

## **HARBERTON PARISH COUNCIL**

Minutes of the ordinary meeting of Harberton Parish Council held at 7.30pm on Tuesday 9<sup>th</sup> May 2023 at Harbertonford Village Hall.

### **In attendance**

#### **Harbertonford Councillors**

Cllr Beamish: Apologies  
Cllr Bowley: Present  
Cllr Davies: Present  
Vacancy filled by Cllr Palmer i.4.  
Vacancy  
Vacancy

#### **Harberton Councillors**

Cllr Camp: Present  
Cllr Paine: Present  
Cllr Morris: Present  
Cllr Williams: Present  
Vacancy filled by Cllr Hambly i.4.  
Vacancy

#### **Others**

D.Cllr McKay: Present  
C.Cllr Hodgson: Present  
Clerk Ms Radford: Present  
Members of the Public: 0 (2 – until co-option at item 4)

**Public Session** No members of the public wished to address the Council.

### **Agenda**

1. **Apologies** were received as above. **It was RESOLVED** that reasons for apologies given were sanctioned.
2. **Local Elections**
  - 2.1. Notice of results of Local Elections
  - 2.2. Parish Council It was reiterated that 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.
  - 2.3. District Council Cllr John McKay was elected as D.Cllr for the West Dart Ward.
  - 2.4. Requirements of Parish Councillors following the Local Election
    - 2.4.1. Cllrs were reminded that every candidate at the election (whether they are elected, elected uncontested or unsuccessful) must complete an expense declaration by 01 June 2023 and submit them to the Returning Officer at Follaton House. Forms required were included in the nomination pack, electronic copies can be provided. At local elections, expenses are limited to £806 plus 7p per elector on the specific electoral register for the parish. The appropriate date required on the form regarding when the Notice of Election was published was 23 March 2023.
    - 2.4.2. For those town and parish councils that had an uncontested election but are quorate, Section 21(2) of the Representation of the People Act 1985 states that those councils can co-opt to fill any vacancies from 9<sup>th</sup> May. See item 4.
3. **Delivery by the Chairman of the Council and councillors of their acceptance of office forms** All Parish Councillors present signed acceptance of office forms which were counter signed by the Clerk. **It was RESOLVED** that the councillors not present deliver acceptance of office form at the Annual Meeting of the Parish Council scheduled to take place on 16<sup>th</sup> May 2023.
4. **Co-option of Councillors for Harberton and Harbertonford Wards**

Following the uncontested election of Parish Councillors before the election of 4<sup>th</sup> May 2023, the Parish Council has two councillor vacancies in the ward of Harberton and three in the ward of Harbertonford. Two candidates attended the meeting to express their interest in co-option. Candidates were asked to read and sign a declaration of eligibility for the role before formally nominating themselves. **It was RESOLVED** to co-opt Cllr Hambly as councillor to the Harberton Ward. **It was RESOLVED** to co-opt Cllr Palmer as councillor to the Harberton Ward. The co-opted councillors signed a declaration of acceptance of office before the Clerk.
5. **Declaration of Interests**
  - 5.1. Submission of register of interests Cllrs were advised that all cllrs, whether elected, returned unopposed or co-opted need to complete new Register of Interests forms that must be returned to the Clerk for compilation before being lodged with the Monitoring Officer at South Hams District Council (SHDC) within 28 days of appointment or co-option. Paper forms were circulated for cllrs to complete and all cllrs present returned them to the Clerk immediately for processing.
  - 5.2. Declaration of interests on items on the agenda

Item 9.1.2 Cllr Paine is a neighbour to the planning application and therefore did not participate in discussion nor vote on any proposed motion.

Item 14 Cllr Williams is the electrical easement grantee, and following a brief discussion to establish the facts, he left the meeting while the matter was under consideration by the Parish Council.
6. **Reports** for information from:
  - 6.1. County Councillor (C.Cllr) The C.Cllr raised the following issues:
    - 6.1.1. Devon County Council (DCC) Reshuffle The new CEO has been in consultation with the Leader of the Council and Cabinet Member for Policy, Corporate and Asset Management on council governance, with a review expected.

- 6.1.2. 20mph applications Following receipt of applications from the community for the creation of new 20mph zones, the C.Cllr was disappointed to learn that none of the applications from the South Hams were successful. The C.Cllr recognises that this is a popular scheme and will be asking for there to be more resources given to this scheme to enable more communities to benefit in future.
- 6.1.3. Buses affected by closure of A381 at Halwell It was noted that the closure is causing disruption to the local bus service and new temporary timetables have been put in place to mitigate this.
- 6.1.4. Flooding of a gully in Harbertonford Following reports of a flooded gully it was reported that there had been some queries on responsibility for maintenance. The gully is due to be flushed as part of an annual maintenance schedule.
- 6.1.5. Totnes Rural Area Youth Engagement Project The C.Cllr informed the new Council that a trustee place is offered to each Parish Council involved in the TRAYE project. If no cllr is willing to become a trustee, a representative from the parish would be very welcome to attend the AGM to receive a report from TRAYE and participating young people.
- 6.2. District Councillor (D.Cllr)
  - 6.2.1. Control of South Hams District Council (SHDC) It was reported that following local elections the Liberal Democrats are now in control of the Council and looking to make changes in line with the Liberal Democrat manifesto. It was commented that the Council will be devolving assets back to town and parish councils, which does not affect Harberton Parish, however the Council will maintain play parks and other assets that it doesn't own. This will enable the Parish Council to access money for Harbertonford playpark and other community projects. The D.Cllr commented that the Council is looking to involve town and parish councils a lot more in its decision making.
  - 6.2.2. Mill Development Following concern raised at the previous meeting of the Parish Council with regard to drainage at the site a meeting has been arranged between enforcement officers and the developer, the outcome of which will be reported back to the Parish Council in due course.
  - 6.2.3. Vehicle Activated Sign on the A381 Following erection of the sign correspondence has been received by the owner of the Police House commenting that despite understanding to the contrary, it appears that the land on which the sign is installed is under the ownership of the Police House and not the garage, from whom consent was given. Having not been consulted, and being of the opinion that the post on which the sign is installed is impeding vision of the road from the landowners driveway, the landowner wishes the sign to be removed. The D.Cllr commented that a post on the opposite side of the road could be used, with the consent of the Parish Council. **It was RESOLVED** to discuss this under an agenda item at the next ordinary meeting. Cllrs expressed disappointment, particularly as it took considerable time and effort of all involved to install the sign, and that it is having a positive impact on reduction of road speeds through the village. The D.Cllr was thanked for his efforts in getting the sign installed, commenting that it is a shame that the landowner wants it to come down.

## 7. Minutes

**It was RESOLVED** to approve the minutes of the Ordinary Meeting of the Parish Council 11<sup>th</sup> April 2023 as an accurate record.

## 8. Report Matters Arising from the Minutes

- 8.1. Harberton Devon Air Ambulance clearance area sign Ongoing.
- 8.2. Screw Lane Drainage It was reported that Cllr Williams had received correspondence from the landowner commenting that he was aware of the issue having been in touch with a local resident who had maintained a view on flooding at the location. A relative has been trying to keep the buddle holes clear and the company that is tidying the field have been looking to improve the drainage. **ACTION: Cllr Williams** will write to the relative to forward the conversation.
- 8.3. Parish Lengthsman Ongoing
- 8.4. Proposed alternative layout for Harbertonford zebra crossing Now that the Parish Council is no longer within the restrictions of the pre-election period the Clerk agreed to circulate plans. **ACTION: The Clerk** will circulate plans to contacts in Harbertonford, creating a simple online form for residents to give a view on plans, and invite those with comments to attend the next meeting of the Parish Council on 13<sup>th</sup> June 2023.
- 8.5. Bank signatory updates It was reported that Cllr Palmer had completed the paperwork required to change signatories on the Barclays bank account. Cllr Camp signed the document, following which it may be returned to Barclays. Now that cllrs have been re-elected or co-opted, the process to add Cllrs Bowley, Paine and Palmer to the Lloyds bank account would commence.
- 8.6. Harbertonford Playpark extension of lease It was reported that the request to increase the duration of the lease with the Diocese will be presented to the appropriate committee at the end of the month, following which the property manager will be able to confirm what is possible.
- 8.7. Snow Warden registration and training Ongoing. Cllr Bowley has yet to provide an email address.
- 8.8. Overgrown hedge on Morleigh Road, above Wheelwrights Ongoing. There was no update in Cllr Beamish's absence and there had been no improvement.

## 9. Planning

### 9.1. Consideration of planning applications

- 9.1.1. 0769/23/HHO and 0771/23/LBC Householder application for solar PV panels to garage roof Little Belsford, Harberton **It was RESOLVED** to SUPPORT the application.
  - 9.1.2. 1143/23/LBC Listed Building Consent for internal layout alterations at Dundridge House, Harberton **It was RESOLVED** to SUPPORT the application.
  - 9.1.3. 1206/23/FUL General purpose agricultural building for housing of livestock at Hatchlands Farm, Harberton **It was RESOLVED** to SUPPORT the application.
  - 9.1.4. 1211/23/FUL General purpose agricultural building for housing of livestock at Hatchlands Farm, Harberton **It was RESOLVED** to SUPPORT the application.
  - 9.1.5. 0982/23/FUL Agricultural Storage Building extending to 32.00 x 13.72m, being 4.57m to ridge and 6.10m to ridge at Great Englebourne, Harberton **It was RESOLVED** to SUPPORT the application.
  - 9.1.6. 0892/23/HHO Householder application for garden room and home office (Resubmission 0163/22/FUL) at: Tailrace, Crowdy Mill, Harbertonford **It was RESOLVED** to SUPPORT the application.
  - 9.1.7. 1135/23/HHO Householder application for proposed incidental outbuilding (Hobby/Tennis-Associated Use) and ground-mounted PV panel array at: Maryland House, Harbertonford **It was RESOLVED** to make NO OBJECTION to the application.
  - 9.1.8. 1136/23/HHO Householder application for small front/porch extension, internal works & change of doors & windows to rear & side & demolition of small outbuilding (resubmission of 4411/22/HHO) at: 7 Bow Road, Harbertonford **It was RESOLVED** to SUPPORT the application.
- 9.2. Receive a report on planning or appeal decisions Cllrs were informed that the planning authority had given conditional approval on application 0431/23/LBC for Listed Building Consent for installation of temporary structural scaffold to support deteriorated timbers & roof structure & for removal of ceiling at Dundridge House.
- 9.3. Receive a report on enforcement cases (for information only) Cllrs were informed of correspondence between the D.Cllr and Planning Enforcement Officer with regard to a property on the case load of concern to the Parish Council. It was noted that the officer appreciates the frustration of the full planning application concerning the dwelling not being ready for public comment, but there is no time limit set out as to how long it should take for the submission of a valid application. The Officer is, however, conscious of the 4 year time frame for when this building was substantially completed and therefore will not be waiting much longer for submission before considering the expediency of taking enforcement action, even if it is only to stop the clock and prevent this building becoming immune.

## 10. Monthly reports

- 10.1. Finance Committee update No update as there had been no meeting.
- 10.2. Community Land Trust (CLT) update The CLT is now in communication with housing association South Devon Rural to discuss if they are interested in buying some of the houses planned for development as a way to unlock development finance.
- 10.3. Sustainable Harbourne Valley (SHV) update It was reported that following the AGM there have been a few changes to the organisation's officers. The next talk on churchyard management is taking place on 24<sup>th</sup> May. There is quite a lot of interest from members in the Community Conversation event being held on 10<sup>th</sup> June by the Neighbourhood Planning committee, with several members looking to make representation of SHV aims.
- 10.4. Harberton Parish Neighbourhood Plan (HNP) update It was reported that the HNP Steering Group is hosting a Parish Assembly/Community Conversation on 10<sup>th</sup> June at Harbertonford Primary School to pull in more community interest and drive the plan forward. Local clubs, societies and businesses have been invited to have information stalls at the event. Lunch is being catered by the school Parent Teachers and Friends Association (PTFA). All cllrs were encouraged to attend and participate in the facilitated conversation. Cllrs were asked if they would volunteer to take notes during small group conversations to support the event.
- 10.5. Harberton Playing Field Association (HPFA) update It was reported that the Clerk and cllrs had attended the funeral of HPFA's Chair and former cllr Steve Hockings. A contact for the committee is being re-established. The Annual Play Inspection report from Allianz has been received noting category B errors that need to be resolved within one month. The report has been forwarded to HPFA for action. A member of the HPFA had been in touch to comment that the playing field grass had received its first cut of the season, which was very rough and required cutting again. The Clerk has been in contact with SHDC to query the quality of the job.
- 10.6. Harbertonford Play Park Improvements Committee The Annual Play inspection report has not yet been received, however the monthly inspection report had been received noting that the swings were set too low. The Clerk has queried this with SHDC, asking whether new guidelines have triggered this issue as the swing height has not been altered in several years. The report has been forwarded to the new Park Improvements Committee. Cllr Beamish had written to the Clerk to report that a cash deposit has been made to purchase a new picnic bench for the park using cash that had been held since 2019.
- 10.7. Clerk's update No update.

11. **Annual Tree Survey 2023 It was RESOLVED** to accept Dart Forest Tree Works' quotation to undertake the annual tree survey in June 2023 at the same cost of the 2021 and 2022 survey, £495 plus VAT.

## 12. 2022/23 Annual Governance and Accountability Return (AGAR)

- 12.1. Receive Internal Auditor's report and note observations It was reported that the internal audit was carried out remotely on 24<sup>th</sup> April 2023. The Internal Auditor's report had been received and circulated to all cllrs with meeting papers to assist councillors in the sign off of the Annual Governance Statement. It was noted that the internal auditor had signed off the internal audit section of the Annual Governance and Accountability Return (AGAR) for 2022-23 with no comments. It was noted that during the audit that having checked the arithmetic in the accounting statements and noted a £1 rounding error which the clerk had corrected before the accounts would be sent to external audit.
- 12.1.1. Internal auditor recommendations  
Matter arising: The internal auditor reviewed the legal agreement with TGC Solar, and confirmed the Council is due £1000 per annum per megawatt of solar power capacity. The auditor had not been able to locate any calculations confirming that the payment has been calculated correctly.  
Recommendation: It is recommended that this is followed up with TGC Solar to confirm accurate payments have been made to the Council.  
Council Response: Following the Clerk's correspondence to Quintas Energy (Asset Manager for TGC Solar) confirmation of the amount transferred was provided, along with confirmation that payment is calculated on Peak Power of the site as 5,656.56 kWp.
- 12.2. Annual Governance Statement  
12.2.1. Consider the findings of the review by the members meeting as a whole Cllrs considered findings.  
12.2.2. Approve Governance Statement **It was RESOLVED** to approve the Governance Statement ticking 'yes' for all questions 1-8 and NA for question 9. The return was signed by the Clerk and the Chair and dated.
- 12.3. Annual Accounting Statements  
12.3.1. Consider the Accounts Statements by the members meeting as a whole Cllrs considered findings.  
12.3.2. Approve the Accounting Statements by resolution **It was RESOLVED** to approve the Accounting Statement.  
12.3.3. Ensure the accounting statements are signed and dated by the person presiding at the meeting. The return was signed by the Clerk and the Chair and dated.
- 12.4. 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 will commence on Monday 5<sup>th</sup> June – Friday 14<sup>th</sup> July 2023 as per the External Auditor's recommendation. The Clerk confirmed that notices would be posted at least one day in advance of the commencement date.
13. **2023/24 Insurance.** The Clerk had forwarded the insurance renewal documents to cllrs in advance of the meeting Following the April meeting of the Parish Council at which the pre-renewal questionnaire had been discussed, it was confirmed that the Clerk had requested that the Elancity Evolis Radar Sign - solar version, with posts be included in the insurance policy at a value of £3781.17. In response to the Clerk's query on cover for the Parish Council's laptop, the insurance company had confirmed that the insurance cover for business equipment is covered under the core policy covers for £5,000 which is why office contents appears as £0. **It was RESOLVED** that the insurance policy meets the Parish Council's requirements and therefore to accept the renewal quote from Hiscox Insurance Company Limited for the period from the 1st June 2023 to the 31st May 2024 for the annual premium (including IPT and all fees) of £634.93.

14. **Deed of Easement at Harberton Playing Field** Cllrs were informed that the Parish Council has received a completion statement and invoices following finalisation of the electrical easement at Harberton Playing Field.

Cllrs were reminded that an agreement had been made with the easement grantee that he would pay the legal fees. After asking and answering some questions, Cllr Williams left the meeting whilst the matter was under consideration by the Council. After discussion **it was RESOLVED** that the Parish Council pay the £330 Land Registry Fee. **It was RESOLVED** that the Parish Council pay this £330 fee directly to Bartons Solicitors, and that the easement grantee, as the beneficiary of the easement, pays the remaining balance directly to Bartons Solicitors.

## 15. Correspondence

- 15.1. Energy Advice Support for your Parish Cllrs were informed of free 'Community Energy Champion' training taking place in Totnes at the end of May, organised by Transition Town Totnes with support from Exeter Community Energy. The intention behind the training is to create a network of informed and knowledgeable people in the TQ9 area to help local communities to change their energy consumption and reduce their electricity waste and bills. The training is for 10 people, from the TQ9 area to learn to be able to learn about and then provide basic energy advice to their friends, neighbours and local community. It will run over two afternoons on the 24<sup>th</sup> and 30<sup>th</sup> May. Cllrs were provided with details on how to book.
- 15.2. Temporary Traffic Notice - Mill Cross to Tristford Farm, Harberton (TTRO2350247) Cllrs were informed that the road closure on 2<sup>nd</sup> May 2023 was due to urgent tree works on behalf of Devon County Council.
- 15.3. Moreleigh road - road closure Cllrs were informed of a small closure between 12<sup>th</sup> – 23<sup>rd</sup> May situated upon Moreleigh Road, close to 'Moreleigh cottage' (now Rockford House) and '3 Moreleigh road'. It has been confirmed by the engineers that the road closure will be in place for the full duration.

15.4. 202230420 Temporary Traffic Notice A381 Harberton TTRO2350362 For information Cllrs are informed of the road closure taking place between Gerston Cross to Langridge Cross between the hours of 19:00 – 07:00 from 7<sup>th</sup> June for a maximum of 5 days to enable resurfacing works. An alternative signed route will be in place.

## 16. Finance

### 16.1. Notice of income and expenditure since last meeting

16.1.1. 12/04/23 Payment 2304\_5 to HMRC for Employer Gross National Insurance Contributions (NICs) due in April = £14.11

16.1.2. 24/04/23 RECEIPT from South Hams District Council of £9556. This is the first of two precept payments for the year.

### 16.2. To consider payments as per the May payment schedule

16.2.1. Payment 2305\_1 to Cat Radford, payslip dated 22<sup>nd</sup> May 2023 includes Clerk May salary £483.60, Neighbourhood Plan May Salary at £55.80 and overtime payment 2 of 3 at £320.85 = £860.25 no VAT.

16.2.2. Payment 2305\_2 to Cat Radford, Clerk expenses claim dated 3rd May 2023 for mileage at £10.08 and broadband at £7.50 = £17.58 no VAT

16.2.3. Payment 2305\_3 to HMRC for Employer Gross National Insurance Contributions (NICs) due in May = £14.11 no VAT.

16.2.4. Payment 2305\_4 to April Skies Accounting Ltd reference INV-0054 for Final Audit 22-23 = £190 no VAT

16.2.5. Payment 2305\_5 to Bartons Solicitors to pay Land Registry Fee = £330.00 no VAT

16.2.6. Payment 2305\_6 to Devon Association of Local Councils for attendance of Jill Davies at the Introduction to Local Councils e-learning course = £16.00 plus £3.20 VAT, totalling £19.20

16.2.7. Payment 2305\_7 to Gallagher Insurance AJG Community Schemes Hiscox Insurance Company Limited Contract 8188245 for the period 01/06/23 - 31/05/24 = £634.93

17. **E-Circulars for information**, including 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.

## 18. Matters at the discretion of the Chairman

18.1. Caravans at Luscombe Cross Cllrs had noted a return of a caravan at the location recently vacated by an encampment. The D.Cllr confirmed that this had already been formally reported to SHDC.

18.2. Unwanted public access to fields above Riverdale The landowner had been in touch with the Chair to ask if there was anything the Parish Council could do to prevent members of the public from walking in the fields above Riverdale. It had been noted in the previous minutes that the tenant farmer had commented on the danger that dog fouling can cause to livestock.

18.3. Thanks to Parish Councillors Thanks were given to Councillors John Hockings, Prana Simon and George Waite for their time in office prior to recent local elections.

19. **Date and location of next ordinary meeting** 7:30pm on Tuesday 13<sup>th</sup> June 2023 at Harbertonford Village Hall. The Annual Meeting of the Parish Council will take place at 7:30pm on Tuesday 16<sup>th</sup> May 2023 at Harbertonford Village Hall.

Meeting closed at 21:11