

HARBERTON PARISH COUNCIL

Minutes of the ordinary meeting of Harberton Parish Council at 7.30pm on Tuesday 11th July 2023 at Harberton Parish Hall.

In attendance

Harbertonford Councillors

Cllr Beamish: Apologies
Cllr Bowley: Present
Cllr Davies: Present
Cllr Palmer: Present
Vacancy
Vacancy

Harberton Councillors

Cllr Camp: Present
Cllr Hambly: Present
Cllr Paine: Present
Cllr Morris: Present
Cllr Williams: Present
Vacancy

Others

D.Cllr McKay: Present
C.Cllr Hodgson: Present
Clerk Ms Radford: Present
Members of the Public: 1

Public Session

No members of the public in attendance wished to speak.

Agenda

1. **Apologies** were received as above. **It was RESOLVED** to sanction reasons for apologies given.
2. **Declaration of Interests**
 - 2.1. **Register of Interests** Cllrs were reminded of the need to update their register of interests if any have changed.
Declaration of interests The following interests were declared on items on the agenda:
Item 6.3 Cllr Paine is a neighbour to the property to which the planning application refers and did not participate in discussion or vote on a proposed motion.
Item 8.3 Cllr Camp's children attend sessions at the Cricket Club which would benefit from the grant under consideration. The cllr did not vote on the motion.
3. **Reports** for information from:
 - 3.1. **County Councillor** The C.Cllr circulated the report that afternoon for cllrs to read after the meeting
 - 3.1.1. **Strategic Networks Public Consultation** The C.Cllr raised the impact of new development in the wider local area on South Hams road network e.g. increases in traffic travelling from new developments in Torbay travelling to Plymouth via Totnes. The C.Cllr informed cllrs that there are only a few days remaining in which to comment. A link to consultation has been provided in the C.Cllr's monthly report. It was commented that the matter of pooling section 106 monies to reduce traffic and increase resilience had been discussed by the Totnes Town Council active travel meeting.
 - 3.1.2. **Holiday programmes for children** It was noted that the C.Cllrs report includes information on summer programmes and holiday programmes on offer particularly for children (age 5-16) on free school meals
 - 3.1.3. **20's plenty** Cllrs were informed that Devon County Council's cabinet is due to debate this topic the following day. It is understood that Parish Councils that are willing to pay the costs of achieving 20mph limits in their local area are being investigated.
 - 3.1.4. **Food treatment plant visit** Following a recent visit to the food treatment plant the C.Cllr is spreading the message that residents should not put food waste in bags, even compostable ones but use newspaper instead. Use of bags can clog machines and clearing machinery is expensive.
 - 3.1.5. **Next Totnes Climate Emergency Meeting** Cllrs were informed that there is talk of seeking funds to enable community composting.
 - 3.1.6. **Highways Dashboard** It was reported that the Dashboard provides access to Highways programme for gully cleaning programme pot hole repair.
 - 3.1.7. **Hedge cutting at Palmers Dam** A cllr raised a question with regard to who is responsible for trimming the hedge on the roadside at Palmer's Dam. It was understood that it was the Environment Agency's responsibility, however the C.Cllr agreed to raise this with Highways.
 - 3.2. **District Councillor (D.Cllr)**
 - 3.2.1. **Strategic Plan** Cllrs were informed that the District Council is in the process of putting together its strategic plan. The D.Cllr's interest is in sustainability and climate change and is seeking to draw together a group of people who have expertise to form a plan that can optimise the monies the council has and draw down additional funds. An expression of interest for funding is being drafted to The Species Survival Fund as part of this effort.
 - 3.2.2. **Free pre-application advice** The D.Cllr was asked if it was true that the District Council is no longer giving free pre-application advice to individuals. The D.Cllr commented that the pre-application process is still in place, whether they charge or not is unknown. A member of the public in attendance at the meeting was able to confirm that individuals do now have to pay. The D.Cllr commented that there is now a planning charter in place where if you make an application you can't vary it.
4. **Minutes**
 - 4.1. **It was RESOLVED** to approve the minutes of the Ordinary Meeting of the Parish Council 13th June 2023 without amendments.

4.2. The draft minutes of the Finance Committee of the Parish Council 4th July 2023 were reviewed. No members of the Finance committee wished to note any inaccuracies before the draft was published. The Finance Committee would consider approval of the minutes at the next meeting in October.

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 Ongoing.

5.2. Screw Lane Drainage It was reported that the owner of the orchard, land downstream of flooding issues at Screw Lane, is currently in the area. Cllrs will be ask for a meeting to discuss drainage from the road.

5.3. Parish Lengthsman Ongoing.

5.4. Bank signatory updates Following rejection of paperwork for the change of signatories, new forms requested by Barclays have been completed. The Clerk has prepared a cover letter which was signed by the Chair and all other signatories.

5.5. Harbertonford Playpark extension of lease It was reported that the Clerk and Cllr Morris had met with the registered valuer recommended by the Exeter Diocese at Harbertonford Park on 10th July 2023. The visit would enable a Charities Act valuation in order to prepare a 21 or 25 year lease, for potential freehold sale to the Parish Council. The report is expected shortly. It was noted that the Parish Council is not expected to hold a meeting in August and therefore the report will include recommendation on continuation of the current lease in the short term until a new agreement can be made.

5.6. Snow Warden registration and training Ongoing.

6. Planning

6.1. Consideration of planning applications

6.2. 0892/23/FUL READVERTISEMENT (amendment to application type) Application for garden room and home office (Resubmission 0163/22/FUL) at Tailrace Crowdy Mill Harbertonford **It was RESOLVED** to SUPPORT the application.

6.3. 1640/23/FUL Stable block, hardstanding & change of use of field for the grazing of horses (resubmission of 2243/22/FUL) at Land At Sx 784 583 Harberton **It was RESOLVED** to SUPPORT THE APPLICATION IN PRINCIPLE however the following issues would need be addressed: On the grounds that this site is located on entrance to the village and within the grounds of a listed building a condition should be in place that fences should be permanent instead of made of white tape and that there should be additional screening in place to screen the stable block from the road and from the listed building. There were concerns about visibility from the entrance/exit of the site, and the potential for increased vehicle movements using an entrance/exit with poor visibility.

6.4. 1812/23/VAR Application for removal of condition 14 (protected species) of Planning Consent 4187/22/VAR at Moore Farm, Harberton **It was RESOLVED** that the Parish Council defer to the District Council's ecology expert as the authority on the subject.

6.5. 2088/23/HHO Householder application for proposed ground-mounted photo-voltaic panel array at Maryland House, Harbertonford **It was RESOLVED** to SUPPORT the application.

6.6. Receive a report on planning or appeal decisions Cllrs were informed of the following decisions made by the planning authority:

6.6.1. 1927/23/COM Notification for installation under telecommunications code system operators of one x 10.5mtr wooden poles (9 mtrs above ground) at Blacksmiths Cottage, Harberton (Airband) **OBJECTION RECOMMEND REFUSAL** on grounds of this being a listed building, another application had been made at this site and refused on the grounds of 'unnecessary urban clutter'.

6.6.2. 1844/23/COM Notice of Intent to Install Electronic Communication Apparatus Comprising One Pole at 10.5 metres high (9 mtrs above ground) at Blue Post Cottage, Harberton **PERMITTED DEVELOPMENT**

6.6.3. 1843/23/COM Notice of Intent to Install Electronic Communication Apparatus Comprising Two Poles at 10.5 metres high (9 mtrs above ground) at Hazard Farm, Harberton **PERMITTED DEVELOPMENT**

6.6.4. 1842/23/COM Notice of Intent to Install Electronic Communication Apparatus Comprising One Pole at 10.5 metres high (9 mtrs above ground) at Sandwell Lodge, Harberton **OBJECTION RECOMMEND REFUSAL** sensitive nature of the grade II* listed site. Insufficient information has been provided to explain why a new pole is required in addition to the existing pole and why an additional pole cannot be located further back from the road. As such the local planning authority would object to the proposal as the visual impact of the development on the listed structure and its setting has not been reduced as far as practicable, as required by the conditions of Schedule 2, Part 16, class A of the GPDO 2015 (as amended).

6.6.5. 1833/23/NMM Non-material minor amendment to planning consent 4187/22/VAR (Application for removal of condition 17 (biodiversity) of planning consent 0626/18/FUL) for minor amendments to the design at Moore Farm, Harberton **CONDITIONAL APPROVAL**

6.6.6. 1300/23/HHO and 1301/23/LBC Householder application and Listed Building Consent for proposed replacement single storey garden room, new window & french doors at Dundridge Grange, Harberton **CONDITIONAL APPROVAL**

- 6.7. Receive a report on enforcement cases (for information only) There was no enforcement caseload report for circulation. Cllrs asked questions about potential works at Rolster Bridge and it was reported that the Tree Warden has requested two Tree Protection Orders (TPOs) in the same area.

7. Monthly reports

- 7.1. Finance Committee update Cllrs were informed that a meeting of the finance committee was held on Tuesday 4th July 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 £64158.48 including reserves. The Committee reviewed the 2023/24 end of quarter 1 budget report. The Clerk's overtime and holiday claims were reviewed. **It was RESOLVED** to accept the Finance Committee's recommendation that the to approve the Clerk's request to carry 20 hours of Time Off in Lieu into the next quarter and the overtime request for 31 hours for the quarter, totalling £432.45 and paid in three instalments of £144.15 in July, August, September.
- 7.2. Community Land Trust (CLT) update It was reported that the CLT has made contact with three housing associations to enquire if they have an interest in forming a partnership. Only one, Aster Group, has responded with interest. This is the same housing association that has built a partnership with Transition Homes. A meeting date is being sought for August. A partnership would help fund the build. The CLT would retain the freehold and the housing association would have a leasehold. The CLT now comprises only 4 couples seeking to build. The remaining homes would be rented out by Aster Homes. The D.Cllr commented that the new administration at SHDC is seeking to establish an arm's length company to build new social housing. The idea to set up an umbrella CLT for the whole of the District and then within that to have smaller projects is being discussed. Harberton CLT may be able to benefit from this. It was noted that the concept of an umbrella CLT had been established in Cornwall and also in East Devon. The umbrella CLT provides guarantees or loan funding to smaller projects. It was commented that a challenge with the Harberton development is in the value of the loan and whether social rents will cover the interest on that loan, particularly with rises in material costs and interest rates. It was commented that if there is something that the District Council could do this would be welcome. The D.Cllr was invited to attend the next meeting of the CLT in early September, as was Cllr Morris, who had offered support to the CLT at the previous meeting.
- 7.3. Sustainable Harbourne Valley update It was reported that the next meeting of the Trustees will be on 20th July. There is opportunity to rent a site down Bow Road which is being explored.
- 7.4. Neighbourhood Plan update Meeting was held the previous evening, 10th June. The Steering Group had undertaken a review of the draft Design Code as produced by AECOM consultants and had agreed a set of comments and questions in reply. There was discussion on ongoing working practices of the committee and a framework that outlines rationale to redraft sections of the plan will be discussed at the next meeting. The draft Site Options Assessment as produced by AECOM had been received and reviewed by the Steering Group which prompted a series of questions and comments to pose in reply. It was reported that once the final draft is received it will first be circulated to landowners with sites that appear in the Site Options Assessment as a matter of courtesy before it goes on public display. The Steering Group is seeking to undertake three public consultations in the autumn, one relating to the findings of the Site Options Assessment, one with farmers and landowners and one to discuss community energy initiatives.
- 7.5. Harberton Playing Field Association (HPFA) It was reported that the monthly inspection reports have all been forwarded to the HPFA secretary. Issues with the swings are being fixed by a contractor and it is hoped that the work day planned for the 15th July will enable the committee to look at the rubber mat issues.
- 7.6. Harbertonford Play Park Improvements Committee No report
- 7.7. Clerk's update
- 7.7.1. Parking at Harbertonford School Cllrs were informed that the school has raised the prospect of making an annual charge for parking in order to raise funds for maintenance of the car park. It was noted that there may be very limited choice in the matter unless funds could be forthcoming in other ways.
- 7.7.2. Annual Governance and Accountability Return (AGAR) Cllrs were informed that the external auditor has been received and logged the Parish Council's return, which is now in the queue for processing.
- 7.7.3. Interconnection point for solar energy projects The Clerk and members of the Neighbourhood Planning Steering Group had received a map showing the location of an interconnection point close to St Clements Terrace, Harberton.
8. **Community Benefit Fund Grants** Consider Finance Committee recommendations on the awarding of grants:
- 8.1. Harbertonford Village Hall An application was made for £1000 towards a project cost of £1792 to support the purchase of 20 x GoPack padded chairs to enhance the bar area of the hall. There was a discussion in which committee members reviewed a number of chair suppliers and compared costs with those that the fund would support. **It was RESOLVED** to accept the Finance Committee's recommendation to write to the applicant to advise them that the Community Benefit Fund is a finite fund and is now diminishing. The Finance Committee agrees that the principle of purchasing the chairs is good, however it recommends that a grant be paid on the condition that the applicant first provides three quotes. It was suggested that the Community Benefit fund would pay for 75% of the full cost of the chairs, up to a value of £1000, if the cost can be brought down by finding an alternative supplier. The Clerk will provide details of suppliers found by

the Finance Committee providing a similar product at a lower cost. The Grant would be awarded on the receipt of three quotes and paid on receipt of paid invoice.

- 8.2. Harberton Church Community Fund An application was made for £1000 to purchase tree stands, lights and planks to support the Christmas Tree Festival. The Finance Committee had noted that a grant had been made in 2018 to support the costs of 40 strings of LED lights. **It was RESOLVED** to accept the Finance Committee's recommendation that a grant of £750 be awarded, offering feedback to refer to diminishing funds and refer to the grant already made in 2018 for LED lights. It was agreed that the grant would be paid on receipt of grant acceptance letter.
 - 8.3. Harberton Cricket Club An application was made for £850 to support the purchase of cricket equipment that would the club to further develop children's cricket skills. Cllr Camp declared an interest as his children attend the cricket club and did not vote on the motion. **It was RESOLVED** to accept the Finance Committee's recommendation that a grant of £850 be paid on receipt of grant acceptance letter.
 - 8.4. **It was RESOLVED** to accept the Finance Committee's recommendation to make a small amendment to the Community Benefit Guidelines, informing applicants that the Fund is finite and now diminishing, that applicants should make sure that they've researched the subject of their application thoroughly and have sourced suppliers quotes that offer value for money.
9. **Alternative siting of the Vehicle Activated Sign on the A381 in Harbertonford**
At the ordinary meeting held in May the Parish Council had been asked for its view on the speed sign being moved to the opposite side of the road, following issue with ownership of the land on which the sign has been installed. **It was RESOLVED** that the Parish Council gave permission for the volunteers that installed the sign to move it from its current site.
10. **Proposed alternative layout for Harbertonford zebra crossing** consideration of proposals taking into account public opinion, discussion at the previous meeting and written responses to queries from engineers.

Cllrs were informed that engineers acting on behalf of Devon County Highways required a decision either way by the Parish Council. It is on the outcome of this decision that Highways would or would not implement the offered proposal crossing.

Cllrs were informed that there had been further discussion between the C.Cllr, D.Cllr, Clerk and engineers to query the proposed width of the pavement outside the old pub on the plans, suggesting that taking measurements of the road and width of the pavement on the other side into account there is no logical reason for not providing a 1.2m pavement, and without any significant cost implications. It would make a huge difference and would also serve to slow traffic and would not cause any further congestion than the restrictions that already exist.

In response, the engineer commented that separately to the outcome of the crossing proposal, engineers can still review the potential of footway widening between the existing crossing and Old Road and what could be achieved and inform Devon County Council of this, with the caveat that there is still uncertainty of how much more can be achieved here and how it could be funded.

Parish Councillors had received a detailed summary of the results of public consultation of which 29 respondents were in strong support and 11 in support of the new road layout drawn up by engineers, one was neutral, two opposed and four strongly opposed the plans, although two of those who had indicated that they strongly opposed plans made positive comments in support elsewhere within their survey responses. Two further emails giving support had been received before consultation closed and their comments had been included in the summary, and two letters had been received that afternoon that raised concerns and were in opposition. Those two letters were read out in full to the Parish Council.

In advance of the meeting the engineer had provided a response to all the questions, issues and concerns raised which had been circulated to cllrs with meeting papers.

Parish Councillors discussed matters raised and the opinion of public, and the responses of the engineers to questions and concerns. After this discussion **it was RESOLVED** that the Parish Council ask that Devon County Highways proceed with moving the zebra crossing to the new location as drawn up by engineers.

The Parish Council will strongly reiterate the following two concerns:

- Concerns about parking on the junction at Woodland Road. Highways needs to address the control of parking on the new junction by providing double yellow lines on that junction.
- The Parish Council feels an imperative need for the pavement to be widened for safety reasons.

11. Annual Tree Survey Receipt and review of annual tree condition assessment

Cllrs were informed that Dart Forest Tree Works visited Harberton Playing Field and Harbertonford Play Park on 15th June 2023 to carry out a tree safety inspection of the significant trees growing within the boundaries of the playing field and playpark. The purpose of the inspection was to assess the structural integrity of the trees on site and the level of risk the trees might pose to persons and property and offer appropriate recommendations, if any for management of the trees.

It was noted from the report that since the previous survey the ash trees at the playing fields are showing no signs of being in a worse condition than when viewed in 2022 and appeared to have improved for some. Dart Forest Tree works had noted that the ash tree close to the main entrance to the car park in Harberton been felled, although the arboriculturalist did not believe that this tree was a risk and had all the signs of recovery and good vitality lower in the crown of the tree.

The report made the following observations and recommendations

1. Mixed broadleaf tree no. C1 at Harberton Playing Fields
Recommendations:
 - Monitor Ash trees annually during summer months for Ash Dieback Disease.
 - Monitor included union on oak tree.Work priority: Low – Works to be carried out within 12 months
2. Mixed broadleaf tree no. C2 at Harberton Playing Fields
Recommendations:
 - Fell 3 x dead elms and fallen blackthorn stem along woodland footpath.Work priority: Low – Works to be carried out within 12 months
3. Mixed broadleaf tree no. C2 at Harbertonford Playpark
Recommendations:
 - Fell small dead alder tree next to entrance.Work priority: Low – Works to be carried out within 12 months

It was RESOLVED that the Parish Council obtain quotes to carry out the work as recommended.

12. Correspondence*

- 12.1. Harbertonford Bottle Bank *For consideration* Cllrs are informed that South Hams District Council has attempted to deliver a replacement small glass bank to the car park in Harbertonford on a few occasions but there has not been the space to deliver it. The Parish Council is asked if the bank is still required at this location could a space be coned off to allow for a delivery to be arranged? The Parish Council is asked to inform SHDC if an alternative site is preferred, or the glass bank is no longer needed. **It was RESOLVED** that the bank was still needed and that the car park on the bridge remains the preferred location. It was agreed that the Parish Council work with the District Council to coordinate on a date for delivery. If two weeks' notice is provided **ACTION: Cllr Bowley** will inform residents who regularly use the car park and request that space is provided to allow delivery of a replacement glass bank.
- 12.2. Devon County Council (Various Streets, Devon) (Disabled Parking & Control of Waiting) (No.34) Amendment Order *For consideration* Cllrs are informed that proposals under the amendment order have been published. This includes extension of Disabled Badge Holders Only At Any Time on a specified length of Bow Road. Any comments or objections to proposals should be made through the form available on the Devon County Council's 'All Traffic Schemes' page: <https://www.devon.gov.uk/roadsandtransport/parking/traffic-regulation-orders/advertised-tros/> No comments were made.
- 12.3. Town and Parish Forum with South Hams District Council *For consideration* Cllrs were informed that SHDC wishes to set ambitious and challenging policies to address the issues facing communities and wants to include representatives from Town and Parish Councils to join a forum to discuss how everyone can work together to achieve collective ambitions. Cllrs Williams, Bowley and Hambly expressed interest in attending an online forum held on 26th July. The Clerk will forward the meeting link.
- 12.4. Travellers at Peak Cross *For information* Cllrs are informed of a new encampment on private land at Peak Cross. Reports have been made that fencing has been broken to make access, overgrown vegetation has been cleared and a caravan, motorbike and tent are occupying the land. Cllrs have received reports of occupants burning property and burning plastic on the land, and there being dogs causing a nuisance. The landowner, District Council and Police are aware. It was noted that the occupants are the same people that had established an encampment at Luscombe Cross and the number of complaints with regard to anti-social behaviour had triggered a formal process. Residents of the encampment had been provided with alternative accommodation outside of the Parish. It was commented that should any members of the public have concerns with regard to anti-social behaviour, they should be forwarded to the clerk to build up a dossier of interactions with the community. The D.Cllr commented that the issue of the Local Authority providing a suitable plot for Gypsy, Roma and Travellers in the South Hams was an ongoing issue that has not yet been resolved.
- 12.5. #28 2023 DALC E-bulletin *For information* Cllrs were informed that this e-bulletin includes news that the Local Government Association has found that there is still overwhelming support for councils to have powers

allowing them to hold hybrid and virtual meetings if they want to. DALC is therefore continuing to lobby for councils to have powers which would allow them to choose whether to meet in-person, virtually or with a hybrid meeting so councils could decide themselves what meeting would work best.

13. Finance

13.1. Notice of income and expenditure since last meeting None

13.2. To consider payments as per the July payment schedule **It was RESOLVED** to make the following payments

- 13.2.1. Payment 2307_1 to Cat Radford, payslip dated 22nd July 2023 includes Clerk July salary £483.60, Neighbourhood Plan July Salary at £55.80 and overtime payment 1 of 3 at £144.15 = £683.55 no VAT.
- 13.2.2. Payment 2307_2 to Cat Radford, Clerk expenses claim dated 6th July 2023 for mileage at £12.78 and broadband at £7.50 = £20.28 no VAT
- 13.2.3. Payment 2307_3 to Dart Forest Tree Works for invoice C446, Annual Harberton Playing Fields and Harbertonford Play Park Tree Condition Assessment at £495 plus £99 VAT = £594
- 13.2.4. Payment 2307_4 to The Harbertonford Community Limited for the Community Fund Grant as approved on 11th April 2023 = £1000 no VAT
- 13.2.5. Payment 2307_5 to Jem Friar, member of the Harberton Parish Neighbourhood Plan Steering Group, for reimbursement for printing materials for Community Conversation = £4.50 no VAT
- 13.2.6. Payment 2307_6 Harberton Parish Hall Meeting hire on Tuesday 11th July 2023 19.15 – 21.30 2.25hrs @ £6.00 per hour = £13.50

As there would be no meeting in August, **it was RESOLVED** to approve the following payments between meetings:

- 13.2.7. Payment 2307_7 to Robert Williams BSc. MRICS for inspection of Harbertonford Play Park to prepare a Charities Act valuation at £650 plus VAT
- 13.2.8. Payment 2307_8 to Exeter Diocesan Board of Finance for Harbertonford Playground lease payment for the year commencing 23rd August 2023 (in lieu of a new tenancy agreement being in place) = £60 no VAT
- 13.2.9. Payment 2307_9 to Cat Radford, payslip dated 22nd August 2023 includes Clerk August salary £483.60, Neighbourhood Plan August Salary at £55.80 and overtime payment 2 of 3 at £144.15 = £683.55 no VAT.

In addition it was agreed to make the payment to Harberton Cricket Club on receipt of grant acceptance.

14. **E-Circulars for information** Cllrs were informed that regular 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, Green Lanes Environmental Action Movement (GLEAM), Harberton Village Email, Healthwatch Devon, Information Commissioners Office, One Devon NHS Integrated Care Board, Parish Online, Rural Services Network, SLCC Membership.

15. **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.

- 15.1. Hedge management Cllrs wished to remind members of the public that hedge trimming should only be undertaken at the correct time of year and only on the Highway where it is deemed necessary for safety reasons. It was noted that several local landowners are following hedge management schemes in which hedges are purposefully being left untrimmed, yet hedges have been cut by others without permission.
- 15.2. Overgrown hedges at Palmers Dam It was noted that a member of the public had requested the matter be raised. It was noted for the minutes that the query had been raised with the C.Cllr under item 3.1.

16. **Date and location of next ordinary meeting** 12th September 2023 at Harberton Parish Hall. A planning meeting may be held on 15th August if needed.