

## **HARBERTON PARISH COUNCIL**

Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 11<sup>th</sup> April 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: 0 (1)

### **Public Session**

i) Speaking as a member of the public, the District Councillor (D.Cllr) commented that whilst not yet signed, contracts have been agreed and the Harbertonford shop will soon be under community ownership.

### **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. It was noted that all cllrs will be required to resubmit their interests following the election on 4<sup>th</sup> May 2023.
  - 2.2. To declare any interests (nature and scope) on items on the agenda.

Item 10.1 Cllrs Davies and Simon have shares in the community shop and therefore would leave the meeting whilst consideration is being given to making a Community Benefit Fund grant to the support the project. The D.Cllr would also leave the meeting during this item.

Item 10.2 The C.Cllr is a trustee of Totnes Rural Area Youth Engagement project and would therefore leave the meeting whilst consideration is being given to making a Community Benefit Fund grant to the organisation.
3. **Reports** for information from:
  - 3.1. County Councillor (C.Cllr) The C.Cllr had circulated a report in advance of the meeting.
    - 3.1.1. Highways maintenance and 'managed decline' Cllrs remarked on reference in the report to 63% of the potholes reported since April '22 have resulted in no further action. It was queried how many of the outstanding potholes can be fixed with the uplift in funding for highways maintenance in the coming financial year. Cllrs remarked on the number of potholes fixed that are already in a poor state of repair as they were not fixed effectively, leading to teams attending the same sites repeatedly. Use of the phrase 'managed decline' was highlighted within the report, with cllrs wondering how many of the lesser roads will fall out of the maintenance cycle. It was commented that this would have a considerable impact for waste services, postal services, deliveries attending properties served by those smaller roads. The C.Cllr's view would be to raise Council Tax, which might not be popular, but would fund necessary works. The C.Cllr commented that the additional funds would not necessarily be used to fix individual pot holes, but into the ongoing maintenance cycle to resurface some roads. The maintenance team are looking at areas that are most in need of resurfacing. The C.Cllr will feed back the Parish Council's dismay of the concept of 'Managed Decline' as not being good enough.
    - 3.1.2. Road closure on Station Road Cllrs raised the matter of the road closure, commenting on the disruption caused by the closure during Easter. The C.Cllr commented that this was a matter for the local MP as works were part of a national infrastructure programme and there was no notification that the works would commence. If lights had been working in better synchronicity it wouldn't have caused the tailbacks that Totnes experienced during that period.
    - 3.1.3. Voter ID The C.Cllr reiterated that a lot of people remain unaware that photo ID will be required in order to vote in local elections on the 4<sup>th</sup> May. Those looking to vote who do not have photo ID have until 21<sup>st</sup> April to apply. A photo ID is not necessary for those wishing to use a postal vote.
  - 3.2. District Councillor (D.Cllr) The D.Cllr commented that not much is happening at the District Council during the pre-election period. The following topics were highlighted:
    - 3.2.1. Waste It was reported that a further £500,000 is required to migrate all district residents to the new recycling system, supplying bags and boxes and investing in additional vehicles required to serve the 40% of residents who are still using blue bags. The D.Cllr commented that as soon as a new administration is in place after the election, waste needs a thorough review. The D.Cllr commented that he receives lots of complaints from people who have trouble with the boxes. The D.Cllr was critical of spending additional funds on roadside sorting, when a visit to the co-mingling plant showed that a very high proportion of waste was effectively sorted. It was commented that investing in a recycling centre may have a better return on investment.
    - 3.2.2. Street Cleaning Having received a lot of complaints about street cleaning the D.Cllr has raised this with various officers at SHDC in which there had been discussion as to what SHDC consider their legal responsibilities, what was the responsibility of the County Council and what services would require an additional charge to complete.

#### 4. Minutes

- 4.1. It was **RESOLVED** to approve the minutes of the Ordinary Meeting of the Parish Council 14<sup>th</sup> March 2023 with amendments.
- 4.2. The minutes of the meeting of the Finance Committee of the Parish Council held on 4<sup>th</sup> April 2023 were reviewed. No members of the finance committee made any requests for amendments.

#### 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 Cllrs Williams had found a source of Air Ambulance Community Landing Site signs. **ACTION: Cllr Williams** would forward a link to the Clerk.
- 5.2. Screw Lane Drainage Ongoing.
- 5.3. Parish Lengthsman Ongoing. It was suggested to contact the Brixham Town Clerk who had just appointed a new lengthsman.
- 5.4. Salt and grit in storage It was reported that approximately 1.5 – 2 tonnes of grit is still in storage on a farm in Harberton, with the owner's continued permission. It was noted that whilst checking the grit bins in Harberton, the salt has separated from the sand. It was commented that a new lengthsman could be charged with the job to stir up the contents of grit bins in the autumn.
- 5.5. Cross boundary spread of fertilizer into Riverdale gardens Following the attendance of a member of the public at the March 2023 meeting of the Parish Council, it was confirmed that Cllr Camp had spoken with the tenant farmer to inform him that pellets had been spread over the boundary into residential gardens to find out what was being spread and to comment that this should not happen. It was reported that the tenant farmer was unaware of the spread into the gardens. The product was a sulphur urea fertiliser, which contains nitrogen. It was noted that a number of councillors had held similar conversations with the landowner.

It was reported that the D.Cllr had raised the query with South Hams District Council's Environmental Health team and was referred to the Environment Agency who provided the information that there are no rules governing the contamination of neighbouring land when spraying inorganic fertilizer. There are many strict rules to protect water courses, ground water, etc but it was understood that this would not be relevant to this case. The D.Cllr followed up with the Farming Advice Service, who provide advice on behalf of Defra to help farmers understand and meet the requirements of Cross Compliance, the Basic Payment Scheme requirements along with the European Directives on both water protection and sustainable pesticide use for farmers within England. GAEC Standard 7a refers to boundaries and lays out specific rules including requirements for a 2 meter buffer zone should the boundary between the field and the property be a hedge. It was commented that there aren't any rules if should a boundary fence or wall be in place.

The D.Cllr has advised that if the affected residents consider this matter to be deemed 'a nuisance' residents might consider reporting it via the SHDC website.

During discussion it was noted that the tenant farmer had commented on use of the private field by local residents to exercise dogs, which had implications for his livestock, particularly if dog mess was not removed.

- 5.6. Proposed alternative layout for Harbertonford zebra crossing (Clerk) It was reported that the Clerk had been in touch with engineers to inform them that the Parish Council will canvas views of local residents once the pre-election period has elapsed. It was also queried whether the option 1 location south of Harbourne Bridge and the entrance of Moreleigh Road had been discounted. It was confirmed that the following a formal review this option was considered to have little to no benefit over the existing crossing. Generally speaking, an alternative location somewhere between these two drawn up proposals would not have achieved suitable forward visibility, and locations beyond these would have greater issues with accessibility.
- 5.7. Bank signatory updates (Clerk/Cllrs Beamish, Palmer, Bowley, Paine) It was reported that information required by Barclays to remove and add signatories had not yet been provided as attempts made to access relevant staff at Barclays had not been possible. Due to low customer satisfaction it was discussed whether the account be closed and open an account with Co-operative or Unity bank instead. Cllrs Broom, J.Hockings and Janes had been removed as signatories from the Lloyds bank account. Paperwork is underway to add new signatories. **It was RESOLVED** that Tania Paine be included as a signatory, being a member of the Finance Committee.
- 5.8. Correspondence with Neighbourhood Policing Team It was reported that the Clerk had been in correspondence with the Totnes Neighbourhood Police Sergeant to confirm that the team has been made aware of reports of drug dealing in Harberton Playing Fields and have been patrolling the area. The officer commented that the issues seem to have died down but will ask for feedback from the officers that cover the area. The Clerk had made the Officer aware of requirements by Devon County Highways for sufficient data to be able to act with regard to road safety, asking whether details of the Road Traffic Collisions that took place at Brockhills and Gerston Cross on 15<sup>th</sup> February had been logged. The officer had responded that information on RTC's are shared but the officer is not aware of the amount Highways require in order to address any issues 'this obviously will sit with highways'. A personal invitation has been made by a councillor to PCSO Broadhurst to attend meetings of the Parish Council.

## 6. Planning

- 6.1. Receive a report on planning or appeal decisions Cllrs were informed of the following decisions made by the planning authority:  
3016/22/HHO Householder application for installation of new external oil fired boiler & bunded oil storage tank at Stone Lodge, Harberton **CONDITIONAL APPROVAL**
- 6.2. Receive a report on enforcement cases (for information only). A hard copy of the enforcement caseload was circulated to councillors for information. It was commented that building works taking place at Brockhills despite the planning application in which works were detailed being withdrawn.

## 7. Monthly reports

- 7.1. Finance Committee update Cllrs were informed that a meeting of the finance committee was held on Tuesday 4<sup>th</sup> April 2023 and had received a copy of the draft minutes. The Finance Committee had independently reviewed the bank reconciliation and bank statements, showing a balance of £60734.43 including reserves. The Committee reviewed the 2022/23 end of year budget report, the draft accounting statement and explanation of variances. The Clerk's overtime and holiday claims were reviewed. **It was RESOLVED** to accept the Finance Committee's recommendation that the Parish Council approve the Clerk's request to carry 20 hours of Time Off in Lieu into the next financial year and to approve the overtime request for 69 hours within the quarter, paid in three instalments of £320.85 in April, May and June
- 7.2. Community Land Trust update No update.
- 7.3. Sustainable Harbourne Valley update It was reported that another good talk had been held on the topic of conservation grazing. Another talk is coming up shortly on the subject of graveyard management. The Chair of Sustainable Harbourne Valley has been involved in the development of the Harberton Parish Neighbourhood Plan and sees opportunities SHV making a contribution to the development of the plan. An AGM will take place in the coming week to which all are invited.
- 7.4. Neighbourhood Plan update It was reported that the Steering Group has agreed to hold a 'visioning event' in the Parish, as much of the consultation undertaken on which the plan is based is now out of date. There is a rolling list of events, targets and actions, which hopes to see the plan being complete in December 2023. It was reported that site meetings took place on 22<sup>nd</sup> March 2023 in which members of the Neighbourhood Planning Team, some Parish Councillors and members of the public accompanied AECOM consultants undertaking work to contribute towards a Site Options Assessment Report and Design Code.
- 7.5. Harberton Playing Field Association (HPFA) It was reported that the most play area inspection report has been forwarded to HPFA with acknowledgement that required maintenance works are in process.
- 7.6. Clerk's update
- 7.6.1. Overgrown vegetation on Main Road, Harbertonford Cllrs were informed that the report made by the Clerk of overgrown vegetation at Harbertonford Bridge in October 2022 has now been passed to the tree contractor to further assess and complete the works. This will be completed in the 'near future'.
- 7.6.2. 2022/23 Internal and External Audit It was reported that the Clerk is in the process of compiling all the material required by the Internal Auditor for a response to be received before the Parish Council's ordinary meeting of 9<sup>th</sup> May 2023. PKF Littlejohn has been appointed by Smaller Authorities Audit Appointments Ltd (SAAA) as the external auditor for Harberton Parish Council for the 5 financial years 2022/23 to 2026/27. An external audit will be required in the 2022/23 financial year as, due to receipt of the final Community Benefit Fund payment, the Parish Council's income exceeds £25,000.
- 7.6.3. Snow Warden registration and training It was reported that the Snow Warden registration form has been completed. **ACTION: Cllr Bowley** agreed to provide a suitable email address that can be used as a contact point.

8. **Harberton Parish Hall and Harberton Playing Field land** Cllrs were informed that the full extent of the land known as Harberton Playing Field is in the process of being formally registered with the Land Registry. The land has been valued within the £200,001 - £500,000 range for the purposes of registration.

## 9. Harbertonford Playpark

- 9.1. General update It was reported that a new committee has been established with 10 members who are ready to work together on a monthly basis to make improvements to the park, undertake pruning and maintenance works and share responsibility for mowing the grass. A WhatsApp group has been established to aid communication between members. A new bank account will be opened. The first purchase will be a bench.
- 9.2. Monthly inspection report No inspection report has been received.
- 9.3. Boundary issues It was confirmed that the Clerk has written to the neighbouring landowner as agreed at the last meeting. No further correspondence has been received.
- 9.4. Extension of lease No further information had been received from Exeter Diocese.

## 10. Community Benefit Fund consideration of recommendations of the finance committee on applications from:

- 10.1. The Harbertonford Community Limited: Harbertonford Community Shop **It was RESOLVED** to accept the Finance Committee's recommendation to make a grant of **£1000** to support the purchase and/or lease of new efficient fridges, freezers and chiller cabinets and the disposal of old equipment to enable the community shop to store and sell a wide range of locally produced fresh food. It was noted that an application had been made for £1200, exceeding the usual upper limit on Community Benefit Fund grants, reasoning that in the view of the applicant, the initiative is critical to ensuring Harbertonford and Harberton (and surrounding area) remain

thriving communities and will benefit all residents as well as visitors. The Parish Council agreed with the Finance Committee's view that there was no justification to make an 'exceptional circumstances' grant in excess of the published guidelines. Now that the final payment enabling the Community Benefit Fund has been received the Parish Council would like the finite funds available to support as many projects as possible.

- 10.2. Totnes Rural Area Youth Engagement project Cllrs were informed that an application was made for £1000 to support TRAYE to deliver an open access youth group for young people aged 8 – 16 years old in Harbertonford. The session runs on a Thursday evening every two weeks at the Harbertonford Village Hall. The funding would go towards the salaries of 2 trained Youth workers and 1 Support Worker who run youth club sessions, and to pay for the free food, drink and resources provided at each session. The Finance Committee noted that a calendar month has not passed since TRAYE submitted an application for consideration at the 2022/23 quarter 2 deadline, and which was approved in October 2023. **It was RESOLVED** to accept the Finance Committee's recommendation that TRAYE be invited to resubmit before the 2023/24 quarter 2 deadline on 30<sup>th</sup> September 2023 for consideration at the meeting on 3<sup>rd</sup> October 2023.

## 11. Asset and Insurance Review

- 11.1. Asset Register A copy of the asset register was circulated in advance of the meeting. **It was RESOLVED** that the Parish Council adopt the Vehicle Activated Sign in position on the A381 in Harbertonford and therefore it be added to the asset register at a nominal value of £1 in line with advice received from the Devon Association of Local Councils. No further changes to the register were made.
- 11.2. Insurance Policy renewal questionnaire
- 11.2.1. Value of Assets Cllrs considered the current insurance value of the Parish Council's assets against the 2022/23 Asset Register. **It was RESOLVED** to add the Elancity Evolis Radar Speed Sign - Solar version on the Parish Council's 2023/24 insurance policy at the value of £3781.17 to cover purchase and installation price. **It was RESOLVED** to request an increase on the value to which the office equipment is insured, as it was considered the laptop was under insured.
- 11.2.2. Declaration The Clerk read the declaration that must be signed in advance of a renewal being negotiated in full. No councillors indicated that the declaration should not be signed.

12. **Local Elections** It was reported that following the deadline of 4<sup>th</sup> April 2023 for receipt of nominations, the following people stood validly nominated and were duly elected as councillors to Harberton Parish Council without contest: Harberton ward: David Camp, Richard Morris, Tania Paine, Nick Williams. Harbertonford ward: Peter Beamish, Chris Bowley, Jill Davies.

'Old' Parish Councillors who did not put themselves forward for nomination lose their seats on Tuesday 9<sup>th</sup> May, and new councillors take their seats on Tuesday 9<sup>th</sup> May 2023.

As one third of the whole number of vacancies have been filled, the Representation of the People Act 1985 Section 21 allows the elected members to co-opt members to fill the remaining vacancies. There are 2 vacancies in the Harberton ward and 3 vacancies in the Harbertonford ward. If the Parish Council fails to exercise their power to co-opt within seven weeks (35 working days) South Hams District Council may order a fresh election to properly constitute the Parish Council.

It was agreed that the Clerk will re-advertise the opportunity for members of the community to put themselves forward for co-option, for the Parish Council to seek to fill these vacancies at the next meeting of the Parish Council on 9<sup>th</sup> May 2023.

As there are currently 5 vacancies on the Parish Council **it was RESOLVED** that the Annual Meeting of the Parish Council be held at 7:30pm on Tuesday 16<sup>th</sup> May 2023 to enable any councillors co-opted at the next ordinary meeting of the 9<sup>th</sup> May to attend and participate fully.

## 13. Correspondence

- 13.1. #13 2023 DALC E-bulletin Cllrs were informed that this e-bulletin includes an invitation for members to give their views on the government's consultation on the changes to permitted development rights. This includes a new permitted development right to support temporary recreational campsites; changes to the existing permitted development rights for solar equipment and a new permitted development right for solar canopies; amendment to the existing permitted development right allowing local authorities to undertake certain development, allowing bodies to undertake the work on behalf of the local authority; changes to existing permitted development right allowing for the temporary use of buildings or land for film-making purposes. DALC is asking members for their views in a quick snapshot survey. Those views will help DALC to determine whether to respond to the consultation, and to what degree it will support or oppose the proposals.
- 13.2. Devon Association of Local Councils (DALC) Membership 2023 24 **It was RESOLVED** to renew the Parish Council's membership of the Devon Association of Local Councils at the 2023/24 membership fee of £358.26. Support for parish and town councils in Devon include provision of: up-to-date advice and guidance; regular updates and information via DALC's website and regular newsletters; training and development for councillors and clerks; being part of an organisation of mutually supportive councils. **ACTION: The Clerk** will complete a renewal form to confirm membership.

- 13.3. 20230403 Consideration of PC Support to CLT Cllrs and the Clerk had received a letter from a member of the Parish Council to raise the question whether the Community Land Trust (CLT) CIC need outside help to complete its mission to provide affordable housing for parish residents, with a proposal for consideration: will the Parish Council support the CLT/CIC in acquiring the professional help it needs at this development impasse to see through its scheme towards success? There was discussion in which Cllr Williams commented that many Community Land Trusts are facing the same issue of escalating costs and needing to secure greater amounts of development finance than anticipated. It was commented that should any councillors be interested to join the Harberton CLT as a director, they would be welcome, however most of the planning and preparation work is complete, the shortage of funds is the main challenge. **ACTION:** Cllr Morris offered to look through details with Cllr Williams and see if he had any knowledge that could support the CLT in terms of access to finance.

Following discussion it was agreed that the proposal as worded was moot.

#### 14. Finance

- 14.1. Notice of income and expenditure since last meeting  
15/03/23 RECEIPT from TGC Solar 83 Limited of £5656. This is the final Community Benefit Fund payment.
- 14.2. To consider payments as per the April payment schedule
- 14.2.1. Payment 2304\_1 to Cat Radford, payslip dated 22<sup>nd</sup> April 2023 includes Clerk April salary £483.60, Neighbourhood Plan March Salary at £55.80 and overtime payment 1 of 3 at £320.85 = £860.25 no VAT.
- 14.2.2. Payment 2304\_2 to Cat Radford, Clerk expenses claim dated 4<sup>th</sup> April 2023 for mileage at £15.12 and broadband at £7.50 = £22.62 no VAT
- 14.2.3. Payment 2304\_3 to Devon Association of Local Councils (DALC) for invoice 4649 for renewal of membership. Includes NALC affiliation fee at £82.42, DALC service charge at £16.28 and affiliation fee £216.30 = £315.00 plus £43.26 VAT, totalling £358.26
- 14.2.4. Payment 2304\_4 to South Hams District Council for invoice 22230162 for 2022/23 grass cutting: tractor cut field during 2022 = £684.00 plus £136.80 VAT, totalling £820.80.

It was noted that the Clerk's overtime would likely trigger a requirement to pay National Insurance. **It was RESOLVED** that the Clerk make the National Insurance payment and report the cost at the next meeting.

15. **E-Circulars for information** Circulars received: 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.

#### 16. Matters at the discretion of the Chairman

- 16.1. Good luck to elected councillors Cllr Simon expressed thanks to the Parish Council for the experience of serving as a Parish Councillor and wished those cllrs who had been re-elected luck for their next term of office. The Chair thanked Cllr Simon for her service to the community.
- 16.2. Rolster Bridge containers Following a query about containers at Rolster Bridge it had been commented that the containers would only be on site for 28 days or less.
- 16.3. Planning application on land above Blacklands It had been commented that a planning application had been submitted but had not yet been circulated to statutory consultees. The D.Cllr commented that there was a process to follow in which applications are validated before they are circulated.
- 16.4. Mill development Concern was raised about the rainwater plan for the development at the old mill in Harbertonford. The D.Cllr agreed to follow this up.
- 16.5. Ford area in Harbertonford A member of the public had contact a cllr to comment that the cappings of the bridge are loose, having likely been damaged by a vehicle. It was agreed that this information be forwarded directly to the C.Cllr as an issue for Highways. The member of the public had commented that the ford area was looking a bit shabby. The member of the public who used to voluntarily care for the area has now left the village. No cllrs volunteered to undertake any maintenance and it was suggested to ask if any members of Sustainable Harbourne Valley were interested in doing so.
- 16.6. Meadow Close and Vicarage Ball flooding It was commented that drains are flooded in Meadow Close covering potholes. It was agreed to send this information directly to the C.Cllr to follow up with Highways.
- 16.7. Street Lights In response to a comment that two streetlights were out, the cllr was directed to the 'report it' website as the map function enables accurate reporting of the actual streetlight in question, and adds the required maintenance to a list for action.
- 16.8. Hedges on Moreleigh Road above Wheelwrights Cllrs were asked if they knew the owners of the overgrown hedge. **ACTION: Cllr Beamish** agreed to ask the owners to prune the hedge.
- 16.9. Election of Chair to the Parish Council The Chair informed cllrs of his intention to stand down as Chair at the next meeting of the Parish Council.

17. **Date and location of next ordinary meeting** 7:30pm Tuesday 9<sup>th</sup> May 2023, Harbertonford Village Hall.

*Meeting closed at 21:49*