

HARBERTON PARISH COUNCIL

Minutes of the Ordinary Meeting of Harberton Parish Council 7.30pm on Tuesday 14th October 2014 at Harbertonford CE Primary School

In attendance: Cllrs Beamish, Broom, Camp, Clayton, J. Hockings, S. Hockings, Hoddinott, Janes, Padfield, Trott, Williams, Wynne. D.Cllr Steer, C.Cllr Vint

Apologies: None.

Public: 36

Clerk: Ms C Radford

Public Session

Several members of the public addressed the Parish Council with regard to the planning application to be discussed at the meeting.

- A representative from the Campaign Against Harberton Solar Industrial Estate (CAHSIE) had requested to speak for 10 minutes to represent collected views from residents in objection to the proposed development. CAHSIE had prepared a 3 page paper for Parish Councillors to give 10 compelling reasons to object to the application. Comment was made that if panels were allowed now, that further proposals beyond 25 years would be inevitable and the risk should not be taken. Councillors were asked to remember the recent EGM at which the majority of those who spoke were opposed to further solar development in the Parish. It was also commented that South Hams District Council (SHDC) are updating their policy on how it assesses such planning applications. It was commented that the South Hams are already producing nearly 50% of Devon's solar energy and pointed to Greg Barker's speech which commented that future solar arrays should be placed on roofs, not greenfield sites, and these remarks have been accepted in material planning considerations. Further reference was made to the individuals employed in tourism businesses in Belsford who may be affected by development at this site, the impact on Watery Lane, the 4 existing solar developments in the area, the potential impact on Bats, noise generation from transformers and an area currently used for food production being given over to harvesting solar subsidies.
- A representative from the applicant, New Energy for the World GmbH commented that the company still believe the selected site to be a good site, reflected by comments from consultees. The site is already screened quite a lot, there would be no harm to archaeological remains, there would be no ecological issues – consultees had commented that the development would be a benefit to wildlife, for example and the RSPB called it would provide a haven for birds. With regard to the Consultation Zone given for bats (the Special Area of Conservation (SAC)) it was commented that the development touches this zone, but that the development is not within the SAC. Members of the public disputed this fact. The representative also commented that 110 frames, 10%, had been removed following public consultation. It was commented that a 'Landscape and Environmental Management Plan' (LEMP) will be drafted if planning permission is granted. It was reported that the company will take care of the maintenance and landscaping of the park with local contractors. It was commented that further screening would be planted using indigenous species, as listed in the environmental report. It was commented that the company are aware of the strong opposition to the proposal within the Parish, nevertheless there were individuals who attended the public consultation who were in support of proposals. In response to comments about government refusal of large scale solar in the area, it was commented that the government has not altered the tariff system as yet, although when a member of the public disputed this, it was commented that the banding has been altered (remarking that alteration of banding happens regularly).
- A Parish Councillor raised a query regarding the noise of the transformers and whether they could be sunk into the ground. The representative of New Energy for the World GmbH commented that the transformer boxes would be situated at the top of the site and that the noise has been described as equal to the sound of a discussion of several people, sheltered within the concrete boxes.
- Another resident commented on the impact that the development would have on his tourism business based in Belsford, suggesting that tourists would not travel to the area if the solar park were developed, that screening would not obliterate the panels from the access road to Belsford.
- Another resident commented that the developer hasn't addressed the flooding risk at Watery Lane which could cause significant problems for Belsford residents.
- A Diptford resident called for radical change in relation to water security and energy management, remarking on the failings of unsustainable government targets and a tendency of the government to only progress products with high returns, often by the easiest and cheapest means. He remarked on the

possibilities of revoking solar, letting it be known there would be more sympathy for hydro and thermal development.

- A Belsford resident expressed concerns regarding their listed property, commenting that they had gone to great expense to comply with planning regulations. Placing a solar development behind the house would cause damage to the setting. She asked the Parish Council to consider the heritage impact.
- Another Belsford resident commented that it is impossible to screen a hillside.
- Another resident commented on the proliferation of developments in the area and pointed out that the Blakemore Farm development, Marley Thatch, Blue Post and Hazard would all be seen from the Tristford reservoir. He commented that this is a destruction of the environment.
- A comment was made that the Parish Council may make a decision that benefits the farmer, however councillors must take into consideration that there are other businesses that may be affected negatively by the development.

Agenda

The Chairman brought agenda item on Planning to the start of the meeting.

1. Planning

1.1. Applications

Councillor Camp declared an interest, and left the meeting.

Planning Application 23/2373/14/F. Proposal: Installation of ground-mounted solar arrays (total site area 94,000m²) estimate output 5 megawatts and associated infrastructure, cable route and Distribution Network Operator substation At: Land at SX769,596 Lower Blakemore Farm, Totnes.

It was **resolved** that the Parish Council object to the planning application on the basis of the cumulative impact, taking into account the existing solar farm developments in the area.

1.2. Reports on planning decisions

Councillor Camp returned to the meeting.

It was reported that the following planning applications were given conditional approval:

- Application No: 23/1362/14/F At: 23/1363/14/LB. At: Dundridge Stables, Harberton, Totnes, TQ9 7PP Development: Householder application for replacement derelict sheds with garden room and indoor pool.
- Application No: 23/2278/13/F At: Mill Meadow, Harbertonford, Totnes, TQ9 7SZ. Development: Replacement of dwelling with two new dwellings (resubmission of application 23/2775/12/F)
- Application No: 23/1269/14/F. At: Daisy Hills, Diptford, Totnes Development: Householder application for garage/Bio-Mass boiler house
- Application No: 23/1494/14/F. At: Hernafor Farm Barns, Harbertonford, TQ9 7HY. Development: Resubmission of 23/0155/14/F for construction of garaging and formation of parking area in association with conversion of barns to residential use under planning application 23/2398/11/F
- Application No: 23/2059/14/F. At: Hazard Farm, Totnes, TQ9 6DN. Development: Erection of a lean-to building and replacement of agricultural storage building.

2. Apologies None.

3. Reports from County and District Councillors

C.Cllr Vint tabled his monthly report that included updates on the now delayed Shared Space in the [Totnes] Narrows, installation of superfast broadband in the Narrows, roadworks at Redworth junction scheduled until 5th December 2014 and his offer to fund a Land Registry survey of the freehold ownership of retail properties and associated residential premises in the central retail area of Totnes.

Cllr Vint continues liaison with Highways regarding their delayed response to planning applications which has no current outcome.

Cllr Vint had attended a recent meeting at which proposed Parish Council responsibility for pot holes was discussed. Both he and Parish Councillors commented that Parish Councils could not take on such function without sufficient funding or training which would likely result in a more expensive yet arguably a more amateur service.

Cllr Vint was asked to comment whether there would be any funding or maintenance benefit of designating roads as cycleways. His response was that there would be no benefit, that if a road is sufficiently maintained

then it should be good enough as a cycleway. Designating a road as a cycleway does not make cycling safer and prevents off-road solutions from being considered. It was commented that the road surface at Maryland up to Luscombe Cross was in poor repair and becoming dangerous for cycling.

A query was made regarding road safety on the Kingsbridge Hill and at Gerston Cross. C.Cllr Vint commented that it would be most effective for the Parish Council to send any proposals for new safety measures to be made to the County Council through him. It was suggested to make road safety on the Kingsbridge Hill an agenda item at the next ordinary meeting.

D.Cllr Steer reported that planning notices regarding the Blakemore Solar Array application had initially not been placed in the correct area. He thanked residents for bringing the issue to his attention and reported that new notices had been installed swiftly. He reported that he will be visiting residents of Belsford and undertaking a site visit personally himself as he is aware of strong feeling towards the planning application. He commented that he will bring the Parish Councils recommendation, whether approval or objection to the committee.

D.Cllr Steer commented that he had visited a well concealed, 30 acre solar park site on the edge of Brixton which was approved by SHDC with a clear majority.

He reported that it has been recommended to South Hams Officers that they take more time to talk to Torridge colleagues as talks are underway to share services with Torridge District Council.

D.Cllr Steer reported on the recruitment process for a new director at SHDC, and Mrs Hoskin from Cornwall County Council has been recruited.

4. Minutes

- 4.1. **Parish Council Meeting of 09/09/14.** Minor amendments were made before the minutes were signed as an accurate record of the meeting.

5. Matters Arising

- SHDC had notified the Tree Warden that the Tree Preservation Order Request at Brockhills had been received but no further news had been forthcoming. **Action:** D.Cllr Steer and the Clerk to follow up with SHDC.

6. Monthly reports

6.1. Finance.

6.1.1 **Finance training report** The Clerk reported that she had attended the DALC 'Local Council Finance Training Programme' on Friday 19th September. The course went into detail about the new Transparency legislation coming into effect; Parish Councils with a turnover of under £25,000 will no longer be required to undertake an external audit, but will be required to publish more detail about financial regulations on its website. The clerk reported that new financial regulations and an asset register will be drafted with the Finance Committee, at the same time reviewing further requirements to ensure the Council complies.

6.1.2 **Bank account research report** The Clerk presented research on interest rates available to the Parish Council on investment of the majority of the Community Benefit monies received from the Blue Post and Hazard developments. It was **resolved** to open a 1 year Bond account with Nationwide with an interest rate of 1.4%. **Action:** Clerk to apply for account.

6.2. **Neighbourhood Plan** Councillors were reminded of the EGM on the 4th November called to revise the terms of reference for the Neighbourhood Plan Committee. It was commented that the Totnes Neighbourhood Plan have called a meeting to revise its own terms of reference this week to which Cllr Padfield will attend to observe. Cllr Broom did attend an informative 'Our Plan' meeting at SHDC, in which common concerns regarding affordable housing came up. He also reported that the Locality Fund to provide financial support to Neighbourhood Plan processes has run out, but further funds will be made available next year

6.3. **Community Land Trust** Nothing to report.

6.4. **TAP** A request to meet Dave Black regarding progression of the Toll House Cycle Path project was refused. C.Cllr Vint will attempt to move the project forward and continue to report back to the Parish Council.

Following an invitation to make TAP fund suggestions to the Parish Council to benefit local school children, Harbertonford Primary School have made some suggestions which are being explored in more detail. A full proposal will be made to the Parish Council for consideration at the ordinary meeting in November.

It was reported that since making solar panel enquiries for the school, two companies have come forward to offer services which Cllr Padfield is managing for the meantime.

6.5. Clerk's report

1. The Clerk had received reports from DCC on the playground review and has forwarded these to the committees responsible.
2. The Clerk reported that website is now complete with the addition of an archive of minutes back to 2000. It is intended that the website help with the aim to be transparent and open with the community it serves. Recently the Clerk has been spending a lot of time researching obligations and responsibilities under the Freedom of Information and Data Protection Act and responding to requests for information. It is hoped that a good website will ultimately cut down this administration time.
3. It was **resolved** that the Clerk become a member of the Society of Local Council Clerks for an annual fee of £76 and joining fee.
4. It was reported that Lloyds bank would require a personal visit from bank account signatories in order to either close the bank account or transfer significant funds to another account. **Action:** Clerk to liaise with signatories to arrange a date.

7. Community Benefit

7.1. Launch of Community Benefit Fund

Guidelines and application forms for the Harberton Community Benefit Fund will be posted on the Parish Council Website, and information on launch will be circulated to the two village websites, newsletters and information posted on the Parish notice boards. A press release to the Totnes newspapers will be drafted. **Action:** Clerk to disseminate information regarding the Community Benefit Fund.

7.2. Consideration of Community Benefit offer on Lower Blakemore Farm solar development.

The Chairman reported that the Parish Council had been informed that the offer of benefit will be £1,000 per megawatt per year. The size of the project is 5 megawatts (just under) therefore the community benefit would be approximately £5,000 per year for the duration of the installation over 25 years. This gives a total of £125,000. The Chairman commented that this information was not shared with Councillors prior to discussing the planning application to mitigate potential accusations of bribery. Councillors agreed that it would not be relevant to discuss the community benefit until after the final result of the planning application process.

8. **Consider 'protocol of recording meetings' draft for adoption by Parish Council.** The Parish Council **resolved** to adopt the 'Protocol of Filming and Recording of Local Council and Committee Meetings' document template as circulated by DALC in response to new permissions under the 'Openness of Local Government Bodies Regulations 2014'.

It was **resolved** that Parish Council recordings of meetings would be put on the Parish Council website.

Action: Clerk to post recordings on website.

9. Unmaintained road hedges.

It was reported that there were several areas within the Parish in which land owners were not complying with their obligations to maintain road hedges. It was commented that some land owners were not clear about what their obligations were. It was **resolved** that the Parish Clerk would write to land owners to provide information/leaflets obtained from Devon County Council if councillors brought it to the Clerk's attention. In cases in which the details of a land owner were not known, the Councillor would bring the issue to a meeting of the Parish Council for discussion. **Action:** The Clerk to request fliers/information or a template letter on obligations to maintain road hedges from Devon County Council Highways department.

10. Report from Ford Farm flooding meeting.

It was reported that with the support of Cllrs J Hockings and Hoddinott, a digger was hired by the owner of Ford Farm to clear the stream with the aim to prevent future flooding. The Chairman read a letter from residents expressing enormous gratitude to the Councillors who gave their time to assist.

11. **Parish Council response to South Hams Strategic Housing Land Availability Assessment.** It was **resolved** by majority vote that the Parish Council did not need to make a response to the South Hams Strategic Housing Land Availability Assessment.

12. Code of Conduct update

The Clerk reported receipt of notification from the Council Solicitor and Monitoring Officer that SHDC had recently reviewed and amended its Members' Code of Conduct and provided a copy of the original Code with highlighted amendments in case the Parish Council wished to review its own Code and make similar amendments. It was **resolved** that the Parish Council retain the status quo.

13. Agreement of payments as per schedule

The following payments were approved:

1. Chq 644 Cat Radford, Clerk Salary (October) £224.38
2. Chq 645 Cat Radford, Office Expenses (Printer ink/stamps/postage) £31.62
3. Chq 646 DALC, Inv 4087, Local Council Finance Course, £66.00
4. Chq 647 SHDC Inv 21256154, Annual insurance and inspection fee for Parish playgrounds £240.00

Due to the high cost of printer ink, it was **resolved** to purchase a laser printer for the Parish Council. **Action:** Cllr Williams to provide the clerk with a link to laser printer reviews to make a purchase.

14. Correspondence

- 14.1. 14/07/14 Grant Thornton. Audit for the year ended 31st March. The external auditor had returned the audited accounts to the Parish Council with some minor comments on good accounting practice which will be referred to the Finance Committee for review.
- 14.2. 22/08/14 Phil Baker: SHDC Our Plan Work... The Clerk has been asked for contact details of Councillors who wished to receive SHDC 'Our Plan...' e-newsletters. Cllr Wynne volunteered to receive them.
- 14.3. 22/08/14 Peter Fusco Proposed wind turbine installation at Foales Leigh Farm, Harberton. The letter advises the Parish Council that a resubmission of a proposal will be made to SHDC. It was commented that the landowner has invited Parish Councillors to a site visit once the full application has been received.
- 14.4. 15/09/14 Changes in government policy on renewable energy. The email received from the Campaign to Protect Rural England was noted for information.
- 14.5. 18/09/14 David Thompson re Parish Council. The letter read to the Council was sent in response to the resolution at the previous meeting regarding the Neighbourhood Plan and requested that the Parish Council delay completion of the Neighbourhood Plan until after elections May 2015 when the democratic mandate can be renewed. It was commented that the Neighbourhood Plan would not likely be completed before May due to information required from South Hams in order to proceed aspects of the plan. **Action:** The Clerk to write to Mr. Thompson thanking him for his letter and informing him it had been read at the meeting.
- 14.6. 19/09/14 South Hams and West Devon Neighbourhood Plan meeting Presentation. The Clerk had received a PDF of the 'South Hams Town and Parish Growth and Development Workshop' presentation. **Action:** Clerk to circulate to Cllr Wynne, Cllr Padfield and Cllr Broom.
- 14.7. 22/09/13 Council Tax Support Grant to Town and Parish Councils. The letter informed the Parish Council that SHDC will pass on a 10% reduction in grant funding from £689 in 2014/15 to £620.00 in 2015/16.
- 14.8. 23/09/13 DALC Winter Training Courses. The Council agreed that the Budgets and Precepts and Preparing for Elections courses would be a benefit to the Council. **Action:** Clerk to book and attend the courses.
- 14.9. 03/10/14 Highways Review. The Parish Council has been invited to contribute to a consultation on the impacts of the proposed cuts for 15/16 on the highways service. Comments should be made via www.toughchoices.co.uk by 5th December 2014. **Action:** Clerk to circulate.
- 14.10. 08/10/14 Devon Highways Parish and Town Council Website – invitation to complete questionnaire. **Action:** The clerk to complete this questionnaire regarding how Highways communicates with Parish Councils, with comment from Cllr Camp.
- 14.11. 08/10/14 Devon Countryside Access Forum and Report. The Parish Council was informed that the report had been received. Cllrs can request to receive a copy from the clerk.
- 14.12. 08/10/14 Invitation to Bob the Bus AGM 4th November The Parish Council was informed.
- 14.13. 09/10/14 Totnes and Dartington Ring and Ride Meeting 28th October 7pm. The Parish Council was informed.

15. Regular E Newsletters available to Councillors. Councillors were invited to request the following:

- 15.1. Public Sector Executive
- 15.2. Rural Services Network
- 15.3. Devon Home Choice
- 15.4. Devon County Council Community News Round – Up *Libraries Special*

16. Matters at the discretion of the Chairman

- It was reported that the disposal of dog waste was still an issue in Harbertonford. Cllr's queried whether it was possible to purchase dog refuse bins and whether they'd then be emptied by the District Council. **Action:** Clerk to request information regarding dog waste disposal to the Dog Warden in preparation for the issue to be discussed at the next meeting.

- It was queried whether the Parish Council should take over management of the Harbertonford Village Green noticeboard due to its recent use for campaign posters. The majority of Parish Councillors disagreed.
- It was reported that local residents had asked a councillor if they had to apply for 'change of use' if they were buying a field to turn into a pony paddock. It was advised to refer to the residents to the planning officer at South Hams.
- The Clerk was commended on the new website.
- The Parish Council agreed to write to Paul Wiseman of Michelmore Hughes to thank him for giving permission to access land in order to clear the stream at Ford Farm. **Action:** Clerk to send a letter of thanks.
- A comment was made that two disabled parking bays had been made on bow road, which seemed much longer than the disabled parking bays further down the road. It was queried whether this was due to new regulations or if the bays were excessively long. **Action:** Cllr Vint to pass on query to Highways.
- It was reported to County and District Councillors that there had been illegal car sales at Fork Cross, opposite Blakemore.
- Mud on the road at Peak Hill was discussed.