

HARBERTON PARISH COUNCIL

Minutes for the ordinary meeting of Harberton Parish Council
at 7.30pm on Tuesday 13th May 2025 at Harberton Parish Hall

In attendance

Harbertonford Councillors

Cllr Beamish: Present
Cllr Bowley: Apologies
Cllr Davies: Present
Cllr H Palmer: Apologies
Cllr J Palmer: Present
Cllr Stirrup: Co-opted item 6

Harberton Councillors

Cllr Butterworth: Present
Cllr Camp: Present
Cllr Hambly: Present
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: 10

Public Session

- i) Members of the Public (MoP) addressed the meeting to comment that they were surprised at the decision the Parish Council made at the last meeting to support the Outline Planning Application at Ford Farm ([0828/25/OPA](#)). There were comments made that since the Parish Council had discussed the matter, 52 letters of objection have been raised on the planning portal. One MoP commented that he had sought views from residents and the majority he has spoken to have had concerns.
- ii) Further comments and concerns were raised about connections to sewage, density of development, affordable housing, changes that were made to the Site Options Assessment as produced as part of the Neighbourhood Plan by AECOM consultants.
- iii) Queries were raised as to the process in which the Parish Council gives a response to the Planning Authority, querying if the Parish Council could have delayed consideration, particularly in the context that the Neighbourhood Plan was still in process and this application pre-empts decisions for housing allocation. It was commented that as a Statutory Consultee there is a time limit in which the Parish Council has to comment. Finalisation of the Neighbourhood Plan is still some months away and the Parish Council could not delay comment to this extent.
- iv) Queries were raised and comments made on the as to whether the Parish Council is able to change its recommendation. References to the '6 month rule' on reversing a decision were made.
- v) The C.Cllr commented that if the application goes to the Development Management committee, then members of the public have the opportunity to address that committee to put views across.
- vi) It was commented by Councillors (cllrs) and the Chair that this application is an Outline Planning Application, with all matters reserved except access. If successful, a further detailed application will come forward for consideration and must be approved before any development can commence.
- vii) The Landowner of Winsland House had noted that the site at Winsland House was on the agenda, and in attendance to observe. They provided a short precis of the history of the site – as they had also done at previous meetings.
- viii) Following an observation made by a MoP that some residents are frightened to speak at Parish Council meetings, the Chair noted this and commented that comments from the public can also be intimidating to cllrs, reminding all present to keep civility and kindness for everyone.

Agenda

1. Apologies were received.

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 had changed.
- 2.2. Declaration of interests No interests were declared on items on the agenda.

3. Reports for information from:

- 3.1. County Councillor (C.Cllr) The C.Cllr had circulated a written report to cllrs ahead of the meeting by email. The following matters were highlighted:
 - 3.1.1. Changes on the County Council Following Local Elections, Devon County Council (DCC) is not under any single party control. Whilst the Liberal democrats won most seats, they were four short of the 31 required. A leader will be elected soon. The C.Cllr hopes that DCC will now carry out a comparative review of cost of services, with potential to take the opportunity to bring services back in house. They will advocate for the introduction of 20's plenty as a policy, the reintroduction of access to Youth Services and wider access to public transport.
 - 3.1.2. Community Composting A networking event is taking place on 19th July.
- 3.2. District Councillor
 - 3.2.1. Impact of Local Elections It was commented that the current leader of South Hams District Council (SHDC) is likely to step down following his election to the County Council and his nomination as leader of DCC. The D.Cllr commented that the change in administration at DCC will likely make it easier for District Councils to work with the County Council.

3.2.2. Community Transport The D.Cllr is pursuing a local community transport scheme.

RESOLVED: That the information be noted.

4. Minutes Consider approval of the following minutes:

4.1. Minutes of the Ordinary Meeting of the Parish Council 8th April 2025*

RESOLUTION: To sign the minutes at 4.1 as a correct record with or without amendments.

5. Report Matters Arising from the Minutes *Not otherwise on the agenda and for information only*

5.1. Snow Warden registration and training (Cllrs Bowley and Hambly) Ongoing

5.2. Parish Lengthsman (Clerk) Ongoing

5.3. Emergency Directory (Cllr Paine/Clerk) Ongoing

5.4. New Parish Council bank account (Clerk) Ongoing; the application will be updated with the change of Chair.

5.5. Brockhills Cross Footway (Cllr Morris) It was reported that having spoken to the adjacent landowner, and alternative route for a footway/footpath is not an option. The Parish Council will therefore need to look to find solutions on the verge.

5.6. Community Composting Scheme (Cllr Butterworth) No update.

5.7. Matters arising from the Annual Parish Meeting (Clerk) It was reported that there had been support for the Parish Council's investigation of establishing a footway at Brockhills Cross at the Annual Meeting. There was little/no comment on the Community Composting scheme, on the Emergency Shed or support for parks.

5.8. Harberton bus shelter repair Cllr Camp reported that on attending the bus stop to repair the broken slat, someone had already fixed it. Thanks were given to whoever had done this.

RESOLUTION: That the information be noted.

6. Co-option of Parish Councillors A candidate attended the meeting to express interest in co-option. The candidate had read and signed a declaration of eligibility for the role to formally nominate themselves.

RESOLUTION: to coopt Jonathan Stirrup as councillor to the Harbertonford Ward.

Cllr Stirrup signed the Declaration of Acceptance of Office form before the Clerk.

7. Planning

7.1. Consideration of planning applications

7.1.1. 1131/25/FUL Erection of roofing over existing Silage Store at Hatchlands Farm, Harberton

RESOLVED: to SUPPORT the planning application

7.1.2. 1214/25/FUL Erection of Roofing over Existing Silage Store at Hatchlands Farm, Harberton

RESOLVED: to SUPPORT the planning application

7.1.3. 0616/25/FUL Erection of Roofing over Existing Silage Store at Hatchlands Farm, Harberton

RESOLVED: to SUPPORT the planning application

7.1.4. 1139/25/FUL Roofing over livestock feeding & handling areas (partially retrospective) at Foales Leigh Farm, Harberton

RESOLVED: to SUPPORT the planning application

7.1.5. 1300/25/TCA T1: Lawson Cypress – fell, due to excessive shading. T2: Cotoneaster – crown reduce to by 2m, due to light suppression room T1, T2 has grown out of form. Harberton House, The Square, Harberton

RESOLVED: to SUPPORT the planning application

Cllrs wished to comment that works should only commence at a suitable time so as not to disturb nesting birds.

7.2. Receive a report on planning or appeal decisions A verbal report was given to cllrs for information.

7.3. Receive a report on enforcement cases (for information only) A hard copy of outstanding enforcement caseload was circulated amongst councillors for information.

8. Monthly reports

8.1. Finance Committee update No update

- 8.2. Sustainable Harbourne Valley No update – it was noted that the AGM took place this month.
- 8.3. Neighbourhood Plan update It was reported that members of the Steering Group have met with an officer at South Hams District Council. One of the committee members will be standing down at the next meeting.
- 8.4. Harberton Playing Field update Money from the Locality Fund will support the purchase of an electric leaf blower. The new grass cutting contractor has done three cuts and the HPFA is very happy with the work. The HPFA has teamed up with the Parish Hall on a fundraising event on the 14th June.
- 8.5. Harbertonford Play Area update It was reported that there continues to be difficulty and disappointment that it has not been possible to get 4 people to form a committee, and those who volunteer are muddling along. SHV is pleased that the path is being mowed to the fruit corner, and local children have been using this as an unofficial pump track.
- 8.6. Harberton ARK update Been a lot of action on the WhatsApp group.
- 8.7. Clerk's update It was reported that the air ambulance signs have not been ordered as Harbertonford FC are not convinced of the value and wording is not approved. It was agreed to go ahead with purchase of just one sign for Harberton. Defibrillator actions are still in process.

RESOLVED: That the information be noted.

9. Winsland House site allocation in the Harberton Parish Neighbourhood Plan: *The Parish Council is asked to instruct the Neighbourhood Plan Steering Group on whether or not to allocate the Winsland House site in the Neighbourhood Plan*

Cllrs had received a briefing paper from the Harberton Parish Neighbourhood Plan Steering Group (HNPSG), noting that the HNPSG will provide a completed draft of the whole Plan in due course, including allocation of sites for housing. However, the Winsland House site has attracted significant public debate, and the HNPSG believes that it needs to be brought to the Parish Council's attention separately. Controversy on this site has been a demand on HNPSG's time and workload, and a decision on allocation needs to be clearly made by the Parish Council now in order to help move the Neighbourhood Plan to completion.

The briefing paper therefore detailing what factors contribute to the decision to allocate a site, background to the Winsland House site including the site location, history of inclusion in earlier drafts of the Neighbourhood Plan, the 2022 call for sites and 2023 site assessment process, the 2024 housing consultation, and the second site assessment report progressed in 2025. The briefing also refers to whether the Winsland House site is allocatable, if allocation would further the Neighbourhood Plan's objectives and comment on if there is public support for allocation. Annexes were also provided that gave extracts from the 2025 AECOM Site Options Report (Draft) and comments made by officers at South Hams District Council.

The HNPSG provided the Parish Council with three options, with their advantages and disadvantages. In addition to the self-explanatory options of allocating and not allocating the site, a third, 'middle way', option was listed. The key problem with allocating the site is that it would be likely to cause the Neighbourhood Plan to fail independent examination. This would mean it could not be adopted, at least not without an amendment process that would cause further work and delay. The 'middle way' option is to not allocate the site, but to state in the Plan that development of the site would be supported in principle, if a planning application were submitted, subject to appropriate conditions (which would be outlined). This would allow the parish to gain any benefits of development of the site, but without jeopardising the Plan at independent examination. It would also represent a response to public opinion that has been expressed in favour of the site.

Following extensive discussion, HNPSG recommends option 3, the 'middle way' option.

RESOLVED:

- i) To support HNPSG's recommendation on Option 3: *"Do not allocate the site, but state in the Neighbourhood Plan that development of the site would be supported in principle, subject to suitable conditions"*.
- ii) Comments were made that wording should be considered carefully so that there is no risk that the plan could fail examination due to it not conforming with the Local Plan.

10. Recognised reports *Consideration of process of recognising reports, particularly local report on flooding in Harberton, 2023*

The member of the public that had drafted the report about the 2023 flooding event in Harberton had asked the Clerk to speak on his behalf. It was commented that the three reports drafted were specific to Harberton, capturing the facts at the time to be used in a broader plan. They were never intended to be long standing reference documents. The salient parts of the three reports should be reproduced into whatever form required by the Neighbourhood Plan, or any other body of knowledge, rather than exist as a separate entity.

It was commented that rather than critique what has been done and debate its legitimacy focus is put on the work necessary to include issues relevant to Harbertonford in the Neighbourhood Plan, without which the chapter is incomplete.

It was noted that at the request of the MoP, flood reports have been deleted from the Parish Council website. The MoP has requested that these and any other Intellectual Property submitted to the Parish council to date is deleted and forgotten and no further reference to the work is made by the current Parish Council.

The above was noted.

RESOLVED:

- i) That the information be noted.
- ii) The Parish Council is aware that reports that are prepared may need to be peer reviewed before they are used.

11. Document review required as part of annual audit

11.1. Review of Statement of Internal Control* was reviewed.

RESOLVED: To make no amendments to the Statement of Internal Control

11.2. Review of Parish Council Risk Assessment* was reviewed. The Clerk proposed including an additional line referring to the risk of the Parish Council failing to comply with the Worker Protection (Amendment of Equality Act 2010) Act 2023, introducing a positive obligation on employers to take reasonable steps to prevent sexual harassment where the unwanted conduct is of a sexual nature.

RESOLVED: To amend the Parish Council Risk assessment to include reference to the Worker Protection (Amendment of Equality Act 2010) Act 2023.

11.3. Receipt of Grants and Proof of Need Summary 2024/25 The Clerk had prepared a Grants Given and Grants Received document for the 2024/25 financial year, showing that the Parish Council had awarded grants totalling £7898.40 and received project grants totalling £3232.33.

RESOLVED: To note the 2024/25 Grants Given and Grants Received document and to approve publication on the Parish Council's website.

11.4. Confirmation of bank signatory arrangements It was noted that paperwork on signatories for both accounts were not yet complete. Signatories on this new account would include Cllrs Beamish, Camp, Paine, Williams and the Clerk. Current signatories on the Lloyds account include Cllrs Beamish, Camp, Williams and the Clerk, with the addition of Cllr Paine when paperwork complete. Cllr Stirrup also volunteered to be a signatory. It was confirmed that a complex mandate was in place for both bank accounts, with two signatories being required to authorise payments before they could be made.

11.5. Approval of Standing Orders and Direct Debits Cllrs were reminded of the standing orders and direct debits currently in place.

RESOLVED: To continue to pay the Clerk's salary by Standing Order and to pay the annual fee to the Information Commissioner's Office by Direct Debit

11.6. Review of protocol on recordings of meetings The protocol was reviewed.

RESOLVED: To make no amendments to the protocol on recordings of meetings.

12. 2024/25 Annual Governance and Accountability Return (AGAR)

12.1. Receive Internal Auditor's report and note observations It was reported that the final internal audit was carried out remotely and the Internal Auditors report had been received, dated 30th April 2025. The report had been circulated to all cllrs with papers for the meeting. It was noted that contrary to the report's statement that Payroll is outsourced, this is completed by the Clerk. It was noted that the internal auditor had signed the internal audit section of the Annual Governance and Accountability Return (AGAR) on 1st May 2025. Cllrs noted the following recommendations made in the internal auditors report:

Recommendation: When next reviewing Standing Orders, to update SO.18.c to reflect Financial Regulation 5.7 regarding the tender threshold.

Parish Council response: Standing Orders had been reviewed and updated at the Annual Meeting of the Parish Council, taking the recommendation into account.

Recommendation: To sequentially number the minutes. It is a requirement that minutes kept in a loose-leaf format should be sequentially numbered either by page (eg 1-100+) or by minute item.

Parish Council response: It was noted that the Clerk usually numbers the pages of loose leaf minutes at the end of the Financial Year. This will be actioned.

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.

12.4. Ensure the accounting statements are signed and dated by the person presiding at the meeting It was noted that the return had been signed by the Clerk prior to presentation to the Council. The statements were signed by the Chair and dated.

12.5. Consider Notice of Date of Commencement of Period for the Exercise of Public Rights **It was RESOLVED** that the period for the Exercise of Public Rights would commence on Tuesday 3rd June – Friday 12th July 2025 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 and be published together with sections 1 and 2 of the AGAR.

13. **Correspondence**

13.1. E-Circulars for information

13.2. Items of correspondence for information

13.2.1. 20250507 DALC #20 2025 E-bulletin Cllrs are informed that this e-bulletin includes a blog from the Chair of Devon Association of Local Councils commenting on the 70+ pen portraits received from members, forming the basis of a draft Position Statement that DALC is preparing for all Local Government Reorganisation (LGR) stakeholders. It summarises what councils do for their communities and some of their aspirations for the future with LGR. The draft statement has been shared with cllrs for interest.

RESOLVED: That the information be noted

13.3. Items of correspondence for consideration

13.4. 20250418 Harbertonford Bus Shelter Cllrs are informed that the ex-Parish Councillor who, with her partner, have voluntarily looked after the Harbertonford bus shelter for many years no longer feel that they can carry on and would like to hand the responsibility back to the Council. During the time that they looked after the bus shelter it was decorated four times, but hasn't had a refresh in four years and is again in need of some TLC. A roof slate has come off (held down at the car park side of the building), a roofing support post is missing and the rear gutter is again detached from the down pipe. Several other areas could do with attention as well, and it does now need redecorating. The correspondent also has been asked to contact the Parish Council about a second matter: the large overgrowth of ivy on the west bridge wall, which is occluding vision from the Kingsbridge direction for drivers exiting Woodland Road. The overhang is also forcing pedestrians on the pavement to use the outer strip along the roadside, which is hazardous with the amount of large vehicles negotiating the narrow bridge.

13.5. 20250428 DALC Spring 2025 Training & Events Cllrs are informed that this news bulletin focuses on training opportunities available through the Devon Association of Local Councils. A new cycle of the 'Being a Good Councillor' courses started again on 6th May, should any councillors wish to book a place. A 'Councillor Development Framework' has been launched, to help cllrs find the right course for them depending on their experience, the committees they sit on the and roles they play in the council. A link can be provided should cllrs be interest in looking at this. 'In House' training is also being offered to councils, to support a range of topics, from helping Councils to develop their vision and values, to understanding conflict, understanding personality types, developing communication skills etc.

RESOLVED:

- i) The Clerk to write a letter of thanks to the volunteers for their years of thanks for looking after the bus shelter.
- ii) Cllr Beamish to look at the guttering
- iii) To place a piece in Harbertonford Village Life, asking is anyone interested in taking on the role to look after the bus shelter.
- iv) Circulate training dates to Cllrs Butterworth, Stirrup and Morris for their consideration.

14. **Finance**

14.1. Notice of income and expenditure since last meeting.

14.1.1. 22/04/25, £1050.12 income from HMRC, in respect of the 2024/25 VAT Claim

14.1.2. 29/04/25, £ 13398.50 income from South Hams District Council for first precept payment.

14.1.3. Payment 2504_6 to Harberton Playing Field Association for Parish Grant as approved at the April Meeting = £1000 no VAT

14.1.4. Payment 2504_7 to Lloyds Bank for banking service charge = £4.24 no VAT

14.2. To consider payments as per the May payment schedule

- 14.2.1. Payment 2505_1 to Cat Radford, payslip dated 22nd May 2025 includes Clerk May salary £540.11, Neighbourhood Plan May Salary at £62.32, overtime payment 2 of 3 at £292.90 = £895.33 no VAT
- 14.2.2. Payment 2505_2 to Cat Radford, Clerk May expenses claim for mileage at £10.89, reimbursement for purchase of refreshments for the Annual Parish Meeting at £27.02 and broadband for May at £7.50 = £45.01 no VAT
- 14.2.3. Payment 2505_3 to HMRC Shipley for NI Payment incurred on May Salary ESTIMATED = £71.75 no VAT
- 14.2.4. Payment 2505_4 to Harberton Parish Hall for hall hire of the meeting of 13th May 19.00 – 21.30 2.5hrs @ £7 per hour= £17.50 no VAT
- 14.2.5. Payment 2505_5 to Heelis and Lodge, invoice HL9558 to carry out Internal Audit for Harberton Parish Council for the year ended 31 March 2025 = £220 no VAT
- 14.2.6. Payment 2505_5 to AJG Community Schemes (AJGIBL), their ref. 550737 Hiscox Insurance Company Contract Limited Term: 01/06/25 - 31/05/26 Premium 538.99 and Insurance Premium Tax 64.67 = 653.68 no VAT

RESOLVED:

- i) That the income and expenditure under item 14.1 be noted.
- ii) That the payments be approved.

15. Date and location of next ordinary meeting 7:30pm Tuesday 10th June 2025, Harbertonford Village Hall.

Cllrs used the opportunity after the meeting closed for informal discussion and to raise matters for the next agenda with the Clerk.

Meeting closed at 21:10