

HARBERTON PARISH COUNCIL

Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 11th February 2020, Harbertonford CE Primary School.

| | | | | | | | |
|----------------|--------------------------|--|---------------|----------------------|--|-------------------|----------------|
| Councillor | Attendance | | Councillor | Attendance | | Councillor | Attendance |
| Cllr Beamish | <i>Not in attendance</i> | | Cllr Camp | <i>Present</i> | | D.Cllr McKay | <i>Present</i> |
| Cllr Bowley | <i>Present</i> | | Cllr Davidson | <i>Present</i> | | C.Cllr Hodgson | <i>Present</i> |
| Cllr Janes | <i>Present</i> | | Cllr Hockings | <i>Present (8pm)</i> | | | |
| Cllr McDonnell | <i>Present</i> | | Cllr Phillips | <i>Present</i> | | Clerk: Ms Radford | <i>Present</i> |
| Cllr Waite | <i>Present</i> | | Cllr Williams | <i>Present</i> | | Public | 7 |
| VACANCY | | | VACANCY | | | | |

Public Session

- i) The Chair welcomed all members of the public (MOP) to the meeting. As all had attended the meeting to express an interest in joining an environment and climate action group, the Chair gave some background as to why the Parish Council had called for volunteers to come forward. The Chair commented that many Parish, District and County Councils were considering a response to the climate emergency. Harberton Parish Council had discussed this and had agreed that it was wrong to limit the conversation to the climate emergency, but broaden the discussion to include preservation and care of the local environment. The Chair commented that the Parish Council would like to support action in which everyone, the Parish Council and the community, considers what practical things can be done to make a difference. This may include how we manage our energy, our food intake and waste – how we as consumers can use our power together to promote change – what we can do with our fields and our wildlife. The Chair commented that the Harberton Parish Neighbourhood Plan is in the process of being drafted, providing the opportunity for practical issues to be drafted into policy, such as the creation of a ‘dark skies policy’ for habitat enhancement. The Chair also commented that with support of a community group of volunteers, the Parish Council can act as a conduit upwards to District and County Councils and to the government to lobby for action at a regional, national and global level.
- ii) A MOP commented that several Harberton Parish residents attended a meeting of an environment and climate action group in Dittisham, which, following the Totnes Transition Town model, is well formed, and has a lot of very good ideas. A Harberton Parish group could follow this example.
- iii) The District Councillor (D.Cllr) commented that South Hams District Council (SHDC) is setting aside some money for to come to councils with climate change projects.
- iv) The D.Cllr was asked whether the District Council is going to start any cluster groups.
- v) The MOP in attendance agreed to share contact details amongst themselves and take the first step in arranging a public meeting on the topic of establishing a group.
- vi) Following the recent appeal for volunteers to support the Harbertonford Park, a MOP offered support. It was agreed to put them in touch with others in the village that had also expressed interest (see item 9.2.2)

Agenda

1. **Apologies** No apologies were received.

2. Declaration of Interests

- 2.1 Register of Interests: Cllrs were reminded of the need to update their register of interests.
- 2.2 The following interests were declared on items on the agenda:

| Cllr | Item | Interest | Action |
|------------|------|------------------------------------|---|
| David Camp | 5.4 | Neighbour to author of the letter. | The cllr did not participate in discussion on this issue. |

3. Reports for information from:

3.1 County Councillor (C.Cllr)

- 3.1.1 *A381* The C.Cllr expressed frustration following Devon County Highways (Highways) withdrawal of the offer to monitor the A381 in Harbertonford commenting that as the A381 is a main arterial route, there is nothing that can be done. It was commented that lack of funding is often used as a reason not to do things. The C.Cllr commented that the Parish Council is right to request a 20mph speed limit in the village and should include this in the Neighbourhood Plan.
- 3.1.2 *TRAYE* It was reported that National Grid funding is not available in the coming year. TRAYE costs approximately £2000 per month. A positive AGM was held on Saturday at which the group considered options for future funding. It is hoped that the project can be funded through National Lottery. SHDC has contributed through locality funding. The C.Cllr agreed to forward minutes from the AGM. The Parish Council queried whether members of staff are self-employed or on an employment contract.

3.2 District Councillor

- 3.2.1 *Funding for climate projects* As noted in the public session, full council has approved a fund to support climate projects proposed by the community on an application basis.

- 3.2.2 *Localities Review* A task and finish group continue work on reviewing how the Localities team works, including the relationship between the Localities Engagement Officer and Parish Councils and how this can be improved.
- 3.2.3 *Englebourne Woods* The D.Cllr reported following up clearance of trees at the woods with the Forestry Commission. It was reported that a felling licence has been granted as the Forestry Commission then has the power to enforce a restock condition, which is preferable to natural loss of trees through ash die back where there is no mechanism to require new trees to be planted. It was reported that the D.Cllr is making queries following an observation that the felled strip appears bigger than the felling licence allows. The Tree Warden asked if he could be informed and/or involved in future discussion. Cllrs were concerned on the impact of wildlife habitat.
- 3.2.4 *Development Management Committee Meeting* It was noted that planning application 2499/18/FUL at Land Adj. To The Old Mill Woodland Road was to be discussed by Development Management Committee. It was agreed that Cllr Waite will represent the Parish Council and will reiterate the decision made by the Parish Council.
- 3.2.5 *Dittisham Parish Lengthsman* The D.Cllr provided a job specification for a Parish Lengthsman as produced by Dittisham Parish Council, for information.
- 3.3 **Minutes** The following minutes were approved as an accurate record:
- 3.3.1 Ordinary Meeting of Harberton Parish Council 14th January 2020
- 4. Report Matters Arising from the Minutes** for information only
- 4.1 Community Speed Watch Ongoing. It was noted that the number of volunteers that had come forward to date was not sufficient to take the next steps with the Police.
- 4.2 Parish Snow Warden (Cllrs Bowley and Phillips) The Clerk reported that the previous snow warden had forwarded the most recent list of volunteers and had commented that there were supplies of salt in storage in Harberton. The Snow Warden hi-vis jacket had also been returned. Cllrs Bowley and Phillips were reminded to register as snow wardens for the Parish via the Devon County Council (DCC) website, prior to arranging a meeting with the Neighbourhood Highways Officer to receive training.
- 4.3 Letter from owner of Dundridge Yard The Clerk reported that the member of the public has dropped their complaint. It was noted that advice had been received from Devon Association of Local Councils (DALC) with regard to the request for an independent review of Parish Council procedure, commenting that the Parish Council cannot really help if a request has been made for an independent investigation. A member of the public could try to raise a judicial review if they wish to challenge the way a decision has been made but would need to seek independent advice on how to do that. Alternatively, they could call a parish meeting along with 5 other local government electors. At the parish meeting they could take a poll (for example, a vote of no confidence in the parish council). However, this is not legally binding and would not force the parish council to do anything.
- 5. Co-option of Councillors** to Harbertonford and Harberton Ward – No interest received.
- 6. Planning**
- 6.1 Consider planning applications
- 6.1.1 3987/19/FUL Demolition of existing tool shed and construction of new dwelling house and associated garage/workshop at Valley End Farm, Harberton **It was RESOLVED** to STRONGLY OBJECT to the planning application on the grounds that there is no exception need for the construction of a new dwelling in the open countryside and the Parish Council sees no obvious benefit to the community for this development. The Parish Council repeats its view that neither the Valley End Farm site, nor its buildings, have ever been used as a farm.
- 6.1.2 0169/20/FUL Conversion of existing redundant barn to live/work unit with workshop (B1) and store at Little Grove, Tigley, Harberton **It was RESOLVED** to support the planning application. However, the Parish Council would like to propose a condition to tie the development to the 2 acres of land and existing property so that it cannot be split.
- 6.1.3 0280/20/HHO Householder application for erection of an ancillary family annex in rear garden at Sampsons Barn, Harbertonford **It was RESOLVED** to SUPPORT the application with the condition that it is kept as an ancillary dwelling to the main property.
- 6.2 Notification of planning applications for information There were none.
- 6.3 Receive a report on planning decisions
- 6.3.1 3509/19/LBC Listed Building Consent for revised staircase balustrade and installation of screen and doors at 1 The Mill Woodland Road Harbertonford **CONDITIONAL APPROVAL**
- 6.3.2 3816/19/PDM Notification for prior approval for proposed change of use of agricultural building to dwellinghouse (Class C3) and for associated operational development (Class Q(a+b)) Barn A at Fletchers Combe, Diptford **PRIOR APPROVAL REQUIRED AND GIVEN**
- 6.3.3 3819/19/PDM Notification for prior approval for proposed change of use of agricultural building to dwellinghouse (Class C3) and for associated operational development (Class Q(a+b)) Barn B at Fletchers Combe Diptford **APPROVAL REQUIRED AND GIVEN**

- 6.3.4 0231/20/AGR Application for prior notification of proposed agricultural building Land At Sx 781 601 Off Green Lane Harberton AG DETERMINATION DETAILS NOT REQUIRED
- 6.4 Notification of appeal decisions It was reported that a decision on appeal reference APP/K1128/W/19/3237202 at Wilma, Woodcourt Road, Harbertonford has been ALLOWED. It was noted that the inspector accorded weight to the draft Harberton Parish Neighbourhood plan, since it has been produced following public consultation and questionnaire surveys, and identifies specific housing requirements for Harbertonford, in conjunction with the Joint Local Plan and as such, the provision of an additional dwelling on the appeal site would make a contribution towards the identified local housing needs of the local community. It was further noted that the inspector did not find the appeal site to be an 'isolated' countryside location, due to its proximity to the western edge of the built-up area of the village, and the ease of access to facilities and services by means other than the car, and that it can be considered to be within Harbertonford.
- 6.5 Receive a report on enforcement cases Cllrs were informed.
- 7. Monthly reports**
- 7.1 Finance Committee No report.
- 7.2 Neighbourhood Plan update No report. The January meeting was cancelled as it would not be quorate.
- 7.3 Community Land Trust update It was reported that the option agreement has been triggered and a grant has been received for development of a micro-grid to provide power to the houses.
- 7.4 Clerk's update
- 7.4.1 Website Accessibility It was reported that an accessibility widget has been installed on the website to enable a user to be able to change the font size, increase contrast, highlight links and use an audible website reader. The Clerk is seeking to make alterations to the site so that it conforms with guidelines and will produce an 'Accessibility Statement' as required by law, before deadline of September 2020.
- 7.4.2 Totnes Cluster Clerks Meeting The Clerk reported attending a meeting of clerks in the Totnes area where clerks shared common issues, such as dealings with highways, climate emergency and lengthsman services.
- 8. Parish Lengthsman Project** It was noted that the Totnes Town Council is looking to appoint a lengthsman in April. At the January meeting the Parish Council had agreed to develop a brief for a lengthsman that could either be shared with Totnes Town Council to contract services from them or circulate for submission of tender from organisations or individuals. The Chair of Staverton Parish Council has not yet responded to the request to review their lengthsman brief to use as a template. The D.Cllr has shared a sample brief from Dittisham Parish Council. Following interest by a parish councillor in the role, legal advice has been sought from the National Association of Local Councils via DALC, as it is understood that Cllrs cannot hold a paid office for the Parish Council and cannot hold it for 12 months following a resignation, however it is not clear if this applies to contractors. It is expected that advice will be received in a few weeks.
- 9. Harberton Parish Parks and Playing fields**
- 9.1 Harberton Playing Field Association (HPFA) Minutes of the most recent HPFA meeting had been shared, which included reference to the following issues:
- 9.1.1 Posts between upper field and car park HPFA minutes report that several of the posts marking the upper limit of the top car park are rotten, have become loose or have fallen over. HPFA have decided to replace these, and to plant another 3 fruit trees on the field side of the posts, a metre or 2 away and outside the DAAT 'square'. **It was RESOLVED** that the Parish Council request a site meeting with HPFA to better understand where fruit trees would be planted before breaking ground. It was noted that it had been agreed with Devon Air Ambulance Trust (DAAT) that any planting or equipment installation on the field would be in consultation with them to ensure that the DAAT landing square is preserved.
- 9.1.2 Potentially Hazardous Trees The HPFA minutes query whether the 2 large trees overhanging the woodland path had been inspected recently by a qualified tree surgeon and that these should be referred to the Parish Council for advice/action. One, an oak, appears to be inside the boundary with adjoining woodland, and the other, an ash, is on the boundary bank. It was reported that Cllr Chris Bowley, who is also the tree warden, went to have a look at the trees on 11th February 2020. He observed ropes in the ash tree where it appears that a broken branch has been lashed to another branch. This rope appears to also be used as a rope swing. The Parish Council are of the opinion that this rope swing should be removed immediately to prevent accident and to ask for a professional opinion on removal of the broken branch. **ACTION: Cllr Bowley** Cllr has agreed to make enquiries with a suitable arborculturalist and request that this work is undertaken along with a survey of all trees on Parish land in spring, when the trees are in leaf.
- 9.1.3 Play log Cllrs were informed that HPFA are seeking to re-site a fallen tree from Dundridge as a play log in the children's playground. It will be de-barked and trimmed and include a step/seat. The area is outside the main field maintained by SHDC and would be mowed around with a push mower and strimmer.
- 9.2 Harbertonford Playpark
- 9.2.1 Update on maintenance **The Clerk's ACTION** to research guidelines on installation of playground equipment is ongoing.
- 9.2.2 Update on progress on establishing community support for park. It was reported that several residents have been in touch with the Clerk with offers of support to the park. A more in depth conversation has been had with a resident who asked for clarity on what the Parish Council was requesting. The Clerk has gone

through the history of park maintenance with the resident and has shared the notes and options proposed following the meeting held with one of the Playpark volunteers in March 2019, as these options could still be considered. During conversation it was commented that the letter circulated was somewhat condescending and did not acknowledge the work of the previous volunteers that supported the park, nor offers of help been made since. The Clerk commented that unfortunately these offers of help had not reached the Clerk, and since forwarding notes from the meeting in March 2019 had not had any feedback from former volunteers. It was agreed that it was necessary to move forward positively and that someone was needed to bring together various volunteers around a plan. It was also discussed that the new group established to consider community ownership of the shop and pub could act as a vehicle to accept funds on behalf of the play park.

- 10. Community Benefit Fund guidance notes** It was agreed to update the guidance notes to clarify that Parish Councils are granted a range of powers by Parliament on how public money can be spent and must act within the law. The Parish Council can only spend, raise or use money if it has a statutory power to do so, otherwise it acts ultra vires (beyond its powers). The Parish Council will refer to these statutory powers when considering whether a Community Benefit Fund grant will be given. **It was RESOLVED** that the minutes of meetings in which grants are approved should record which statutory power a grant is being made under.

11. Parish Defibrillators

- 11.1 Update from training event Cllrs were informed that annual defibrillator training provided by Community Heartbeat Trust took place on 29th January at Harbertonford Village Hall and was attended by 12 people.
- 11.2 Notification of renewal of pads Cllrs were informed that the defibrillator pads had been replaced, with costs covered by the maintenance contract.
- 11.3 Ongoing funding It was reported that a quote has been received from the Community Heartbeat Trust to cover maintenance of the equipment for a further four years, 2021 to 2025 at £1120. It was noted that there are earmarked reserves of £731.29 for Parish Defibrillators in the 2020-21 budget. **It was RESOLVED** to budget £200 per year to maintain a healthy reserve to cover these costs.

12. Annual Review of GDPR documents – Part 2

- 12.1 Document Retention and Disposal Policy Was reviewed and approved.
- 12.2 HPC Retention of Documents Appendix A Was reviewed and approved.
- 12.3 HPC General Privacy Notice Was reviewed and approved.
- 12.4 HPC Staff, Councillors and Role Holders Privacy Notice Was reviewed and approved.

13. Correspondence

- 13.1 Affordable and Sustainable Homes Coming Soon It was reported that genuinely affordable home schemes are being supported with funding from South Hams District Council in South Brent, St Anne's Chapel, Brixton, Dartmouth and Kingsbridge, with more in the pipeline.
- 13.2 New Road Sign Request It was reported that a letter had been received from Harberton residents of Tristford Road requesting a 6'6" road sign either at the corner of Wyse House garden wall or at the side of the Church wall as during 2019 there were more vehicles than ever following sat nav & trying to go down past the pub and getting stuck. Having forwarded the letter to Highways the Parish Clerk received a response that it is not possible to install a width restriction warning sign without there being a legal restriction in place and the only option is to use advisory blue signs which already exist. Whilst Highways accepts that existing signs are not in an ideal location, DCC's current position is that installing new signs or even maintaining advisory signs cannot be afforded. In addition, as the signs are only advisory, it's regularly reported that drivers chose to ignore advice. The Parish Council could consider funding a Traffic Regulation Order to impose a new restriction. These usually cost in the region of £3,000, however the Highways officer offers caution that this may not achieve the objective of stopping drivers who are already choosing to ignore signage and the visual queues offered by the existing environment. **It was RESOLVED** to inform Highways that Cllrs believe that the sign is in the wrong place and ask if it can be moved, or if the Parish Council can move it where it thinks it needs to go. **ACTION: The Clerk** to write to Highways and copy in the C.Cllr.
- 13.3 Devon County Council Traffic Management Permit Scheme Order 2020 Cllrs were informed that the new scheme to support DCC in its legal duties to coordinate works, reduce disruption and improve quality of life for residents comes to force on 2nd March 2020.
- 13.4 Landlord Issued £18,000 Civil Penalty Cllrs were informed that the penalty has been given following the investigation of complaint from an elderly vulnerable tenant regarding housing disrepair that was affecting the tenant's health. The Penalty was imposed for non-compliance of a housing improvement notice. The press release has been circulated to raise awareness that SHDC has these powers will use them to protect vulnerable residents. If local residents find themselves in the same position as the tenant, or are caring for a vulnerable person in this position, they are encouraged to contact SHDC for advice.
- 13.5 DALC Newsletter #4 2020 Includes information about available courses.
- 13.6 Register Of Electors 2020 - Publication and availability Cllrs were informed that SHDC has published the registered of electors. The Clerk has requested an electronic copy for reference.
- 13.7 Reducing isolation in older people across South Hams Cllrs were informed that the Royal Voluntary Service is developing the Community Companions initiative to recruit and train small teams of volunteers to provide

companion support to the most isolated within their own communities. The Parish Council has been asked to help circulate information about the project

14. Finance

14.1 Notice of income and expenditure since last meeting. None

14.2 February 2020 payments **It was RESOLVED** to make the following payments:

| Chq | | To | Invoice/ paperwork | Detail | Before VAT £ | VAT £ | Total £ |
|------|--------|-------------------------------|--|--|-----------------|--------------|------------|
| SO | 2002_1 | Cat Radford | Payslip 20200222 | Salary Feb: £429.52 NP Feb: £49.56 | 479.08 | 0.00 | 479.08 |
| BACS | 2002_2 | Cat Radford | Clerk Expenses Claim 20200205 | Mileage/Parking Broadband claim | 5.49 7.50 | 0.00 0.00 | 12.99 |
| BACS | 2002_3 | Graham Clayton | | Printing and sponsorship of Village Life | 20.00 | 0.00 | 20.00 |
| BACS | 2002_4 | Harberton Parish Hall | Inv 12 Mar 2019 | Room Hire 14/5, 9/7, 19/9, 12/11, 14/01, 10/3 @£10 | 60.00 | 0.00 | 60.00 |
| BACS | 2002_5 | The Link Academy Trust | | Room Hire 09/04, 11/06, 08/10, 10/12, 11/02 @£10 ea | 50.00 | 0.00 | 50.00 |
| BACS | 2002_6 | Harbertonford Village Hall | | Hire of village hall meeting room x 4 @ £10.00 and hire of Hall for Defibrillator meeting on 29/01/20 @ £24.00 | 64.00 | 0.00 | 64.00 |
| | | | | | 686.07 | 0.00 | 686.07 |

15. **E-Circulars** Cllrs were informed that the following circulars are received: Citizens Advice South Hams, Devon Communities Together, Devon County Council Community News Round-up, Devon Home Choice, Emergency Planning newsletter, Fields in Trust, Harberton Village Email, Healthwatch Devon, Information Commissioners Office, Public Sector Executive, Rural Services Network, SLCC Membership, Torbay and South Devon NHS Foundation Trust. Cllrs can request receipt from the Clerk.

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

- 16.1 A cllr reported an attempted break in into a property in Harbertonford, to which Police arrived swiftly. It was suggested that residents do not leave doors open.
- 16.2 Cllrs report concerns from members of the public about clearance of woodland (see item 3.2.3)
- 16.3 It was requested that TRAYE be on the agenda for the next meeting, as the initiative is asking for support from Parish Councils.

17. **Date of next ordinary meeting** Tuesday 10th March 2020.