

## **Harberton Parish Council**

Minutes of the next ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 14<sup>th</sup> April 2020. This was a virtual meeting (video and telephone conference call) of the Parish Council held on the digital platform Zoom.

### **In attendance**

#### **Harbertonford Councillors**

Cllr Beamish: Absent  
Cllr Bowley: Present by video link  
Cllr Janes: Apologies  
Cllr McDonnell: Present by phone  
Cllr Waite: Present by phone

#### **Harberton Councillors**

Cllr Camp: Present by video link  
Cllr Davidson: Present by video link  
Cllr Hockings: Apologies  
Cllr Phillips: Present by audio link  
Cllr Williams: Present by video link

#### **Others**

D.Cllr McKay: Present by audio link  
C.Cllr Hodgson: Apologies  
Clerk Ms Radford: Present by video link  
Members of the Public: 4

### **Public Session**

Members of the public introduced themselves as observers to the virtual meeting process. No issues were raised.

### **Agenda**

1. **Apologies** were received as above and accepted.
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 Not in attendance.
  - 3.2 District Councillor (D.Cllr)
    - 3.2.1 The D.Cllr reported being involved in the District Council's support of small businesses.
    - 3.2.2 Cllrs thanked the D.Cllr for raising the active rental of a holiday cottage in Harberton with the Police as a contravention of regulations to prevent the spread of COVID-19. The PCSO is pursuing this. Local residents are grateful that the issue is being taken seriously.
    - 3.2.3 The D.Cllr was asked if the District Council can provide practical support to help cllrs get online to attend virtual meetings. It was suggested that the Clerk provide a list.
4. **Minutes** the following minutes were approved as an accurate record:
  - 4.1 Ordinary Meeting of Harberton Parish Council 10<sup>th</sup> March 2020.
5. **Report Matters Arising from the Minutes for information only**
  - 5.1 Community Speed Watch Cllrs were informed that the Community Speed Watch scheme has been put on hold whilst social distancing measures were in place. **It was RESOLVED** to pick this item up again when measures have been relaxed.
  - 5.2 Parish Snow Warden Cllrs were informed that the Clerk had registered Cllrs Bowley and Phillips as joint snow wardens. As there was not an option to include both email addresses the Clerk had registered the phone number of one and the email address of the other, to share information between them.
  - 5.3 Parish Environmental Action Group Litter Pick Cllrs were informed that a detailed risk assessment had been drawn up to cover the activities of a litter pick undertaken by volunteers on behalf of the Parish Council.
  - 5.4 Parish Lengthsman Project Ongoing. **It was RESOLVED** to pick this item up again when social distancing measures have been relaxed. The Clerk reported having received legal advice from National Association of Local Councils that confirmed Section 116 of the Local Government Act 1972 ("the 1972 Act") prohibits councillors from being in paid office of their council (and for a period of 12 months after they cease to be councillors) as either an employee or on a self-employed contract. However, this would not prevent a councillor from being a paid officer of another council that is engaged to provide services that may be carried out by that councillor.
  - 5.5 Re-positioning of Road Sign at Harberton Square Ongoing. **It was RESOLVED** to pick this item up again when social distancing measures have been relaxed.
  - 5.6 Harberton Devon Air Ambulance Clearance Area sign Ongoing. **It was RESOLVED** that the Clerk have the signs made, but that they should be installed once social distancing measures have been relaxed.
6. **Co-option of Councillors** It was reported that there had been some interested from a member of the public in one of the vacant roles. The Clerk will make contact.
7. **Planning**
  - 7.1 Consider planning applications and receive notifications for prior approval (for information)
    - 7.1.1 1056/20/PDM Notification for prior approval for proposed change of use of agricultural building to 5no. dwellinghouses (Class C3) and for associated operational development (Class Q(a+b)) Barn At Sx 759 588 Photographs showing flooding at the site had been forwarded to the Parish Council. During discussion expressed concerns about the potential of flooding to adjacent properties and taking water away from the

highway. **It was RESOLVED** comment on the flooding issues on the site and to propose that the planning officer visit the site. It was agreed that the Clerk forward the images received to the planning officer.

## 7.2 Receive a report on planning and appeal decisions

7.2.1 0169/20/FUL Conversion of existing redundant barn to live/work unit with workshop (B1) and store at Little Grove Tigley Harberton TQ9 6EW DECISION: Refusal

7.2.2 0732/20/NMM Non-material minor amendment to amend planning permission 0638/19/FUL at Higher Dorsley, Harberton DECISION: Conditional Approval

7.2.3 0388/20/FUL Application for for a new telemetered rain gauge site at Land At Sx 765 560 Second field at Rolster Bridge Farm Diptford DECISION: Conditional Approval

7.3 Receive a report on enforcement cases (for information only) As a hard copy list could not be passed around the meeting, the Clerk informed cllrs that there were no cases that they were not already aware of.

## 8. **Monthly reports**

8.1 Finance Committee It was reported that the April meeting of the Finance Committee had been cancelled due to COVID-19 distancing measures being put in place. No applications to the Community Benefit Fund had been received to review. As the Finance Committee would usually review the Clerk's overtime requests, **it was resolved** that this quarter's request would be reviewed with the chair of the Finance Committee.

8.2 Neighbourhood Plan update It was reported that the March meeting had been cancelled due to distancing measures being put in place. Some members of the group were keen to continue work via virtual meetings. It was agreed that the Chair of the advisory committee and the Clerk liaise on this.

8.3 Community Land Trust (CLT) update It was reported that the CLT is moving ahead with the land purchase. Once that is in place can carry on with the section 106 agreement and hire a civil engineer and architects.

### 8.4 Clerk's update

8.4.1 *Zebra crossing surface* The Clerk informed cllrs that a report had been received from a member of the public that they had tripped over in the middle of the road as a result of the uneven surface of the zebra crossing. The Clerk had reported this to Devon Devon County Highways on as an extremely serious hazard that should be fixed at the highest priority.

8.4.2 *Queries from the public* The Clerk reported a concern raised by a member of the public with regard to animal welfare. Concerns were allayed following discussion with the farmer, who was able to share information with the member of the public and invite further conversation if required.

8.4.3 *Walking in the countryside during COVID-19* Following an increase in the number of residents choosing to walk around the roads, lanes, footpaths and fields in the Parish to get their daily exercise, the Clerk was aware of the increase in livestock accidentally being let loose due to gates not being shut properly, dogs worrying cattle and a close encounter between a walker and a young bull. It was suggested to approach the NFU for advice that can be circulated to residents on the precautions to take when walking around farmland, particularly during the lambing and calving season, for the protection of livestock and farmers.

## 9. **New Local Authorities Meeting Regulations**

Cllrs were informed that The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4 April. These regulations cover remote attendance; extending the definition of "place" to include more than one location and including electronic, digital or virtual locations. They set out all the conditions that must be complied with, making sure the member attending remotely can be heard and where possible seen by other members and by the press and public and can hear and preferably see the other members. The requirement for a parish council to hold an annual meeting in May 2020 has been removed, carrying the current appointment of chairman on until the Annual Meeting in May 2021, although councils may elect a chairman at earlier meeting should they wish to. Regulations are in place for a limited period until May 2021.

## 10. **Coronavirus**

Grassroots community actions to support the Harberton Parish community and consideration of Parish Council support It was reported that a community COVID-19 support group was established by residents in Harbertonford. Cllrs Davidson and Williams has joined a group of volunteers to establish a similar group in Harberton with support of the Clerk. Both groups of volunteers offer to pick up shopping, prescriptions, telephone befriending and other support to those who are socially isolating. The Clerk has supported the creation of a volunteer handbook and guidance on safe working for 'Harberton Helps'. Current demand is not overwhelming, likely due to friends and neighbours looking out for each other, however it is hoped that the groups will support those who fall through the cracks. Emergency funding to support grassroots volunteer groups is being offered by both County and District Councils and Devon Community Council. The Harbertonford Community Society is making an application on behalf of the Harbertonford COVID-19 support group. The Harberton Help volunteer group produced and distributed and information leaflet with contact details for a mobile phone that was purchased to receive calls. **It was RESOLVED** that the Parish Council make an application for funding on behalf of the 'Harberton Helps' group. There was a discussion in which Cllrs considered means to support cash/card transactions to reduce the amount of debt carried by volunteers for people they are supporting. It was considered that the level of demand does not require an immediate solution, but the issue can be revisited if required.

The D.Cllr commented that the District Council is actively approaching the traveller community to offer support.

- 10.1 District Support put in place for community groups Cllrs were informed that two District Council officers have been allocated to the West Dart Ward and Totnes to provide support to community groups looking after vulnerable/shielded residents in the area.
- 10.2 Deadlines and delays due to current social distancing measures
- 10.2.1 *Annual Governance and Accountability Return (AGAR)*. The clerk reported that the publication date for final, audited, accounts for local councils will move from 30 September to 30 November 2020. It is possible for the Parish Council to meet the agreed deadline of 30<sup>th</sup> April for internal audit as the Clerk has been sharing electronic records with the internal auditor for the past three years and the process will be unaffected by COVID-19 distancing measures. The requirement for the public inspection period to include the first 10 working days of July has been removed. Instead, local councils must commence the public inspection period on or before the first working day of September 2020.
- 10.2.2 *Annual Meeting* The Annual meeting need not be held. It was agreed that documents that require review and sign off can be brought to an ordinary meeting.
- 10.2.3 *Delayed projects* It was agreed to delay the Lengthsman project, Community Speed Watch and maintenance of Harbertonford play park. It was agreed to contact arboriculturalists to request a tree survey quotation.
- 11. Harberton Parish Parks and Playing Fields**
- 11.1 Update on closure of parks It was reported that the clerk had erected notices on 29<sup>th</sup> March 2020 at both the Harberton and Harbertonford Parks to state that the parks had been closed. It was reported that park inspections would not be carried out during this period of lock down. The cable ties that were put in place to close the gate of the Harbertonford park had been cut and the sign removed. Cllr Beamish had been asked to install a chain and padlock in response. Parish Council to cover the cost of the chain if it is needed.
- 11.2 Harberton Playing Field Association
- 11.2.1 *Posts between upper field and car park - breaking ground to plant a tree* Information about root stock had been provided. The quince root stock would grow 3-4 metres over 10 years, however the M25 root stock is the largest commercial root stock for a commercial cider orchard and not appropriate for planting on public land. Fruit trees with this root stock will grow vigorously and need regular maintenance, growing 6-7 metres in height. This being the case, the Parish Council considers that these trees are not planted in an appropriate area for their size and should be replanted elsewhere. Due to the COVID-19 restrictions it would be difficult to do this at present, and so the Parish Council suggests that they are replanted to a new location in winter when the trees go dormant again. If the Playing Field Association would like to replant within the playing field, a site meeting should be held to agree the location – perhaps re-siting in the wooded area, dependant on appropriate space. The Parish Council suggests working with the Playing Field Association to develop a list of trees from which to choose for future planting, selected based on root stock and the amount of maintenance required and asks the Playing Field Association to consult with the Parish Council prior to breaking ground.
- 11.2.2 *Potentially Hazardous Trees* Consideration of Parish Council contract of arboriculturalist see item 10.2.3.
- 11.3 Harbertonford Playpark
- 11.3.1 *Receipt of inspection report and update on maintenance* It was reported that a piece of damaged play equipment had been removed. The Environmental and Climate Action Group had requested access to undertake garden works, however it was agreed that access could not be managed until government guidelines on reopening play areas have been released.
- 11.3.2 *Update on progress on establishing community support for park* No update.
- 12. Screw Lane Flooding** It was reported that Devon County Highways had responded to the levels survey by seeking clarification from their legal team, who provided a considered answer that it would have to be assumed that when the drainage was installed there was enough of a fall that the surface water would drain and that the level has risen due to a build-up of material which self-seeds to look like the field. This being the case then Devon County Council (DCC) has a prescriptive easement to drain and if that is being inhibited by a build-up of material from the landowner's land then they should clear that to restore the legal right to drain.

The Neighbourhood Highways officer further commented that if the downstream system was cleared the road would no longer flood and is baffled why this has been such a problem for such a long time as the If an official approach needs to be made, it would come from DCC, the involvement of the PC's is only used as a soft introduction for some landowners to make them aware of their responsibilities and the problems they are causing the local residents. The downstream field has a watercourse shown in it, so with the minimum of effort there shouldn't be any reason that the surface water shouldn't be released. The officer commented on a greater concern of the reported large volume of water coming from the fields above. The buddleholes and drainage are currently acting as a throttle to the large of volume of water thus 'protecting' the downstream village which has suffered serious flooding in its history. If the drainage is improved it will put greater pressure on the downstream systems. It is understood that the landowner above the lane has already taken steps to slow the surface water coming onto the lane but it may be more prudent to investigate further mitigating measures rather than the current emphasis of releasing the water.

In discussion cllrs commented that prior to the build-up of levels that prevented water flowing downstream, an attenuation pond within the field acted as a break point. Cllrs have been in touch with the farmer of the land

above with regard to slowing the run off. This land would usually have a crop in there. The new tenant is aware that lack of a crop can cause problems. Joint activity from both landowners should solve the problem. **It was RESOLVED** to request that Devon County Highways immediately initiate the letters to the landowner.

### 13. Correspondence

- 13.1 20200306 Waste and Recycling Cllrs were informed of information received from SHDC outlining the new Waste and Recycling arrangements to launch in September 2020. This includes weekly collections of recycling and food waste and alternate weekly collections of garden waste and non-recyclable waste.
- 13.2 20200313 Harberton Parish Council - Pre-Renewal Message Cllrs were informed that the Parish Council's insurance is due for renewal on 1<sup>st</sup> June 2020. The Clerk will respond to the request to check policy requirements against an updated Asset Register.
- 13.3 20200320 DALC Newsletter #16 2020 Cllrs were informed of joint newsletter from Devon Association of Local Councils, Devon Communities Together, Devon County Council and all of Devon's district, city & borough councils pledging support to Parish Councils supporting the community response to COVID-19, including details for a new helpline.
- 13.4 20200323 Broadband Universal Service Obligation (USO) update Cllrs were informed that from 20<sup>th</sup> March 2020, consumers and businesses who do not have access to 'decent broadband' (10 Megabits per second download speeds, 1 Mbit upload) will be able to request a USO connection up to a reasonable cost threshold of £3,400 per premise (this cost threshold can be combined across multiple premises). This information was forwarded to local residents who have raised slow broadband speeds with the parish council over recent years. It was agreed to forward this information to the village circulars.
- 13.5 20200323 DALC Newsletter #17 2020 Contains advice to clerks on proceeding with council business in light of social distancing measures.
- 13.6 20200324 DALC Newsletter #18 2020 Advises cancellation of Parish Council meetings due to COVID-19 social distancing measures and advice on closures of play equipment in parks.
- 13.7 20200324 DALC Newsletter #19 2020 Thanks given to members for all they are doing during COVID-19 and information about DCC COVID-19 Prompt Action Fund.
- 13.8 20200324 COVID-19 - Important Updates for Town and Parish Councils Cllrs were informed of the newsletter advising of closures to SHDC recycling centres, bulky waste collection service, play parks and public toilets. The update includes warning of malicious phishing scams offering information about COVID updates and asking for charitable donations. Advice is to go to trusted sites to seek out information and to make donation, not to follow links in emails.
- 13.9 20200327 DALC Newsletter #20 2020 Cllrs were informed of new helpline to support councils around resilience and planning and information about prompt action fund.
- 13.10 20200331 DALC Newsletter #21 2020 Cllrs were informed of new government guidance to help manage volunteers supporting the community during the pandemic.
- 13.11 20200401 DALC Membership Renewal **It was RESOLVED** to renew membership to Devon Association of Local Councils for 2020/21 at a cost of £306.05
- 13.12 20200401 COVID-19 - Important Message to Businesses from SHDC Cllrs were informed of the update that included resources for business needing support during COVID-19, including 'Stop Loan Sharks' advice and South West Manufacturing Advisory Service survey.
- 13.13 20200401 Latest coronavirus update from Devon County Council Cllrs were informed that the update includes: latest advice from the NHS 'Act like you've got it'; encouragement to get a job in health and social care; news that over 300 community groups providing support to vulnerable people during Covid-19 pandemic have now been listed on DCC website; warnings about loan sharks; grants and funding support information; guidance for volunteers on how to help safely.
- 13.14 20200402 DALC Newsletter #22 2020 Cllrs were informed that this newsletter provides confirmation of new regulations for local authority meetings, allowing virtual meetings to take place. NALC is lobbying government to provide an extension to deadlines submit the Annual Governance and Accountability Return. Clerks are invited to an online support meeting to share experiences and advice.
- 13.15 20200403 Councils In Devon Support Cornwall's Call for Visitors to Stay Away This Easter News Cllrs were informed by news release some of Devon's local authorities have joined the call by Cornwall Council for people not to visit Devon and Cornwall this Easter. In the run up to the Easter Bank Holiday weekend, local authorities are reminding people of the Government advice against non-essential travel.
- 13.16 20200403 Latest coronavirus update from Devon County Council Cllrs were informed that this issue includes a report that SHDC has joined forced with other local authorities in Devon to make a united call for more urgent Government support for the county's economy after a report estimates that the coronavirus pandemic could place 123,000 jobs at risk. The update also includes links to mental health helplines for those concerned about themselves or loved ones during the pandemic.
- 13.17 20200403 DALC Newsletter #23 2020 Cllrs were informed that this issue includes guidance on new legislation and how to conduct effective virtual meetings.
- 13.18 20200407 Open letter to second home owners Cllrs were informed by news release that as it is now an offence under Regulation 6 of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, to leave the place where you are living without a reasonable excuse. Travelling to a second home is not a reasonable excuse and to prevent spread of COVID-19 where the Council has knowledge of second homes owners committing this offence, this knowledge will be shared with the police.

#### 14. Finance

14.1 Notice of income and expenditure since last meeting. None reported.

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

Ref	To	Invoice/ paperwork	Detail	Before VAT £	VAT £	Total £
2004_1	Cat Radford	Payslip 20200422	Salary Apr: £429.52	479.08	0.00	479.08
			NP Apr: £49.56			
2004_2		Clerk Expenses Claim 20200407	Mileage/Parking	3.15	0.00	73.83
			Office Expenses	63.18	0.00	
			Broadband claim	7.50	0.00	
2004_3	South Hams District Council	22064381	Recharges in respect of the uncontested Parish/Town Council Election 2 May 2019	135.74	0.00	135.74
2004_4	Veaseys	2594	500 x A5 Double Sided 'Corvid' Flyers	51.00	0.00	51.00
2004_5	Devon Association of Local Councils	2037	NALC Affiliation Fee 2020/2021	82.58	0.00	306.05
			DALC Service Charge 2020/2021	13.19	0.00	
			DALC Affiliation Fee 2020/2021	175.23	35.05	
				1010.65	35.05	1045.69

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

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

16.1 It was reported that there is interest from the Environment and Climate Action Group to reinstate a historic footpath between the two villages. Members of the Public were asked to provide further information to the Parish Council.

16.2 It was reported that residents are concerned about branches of an ash tree growing up out of a wall and across Woodland Road causing an obstruction on the highway and growing/falling into adjacent properties. Maintenance to cut back branches would be dangerous due to positioning on a blind bend. It was requested to carry the issue forward to the next meeting agenda. It was agreed to ask local residents not to take any action that would put themselves at risk until the Parish Council has been able to make enquiries.

16.3 The Chair took the opportunity to thank the Clerk for doing a lot of work over the last month due to the response to the health emergency.

17. **Date of next ordinary meeting** Tuesday 12<sup>th</sup> May 2020. It was agreed to continue to meet on Zoom.

Meeting closed at 10pm.