

Minutes of Harberton Parish Council

meeting held on Tuesday 14 December 2010
at Harberton Parish Hall at 7.30pm.

Present: Cllrs Fearn (Chairman), Hutchinson,
Janes, Hoddinott, Hockings,
Williams, Johnson, Hill, Knight
and Steer

Apologies: Councillors Beamish,
Hookway, County Cllr Black,
District Cllr Robert Steer &
Mrs D Crann.

The Chairman opened the meeting and invited members of the public to speak. Mrs Padfield enquired whether the bottle bank in Harbertonford could be moved outside of the existing safety fencing. She was informed that this was an item for discussion on the Agenda.

The Chairman advised that Diana was progressing well following recent hospitalisation and hoped to be present at the next meeting. She thanked all Councillors for the flowers and get well wishes.

The Chairman advised that there was no report from County Cllr Paula Black or from District Cllr Robert Steer.

An email from the Police had been received stating there were no reported crimes in Harberton or Harbertonford during November. Following a minor spelling alteration to the minutes of the last meeting, they were accepted as a true record. Proposed by Cllr Williams, seconded by Cllr Hill. All in favour.

Matters Arising from Previous Minutes

1) With regard to Mr Jones' future plans for a travellers' site at Tigley, District Cllr Steer advised that residents were concerned about the reason for the sudden withdrawal of the plan. The travellers at Marley Head will shortly be moved on from their current location.

2) There has been no further news from residents at Dundridge who were waiting for a response from SHDC.

3) Police Report. The Chairman stressed that everyone must be extra vigilant over the Christmas period regarding criminal activity.

4) With regard to the interactive signs in Harbertonford, a letter had been received from Mike Jones, Devon County Council, advising that the sign was experimental and that funding couldn't be justified on road safety grounds for any other type of sign. Mr Jones suggested that the signs could be removed or the Parish Council could fund their own signs which they would also have to run and maintain. Cllr Steer felt that we should explain that we were misled from the beginning and not informed that the signs were 'experimental'. We were also told by County Cllr Black that the signs would be replaced, but due to budgetary cuts this has not happened - and the signs are still not working properly. Mr Jones offered to attend the next HPC meeting on 11 January 2011 along with John Halliday. The Parish Clerk will write to Mike Jones confirming this.

5) Harbertonford Allotment Society (HAS) – Copies of various draft legal documents pertaining to the proposed lease of Colin Finch's land to HPC on behalf of HAS were circulated to councillors prior to the meeting. All documents were perused and discussed with the following comments made (Councillors were happy for Mrs Padfield from HAS to comment on the documents as necessary):

Constitution for HAS

Cllr Hill noted that there was mention of public liability in Item 4 but enquired who would provide insurance cover for general items.

Mrs Padfield advised that individual tenants would have to provide their own general insurance.

Item 2(d) regarding action against trespass, damage and theft will be removed.

Model Tenancy Agreement

Item 11 refers to 'no glass', but Mrs Padfield advised that this had not taken into consideration greenhouses or glass in shed windows, for example.

Cllr Hutchinson referred to Item 13 regarding dogs. She noted that whilst it states that dogs should be kept under control, it does not state

that dogs must not be left unattended which may need to be included to avoid sheds being used as kennels.

Cllr Hutchinson referred to Item 17 regarding untenanted plots, noting that no notice period is stipulated if existing tenants had to move plots.

Contradictory dates were noted in the final sentence of this document at 23.3 and the date quoted in the draft agreement at Item 1 though it was felt that 25 March was to reflect the growing season. Mrs Padfield questioned the relevance of this last sentence and it was agreed that this would either be removed or the dates changed so that they correspond.

Draft Agreement between HAS and HPC

Cllr Knight noted that a clause referring to 'no livestock' should be included, as per Item 10 of the model tenancy agreement.

Cllr Hockings expressed concern about HPC potentially being liable for any unforeseen costs, as there is no provision for this in the agreement. Mrs Padfield felt that any unforeseen costs should be borne by the land owner and not HAS and Colin Finch has agreed to this though there is no confirmation of this in the agreement.

Lease between HPC and Colin Finch

Cllr Hockings noted in Item 4 that there is no mention of who would cover the costs of returning the land to its original state in the eventuality of all tenants vacating the allotments. Mrs Padfield highlighted Item 6 in the model tenancy agreement which states that the plots must be left clean and tidy and free of any structures, but in the event that this does not happen, HAS have a contingency fund that could pay such costs.

Cllr Hoddinott noted that there is no reference to the size of the entrance gate in 5(c) or whether it will be a pedestrian or vehicular gate. Mrs Padfield advised that Mr Finch had suggested making the entrance wide enough for a small vehicle which would assist when deliveries such as manure are made for the allotment tenants. Cllr Hockings suggested a two part gate so that a named HAS key holder can open the gate for deliveries, but at any other time there is only pedestrian access.

Cllr Knight suggested that the lease should state "Proposed lease between HPC and Colin Finch *for the purpose of leasing to HAS.*"

Mrs Padfield advised that all documents will need to be reviewed by a lawyer. The Chairman and other councillors thanked Mrs Padfield and HAS for their hard work in formulating these documents.

6) With regard to the wall in the HPC Harbertonford car park, the Clerk had received a written response from the owner of the wall who states that she wants to delay repairs due to the financial implications of other works she is undertaking, unless she is legally obliged to undertake the repairs more urgently. She offered to put signs up and encase the wall to prevent falling stones/debris if the bottle bank should be moved. It was agreed that HPC would seek legal advice from DAPC as a matter of urgency and advise the owner in writing of this action.

7) SHDC had given permission for the trimming of two trees at the Ford area in Harbertonford so this will now go ahead.

8) Harbertonford Primary School's contractors had pruned the tree in the village playground.

9) The granite bollard opposite the post office had been repositioned.

10) The pot holes have still not been repaired down Woodcourt Road and there are additional ones at Stile Field and Dry Bridge where the road is cracking also.

11) Poor parking at the A381 junction by the post office continues. Cllr Knight queried whether yellow lines could be painted to eliminate this problem. The Parish Clerk will ask the police to patrol this area.

Correspondence:

1) Advisory notice of road closure in Fore Street, Harberton, on 9 February 2011 from 8.30am to 4.30pm for Western Power – a diversion will be posted.

2) Community Council for Devon re community halls.

3) Junk Mail

4) Notification of payment required for internet provision.

- 5) Ward profile for Avon and Harbourne.
- 6) Village Green magazine.
- 7) Tree preservation order proposals for streamlining.
- 8) Email from Rick Cromby, Enforcement Officer at SHDC advising that the Development Manager is on leave
- 9) Email regarding liability in the event of an injury following the clearing of snow from pathways/roads by an individual.
- 10) Email from Tim Padfield (circulated to Councillors prior to the meeting) re the Old Mill and the housing allocation meeting at SHDC. Mr Padfield asked if HPC could put pressure on SHDC for immediate action to ensure the development goes ahead, though SHDC and District Cllr Steer had previously advised that the owners 'were not contactable'. Cllr Hill suggested asking for a report from SHDC on what they have already done and what their plans are to help move this forward. It was agreed that the Parish Clerk would write to SHDC regarding this and also write direct to the owner of the Old Mill.
- 11) Notification of cluster meeting on 18 January 2011 at Follaton House – Cllr Hill agreed to attend.
- 12) Devon Association of Councils' notification of pre-briefing for next year's elections at Bridstowe on 17 January 2011 for HPC Clerk to attend, along with democracy pack.
- 13) Notification from Steve Mason, Cleansing Management Officer, SHDC re Stokenham pilot project re the parish and town councils sharing the control of services such as emptying bins, street cleaning, etc. He is meeting with the Parish Clerk next week, the outcome of which will be reported at the next meeting.

Planning Parish Council recommendations

23/2781/10/F & 23/2780/10/LB -Sampsons Barn, Harbertonford. No objections.

Proposed by Cllr Knight, seconded by Cllr Steer. All in favour

23/2793/10/F - Coach House, Harbertonford.

No objection. Proposed by Cllr Johnson, seconded by Cllr Hockings, all in favour.

23/2569/10/TCA – The Old Parsonage, Harbertonford. No objections

23/2554/10/TCA – HPC Conservation area by River Harbourne, H'ford. No objections

Matters at the Discretion of the Chairman

1) Cllr Knight reported on the budget meeting that both he and Cllr Janes had attended. Whilst there were no definitive figures provided, SHDC and West Devon have made significant savings by tying in services. Savings of £400,000 are expected in the forthcoming year. SHDC have third lowest precept despite the lowest grant per capita and council tax is also the third lowest. SHDC produces good results and seem very efficient, but they are still going to have to make difficult choices on what services are to be cut - which will possibly be 10-11%. They have suggested redeveloping Follaton House with more home working so that office space can be let to raise revenue and possibly charging people to park at Follaton House.

2) Cllr Hoddinott advised that a parishioner had reversed into a drain whose cover had been dislodged and presented a photo showing the drain situated on the left side of Coopers Hill on the far side of Lee Bridge. Cllr Hoddinott had replaced the drain cover though he felt that the drain needed cleaning.

Cheques paid out

No 503 - AGM Garden Machinery - £718.28

No 504 - Mrs D Crann - £494.96

No 505 – SHDC - £59.57

D/D - Plusnet - £9.99

Cheques paid in

HPFA - £535.71

Harbertonford PFA - £50.70.

The meeting then closed. The next will be held on 11/01/11 at Harberton Parish Hall at 7.30pm.

