

BIDEFORD TOWN COUNCIL



Janine Gardner
Town Clerk and Responsible Financial Officer

**The Green House
Bideford
Devon
EX39 2HS**

Telephone:
(01237) 428938

Friday, 22 May 2026

To: Members of Bideford Town Council's Amenities Committee

You are hereby summoned to attend the following meeting:

Name of Committee: Amenities Committee

Meeting Date: Thursday, 28 May 2026

Meeting Time: 6:30pm

Venue: Greenhouse, Riverbank House, Bideford EX39 2QG

for the purpose of transacting the following business.

In accordance with The Public Bodies (Admissions to Meetings) Act 1960 members of the public are welcome to attend. There is a legal right to film/record/photograph/report public meetings.

A handwritten signature in blue ink, appearing to be 'J Gardner'.

J Gardner
Clerk to the Council

A G E N D A

1. Election of Chair

To elect a Committee Chair for the 2026-27 civic year.

2. Election of Deputy Chair

To elect a Committee Deputy Chair for the 2026-27 civic year.

3. Apologies for Absence

To receive apologies and reasons for absence.

4. Declarations of Interest and Dispensations

To receive declarations of interest on items on the agenda and note any requests for dispensation received by the Clerk prior to the meeting.

5. Public Participation

Public participation session of 15 minutes duration on items on the agenda.

6. Minutes of the Previous Meetings

To approve the minutes of the following meetings:

- a) Allotments Committee on 29 September 2025
- b) Decarbonisation and Environment Committee on 9 March 2026
- c) Market Management Committee on 23 April 2026

7. Terms of Reference

To approve the Committee's terms of reference and to recommend them to the full Council for approval.

Pannier Market

8. Pannier Market Strategic Development

To consider the attached report.

9. Tenant Representation

To receive an update.

Allotments

10. Quarterly Site Inspections

To consider and resolve upon the nomination of councillors and dates to provide for four annual site visits leading to the reintroduction of the inter-site challenge.

11. Request to Keep Chickens in Light of Avian Flu Restrictions having been Lifted

To consider and resolve upon a request from a Tricks tenant to house 2-3 chickens.

12. Site Updates

- a) Marland
- b) Handy Cross
- c) Pollyfield
- d) Tricks

Decarbonisation and Environment

13. Pannier Market Rainwater Collection System

To consider the attached report.

14. Ford Woods – Tree Preservation Order and Woodland Management Plan

To consider the attached report.

Part II (Closed Session)

15. Exclusion of the Press and Public

To resolve to exclude members of the public and the press to progress a matter of a confidential nature under the Public Bodies (Admissions to Meetings Act) 1960 and Local Government Act 1972, ss 100 and 102.

16. Landlord / Tenant Matters – *if received*

MEMBERS OF THE AMENITIES COMMITTEE

Councillors: Clarke, Craigie, Gordon, Hawkins, Hind, Lawrence, Smith and Taylor.

Pannier Market Tenant Representative: Mrs K Austin

Allotment Representatives:

Voting: Mr A Michell, Pollyfield; Mr S Long, Tricks

Non-voting: Mrs N Wheeler, Handy Cross; Ms R Grant, Marland

Date of Next Meeting: 23 July 2026

Declaration of Interests at meetings

- Where a matter relates to an interest in list A, the member shall not participate in a discussion or vote on the matter. He /she only need declare it if it is not already noted on the register of interests.
- Where the matter is in list A, but is a sensitive interest, the member shall not participate in a discussion or vote; the member shall disclose that there is an interest but not the nature of it.
- Where a matter relates to an interest on list B the member shall not vote and may only speak as a member of the public.
- A member only has to declare an interest in list B if it is not already on the register of interests.
- If the interest is in list B and is sensitive in nature and not already registered then the member shall disclose the interest but not the nature of it.
- Where a matter relates to the financial interest of a friend, relative or close associate (other than in list A) the member shall disclose the interest and not vote. He or she may speak but only as a member of the public.

List A:

1 **Employment, office, trade or vocation** – carried on for profit by member or spouse or civil partner.

2 **Sponsorship** – any payments for the previous 12 months, other than by the Council, to assist in Council duties

3 **Contracts** – any current contracts between the Council and the member or his/ her spouse or civil partner or a company the member is a director or partner of.

4. **Land** – any beneficial interest in land within the area of the Council by member, spouse or civil partner.

5 **Licenses** - any license, alone or with others, by spouse, civil partner or member to occupy land in area of Council.

6 **Corporate Tenancies** - any tenancy where the Council is the landlord and the member, spouse or civil partner has a beneficial interest in the tenant.

7. **Securities** – a beneficial interest is held in a body that has land or business in the area of the Council by the member, spouse or civil partner that either exceeds £25,000 or the total share capital is in excess of one hundredth of the of the total shares issued.

List B:

Any interests which relate to or is likely to affect:

1. Any body where the member has general control or management and was appointed by the Council.
2. Any body that the member is in a position of control or management and either:
 - (a) exercises functions of a public nature;
 - (b) is for charitable purposes; or
 - (c) has the purpose of influencing public opinion or policy (including political parties and trade unions)
3. Any gifts or hospitality that the member has received by virtue of his or her office in excess of £50.



BIDEFORD TOWN COUNCIL

Minutes of the Allotments Committee Meeting

held in the Council Chamber, Town Hall, Bideford on

Monday 29 September 2025 at 6.30 pm

PRESENT:

East Ward	Councillor Mrs J Gubb Councillor J McKenzie
South Ward	Councillor S Inch
West Ward	Councillor T Inch
Pollyfield	Mr A Mitchell

IN ATTENDANCE:

Mr R Coombes (Deputy Town Clerk)
Mr M Lamey (Marland, Chairman)
Mrs N Wheeler (Handy Cross, Chairman)

1. ELECTION OF CHAIRMAN

Councillor S Inch was proposed by Councillor T Inch and seconded by Councillor Mrs J Gubb and

RESOLVED: That Councillor S Inch is appointed Chairman of the Committee for the coming year.

(Vote: For: 4, Against: 0, Abstention: 1)

2. ELECTION OF DEPUTY CHAIRMAN

Councillor Mrs J Gubb was proposed by Mr A Mitchell and seconded by Councillor T Inch and

RESOLVED: That Councillor Mrs J Gubb is appointed Deputy Chairman of the Committee for the coming year.

(Vote: For: 5, Against: 0)

3. APOLOGIES FOR ABSENCE

Members noted the apologies received and reasons for absence from:

Councillor K Hind

No apologies and reasons for absence were received from:

Councillor J Craigie

4. **DECLARATIONS OF INTEREST ON ITEMS ON THE AGENDA**

There were no declarations of interest.

5. **PUBLIC PARTICIPATION PERIOD**

There were no members of the public present.

6. **MINUTES**

The Minutes of the Meeting held on 26 September 2024 were approved and signed as a correct record.

(Vote: For: 5, Against: 0)

7. **QUARTERLY INSPECTIONS**

Members reflected on **Minute 7**. (Quarterly Inspections) from the Meeting of 26 September 2024.

It was proposed by Councillor McKenzie, seconded by Councillor T Inch and

RESOLVED: That Quarterly Inspections be introduced spearheaded by either the Chairman of Deputy Chairman of the Committee; all Members are welcome to attend with the Deputy / Town Clerk in attendance.

(Vote: For: 5, Against: 0)

8. **EXTENDING CATCHMENT AREA TO NON-BIDEFORD RESIDENTS**

Councillor McKenzie led discussion on the development of new homes within the Council boundary, questioning, with the influx of more residents, whether there was a need. Given the full occupancy of Pollyfield and Marland Sites, only two vacant Plots at Tricks (out of sixty) and similar numbers at Handy Cross Councillor T Inch expressed agreement.

Councillor McKenzie indicated that the status quo should remain but encouraged website / social media promotion.

It was proposed by Councillor McKenzie, seconded by Councillor T Inch and

RESOLVED: That the catchment area for plot applicants should not be extended beyond the Bideford Electoral role area.

(Vote: For: 5, Against: 0)

9. **MARLAND SITE**

Mr Lamey reflected upon what proved to be the very successful “Marland Allotment

Open Day,” held on Saturday, 16 August 2025 attended by the Chairman, Councillor S Inch,.

The Site has full occupancy, including the “raised beds.”

Future scheduled Events include Bonfire Night and a Christmas Party.

A successful “internal site challenge,” saw two thirds of tenants involved; the winner will not be eligible “to compete,” next year.

Whilst there have been positive results in badger and rat engagement a fox now is venturing onto the Site (!).

The Chairman thanked Mr Lamey for his contribution.

10. **HANDY CROSS SITE**

The Chairman invited Mrs Wheeler, the Chairman of the Handy Cross Allotment Association, to update the Committee.

Mrs Wheeler, led by advising Members of the Site break in at the commencement of the year with thirty one sheds targeted and losses in excess of £3,000.

The year proved to be “lovely” for growing, with an abundance of fruit, although corn was not so great.

There have been seven new tenants with nine leaving. Those leaving included more senior members and those having multiple plots. There are sixty plots, in total.

There had been a “voluntary” rate rise, with an eighty per cent take up.

Water butts have been purchased and a “lean-to,” will be constructed in due course. The car park has been improved upon, is more tidy and accessible.

Mrs Wheeler alerted the Council, on Friday, 26 September, to National Grid works that had dug into the boundary leaving the Site insecure.

The Chairman had visited the Site, earlier today, Monday 25 September, with the Ranger Supervisor and Mrs Wheeler. He added that the digging was in excess of 400 metres stretching the full length of the boundary and beyond.

The Clerk had been in contact with the National Grid (and the Council’s Landlord, the Bridge Trust). An on site meeting has been arranged with the Contractor and the Ranger Supervisor for 8.30 am tomorrow, Tuesday 30 September 2025.

Note. Following the Meeting held on 30 September, the Contractor agreed, as an interim measure, to secure the site with Heras fencing. The National Grid Engineer, responsible for the works, will engage the Council week commencing 6 October 2025.

Members discussed a longer term solution including steeping / hedge laying and coppicing as a means for thickening up the hedge boundary from the base; willow and black thorn / hawthorn could be considered.

Mr Mitchell speculated on engaging the Environmental Department.

The Chairman felt fencing, on the inside of the boundary, would enhance protection.

Tenants had been advised on security of items; the large on site container is available to them.

The Chairman thanked Mrs Wheeler for her contribution.

11. **POLLYFIELD SITE**

Mr Mitchell agreed that it had been a good growing season.

A tenant had been evicted. Another tenant, whose agreement commenced in 1983, had relinquished his plot.

Tenants had responded to letters from the Council to improve upon their plots, in the light of allotment garden demand, but he felt that so often a period of activity would again lead to neglect. He believed that there were six or seven plots that are poorly attended. Tenants need to commit to their agreement and cultivate.

On the whole, though the Site was operating to a satisfactory level.

12. **TRICKS SITE**

- a. Update. In the absence of the Site Representative Councillor Mrs Gubb and the Clerk indicated that although four notices had been served the Site had genuinely picked up and was genuinely operating well with some impressive gardening.
- b. Correspondence. Members previously had sight of and considered correspondence from a resident whose property is sited on the other side of Backborough Lane, opposite the Tricks Site Boundary.

The Correspondent had written to all three tiers of local government citing the poor condition of the unadopted lane (TDC records show, "... a rural track," rather than a formally recognised street," believing it to be a health hazard for "many children and young mothers with push-chairs" traversing where dogs too have found the thoroughfare convenient.

The Clerk advised that over the years there has been much correspondence exchanged, with the Council having accommodated the resident's wishes, within reason, having had trees and the hedgerow cut back, and allowed for them to make arrangements for overhanging trees to be cut,also.

In terms of the detritus and rubbish, TDC had engaged their waste and recycling team to clear litter, on occasion.

Members expressed agreement that the Bideford Town Council are not the Highway Authority; they will, though continue to maintain their boundaries.

- c. Tricks Boundary Wall / Clovelly Road Residents. The Clerk had directed the Site Representative (who was somewhat alarmed) and subsequently the Ranger

Supervisor to the (leaning) Boundary Wall adjacent to the Clovelly Road Residents. The section behind Clovelly Road numbers 110, 109 and 108 is particularly precarious.

The Supervisor advised that the section would need to be taken down to base level, prepared and then rebuilt. He spoke of resource: a considerable amount of sand, cement and manpower – a job of three weeks for two Rangers. It will cost “thousands.”

Members discussed the question of responsibility: it has always been understood that the householders on Clovelly Road have an obligation to maintain their boundary wall (the Council deeds provide no reference) – work has been affected in the past - and the potential hazard to Allotment tenants.

The Chairman, having also viewed the wall, directed engagement with the householders, in the first instance, noting that private landowners are responsible for ensuring their property does not pose a danger to the public, including allotment tenants.

13. **INTER-SITE CHALLENGE REVIEW**

Mr Mitchell noted the ethos behind the inter-site challenge was to promote the standards for the allotment tenants and the Site as a whole. He believed that individuals were simply active in their daily / weekly endeavours and worked / benefited from their plots when they could; full time workers snatching time over the weekends.

No tenant had expressed interest in the Challenge this year.

Handy Cross, similarly.

It was proposed by Councillor McKenzie, seconded by Mr Mitchell and

RESOLVED: That there would not be an Inter-Site challenge until further notice.

(Vote: For: 5, Against: 0)

The Clerk noted during the Quarterly Inspections, conducted by the Chairman / Deputy Chairman, plots could be identified and merited for their condition.

14. **BOUNDARY SURVEY WORKS**

The Clerk advised that the immediate work, identified from the previous year’s survey had been completed.

The secondary, less immediate work should now be engaged.

Proposed by Councillor McKenzie, seconded by Councillor Mrs Gubb and

RESOLVED: that the Chairman and Clerk arrange quotations and engage a suitably qualified tree / boundary arboriculturist / surgeon to complete the works.

(Vote – For: 5, Against: 0)

15. **CLEANING AND MAINTENANCE BUDGET FOR 2026/27**

The Clerk explained the costs incurred this year, the benefit of having a budget that would provide for the general activities and with an agreed contingency element (that need not necessarily be drawn upon).

Proposed by Councillor S Inch, seconded by Mr Mitchell and

RECOMMENDED: A budget of £10,000.00 for 2026/2027: the shortfall of £7,426.22 requested from Central Funds combined with an expected income (less expenses to date) of £4823.00.

(Vote – For: 4, Against: 1)

16. **LEVEL OF RENT FROM 2026/27**

Members having made recommendation on the Draft budget, it was:

Proposed by Councillor S Inch, seconded by Councillor Mrs Gubb and

RESOLVED: That the Council raise the level of rents to £50.00 for a full plot and £25.00 for a half plot for the year 2026/2027. The deposit rate will remain at £50.00. The rate charged per plot for the Associations will remain at £2.00.

(Vote – For: 3, Against: 2)

The Chairman, having established that there was no further business to discuss, thanked the Members for their attendance and concluded the Meeting at 7.32 pm.

Signature of Town Mayor:..... Date:.....

Signature of Chairman:..... Date:.....

DRAFT CLEANING AND MAINTENANCE BUDGET FOR 2026/27

	Budget 2025/26	Expenses 2025/26	Income from Rents	Budget 2026/27
Pollyfield			£1,619.00	
Fence Repair	£225.00			£250.00
maintenance	£250.00	£465.26		£500.00
Perimeter trees	£2,000.00			£1,000.00
Legal Fee				
Deposit Return				
Tricks			£3,000.00	
skip	£350.00	£924.00		£500.00
Perimeter trees	£2,000.00			£2,000.00
Shrub tree Management	£125.00			£125.00
Fencing	£100.00			£125.00
Deposit return				
General	£150.00	£109.96		£150.00
Allot Certificate Frames	£80.00			
Best Allotment cup				
Marland Lease	£500.00	£500.00	£82.00	£500.00
Marland Perimeter trees	£1,000.00			£500.00
Handy Cross Lease	£250.00	£250.00	£122.00	£250.00
Handy Cross perimeter trees	£2,000.00			£100.00
Contingency	£3,667.25			£4,000.00
	£12,697.25	£2,249.22	£4,823.00	£10,000.00
Budget	£4,823.00			
Expected Income less expenses to date:		£2,573.78	Amount required:	£7,426.22



BIDEFORD TOWN COUNCIL

Minutes of the Decarbonisation and Environment Committee Meeting

held in the Council Chamber,

on Monday 9 March 2026 at 6.30 pm

PRESENT: East Ward: Councillor Mrs S Smith

North Ward: Councillor J Gordon

South & West Ward: Councillor Ms R Clarke
Councillor P Lawrence

Bideford Sustainability Group: Ms H Sheard

IN ATTENDANCE: Mr R Coombes (Deputy Town Clerk)

10. **APOLOGIES FOR ABSENCE**

Apologies were not received from Councillors J Craigie (East Ward) nor M Taylor (West Ward).

11. **DECLARATIONS OF INTEREST ON ITEMS ON THE AGENDA**

There were no Declarations of Interest.

12. **PUBLIC PARTICIPATION PERIOD**

There were no members of the public present.

13. **MINUTES**

The Minutes of the Meeting held on 28 October 2025 were approved and signed as a correct record.

(Vote – For: 4, Against: 0)

14. **BIDEFORD PANNIER MARKET – RAINWATER COLLECTION SYSTEM**

The Chairman indicated that scaffolding on the Pannier Market Hall would provide the opportunity to look into the possibility of a rain water collection system. The immediate benefit could see water provision for the Town's planters.

Members discussed aesthetics, potential for leaks, siting, sabotage and security.

It was proposed by Councillor Lawrence, seconded and

RECOMMEND: That the Town Clerk approach the Architect / Contractor to establish the potential for the introduction of a Rainwater Collection System on the Grade II Listed building and optimum location.

(Vote: For: 4, Against: 0)

15. **TREE PRESERVATION ORDER (TPO) APPLICATION FOR FORD WOODS**

The Chairman led discussion on the benefits of a blanket TPO in preserving and maintaining the Ancient, Historic, Natural Woodland. He indicated that anyone had the right to apply to the local council to place a TPO on a tree intimating preference for the Council to make application.

The Clerk questioned the need, reasoning that the Council had the responsibility for the Woodland, its maintenance and safety to all stakeholders. He suggested that only the Council would authorise any tree works based on tree surveys, professional advice and the engagement of qualified contractors. He wondered if a TPO would simply stymie the Council's ability to make safe judgement and take action where appropriate.

The Chairman indicated that where a tree protected by a TPO poses an immediate danger the threat can be dealt with without prior approval.

It was proposed by Councillor Gordon, seconded and

RECOMMEND: That the Council applies for a Tree Preservation Order to cover the whole of Ford Woods.

(Vote: For: 3, Against: 0, Abstention: 1)

16. **FRIENDS OF FORD WOODS – MANAGEMENT PLAN**

The Chairman had submitted a Project Initiation Form (PIF), which is attached and forms part of these Minutes.

Within the PIF the Chairman indicated that there would be costs involved to the Council in the region of £1,500 - £1,800 he suggested that grant funding could help reduce the figure. Further that an approved Woodland Management Plan is a "prerequisite for multiple government grants, potentially enabling significant external investment into Ford Woods."

He had liaised with a Ms Lee, Biosphere Community Animator, Bideford, who spoke of the potential to open up grant funding through the relationship with Friends of Ford Woods / Bideford Sustainability Group (BSG) (Ms Heard concurred).

Ms Heard intimated that the BSG were long established, had looked at grant funding for Ford Woods and had been in receipt of a modest sum. Funds could be drawn that would aid the removal of the invasive, non-native, laurel; similarly (rare species of) bats could attract funding streams.

Discussion followed on the drawing of “the Friend’s” expertise, presentation to the Council for adoption, working with the Landlords / Council, the Plan providing safeguards modes of operation / clarity, opportunities to think and plan for the future; the Council, though remaining the Landlord holding responsibility for Ford Woods.

RECOMMEND: That Bideford Town Council formally engages Friends of Ford Woods to work in partnership with the Council in the preparation of a UK Forestry Standard-compliant Woodland Management Plan (WMP) for Ford Woods, an area of Ancient Semi-Natural Woodland (ASNW) owned by the Town Council.

(Vote: For: 4 , Against: 0)

The Chairman thanked the Members for their attendance and support. He concluded the Meeting at 7.17 pm.

Signature of Town Mayor:..... Date:.....

Signature of Chairman:..... Date:.....

MINUTE NUMBER 16. FRIENDS OF FORD WOODS – MANAGEMENT PLAN

Notice of Motion / Project Initiation Form – Bideford Town Council

Project Initiator and Lead:	Jack Gordon	Date:	21/2/2026
Project Description	<p>To discuss and make recommendations on engaging the community group Friends of Ford Woods to support the development of a Woodland Management Plan for Ford Woods.</p> <p>This proposal recommends that Bideford Town Council formally engages <i>Friends of Ford Woods</i> to work in partnership with the Council in the preparation of a UK Forestry Standard-compliant Woodland Management Plan (WMP) for Ford Woods, an area of Ancient Semi-Natural Woodland (ASNW) owned by the Town Council.</p> <p>The Woodland Management Plan will provide a long-term (10-year) framework for managing the woodland in a way that protects biodiversity, improves climate resilience, supports permissive public access, and enables the Council to apply for external environmental grant funding. The plan would be prepared by a suitably qualified professional, with community input facilitated through the Friends group.</p>		
Benefits	<ul style="list-style-type: none"> • Protection of Ancient Woodland This would help support long-term management of an ASNW site, ensuring compliance with national guidance and best practice. • Supports Decarbonisation Objectives A Woodland Management Plan will help maximise carbon offsetting, woodland resilience, and climate adaptation, directly supporting the Council’s decarbonisation strategy. • Unlocks External Grant Funding An approved Woodland Management Plan is a prerequisite for multiple government grants, potentially enabling significant external investment into Ford Woods. • Community Engagement and Stewardship Formal engagement with Friends of Ford Woods strengthens local involvement, and allows a dedicated group to help with the management of Ford Woods. 		
Financial Implications	<ul style="list-style-type: none"> - Outsourcing a woodland management plan would cost in the region of £1,500-£2,000. While grant funding can help cover £1,500 of this, working with the Friends of Ford Woods group could help reduce the initial cost of the plan whilst still being eligible for the grant. - Once a management plan is in place this could allow further applications for grants, greatly increasing any budget to 		

	managed the woodlands.		
Officer resource required:	<ul style="list-style-type: none"> • Grant Applications: Officer time will be required to submit and manage external funding applications. • Liaison: Coordination between the Council, Friends of Ford Woods, and relevant statutory bodies. 		
Risks and issues	<p>Community Expectations: There is a risk that community expectations exceed the Council's legal or financial capacity. This will be mitigated through clear terms of engagement and Council-led decision-making.</p> <ul style="list-style-type: none"> • Reputational Risk: Misunderstanding around woodland management activities (e.g. thinning or coppicing) could lead to public concern. This will be mitigated through transparent communication and professional oversight. • Grant Dependency: External funding is not guaranteed. The Council retains discretion to proceed or pause depending on funding outcomes. 		
Action List	Yes / No	Name of person to complete action	Observations:
Planning Permission	No		Not required for plan preparation
Owners Consent	Yes	Town Clerk	Town Council own the landd
Consultation Required	Yes	Decarbonisation Committee	Engagement with Friends of Ford Woods and relevant officers

Please continue on separate sheet if necessary



BIDEFORD TOWN COUNCIL

MINUTES

Name of Committee: Market Management Committee

Meeting Date: 23 April 2026

Meeting Time: 18.30

Venue: Greenhouse, Riverbank House, Bideford EX39 2QG

Present:

North Ward

Councillor K Hind
Councillor J Gordon
Councillor S Smith

South Ward

Councillor P Lawrence

East Ward

Councillor J Gubb
Councillor J McKenzie (Chairman)

Tenant

Mrs K Austin

Also Present:

J Gardner, Town Clerk
R D Coombes, Deputy Town Clerk

90. Apologies for Absence

Apologies for absence were received from Councillor Mrs L Hellyer (East Ward – personal).

91. Declarations of Interest and Dispensations

No declarations of interest or requests for dispensations were received.

92. Public Participation

No members of the public attended the meeting.

93. Minutes of the Previous Meeting

It was proposed by Councillor Lawrence, seconded by Councillor Hind and **resolved** to approve the minutes of the meeting held on 12 March 2026 as a correct record.

(Vote – For: 7, Against: 0)

94. Accounts

It was proposed by Councillor McKenzie, seconded by Councillor Lawrence and **resolved** to approve the List of payments for 23 April 2026.

(Vote – For: 7, Against: 0)

Anticipating the next Item, Councillor Lawrence indicated that the Project Manager had been advised by North Devon + that the first claim, draw down of funds, could be made.

95. Market Hall Project

The Town Clerk advised members on the positive engagement by (six) Companies to the tender process noting that one asked for a week's extension for submission (1 May 2026).

96. Tenant Representation

Mrs Austin reported on a positive Tenant meeting with a view to staging a "Bideford Hand Made, Market Event," in the Market Hall over the weekend of 18 and 19 July 2026, subject to availability.

Members expressed support and a willingness to work with the Tenants on providing for a Council / Market Event. Councillor Lawrence noted that the Contractor should be in place to allow for Hall restrictions to be made clear.

Mrs Austin reported that a mouse had caused damage to stock, a waste pipe and left evidence of its presence. She confirmed, gratefully, that the Maintenance Team had acted swiftly and effectively to discourage further rodent interest.

The Clerk noted that another tenant in the Row had experienced an unwelcome visitor, October last year that had similarly been efficiently dealt with.

It was noted that there have been food outlets trading from the thoroughfare for many years, without incident, not least when a butcher last occupied Units (both 5 and 24).

The Clerk noted that a former trader had left food stuffs unprotected in the Market Hall that had attracted unwarranted attention.

The Chairman instructed the Clerk to write to all Market Complex tenants advising of the need to leave their units not to be attractive to rodents i.e. not to leave food / sweets open unattended, use appropriate storage / sealed containers and general cleanliness.

Mrs Austin spoke about improving the look of Butcher's Row, the Devon flags are tired, not least during *the* project works. She raised the potential to instal flag holders outside the Units, that tenants could utilise and personalise. It was noted that the Units have (tenant) bespoke signs and options to hang baskets.

Discussion led to (outside) signage, indicating that despite the works to the Market Hall, Butcher's Row and the Market front shops remained open for business. Members discussed pressure "washing" templates, perhaps footprints, directing visitors to the Market, not unlike during COVID-19, albeit using water, not paint, to delineate the direction to the Complex.

Mrs Austin indicated a willingness to design the template.

The Town Clerk will liaise with the Highway Officer.

Part II (Closed Session)

97. Exclusion of the Press and Public

Due to the sensitive or confidential nature of the following item it was proposed by Councillor McKenzie, seconded by Councillor Hind and **resolved** to exclude the press and public from the remainder of the meeting on the basis of Section 1 paragraph 2 of the Public Bodies (Admission to Meetings) Act 1960 which stipulated that a council may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings.

(Vote – For: 7, Against: 0)

The Chairman invited the Market Tenant to remain for the next Item (Members were in agreement).

98. Market and Development Strategy

The Chairman drew Members' attention to considering the next stage for the Market, at this juncture, ready for when the Project Works is completed 31 March 2027.

The Town Clerk intimated that the Committee should formulate a strategy and carry out some business planning. Whilst Frome had been considered an aspirational model ideas could be developed providing for an application to be submitted in time for any funding opportunities (that would work for Bideford.)

Discussion followed, with reference to the Strategy document, the future look of the Market Hall as an Event space, community hub, place to meet, trading and commercial offering.

The Town Clerk agreed to engage with the District Economic Development Officer, with reference to funding stream ideas, and report to the Committee. (Mrs Austin left the Meeting.)

99. Market Complex

The Deputy Town Clerk indicated there were no items to address. The business of the meeting having been concluded the Mayor thanked the councillors for their attendance at the meeting, which concluded at 7.42pm.

Signature of Town Mayor:

Date:

Signature of Chairman:

Date:

PAYMENT LIST

Pannier Market Accounts as at 31 March 2026

<u>Ser No</u>	<u>Date Entered</u>	<u>Allocation</u>	<u>VAT(£)</u>	<u>NET(£)</u>	<u>TOTAL(£)</u>
1.	11 Mar 26	Tamar Trading – Maintenance Item	31.22	156.14	187.36
2.	11 Mar 26	Devondale - Maintenance Item	3.30	16.50	19.80
3.	16 Mar 26	Vodafone Limited – Mobile	5.63	23.18	33.81
4.	16 Mar 26	Ashton Electrical Ltd – Electrical Repairs	59.01	295.03	354.04
5.	16 Mar 26	SWW – Water Services		209.74	209.74
6.	16 Mar 26	Valda Services – Electricity Charges	1.44	68.68	70.12
7.	24 Mar 26	EDF -Gas	3.22	64.31	67.53
8.	24 Mar 26	EDF – Electricity	198.20	990.99	1189.19
9.	24 Mar 26	Lloyds – Service Charges		9.35	9.35
10.	27 Mar 26	Triangle – Broadband	66.70	333.50	400.20
11.	31 Mar 26	J Fisher – Market Hall Security		360.00	360.00
Totals			368.72	2172.42	2541.14

Pannier Market Accounts as at 16 April 2026

1.	16 Apr 26	Vodafone Limited – Mobile	5.63	23.18	33.81
2.	16 Apr 26	NABMA – Annual Subscription		509.00	509.00
3.	16 Apr 26	EDF - Gas	1.72	34.45	36.17
Totals			7.35	566.63	578.98

Amenities Committee

Terms of Reference

1. The Committee shall have delegated powers to make representations in respect of the provision and maintenance of infrastructure owned and managed by the Town Council, including but not limited to buildings, public open spaces, street furniture, street art, amenity areas and any other assets.
2. It will monitor the maintenance of infrastructure owned and managed by the Town Council.
3. The Committee shall have delegated powers to authorise and make expenditure of up to the amount specified in Financial Regulation 5.14 for the purchase and maintenance of infrastructure owned and managed by the Town Council.
4. It will oversee the administration, management and maintenance of infrastructure owned and managed by the Town Council.
5. It will undertake functions as required by working with other bodies on matters such as highways, footpaths, street scene, street furniture, public open space, and landscaping.
6. Its membership will be **nine councillors** appointed annually by the full Council. Members of the Committee may vote on resolutions put to it. All councillors may attend and contribute to the meeting.
7. In respect of the Pannier Market, the Amenities Committee:
 - a) promotes a sustainable social, environmental and economic regeneration of the Market
 - b) fosters co-operation with traders and tenants in the delivery of projects and initiatives
 - c) allocates retail units following receipt of applications and interviews with prospective tenants by a panel of Committee members which is appointed ad-hoc when required
 - d) oversees any contracts or agency agreements entered into by the Council
 - e) invites two Market representatives to Committee meetings to advise the Committee and make representations but with no voting rights

8. In respect of allotments, the Amenities Committee:

- a) promotes improvements to the allotments in conjunction with self-help by the allotment holders
- b) fosters co-operation with the allotment holders in the delivery of projects and initiatives
- c) oversees any contracts or agency agreements entered into by the Council
- d) considers all matters relating to the running of the allotments, including maintenance of the waiting list, revised tenancy agreements, property management, access issues and site security
- e) invites one representative from Pollyfield and two representatives from Tricks Allotments to Committee meetings to advise the Committee with voting rights on agenda items regarding allotments only
- f) invites one representative each from the Handy Cross and Marland Allotments to Committee meetings to advise the Committee but with no voting rights

9. In respect of decarbonisation and the environment, the Amenities Committee:

- a) helps to fulfil the Council's ambition for the Town to be carbon neutral by 2030 through encouragement of emission reductions and increasing the number of carbon sinks
- b) audit the Council activities ensuring maximum emissions reductions and use of Council land as carbon sinks
- c) improves energy efficiency across the Council's estate
- d) supports community organisations which help achieve the above objectives

PANNIER MARKET STRATEGIC DEVELOPMENT

Introduction

On 23 April 2026, the Council's Market Management Committee considered the next stage in the Pannier Market development and its strategy, ready for implementation following the completion of the imminent construction works in March 2027.

At the time, the Committee recognised that the Town Council should formulate a strategy and carry out some business planning in preparation for applications to any future relevant funding opportunity/ies.

At the meeting, Committee members offered the following ideas for further development into a strategy in relation to the Market Hall:

- Multi-use event space with a stage, retractable seating, kitchen and bar, permanent public address (PA) system, improved acoustics and insulation
- Community hub / place to meet
- Trading and commercial offering

The Committee envisaged that a community interest company (CIC) or similar entity could manage the Market in the future and e.g. engage external events organisers and attract visitors, among other purposes (ref. minute 98).

The Clerk is visiting the South Molton Pannier Market on 21 May 2026. Other benchmark premises include:

Butter Market and The Ladder, both Redruth
Cheese and Grain Frome
Falmouth Pavilion
Hartland Market
Tavistock Pannier Market
The Plough Torrington

Progress to Date

The Town Council had previously commissioned an options and basic feasibility study dated September 2024 and a market and development strategy dated February 2025. Both documents are appended to this report for councillors' ease of reference, but they are not public documents.

In summary, the reports highlighted the following opportunities:

- Creating additional space for creative start-ups, cultural activities and events, and a communal place for people to eat, work and connect / Venue for events, markets, and retail experiences
- Thriving cultural, business, and community hub
- Lack of community activities in the town centre, calling for the creation of spaces which foster community engagement and a multi-use community hub which facilitates learning and activities
- Introduction of increased cultural and community activities within the Pannier Market, while simultaneously maintaining the flexibility to continue complementary market trading
- Referenced the Bideford Regeneration Strategy which notes a specific lack of activities and experiences in the town centre, as well as a need for indoor event spaces and opportunities for more people to work in the town, either from home or in co-working spaces
- Unprofitable pricing structure, an uninspiring and inflexible interior, underwhelming event offerings, and underutilised spaces
- Enhancing the acoustics, lighting, AV equipment, toilet facilities and services, flexible partitions
- Experiential events, such as wellness retreats, immersive art exhibitions, and niche markets
- Cold, energy-inefficient units, making them unattractive and uncomfortable for year-round trading
- Curate a tenant strategy to deliver a cohesive shopping experience by developing tenant criteria focusing on high-quality businesses (handmade goods, crafts, boutique retail), offering incentives for premium tenants, such as reduced rent for the first three months and requiring/enforcing regular opening hours to ensure consistency for visitors
- The reports recommended the following improvements:
 - wider range of high-quality events
 - transforming underused rooms into co-working and office spaces
 - create niche workspaces (recording studio, kitchen workshop)
 - upgrading the café to provide a premium hospitality experience
 - developing an “Artisan Quarter” to celebrate local craftsmanship and creativity
 - revised pricing model will ensure financial sustainability while remaining competitive with regional venues
 - improved accessibility, parking solutions, and a targeted marketing campaign will help re-establish the venue’s reputation and attract new audiences, event organisers, and businesses

Pannier Market Strategy Statement

No premises can be all things to all people and the Committee is invited to endorse a strategy statement which can underpin the Market's future development and evolution by clearly articulating the Council's vision for the building for the future:

The Pannier Market will become a vibrant, year-round civic, cultural and commercial destination at the heart of the town: a welcoming and flexible community hub where people meet, trade, create, work, learn and celebrate.

Building on the Market's historic identity while embracing contemporary uses, the Council's vision is to create a thriving multi-use venue which supports independent enterprise, cultural activity, community wellbeing and economic regeneration, attracting both residents and visitors and contributing to a stronger town centre economy.

Following completion of the current improvement works in 2027, the Pannier Market will evolve into a distinctive indoor destination which combines traditional market trading with high-quality events, high-quality retail, food and drink experiences, creative enterprise and community activity.

Strategic Purpose

The purpose of the Pannier Market is to:

- Support the economic vitality of the town centre
- Provide affordable and attractive opportunities for independent traders and entrepreneurs, and creative businesses
- Create a flexible indoor venue capable of hosting a wide range of cultural, commercial and community activities
- Encourage social connection and community participation
- Increase visitor footfall and dwell time within the town centre
- Provide a sustainable and adaptable asset for future generations

Unique Selling Point (USP)

The Pannier Market's unique selling point is its combination of:

A historic market hall reimagined as a flexible cultural and community destination.

Unlike a traditional market or standalone events venue, the Pannier Market will offer:

- A historic indoor market environment with modern facilities
- A flexible multi-use space capable of transitioning between markets, performances, exhibitions, workshops, dining experiences and community events
- A curated mix of independent traders, local makers, food, culture and creative enterprise
- An authentic local experience rooted in the town's identity and independent economy
- A year-round indoor destination supporting daytime and evening economies

This blended offer will distinguish the Pannier Market from competing retail centres and conventional venues across the region.

Flexible Events and Cultural Venue

The Market Hall will operate as a high-quality, adaptable event space capable of hosting a diverse programme of events and experiences. Investment in staging, acoustics, lighting, seating, audio-visual infrastructure, a backstage area and flexible layouts will enable the venue to support both small-scale community activity and larger regional events.

The Market will aim to attract:

- Live music and performances
- Arts and cultural programming
- Food and drink events
- Artisan and specialist markets
- Exhibitions and immersive experiences
- Wellness and lifestyle events
- Private and commercial hire opportunities

This programming will help increase footfall, support evening and off-season activity, and establish the Market as a recognised destination within the wider region.

Home for Independent Trade and Enterprise

The Market will champion independent businesses, makers and creative entrepreneurs through a curated tenant strategy focused on quality, authenticity and local identity.

The commercial offer will prioritise:

- Handmade goods
- Boutique retail experiences
- Local food, drink and hospitality
- Creative start-ups and makers
- Flexible and affordable trading opportunities
- Complementary uses that create a cohesive visitor experience

The Council will seek to create an attractive and commercially sustainable environment by improving the quality, comfort and energy efficiency of trading units while encouraging consistent opening hours and high presentation standards. An important part of the strategy is to synchronise the independent retail in the building, Butchers Row in particular, with the events and cultural offer in the Market Hall.

Town Centre Regeneration

The Market will contribute positively to wider regeneration ambitions by increasing town centre activity, attracting visitors, supporting local employment and encouraging longer dwell times within the area.

The development of the Market aligns with identified needs for:

- Increased indoor event and activity space
- Greater cultural and leisure provision
- Enhanced visitor experiences
- Economic diversification and resilience

By combining commercial activity with cultural and community uses, the Market will become an anchor destination which supports surrounding businesses and strengthens the vitality of the town centre.

Delivery and Governance

The Council recognises that the long-term success of the Market may require an operational model capable of delivering dynamic programming, commercial agility and partnership development.

Future governance options may therefore include the establishment of a Community Interest Company (CIC) or similar entity to:

- Manage day-to-day operations
- Curate events and programming
- Develop commercial partnerships
- Secure external funding and investment
- Promote the venue regionally
- Engage specialist event organisers and cultural partners

This approach would support a sustainable operational framework while ensuring the Market continues to deliver social, cultural and economic value for the community.

Next Steps

The Pannier Market represents a major opportunity to redefine the role of the town centre and create a destination which is economically resilient, socially valuable and culturally vibrant. By embracing flexibility, supporting independent enterprise and placing community use at the heart of the venue, the Council intends to secure a sustainable future for the Market as both a cherished local asset and a catalyst for regeneration and growth.

The options and basic feasibility study dated September 2024 and the market and development strategy dated February 2025 provide valuable baseline information on which to build the above high-level vision into a business plan on the basis of which further grant funding could be applied for, e.g. from the Heritage Lottery Fund or the Big Lottery Fund. It is recommended to apply for a development grant from the Architectural Heritage Fund in the first instance in order to develop that business plan.

Recommendations

a) To endorse the above strategy statement and to recommend it to the full Council for adoption.

b) apply for a development grant from the Architectural Heritage Fund to enable the development of a business plan on the basis of the Council's strategy for the Pannier Market.

Janine Gardner
Town Clerk and Responsible Financial Officer
May 2026

PANNIER MARKET RAINWATER COLLECTION SYSTEM

Introduction

On 9 March 2026, the Decarbonisation and Environment Committee suggested that scaffolding on the Pannier Market Hall could provide the opportunity to look into the possibility of installing a rainwater collection system. The immediate benefit could see water provision for the town's planters (ref. minute 14).

Following liaison with the Town Council's maintenance team, the need for a rainwater collection system for the purpose of supplying the town's planters could not be established.

Another suggestion was made to supply the Market's toilets with rainwater but this would require intensive and intrusive capital works.

Recommendation

To not install a rainwater collection system at the Pannier Market.

Janine Gardner
Town Clerk and Responsible Financial Officer
May 2026

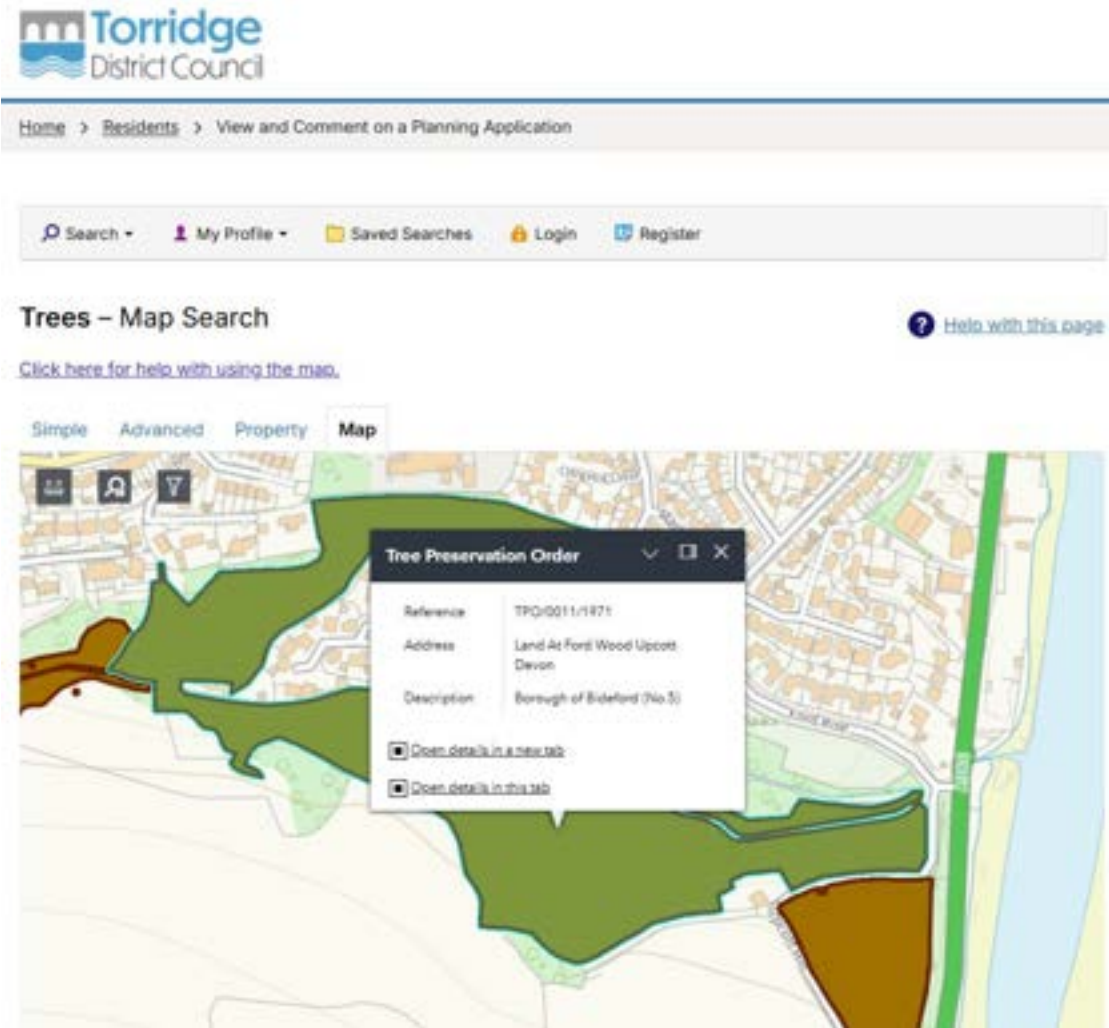
**FORD WOODS – TREE PRESERVATION ORDER AND WOODLAND
MANAGEMENT PLAN**

Introduction

On 9 March 2026, the Decarbonisation and Environment Committee resolved that the Council applies for a Tree Preservation Order to cover the whole of Ford Woods (ref. minute 15), and that the Council formally engages the Friends of Ford Woods to work in partnership with the Council in the preparation of a UK Forestry Standard Woodland Management Plan (WMP) for Ford Woods, an area of Ancient Semi-Natural Woodland (ASNW) owned by the Town Council (ref. minute 16).

Tree Preservation Order (TPO)

Following the Committee meeting on 9 March 2026, Torridge District Council located the original tree preservation order dated 15 October 1971 which is attached to this report. Torridge District Council’s Director of Legal and Governance confirmed that the TPO is still valid and therefore the trees are protected. The TPO was added to the planning portal and is available to view on the Council’s website (below).



Woodland Management Plan

Cllr Jack Gordon confirmed that he is content to act as the Council's representative and point of liaison with the Friends of Ford Woods. Currently, he and the Friends are still in the research stage before making an application for the woodland management plan grant. They are hoping to collect together a few more surveys before moving to the next step as this will help better inform which avenues are available in terms of grant funding for the management plan. A meeting is scheduled on 27 May 2026 and Cllr Gordon will provide an update to the meeting.

Recommendation

To note the update.

Janine Gardner
Town Clerk and Responsible Financial Officer
May 2026

Dated 15th October, 1971.

COUNTY OF DEVON (BOROUGH
OF BIDEFORD) (NO.5) TREE
PRESERVATION ORDER, 1971.

TOWN AND COUNTRY PLANNING ACTS,
1962 and 1968.

CIVIC AMENITIES ACT, 1967

TREE PRESERVATION ORDER

relating to

TREES AT FORD HOUSE,
BIDEFORD.

The within written Order is hereby confirmed pursuant to regulation 6 of
the Town and Country Planning (Tree Preservation Order) Regulations 1969.

DATED this third day of January One thousand nine hundred and
seventy two.

IN WITNESS whereof the Common Seal of)
the BIDEFORD BOROUGH COUNCIL was)
hereunto affixed in the presence of:-)

A. P. [Signature]
Mayor

[Signature]
Town Clerk.



TOWN AND COUNTRY PLANNING ACTS 1962 AND 1968
CIVIC AMENITIES ACT 1967

The BIDEFORD BOROUGH Council,
on behalf of DEVON COUNTY Council
in this order called "the authority", in pursuance of the powers conferred in that behalf by section 29 of the Town and Country Planning Act 1962 and section 16 of the Civic Amenities Act 1967, and subject to the provisions of the Forestry Act, 1967, hereby makes the following Order:—

1.—In this Order—

"the Act" means the Town and Country Planning Act 1962;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and
"the Minister" means the Minister of Housing and Local Government.

2.—Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop or wilfully destroy or cause or permit the cutting down, topping, lopping or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3.—An application for consent made to the authority under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4.—(1) Where an application for consent is made to the authority under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent:

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5.—Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied—

- (a) that the refusal or condition is in the interests of good forestry; or
- (b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

NOTE.—If it is desired to fell any of the trees included in this Order, whether included as trees, groups of trees or woodlands, and the trees are trees for the felling of which a licence is required under the Forestry Act 1967, application should be made *not* to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (section 15(5)).

6.—(1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless—

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Minister dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 25 of the Countryside Act 1968, replant the said land in accordance with the direction.

- (2) Any direction given under paragraph (1) of this Article may include requirements as to—
 - (a) species;
 - (b) number of trees per acre;
 - (c) the erection and maintenance of fencing necessary for protection of the replanting;
 - (d) the preparation of ground, draining, removal of brushwood, lop and top; and
 - (e) protective measures against fire.

7.—On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a river authority or a drainage board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the river authority or drainage board under those byelaws and the condition or direction shall have effect accordingly.

8.—The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act and of section 80 of the Town and Country Planning Act 1968 adapted and modified for the purposes of this Order, shall apply in relation thereto.

9.—Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage:

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10.—In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under section 29 of the Act or under the terms of any Interim Preservation Order made under section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11.—(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Minister, as the case may be, or where an appeal has been made to the Minister against the decision of the authority, from the date of the decision of the Minister on the appeal.

12.—Any question of disputed compensation shall be determined in accordance with the provisions of Section 128 of the Act.

~~13.—The provisions of section 16 of the Civic Amenities Act 1967 shall apply to this Order and the Order shall take effect on—~~

NOTE.—Any person contravening the provisions of this Order is guilty of an offence under subsection (1) of section 62 of the Act and liable on summary conviction to a fine not exceeding fifty pounds; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine not exceeding forty shillings for every day on which the contravention is so continued. Under sections 13, 14, and 15 of the Civic Amenities Act 1967 if a tree is wilfully cut down or destroyed, or if topping or lopping is carried out in such a way as to be likely to destroy the tree the fine is £250 or twice the value of the tree whichever is the greater. If a tree other than one which is part of woodland is removed or destroyed in contravention of the Order it is the duty of the owner of the land, unless on his application the local authority dispense with the requirement, to plant another tree of appropriate size and species, at the same place as soon as he reasonably can.

FIRST SCHEDULE
TREES SPECIFIED INDIVIDUALLY.
(encircled in black on the map) .

No. on Map	Description	Situation
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NONE.

TREES SPECIFIED BY REFERENCES TO AN AREA.
(within a dotted black line on the map).

No. on Map.	Description.	Situation.
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NONE.

GROUPS OF TREES.
(within a broken black line on the map).

No. on Map.	Description.	Situation.
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G1	6 Ash, 2 Elm, 13 Oak, 1 Sycamore	8988)	
G2	5 Ash, 3 Beech, 2 Elm, 8 Oak, 7 Sycamore	")	
G3	5 Ash, 22 Beech, 2 Cupresus, 3 Elm)	
	4 Oak, 1 Chile Pine, 7 Sycamore, 1 Yew	8988)	
G4	10 Ash, 39 Beech, 3 Cupresus, 5 Scots	9298)	
	Pine, 1 Sycamore, 2 Spruce, 2 Chestnut		and	
	34 Oaks	9493)	
G5	3 Ash, 13 Beech, 25 Oak, 2 Pine, 2 Spruce	0691)	
G6	15 Ash, 10 Beech, 52 Oak, 64 Sycamore	0784)	
G7	9 Ash, 5 Beech, 2 Chestnut, 6 Elm,)	
	4 Oak, 9 Sycamore, 3 Spruce	1173)	
G8	2 Ash, 24 Oak, 1 Sycamore	7484)	
G9	1 Ash, 34 Oak	8984)	
G10	10 Ash, 1 Beech, 3 Elm, 15 Oak, 2 Yew	8984)	
G11	9 Ash, 4 Beech, 8 Elm, 35 Oak,)	
	1 Sycamore, 2 Yew	8984)	In
G12	8 Ash, 5 Larch, 4 Oak, 2 Spruce,)	
	1 Sycamore	9970)	
G13	3 Ash, 1 Beech, 1 Spruce, 3 Sycamore	9970)	the
		and 0173))	
G14	5 Beech, 37 Oak	0173)	
G15	5 Ash, 2 Beech, 46 Oak, 2 Sycamore	1173)	grounds
G16	20 Ash, 14 Beech, 3 Larch, 22 Oak,)	
	1 Scots Pine, 1 Spruce	1173)	
G17	5 Ash, 64 Beech, 5 Chestnut, 10 Oak	1173)	of
G18	1 Ash, 2 Beech, 4 Elm, 6 Oak	6988)	Ford House, Bideford.

WOODLANDS
(within a continuous black line on the map).

No. on Map.	Description.	Situation.
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NONE.

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

- (1) the cutting down of any tree on land which is subject to a forestry dedication covenant where
 - (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;
 - (b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.
- (2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme.

***(3)** the cutting down, topping or lopping of a tree exempted from the provisions of this Order by section 29(7) of the Act namely a tree which is dying or dead or has become dangerous, or the cutting down, topping or lopping of which is in compliance with the obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance.

(4) The cutting down, topping or lopping of a tree

(a) in pursuance of the power conferred on the Postmaster General by virtue of section 5 of the Telegraph (Construction) Act 1908:

(b) by or at the request of

- (i)* a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii)* an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii)* a river authority established under the Water Resources Act 1963, or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1930, where the tree interferes or would interfere with the exercise of any of the functions of such river authority or drainage board, in relation to the maintenance, improvement or construction of water courses or of drainage works; or
 - (iv)* the Minister of Defence for the Royal Air Force, the Minister of Technology or the Board of Trade where in the opinion of such Minister or Board the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
- (c)* where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
- (d)* which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden.

*NOTE.—Section 13(1) of the Civic Amenities Act 1967 requires, unless on the application of the owner the local authority dispense with the requirement, that any tree removed or destroyed under section 29(7) of the Town and Country Planning Act 1962, shall be replaced by another tree of appropriate size and species. In order to enable the local planning authority to come to a decision on whether or not to dispense with the requirement, notice of the proposed action should be given to the local planning authority which except in a case of emergency shall be of not less than five days.

THIRD SCHEDULE

Provisions of the following parts of *(a)* Part III of the Town and Country Planning Act 1962 and *(b)* section 80 of the Town and Country Planning Act 1968 as adapted and modified to apply to this Order.

(a) Part III of the Town and Country Planning Act 1962

21.—(1) Without prejudice to the following provisions as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested therein.

22.—(1) The Minister may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

22.—(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

22.—(3) Any application in respect of which a direction under this section has effect shall be referred to the Minister accordingly.

22.—(4) Where an application for consent under the Order is referred to the Minister under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the authority.

22.—(5) Before determining an application referred to him under this section the Minister shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.

22.—(6) The decision of the Minister on any application referred to him under this section shall be final.

23.—(1) Where an application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Minister.

23.—(2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Minister may allow.

23.—(4) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Minister, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

23.—(5) Before determining an appeal under this section, the Minister shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.

23.—(7) The decision of the Minister on any appeal under this section shall be final.

24.—Where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either—

- (a) give notice to the applicant of their decision on the application; or
- (b) give notice to him that the application has been referred to the Minister in accordance with directions given under section 22 above;

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

27.—(1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

27.—(2) (Subject to the provisions of section 16 of the Civic Amenities Act 1967 and section 80 of the Town and Country Planning Act 1968) an Order under this section shall not take effect unless it is confirmed by the Minister; and the Minister may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

27.—(3) Where an authority submit an Order to the Minister for his confirmation under this section, the authority shall furnish the Minister with a statement of their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Minister, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.

27.—(4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed:

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

27.—(5) Where a notice has been served in accordance with the provisions of subsection (3) of this section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Minister under subsection (2) of this section.

(b) Town and Country Planning Act 1968

80.—(1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called "such Order") under section 27 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Minister for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be affected by such Order have notified the authority in writing that they do not object to such Order.

80.—(2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Minister that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Minister, such Order may take effect by virtue of this section and without being confirmed by the Minister.

80.—(3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

80.—(4) The authority shall send a copy of any advertisement published under subsection (2) above to the Minister, not more than three days after the publication.

80.—(5) If within the period referred to in subsection (2)(a) above no person claiming to be affected by such Order has given notice to the Minister as aforesaid and the Minister has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in subsection (2)(b) of this section take effect by virtue of this section and without being confirmed by the Minister as required by section 27(2) of the Town and Country Planning Act 1962.

80.—(6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Minister under Part III or Part IV of the Town and Country Planning Act 1962 or under Part II or Part V of the Town and Country Planning Act 1968.

GIVEN under the Common Seal of the
BIDEFORD BOROUGH COUNCIL

the *fifteenth* day of
October, in the year
nineteen hundred and *seventy one.*



A. P. Hughes
Mayor.

[Signature]
Town Clerk.

21/10/81