

HARBERTON PARISH COUNCIL

MINUTES of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 4th May 2021. This was a virtual meeting (video and telephone conference call) of the Parish Council held on the digital platform Zoom.

Harbertonford Councillors

Cllr Beamish: Apologies
Cllr Bowley: Not Present
Cllr Hambly: Present by video link
Cllr Janes: Present by phone
Cllr McDonnell: Present by phone
Cllr Waite: Present by video link

Harberton Councillors

Cllr Camp: Present by video link
Cllr Croft: Present by video link
Cllr J Hockings: Present by phone
Cllr Steve Hockings Present by Video link
Cllr Phillips: Present by video link
Cllr Williams: Present by video link

Others

D.Cllr McKay: Present by video link
C.Cllr Hodgson: Present by video link
Clerk Ms Radford: Present by video link
Members of the Public: 0

Public Session No public present

Agenda

1. **Apologies** were received as above and sanctioned.

2. Declaration of Interests

- 2.1 Register of Interests: Cllrs were reminded of the need to update their register of interests. The Clerk will forward an amendment form to Cllr Croft.
- 2.2 No interests were declared on items of the agenda. .

3. Reports for information from:

3.1 County Councillor (C.Cllr) The C.Cllr reported on the following issues:

- 3.1.1 Climate and Ecological Emergency Bill The County Council resolved to support the Climate and Ecological Emergency Bill. The next stage is to write to local MP's to ask them to support the bill. The C.Cllr commented on the value of the number of people who took the effort to write to their local councillors, including the group of towns and parish councils who have been supporting the climate emergency.
- 3.1.2 Resident parking schemes A lot of people in Totnes have asked for residents parking schemes due to the limited amount of parking being taken by visitors.
- 3.1.3 Life on the verge The County Council is asking communities to look after verges. The C.Cllr commented that if groups are interested they need to have the correct support to make sure verges are properly maintained and that road safety is observed. Many people have suggested using wildflower mixes but these are very expensive
- 3.1.4 Council Spending C.Cllr has questioned why money has not been allocated from the Council's budget for the Air Quality Management Zone. The response is that there isn't ever any money for such things and that it should be funded through 106 monies. The C.Cllr has asked about pension funds and commented that more money is being invested in social housing.
- 3.1.5 Gerston Cross The C.Cllr met with Highways Officers and Parish Councillors at Gerston Cross. Officers did take some measurements but also said that there was no money available but they would look at the budgets.
- 3.1.6 Cllrs thanked the C.Cllr for her hard work, noting the success of the Climate and Ecological Emergency Bill and in the recent meeting with Highways. The C.Cllr thanked the Parish Council for the support over the past 4 years.

3.2 District Councillor (D.Cllr)

- 3.2.1 Speed Watch The D.Cllr reported having undertaken a speed watch between 6:30 to 8am on the A381 in Harbertonford village with a hand held speed gun. Most traffic was coming through the village at 30mph, but some at 50mph. The official Police review involved placing a camera at the garage. The Police decided the upper quartile was below 30 so they couldn't do anything. The D.Cllr thinks this is wrong. The morning's test showed people travelling far too fast, and that data should be collected and sent to Highways as traffic speeds are causing damage to the village and frightening people.
- 3.2.2 Remote meetings The D.Cllr encouraged Parish Councillors to respond to the consultation on remote meetings. The D.Cllrs view is that remote meetings work and have environmental advantages.
- 3.2.3 Englebourne Woods Planning Application The D.Cllr reported that the application was called to committee and approved. Members were put in an impossible position. Questions have been raised with Development Management Officers as to how a planning application full of errors was able to proceed.
- 3.2.4 Flooding at Yeolands Stream The D.Cllr has met with Cllr Waite on the Environment Agency's proposed plans to improve the flood defences. This looks like a positive step in the right direction.
- 3.2.5 Bins The D.Cllr reported being inundated with complaints about collection of bins and commented that something is systemically wrong with how the matter is being handled. The D.Cllr is following this up. Cllrs commented that residents are reporting putting their recycling into black bags as they can't get the clear or blue bags. It was questioned why the box scheme wasn't rolled out before the bag scheme was stopped. It

was commented that there has been lots of glitches with ending one scheme and starting another. It was commented that once the new box scheme is implemented in an area then any bags left out will not be collected. The change of rounds as a precursor to the new recycling scheme has been bad. A cllr asked if there was a way to pool resources, i.e. if there are people who have bags and don't need them able to share with people who need them but can't get them. One councillor commented meeting one of the recycling lorries blocking the road that was only single manned by the driver alone.

3.2.6 Harbertonford Play Park It has yet been decided what will be done but on the right track.

4. Minutes

4.1 The minutes of the Ordinary Meeting of Harberton Parish Council 21st April 2021 were approved as an accurate record.

5. Report Matters Arising from the Minutes for information only

5.1 Harberton Devon Air Ambulance clearance area sign Ongoing

5.2 Marquee in Harberton Square Ongoing

5.3 Flooding in Harbertonford Cllr Waite reported that a meeting with the Environment Agency to gather views on a plan for works at Yeolands stream is being arranged.

5.4 Meeting with Highways at Gerston Cross It was reported that the officers took some measurements and agreed to look at options to get the water round to the gully and raise the level of the road on the Totnes side of the junction, so if water does pond, this would be shallower. The work possible depends on what money is available. It was commented that atleast an officer attended and that the issue is under discussion, even if it can't be resolved completely. It was commented that works on the Totnes bypass will start in May for a considerable time where much of the bypass will be resurfaced

6. Planning

6.1 Consideration of planning applications

6.1.1 1003/21/FUL Replacement dwelling (following approval 3707/20/PDM) at Moore Farm Cottage, Harberton. After discussion **it was RESOLVED** to support the application with the condition that the recommendations from the ecological survey are adhered to.

6.2 Receive a report on planning or appeal decisions Nothing to report.

6.3 Receive a report on enforcement cases Cllrs received an update for information.

7. Monthly reports

7.1 Finance Committee update Nothing to update

7.2 Neighbourhood Plan update Nothing to update

7.3 Community Land Trust update It was reported that the seller's solicitor has retired.

7.4 Clerk's update Nothing to update.

8. Harberton Parish Parks and Playing Fields

8.1 Harberton Playing Field Association (HPFA) It was reported that a meeting will be held on Thursday to hand over all the bank documents to the new committee. It was noted that the annual insurance inspection is due to take place and inspection results would be forwarded to the committee.

8.2 Harbertonford Play Park

8.2.1 Consider inspection report not received.

8.2.2 Update on long terms plans for the park It was reported that a meeting was due to take place in a week's time to review plans for the park and to agree how grant money should be spent.

9. Document review required as part of annual audit

9.1 Statement of Internal Control was reviewed with no amendments made.

9.2 Review of Parish Council Risk Assessment was reviewed. **It was RESOLVED** to make the following amendments:

Management of Assets: Playgrounds and safety of equipment row: Add 'In the event of there being no formal committee, the Parish Council will take over the risk assessment.'

Employment practice row: Add 'Appropriate Insurance in place'

Management of Volunteers row: Add 'Appropriate Insurance in place'

9.3 Grants and Proof of Need Summary 2020/21 was reviewed and accepted with minor amendment.

9.4 Confirmation of bank signatory arrangements It was confirmed that Mr Geoff Broom had been removed as signatory on the Lloyds Account. **It was RESOLVED** the signatories on the Current account be:

Peter Beamish (with online access) David Camp (with online access) Gwen Janes, John Hockings, Nick Williams (with online access), Chris Bowley (with online access) Cllr Bowley's application was in process. It was noted that the Clerk is a signatory on the account for administrative purposes.

Signatories on the Barclays Account: David Camp (with online access) and Steve Hockings. The Clerk is a signatory on the account for administrative purposes.

- 9.5 Approval of Standing Orders and Direct Debits **It was RESOLVED** to continue to pay the Clerk's salary by Standing Order and to pay the annual fee to the Information Commissioner's Office by Direct Debit.
- 9.6 Protocol on recordings of meetings the protocol document was reviewed no amendments were made.
- 9.7 Treatment of anonymous letters the policy document was reviewed with no amendments made.
- 10. 2020/21 Annual Governance and Accountability Return (AGAR)**
- 10.1 Receive Internal Auditor's report and note observations It was reported that the Internal Auditors Report was received with the following advisory points:
- 10.1.1 The Clerk is not CiLCA qualified The Council should consider whether the Clerk should be CiLCA qualified. Parish Council response: This can be reviewed at the Clerk's annual appraisal. Should the Clerk wish to receive the CiLCA qualification and have the time to commit to it she will let the Parish Council know then.
- 10.1.2 Invoices have not been approved in accordance with the Councils Financial Regulations Invoices reviewed had not been signed in accordance with the Council's Financial Regulation 5.3 which states "*All invoices for payment shall be examined, verified and certified by the RFO*". The Council must ensure that invoices are certified as required by the Councils Financial Regulations. Parish Council Response: The RFO does examine and verify all invoices prior to payment, however as the Parish Council is attempting to be paper free, invoices were not printed and initialled/signed in order to be re-scanned. The Council has sought the advice of the Devon Association of Local Councils (DALC) and the Internal Auditor and will evidence these checks either by providing a statement that invoices have been checked with a list of those invoices, and/or find a means of electronically initialling/signing those invoices. It was noted that the DALC was of the opinion that 'certified' did not necessarily mean 'signed'.
- 10.1.3 Box M: The period of the Exercise of Public Rights did not last for 30 working days. The period for the Exercise of Public Rights was from 16th July to 27th August, which was 31 working days. The Council to note that the period of the Exercise of Public Rights did not last for 30 working days. It is therefore necessary for a negative response to be entered on the Internal Audit Report. In addition, the Council will also have to return a negative response in respect of Assertion 4 of the Annual Governance Statement. Parish Council response: In calculating 30 working days the RFO mistakenly noted 3rd August as a bank holiday in England, when it was only a bank holiday in Scotland.
- 10.2 Review the one-page Addendum to the Annual Governance and Accountability Return This is not necessary for the 2020/21 audit.
- 10.3 Annual Governance Statement
- 10.3.1 Consider the findings of the review by the members meeting as a whole Cllrs considered findings.
- 10.3.2 Approve Governance Statement **It was RESOLVED** to approve the Governance Statement ticking 'yes' for all questions except, 4. "*We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulation*". The Parish Council ticked 'no' following the instruction of the Internal Auditor. Whilst the opportunity was provided during the year for the exercise of elector's rights, the Parish Council had provided 31 working days for the accounts to be inspected instead of the 30 working days required and therefore was not in compliance with the regulations. A written explanation would be published on the website along with the AGAR.
- 10.4 Annual Accounting Statements
- 10.4.1 Consider the Accounts Statements by the members meeting as a whole Cllrs considered findings.
- 10.4.2 Approve the Accounting Statements by resolution **It was RESOLVED** to approve the Accounting Statement.
- 10.4.3 Ensure the accounting statements are signed and dated by the person presiding at the meeting The accounting statement was signed by the Chair.
- 10.5 Consider Notice of Date of Commencement of Period for the Exercise of Public Rights **It was RESOLVED** that the period for the Exercise of Public Rights would commence on Monday 14th June until Friday 23rd July 2021 as per the External Auditor's recommendation. The Clerk confirmed that notices would be posted in advance of the commencement date.
- 11. Meeting arrangements after 7th May 2021** Consider Parish Council actions on resumption of face-to-face meetings once legislation to hold virtual meetings expires. Following the resolution of the previous meeting the Clerk had prepared a risk assessment for the return of face to face meetings and a proposed scheme of delegation for consideration and had circulated these in advance of the meeting.

The Clerk reported that a High Court judgement on virtual meetings has concluded that primary legislation is required *allow local authority "meetings" under the 1972 Act to take place remotely*. Therefore from 7 May parish and town councils will no longer be able to meet remotely, and council meetings will only be able to take place in physical settings.

There was a discussion in which cllrs shared views on face-to-face meetings resuming. After the discussion **it was RESOLVED** that the parish council would not hold a meeting on 8th June and to accept and adopt Emergency Delegated Powers until the end of June. At the end of June the Clerk will consult with the Chair and Vice Chair as to whether a meeting would be called for the 13th July, or continue with delegated powers for a further month.

12. Correspondence

- 12.1 Notification of Road Closure East Leigh Cross to Monkey Oak Harberton For information Cllrs were informed of a road closure to complete SWW utilities works between 14/06/2021 to 18/06/2021.
- 12.2 Harberton bus turning area It was reported that Cllrs have been asked if the Council has any suggestions as to how to deter people from parking in the turning circle as the buses are finding it difficult to turn. The resident also notes that the finger post sign on Blakemore is still missing. **It was RESOLVED** that **the Clerk** contact Highways and request that the white lines at the bus turning circle are reinstated and if the finger post could be moved back from the road and into the hedge.
- 12.3 DALC Newsletter #19 2021 Cllrs were informed that this newsletter includes legal updates on remote meetings, the Freedom of Information Act and updates to the National Association of Local Council's Model Financial Regulations. The clerk has noted these updates.
- 12.4 Bus shelter A resident has written to inform the parish council that a wooden slat on the front of the bus shelter has slipped and is in need of repair. It was commented that the fascia is not fit for purpose. **ACTION: Cllr S.Hockings** will have a look and report back to the Clerk, following which the Clerk may contact the tradesman who built the shelter and request the work be redone.
- 12.5 Harberton and Harbertonford History Society -Update on Oral History Project Cllrs have received an update on progress on the project to record the stories of people who worked at Harbertonford Mill. 19 people have been interviewed so far. More filming on location is taking place in the summer and a resident is working with the school on producing a play covering the past 100 years of village life in line with the census.
- 12.6 Property Flood Resilience - read our latest newsletter Cllrs are informed that the latest newsletter has been received. The project has been established to help mitigate flood risk to people and property, enabling households and businesses to reduce the damage caused by floods and speed up recovery and reoccupation. The Clerk reported forwarding the newsletter to flood wardens to consider sharing with residents affected by flooding.

13. Finance

- 13.1 Notice of income and expenditure since last meeting. None.
- 13.2 May 2021 payments **It was RESOLVED** to make the following payments:
- 13.2.1 Payment 2105_1 to Cat Radford, payslip dated 22nd May 2021 includes Clerk May salary at £441.31 and Neighbourhood Plan May salary at £50.92 = £492.23 no VAT
- 13.2.2 Payment 2105_2 to Cat Radford, Clerk expenses claim dated 28th April 2021 includes mileage at £4.68, Zoom subscription reimbursement at £14.39, Mobile phone credit at £5.00, Broadband costs at £7.50, plus = £31.57 no VAT
- 13.2.3 Payment 2105_3 to Tree Fellas For invoice Removing 15-20 small trees that are close and or growing through the phone wires. Waste chipped and left on the bank. Area kept neat, tidy and safe during and after the work has been completed. Extras done for free: Cutting back the conifer and hawthorn overhanging the road. At £300 plus £60 VAT = £360 total
- 13.2.4 Payment 2105_4 Came and Company Local Council Insurance for Local Council Scheme with Ecclesiastical Policy term 01/06/21 – 31/05/22. Includes Insurance Premium at £412.12, Administration Fee at £50 and IPT at the prevailing rate at £49.45 = £511.57 no VAT

14. **E-Circulars** received include Citizens Advice South Hams, Climate Change and Biodiversity Emergency, Devon Communities Together, Devon County Council Community News Round-up, Devon Home Choice, Emergency Planning newsletter, Harberton Village Email, Healthwatch Devon, Information Commissioners Office, Public Sector Executive, Rural Services Network, SLCC Membership, Torbay and South Devon NHS Foundation Trust.

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

- 15.1 Sustainable Harbourne Valley Litter Pick Group litter picks are taking place on 15th May in Harberton and 12th June in Harbertonford and welcome suggestions as any places that need paying particular attention.
- 15.2 Encampment at Luscombe Cross The encampment was raised. The D.Cllr has reported to the SHDC Officer to assess the situation and report with enforcement if required.
- 15.3 Encampment at Bow Road A suspected encampment at the woods at Bow Road was noted.

16. **Date of next ordinary meeting** Earliest possible meeting 13th July 2021, under review.

Meeting closed at 21:45