

## **SHEBBEAR PARISH COUNCIL**

Minutes of Council Meeting held on Tuesday October 9th 2012  
in the Church Room. Shebbear.

### **Present:**

Chairman: Cllr R Clark.

Councillors: H Davis. J Dungate. E Haste. P Lomax. J Curtis. J Stupple. T Carr. R Gliddon.

4 members of the public. Clerk. David Walker.

### **Agenda. 2012. Commenced at 7- 30 pm.**

#### **103. Apologies for Absence.**

Councillor M A Wells. ( Family bereavement). PCSO Baker. ( Report in lieu received by Councillors).

#### **104. Public Participation Period.**

No requests received.

#### **105. Declarations of Interest in items on the Agenda/ Any variations to Members Registration of Interests.**

Cllr Haste Declared an Interest in Items 110(a) and (d), Planning Application made by his family firm.

#### **106. Minutes of the Council Meeting held on Tuesday September 11th 2012.**

All in agreement that the Draft Minutes, which had been previously circulated, be approved and signed as a correct record.

#### **107. Clerks Report. Any matters arising from the Minutes.**

Snow Warden vacancy. Clerk had spoken to John Chamberlain at Ladford Farm who, being ideally located at the northern side of the parish, has kindly agreed to take over as Snow Warden from Ted Haste.

Parish tradesperson. Enquiries have been made and an article on the subject has been carried in Reflecting Shebbear, for any one who might be interested to make contact. Trevor Hookway has expressed an interest and Councillors look forward to speaking with him in more detail.

Brandis Corner road junction. Clerk had been asked by a number of parishioners to enquire if anything could be done about the conifers planted outside the Bickford Arms which are obscuring the view towards Holsworthy and making an already dangerous junction worse. Having spoken to the Bradford & Cookbury Parish Clerk it appears that they have been trying to resolve this for 4 months and are already in contact with DCC and Barry Parsons over the issue, as the licensee is not being very cooperative. As a lot of Shebbear traffic uses the junction Bradford & Cookbury Parish Council ask that Shebbear support their efforts to resolve this problem. Cllrs agreed that Clerk write to DCC Highways and copy the letter to Barry Parsons and Bradford & Cookbury Parish Clerk.

**7-49 pm.** Chairman suggested, as there were a number of items of Correspondence on the agenda at **112**, that the items relevant to members of the public present be dealt with earlier to save them waiting until later. Cllrs agreed to this and Chairman asked Messrs Nigel and Simon Brock if they agreed that these items should be discussed with other members of the public present. They agreed that this was acceptable to them. These letters had all, apart from the one recently received from Andrew Haste, been circulated to Councillors. **Chairman then introduced Correspondence Item 112(6)**, the Information Commissioners' response to Mr Harrups' complaint that Shebbear Parish Council failed to abide by the requirements of The Data Protection Act by allowing a letter, dated May 21st 2011, delivered to the Clerk and individual Cllrs by Mr Harrup, to be received and used by unintended recipients, namely a business advisor acting for E C Haste and Sons. The Information Commissioner had concluded that, on the balance of probabilities, a member of Shebbear Parish Council had disclosed Mr Harrups' letter in a manner that was unfair to Mr Harrup and without a valid reason for doing so. Although the ICO would not be taking any regulatory action over this matter, the Parish Council was asked to ensure that all members were aware of their obligations as data controllers and to avoid any similar occurrences.

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Agreed - Clerk to reply to ICO saying that the Parish Council accept the decision made by the ICO. Also that the Parish Council believe that an inadvertent, but not malicious, error had been made, and in the light of the experience gained in this matter, that we have looked again at our procedures to avoid a similar incident happening again.

**Chairman then read a letter from Andrew Haste**, received just before the meeting, which in summary described the intention of DCC Highways to install kerbstones at Berry Park Corner in December 2010 and the subsequent involvement of E C Haste and Sons in the ensuing investigations which have resulted in stalemate after the decision to install the kerbstones was reversed.

Chairman thanked Andrew for his letter but concluded that the Parish Council is not in a position to be able to resolve the matter, having never been included in the negotiations, and asked Councillors to confine their discussion to matters relevant to the Parish Council.

**Item 112(5). Letter from Mr Harrup.** Which, read out by Chairman, queried why Minute 90(1) at the August Parish Council meeting did not mention Cllr Hastes' offer to resign in relation to the comments contained in the letter sent by Robert H Hicks & Co on 2nd June 2011. For clarification Chairman asked Cllrs if they had all had copies of Hicks & Co Ltd letter, all confirmed that they had.

Agreed that it should be pointed out to Mr Harrup that Cllr Haste had not offered to resign, if such a direct statement had been made it would have been minuted. Cllr Haste did say that, "If what has happened as a result of the disclosure of this information has caused an embarrassment to the Council I would be prepared to resign".

Clerk to reply to Mr Harrup and explain this.

**Item 112(7). Letter from Mr J Brock.** Re: Data Protection. Read to the meeting by Chairman.

The letter stated that Nigel Brock and Jeremy Brock were aggrieved that details of a conversation between Nigel Brock and the Parish Clerk on June 1st 2011 had been disclosed to Robert Hicks & Co with the result that it was included in a letter raised by Hicks & Co the following day. Answers to a number of questions were sought from the Parish Council as the Brocks had concluded that the Parish Clerk was to blame.

Chairman approved that the Brocks participate in the debate which followed and said that it was the Clerks job to deal with business on a day to day basis and on this occasion there had been no formal instruction for him to speak to the Brocks although the Council did attempt to arrange a meeting between the various parties involved in the deadlocked dispute which has been ongoing since December 2010, even though the Parish Council had not been involved from the outset and were unaware of its origins until after the event, which on balance, Councillors agreed that DCC had been wrong to act the way in which they did in the early stages. Through the Chair, Clerk assured Mr N Brock that he didn't pass on any information, particularly in the hours before Hicks & Co compiled their letter. They had stated that the information came to them on the grapevine. Clerk to reply to Jeremy Brocks' letter in answer to the questions raised therein.

Throughout this session of the meeting, debating these items of correspondence, which had lasted for an hour and a quarter, several Cllrs had expressed disappointment that this matter was taking up so much Council time, the general feeling being that Councillors give their time voluntarily with the desire to deal with business which affects the parish as a whole, examples being, unravelling the intricacies of wind turbine applications to ensure the parish policy statement criteria are met, and the early stages of the new Parish Plan which will aim to guide the development of the parish for the foreseeable future. The Parish Council felt that all that could be done to try and assist with the current stalemate had been done, and that no more time could be spent on it.

**9-05 pm.** Return to listed agenda business.

#### **108. Agenda items for Discussion and Resolution.**

(1) Housing Needs Survey. Following the visit of John Scott last month, as described in the Minutes, Cllrs had had time to consider the facts. Agreed that Cllrs do not support the need for a survey for the reasons given to Mr Scott in September, in addition the situation will be explored in the New Parish Plan.

Clerk to reply to Mr Scott accordingly.

