

HARBERTON PARISH COUNCIL

Minutes of Ordinary Meeting of Harberton Parish Council on 7.30pm on Tuesday 10th March 2020, Harberton Parish Hall.

Cllr Beamish	<i>Present</i>	Cllr Camp	<i>Present</i>	D.Cllr McKay	<i>Present</i>
Cllr Bowley	<i>Present</i>	Cllr Davidson	<i>Apologies</i>	C.Cllr Hodgson	<i>Present</i>
Cllr Janes	<i>Present</i>	Cllr Hockings	<i>Present</i>		
Cllr McDonnell	<i>Apologies</i>	Cllr Phillips	<i>Present</i>	Clerk: Ms Radford	<i>Present</i>
Cllr Waite	<i>Present</i>	Cllr Williams	<i>Apologies</i>	Public	2
VACANCY		VACANCY			

Public Session

- i) A Member of Public (MoP) attended the meeting to raise the issue of flooding at Screw Lane as their vehicle was written off after entering deep flood waters. It was commented that this was reported to Devon County Council who had not been helpful. The County Councillor (C.Cllr) commented that she would follow up the poor response given. The MoP had written to the Clerk to suggest residents place a warning sign on location when the road is impassable. Cllrs informed the MoP that the Parish Council has been working to get this issue resolved and that cllrs will be conducting a survey of levels to forward to Highways.
- ii) A MoP reported that the ceilidh held to raise funds to support a community pub and shop in Harbertonford went really well, raising £650. There was a good turnout, showing good support for the project.

Agenda

1. **Apologies** were received as above. In the absence of Cllr Davidson, Cllr Camp took the chair.

2. Declaration of Interests

- 2.1. Register of Interests: Cllrs were reminded of the need to update their register of interests.
- 2.2. No interests were declared on items on the agenda.

3. Reports for information from:

- 3.1. County Councillor (C.Cllr) The C.Cllr circulated a monthly report, raising the following issues:
 - 3.1.1. *County Council Budget* The 2020/21 budget showed increases in income via the Council Tax and increases in budgeted expenditure allocated to Adult Care and Health and Children's Services.
 - 3.1.2. *Totnes and Littlehempston cycle path* The C.Cllr has proposed a compulsory purchase order to break the gridlock with access over the railway bridge.
 - 3.1.3. *Gypsy and Travellers Forum* A first meeting was held on 27th February at Dartington. Devon County Council (DCC) will be working with South Hams District Council (SHDC) to identify a number of pitches and agree sites. SHDC has now agreed to undertake a review of how it identifies numbers of pitches required.
 - 3.1.4. *Lamp post EV chargers* It was commented that installation of lamp post EV chargers for vehicles is being considered in the area and that the Parish Council may wish to consider this an option. Cllrs commented that parking space is required adjacent to lamp posts to benefit, which is challenging in both parish villages.
 - 3.1.5. *TRAYE COVID-19 Guidelines* Cllrs were informed that Totnes Rural Area Youth Engagement (TRAYE) has issued guidelines care stay open as long as it is safe, asking young people to stay away if they are attend any schools that are closed due to confirmed cases of COVID-19. This is being monitored and activities will stop if necessary.
- 3.2. District Councillor (D.Cllr)
 - 3.2.1. *District Council Budget* The D.Cllr commented that the annual budget was passed unanimously. It was commented that £400,000 has been set aside for climate change projects, of which £200,000 will be for internal projects and £200,000 for projects in the community. It is likely that the Climate Change working group will become a formal committee in order to administer the funds. A Climate Change Officer and an Economics Officer will be appointed in the coming months.
 - 3.2.2. *Gypsy and Traveller sites* Further to comments made by the C.Cllr above (item 3.1.3), the Joint Local Plan (JLP) doesn't identify a need for traveller sites. Therefore a review of the study that informed the JLP is being undertaken that will inform a formal motion that can be cited when officers go to planning with proposals for sites.
 - 3.2.3. *Luscombe Meadow (Joiners nursery) on Bow Road* The D.Cllr has reported concerns to the Environment Agency about plant pots and other nursery waste in proximity to the Harbourne.
 - 3.2.4. *Localities* It was reported that the mobile Localities Officers will have a wider brief providing a better service.
 - 3.2.5. *Dundridge Yard* Meetings have been held with SHDC officers with regard to future development of the site. A discussion about provision of a permissive path into the village of Harberton has been held with the landowner.
 - 3.2.6. *A381* Work on road safety in Harbertonford is ongoing. No reply has been had from Devon Highways. The D.Cllr and C.Cllr agreed to discuss.

- 3.2.7. *ABCD consultation* This is ongoing. A meeting has been held with Totnes Caring to support.
- 3.2.8. *Tree works at Englebourne* The Tree Warden asked if the Forestry Commission have been for a site visit, or if they are only looking at paperwork. The D.Cllr was not aware.
- 3.2.9. *Harbertonford Play area* The D.Cllr commented that a small grant could be made available from the Locality Fund to support the park if required.

4. Minutes the following minutes were approved as an accurate record:

- 4.1. Ordinary Meeting of Harberton Parish Council 11th February 2020

5. Report Matters Arising from the Minutes for information only

- 5.1. Community Speed Watch Ongoing – the Clerk reported that at the inaugural meeting of a new environment and climate action group the issue of road speeds was raised, and it is possible that volunteers may come forward from that group to support the speed watch.
- 5.2. Parish Snow Warden Ongoing. The Clerk agreed to register Cllrs Bowley and Phillips on their behalf.
- 5.3. Parish Environmental Action Group see item 10.
- 5.4. Parish Lengthsman Project It was reported that Totnes town council is in the process of advertising for a new Lengthsman. Legal Advice has been sought from National Association of Local Councils as to whether it is permitted for work to be undertaken by a councillor under a sole trader contract.
- 5.5. New Road Sign Request The Clerk reported that whilst the minutes record Highways' response that it would not be possible to provide a new width restriction sign on road leading to Harberton Square. Highways had responded that they would review the request, asking the Parish Council to indicate exactly where signs would be beneficial. **ACTION:** Cllr Camp to make a proposal to where signs should be put. It was suggested to use the 'report it' website to mark the precise position.

6. Co-option of Councillors to Harbertonford and Harberton Ward. It was reported that no interest had been received.

7. Planning

7.1. Consider planning applications

- 7.1.1. 0388/20/FUL Application for a new telemetered rain gauge site, Land At Sx 765 560, Second field at Rolster Bridge Farm, Diptford **it was RESOLVED** to SUPPORT the application.
- 7.1.2. 0396/20/FUL Application for change of use to alter three flats to seven bedrooms for self-catering accommodation and permission sought to host wedding ceremonies, Sandwell Manor, Harberton **It was RESOLVED** to SUPPORT the application.
- 7.2. Receive a report on planning and appeal decisions It was reported that application 3306/19/FUL Construction of single storey unit of accommodation above existing garages at Garages at Bow Road Harbertonford was given CONDITIONAL APPROVAL. It was noted that a construction plan is required before building works go ahead.
- 7.3. Receive a report on enforcement cases A hard copy of the enforcement caseload was circulated for information.

8. Monthly reports

- 8.1. Finance Committee No report.
- 8.2. Neighbourhood Plan update No report.
- 8.3. Community Land Trust (CLT) update Cllr Williams reported by email that CLT is still waiting to hear from the solicitors about the land purchase.
- 8.4. Clerk's update
- 8.4.1. Coronavirus: Operational Contingency Plan The Clerk tabled an example Operational Contingency Plan for the Coronavirus threat to propose a similar approach for Harberton Parish Council. It was agreed that most business of the Parish Council can be maintained even if 'Social Distancing' measures are put in place as the Clerk already works from home.

It was RESOLVED that that the Parish Clerk with the Chair has delegated authority to cancel meetings of the Parish Council as a result of any one of the following triggers:

- Widespread school closures expected to last longer than a week
- Public Health England advice to close public places
- NALC advice to close Council offices to the public
- A confirmed case of infection in a member of staff, councillor or a household member of staff or councillors

These triggers would extend to Parish Council exercising options to hold an Annual Parish Meeting.

It was RESOLVED that the Parish Council delegate authority to the Clerk, with sign off from the Chair and/or Vice Chair to pay invoices within the terms of the Financial Standing Orders and Regulations and according to the agreed budget.

9. Harberton Parish Parks and Playing fields

9.1. Harberton Playing Field Association (HPFA)

- 9.1.1. *Posts between upper field and car park - breaking ground to plant a tree.* It was reported that wooden posts will be purchased this week to replace the broken ones between the Upper Car Park and the Field. It is planned to paint a white band around them to increase their visibility as previously some have been damaged by reversing vehicles. It was reported that members of HPFA have already planted 2 apple trees and 1 pear tree just above the fence of the Upper Car Park before a site meeting was held. Devon Airt Ambulance Trust has agreed to visit the site to DAAT to check on their position. It was explained that whilst the trees have already been planted, they could be moved if necessary. The Tree Warden commented that he has visited the site, but needs further information about the root stock before making an assessment. **ACTION: The Clerk** to request root stock information from HPFA.
- 9.1.2. *Potentially Hazardous Trees* It was noted that the rope swing that the Parish Council asked to be removed is tethering the dead branch to the tree and it has been deemed safer to hook it up out of reach rather than remove entirely. HPFA has requested that if there is to be a tree surgeon on site they could be requested to rig a new rope on an appropriately strong branch for the tree swing so it can continue to be enjoyed. As some concerns had been raised about the safety of a rope swing, the Clerk had discussed this with the insurance company, who advised that the Parish Council would be ultimately responsible if someone to hurt themselves – i.e. the rope or bough break etc. However, there is no difference in terms of liability between the installation of a rope swing to any other piece of play equipment – the risk is ultimately that of the Parish Council as the insured party. The insurer commented that IF the Parish Council decided to allow it, a rope swing should be put in place by a competent person. Cllr Waite commented that he has experience of installing rope swings and can share his research in how they should be erected to prevent damage to the rope through friction during use.
- 9.1.3. *Dates of events to take Devon Air Ambulance landing site offline* It was reported that the Dog Show on the Playing Field is scheduled for Sunday 2 August. Posts will be positioned and marquees erected from Friday 31 July and removed straight after the event on Sunday 2 August. Devon Air Ambulance Trust has been contacted for the landing site to be taken off line between 9am 31st July – midnight 2nd August 2020.

9.2. Harbertonford Playpark

- 9.2.1. *Receipt of inspection report and update on maintenance* Cllrs were informed that the report notes significant wood rot, and that a horse rocker is becoming loose at the base. There was a discussion about whether Cllrs who undertake maintenance works on behalf of the Parish Council are covered by the Parish Council's insurance or if they personally become liable. **ACTION: The Clerk** to discuss volunteer liability with the insurance company and request a response in writing. Have something in writing from the insurance company, if doing something on behalf of the Parish Council are covered by the Parish Council's insurance and not personally liable. It was commented that there has been an ingress of thorny shrubs which would require voluntary support to remove.
- 9.2.2. *Update on progress on establishing community support for park* No update. Further discussions are being held with individual volunteers. It was commented that the C.Cllrs Locality Fund will be coming up in May and an application can be made.

10. Environment and Climate Action

- 10.1. *Update from public meeting in Harberton Parish* It was reported that 37 parish residents attended a meeting to discuss the formation of an Environment and Climate action group on 3rd March 2020. All attendees introduced their area of interest on the subject of the environment and challenges facing the climate. It was agreed that the group would meet again in a month and begin to form subgroups around themes, such as transport, biodiversity, litter, flooding, for example. The first action of the group was to arrange a litter pick/walk to take place on 4/5th April 2020 as part of the Great British Spring Clean. The Parish Council had been asked if the activity could be covered under the Parish Council insurance. The insurers informed the Clerk that if the climate action group is undertaking the 'spring clean' on behalf of the Parish Council and the Parish Council provides the equipment and provides the risk assessment, then the volunteers are covered by the Parish Council's insurance. On querying cover should the litter take place on the roadside, the insurers confirmed that there are no exclusions as to areas in which litter pick can take place; the risk is assessed by the Parish Council and the Parish Council is ultimately responsible. It was agreed that the Clerk will liaise with the Environment and Climate Action group on the development of a risk assessment.
- 10.2. *Consideration of costs of Parish Environment and Climate Action meetings* It was **RESOLVED** that the Parish Council pay the £20.00 meeting room hire costs of the inaugural Environment and Climate Action meeting.
- 10.3. *Consideration of South Hams District Council Actions consultation* Cllrs had no comments on the consultation.

11. **Totnes Rural Area Youth Engagement Project** It was **RESOLVED** to donate £226 to TRAYE of as allocated in the 2019/20 budget. The C.Cllr commented that representatives of the group would be willing to attend the Annual Parish Meeting to give a presentation on activities.

12. **Screw Lane Flooding** It was reported that two members of the public had written to the Parish Council to request action following recent flooding. It was reported that the Clerk had been in contact with Highways to request a site meeting and to understand the action that could be taken by whom. Cllrs Davidson and Waite had visited the site and had reported that the problem was three-fold:

- Due to the profiles of the road, run off from the large ploughed field carries soil onto the lane.
- The buddleholes and culverts cannot discharge onto the adjacent land downstream due to lack of maintenance on the land to remove build-up of debris and silt.
- The water that runs into the natural drain on the side of the lane isn't properly contained, frequently breaching the soft soil sides and overflowing onto the road/lane with no chance to discharge. Water contained in the stream has to pass under quite a restricted area to continue on its way into the field and down into the pond. This blocks up regularly.

In communication with Highways, the following information was given:

- Highways confirms that the Parish Council has limited powers but can draw the attention of water flow with the landowner and encourage them to undertake works. If no action is taken, then can refer to Highways and request follow up through letters.
- Highways policy is to undertake maintenance/clearance works once per year. The local team are provided a small cleaning budget that can supplement the programmed annual clean but this budget is too small to offer an ongoing commitment to increase the annual clean on a specific location. It is possible to add 'Screw Lane' to a storm code – a centrally generated budget that can be used for clear up and repairs caused by a storm and only open for a matter of days for the local teams to raise orders against. It is not used or a commitment to increase the annual clean.
- If there was a flood, this should be reported to Highways via 'report a problem' website, at which point a contractor should attend and try to clear the flood and if not successful, should post 'Flood' signs.
- If there are issues with features blocking up due to run off from hills the Parish Council can report this to Flood relief Team who can advise the landowner on techniques for land management to stop, reduce or slow the release of this water onto the highway.

ACTION: Cllr Camp agreed to speak with the landowner of the ploughed field to discuss run off mitigation.

ACTION: The Clerk was asked to confirm with Highways who is responsible for keeping the buddle holes clear as specific information is not included within the information provided by Highways that refers to roadside ditches. Cllrs expressed concern that there are gaps in where the responsibilities lie.

ACTION: Cllr Waite had prepared to undertake a levels survey within the week. His report will be shared with the Clerk and Highways.

13. Correspondence

- 13.1. 20200206 Climate Change Feedback required Cllrs were reminded that SHDC made a declaration of a Climate Change and Biodiversity Emergency and initially set aims to reduce its organisational carbon emissions to net-zero by 2030; and to commit to working with partners through the Devon Climate Emergency Response Group with the aim to reduce the District of South Hams' carbon emissions to net-zero by 2050 at the latest. Two draft plans have been forwarded to Town and Parish Council's for feedback. The plans set out a range of actions that could be taken. Cllrs were informed that an analysis of the overall cost and benefits will then be carried out before deciding whether to go ahead, wait or reject each of the proposals.
- 13.2. 20200206 South Hams CVS Workshops, training and Event Cllrs were informed of training opportunities, including Keeping Young Volunteers Safe, Charity Trustee Training, Volunteers and The Law, Creative Solutions for Community Development, Suicide Awareness Training, Equality and Diversity Training.
- 13.3. 20200207 Drainage Maintenance Responsibilities Cllrs were informed that Highways had written to all Town and Parish Council with information on responsibility for the maintenance of drainage and vegetation on and around the highway. Cllrs were informed that the driver raising awareness of this issue is that Highways has been investing significant funds undertaking a programme of ditch clearance works to drain the water from the highway. In the majority of cases, the responsibility for ditch maintenance rests with the adjacent landowner, even if the ditches take water from the highway and local authority funding is being used to undertake works which are, in part, the responsibility of the landowners, reducing the funding available to undertake the works which are the responsibility of the County Council.
- 13.4. 20200211 National Village and Community Halls Survey 2020 Cllrs were informed that Rural Charity Action with Communities in Rural England (ACRE) releases a comprehensive survey to 10,000 village halls once every ten years to undertake a national census. This information has been sent to contacts at both halls in the parish.
- 13.5. 20200211 DALC Newsletter #07 2020 It was reported that this month's newsletter includes a reminder of website accessibility requirements, information about courses. It confirmed that council tax referendum principles will not be extended to parish and town councils in 2020-21. The National Association of Local Councils continues to lobby government to exclude parish and town councils permanently from referendum principles for council tax increases.
- 13.6. 20200212 Is Your Council Taking Part In #GBSpringClean 2020 Cllrs were informed of the spring clean campaign and informed that the information was forwarded to the emerging Environment and Climate Action Group as per item 10.1.
- 13.7. 20200213 A Budget of Balance and Investment Cllrs were informed via news release of the District Council's approved budget which put money aside for community homes, replacing play park equipment, the climate change and biodiversity emergency and coastal erosion.
- 13.8. 20200218 Temporary Traffic Notice - Higher Grove to Lower Ashridge Farm, Harberton (TTRO2034684) Cllrs were informed of a temporary traffic restriction between 9 – 13th March 2020.

- 13.9. 20200219 Screw Lane between Gills Cross & Mill Cross Following recent flooding in Screw Lane a member of the public has proposed that volunteers put out 'road closed' signs to prevent motorists causing damage to vehicles by entering deep flood waters. See Public Session and item 12.
- 13.10. 20200219 Supporting Parish Councils – Devon Communities Together Cllrs were informed that following DALC's constitution as a stand alone company, it's previous host organisation, Devon Communities Together, is encouraging Parish Council's to become members at a cost of £50 per year to provide a more personal service and member benefits including discounts training courses from Devon Community Learning Academy.
- 13.11. 20200224 Tree-ting Ivybridge to New Woodland Cllrs were informed of the planting of 300 trees, supported by the Sustainable Community Locality Fund.
- 13.12. 20200225 Funding Boost for Rough Sleeper Support Cllrs were informed of funding being secured by South Hams District, West Devon Borough and Teignbridge District Councils to continue the work of outreach workers helping vulnerable people who sleep rough or at risk of doing so and a further year of Multi-Agency Hub and co-ordinator support.
- 13.13. 20200228 Climate update for parishes Cllrs were informed that a two year project manager post has been funded by DCC to support Devon Climate Emergency group develop a net zero carbon plan for Devon. A call for evidence and thematic hearings took place between October and January 2019, a Citizen's Assembly will take place in June/July 2020 and a public consultation will be open in Autumn 2020. The update encourages groups and individuals to follow the project on social media to get tips and advice on taking action.
- 13.14. 20200303 District Council Backs Local Electricity Bill Cllrs were informed via news release that that the District Council have agreed to back the bill that would create a right to local supply pave the way for local authorities to set up their own energy companies.
- 13.15. 20200304 Storage of goal posts on HPF Cllrs were informed that residents with a view of the playing field had noticed that goals and cones used to mark a pitch are not always moved to the edge of the field. It was noted that in the past week goals had been left in the middle of the field for five days. It was suggested that a notice be made to go on the DAAT floodlight post at to the effect that this is a DAAT night landing site and goalposts should be stored by the post and returned there after use as there may be visitors to the village/ Parish Hall who do not know that the Field should be kept clear. **ACTION: The Clerk** to forward this.
- 13.16. 20200305 It's back Calor's Rural Community Fund is ready to support local projects Cllrs were informed that a the fund is open for local groups, charities and initiatives to enter to be in with a chance of receiving grants.

14. Finance

- 14.1. Notice of income and expenditure since last meeting. It was reported that an internal transfer of £1000 had been made from the Barclay's account to the Lloyds current account on 11th February 2020 to cover Community Benefit Fund payments. The £3114.57 Devon Air Ambulance Trust grant accepted by the Parish Council in April 2019, had been paid into the account on 19th July 2019 but had not yet been noted in minutes.
- 14.2. March 2020 payments **It was RESOLVED** to make the following payments:

Chq		To	Invoice/ paperwork	Detail	Before VAT £	VAT £	Total £
SO	2003_1		Payslip 20200322	Salary Mar: £429.52 NP Mar: £49.56	479.08	0.00	479.08
BACS	2003_2	Cat Radford	Clerk Expenses Claim 20200305	Mileage/Parking Office Expenses Broadband claim	10.89 38.94 7.50	0.00 7.78 0.00	65.11
BACS	2003_3	Harbertonford Village Hall	NA	Parish Environment and Climate action group hall hire	20.00		20.00
BACS	2003_4	TRAYE	NA	TRAYE 2019/20 contribution	226.00		226.00
					782.41	7.78	790.19

15. **E-Circulars** Cllrs were informed that the following e-circulars are regularly received: including 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,

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

- 16.1. Cllrs reported the following fly tipping issues:
- Joiner's Garden on Bow Road: Broken van and tyres
 - Dorsley Barton, on the verge above the quarry: Tyres dumped
 - Gravel pit on A381 by Keys Englebourne: Bathroom fly tipped

17. **Date of next ordinary meeting** Tuesday 14th April 2020, subject to Coronavirus social distancing measures.