

HARBERTON PARISH COUNCIL

Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 11th October 2016, Harbertonford CE Primary School.

Present: Councillors (Cllrs) Beamish, Camp, J. Hockings, S.Hockings, Janes, McDonnell, Waite, Williams, Wynne, District Councillor Tucker.

Formal apologies: Cllrs Broom, Davidson, County Councillor (C.Cllr) Vint,

Absent: 0

Public: 1

Clerk: Ms Radford

Public Session

- A request was made that the Parish Council to remove the filing cabinets currently stored at the residence of the previous clerk. A date was agreed.

Agenda

- 1. Apologies** were received and accepted as above.
- 2. Declaration of Interests** Councillors were reminded of the need to update their register of interests. No interests were declared on items on the agenda.
- 3. Reports from County and District Councillors** for information.
 - 3.1 County Councillor (C.Cllr)**
 - 3.1.1 The Clerk reported that the C.Cllr had reminded the Parish Council that an application for a notice board can be made to the Locality Fund, provided an application is made before December.
 - 3.2 District Councillor (D.Cllr)**
 - 3.2.1 A Locality Fund grant made to the Community Land Trust was paid last week.
 - 3.2.2 District Council officers are willing to attend a joint Neighbourhood Plan meeting, but no date has been secured as yet with Dartington or Totnes Neighbourhood Planning groups.
 - 3.2.3 The Mill Meadow planning application is still in discussion following the Parish Council's objections.
 - 3.2.4 The advertising sign at Brockhills is not currently listed with enforcement but has been reported.
 - 3.2.5 The Christmas Tree signs at Cockwells nursery are under enforcement.
- 4. Minutes** The following minutes were approved as an accurate record:
 - 4.1 Ordinary meeting of Harberton Parish Council 13th September 2016 – with minor amendments
 - 4.2 Harberton Parish Council Site EGM 27th September 2016 – with minor amendments
 - 4.3 Harberton Parish Council Finance Committee Meeting 4th October 2016 – with no amendments
- 5. Report Matters Arising from the Minutes** for information only
 - 5.1 Devon Air Ambulance (DAA) community landing sites** It was reported that Harbertonford Football Club was supportive of the proposal to investigate using the football field as a landing site. This has been reported back to DAA who will arrange a visit to the club house in order to gather information about costs of installation and therefore of the fundraising target. The Clerk was given the **action** to ask if the Harberton Parish Hall and Playing Field Committee would be in support of the playing field being included in project scoping.
 - 5.2 Harberton flood relief update** It was reported that a meeting was held on the 21st September at Ford Farm, attended by Cllrs Broom, J.Hockings, S.Hockings, the Clerk, and Neighbourhood Highways Officer Darren Cole and members of Flood Risk Management (Flood Risk) Richard Rainbow and Gemma Cater. Local residents also contributed to discussion. It was reported that the meeting covered two issues below:
 - 5.2.1 Flood relief proposals** Parish Councillors described to the Highways officer and Flood Risk team proposals to divert water from the Harbourne upstream of the bridge at Ford Farm by way of a pipe, the location where the pipe would cross the road and where it would be let out downstream. The county officers had concerns that the bottom culvert wouldn't take the water and agreed that a consultant should be asked to provide a survey to demonstrate whether the scheme was viable, to investigate the effect on properties downstream, to assess the capacity of the culvert and to undertake a cost/benefit analysis. It was strongly advised that this step should be taken as the Parish Council would be liable if it decided to undertake the work. Flood Risk could provide contact details for relevant consultants and may be able to provide some funding to contribute to a survey. Flood Risk may have access to useful details the original scheme as implemented. Highways commented that the Parish Council should consider future maintenance of a scheme as this would not fall under Highways' remit. Cllr Hockings reported that since the meeting was held he had measured the pipes himself and had reservations that the capacity of the culvert would be sufficient to take the flow. It was agreed to ask Flood Risk to advise as to whether any funding is available for this survey or, alternatively for funding

to scope a scheme that creates a break tank further upstream and to discuss this as an agenda item at the next ordinary meeting.

5.2.2 Gully opposite Church Barn A local resident commented that the gully opposite Church Barn cannot cope with high volumes of water from roofs and downpipes during heavy rain. It was discussed that this may be due to broken or blocked pipes on private land. Devon County Highways (Highways) commented that it does not have a responsibility for drainage systems on private land, as responsibility for maintenance and/or improvement falls to the home owner. The Parish Council was informed that the appearance of foul water at this site must be reported to South West Water (SWW). The clerk has since reported this to SWW and an engineer was sent to inspect the drain but had seen no evidence of foul water or a blockage. It was suggested to the Clerk to report any concerns regarding this gully to SWW every time evidence of foul water is seen to enable SWW to get a greater picture of the problem. The clerk has now liaised with the most affected home owner on this issue.

5.3 Parish Council Notice Boards The clerk has yet to find someone to undertake the maintenance of the Harberton notice board. Cllr Waite agreed to look at the Harbertonford board.

5.4 Harbertonford Playground Lease The Clerk has spoken to the Diocese and the query is to be passed to the School Administrator.

5.5 St. Peters Church Litter Bin It was reported that both the chairman and the Clerk have now requested the bin is re-sited. This has been noted and will be included in the District Council's bin mapping exercise and new street cleaning review.

5.6 External Auditor comments on Certified Annual Return for the year ended 31 March 2016 Following the clerk's request to the external auditor for more clarity regarding comments made on the annual return, it was explained that the Parish Council is provided with two separate information notices for the clerk to post on the notice boards about publicising the external audit process. One is called 'the Notice' and one is called 'the Declaration'. The 'Notice' must not proceed 'the Declaration' in date or publication. If the Parish Council signs off the end of year accounts at either the April/May meeting of the Parish Council the issue will be resolved.

5.7 Webhosting Contract Ongoing.

5.8 Screw Lane drainage No response had been received from Highways.

5.9 Storage of Aquasac flood defence bags Cllr J.Hockings agreed to deliver some of the bags to Harberton residents most affected by flooding and deliver the remainder of the bags to Cllr Broom for Harbertonford residents.

6. Planning

6.1 Consideration of recommendation on planning applications

6.1.1 **It was RESOLVED** to support application 2497/16/FUL, Conversion and extension of out-building into separate dwelling to be used in connection with the main house at Meadow Copse, Bow Road, Harbertonford.

6.1.2 **It was RESOLVED** to support 2466/16/LBC Listed building consent for the replacement of two rotten south-east facing ground floor windows with like for like timber casement windows and replacement of two rotten south-east facing first floor windows with hardwood whilst retaining original casement windows at Vine House, Harberton

6.1.3 **It was RESOLVED** to support 2735/16/HHO Householder application for loft extension (raise ridge height) at Miss Muffett Cottage, Moreleigh Road, Harbertonford. with the following comments on possible conditions: The Parish Council expressed concerns regarding possible traffic congestion at this site during works, specifically in relation to large delivery vehicles and the siting of a skip. The Parish Council therefore requests that a traffic management plan is put in place.

6.2 Acknowledgement of receipt of planning applications for information

2662/16/PDM Prior approval for proposed change of use of agricultural building to 2no. dwellinghouses (Class C3) and for associated operational development (Class Qa+b) at The Dutch Barn at SX 766 741, Blakemore Farm, Harberton. No comments were made.

6.3 Report on planning authority decisions

6.3.1 2062/16/PDM proposed change of use from agricultural building to dwellinghouse (Class 3) (Class Qa), Foales Leigh Farm, Harberton PRIOR APPROVAL REFUSED on the grounds that insufficient information has been submitted to confirm that the existing building operations involved in construction of the existing agricultural building are lawful, it has not be satisfactory demonstrated that conversion could be achieved without the introduction of new structural elements, the absence of an ecology survey and the proposed curtilage being larger than the land area occupied by the agricultural building.

6.3.2 2200/16/OPA to replace timber agricultural building with timber clad 2 bedroom lodge, field adjacent to Little Grove Farm, Harberton WITHDRAWN

6.4 Report of enforcement cases Cllrs were updated.

7. Monthly reports for information

7.1 Finance Committee update It was noted that the finance committee accepted the 2nd quarter budget report and bank reconciliation as prepared by the clerk, showing a balance of £42566.33 including reserves.

- 7.2 Harberton Parish Neighbourhood Plan (HNP) update It was reported that meetings of the HNP had resumed following a break over the summer. It was reported that Cllr McDonnell had revised the draft chapter to apply principles the planning consultant had identified. This draft will be reviewed at the next meeting of the HNP. It was agreed to circulate this draft to the Parish Council and to receive comments at the next ordinary meeting once it has been signed off by the HNP Steering Group. It was reported that the steering group had agreed that no further housing sites should be added to the plan at this stage.
- 7.3 Community Land Trust (CLT) update It was reported that the transport survey has now been under taken and the percolation test should be in process. It was reported that an open day was held in Harberton on 24th September 2016 and a summary of the issues that arose is in circulation via the usual Parish outlets and on the CLT Facebook page.
- 7.4 Town and Parish Fund updates
- 7.4.1 *2014* The Clerk reported that discussion with the artist and school has now resumed and hopes that an agreement can be made on approving a project before Christmas to allow the funds to be drawn down.
- 7.4.2 *2015* Ongoing. It was confirmed that the work should be undertaken this season, Cllrs S.Hockings, Camp and Davidson will liaise.
- 7.5 Clerk's update
- 7.5.1 *Historic filing* The Clerk thanked Cllrs Beamish Broom, Davidson and McDonnell in their help to complete the backlog of historic filing.
- 7.5.2 *District Council Briefing* The clerk reported attending an informative briefing event held at the District Council offices at which updates were given on the Local Authority Controlled Company, new IT infrastructure, updates on the telephone system, availability of grant funding, street cleaning consultation and improvement of systems within the development management department. The following points were noted for interest:
- It was reiterated that 'objecting' to planning without giving reasons does not give officers enough information on which to write their report.
 - If the officer's recommendation is contrary to the Parish Council's recommendation that it must first be signed off by the ward member and the chair of planning.
 - Workshops can be made available by Development Management staff to update councillors on what to consider when considering a response to planning applications.
 - It is illegal to disobey an enforcement notice unless it is successfully appealed against, but a planning breach in itself is not illegal (unless in respect of listed building consent) and the council will often permit a retrospective application where planning permission has not been sought. Councillors should therefore view retrospective applications in the same way that they would any other application.
 - A meeting will be held for clerks in the winter to discuss 'Code of Conduct'.
8. **Parish Councillor Vacancy** It was reported that notice was given on the 15th September that a vacancy exists in the office of councillor for the Harbertonford ward of Harberton Parish Council. Confirmation was received that no requests were received by Electoral Services for an election to be held to fill the vacancy, so the Parish Council are now able to co-opt a new member. **It was RESOLVED** to advertise the vacancy by displaying posters in Harbertonford and requesting a notice in Village Life and the Parish Magazine. The vacancy will be filled at the next meeting of the Parish Council should applicants come forward. If more than one person indicates their interest in becoming a Parish Councillor, each application will be considered by its merits and the Parish Council will make their decision by majority vote.

9. **Community Benefit Fund Grants** It was **RESOLVED** to approve the Finance Committee's recommendations as below:

Project Summary	Grant	Conditions or Reason for Objection	Method of payment
Jane Hutchinson and Leila Nicholson: Harberton and Harbertonford Village Defibrillators To purchase and install a defibrillator in each of the decommissioned and Parish adopted BT telephone boxes in Harbertonford and Harberton for use by anyone to help potentially save someone's life who is experiencing a cardiac arrest. The application is support by people in both villages.	100% of request £3900	It is noted that the telephone box in Harberton has not yet been adopted and that the grant for the Harberton Village defibrillator will be subject to this being agreed. It was agreed that the grant could go ahead in stages to prevent delays in Harbertonford. The applicants must provide: <ul style="list-style-type: none"> - a list of names to the Parish Council of the volunteers who will undertake regular checks; - assurance that a written record will be maintained to ensure that warranty conditions are met and adhered to; - information of the reporting procedures put in place to ensure that this written record will be regularly made available to the Parish Council. 	The Parish Council will pay invoices directly on receipt, up to a value of £3900.00. The Parish Council will ring fence funds for the project by creating reserves within the accounts.

It was reported that the Parish Council's insurance broker had confirmed in writing that, providing volunteers undertaking checks of defibrillators on behalf of the Parish Council, volunteers will be automatically covered under the Parish Council's insurance. It was noted that Harbertonford Post Office and Stores had paid for the Harbertonford telephone kiosk to be repainted.

10. Finance Committee recommendations for Community Benefit Fund reserves to consider:

- 10.1 Transfer of Funds **It was RESOLVED** to accept the recommendation of the Finance Committee and transfer funds of £29,195.77 to the new Barclays Community Account set up for the purpose.
- 10.2 Community Benefit Fund Reserves **It was RESOLVED** to accept the recommendation of the Finance Committee to enable the reserve of funds across several years for longer term Community Benefit Projects.

11. Harberton Playing Field Association parking honesty box wording – not discussed.

12. Correspondence

- 12.1 Thank you from St Andrew's Church Thanks had been received for the churchyard grant.
- 12.2 Devon Community Resilience Forum Event It was noted that councillors were invited to a meeting to discuss the creation of an emergency plan and risk assessment on November 9th 2016.
- 12.3 Community Re-investment Projects Fund It was noted that Harberton Parish was not on the list as eligible. It was commented that the Parish might be eligible when the CLT development is underway.
- 12.4 Council tax referendum principles consultation **It was RESOLVED** that the clerk respond to the consultation and object to any principles that would restrict town and parish councils to set their own budgets by the implementation of a cap.
- 12.5 Sign up for alerts from your Council It was noted that anyone can sign up to email alerts from the District Council.
- 12.6 Converting Dog Control Orders to Public Space Protection Orders It was noted that this change would be made. The D.Cllr was asked whether Public Space Protection Orders could apply to advertising vans left for long periods in car parking spaces. The D.Cllr asked if the minutes could note a request that all dog owners who walk their dogs on farm land could worm their dogs for tape worm as the spread of tape worm through dog faeces to livestock can cause major problems for the animals and for farmers.
- 12.7 #WeAreDevon Community Survey and Community Insight Survey results It was noted that the results have been published and were passed on to members of the HNP steering group for information.
- 12.8 NHS Consultation Stakeholder Updates After discussion, **it was RESOLVED** that councillors would make their own individual responses to the consultation.
- 12.9 Future of our Community Hospitals It was reported that a consultation meeting will take place in Ashprington Village Hall at 6.30pm on 20th November 2016.
- 12.10 South Hams TAP guidance 2016/17 Cllrs were notified that the TAP fund is open and inviting application before the deadline of 19th December 2016. It was agreed that Cllrs to bring ideas forward to the next meeting for discussion within a specific agenda item.
- 12.11 Pension Regulator Act now – the law has changed **It was RESOLVED** that the Parish Council bring forward the declaration to the Pension Regulator. The Clerk was instructed to prepare an employee's letter about the workplace pensions scheme. It was noted that the Parish Council is not obliged to contribute.
- 12.12 BT Payphone Kiosk Removal - Consultation – Harberton It was reported that the Parish Council had been asked to consult on the future of the telephone and kiosk in Harberton. After discussion, **it was RESOLVED** to request that the Parish Council adopt the phone box.

13. Finance

13.1 Notice of income since last meeting It was reported that £5264.50 was paid into the Flexible Savings Account as the remainder of the annual precept.

13.2 October Payments **It was RESOLVED** to make the following payments

Chq		Invoice	Detail	Before VAT	VAT	Total
760	Cat Radford	NA	Salary October: £231.92 NP Secretary October : £35.68	£267.60	0.00	£267.60
761	Cat Radford	NA	Clerk Expenses claim 20161006	£20.64	0.00	£20.64
762	Grant Thornton	8591206	Fee in respect of the 2016 annual return	£100.00	£20.00	£120.00
763	Harberton Parish Hall	27 Sept 2016	Hall hire for 22nd September for filing purposes	£12.37	0.00	£12.37

14. E-Circulars It was reported that the following information circulars are received regularly: Rural Services Network, Devon Home Choice, Devon County Council Community News Round-up, Public Sector Executive, Fields in Trust, Emergency Planning newsletter.

15. Matters at the discretion of the Chairman None arising.

16. Date of next ordinary meeting Tuesday 8th November 2016. Meeting closed at 21:23.