrillator itself had not as yet been placed in the cabinet. There were ongoing discussions regarding training which he hoped would be resolved shortly. He confirmed he would ask the school to cover up the defibrillator cabinet until the defibrillator was fully operational to avoid any confusion.
- d. **New Dog Waste Bin** – The Chairman confirmed that he had been to see The Fontmell and that no-one had got back to him regarding their request for a new dog bin. He also confirmed he had been trying to speak to the Woodland Trust regarding the dog waste bin in the Millennium Wood. It was agreed that there was nothing further that could be done about a new bin near The Fontmell at the present time.

12/11/012 Other Matters arising from Correspondence.

- a. **Training** – The Clerk asked the Parish Council to confirm that Cllr. Bellers would maintain the training record for the Councillors and that the Clerk should maintain her own training record. This was agreed.
- b. **Council Tax** – The Clerk confirmed that the Council Tax would be equalised across the various parishes and towns that were going to make up the new Unitary Authority as soon as that Authority was formed in 2019. This would mean the Council Tax would go up in some areas and down in others. She anticipated that the Council Tax in the Parish would go up.
- c. **Best Kept Village** – Cllr. Bellers confirmed he and one of the residents had attended the awards and Fontmell Magna had won the second prize in the conservation category. There was a plaque which it was agreed would be put up in the village hall. There was also a prize in the sum of £50. The Clerk was still waiting to hear back whether she could cash the cheque as it did not have 2 signatures on it. In the meantime it was suggested that perhaps the £50 could be donated to a resident who had recently had his working tools stolen. It was decided that the Parish Council would consider this further at the next meeting.
- d. **A350 Community Group** – It was confirmed that each parish could send 2 representatives. It was confirmed that Robin East and Cllr. Long would attend the meeting on 5th December 2018.
- e. **Councillors' Responsibilities** – Cllr. Bellers confirmed he was preparing a paper regarding Councillors' Responsibilities and would circulate this shortly.
- f. **Time of Meeting** - It was agreed that in the future the Parish Council meetings would start at 7.00pm instead of 7.30pm. It was also agreed that the Councillors could meet on an informal basis every other month outside the main Parish Council meetings to discuss Parish Council matters.

12/11/013 Dates of Next Meeting – The next meeting will be 14th January 2019.

12/11/014 A.O.B.

There being no further business, the Chairman closed the meeting at 8.52 pm.

Date

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Chairman, Fontmell Magna Parish Council