

20 April 2026 – Draft

Summonses to the Meeting of Sampford Peverell Parish Council held at the Memorial Hall, Lower Town on 20 April 2026, starting at 7.00 pm, were distributed with the agenda and posted on the website, 13 April 2026.

### **Minutes of the Meeting of Sampford Peverell Parish Council held on 20 April 2026 at the Memorial Hall**

Present:

Councillors T Burt (Chair), D Bartin, C Cottrell, A Fasey, A Mackenzie and S Taylor together with Councillor Lock (MDDC Ward Councillor) and S McGeever (Clerk).

Councillor Burt opened the meeting at 7.00pm and welcomed all present.

#### **2026/27/041/1 - Open Forum**

Members of the public were present to speak on application 26/00400/PIP by addressing objection comments on the planning portal:

- whilst the site is outside the local plan, due to tilted balance, the relevant policies are no longer valid, and the site cannot be described as isolated being on the edge of the village, and is opposite to existing houses.
- Sampford Peverell offers a sustainable location with its rail, road and bus connections.
- The addition of a pavement in the plans to improve pedestrian safety satisfies DCC Highways concerns.
- The oak tree with a TPO is situated outside the site and it is proposed the gardens will be adjacent to the tree in question.
- A Devon bank is defined as a stone or earth bank topped with shrubs. The current roadside boundary of the site is concrete posts, fencing and brambles.
- The configuration of the houses means that no properties are overlooked, and their ridge height is below that of the houses opposite.
- An ecological report is not required for a PIP application; such a report would come at a later stage of the planning process.
- The planning application will be considered by the MDDC Planning Committee.

The Chair brought forward Item 7a) and the discussion and decision are reported in Item 7 of these minutes.

#### **2026/27/041/2 - Apologies and Vacancies**

Apologies had been received from Councillor Williams, Councillor Clist (DCC County Councillor) and Councillor Westcott (MDDC Ward Councillor).

It was noted that the Parish Council had two vacancies, and the co-option process could be used – no application forms had been received.

#### **2026/27/041/3 - Declarations of Interest**

There were no declarations of interest.

#### **2026/27/041/4 - Approval of the Minutes of the meeting of the Parish Council held on 16 March 2026**

It was RESOLVED that the minutes of the meeting held on 16 March 2026 were a true record of proceedings and would be duly initialled and signed by the Chair.

## **2026/27/041/5 Discussions with DCC Member Councillor Clist and with MDDC Ward Members, Councillors Lock and Westcott**

Councillor Lock reported on the following matters:

- The Mountain Oak application had been approved with government planning policies taking decisions out of the hands of local councils.
- Councillors and the Clerk had attended the planning training session.
- Garden Waste remained an opt-in service and the charge had been frozen.
- Creative Community grants had been introduced.
- The Mid Devon alarm service had been introduced.
- LGR proposals were still being considered by Government. Recent decisions gave an indication that the division of counties into two or three unitary area was preferred to a single area, and one County Council had been asked to put forward other proposals.

Council Taylor was concerned that tilted balance, new Government Planning policies and LGR were eroding the democratic planning process.

With regard to the Mountain Oak application, Councillor Burt was concerned that no consideration had been given to ensuring the treatment pump was operational during a power cut.

In the absence of Councillor Clist, the Clerk provided a report received from him:

- Double yellow lines at the Tiverton Parkway junction were being considered by HATOC.
- Talks would be taking place between DCC and GWR on the ability to provide extra parking. It had been noted that charges were higher than some other stations.
- Highways were restarting patching work following the need to concentrate on pothole filling over the winter months. It was hoped additional funding would be available.
- LGR discussions were ongoing.

Councillor Lock noted that the cost of repairing potholes in Devon was higher than it was in Cornwall and Somerset. The Clerk understood that DCC was looking into costs.

## **2026/27/041/6 Matters Arising from the minutes and actions not included elsewhere on the agenda and/or raised by the Clerk**

a) Review of financial arrangements between Village Hall and Parish Council:

The letters had been sent to the Chair of Trustees given on the Charity Commission website and the Treasurer.

- DAAT letter

The Village Hall had agreed to give an *ex gratia* payment of £200 towards the repairs to the DAAT light and this has now been received.

- Swing

The Parish Council noted that the Village Hall had agreed to accept the donation of the inclusive swing.

- Custodian Trustee

Councillor Taylor reported that the Village Hall had considered the information provided by the Clerk and decided that they wished the Parish Council to stay as the Custodian Trustee.

This item can now come off the agenda.

b) Climate change statement

Councillor Burt advised that he had nothing to report.

c) Emergency Plan

Councillor Bartin advised that work was ongoing and that she was putting together a poster to put on social media to gain more information for the Emergency Plan and potential parishioner input. An Emergency Plan open meeting would then be called to review the draft plan.

d) Neighbourhood Priority Statement

Councillors Bartin was producing a poster to gain resident input into a Neighbourhood Priority Statement. A Neighbourhood Plan would have to wait until MDDC's new Local Plan was in place. The Housing Needs Survey would provide up to date information, and the publicity material had been received and circulated with information going on the website and in the Parish Magazine.

e) Update on programme of risk assessments and safety checks

In the absence of Councillor Williams, no report was given.

Matters brought forward:

Beech hedge in Whitnage Road

Councillor Mackenzie advised that no work had been undertaken although National Grid appeared to have carried out a survey.

**Action:** Clerk to contact DCC

- Purchase of living Christmas trees

Two trees had been purchased. A decision was required on where to plant them. This would be subject to agreement from DCC Highways and any underground utilities.

**Action:** Councillor Mackenzie to provide the Clerk with 'what three words' to identify the sites.

- Actions by the Tree Wardens

The Clerk was awaiting further information from Enforcement.

**Clerk matters:**

**Devon Community Resilience Form – Thursday, 26 March 2026**

No councillor had been in attendance as this clashed with the Planning Training.

**Planning Training for Town and Parish Councils - Thursday 26th March 2026 – 1800-2030**

Councillors Burt and Taylor had attended the training and the presentations had been circulated to all councillors.

**Assertion 10**

The Clerk advised that the Practitioners Guide introduced in March 2025 sets out new digital and data compliance requirements for the 2025/26 financial year. The AGAR for 2025/26 will ask councils to confirm whether they meet these requirements. To confirm compliance, the council will need to meet all four criteria:

- A council-owned domain-based email address;
  - A website that meets accessibility regulations, the relevant Transparency Code, and documentation as specified in the Freedom of Information Act;
  - Clear arrangements for data protection (DPA and GDPR);
  - An IT policy.
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- The Parish Council uses a gov.uk website and email addresses and the website is compliant (confirmed by provider).
  - Agendas, minutes, policies and the AGAR documentation are published on the site, meeting legal requirements.
  - The Parish Council had a policy covering DPA and GDPR. This had been circulated to councillors and would be re-approved at the May meeting.

The National of Local Councils IT policy template had been circulated to Parish Councillors. The policy covered the Bring Your Own Device requirements. The policy needed to be adapted to fit Sampford Peverell's working practices that complied with the IT policy requirements.

**Action:** Clerk to bring a revised policy to the May meeting.

### **Action Plan**

Parish Councillors to feed potential projects to the Clerk.

Councillor Taylor asked that the Clerk establish the ownership of the land alongside the tennis courts.

### **2026/27/041/7 Planning**

a) Consultation requests received since the last full Parish Council meeting:

26/00400/PIP

Proposal: Permission in Principle for the erection of 4 dwellings and associated works

Location: Land at NGR 303304 114741 (Adjacent to Mount Pleasant Farm) Whitnage Road

Site Vicinity Grid Ref: Parish: 303304 / 114741

Sampford Peverell 42

Councillor Taylor advised he had commented on the application as a resident.

The Chair noted the comments made during the Public Forum. It was also noted that when Cornlands had been built, MDDC had indicated that a footbridge over the canal should be installed but since that time a further 10 houses had been built. There had also been an indication that traffic lights on the bridge, which was listed, would be beneficial.

The Chair noted that the capacity of the sewage plant was not a material planning consideration.

The Parish Council RESOLVED to support the application with three councillors in support, two against and one abstaining.

**Action:** Clerk to submit response

### **Tilted Balance**

The "Tilted Balance" is shorthand for a planning policy in the UK's National Planning Policy Framework (NPPF) that **"tilts" the decision-making process in favour of granting planning permission**. It is triggered when a local council lacks an up-to-date local plan or fails to demonstrate a five-year supply of housing land, making it easier for developments to be approved.

Key details of the Tilted Balance include:

**Core Purpose:** It is a mechanism to override local planning restrictions when housing delivery is behind targets.

- **Paragraph 11(d) of the NPPF:** It stems from this section, which states that if relevant policies are "out of date," planning permission should be granted unless any adverse impacts "significantly and demonstrably" outweigh the benefits.
- **Lowering the Bar for Approval:** Under normal circumstances, a developer must prove a project is good. Under the tilted balance, the council must prove that the negative impacts of the development are **extremely high** to justify refusal.
- **Definition of "Out of Date":** The tilted balance is usually activated if a council cannot show a 5-year housing land supply (5YHLS) or fails the Housing Delivery Test (HDT).
- **"Significant and Demonstrable":** The harms must not just outweigh the benefits; they must "significantly and demonstrably" outweigh them.

### **Lower Town**

The public consultation had taken place and the application was awaited.

## Mountain Oak

The application, 25/00304/MOUT, was considered by Mid Devon District Council Planning Committee on 8 April 2026 and approved. The S106 agreement covered the affordable housing element and did not provide for Public Open Space to make the application financially viable. Should the housing mix change for any reason, the S106 agreement would need to be reconsidered.

b) decisions notified by MDDC

### 26/00019/FULL – APPROVED – 2 April 2026

Proposal: Change of use of holiday let to residential dwelling with associated garden area

Location: Acorns Mountain Oak Farm Lower Town Sampford Peverell

### LEG/TPO.377

Tree Preservation Order No25/00005/TPO (44 Higher Town) 2025

Formal notice has been received that the TPO has been adopted.

c) enforcement matters

No update received on enforcement matters raised by the Parish Council.

d) any other planning matters and planning correspondence

Edenstone:

Councillor Taylor advised that he was still pursuing the installation of the picket fencing.

Tiverton Parkway end of the village:

The Clerk had not received the information requested from Edenstone with a view to matching the signs at both ends of the village.

### 2026/27/041/8 Finance

The Clerk had provided the following financial information which was noted by the council members:

a) Financial figures for 2025/26

Reserve Account (Unity)

Balance on 28 February 2025 **£31015.18**

Receipts

Interest £ 165.49

Payments

**Balance on 31 March 2026 £31180.67**

Current Account (Unity)

Balance on 28 February 2026 £ 3035.46

Receipts

Little Pantry £ 150.00

Payments

09-Mar-26 B/P to: Pennon Water 6093064560 -76.41

09-Mar-26 B/P to: Susan McGeever WAGES - MONTH 11 -416.93

09-Mar-26 B/P to: HMRC 120PF026836642412 -119.82

18-Mar-26 B/P to: Susan McGeever EXPENSES JAN/FEB -48.00

18-Mar-26 B/P to: SP Village Hall INV 589 -15.00

18-Mar-26 B/P to: CAB GRANT SPPC -200.00

18-Mar-26 B/P to: SP Village Hall GRANT -500.00

19-Mar-26 S W HYGIENE LTD 444844C -42.63

31-Mar-26 Service Charge -7.00 -1425.79

**Balance on 31 March 2026 £ 1759.67**

b) Financial figures for 2026/27

Payments made since the last meeting (not recorded above):

HMRC (PAYE)	£119.82
S McGeever (Wages Feb 26)	£416.93
SW Hygiene (Public Convenience – DD)	£ 42.63
Authority to pay accounts rendered:	
S McGeever (Expenses March)	£ 26.00
DALC (membership)	£545.71
Councillor Taylor (public convenience lock)	£ 6.99

The Parish Council approved the above payments.

The cumulative bank reconciliation for March was presented at the meeting for signature by the Chair and showed a year end balance of £32940.34 which was in line with building up the precept reserve and earmarked reserves.

The year-end monitoring budget and accounts had been circulated to parish councillors and these along with the information on reserves would be approved at the May meeting. Budget information was published alongside the minutes of meetings.

c) Unity Trust Bank

The Clerk was awaiting parish councillor's details to add them as signatories to the bank accounts.

d) Clerk's email inbox

The Parish Council noted the Clerk's preferred option of upgrading the mailbox to 30GB storage - £42 ex vat per year. This option gave a Cloud Office package that also gives you 10GB of document storage, online document editing and password managers.

e) Rates – Public Convenience/Servery

Councillor Taylor advised that a 100% rebate had been granted given the building had the lowest rateable value.

**2026/27/041/9 Reports from Councillors not considered under Item 6**

a) Communications & Engagement (publicity)

Councillor Cottrell advised, that following a request from a resident, the Clerk had provided information on setting up a community youth council. A youth council was a democratic organisation created, run and developed by young people for young people. The Parish Council could support and provide funding for specific purposes.

Those interested had been invited to attend the Annual Parish Meeting.

b) Climate Change and environmental issues

Councillor Burt advised there was nothing to report.

c) Biodiversity and Wildlife Enhancement

The Clerk advised that Biodiversity and Wildlife Enhancement should be a topic under discussion by the Parish Council with a view to increase both within the parish. Whilst the Parish Council did not own land, it could look to support increase biodiversity by supplying bat boxes and providing information on such things as pollinators.

The Parish Council RESOLVED to consider ways in which it could support biodiversity.

d) Councillors Taylor advised that he would be meeting with Councillor Williams and the current licensee of the servery to discuss the renewal of the contract and report to the next meeting.

The electricity contract would be brought back under the Parish Council when the new lease was signed.

A new toilet lock would be been fitted tomorrow.

e) Affordable Housing – Community Lands Trust  
The CLT had withdrawn its request for funding. With the approval of the Mountain Oak development, it was in a position to apply for grants.

f) Highways  
Snow Warden  
Councillor Fasey offered to take on the role.

Road Warden scheme  
Councillors Taylor and Williams carried out the Road Warden work with Councillor Williams as the lead.

Joint Traffic Meeting  
The next meeting would take place on 2 June 2026.  
Councillor Burt advised that he would be away for that meeting.

Roads, Pavements & Footpaths/Road Safety

- traffic speed survey: follow up action – can the speed limit be lowered/would VAS units assist?
- '20 is plenty' signage/national '20 is plenty' membership/speed limits
- overgrown hedge Turnpike
- Chains road
- Turnpike audit – signage
- Dumping of waste
- Barriers at Blackdown View and warning signage
- The lamp post opposite Richmond Close has been hit/ bent over.

The Clerk advised that she was still awaiting information from DCC Highways as to how Parish Councils could fund 20mph limits.

The dumped waste at the entrance to Blackdown View had been reported, and the Clerk would follow this up as the amount was increasing. Tree plants had also been planted. The area was designated as being highways maintained at public expense.

Discussions were ongoing regarding changing the barriers at Blackdown View and warning signage.

Lamppost in the park  
Councillor Taylor advised that the lamppost had been moved by the National Grid but the light was still not working.  
**Action:** Clerk to follow up

Dog fouling  
MDDC had never able to identify who this person was despite setting up early morning patrols and had affixed several notices in the area.

MDDC would look to getting some more signage put up as this seemed to stop the issue. Information would be published in the next Parish magazine.

Train Station

See Councillor Clist's report.

Trees on The Brendons

This is land that MDDC has maintained historically but does not own and it is not Highways or other DCC land. The Tree Officer has advised minor crown lifting and this work had been instructed.

Drains on Turnpike

NHO has requested that they be cleared.

Trip Hazard

Location: Lower Town, Sampford Peverell

Councillor Taylor advised that no repair had been undertaken.

**Action:** Clerk to follow up

g) Footpaths

**Stile at Boobery**

The stile on Boobery into Castle field had been reported to DCC and would be actioned when the Footpath was re-routed.

h) Defibrillator maintenance

Councillor Cottrell had forwarded information on a new defibrillator cabinet at £475.99 and advised the keypad was always illuminated. As yet, a second quotation had not been identified. Councillor Taylor advised that due to the garden green site, funding toward the purchase would be provided by the group.

#### **2026/27/041/10 Brief reports from Parish Council representatives on any recent activities**

a) Village Hall and Recreation Ground Charity Committee

See discussions under Item 6

b) Grand Western Canal Joint Advisory Committee

Councillor Taylor advised there was nothing to report.

c) Sampford Peverell and District Twinning Association

The Clerk advised there was nothing to report.

#### **2026/27/041/11 Matters for the next meeting**

Councillor Mackenzie asked about the ongoing graffiti problem on the Whitnage Road road bridge and the possibility of purchasing special paint.

Councillor Burt asked if the Parish Council should purchase the Parish Magazine for the Clerk.

#### **2026/27/041/12 – Next meetings of the Parish Council**

The dates for the next meetings were:

9 May 26

Annual Parish Meeting (6pm) and Showcase (4.30pm)

11 May 26

Annual Meeting of the Parish Council.

Information on the Annual Parish Meeting had been placed in the Parish Magazine and it was agreed that each parish councillor would take on a topic for the showcase. The Clerk would be contacting all local groups having received a copy of the Parish Magazine to see if they could attend and/or submit a report to the meeting.

Dates for future meetings would be agreed at the May meeting but would be:

15 June*	20 July	17 August*	21 September	19 October*
16 November	21 December*	18 January	15 February*	15 March
19 April*	17 May			

\* Denotes if required.

The Chair closed the meeting at 8.55pm

Signed \_\_\_\_\_  
Chair

Date: \_\_\_\_\_