

SHEBBEAR PARISH COUNCIL

Minutes of Council Meeting held on Tuesday 11th February 2020 at 7.30 pm.

in the Church Room. Shebbear.

CHAIRMAN: Cllr N Whatley.

Councillors: Cllr J Quance. Cllr M Pearce. Cllr Joan Curtis.

Cllr R Clark. Cllr J Franklin. Cllr Luxton. Cllr Jax Curtis.

C Cllr B Parsons. D Cllr D Hurley. 1 Member of the Public. Clerk M Whatley.

154. Apologies for Absence.

Cllr Stupple. Cllr Styles-Power.

154 a Chairman explained that he was changing the order of the Agenda as C Cllr Barry Parsons had another meeting to attend at St Giles in the Heath, and he would invite the Councillor to speak at this juncture.

162. County Councillor's Report.

Roads

Having visited Worden Corner, Kieran Stanbury, Neighbourhood Highways Officer, confirms that a full site survey has been completed and the works are in the design phase for delivery in the next financial year.

“The survey has thrown up some complications with the retaining wall to which the outlet travels.

As for the river at Dipper Mill bridge, the background information is extremely helpful. I believe that this responsibility would currently lie with the Environment Agency, however, I have enquired with our Flood Risk Team to provide guidance on powers Devon CC have and for contacts to progress new surveys. I am aware of issues which water can cause and will begin the process of renewing survey data at this stage to assess the way to move forward”.

Cllr Hurley and I will be meeting with Kieran on 24th and will report further at that time.

Council Tax

To be increased by 3.99%, 2% is for social care.

Negative Reserve.

£21 million to be put into our negative Reserve.

Holsworthy Community Meeting to take place on Tuesday 18th February. Hear recommendations for future care services in Holsworthy and the surrounding area. Doors open 12.00 noon – 3.00pm and 5.00 – 8.00pm.

Chairman thanked Cllr Parsons for his report.

155. Public Participation Period of 15 minutes. For speakers registered in advance, with the Clerk.
None.

156. Declarations of any Councillors Interests in Items on the Agenda.

(a) Discloseable pecuniary interests (Prejudicial).

None.

(b) Registerable Interests.

None.

(c) Any variations to Members Registration of Interests.

None.

- (d) Requests for Dispensations.
None.

157. Draft Minutes of the Council Meeting held on January 14th 2020 having been previously circulated, to be approved and signed.

Proposed Cllr Franklin, Seconded Cllr Luxton, all in favour that the Minutes be signed as a true record.

158. Any matters arising from the Minutes. Clerks Report.

Village Hall Refurbishment

A number of points have been raised regarding the Village Hall refurbishment to include whether it is necessary for the doors to be fire-proofed, presence of threshold and plumbing questions. Cllr Luxton has raised all these queries with the Building Inspector, who has assured her everything is being done correctly and up to Building Control requirements.

Dipper Mill Bridge

Wrote again to Kieran Stanbury, Neighbourhood Highways Officer, regarding the erosion problem at Dipper Mill bridge. Serious thought must be given to this now to ensure this asset is not destroyed. This is a main north/south route with considerable numbers of heavy vehicles using it, and if nothing is done and the river is allowed to wash the road away then it will cause considerable inconvenience and great extra cost. He placed the responsibility on the Environment Agency. However, he has enquired with the Flood Risk Team to provide guidance on powers DCC has for contacts to progress new surveys.

Meanwhile, I am aware that both C Cllr Barry Parsons and D Cllr David Hurley have taken up the baton, and are meeting with Kieran next week.

Nothing from the Environment Agency as yet.

Maintenance of St Michael's Graveyard

At a Parochial Church Council Meeting yesterday evening it was agreed they accept the Parish Council's offer to help with the maintenance of the graveyard. However, Andrew Goode stressed that direction had to come from either himself or Martin Warren. He will talk with Gordon Slade and suggested we approach Paul Watts. To be discussed at the March meeting.

Public Footpaths

Received an email from Ros Davies, Parish Paths Liaison Officer, concerning work involved on Shebbear Footpath 1- Lovacott Lane. Cllr Franklin has been working very hard on this and will give us a full report this evening.

Planning

Application 1/1098/2019/FUL Beech House, Change of Use of Surgery from D1 to C3 domestic use with formation of car space parking/turning area. Responded to TDC Shebbear Parish Council has no objections to this application.

Application 1/0995/2019/FUL Paddon Farm, Shebbear.

Responded to TDC that the Shebbear Parish Council has no objections to this application. Note some concern concerning visibility from the direction of Shebbear, suggest erection of 'lorries turning' signs.

Precept

Submitted the Precept to TDC in the sum of £13,750.

Income & Expenditure Accounts

Prepared Income & Expenditure accounts for the 3rd qtr ending 31st December 2019, for approval by members this evening.

159. To Agree any items to be dealt with in Part 2, closed session, of the Meeting.

None.

160. Any urgent Agenda business or correspondence brought forward with the approval of the Chairman.

- (1) Elect new member for Lands Trust Committee.

Cllr Joan Curtis proposed Cllr Pearce take the position, Seconded Cllr Luxton, all in favour.

Clerk to notify Tim Cartwright, Secretary.

(2) Footpaths (Cllr Franklin – Footpath Warden).

Cllr Franklin reported that Shebbear Parish Council has a partnership with Devon County Council for the up-keep of the Rights of Way in the parish. There are approximately 5.5 miles of public footpaths and 30m of bridle ways. These Public Rights of Way have to be maintained and kept up, and this is done in partnership with the landowner and members of the public. The walkers must stick to the paths and the landowner must not obstruct them from using the paths.

Two projects need attention at the present time –

- (a) 1 Lovacott. – We are informed the landowners could possibly be a Mr Alistair Nethercott and Robert Coggin,. Cllr Franklin offered to go and see them. Meanwhile, obtained a quote from Andrew Moon, responsible for most of the Council work, to include cutting back vegetation, use of excavator to scrape off boggy material, regrade surface, all in the sum of £1,335.00 + VAT. Devon CC are willing to pay for the work. Cllr Joan Curtis proposed we accept the quote , Seconded Cllr Jax Curtis, all in favour that this work be carried out.
- (b) Footpath opposite Primary School on land owned by Cllr Quance. Steps required. Quote in the region of £150 - £200 for the timber and labour. Cllr Quance and Cllr Franklin offered to do the work. Proposed Cllr Clark, Seconded Cllr Luxton, all in favour.

(3) Delegating to the Clerk to consider and issue Dispensations.

Chairman explained that the Council has to decide for itself on how it will grant dispensations, (a) by consideration by the whole Council. (b) by reference to sub-committee set up for the purpose.

(c) by delegation to the Responsible Officer (the Clerk) and he suggested it should be in the hands of the Clerk. Proposed Cllr Quance, Seconded Cllr, Luxton, all in favour “Resolve that the Council delegates the power to grant dispensations to the Clerk. The power rests with the relevant authority under section 33 (1) of the Localism Act 2011 and the basis is set out under section 33 (2).

(4) Dog Fouling in the Village

Cllr Luxton wished to bring to the attention of the Councillors the ongoing problem of dog mess in the village and, in particular, on the playing field, which is private property. Despite numerous postings on Facebook, irresponsible, unsociable and lazy owners still fail to ‘pick up’ after their pets even though our village is well-provided for with eight bins at strategic locations. New signs have been ordered to be placed outside the playing field and around the village.

(5) New Codes of Conduct

Cllr Clark reported that there are a few changes to Codes of Conduct currently being discussed, and gave examples.

1. Whereas at the present time we have our Code of Conduct as does each parish or town council, there is to be one unified Code of Conduct.
2. With Discloseable pecuniary interest, should one fail to disclose an interest the question of a £5,000 fine will be done away with as since it was introduced there has only been one prosecution.
3. Membership of any Organisation.
The way the Standards Committee works at TDC it would be possible for TDC to go back to having fully independent members i.e. non-elected on the Standards Committee.
4. Since 2013 it has not been possible for a naughty Councillors to be suspended. New Councillors are already required to attend training by TDC, but the inductions will be mandatory via their political party. This change is to rope the parties into having some liability for their members adherence to the code.
5. Requiring clerks to be SLCC or equivalent.

(6) **Received after the Agenda was Circulated.**

On behalf of the Shebbear Women’s Institute Cllr Pearce asked if the WI could plant a tree in the Parish in recognition of 100 years of the WI in Devon. After discussion, Councillors agreed a Weeping Willow could be planted on the green area behind Little Bears, which would in years provide shade for the seat located in the corner of the site.

161. Agenda items for Discussion and Resolution.

- (1) Any matters raised during the Public Participation period.
None.

162. County Councillor's Report.

Received - Item 54a.

163. District Councillor's Report.

TDC Constitution

The results of update to the Constitution will be available shortly.

Dipper Mill and other local highway problems

Last month Dipper Mill was discussed. I located, and sent to Mary, the info I had when this topic was first discussed in 2015. I asked that all members of this Council received a copy to let everybody know where we were in 2015. Mary wrote a very good email to Kieran Stanbury who is the Neighbourhood Highways Officer for this area mentioning the steady erosion of the riverbank at Dipper and how the land between the river and the road is diminishing year on year as predicted in 2015. I emailed Kieran and asked for a meeting to discuss Dipper further and also a couple of other issues that he needs to be aware of. A meeting has been arranged for 24th Feb when both Cllr Parsons and myself will meet with Kiernan.

Brunswick Wharf

In order to prevent vessels mooring along the quay wall fronting Clarence Wharf Car Park & Brunswick Wharf, a floating buoy barrier with buoy-mounted signage has been installed. This creates a clear visual barrier and will create easier access for repairs to be made to the quay wall in preparation for the regeneration of this site in the near future. They stretch out in the water about 8ft from the quay wall.

Council Tax

Community and Resources Committee had a special Budget Meeting on 3rd February. The Provisional Settlement from Government was discussed as was possible C/T increases. Shire Districts such as Torridge are permitted to raise C/T by 2% or £5 per Band D property (Equates to just over 3% in Torridge). DCC can raise their share by 2% plus 2% for Adult Social Care. The PCC will raise their precept by £10 (equates to a 4.7% increase in Torridge). There are no referendum limits for Parish Councils. The Devon and Somerset Fire Authority precept is also collected by Torridge. As a result of all the increases by preceptors that Torridge has to collect for the share Torridge actually gets has reduced from just over 9.2% in 2014/15 to 8.53% in 2019/20. This coming year 20/21 the percentage will fall again.

Kivells

I'm sure you all know about the court case between Kivells and Torridge. Several people have asked me what the final financial settlement is or was. It is still being discussed. All TDC Councillors are to be updated next Monday at a Special Full Council meeting.

Torridge Air Quality

Defra has just approved Torridge's latest air quality report which shows that the air quality across the districts 380sq miles is well below nationally set levels for harmful pollutants.

The main pollutant affecting air quality is usually nitrogen dioxide which is produced by petrol and diesel vehicles. However even in the worst hotspot in Torridge the recorded average of around 28 parts per billion (ppb) sits well below the national target figure of 40 ppb.

Chairman thanked Cllr Hurley for his comprehensive report.

164. Planning.

- (1) **New Applications.**
None.
- (2) **Applications Granted.**
None.
- (3) **Applications Refused**
None.
- (4) **Any relevant adjacent applications.**
None.

165. Finance.

- (1) To Approve 3rd Qtr Income & Expenditure Account.
Proposed Cllr Curtis, Seconded Cllr Luxton, all in favour .
- (2) Approval of Items for Payment.
 - (a) Village Hall Donation for doors £750.00 paid on account 14/01/20. Balance due £70.00
 - (b) SSSG Donation £651.00 for reading books paid in advance 14/01/20
 - (c) Clerks & Councils Magazine £12.00
 Proposed Cllr Pearce, Seconded Cllr Curtis, all in favour that items (a) (b) and (c) be paid.

Bank Balances.

Received after the Agenda was circulated.

Current Account: £6,556.44

Reserve Account: £19,793.73

166. Correspondence.

- (1) Cllr Hurley Correspondence Dipper Mill (Circulated to all members).

Circulation File.

Council Planning Lists. Hydro-Logic Service Report. Dipper Mill Correspondence (Cllr Hurley). Stagecoach (Cllr Parsons). Holsworthy Community Involvement Group.

167. Agenda items for the Parish Council Meeting which will be held on Tuesday March 10th 2020 at 7-30 pm, and any other matters, for discussion only, at the Chairman's discretion.

There being no further business, the meeting closed at 9.10pm.

Signed

Dated