

HARBERTON PARISH COUNCIL

DRAFT Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 13th November 2018, Harberton Parish Hall

Cllr Beamish	<i>Present</i>	Cllr Camp	<i>Apologies accepted</i>	D.Cllr Tucker	<i>Present</i>
Cllr Bowley	<i>Present</i>	Cllr Davidson	<i>Present</i>	C.Cllr Hodgson	<i>Not present</i>
Cllr Broom	<i>Present</i>	Cllr J.Hockings	<i>Present</i>		
Cllr Janes	<i>Present</i>	Cllr S.Hockings	<i>Present</i>	Clerk: Ms Radford	<i>Present</i>
Cllr McDonnell	<i>Present</i>	Cllr White	<i>Present</i>	Public	4
Cllr Waite	<i>Present</i>	Cllr Williams	<i>Present</i>		

Public Session

- i) A Member of the Public (MoP) attended about the the Maltsters Arms community pub campaign. The MoP reported that over 50 local residents had responded to a survey, and volunteers with a range of skills; including individuals with experience in running pubs, providing consultation advice to pubs, with experience in fundraising, and those working in the building and construction trade had expressed interested in supporting the concept. Cllrs were informed that the first step is to register the pub as an Asset of Community Value (ACV) as this would give the community more time to respond to the opportunity should the brewery look to sell the pub. The interested group of volunteers would then undertake a feasibility study, visit other community pubs in the area and consider options for legal status. The Parish Council has been asked to make the nomination on behalf of the local community as this would put the group in a much stronger position with the Brewery in relation to a potential freehold. A paper had been drafted a circulated to cllrs ahead of the meeting for consideration. Cllrs asked the MoP if there would be any liabilities for the body that makes the application and it was confirmed that this would not be so. The issue was discussed at item 8.

Agenda

1. **Apologies** were received as above
2. **Declaration of Interests** Councillors were reminded of the need to update their register of interests and to declare any interests (nature and scope) 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)
 - 3.2.1 *Peer review* Cllrs were informed that South Hams District and West Devon Borough Councils have invited a Local Government Association peer challenge team to evaluate working practices and the Councils' future financial sustainability.
 - 3.2.2 *Harberton and Harbertonford Community Land Trust (CLT)* The planning application for Oak Field, Harberton has been at planning for some time. The planning officer is hoping to get it approved, but Highways continue to object.
 - 3.2.3 *Joint Local Plan (JLP)* Cllrs were informed that a consultation on modifications to the JLP is open. Cllrs were informed that only comments made by individuals who were at the hearing will go directly to the inspector, however South Hams District Council (SHDC) is collating all comments received to share with the inspector. It was commented that villages in the Area of Outstanding Natural Beauty (AONB) had been removed from the housing list. The D.Cllr was asked whether additional dwellings would be required to be allocated by other sustainable villages. The D.Cllr replied that homes in the AONB would have to be community led and reported that a supplementary document on housing would be published outside the JLP. The D.Cllr commented that there is slack within the system to accommodate the additional dwellings without seeking additional sites in the meantime.
 - 3.2.4 *Public Toilets* It was reported that the consultation is now closed, and the Council will make its decision shortly. Cllrs were informed that the South Hams has more toilets than any other district in the country.
 - 3.2.5 *Council Tax Review* Cllrs were informed that a consultation is open on changes to Council Tax.
 - 3.2.6 *Cockwells Nursery* The D.Cllr was asked if there had been an update. It was reported that no news had been received.
 - 3.2.7 *Plans for car parks in Totnes* The D.Cllr was asked for more information following reports in the press. The D.Cllr commented that SHDC looks at all assets continually. In Totnes there is demand for rented housing and below market housing at approximately £130 – 140,000. SHDC is interested in building to meet needs. Totnes Town Council asked SHDC to look at the assets in Totnes. No plans have been made, and if any plans did come forward, there would not be any loss of car parking.
 - 3.2.8 *Planning Training* The D.Cllr informed Cllrs that a training event for Parish Councillors to learn more about the planning process is to take place on the second Monday in January at Follaton House.

4. **Minutes** The minutes of the Ordinary Meeting of Harberton Parish Council 9th October 2018 were approved as an accurate record.

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

5.1 Harbertonford Defibrillator Kiosk Light It was reported that the Clerk had purchased a complete K6 kiosk light for fitting by an electrician. No further correspondence had been received from Community Heartbeat Trust with regard to the power supply. It had been confirmed by volunteers that the defibrillator remained charged despite interruption to the light's power supply.

5.2 Community Speed Watch It was reported that the Clerk had registered a new online group for the Parish and had undertaken the mandatory e-learning course as prompted. It was reported that new volunteers can sign up via the Community Speed Watch website and register as part of the group once online training has been undertaken. The Clerk had made contact with the CSW online team with queries about support, following which a reply had been received to inform the Clerk that Members of the CSW Online team were meeting with our PCC and CSW Tsar at the beginning of November to discuss the online solution, following which they will be in touch. Having set up the online group the Clerk is the official CSW co-ordinator, but would like to pass this responsibility to a willing volunteer once the group is established. Cllrs Davidson and Bowley agreed to register with the site and do the online course in order to better understand the requirements for new volunteers. **Action:** Cllrs Bowley and Davidson.

5.3 Harbertonford Bus Shelter Maintenance **Action ongoing:** Cllr Bowley

5.4 Maintenance of seats on Harbertonford riverbank Linseed oil had been supplied. **Action ongoing:** Cllr Waite

5.5 Parish Map of Buddle Holes It was reported that the working group had asked for support from Highways to work with the online map. The Clerk reported that a letter had been received by a MoP with regard to drainage at Screw Lane that will be brought to the next meeting for review. It was suggested that correspondence regarding drainage and flooding about particular areas of concern in the Parish are included in the information pack for a contractor, should it be decided to budget for one.

5.6 Harbertonford car park resurfacing It was reported that the contractor is available to do the work and it was agreed to aim to schedule work to commence on 23rd November. The D.Cllr agreed to request that the bottle bank is removed in order for the work to be carried out and replaced shortly afterwards. Cllr Beamish agreed to take the project forward.

5.7 Devon Air Ambulance Project It was reported that the Clerk had been in touch with representatives of the Harberton Playing Field Association and Harberton Parish Hall committee to propose for a joint meeting in order to move the project forward in the best interests of the community. It was agreed that the meeting should take place on 27th November and the Clerk made enquiries to book the back room of the Church House Inn for this informal meeting.

5.8 Clerk's Appraisal It was reported that the Clerk's appraisal had been carried out by the Chair and Vice Chair on 12th October 2018. It had been agreed that a review of the clerk's salary should be undertaken by the Finance Committee at the next meeting in January as the level and complexity of the work done by the Clerk is not reflected in the current payscale. It was suggested that the Parish Council website should make it more obvious to people that the Clerk is part time and therefore not available out of hours. Thanks were given to the Clerk for work very well done.

6. Planning

6.1 Consideration of the following planning applications:

6.1.1 3304/18/TCA T1, T2: Ash - crown lift to 3 metres from ground level on all sides, height reduction by up to 6 metres, to stop damage to flood defence wall and garden fences at the Mill Woodland Road Harbertonford **It was RESOLVED** to return the application to South Hams District Council. The application is flawed as is not in the correct name. The Parish Council would like to make the following comments: That it would be a further loss of trees on this stretch of the river bank as part of the flyway of the greater horseshoe bat. The Parish Council is of the opinion that Ash trees need preserving.

6.2 Receive a report on planning decisions

6.2.1 0056/18/FUL REFUSED Part retrospective application to dig out part of the slope below the approved bund and re-routing the approved farm track to an existing farm gateway, following grant of prior approval for agricultural building at Eden Farm Plymouth Road Totnes. It was reported that the Local Planning Authority was not satisfied that the proposed development is reasonably required to support the essential needs of agriculture in a countryside location.

6.2.2 2379/18/FUL CONDITIONAL APPROVAL Retrospective application for change of use of agricultural land to garden/parking area (extension to curtilage) at Hazard Farm Harberton

6.2.3 2612/18/ARC Discharge of condition Approved Development Site At Sx782560 Moreleigh Road Harbertonford Application for approval of details reserved by condition 3 of planning consent 1822/17/FUL

6.2.4 0626/18/FUL CONDITIONAL APPROVAL Harberton Conversion of existing stone barns to two dwellinghouses with garages at Moore Farm Barns Harberton It was noted that the Parish Council supported the application subject the conditions proposed by the ecologist being planning conditions. Conditions to this effect are included in the decision along with a list of conditions to preserve habitats for bat and bird species in the interests of biodiversity. It was noted that a drainage scheme is required to mitigate run off to the road and neighbouring properties, that permitted development rights were revoked and that there were conditions regarding potential contaminants.

- 6.2.5 1763/18/FUL CONDITIONAL Approval of domestic curtilage and use of an existing building for ancillary residential purposes at The Orchard, Harberton (readvertised application from below)
- 6.2.6 1764/18/FUL CONDITIONAL Approval of domestic curtilage and use of an existing building for ancillary residential The Paddocks Harberton (same application as above)
- 6.2.7 2767/18/CLE CERTIFIED Application for a Lawful Development Certificate for an existing use or operation - use of land as domestic garden Lychgate House Harberton
- 6.2.8 2299/18/FUL, 2300/18/FUL, 2301/18/FUL, 2302/18/FUL CONDITIONAL APPROVAL Provision of agricultural cattle building (application 1, 2, 3 and 4 of 4) at Blakemore Farm Harberton. It was commented that the Parish Council had supported the application subject to plan for runoff of drainage water to the highway. Conditions include provision of a surface water drainage scheme, that the buildings are removed following cessation of agricultural use; that no external lighting is installed, that the landscape scheme in accordance with details within the design and access statement; that a written scheme of investigation for archaeology recording; that the development must accord with ecology report (butler ecology 15th June 2018) and provision is made for slurry storage.
- 6.2.9 2461/18/FUL REFUSED New dwellinghouse and coach house on green field site, adjacent to the occupants small holdings at Land at SX 756 597 adjacent to Yeo Cottage Totnes on the grounds that the proposal would result in development in the countryside and it is considered that the proposal would have a harmful impact upon the rural character of the area.
- 6.2.10 Cllrs remarked on how many comments from the Parish Council had been included as conditions. The D.Cllr commented that quality conditions have proved to be useful to the Local Planning Authority and that local knowledge matters.
- 6.3 Receive a report on enforcement cases A hard copy of enforcement cases was circulated for information.

7. Monthly reports

- 7.1 Finance Committee No update.
- 7.2 Harberton Parish Neighbourhood Plan (HNP) It was reported that the agents working on behalf of Winsland House had attended a meeting of the Neighbourhood Plan, without prejudice, and had forwarded counsel opinion with regard to comments made by a SHDC officer that it would not be open to the local authority to refuse to 'make' the plan. It was reported that a planning application for development at Winsland House will not be submitted before the HNP is adopted. At the meeting it had been commented that additional houses may be allocated to sustainable villages following modifications to the JLP. Cllrs were informed that the plan is being cross referenced with the new National Planning Policy Framework (NPPF) and the JLP and that a 'Dark Skies' policy is being drafted.
- 7.3 Community Land Trust update It was reported that a new drainage report has been received by SHDC but Devon County Council (DCC) has made no response as yet. It is hoped that the plan will go to the Development Management Committee in December.
- 7.4 Town and Parish Fund 2017/18 (TRAYE) It was reported that Cllr White has not received any minutes from TRAYE meeting.
- 7.5 Clerk's update No update.
- 8. **The Maltsters Arms** 'Asset of Community Value' (ACV) nomination. **It was RESOLVED** to discuss this item following 'matters arising'. **It was RESOLVED** to submit the ACV form on behalf of the community provided the Parish Council is not being committed to any liability. **ACTION:** The Clerk to liaise with the interest group in order to submit the nomination once a draft has been provided.
- 9. **Emergency Plan** There was discussion about mitigating traffic issues if the road is blocked due to an accident. It was commented that the traffic police has a set of alternative routes to employ road traffic management. It was agreed that it was therefore not practical to include. **It was RESOLVED** to make any further comments directly to Cllr Broom who would update the draft.
- 10. **Plymouth and South West Devon Joint Local Plan (JLP) Main Modifications Consultation** consideration of a Parish Council response. **It was RESOLVED** that the Parish Council not submit a formal response, but that individual cllrs could make their own submissions should they wish.
- 11. **GDPR documents** **It was RESOLVED** to adopt the draft General Privacy Notice and the draft Privacy Notice for Staff, Councillors and Role Holders based on model documents provided in the Devon Association of Local Councils GDPR toolkit.

12. Correspondence

- 12.1 20181004 Section 106 Agreements on the South Hams website It was reported that agreements were available to search by Parish/Town on the SHDC website.
- 12.2 20181011 Community Benefit Fund Offer Letter It was reported that Warmheart Community Projects had accepted the terms of the grant offer, with thanks.
- 12.3 201801013 Possible Help It was reported that the Parish Council has been asked for financial support for a young person resident in the parish for regular travel to London to support a ballet scholarship. It was agreed that the Parish Council does not give grants of this kind to individuals, but to put the applicant in touch with the secretary to the Feofees, and to suggest that grants may be available through Devon Educational, Devon

Educational Trust, the Masons and the Lions and the Duke of Edinburgh Trust. It was agreed that the Parish Council could provide a letter of support should this be useful for application to the above organisations.

- 12.4 20181015 Contact Details for Community Response Team (flooding) Harbertonford It was reported that the Flood Risk department of the Environment Agency had been in touch with the Parish Council as part of a process in updating their contact database. **It was RESOLVED** that the clerk supply the contact details of Cllrs Bowley and Waite to be included in the emergency contact database.
- 12.5 20181017 Community Benefit Fund Offer Letter It was reported that the Harberton Community Church Fund had accepted the terms of their grant offer, with thanks.
- 12.6 20181022 Society of Local Council Clerks (SLCC) Membership Renewal **It was RESOLVED** that the Clerk renew membership of the Society of Local Council Clerks at a cost of £100.00 for the period 01/12/18 – 31/11/19.
- 12.7 20181023 Town & Parish Council Event - 10 December 2018 Cllrs were advised that the meeting at Follaton House will start at 6.30pm and include updates on DCC and SHDC budgets for 2019/20, SHDC's commercial property strategy, future services proposals for public conveniences and Joint Local Plan progress. RSVP's are expected by 5th December. Cllrs Davidson and McDonnell wished to be registered.
- 12.8 20181024 Your latest newsletter from Devon Association of Local Councils (DALC) Cllrs were informed that DALC has decided to carry out a second round of recruitment to ensure that the County appoints the best possible candidate for the role. The newsletter referenced a Local Community Projects Fund available through Greggs Foundation for awards grants of up to £2,000 to enable not for profit organisations to do something they otherwise couldn't afford to <https://www.greggsfoundation.org.uk/grants/localcommunity-projects-fund>
- 12.9 20181025 Do you get a discount on your Council Tax It was reported that a SHDC press release is encouraging all residents to respond to a consultation regarding changes to the Council Tax Reduction scheme. Changes proposed are to reflect how universal credit works and include changes to the benefit assessment including limiting the number of dependent children considered on a claim and disregarding carer's allowance. All customers are encouraged to read the information and fill in a short survey with their thoughts via the consultation portal.
<https://southhamsdistrictc.wixsite.com/southhamsengagement/counciltaxreductionscheme>
- 12.10 20181025 Devon Local Flood Risk Management Strategy Update - October 2018 Strategy Newsletter it was reported that the update had been received, including news on natural flood management through planting of Culm Grassland, DEFRA 6-year programme, Flood Studies, Flood Improvement projects in Uplyme and Modbury and other case studies of projects in the local area. It was noted that the Flood and Coastal Risk Management team would welcome suggestions for new areas which could potentially be good candidates for future Natural Flood Management schemes. **ACTION:** The Clerk will get in touch as communication with the Environment Agency consultant on a review of run-off in the area of the Cholwell basin had stalled. It was commented that there was less run-off coming into Harberton since a field entrance on the A381 at Langridge Cross has been blocked up. **ACTION:** It was agreed to forward the newsletter to Cllr Waite for interest.
- 12.11 20181028 Bus Shelter Post A resident had reported that the old bus stop post has not yet been disposed of and remains on site. **ACTION:** Cllr S.Hockings agreed to remove it.
- 12.12 20181029 Locality Budget Award Cllrs were informed that the Parish Council had received an award of £500 from the C.Cllr's locality budget to engage a youth worker in the Parishes of Harberton & Rattery. It was agreed to transfer monies to TRAYE on receipt of a completed feedback form and to discuss at the next meeting.
- 12.13 20181102 SH TAPC Peer Challenge Invitation Cllrs were informed of an invitation to attend a session for Town and Parish Councils on Wednesday 28th November 14:00- 15:30 at Follaton House to meet members of the Peer Team and support the Local Authority's external 'health check'. No volunteers stepped forward.
- 12.14 20181107 Council Tax Support Grant It was reported that the Parish Council had received the notice from SHDC that the support grant allocation for 2019/20 would be £409. This is a reduction of £45 on the previous year.

13. Finance

13.1 Notice of income and expenditure since last meeting

13.1.1 26th October 2018 CREDIT £1250 South Hams District Council Locality Fund Grant (DAAT Project)

13.1.2 7th November 2018 CREDIT £500 Devon County Council Locality Fund Grant (TRAYE project)

13.2 November 2018 payments **It was RESOLVED** to make the following payments

Chq	To	Invoice/ paperwork	Detail	Before VAT £	VAT £	Total £
SO	Cat Radford	Payslip 20181122	Salary October: £330.03	368.11	0.00	368.11
			NP Secretary October: £38.08			
75	Cat Radford	Clerk Expenses claim 20181107	Mileage/Parking	8.1	0.00	72.96
			Reimbursement: Stamps (6.96) and K6 Telephone Kiosk Roof Light (50.40)	57.36	0.00	
			Broadband claim (1 months)	7.50	0.00	
76	Warmheart Community Projects	NA	Community Benefit Fund Grant	200.00	0.00	200.00

77	Harberton Community Church Fund		Community Benefit Fund Grant	450.00	0.00	450.00
78	Harberton Parish Hall	5th Nov 2018	2018 Neighbourhood Plan Meetings 25/09, 01/11, 29/11	28.50	0.00	28.50
79	Society of Local Council Clerks		Annual membership	100.00	0.00	100.00
			Totals	1219.57	0.00	1219.57

It was noted for the minutes that since February 2018, the Lloyds current account balance has included funds of £530 of Community Benefit monies. It was therefore agreed pay out cheques 76 and 77 from the Lloyds Current account and only transfer the remaining balance of £120 from the Barclays Community Benefit Fund account to the Lloyds current account. After which all payments should be made directly from the Community Benefit Fund Account.

- 14. E-Circulars** It was reported that e-circulars received included: Devon County Council Community News Round-up, Devon Communities Together, Devon Home Choice, Emergency Planning newsletter, Fields in Trust, Healthwatch, Public Sector Executive, Rural Services Network, Torbay and South Devon NHS Foundation Trust, Westminster Insight.
- 15. Matters at the discretion of the Chairman: Councillors' reports and items for future agendas**
- 15.1 Structural integrity of the Maltsters Arms Cllrs Waite and McDonnell reported grave concerns about the structural integrity of the building and risks to the public. It was reported that stones from one of the lintels have been falling into the pavement and road, creating significant danger to life for pedestrians and people in vehicles. It was further reported that there have been longer term problems with distress cracks on the building that had been monitored over time and showing evidence of movement. It was reported that the brewery had been informed. **It was RESOLVED** that, as this is an emergency situation, the Parish Council should act. **It was RESOLVED** that letters would be sent to Heavitree Brewery, to Highways, to Building Control and to the HSE to raise the issue as urgent and requiring a response within 24 hours. It was commented that the insurance policy on the building could be invalidated should the owners do nothing having been informed of the issue and the building collapse.
- 15.2 Fly tipping was reported on the border of the Parish, on the Upper Plymouth road through Tigley.
- 15.3 Bin replacement Thanks were given to the D.Cllr for supplying a new bin to one of the cllrs, following reports at the last meeting.
- 16. Date of next ordinary meeting** Tuesday 11th December 2018, Harbertonford CE Primary School.

Meeting close at 9.20pm.