

## HARBERTON PARISH COUNCIL

Minutes of the ordinary meeting of Harberton Parish Council.  
7.30pm on Tuesday 13<sup>th</sup> September 2016, Harberton Parish Hall.

In attendance: Councillors (Cllrs) Beamish Broom, Camp, Davidson, J.Hockings, S.Hockings, Janes, McDonnell, Waite, Williams. District Councillor (D.Cllr) Tucker, County Councillor (C.Cllr) Vint.

Formal apologies: Cllrs Hutchinson, Wynne

Absent:0

Public: 2

Clerk: Ms Radford

### Public Session

- i. A member of the community read a letter with regard to their intention to apply to the Community Benefit Fund for the installation of a defibrillator in Harberton, making it clear that all liabilities must be taken by the Parish Council. As a resolution on this issue could not be made without first advertising such on the agenda, it was suggested that a copy of this letter be included with the application to the Community Benefit Fund, and that the Finance Committee make a recommendation to the Parish Council for approval at the next ordinary meeting. It was also suggested that the applicant include their request for written notification of insurance cover by the Parish Council's insurer.
- ii. A comment was made with regard to the signs boards and notices for private businesses that shouldn't be there, particularly signs advertising a business on the Brockhills junction. Although these signs are registered with South Hams District Council (SHDC) Enforcement and Devon County Highways (Highways) they are still in place providing free advertising, one has been appended and altered. The D.Cllr agreed to pursue enforcement. The C.Cllr suggested that the issue be registered via the Highways online reporting site and that information should be forwarded to him. It was commented that there had also been signs on the verge at Langridge Cross that had been removed.

Before proceeding with the agenda, the Chairman reported that Cllr Hutchinson had submitted a letter of resignation to the Parish Council. The letter confirmed that she will continue to work on the defibrillator project and will continue with the Harbertonford Playground Committee. The Chairman commented that it would be sad to see Cllr Hutchinson go as she was a good addition to the Council. **It was RESOLVED** that the clerk write a formal letter of thanks from the Parish Council. Cllr Hutchinson's departure therefore creates a vacancy on the Parish Council for a councillor in the Harbertonford Ward. The Clerk will begin the process filling the vacancy in liaison with SHDC Electoral Office. Cllrs agreed to encourage applicants to come forward.

### Agenda

1. **Apologies** were received as above.
2. **Declaration of Interests** Cllrs were reminded of the need to update their register of interests. Cllrs Davidson and McDonnell submitted an updated register.

The following interests were declared on items on the agenda:

| Name      | Item                             | Detail   | Action Taken   |
|-----------|----------------------------------|--|--|
| Cllr Camp | 11.1 Trees opposite Meadow Close | The Cllr. rents fields opposite Meadow Close, which may or may not be relevant to the query. | Noted. Further action to be taken if shown to be relevant. |

3. **Reports from County and District Councillors** for information.
  - 3.1 **County Councillor (C.Cllr)** It was reported that:
    - 3.1.1 only a small percentage of Parish Councils have appointed road wardens. Funds are available to join the scheme for 12 months;
    - 3.1.2 the C.Cllrs Pot Hole fund for the Harberton Parish has now been allocated to works between Fork Cross towards Tigley;
    - 3.1.3 the C.Cllr is encouraging people with access to the internet to report highways problems to the Highways reporting website <http://new.devon.gov.uk/roadsandtransport/report-a-problem/> to issues such as potholes, flooding and blocked drains, defective street lights, hazardous or fallen trees, trip hazards etc;
    - 3.1.4 there is still money in the Locality Fund for any local projects that can't be funded elsewhere.
    - 3.1.5 Following the rejection of a 20 mph zone in Marldon, it was reported that a majority of County Councillors strongly support 20 mph zones, but waiting for government to change their guidance that a standard speed limit should be 30 mph. When updated guidance is published, there will be greater opportunity to lobby for inclusion of 20 mph speed limits in the area.
    - 3.1.6 The C.Cllr has not received an update on the status of the waste station enquiry at Cockwells Nursery. It was noted that signs have appeared advertising availability of Christmas trees.
  - 3.2 **District Councillor (D.Cllr)** It was reported that:

- 3.2.1 applications for the Town and Parish Fund will be open shortly. Although Harberton Parish Council has received three grants over three years, it may be successful again and should consider an application to the fund;
- 3.2.2 the Local Plan is moving forward and the unofficial consultation period came to an end in August. It was commented, for clarity, that developers can put in comments to consultation just as any other member of the public can and the council will review all comments received from those who live and work in the South Hams. The official regulation 19 consultation will begin in the autumn, and it is expected to be lodged with the inspector in the new year/spring 2017;
- 3.2.3 SHDC agreed to investigate the viability to set up a local authority controlled company owned jointly by West Devon Borough Council (WDBC) and SHDC to enable the freedom to bid for services and earn income. The board of directors would be made up of councillors and independents with business knowledge. There were concerns about accountability of the board of directors. It was commented that the board would be accountable to elected councillors;
- 3.2.4 the joint SHDC and WDBC leisure services contract has been awarded to Fusion Lifestyle for a period of 25 years with the exclusion of Tadpool operated Totnes Leisure Centre, which has been offered a loan for improvements.
- 3.2.5 There was a comment that the Joint Local Plan meetings have clashed with meetings of Harberton Parish Council. The D.Cllr agreed to request that dates are checked before further meetings are arranged.
- 3.2.6 There was a query regarding the definition of 'temporary road signs' following the August erection of signs advertising the intention to run a Christmas Trees retail site at Cockwells Nursery. The D.Cllr agreed to pursue this and report to the clerk.
- 4. Minutes** The following minutes were approved as an accurate record:  
 Ordinary meeting of Harberton Parish Council 12<sup>th</sup> July 2016 – with minor amendments.  
 Harberton Parish Council Site EGM 9<sup>th</sup> August 2016  
 Harberton Parish Council Site EGM 6<sup>th</sup> September 2016 – with minor amendments.
- 5. Matters Arising from the Minutes**
- 5.1 Site visit to view suspected collapsed culverts It was reported that Cllr Waite had met the Neighbourhood Highways Officer to raise awareness of collapsed culverts on the A381 zebra crossing. After initially suggesting they were potholes, the Highways Officer agreed they were collapsed culverts and agreed to report this status back to Highways.
- 5.2 Harberton and Harbertonford defibrillator meeting It was reported that a meeting was held in Harbertonford Village Hall on the 6<sup>th</sup> September to which approximately 20 parish residents attended and gave strong support for the installation of defibrillators. It should therefore not be difficult to find volunteers to join a group to support ongoing maintenance and checks.
- 5.3 Devon Air Ambulance (DAA) community landing sites on going. **ACTION:** Cllr Broom.
- 5.4 Harberton telephone kiosk on going. **ACTION:** Cllr Broom/Clerk.
- 5.5 Harberton flood relief update It was reported that a meeting has been arranged with Devon Flood Relief and Highways on 21<sup>st</sup> September to discuss proposals to alleviate risk of flooding in Harberton by installing a pipe to divert flood water. It was suggested that the C.Cllrs Locality Fund could contribute towards costs, subject to approval of the scheme by Devon County Council (D.C.C.) and affected residents.
- 5.6 Inflatable Sand Bands It was reported that these are still being stored by Cllr Camp. It was agreed that some of the bags be distributed to properties in Harberton and Harbertonford that were at higher risk of flooding and that the remainder be stored by the Parish and Village halls, pubs, or located in the village telephone boxes. **ACTIONS:** Cllrs Broom, Waite, J.Hockings.
- 5.7 Parish Council Notice Boards The Clerk reported that a message had been circulated via Harberton Devon asking for details of anyone who could assess the work required to repair or renew the notice boards. As there had been no responses some suggestions were made at the meeting. **ACTION:** Clerk.
- 5.8 Harbertonford Playground Lease Ongoing - a letter had been sent to the Diocese with no response.
- 5.9 Harberton Playing Field Association (HPFA) Car Parking It was reported that the Parish Council's comments on car parking charges in the top car park had been discussed by HPFA who propose the installation of an honesty box inviting voluntary donations to HPFA for maintenance of the field and car park. It was considered that this was an acceptable interpretation of the Parish Council's comments without requiring further discussion. It was agreed that the Parish Council's comments extended to the use of the car park for second cars, commercial vehicles and trailers. The HPFA had requested comments on appropriate wording for the voluntary contribution honesty box. It was suggested that that HPFA write a draft on which the Parish Council could review at the next ordinary meeting.
- 5.10 Plymouth and South West Devon Joint Local Plan Meetings It was reported that meetings were attended by Cllrs Broom, Davidson and McDonnell and had been primarily focused on housing allocation.
- 5.11 St. Peters Church Litter Bin It was reported that a letter had been written to SHDC to request that the current bin be replaced by a larger, freestanding bin beside the bus stop. The D.Cllr agreed to chase this, but commented that SHDC resist putting larger bins in place as it encourages greater volume of waste, when people should take their waste home. It was commented that this bin is already heavily used and often overflowing.

- 5.12 Hardcore and soil bags dumped on the bank of the Harbourne, Harbertonford It was reported that these had been removed.

## 6. Planning

- 6.1 It was acknowledged that the following applications had been received for information:
- 6.1.1 2062/16/PDM, Notification for prior approval for proposed change of use from agricultural building to dwellinghouse (Class C3) (Class Qa) Staners Barn, Foales Leigh Farm, Harberton. **It was RESOLVED** to suggest that an ecologist report for the building is requested, due to its proximity to the flyway of the Greater Horseshoe Bats and a major roost of Greater Horseshoe Bats, Lesser Horseshoe Bats and Long-eared Bats.
- 6.1.2 2551/16/PDM, Notification for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3) and for associated operational development, Higher Dorsley Barton, Green Lane to North of Copperthorne Cross, Harberton, Devon
- 6.2 It was reported that the Planning Authority has granted **CONDITIONAL APPROVAL** on the following applications:
- 6.2.1 0773/16/HHO The Old Store Wesley Place Harberton Householder application for lime-rendering gable wall
- 6.2.2 1417/16/HHO Harberton 3-4 Chapel Cottages Moreleigh Road Harbertonford Devon TQ9 7TT Householder application for construction of ancillary building and erection of fence. It was noted that this shall only be used in connection with the dwellinghouse and not for commercial or business purposes.
- 6.2.3 1696/16/HHO Tailrace Crowdy Mill Crowdy Mill To Harbertonford, Householder application for the demolition of wooden shed and replacement with a single storey wood framed outbuilding. It was noted that PVC-u goods shall not be used due to their incongruous nature with the historic settlement and the site's wider open countryside location. Nor shall standard trickle ventilation be used.
- 6.2.4 2153/16/NMM Yeo Cottage Sandwell Sandwell Farm To Blakemoor Cross Harberton Non - material amendment to planning consent 23/1050/13/F for amendments to fenestration.
- 6.3 It was reported that the Planning Authority had **REFUSED** the application 1874/16/PDM Higher Dorsley Barton Green Lane To North Of Copperthorne Cross Harberton, Notification for Prior Approval for a proposed change of use of agricultural building to 3no. dwellinghouses (Class C3)(Class Q), on grounds of absence of ecology survey.
- 6.4 It was reported that the Planning Authority had **APPROVED DISCHARGE OF CONDITIONS** on the following applications:
- 6.4.1 1732/16/ARC Harberton Hazard Farm, Harberton TGC Solar 83 Ltd, Application for approval of details reserved by condition 9 (Location of bat boxes) of planning consent 23/2530/15/VAR
- 6.4.2 1416/16/ARC 3 Harbourne Terrace Main Road Harbertonford (roof materials and joinery samples)
- 6.5 A hard copy of enforcement cases was circulated amongst councillors only, for information.
- 6.6 It was agreed that a site meeting will take place at 12 noon on Tuesday 27<sup>th</sup> September outside the Old Mill, Woodland Road, Harbertonford, to discuss the tree application 2770/16/TCA and the planning application ref 2366/16/HHO.

## 7. Monthly reports for information

- 7.1 Finance Committee update. It was reported that the next meeting will be on 4<sup>th</sup> October 2016.
- 7.2 Neighbourhood Plan update. Nothing to report as meetings were suspended in August.
- 7.3 Community Land Trust update It was reported that a permeability report is required, £2,500. The D.Cllr suggested applying to the Locality Fund.
- 7.4 Town and Parish Fund 2014 and 2015 updates.
- 7.4.1 2014 Ongoing.
- 7.4.2 2015 Ongoing – a meeting is being arranged between councillors.
- 7.5 Clerk's update
- 7.5.1 Certified Annual Return for the year ended 31 March 2016 It was reported that the Parish Council had received the certified return from Grant Thornton. This had been scanned and uploaded to the Parish Council website and the Notice of Conclusion of Audit would be posted on the Parish Council notice boards for a period of 14 days. The external auditor made two comments within the report to draw to the attention of the Parish Council:
- The period for the exercise of public rights was wrongly advertised as 31 days instead of the 30 working days required. In future the Council must ensure that the dates for advertising should be properly calculated as for any days over those 30 working days, a member of the public would have no formal rights in respect of objection, inspection and questioning of the external auditor.
  - The Council has published the relevant documents following the commencement date of the inspection period. The Council should ensure that in 2016/17 that all documents are published in advance of its notice period commencing. The Clerk commented that clarification has been sought on this advice in order to fully understand the error.
- 7.5.2 Screw Lane drainage The Clerk reported that she had been copied into a letter to Highways with regard to drainage problems in Screw Lane, where drainage pipes and buddle holes are blocked with silt. This was reported to Highways in January but no work has been undertaken to alleviate the problem which will likely cause flooding in the area over the winter. A response from Highways had not been received to date. It was commented that without undertaking works to clear the buddle holes, drainage pipes or lowering the

level of the field to help drainage, flooding will likely break up the new road surface. **It was RESOLVED** that the clerk write to Highways to request that they undertake the work.

- 7.5.3 Update for Parish and Town Council Clerks It was reported that the Clerk had been invited to an information event at Follaton House on 3<sup>rd</sup> October in order to be briefed on changes that have occurred to District Council processes and services since completing the Transformation Programme review.
- 7.5.4 Historic Filing The Clerk reported that she will be booking one of the village halls in the coming month to undertake filing of historic records of the Parish Council. Cllrs Broom, Beamish and Davidson agreed to help.
8. **Request D.Cllr respond to the Harberton Parish Neighbourhood Plan letter in response to the Joint Local Plan consultation, specifically in relation to housing.** Councillors reiterated that the sites within the Joint Local Plan Strategic Housing and Employment Land Availability Assessment (SHELAA) do not agree with the sites being considered within the Harberton Neighbourhood Plan (HNP). It was commented that there is a lack of communication from the Planning Authority, who do not appear to have taken work of the HNP into account regardless of being forwarded copies of the draft HNP. The D.Cllr responded by saying that the consultation exercise is being taken seriously and all comments received from the community will be taken into account. It was commented that the government has withdrawn the funding available for officers to undertake the missing communication role between the local authority and neighbourhood plan committees. There was discussion regarding possible development sites in Follaton and it was commented that although they are technically within the Harberton Parish, those sites would not be appropriate for those who want to live in Harberton or Harbertonford or support the village services. It was commented that it may not be justified in putting this in as a site, unless it becomes an alternative site for the Totnes or Dartington Neighbourhood Plans. The D.Cllr agreed to arrange a three way meeting between Harberton, Totnes and Dartington neighbourhood plan groups with an officer present in order to pursue the issue.
9. **Clay Pigeon Shoot in Harbertonford** It was reported that a query from Harbertonford residents had been received as to start and finish times of the monthly shoot operating in the village. Local opinion is that the shoot operates between 11am – 1pm but it has been overrunning in recent months. **It was RESOLVED** to make a verbal approach to the shoot and ask whether the traditional times of 11am – 1pm could be adhered to. **It was RESOLVED** to suggest that the times of this regular shoot be advertised in Village Life as information for new residents in the village who may not be aware.
10. **Web hosting contract** It was reported that the current web hosting provider has suggested to the Parish Council that costs could be reduced by 15% if it were move to a 5-year term. **It was RESOLVED** that the clerk follow this up.
11. **Correspondence**
- 11.1 Query re large trees opposite Meadow Close It was reported that a couple of big trees have now joined the hedges pulling the telephone line down. **Action:** Cllr Camp agreed to visit the site and report back to the Clerk who would report to Open Reach.
- 11.2 Changes to Council Tax Reduction – Have your say It was reported that the consultation ended on 4<sup>th</sup> September.
- 11.3 Benefits It was reported that it is now possible to apply for benefits online.
- 11.4 Moreleigh Community Celebrate New Affordable Homes It was reported that South Hams District Council allocated £40,000 from the Housing Capital Programme to support this development of 12 new family homes in Moreleigh. It was commented that this may result in children attending Harbertonford CE Primary School.
- 11.5 Green light for Local Authority Controlled Company's next step This press release was noted, following discussion earlier in the meeting.
- 11.6 Totnes by-elections – The results It was reported that John Birch was elected as a D.Cllr in the Totnes Ward.
- 11.7 Devon Minerals Plan - Modifications Consultation This was noted for information.
- 11.8 Hate Crime - EU referendum result It was reported that those with key responsibilities within our communities to ensure that they are encouraging those experiencing hate crimes/ incidents to report them. Reporting to the police is preferable but if people feel unable to do so they should be encouraged to report their experience through a third party such as True Vision, Stop Hate UK or Tell MAMA. Police contact details are 999 (emergency) 101 (non-emergency), text/sms 67101 for the deaf/speech impaired or [101@dc.police.uk](mailto:101@dc.police.uk)
- 11.9 Your monthly newsletter from Devon ALC (August) Circulated to Cllrs for information.
- 11.10 NHS Community Consultation to start on 1 September Cllrs were invited to take part in the consultation on closure of community hospitals in the area.
- 11.11 Planning Peer Review Challenge It was noted that the final report had been published.
- 11.12 Palmers Dam construction works August onwards It was noted that work has commenced to shift the gates from the dam stream side to the upstream side of the dam to use hydrolic force to help the seal.
- 11.13 History Society Acceptance It was agreed to make a reduced payment than originally agreed as the society will use a PA system on permanent loan. It was agreed that the society could return to the fund should they decide to purchase a PA in the future.
- 11.14 Looking Back and Looking Forward It was reported that SHDC had published its annual report.
- 11.15 Invitation to the DALC AGM and Conference 2016 Noted. No cllrs volunteered.

- 11.16 Applications to the Community Re-investment Project Fund - deadline 7th January 2017 It was reported that a minimum grant of £5,000 is available for a capital project. It was suggested the grant could be used for a community orchard or flood defence project. It was agreed to review this at the next meeting following the meeting with Devon Flood Management and Highways.
- 11.17 Connecting Devon & Somerset Update It was noted that the project is on target for completion at the end of 2016.
- 11.18 Harberton PCC grant request for graveyard upkeep It was **RESOLVED** to grant £450 as is in the budget.
- 11.19 Grants and Funding Sources for Rural Towns and Villages It was reported that the C.Cllr had provided a long list of potential grant sources. The Clerk agreed to forward this to Cllrs McDonnell, Williams and Davidson.
- 11.20 Consultation on Taxi Licensing Policy It was noted that the consultation is open.
- 11.21 Your monthly newsletter from Devon ALC (September) Circulated to Cllrs for information.
- 11.22 Joint Local Plan Background Paper The Clerk agreed to circulate to the HNP Steering Group.

## 12. Finance

12.1 Notice of income and expenditure since last meeting.

12.1.1 Income The following receipts were noted:

27/07/16 £430.39 VAT reclaim

12/08/16 £5656.00 TGC Solar: Annual Community Benefit Fund payment.

12.1.2 Expenditure It was noted that due to the late payment of the annual Community Benefit Fund payment from TGC Solar there had not been sufficient funds in the current account to pay cheque 751 and it was returned, incurring an administration charge of £10.00.

It was reported that the following cheques were signed between meetings:

| Chq |                             | Invoice | Detail                         | Before VAT | VAT  | Total   |
|-----|-----------------------------|---------|--------------------------------|------------|------|---------|
| 753 | Harbertonford Football Club | n/a     | Community Benefit Fund Payment | £723.46    | 0.00 | £723.46 |
| 754 | Eve Sanders                 | n/a     | Community Benefit Fund Payment | £300.00    | 0.00 | £300.00 |

12.2 It was **RESOLVED** to pay the following cheques:

| Chq |   | Invoice | Detail  | Before VAT | VAT  | Total   |
|-----|---|---------|---|------------|------|---------|
| 755 | Cat Radford                                 | n/a     | Salary August: £231.92<br>NP Secretary August: £35.68<br>Clerk Expenses claim<br>20160906: £60.04 | £327.64    | 0.00 | £327.64 |
| 756 | Cat Radford                                 | n/a     | Salary September: £231.92<br>NP Secretary September : £35.68                                      | £267.60    | 0.00 | £267.60 |
| 757 | Harberton and Harbertonford History Society | n/a     | Community Benefit Fund Application  | £279.77    | 0.00 | £279.77 |
| 758 | Harberton Parochial Church Council          | n/a     | Annual grant towards graveyard maintenance  | £450.00    | 0.00 | £450.00 |
| 759 | Information Commissioner                    | n/a     | Data protection registration renewal (ref ZA142198)   | £35.00     | 0.00 | £35.00  |

13. **E-Circulars** It was reported that the following were available for review: Rural Services Network, Devon Home Choice, Devon County Council Community News Round-up, Public Sector Executive, Fields in Trust.

## 14. Matters at the discretion of the Chairman: Councillors' reports and items for future agendas

Police Report The clerk was asked if a Police Report had been received following local reports of prowling and thefts in Harberton and Diptford. No report had been forthcoming.

Low flying paragliders It was commented that the practice was invasive.

Traveller parked at Rolster Bridge This was reported for information.

Major fly tipping incident at Yeo Cottage It was reported that a vehicle's tailgate was opened in transit tipping windows onto the road.

Parish Emergency Plan It was requested that the Parish Council consider developing an Emergency Plan to set out what would be done and who would be responsible to liaise with the relevant authorities in case of an emergency situation. It was agreed to include this as an agenda item at a future meeting.

## 15. Date of Next Meetings

Tuesday 4<sup>th</sup> October 2016, Finance Committee, Harbertonford Village Hall

Tuesday 11<sup>th</sup> October 2016, Ordinary Meeting of Harberton Parish Council, Harbertonford CE Primary School.