

KENTON PARISH COUNCIL

Minutes of a Meeting of the Parish Council held in Kenton Victory Hall on Wednesday 8 November 2023 at 7.30pm

Present

Councillor D Blount (Chair), H Bright, J Hare, K Savill and D Smith

Also present

Suzanna Hughes (Clerk), District Cllr Taylor, Peter White (Village Tidyman), Lord Devon (Powderham Estate) and 12 members of the public

The meeting was opened by Cllr Blount at 7.30pm.

231108.01 Apologies for Absence

- Cllr Bright
- County Cllr Connett

231108.02 Open Forum

Before opening up the floor to members of the public, the Chairman wished to make three points regarding the flooding:

- The fire service had commented that had it been high tide, the flooding in Kenton would have been ten times worse.
- Council employees who were clearing the debris etc from the brook informed the Chairman that they went beyond Slittercombe Bridge and cleared the foliage down to the small cattle bridge across the stream; this was completely blocked up and no water could escape.
- 32 tonnes of silt were cleared from the brook; Council employees commented that whilst having cleared the culvert underneath the Slittercombe bridge, it would have no impact unless the section beyond the bridge towards the River Kenn is also cleared

The Chairman invited Lord Devon to speak:

Lord Devon wished to speak about the flooding from the Estate's perspective. He emphasised that they wish to be part of the solution in order to protect Kenton from future flooding. He noticed that the valley above the village - Helwell Valley - created considerable amount of water over a small amount of ground. The issue is where that water is coming from. He advised that he drove through the middle of the village during the flooding and had observed three feet of water in the Triangle. There are a number of issues to address that. How do you stop the water flowing down Helwell valley and into the village? It is largely grass - almost no run-off. Current land management is appropriate for the ground but with 90cm of rain in 2 hours, there's very little you can do. Some sort of water retention mechanism is being thought about. The culvert underneath the A379 is very shallow and was never going to cope with the amount of water that fell. The water therefore came out of there and into the school, the Rodean and other adjacent properties. The outflow into the River Kenn does need to be maintained but that in itself will not prevent the water from backing-up at the A379 culvert or the culvert under the school. Those culverts need to be cleared and it is that flow which, in his view, is responsible for coming into the houses in the centre of the village. Applications have been submitted to dredge the lower Kenn - these were not successful; applications for support will be submitted again next year. To the point about the tidal, the park is full of water at high tide

but this wouldn't have stopped the flooding. The water would have got into the park if it could flow through the village. It is the upstream flow which is the real issue. The solution is up the valley and through the village to clear the Slittercombe from Ford Farm right down through. There is a concern that the school may never open again which would be an abomination for the village. The community needs to think very hard about how it can retain the school and the solution is to move it to the playing fields which has been planned for the last 50 years but has never been achieved. The Estate is fully supportive of this and has been working with the Trust for the last five years. On the subject of housing, the village needs more housing and families; it needs a community which can feed the school. He regrets not identifying specific sites in the Neighbourhood Plan; the community needs to decide on suitable sites otherwise the village will continue to calcify and it won't attract young families.

The Chairman stated that a resident had suggested that the fields above Ford Farm had been ploughed and the water just cascaded off the land and into the streams. Lord Devon confirmed that Powderham has a non-inversion tillage policy across the Estate. Because of the land, it applies organic matter; they build the soil structure really consciously and have worked very closely with the EA for about a decade. TDC's garden waste is put on the soil on the Estate as it has to be very cautious with the light sandstone soil. All the valley above the village is grass and the steeper banks have also been grassed out; This is an EJ5 Allocation which the Estate has chosen to adopt in order to decrease the risk of flooding.

The Chairman questioned whether landowners are aware of their responsibility for keeping stream through their land free-flowing. It was understood that the EA wrote to landowners around 8 years ago. Powderham Estate were keen to establish the Helwell as a biodiversity space but EA has asked them not to at this stage so they maintain the clear running of that.

A resident accepted that there was a significant amount of water flowing into the village from the Helwell Valley but it was unable to escape and he questioned why the silt under Slittercombe Bridge has not been cleaned. Lord Devon confirmed that it is cleared on a regular three-year cycle. There is clearance schedule of the marshes from the Sawmills to the Estuary which is on a rotation. He advised that the deer park has been flooded due to the high tide and rainfall; any amount of clearing of the Slittercombe would not have made any difference to the flooding in the village because that it is the high tide low point. The flooding in the Triangle is caused by the lack of capacity through the village.

The Chairman advised that the redundant cattle bridge was clogged with foliage which was blocking the flow of the water from there to the River Kenn.

A resident asked whether a set-aside scheme could be considered to retain water on land above the village. Lord Devon advised that there are set-aside schemes on all the steep fields above the village. One suggestion which has been made is whether there could be a more substantial engineering intervention which the EA could look at whereby you put some kind of burns in that valley so that in the flash-flood moments the water is held and then released at a more consistent rate rather than hitting in the village in one go.

Lord Devon hopes that the community can embrace the advice of the various agencies and then talk about the practical solutions for future management. He very wants to be involved in finding those solutions.

A resident concurred with Lord Devon that it is the water coming into the village that is the problem. He pointed out that the Slittercombe has flooded three times in 15 years but only one property near the Slittercombe was flooded. All of the other 34 properties were around the Triangle or on Mamhead Road. A willow dam can be purchased very cheaply and installed very easily to slow down the flow.

Lord Devon left the meeting.

Residents spoke about the continuous erosion of a section of the path which runs adjacent to their garden. They expressed concern that their garden will fall away if no action is taken. Cllr Savill explained that the cost of repair exceeds the funds which the Parish Council has available and therefore unless grants can be obtained (and this seems unlikely), a loan will be required. This will require the support of the whole parish. The type of repair also needs to be agreed. A site meeting has been set up with Anne Marie Morris MP to discuss the situation with a view to accessing government grants. The Parish Council also has to wait until the report being produced by other agencies has been drafted so that it acts on the advice of those agencies in terms of a long-term solution.

231108.03 Declarations of Interest

There were no declarations of interest or requests for dispensation.

231108.04 Ratification of Minutes

Members received the minutes of the Parish Council meeting held on 11 October 2023. It was agreed unanimously that those minutes are signed by the Chairman as a true and correct record of the meeting.

231108.05 Reports

5.1 Police Report and Community Speedwatch

No report

5.2 County Councillor's Report

Cllr Connett was unable to attend the meeting but sent the following report:

Flood response

I continue to liaise with Kenton Parish Council, mostly via the Chair, on matters arising from the flood and with my Teignbridge colleague, Cllr Taylor.

As has been reported, but particularly worthy of record, has been the removal of some 32 tonnes of silt etc from the brook and underneath Slittercombe Bridge and additionally, removal of bricks and broken parts of garden pots etc by contractors for the local authorities.

My thanks to Devon County Council and Teignbridge District Council for their support and prompt actions.

As is widely recognised, the de-silting that has taken place is only part of the solution and works beyond Slittercombe bridge are also needed. That section is under the control of the Powderham estate.

I met with Lord Devon in the past couple of weeks and I have no reason to believe the Estate is unaware of the issues and the importance. It may be that the Parish Council will want to formally request information from the Estate regarding its plans, with timescales, to clear and desilt the Kenn, as it run through its land.

The 'flood meeting' at the Victory Hall and attended by Devon County Council, Teignbridge District Council and the Environment Agency was well attended by residents and will lead to a report from the county council. I understand the County Council has also commissioned consultants WSP to assist in the work being undertaken. I have ensured that various reports and observations sent to me by individual residents have been forwarded to the flood and coastal team at County Hall, so they can be considered and taken into account.

Car parked on Orchard Way

I have raised the issue of a BMW (NV51ZSD) parked and left on Orchard Way for some long time, with Teignbridge Council which deals with abandoned cars. The vehicle was out of MoT on 14 December 2022 and the road tax expired on 01 November this year. Teignbridge advise that they have no enforcement powers against cars which do not have an MoT and are not able to deal with cars that are taxed under the abandoned vehicle legislation.

However, should the vehicle remain in situ for at least 14 days after the road tax expired, Teignbridge say they may be able to begin an investigation.

Hedges overgrowing a pavement

Devon County Council has written to a resident regarding their hedge significantly overgrowing the adjacent footpath. While some remedial action has been taken, there is still a significant width of pavement obstructed by the hedge. I have asked Highways to revisit and assess what, if any, further action can be taken.

Planning:

I was delighted that Teignbridge councillors rejected a late proposal to include a site at Mamhead Road in the late stage of the Local Plan for the district. My thanks to Cllr Taylor and his colleagues for the support in voting against the proposal. However, we should all be alive to the risk that upon Public Examination by the Government appointed Planning Inspector, the site could be put back into the Plan for development. It is, in my view, possible that the development industry, for example, could re-argue the case for more small sites in the district.

In my representations to the Council Leader, I noted that if a small site is needed, that part of the once-proposed site at South Town would be better in that it is closer to village facilities such as the country store and Post Office and also transport infrastructure such as the train station in Starcross.

As the Parish Council will know, the planning application for land at the read of Willsland was refused by Teignbridge Council. My thanks to all those who submitted objections including the Parish Council. In my view, the Officer's report for the refusal utilised many of the arguments put forward not only locally but also picking up on Inspector's reasons for refusal on past Appeals.

Kenton Primary School

The primary School is now using a building in in Dawlish as a temporary school. There is concern locally that the damage to the school building in Kenton was so significant that the school may not re-open. OFSTED has noted in past reports that the space available for physical education, for example, was very limited while praising the staff for their innovation in improving the PE offer to children despite the limitations. I have contacted the school head to understand more about future plans.

Steps from Brook Path to Penhayes

Following this being raised at an earlier Parish Council meeting, I have reported the missing top slabs to Devon County Council highways for repair.

A379 repairs

I have raised with Devon County Council highways the various chunks of missing surface on the A379 between Kenton and Exminster. While they probably don't register as 'potholes' they are a danger as either drivers risk wheel damage driving over them or an accident if avoiding them.

Finally...

My thanks to the Parish Council for its help and support throughout the year.

This is the last parish council meeting before 2024, and I take the opportunity to wish you

a Happy Christmas and peaceful New Year. As always, although I am not able to be with you for the meeting, if there are County and highways related matters of concern, please let me know.

5.3 District Councillor's Report

Cllr Taylor also commented on the Local Plan Addendum and the withdrawal of the Mamhead Road site from the Addendum. The site in South Town was not considered as this was not on the agenda to discuss at that meeting.

In addition to Cllr Connett's report on the flooding, it was to be noted that there had been additional flooding in Lyson, Oak Farm and Ash Farm and concern locally about blocked gullies. These have been reported to DCC.

He has also received reports from local residents about flood damaged housing. He has contacted TDC's private sector housing manager and she will follow up on those reports.

Kenton Village Allotments Co-operative has applied to him for the remainder of his locality budget (£162.40) which they will put towards a new lawnmower.

He advised that he took part in village walkabout with Parish Councillors and he thanked residents for allowing access to their gardens.

He has received an email from the school asking for help to access PE space in Dawlish Leisure Centre whilst they are temporarily sited in Dawlish. Broadmeadow Sports Centre has capacity and arrangements are currently being made.

5.4 Village Tidyman's Report

Peter White sent the following update:

- The sandbag store is empty
- He hasn't had chance to paint the war memorial railings yet due to the weather but the area has been tidied up ready for Remembrance Sunday.

5.5 Action Report – update on outstanding matters

5.5.1 Wall adjacent to the almshouses

No update. Cllr Taylor advised that he also had nothing to report.

5.5.2 Mobile phone signal

Cllr Savill has written to the church requesting a meeting to discuss a mobile phone mast on the church.

It was agreed that the suggestion for a further sandbag store in the centre of the village (if the store in the car park was inaccessible due to flooding) would not be pursued for the time being. Sandbags are meant to be laid before it starts raining and therefore accessing them after it has rained is pointless. Guidance on laying the sandbags properly would be useful, however.

230811.06 Flooding

The flooding had been discussed extensively during the open forum and the Council is pursuing all possible avenues in terms of agency support and grant funding.

A site meeting with Anne Marie Morris MP has been arranged and will take place on Thursday 19 November at 11am.

Members noted DCC's initial survey of Brook Path and the suggestions on how it might be repaired including a very rough estimate of costs (in excess of £100K). Due to the cost of repair, a PWLB loan will be required and this will require the majority support of residents due to the

long-term financial burden on residents.

There was a brief discussion about whether or not to incur costs to permanently reinstate the path or whether it should just be made safe and left to grow over. The Chairman considered that the path is part of Kenton's heritage: it provides a link between the Powderham Estate and the village, it's popular with ramblers, dog walkers and villagers and it provides a safe route avoiding the A379.

Immediate actions:

- Cllr Smith to contact DCC for an update and for further advice
- Meet with Anne Marie Morris MP and discuss how she/government can help
- Wait for the EA report
- A suggestion was made that there should also be a dialogue with DCC Footpaths. The clerk will follow up on this.
- The Parish Council is taking steps to review the Emergency Action Plan.

Robert Page (Flood Warden) advised that he has checked the state of The Willows dam not only in view of the recent floods and predicted weather but also to ascertain what improvements had been made following Devon County Council (DCC) Flood Management Risk Team's intervention after the October 2021 flood. It would appear that virtually nothing has been done by the owner despite written assurances and plans being agreed by DCC. The threat of the retained waters breaching the banks of the dam and flooding our properties remains as it was prior to the October 2021 floods. It is understood that the owner had agreed to remove the ordinary sandbags and replace them with concrete sandbags properly laid to reinforce the banks of the dam and brook. He was also going to install a new sluiceway (replacing the current rusted-up one) in the centre of the dam to control the height of the water behind the dam. Work was meant to start not before June 2022 because of high water levels and fishery constraints. The modifications would be subject to a Land Drainage Consent (LDC). Nothing appears to have happened on the ground and the structure remains as before. After brief discussion, the Parish Council agreed for Robert Page (Flood Warden) to visit the owner and discuss the matter with them.

231108.07 Finance and Governance

7.1 Payments

Members received the invoices for payment and it was agreed unanimously that the payments as listed are approved (attached).

7.2 Members received and briefly discussed initial budget proposals for 2024/25. These will be discussed in more depth in January's meeting for agreement by 31 January 2024.

231011.08 Planning

8.1 New planning applications/appeals

8.1.1 23/01901/LBC – 12 Oxtan House, Kenton
Retention of fence

Members had no objections to this application.

8.1.2 23/01798/HOU - 18 Sunnybank, Kenton
Siting of a shed on parking bay

Members agreed to object to this application on the grounds that the parking bay belongs to Teign Housing and is for communal use. The bay is not specifically allocated to 18 Sunnybank.

8.2 Decisions

8.2.1 23/01103/HOU – 1 High Street, Kenton
Reconstruction of existing garage attached to 8 Torrington Place

Members notes that TDC has granted conditional consent.

8.2.2 Land at Ngr295695 83193, Willsland Close, Kenton
Outline – three dwellings (approval sought for access and layout)

Members noted that TDC has refused permission.

231108.09 Car Park and Triangle

9.1 It was noted that the tree work has been completed.

It was agreed that the small section of wall which has not been pointed was in good condition and that it does not require further work. However, it was noted that the bank adjacent to the culvert needs some attention. It was agreed that Cllr Blount and Savill would have a look.

9.2 Lease for EV charger

Members authorised the clerk to sign the lease.

231108.10 Playing Field & Hard Court

The equipment has been ordered and it will be an 8-12 week lead time before it arrives.

231108.11 Climate Change Mitigation

No report.

231108.12 Highways and Footpaths

All highways defects should be reported on:

<https://www.devon.gov.uk/roads-and-transport/report-a-problem>

The Chairman reminded members that Chris Britton had offered to spray the verges with weedkiller. Following concerns raised last month about the product to be used and the impact on the environment, he has advised that he would use glyphosate (Round Up) which is readily used on ripening corn to enable even maturity. Avoidance is therefore difficult. In his view, spraying on tarmac verges is not a huge environmental issue. Members therefore agreed to accept Chris Britton's offer to spray the weeds despite the relatively small environmental impact.

231108.13 Members' items for information or general discussion, for inclusion on future agendas and/or items requiring urgent attention

[Members were reminded that they have not received the statutory notice of this business to be transacted and should therefore recognise that any decision made may be taken to be unlawful if challenged in the future]

None

231108.14 Correspondence

None

231108.15 Date of Next Meeting

The next meeting of the Parish Council will be held on Wednesday 10 January 2024 at 7.30pm.

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Chairman

8 November 2023**Item 8:****Expenditure**

Payment type	Payee	Details	Amount
Standing Order	Salaries	October	£781.32
Online	C Bradford	Tree work	£1190
Online	RBL	Poppy wreath	£20
Online	TDC	Election costs	£278.70
Online	Kenton Victory Hall	Hall hire	£240
Online	P White	Fuel	£6.98
Online	Mr R White (Exeter Stone)	Car park wall repointing (final instalment)	£4623.18
DD	ICO	Data protection licence	£35

Income (7 October – 3 November 2023)

Date received	Received from	Details	Amount
October	Various	Cemetery	£975
October	J Frewing	Flood fundraising (will be distributed at the end of the year)	£1850

Bank Balance at 3 November 2023

Current account	£49,804.81
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