

HARBERTON PARISH COUNCIL

DRAFT Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 13th February 2018,
Harbertonford CE Primary School

In attendance: Cllrs Beamish, Broom, Bowley, Camp, Davidson, J. Hockings, S.Hockings, Janes, McDonnell, Waite, Williams,

Apologies: Cllr White, C.Cllr Hodgson, D.Cllr Tucker

Not in Attendance: 0

Public: 0

Clerk: Ms Radford

Public Session No comments.

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) No report

3.2 District Councillor (D.Cllr) In his absence, the D.Cllr had emailed the following information:

3.2.1 Due to concerns around the air quality in Totnes, a consultation will be held soon.

3.2.2 Council Tax is set to rise by £5.00.

3.2.3 Car parking costs are proposed to rise by 2%

3.2.4 The press stated that South Hams District Council (SHDC) over spent by 21% this is incorrect the actual amount is 0.5%; £45,000.

4. **Minutes** It was RESOLVED to approve the minutes of the following meetings as an accurate record:

4.1 the Ordinary Meeting of Harberton Parish Council 9th January 2018, following minor amendments.

4.2 the EGM (site) of Harberton Parish Council 3rd February 2018 at Dorsley.

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

5.1 Devon Air Ambulance Trust (DAAT) Community Helipad for Harberton It was confirmed that a meeting will be held at 6pm on Thursday 1st March at Harberton Parish Hall to raise awareness of the DAAT night landing scheme and gather public opinion on the creation of a night landing site in Harberton. The Clerk and Chair will produce 200 fliers and some posters for circulation.

5.2 Harberton Playing Field Association (HPFA) Fire Pit It has been clarified that HPFA are not seeking to build a fire pit on the playing field but move the designated 'fire circle' area for campfires. The clerk was asked to raise this with the Parish Council's insurers.

5.3 Harberton Bus Shelter Quotations The Clerk reported that the Parish Council Financial Regulations stipulate that three quotations must be obtained for contracts between the value of £3000 - £25,000. The clerk has therefore invited quotations from several local builders for consideration at a future meeting of the Parish Council.

5.4 Green lane repairs at Peak Cross It was commented that the minutes of January's Ordinary Meeting of the Parish Council had noted improvements to green lane ref uUCR 301 as undertaken by the Trail Riders Fellowship (TRF). In forwarding the press release to the Harberton village circular the editor remarked that despite works, sections of the lane remain impassable by foot due to the depth in the puddles and therefore it was agreed not to publish the release further. The TRF commented that they had not undertaken works on all puddles on this route as an agreement had not been reached to install new bubble holes. Cllr Camp commented that erosion in the lane has dipped below the level of the fields on either side, which would require greater infill rather than creation of new bubble holes. It was commented that the Public Rights of Way (PROW) officer had thought that there would be sufficient budget in April to undertake further works on this lane to Cholwell Cross and beyond.

5.5 Finger post signs It was noted that the clerk had reported the broken finger post sign indicating access to the public right of way opposite Harberton bus stop to the Public Right of Way officer, who is due to inspect this route and will likely replace the sign in the new financial year.

6. **Planning**

6.1 Receive a report on planning decisions

6.1.1 3089/17/VAR Variation of condition number 2 following grant of planning permission 3040/16/FUL to allow replacement of outbuilding with single dwelling at Lower Ashridge Farm Lane From Higher Grove To Lowe, Harberton was granted CONDITIONAL APPROVAL, requesting provision of a scheme of materials and finishes to ensure that the materials are suitable for the locality, and a scheme of landscaping.

6.1.2 3645/17/LBC Listed Building Consent to reinstate former porch at Beenleigh Manor, Beenleigh, Harbertonford was granted CONDITIONAL APPROVAL

- 6.1.3 3061/17/FUL Application for the erection of summer house at Hill Mill Nursery East Leigh Cross To Monkey Oak, Harberton was granted CONDITIONAL APPROVAL
- 6.1.4 3598/17/FUL Application for a general purpose agricultural building at Moore Farm, Harberton granted CONDITIONAL APPROVAL with the condition that it is used solely for the purposes of agriculture or horticulture. Cllrs were informed that if the development ceases to be used for the granted purposes, Where the development ceases to be used for the purposes applied for within ten years from the date of permission and planning permission has not been granted authorising development for purposes other than those set out under the above condition within three years of the permanent cessation of the authorised uses, and there is no outstanding appeal, the development must be removed unless the Local Planning Authority has otherwise previously agreed in writing.
- 6.1.5 4381/17/AGR Harberton Prior notification for new agricultural building at Daynes Farm Broadpark Style Cross To Fordbarn Cross Along Zc205 Harberton Devon PRIOR APPROVAL GIVEN

6.2 Receive a report on enforcement cases

- 6.2.1 *Enforcement listing* A hard copy list of cases referred to the Enforcement Officer was circulated amongst cllrs for information.
- 6.2.2 *Closed enforcement cases*
 - 6.2.2.1 013628 Alleged Unauthorised Large Wooden Lodge, Land near Ashridge House, Harberton. Works are considered 'permitted development' as "The Orchard" was the subject of an application for prior approval for the change of use of an agricultural building to a single dwellinghouse in 2014.
 - 6.2.2.2 014970 Alleged Unauthorised Planning Breach – Fence at Corner Cottage, Fore Street, Harberton. It was reported as a dividing fence up to 2m high can be erected without the benefit of planning permission, the provision of one slightly higher will only have a marginally greater impact. As the rear gardens of both properties are set well above road level, any fencing is not noticeable from public view. Given these factors, SHDC do not think it expedient in the public interest to pursue this matter further through any formal enforcement action.
 - 6.2.2.3 015991 Alleged Unauthorised Planning Breach - Creation of New Access at "Dundridge Lodge", Harberton. It was reported that inspection of aerial photographs and street view (2009) indicates that this access was already in existence and therefore the resurfacing works carried out do not represent a breach of planning control.
 - 6.2.2.4 016634 5 Wesley Place, Harberton. An enquiry was received regarding gas bottles stored in the front garden. Such bottles do not constitute development and so do not fall within planning control.

7. **Monthly reports**

- 7.1 Finance Committee It was reported that the next meeting of the Finance Committee will be moved to 1st May 2018 to enable the end of year accounts to be produced for review.
- 7.2 Neighbourhood Plan update It was reported that the committee continues a focus on the housing chapter. The group has agreed to clarify the status of site 9, known as the Winsland House site, as adjoining fields are both under different ownership. The next round of public consultation 'Have we got it right?' will include questions on the two adjoining fields. A working party is reviewing a list of conditions, aims and expectations for all proposed housing sites. The group will also look at the Neighbourhood Plan within the context of the Joint Local Plan (JLP) coming up to examination.
- 7.3 Community Land Trust update It was reported that a meeting has been held with Development Management officers, Devon County Highways and the architects to provide clarity on transport. SHDC has requested a heritage statement which is in process.
- 7.4 Town and Parish Fund 2017/18 It was reported that the Chair of Harberton Parish Council attended the meeting to determine the submitted applications on 1 February. Everyone in the cluster was allocated funding. Rattery and Harberton Parish Councils can now proceed with the expansion of the Totnes and Rural Area Youth Engagement (TRAYE) project having been awarded £4366.20. The shortfall of £1700 on the requested grant is expected to be met by further fundraising.
- 7.5 Clerk's update
 - 7.5.1 *Holiday request* It was reported that the Chair, Vice Chair and Chair of the Finance Committee had approved the Clerk's holiday request, to be taken from 30th March – 9th April. The agenda for the April meeting will be circulated electronically while the clerk is away. Cllrs volunteered to post on noticeboards.
 - 7.5.2 *Community Speed Watch* It was reported that the clerk had contacted PC Broadhurst to ask if the project had been abandoned. **ACTION:** The clerk agreed to escalate with Office of the Police and Crime Commissioner as it is reasonable to expect that initiatives offered by the Police would be followed through.

- 8. **Harberton Playing Field Association (HPFA) Equipment** It was reported that the cradle swings in the park are corroded and need replacement. **It was RESOLVED** to allow the clerk to order three cradle swings from the retailer online, as the cost (before VAT) would be met by HPFA fundraising.
- 9. **Harbertonford Defibrillator Kiosk Light** It had been reported that the light within the K6 Kiosk was no longer working. As BT had confirmed in December that power had been restored to the telephone box, it is likely that it simply requires a change of bulb. **ACTION:** Cllrs Bowley and Waite agreed to change the bulb.

10. Correspondence

- 10.1 20180109 Latest News from DALC (Jan) Cllrs have been invited to participate in a national census survey of all of England's local councils to establish how diverse councils currently are. The Clerk has circulated a link to the online survey.
- 10.2 201801 Devon Air Ambulance Night Landing Site Lighting Maintenance It was reported that having supplied and fitted equipment for the DAAT landing site, MAT electrics is offering an annual service to check the equipment at a cost of £89.95 plus VAT (fixed for 2 years). **It was RESOLVED** to employ MAT Electrics Ltd to carry out the works in line with a 12 Month period following installation. It was agreed to request that the company inform the Parish Council when checks have been made, in order to keep a record.
- 10.3 20180111 Obstruction of access to Packs Close from Woodland Road, Harbertonford It was reported that the Parish Council had been copied into a letter requesting Devon County Highways restrict, discourage or prevent parking at the junction to Packs Close and to give priority to finding ways to provide adequate parking in Harbertonford. Cllrs commented that a disabled parking bay has been created on the church side of Packs Close, and large vehicles struggle to pass by that will inevitably create an issue for fire access. **ACTION:** Clerk to raise with the County Councillor and highways to reiterate this as a recurring issue in the village and to suggest that the disabled space could be moved forward, rather than occupying space in the centre of the street parking available.
- 10.4 20180117 Helping asylum seeking children in Devon It was reported via a DCC press release that 19 unaccompanied children arrived in the county last year as part of the Government's National Transfer scheme and as referrals from Immigration, Police or by other local councils. Foster carers and volunteers are being trained to support children to settle into communities.
- 10.5 20180118 GDPR (General Data Protection Regulation) - Important information It was reported that the Society of Local Council Clerks (SLCC) had published an updated to the legal topic note on Data Protection Officer (DPO) requirements which stated that every council holding personal data must appoint a DPO. It is not clear whether the Parish Council will be able to appoint its own Clerk as its DPO, however any person acting as a DPO has expert knowledge of data protection law. The GDPR carries potentially significant penalties for non-compliance and the SLCC is frustrated that it is not able to provide definitive support and guidance for the moment but aiming to do so as soon as possible.
- 10.6 20180118 The plan is now at examination! Cllrs were informed that the Plymouth and South West Devon Joint Local Plan (JLP) examination hearings started at the end of January, continuing to 22nd March. Only those who made representations during the final consultation have the right to participate but sessions are open for anyone to watch. Cllrs can request the Clerk forward the schedule of sessions.
- 10.7 20180124 GDPR Services and Fees It was reported that the Parish Council's internal auditor, IAC, has proposed a single Annual Retainer fee of £75 plus VAT for a minimum 3-year appointment to act at the Parish Council's DPO, conditional on Councils confirming that they have put in place adequate compliance procedures. This will include a very limited review of GDPR compliance added to the standard audit programme. Separate detailed audit work to ensure compliance will be charged at standard rates, estimating the initial audit taking 1-person day. If the council does not ask IAC to undertake the audit work but requests that the company act as DPO, they will require documentary confirmation that adequate compliance work has been carried out. IAC hopes that the Parish Council can give formal notification of intentions by 31st March 2018. In discussion it was commented that this extra fee represented a large percentage of the audit budget to commit for a three-year period. Whilst it was agreed that it is important to have the right systems in place, it was agreed to wait to decide until more information has been made available.
- 10.8 20180125 Council Tightens its Belt SHDC has circulated a press release commenting that the proposals put forward to deal with the budget gap have failed to gain support and therefore the Council will look to make changes to non-statutory services such as provision of public toilets, garden waste collection, grant funding and lifeguarding to save money, and consider increase in charges for some services to increase income.
- 10.9 20180129 Big Things Parish Councils we need you Cllrs were informed that a production company has circulated an invitation to residents of small towns and villages to put themselves forward to a televised public art project. Communities with a unique story to tell will be selected to create a new privately funded piece of public art that will celebrate the local people and the heritage of their community.
- 10.10 20180202 South Devon AONB Management Plan Review Request for 5 Parish Councillors to complete survey. The clerk agreed to circulate to Cllr McDonnell, Davidson, S.Hockings and Williams. It was agreed to raise awareness amongst the HNP steering group.
- 10.11 20180205 Grass Cutting Grant Following a grant request from Harbertonford Parochial Church Council's **it was RESOLVED** to grant the PCC £400 towards maintenance of the graveyard as per the 2017/18 budget.
- 10.12 20180207 South Hams District Council did not overspend its budget by 21% last year Cllrs were informed via press release that the BBC's report on SHDC spending in 2016-17 is factually incorrect and that the actual overspend was 0.5% on the £8.75m budget.

11. Finance

11.1 Notice of income and expenditure since last meeting

15/01/2018	Harberton Parish Hall	Annual ground rent	£10.00
30/01/2018	Harbertonford Allotment Society	Annual rent	£500.00
08/02/2018	Harberton Playing Field Association Rent	Annual rent	£0.05
			Total £510.05

11.2 February 2018 payments It was RESOLVED to make the following payments:

Chq	To	Invoice/ paperwork	Detail	Before VAT £	VAT £	Total £
SO	Cat Radford	Payslip 20180222	Salary Feb: £313.73	349.93	0.00	349.93
			NP Secretary Feb: £36.20			
38	Cat Radford	Clerk Expenses claim 20170207	Mileage/Parking	8.55	0.00	67.62
			Office expenses (ink and postage stamps)	51.57	0.00	
			Broadband claim	7.50	0.00	
39	Internal transfer from Lloyds Bank (Current Account) to Barclays Bank (Community benefit fund)		Community Benefit Income to Lloyds account £5656 minus cheque for £4430 paid out against Defibrillator project on 10th October 2017	1226.00	0.00	1226.00
40	Harbertonford Village Hall		4 x finance committee meetings @£10 each. 1 x Heartbeat Trust meeting re defibrillator training on 18th Jan @£24	64.00	0.00	64.00
41	Devon Association of Local Councils (DALC)		Attendance of Ginny Davidson at the New Councillors Short Course on 13/12/17 and copy of the Good Councillors Guide 2017	28.49	5.00	33.49
42	Harberton Parish Hall	9th February 2017	Hall hire for 9th May, 11th July, 12th September, 14th November @£9.50 each	38.00		57.00
		14th Nov 2017	Hall hire for 9th January and 13th March @£9.50 each	19.00		
43	Harbertonford Parochial Church Council	NA	Grant towards churchyard maintenance	400.00		400.00
44	Colin Finch	NA	Annual lease of Harbertonford allotments	500.00		500.00
45	Andrew Hockings Technology Support	7624	Livedrive cloud UK based backup from July 2017 to June 2018 unlimited storage, unlimited computers	48.00		48.00
Online payment	Sutcliffe Play Direct	NA	3 x cradle swing seats for Harberton Playing Field plus delivery	415.70	83.16	498.86
			Totals	3156.74	88.16	3244.90

12. **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.

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

- 13.1 **Harbertonford car park surface** It was comment that the car park surface is in poor repair. There was a request to discuss spending earmarked reserves on resurfacing works at the next meeting.
- 13.2 **Hazard Farm Road** It was reported that the road is in a poor state as it is often wet and flooded and the surface is being washed away. It was suggested that water needs diverting under the road so that it can soak away. **Action:** The Clerk agreed to raise with the County Councillor. Cllr Waite will raise with Devon County Highways. poor state as road is being washed away.
- 13.3 **Blocked Culverts in Harbertonford** It was reported that Devon Highways did a good job of the buddle holes above the village, but did not take the arisings away, which are now coming down the hill with rainwater and blocking a culvert in the village. **Action:** Cllr Waite agreed to raise with Highways. The Clerk will include in email to C.Cllr.
- 13.4 **Oak at Fork Cross** It was commented that the oak reported at the last meeting was still a problem. **Action:** Cllr Camp agreed to contact the land owner.
- 13.5 **Screw Lane** It was reported that a member of the public has dug out some of the ditch at Screw lane to get most of the normal flow running down the ditch instead of down the road. It was commented that a large

puddle of water has formed at the Threshing Barn drive entrance as the mud on both sides of the drive prevents the water from seeping away through the walls. It has been suggested that if the gateway with double metal gates were permanently closed off by a substantial bank, this would allow the field runoff to deposit its silt into the field and only relatively clean water would filter through/over the bank/hedge into the lane, although there is a risk that such a bank may collapse into the road in heavy rainfall. It was agreed to include this as an item at the next meeting.

- 13.6 School gates It was reported that the Executive Head of the Link Academy Trust and the Head of School at Harbertonford CE Primary had thanked the Parish Council for the grant for new school fencing and gates.
 - 13.7 Harbertonford play area It was reported that a volunteer working day had been held in the play area to undertake pruning, cleaning of the safety surfaces and weaving the willow structure.
 - 13.8 Mud and debris on the road at Harberton It was reported that following works to the drain at the junction of Vicarage Ball and the road to the cricket club (Vicarage Ball to Wesley Place) in which the drain has been elevated above the road surface, leaves and debris are running down the road into the village rather than entering the gully. **ACTION: The Clerk** will raise in email to the C.Cllr and Highways.
14. **Date of next ordinary meeting** Tuesday 13th March 2018