

HARBERTON PARISH COUNCIL

DRAFT minutes for the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 14th March 2023 at Harbertonford Village Hall.

In attendance

Harbertonford Councillors

Cllr Beamish: Present
Cllr Bowley: Present
Cllr Hambly: Present
Cllr Palmer: Present
Cllr Simon: Present
Cllr Waite: Apologies

Harberton Councillors

Cllr Camp: Present
Cllr Davies: Present
Cllr J Hockings: Apologies
Cllr Paine: Present
Cllr Morris: Present
Cllr Williams: Present

Others

D.Cllr McKay: Present
C.Cllr Hodgson: Present
Clerk Ms Radford: Present
Members of the Public:

Public Session

- i. A member of the public (MoP) attended to raise concern that white pellets spread by the farmer on land above properties in Riverdale had been spread over the boundaries into residential properties. The MoP was particularly concerned as it was not known what was contained within the pellets and whether they were potentially harmful. It was commented by Parish Councillors (cllrs) that it was likely that the pellets were a nitrogen fertilizer used to increase the growth of grass and silage to provide sufficient feed for the farmer's dairy cows. It was acknowledged that the spread of an artificial fertilizer across boundaries was not wanted by residents, particularly those seeking to grow organic produce on their own land.

It was commented that it was possible that the farmer had used a contractor to fertilize the land and may not be aware of the spread across the boundary. There was discussion in which it was commented that a more careful practice of leaving suitable buffers alongside people's gardens would prevent direct spread across boundaries. It was commented that diluted forms of any product spread by the farmer would come into gardens through run off.

ACTION: It was RESOLVED that **Cllr Camp** would make contact with the tenant farmer to inform him that the pellets had been spread over the boundary into residential gardens and that this should not happen, and to find out what was being spread. It was suggested that this issue could be raised with South Hams District Council's (SHDC's) Environmental Health team by the District Councillor (D.Cllr), that the MoP make contact with the Environment Agency and the National Farmers Union who may be able to offer some general advice.

Agenda

1. **Apologies** were received as above. **It was RESOLVED** that apologies given were sanctioned.
2. **Declaration of Interests**
 - 2.1. Register of Interests: Cllrs were reminded of the need to update their register of interests if any had changed.
 - 2.2. To declare any interests (nature and scope) on items on the agenda.
 - 2.2.1. Item 5.6. Cllr Nick Williams is the affected resident. As this appears in 'matters arising' for information only, there was no need for Cllr Williams to leave the room.
 - 2.2.2. Item 6.1.1 Cllr Paine is a neighbour to the planning application under consideration, and therefore did not participate in discussion or vote on the motion.
3. **Reports** for information from:
 - 3.1. County Councillor (C.Cllr) The C.Cllr had circulated a monthly report to all cllrs in advance of the meeting. The following matters were highlighted:
 - 3.1.1. Open public consultations It was reported that those affected by cuts to Children's Services are encouraged to give feedback to Devon County Council (DCC). The Council are also undertaking a series of consultations on provision for Adult Social Care. It was commented that underperformance in both these areas is likely down to low levels on investment.
 - 3.1.2. Rise in Council Tax It was reported that for an average band D property, the Council Tax charge from DCC will increase by £77.67 which is quite a big rise for some people.
 - 3.1.3. Extra bit on grit and salt bins Residents were encouraged to check status of grit bins. It was commented that some housing estates include grit bins that were funded by housing associations or communities. DCC serve those bins that appear on their map.
 - 3.1.4. 20's plenty campaign The C.Cllr is encouraging Parish Councils to sign up to the 20's plenty campaign. It was confirmed that Harberton Parish Council passed this motion and had asked the C.Cllr to provide details as to who at DCC to contact with regard to the passing of this motion, as it includes an action to call on DCC to implement 20mph in Harbertonford and to write to DCC to request 20mph speed limits on streets throughout Devon where people live, work, shop, play or learn, with 30mph as the exception on those roads, where full consideration of the needs of vulnerable road users allows a higher limit.
 - 3.1.5. Cancellation of road works in Harbertonford The C.Cllr was informed that following the delay to these works a resident of Hernaford has contacted the Parish Council to strongly suggest that the County Council should erect signs informing road users of the hazards caused by deep potholes on the road surface, commenting

that there is potential for serious injury to cyclist and motor cyclists over the coming months while this work is being rescheduled. The C.Cllr made a note of this comment and encouraged Cllrs and members of the public to report all pot holes via the DCC 'Report It' website. The C.Cllr is actively encouraging people to apply for compensation should they suffer damage or injury due to pot holes on the highway.

- 3.1.6. Dart Academy School Inadequate Ofsted Report The C.Cllr had shared the report produced by Ofsted following its inspection of the academy in January. As this is a specialist school offering alternative provision it should be doing above and beyond to cater for children who would otherwise be falling between the gaps. There was discussion in which cllrs queried what action will be taken following this inspection. A cllr commented that the Ofsted inspectors look through a particular lens and that an approach that may be deemed to be completely inadequate through that lens might not take into account whether the children are happy and the view of the parents about the education and support their children receive. It was commented that some children in specialist schools can find communication with strangers difficult. There was a suggestion that parental questionnaire may be found online.
- 3.2. District Councillor (D.Cllr)
 - 3.2.1. Voter ID for local elections It was reported that SHDC has been persuaded to advertise a phone number that residents who require help with obtaining Voter ID can call, as not all residents have access to the internet. People can use this number to call SHDC and get a certificate of voter authorisation if they do not have other forms of voter ID that will be accepted at polling stations on 4th May.
 - 3.2.2. Enforcement caseload The D.Cllr commented that there had been several recent incidents in which SHDC, as the planning authority, did not act on environmental breaches the way that it should have. It was commented that SHDC has made a Climate Change declaration, but this has not yet percolated down to enforcement yet. The D.Cllr is holding a meeting shortly with members of the Enforcement Team to discuss all outstanding enforcement cases.
4. **Minutes It was RESOLVED** to approve the minutes of the minutes of the Ordinary Meeting of the Parish Council 14th February 2023 as an accurate record.
5. **Report Matters Arising from the Minutes** Not otherwise on the agenda and for information only
 - 5.1. Harberton Devon Air Ambulance clearance area sign Cllr Williams reported that the goals that are sometimes left on the field are now broken and will be disposed of. It was also reported that pre-designed 'landing site' signs can be purchased. Further research is required.
 - 5.2. Screw Lane Drainage (Cllr Williams) Ongoing.
 - 5.3. Parish Lengthsman (Clerk) Ongoing
 - 5.4. Salt and grit in storage (Cllr Camp) Ongoing.
 - 5.5. Water pressures in Harberton It was reported that the Clerk had written to South West Water (SWW) Customer Services to raise concerns about low water pressures in the village, particularly in the Belsford area where some residents were having to carry water to animals due to pressures being so low. SWW's reply commented that recent reductions to the water pressure should not have an impact on Belsford as properties are supplied from a different source. Investigations will however be made. The number for a 24-hour customer helpline was provided so that anyone else effected could contact SWW directly. This number had been provided to residents of Langford, who commented that water pressures have been so low there has been no mains water at all at the top of the hill.
 - 5.6. Harberton Playing Field Easement It was confirmed that following the Clerk's query, Cllr Morris had also reviewed the plans and agreed that whilst there is no plan attached to the Playing field agreement it would appear the electrical easement passes through both land included in the playing fields lease and the Parish Hall agreement. It was therefore agreed with the solicitor that Harberton Playing Field Association should be a party to the electrical easement. With amendments made, Cllr Camp had signed the agreement. The Solicitor has written to Harberton Parish Hall, HPFA and the Grantee enclosing copies of the Deed. The solicitor will need to suggest they seek independent legal advice, but they are not obligated to. Once the solicitor is in receipt of a signed Deed from all parties it will be completed, along with the registration of the title.
6. **Planning**
 - 6.1. Consideration of planning applications
 - 6.1.1. 0431/23/LBC Listed Building Consent for installation of temporary structural scaffold to support deteriorated timbers & roof structure & for removal of ceiling at Dundry House, Harberton **It was RESOLVED** to SUPPORT the application.
 - 6.2. Receive planning applications for notification only Cllrs received notification of the following application:
 - 6.2.1. 0634/23/PDM Application to determine if prior approval is required for proposed change of use of agricultural buildings to 5 no. dwelling houses (Class C3) and associated operational development (Class Q (a&b)), Barn at Sx 759 588, Harberton.
 - 6.3. Receive a report on planning or appeal decisions Cllrs were informed of the following decisions made by the planning authority:
 - 6.3.1. 4399/22/PDM Notification for prior approval for proposed change of use of agricultural buildings to 2no. dwellinghouses (Class C3) and for associated operational development (Class Q(a+b)) (Renewal of Class Q consents 3816/19/PDM and 3819/19/PDM) at Barns A & B at Fletcherscombe Diptford Prior Approval Given
 - 6.3.2. 4187/22/VAR Application for removal of condition 17 (biodiversity) of planning consent 0626/18/FUL at Moore Farm Harberton **CONDITIONAL APPROVAL**

- 6.3.3. 0370/23/ARC Application for approval of details reserved by condition 11 (Landscape) of planning consent 0655/21/FUL at Woodcourt Farm, Woodcourt Road, Harbertonford Discharge of condition Approved
- 6.4. Receive a report on enforcement cases (for information only)
- 6.4.1. A hard copy of the enforcement caseload was circulated amongst cllrs for information only.
- 6.4.2. Cllrs were informed that an alleged 'untidy site' in the Parish has been removed from the Enforcement Caseload following a site visit in January in which it was observed that the owners had made efforts to tidy the site and had been advised that continued deterioration of the site would constitute a breach of planning regulations. No further action will be taken.
- 7. Monthly reports**
- 7.1. Finance Committee update There being no meeting in March there was no update.
- 7.2. Community Land Trust update It was reported that an application was submitted to the Planning Authority for approval of details reserved by condition was refused because the application had timed out and will therefore need to be resubmitted.
- 7.3. Sustainable Harbourne Valley update It was reported that no committee meeting had taken place, but the recent talk 'Sustainable Food: Eating our way to a sustainable future' that took place at Harbertonford Village Hall had been very well attended, indicating a subject that many people were interested in. Other talks and activities are planned for the spring.
- 7.4. Harberton Parish Neighbourhood Plan (HNP) update It was reported that a site visit will be taking place in the following week to assess the sites that came forward following the 'call for sites' and to begin work on a Design Code for new development. Members of the Neighbourhood Planning Steering Group had manned a stall at the Big Brunch and Sunday Brunch events in Harbertonford and Harberton to raise awareness of the Neighbourhood Planning process, answer questions and collect emails of people who want to stay in touch with the process. It was commented that the HNP group will need some help leafleting in the Parish, inviting people to come forward to volunteer. SHDC's Affordable Housing Officer had attended the last meeting of the HNP Steering Group in which the possibilities for exploring development of affordable housing on small sites within the parish villages was discussed. Further conversations will be initiated once the Housing Site Assessment process is complete.
- 7.5. Harberton Playing Field Association (HPFA) The HPFA Chair was pleased to report that the surfacing work has been completed under the swings and the roundabout which is now regulation height. This is largely down to our enthusiastic and talented committee. There are some more minor jobs to take care of and these will be done shortly now the weather looks a bit kinder. This includes fixes to the slide as noted in the recent Play Inspection Report and replacement of the lower brackets for the swings.
- 7.6. Clerk's update
- 7.6.1. Banking update Further requirements are to be met before Cllr S.Hockings can be removed as a signatory from the Barclays account. **ACTION: Cllr Beamish** to attend a Barclays branch to complete the necessary paperwork.
- 7.6.2. Accidents on the A381 The Clerk had reported two road traffic incidents on the A381 to the D.Cllr and C.Cllr to ensure that Devon County Highways would be informed. The incidents took place at approximately 7:30pm on 15th February 2023, one at Gerston Cross and one at Brockhills. Police attended both incidents, which involved multiple vehicles. Highways thanked the C.Cllr for the report commenting that if these incidents were damage only they won't appear in DCC analysis, for any other severity they will be submitted and released, for 2023 data this will be released mid-2024.
- 7.6.3. Green Lane at Monkey Oak Following the Parish Council's discussion on this matter at previous meetings, it was reported that the Public Rights of Way (PROW) officer has now undertaken a site visit with landowners to consider a scheme to divert water off the lane and onto the landowners private land. The PROW Officer agreed to review the lane during wet weather to consider if such a scheme would have merit. The officer will also consider constructing a concrete haunch on the eroded section, if he is confident that it's realistic to repair it. Due to the number of potential schemes, the resources available and capacity of the PROW Officer, no timeline can be given on progression.
- 7.6.4. Annual Parish Meeting Cllrs were reminded that according to the Local Government Act 1972 the parish meeting of a parish shall assemble annually on some day between 1st March and 1st June, both inclusive, in every year. Parish Meetings shall be held on such days and at such times as may be fixed by the parish council or, if there is no parish council, by the chairman of the parish meeting. The Parish Council usually holds the Annual Parish Meeting half an hour before the ordinary meeting of the Parish Council in April. The Clerk commented that as this meeting is not well attended it was proposed that the Annual Parish Meeting could be used to hold a Parish Visioning Event that could feed into the work of the Parish Council, but also the work of the Neighbourhood Planning Committee and Sustainable Harbourne Valley. Advice has been sought from DALC, and it has been suggested that it would be better to delay such a meeting until after the election. Parish Councillors agreed in principle and this will be discussed further by the HNP steering group.
- 8. Harbertonford Playpark**
- 8.1. General update It was reported that a meeting has been arranged to take place on 21st March 2023 at Harbertonford Village Hall in which it is hoped a new committee for Harbertonford Play Park will be formed. The meeting is being convened by Cllr Beamish. The Clerk has provided some material for consideration by volunteers willing to join a committee.

- 8.1.1. Monthly inspection report The latest inspection was undertaken on 10th February 2023. The report notes that old stumps left from previous play equipment has created a trip hazard. Cllr Beamish will further shave down the posts so that they are as flush as they can be with the wet pour surface. It was noted that damage to the arm of the park bench have been fixed. Detritus and algae on safety surfaces require powerwashing. The gate not closing properly is an ongoing issue.
- 8.2. Boundary issues Cllrs were reminded that the Clerk had written to the landowner commenting that before the Parish Council is able to confidently acknowledge the adjacent landowner's intention to reinstate the boundary with a gate and still comply with the terms of its lease with the Diocese, cllrs would ask to see a copy of the property boundary plans with evidence of access in place, or a copy of an easement agreement. Without these, the Parish Council would refer the landowner to the Dioceses to seek agreement with them directly. The landowner has since replied that they have checked their boundary plans that do not show evidence of the access, but were able to provide a photograph taken in Januar 2017 that clearly shows a gate and steps leading up through a gap in the back that had been in place before the current owner purchased the property in 2013. The owner would, however, have no objection to replacing this with a hedge instead and would be happy to proceed on this basis. **It was RESOLVED** to accept the owner's offer to replace with a hedge, suggesting that ideally the hedge be planted with native species such as beech, hornbeam, blackthorn or holly. It was suggested that the owner may be able to benefit from subsidised hedgerow tree packs provided by the Woodland Trust.
- 8.3. Extension of lease No further correspondence has been received from the Diocese.
9. **Local Elections** Packs were provided to those who wished to nominate themselves to stand as parish councillors at the May elections. The deadline for hand delivery will be at 4pm on 4th April 2023. Cllrs were reminded that the nomination paper requires the candidate to include the electoral numbers of their proposer and seconder. Electoral numbers can be provided by the Clerk or by staff at SHDC. New legislation permits local election candidates to have their home address excluded from the Statement of Persons Nominated notice and ballot papers. The Clerk has prepared a number of posters and social media posts to encourage applications from members of the public.
10. **Proposed alternative layout for Harbertonford zebra crossing** Cllrs had received plans of the proposed layout in advance of the meeting. During discussion it was noted that there was general support for the idea to move the crossing, however there were some concerns about losing the large splay that would have once been needed to serve the mill on Woodland Road. It was commented that this wide splay is still required by members of the farming community to access land via Woodland Road. It was agreed that the wider community be given the opportunity to comment on the proposals, circulating via St Peter's Church, Harbertonford CE Primary School, Harbertonford Allotment Society and the farming community, including those at Foales Leigh and East Leigh. As the pre-election period is due to commence, it was agreed to delay consultation until after 4th May 2023.

11. Correspondence

- 11.1. District Council votes to adopt 100% Council Tax Premium on Second Homes Cllrs were informed by press release that South Hams District Council has formally adopted a proposal for second home owners to pay double the Council Tax amount for the area as soon as legislation allows. The Levelling Up and Regeneration Bill that enables these powers is likely to become law from 1 April 2024 at the earliest.
- 11.2. Contact from Totnes Neighbourhood Team Sergeant Cllrs were informed that the Totnes Neighbourhood Team Police Sergeant covering the parish area has been in touch to provide contact details and to ask if there is anything the Parish Council needs from its neighbourhood team. **It was RESOLVED** to respond and comment on reports of on drug dealing at Harberton Play Park to ensure that the Police are fully aware, to request whether recent accidents on the A381 had been logged and will appear within traffic data, and to invite the Police to attend Parish Council meetings.
- 11.3. Does the South Hams need more car charging points? Cllrs were informed via news release of a survey launched by South Hams District Council to find out what South Hams residents think of the number of electric car charging points across the district. The survey closes on the 17th March and can be found via the following link www.surveymonkey.co.uk/r/south-hams-ev-survey (HTML)
- 11.4. Temporary Traffic Notice - A381, Harberton TTRO2349470 Cllrs were informed of a road closure on the A381 between Gerston Cross to Langridge Cross between the hours of 19:00 and 07:00 on 12th and 13th May 2023 to enable resurfacing works. A signed diversion will be in place, through Totnes, Ugborough, Ermington, Aveton Gifford, Churchstow, Morleigh and vice versa.
- 11.5. #09 2023 DALC E-bulletin Cllrs were informed that this e-bulletin includes a candidates guide to the election (HTML) with key dates and a timeline, eligibility criteria and a guide to campaigning. The Clerk will publish this on the Parish Council's website so it is freely available to anyone who wishes to nominate themselves to be elected to the Parish Council. The e-bulletin also confirms that the new section 137 figure for 2023/24 is £9.93 per elector. There is a reminder that the Annual Parish Meeting, which is not a meeting of the Parish Council but a meeting of the electors in the parish must take place between the 1st March and 1st June inclusive. As this is an election year, DALC has confirmed that an Annual Parish Meeting can be held during the pre-election period, however it may be easier to hold it before or after the pre-election period if possible. The advice is that Parish Councils may want to review its normal content to ensure you are sticking to normal council business and not allowing the event to be used to promote a candidate.

- 11.6. Find out the new South Hams garden waste collection days Cllrs were informed by press release that the first collections of the new South Hams garden waste service will take place within two weeks of 6th March 2023. Garden waste will be collected on a different day to refuse and recycling. Residents can check which day collections will take place by visiting the website using this link: www.southhams.gov.uk/findmycollectionday (HTML)
- 11.7. ORD2103785 HARBERTONFORD March 2023 - Cancelled Cllrs were informed that works between A381 to junction with Moreleigh Road that were due to take place in January and then rescheduled for March 2023 have been cancelled due to adverse weather forecasts.
- 11.8. 20230306 Bus Service Changes in Devon for April 2023 Cllrs are informed that amongst the changes to bus timetables across the county, minor changes have been made to the timetable of Service 92 (Dartmouth to Totnes via Harbertonford) to improve punctuality.

12. Finance

- 12.1. Notice of income and expenditure since last meeting None
- 12.2. To consider payments as per the March payment schedule
- 12.2.1.1. Payment 2303_1 to Cat Radford, payslip dated 22nd March 2023 includes Clerk March salary £483.60, Neighbourhood Plan March Salary at £55.80 and overtime payment 2 of 3 at £46.50 = £585.90 no VAT.
- 12.2.1.2. Payment 2303_2 to Cat Radford, Clerk expenses claim dated 9th March 2023 for mileage at £10.08 and broadband at £7.50 = £17.58 no VAT
- 12.2.1.3. Payment 2303_3 to Harbertonford Village Hall includes hall hire costs for Parish Council meetings 10/01,14/2,14/3 2023 @£25 each, Neighbourhood Plan meetings 23/01,20/2, 20/3 2023 @ £10 each and Finance Committee meetings 3/1/23 @£10 = £115.00 no VAT
- 12.2.1.4. Payment 2303_4 to Prana Simon expenses claim dated 7th March 2023 as reimbursement for printing and materials for Neighbourhood Plan displays = £44.18 no VAT
13. **E-Circulars for information** Cllrs were informed that circulars regularly 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, Green Lanes Environmental Action Movement (GLEAM), Harberton Village Email, Healthwatch Devon, Information Commissioners Office, Parish Online, Rural Services Network, SLCC Membership, Torbay and South Devon NHS Foundation Trust. Any of these can be forwarded to councillors should they wish to read them.
14. **Matters at the discretion of the Chairman:** Councillors may use this opportunity to report minor matters of information not included elsewhere on the agenda and to raise items for future agendas.
- 14.1. Tree felling at night It was reported that on hearing a chainsaw in the middle of the night a councillor had discovered and challenged someone cutting down trees for firewood in the dark. This will be reported to the landowner.
- 14.2. Community shop It was reported that progress is slow, but plans for the community shop are moving in the right direction.
- 14.3. Rolster Bridge shipping container A query was made about the appearance of a shipping container with windows at Rolster Bridge.

15. Date and location of next ordinary meeting 7:30pm Tuesday 11th April 2023.

Meeting closed at 21:30