

## **HARBERTON PARISH COUNCIL**

Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 12<sup>th</sup> December 2017,  
Harbertonford CE Primary School

In attendance: Cllrs Beamish, Broom, Bowley, Davidson, J.Hockings, S.Hockings, Janes, McDonnell, Waite, White, C.Cllr Hodgson.

Apologies: Cllrs Camp, Williams, D.Cllr Tucker

Not in Attendance:

Public: 10

Clerk: Ms Radford

### **Public Session**

- i) Representative from Harberton and Harbertonford Community Land Trust (CLT) addressed the meeting give background to the CLT planning application at 'Oak Tree Field' in Harberton. It was reported that should approval be given and homes built, 10 local families will be housed, most of whom attended the meeting. The homeowners are a mixed group that reflect the local demographic. All are caught in the trap of not being eligible for social housing, but unable to afford to buy. Local rent for an average home is between £800 - £1000 per month which makes it difficult to save for a family home. The CLT has taken a long journey to get to this point. The core group have played an active part, raising £50,000 through bids and grants to support the pre-application process. Homes have been allocated to families through a procedure led by 'Help to Buy South West' according to strict criteria, and homes may only be sold in the future to buyers who meet this criteria at a value set by government. Due to local concerns about local flooding, the architect has included into the design an attenuation pond, Devon hedge bank, green roofs and permeable road surfaces. The architect is confident that these measures will mitigate flooding. It was commented that a maintenance plan will be produced to ensure measures are maintained in perpetuity by the CLT. Once the houses are built, all tools used will be made available through a tool sharing model. There are also plans for an electric car for use by residents.
- o Cllrs expressed concerns about the lack of clarity about the foul water and sewerage system that would be in place. CLT representatives could not give a formal response to this query, commenting that it was hoped for a sustainable solution.
  - o Cllrs asked whether there were plans for the fields surrounding the development. It was commented that there were no fixed plans. The development is geared to minimise visual impact.
  - o Cllrs asked what system will be in place for maintenance of the ponds and to ensure that no patios/extensions are built that could have an effect on run off. It was commented that the CLT will exist in perpetuity, to run and maintain the site. The architects will leave a maintenance plan in place.
  - o The plan includes proposals for hot water to be provided by solar panels. There was a query over the efficacy of this.
- ii) A helper from Harbertonford Youth Club attended the meeting regarding the proposed joint Town and Parish Fund application to support youth services within the parish. The volunteer run club would benefit from professional support by coming under the umbrella of the Totnes Rural Area Youth Engagement Project (TRAYE) and share costs. It was reported that two young people had hoped to attend the meeting to comment about how increased youth service provision would be of value to them. One is a young carer and would greatly benefit from the social aspect of a youth club, and another young person who is now attending secondary school and that a club with activities for 11+ year olds would enable her to stay in contact with friends from her previous primary school. Cllrs asked if these young people could be encouraged to write something that could be submitted in support of the bid. The Chairman commented that she had attended the meetings with TRAYE and other parish councils, and having previously been sceptical about the project was very impressed with the impact the project has had, skills of the people involved and the activities provided for the young people.

### **Agenda**

1. **Apologies** were received as above.
2. **Declaration of Interests**
  - 2.1 Councillors were reminded of the need to update their register of interests.
  - 2.2 No interests were declared on items on the agenda.
3. **Reports from County and District Councillors** for information.
  - 3.1 **County Councillor (C.Cllr)** had provided a written report that was circulated to councillors.
    - 3.1.1 The C.Cllr had attended meetings of the Highways and Traffic Orders Committee (HATOC) and reported that a reluctance to reduce speed limits because of the impact on road users, particularly lorries.
    - 3.1.2 The C.Cllr offered to raise issues on behalf of the Parish Council at the Joint Local Plan hearings.
    - 3.1.3 It was reported that an update had been received regarding the investigation at Cockwells Nursery following the fire on site. It was reiterated that Devon County Council (DCC) put the matter on hold whilst the Environment Agency investigations were taking place. This has now reached the stage that it has been timetabled to go court. Once this process has been completed, appropriate enforcement action by the Waste Planning Authority will be recommenced.

3.2 **District Councillor** No report.

4. **Minutes** It was **RESOLVED** to approve the minutes of Ordinary Meeting of Harberton Parish Council 10<sup>th</sup> October 2017.

5. **Report Matters Arising from the Minutes** for information only

5.1 **Community Speed Watch** Despite chasing the officer, no further information has been received about implementing the initiative.

5.2 **Devon Highways 2017 Conference** Due to confusion in dates and time of the event, Parish Councillors were unable to attend. Presentations will be circulated by email.

5.3 **Harberton Bus Shelter** Following a site visit with a local builder, a quotation will be provided to rebuild the bus shelter and new notice board within. Figures will be provided in time for the Finance Committee meeting. It was suggested to make an approach to Rattery Saw Mills for timber.

6. **Planning**

6.1 **Consideration of the following planning applications:**

6.1.1 It was **RESOLVED** to SUPPORT to application **3596/17/FUL** Application for a general purpose agricultural building at Moore Farm, Harberton

6.1.2 It was **RESOLVED** to SUPPORT **3645/17/LBC** Listed Building Consent to reinstate former porch at Beenleigh Manor Beenleigh Harbertonford

6.1.3 It was **RESOLVED** to SUPPORT **3061/17/FUL** Application for erection of a summer house at Hill Mill Nursery, East Leigh Cross To Monkey Oak, Harberton

6.1.4 It was **RESOLVED** to SUPPORT **3598/17/FUL** Application for a general purpose agricultural building at Moore Farm, Harberton

6.1.5 Application **3628/17/FUL** for the Erection of 12 dwellings, workshop/office, associated landscaping and site development works at Oak Tree Field at SX 778 588, Tristford Road, Harberton was discussed:

- Cllrs expressed concerns that there was not a full foul water or sewerage plan included within the planning application.
- The plans to mitigate run off from the site was discussed as was commitment to ongoing maintenance in perpetuity, as per the comments made in the public session (above).
- The objection from Devon County Highways was raised. **The meeting was adjourned** to allow members of the public to respond to comment on the traffic objection. It was commented that the official response suggests that some of the information as supplied by the traffic report had been missed. Members of the CLT group commented that there is an assumption that householders will increase traffic through the village however many work in Exeter and Plymouth and will turn left and travel out of the village. **The meeting was reconvened.**

**It was RESOLVED** to SUPPORT the application on the condition that:

- i) details of the foul drainage plan be approved ensuring that there are no additional flooding risks for people living down-stream, before planning application is finally approved.
- ii) there is a removal of permitted development rights.

6.1.6 It was **RESOLVED** to make the following comments on application **3631/17/OPA** Outline application for 7 year permission for the erection of a mix of B1, B2 & B8 employment spaces, together with access, parking, landscaping and other associated works at Beacon Park, Dartington

- i) There should be a curtailment on the number of refrigerated lorries allowed overnight.
- ii) It is suggested that recommendations made by the ecologist are made conditions on the proposal.

6.2 **Receive a report on planning decisions** It was reported that the Planning Authority had made the following decision:

6.2.1 3710/17/NMM **CONDITIONAL APPROVAL** on Application for non-material amendment following grant of planning permission 1801/17/FUL, relating to alteration to layout and in size of rooflights to accommodate solar panels and internal wall layout.

6.3 **Receive a report on enforcement cases**

6.3.1 A hard copy of enforcement cases was circulated to cllrs for information.

6.3.2 It was reported that enforcement case 013690 alleged Unauthorised Works in a Conservation Area at Box Cottage, Moreleigh Road, Harbertonford was closed. Following a visit to the property, the works specified are not evident from any public vantage point at the front of the property and therefore are not considered to have any impact within the wider Conservation Area. The use of a similarly coloured replacement material is not considered to be "development" which represents a breach of planning control in his case.

7. **Monthly reports**

7.1 **Finance Committee Update** No report

- 7.2 Harberton Parish Neighbourhood Plan (HNP) update Members of the HNP steering group had received a presentation from new developers at Winsland House, without prejudice. Developers regarded the meeting with the HNP steering group as part of pre-application process. The new owners are a company based in London that has appointed several new consultants and seem prepared to invest quite a lot of money in the preparation of the application. The steering group referred them to the results of the consultation questionnaire and the need for affordable housing, social housing and houses suitable for older people. The developers are currently thinking in terms of approximately 70 houses. Developers then left before the usual meeting of the HNP steering group commenced in which a replacement tree policy and associated text were adopted into the draft plan. More work is to be done on the housing assessment, including the addition of flooding information from the Environment Agency. More work is being done to link the draft plan to the draft Joint Local Plan (JLP) and with the National Planning Policy Framework (NPPF)
- 7.3 Community Land Trust update No report
- 7.4 Clerk's update
- 7.4.1 *Register of Electors* It was reported that the District Council has published the 2018/19 Register of Electors. The clerk will submit a written request for a copy of the full Register, as entitled to under section 107(8) of the Representation of the People Regulations 2001. On request of the District Council, the clerk will post a notice of publication to Parish Council notice boards.
- 7.4.2 *Data protection training* The clerk made the request to undertake Devon Association of Local Councils (DALC) data protection training at the cost of £48, so to prepare the Parish Council for new legislation due to come into effect. The request was approved by the Parish Council.
- 7.4.3 *Devon Air Ambulance Trust (DAAT)* It was reported that the new Community Landing Site at Harbertonford Football club was used by the Helicopter Emergency Medical Service (HEMS) for the first time on 26<sup>th</sup> November following a road traffic incident on the Moreleigh Road. DAAT reported that the system worked and the helicopter was able to land and treat patients. It was commented that this was enabled by the Parish Council's time and investment and support from the football club.
8. **Harbertonford CE School fence project** It was reported that the Link Academy Trust had requested new quotations for the school fencing project. It was noted that both quotations exceed the Parish Council's grant offer, however the Executive Principal had informed the clerk that The Trust is appreciative of the amount already provided and there is not any expectation that the Parish Council will contribute additional funding.
9. **Community Reinvestment Project Fund** Consideration of Parish Council application. Projects suggested included parking in Harbertonford, improvement of Hernafor lane and improvement to the bus stop including a new shelter in Harbertonford. It was decided that an application would not be put forward to the 8<sup>th</sup> January deadline, but begin to draft an application for the 2019 round in September.
10. **Town and Parish (TAP) Fund** Cllrs were informed that representatives of the Harbertonford Youth Club had attended an open meeting of the Totnes Rural Area Youth Engagement (TRAYE) Project on Saturday 25<sup>th</sup> November at 10am in Dartington Village. The meeting was held to share information about the project, now a with its own charity status and to discuss ideas for the future. Further discussions and meetings between the C.Cllr, Cllr Davidson, representatives of Harbertonford Youth Club and Rattery Parish Council had taken place since, leading to the development of a draft TAP fund application with Rattery Parish Council as the lead applicant to expand the TRAYE project to enable youth service provision in Rattery and Harberton Parishes. Representatives from Harberton and Rattery would then sit on the board of trustees. The C.Cllr estimates the cost of the scheme to be approximately £7000 per Parish, per year, which would be met by continuing to raise funds through funding bids. Having reviewed the draft proposal, **it was RESOLVED** to support the application. The chair agreed to write a letter of support to be included in the application. Cllrs Broom, Davidson, and Janes agreed to consider volunteering to join the TRAYE board.
11. **Harberton Playing Field Association (HPFA) Planting** It was agreed to request members of the Playing Field to meet with councillors to confirm location of trees. The clerk agreed to contact the committee to request available dates.
12. **Devon Air Ambulance Trust (DAAT) Community Helipad for Harberton** **It was RESOLVED** to advertise a February meeting in Harberton to gather public opinion on the project. The clerk agreed to contact DAAT on whether there is still interest in locating a landing site in Harberton, and enquire about suitable meeting dates. Cllr Davidson agreed to support publicity for meeting.
13. **Standing Orders** review and consider adoption of updated document. Following a review of the Parish Council Standing orders by Cllrs Broom, McDonnell and the clerk, an updated document was circulated in advance to cllrs for consideration. Further amendments were made by cllrs:
- a member of the public shall not speak for more than 3 minutes, unless the chairman allows.
  - A meeting will not close any later than 10.30pm.
  - The Proper Officer shall be either (i) the clerk; (ii) other staff member(s) or suitably skilled volunteer councillors nominated by the council to undertake the work of the Proper Officer when the Proper Officer

is absent.

- The council shall appoint appropriate staff member(s) or suitably skilled volunteer councillors to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

It was noted that whilst DALC advises that a councillor can act as clerk/and or RFO in the absence of the clerk, none of these roles, especially the RFO, should be carried out by the Chairman. Cllrs providing cover for a clerk may claim for expenses but may not be paid and it was commented that councillors should take advice before and during undertaking the role in order to ensure that they are fully aware of statutory requirements of the role.

The chairman requested that further advice be received on standing order 20 b *Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000* before a motion to adopt the revision is put to the vote.

- 14. Harberton Parish Neighbourhood Plan (HNP) Steering Group Terms of Reference** It was reported that Cllrs Broom, McDonnell and the clerk had prepared an updated Terms of Reference for consideration, amending the paragraph on declaration of interests and referring to the Steering Group as an Advisory Committee of the Parish Council. It was noted that as an Advisory Committee, members of the Steering Group can vote on the issues discussed in their meetings in order to undertake their function (i.e. vote amongst themselves on the advice that they give to the Parish Council) but whilst the HNP Steering Group can advise the council on the contents of the HNP, the Parish Council aren't bound by this advice and members of the Advisory Committee who are not elected to the Parish Council do not have a vote in the decision of the Parish Council to which their advice relates. Members of the HNP Advisory Committee are required to declare their interests. If they don't, then sanctions will be imposed. All business of the HNP shall be conducted in as transparent a manner as executive committees of the Parish Council. It was noted for the minutes that previous advice received from DALC appeared to be incorrect, and the notes above replaces that advice. **It was RESOLVED** to adopt the amended version of the terms of reference of the HNP Steering Group.
- 15. South Hams District Council (SHDC) & West Devon Borough Council (WDBC) Local Planning Validation List Consultation** consideration of Parish Council response. It was agreed that Parish Councillors would review the documents and forward comments to the Clerk by midday on Friday 5<sup>th</sup> January to enable her to compile a response to consultation before it closes on 9<sup>th</sup> January 2018.
- 16. 2018/19 Budget** Opportunity for Councillors to propose projects for inclusion in 2018/19 budget  
The following projects were proposed for inclusion in the budget and will be taken forward to meeting of the Finance Committee of the Parish Council on 2<sup>nd</sup> January 2018 for consideration:  
TRAYE (Suggested £800 annually); Harberton Bus shelter; Parish Lengthsman; new laptop; defibrillator maintenance; Harberton Devon Air Ambulance Community Landing Site.
- 17. Correspondence**
  - 17.1 Joint Local Plan Update - November 2017** It was reported that following submission of the Joint Local Plan and appointment of inspectors, the inspector's hearing programme is available on the website.
  - 17.2 Notification of external auditor appointments for the 2017/18 financial year** It was reported that PKF Littlejohn LLP has been appointed as the external auditor to all Devon Parish and Town Councils. Cllrs were informed that councils where the higher of income or expenditure for the year was £25,000 or less, can declare themselves exempt from a limited assurance review by an external auditor if they meet qualifying criteria. However all authorities, even if they declare themselves 'exempt', will still need to fully complete and publish an annual return and must still have a named appointed auditor to deal with questions or objections from local electors about the accounts. Relevant forms will be sent to the Council at the end of the financial year.
  - 17.3 Public Toilets Information** It was reported that SHDC is considering the future running of public toilets in the South Hams as part of the Council's budgetary process. The Council is reviewing how it can continue to provide local services without cutting statutory front line services and is considering providing ways in which communities can take responsibility for the provision of local public toilets and/or charging for public toilet use. Closure is also being considered.
  - 17.4 Council Tax Support Grant** It was noted that the Harberton Parish Council Tax Support Grant for 2018/17 will be £454; a reduction of 9.85% on the previous year.
  - 17.5 Parish & Town Council Conferences** It was noted that the presentations from the recent Devon Highways conferences were available on the DCC website: <https://new.devon.gov.uk/devonhighways/events>. The Clerk agreed to circulate to all cllrs.
  - 17.6 Tough Choices for South Hams in the Budget Next Year** It was reported that a SHDC press release had been received reiterating that grants from central government are reducing and that over the past ten years, the Council has had a £4 million reduction in government grant. The Council is considering cutting services such as public toilets (above) and other discretionary services to make the budget balance.

## 18. Finance

### 18.1 Notice of receipts and expenditure since last meeting.

18.1.1 Receipts 29<sup>th</sup> November 2017 £2,764.42 Devon Air Ambulance Trust

#### 18.1.2 Payments

33	Citizens Advice South Hams	NA	Donation of £200 as agreed on 14th November 2017 (Item 11.5)	200.00		200.00
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### 18.2 December payments. The following cheques were approved:

Chq	To	Invoice/ paperwork	Detail	Before VAT£	VAT	Total
SO	Cat Radford	Payslip 20171222	Salary Dec: £313.73	349.93		349.93
			NP Secretary Dec: £36.20			
34	Cat Radford	Clerk Expenses claim 20171207	Mileage/Parking	6.21		13.71
			Broadband claim	7.50		
35	Mr J Horswill	Invoice 31	Cutting grass on village green. 12 cuts at £28.00 per cut.	336.00		336.00
					Total	699.64

19. **E-Circulars** It was reported that e-circulars received included: Rural Services Network, Devon Home Choice, Devon County Council Community News Round-up, Public Sector Executive, Fields in Trust, Emergency Planning newsletter.

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

- It was reported that the Chair had been approached by a member of the press to make a comment about the proposed development at Winsland House. It was reported that the Chair had forwarded the enquiry to the Clerk as per the Press and Media Policy. It was commented that the policy is available online that can be referred to members of the press should similar circumstances arise. It was reported that the Chair and the Clerk will draft a statement for the press on this issue.
- The Chair requested to be copied in on Parish Council emails and following discussion it was agreed to copy the chair into formal correspondence and business on which the Chair is leading.
- It was reported that there were two damaged finger post signs in the Parish. The C.Cllr agreed to forward information to DCC for replacement.
- It was reported that Bow Road is now open following works that have been taking place since the summer.

21. **Date of next ordinary meeting** Tuesday 9<sup>th</sup> January 2018

Meeting closed at 10.30pm