

MINUTES OF THE PARISH COUNCIL MEETING
OF BUCKLAND BREWER PARISH COUNCIL HELD ON
WEDNESDAY 9th MAY 2018 AT 7:30 AT
PARISH CHURCH SCHOOL ROOM

Members Present: Mrs Barbara Babb, Mrs Marie Douglas, Mr Andrew Hewitt, Mr George Heywood, Mrs Elisa Hurley, Mr Jim Lowe, Mr Trevor Mills, Mrs Rosemary Sanders and Mr David Watson.

Also in attendance 4 members of the public and Rachel Raper, Managing Director IntaGR8

Parish Clerk: Mr P Blossie

KEY: Actions are shown in bold blue type Decisions are shown in bold red type

689. Election of Officers

a. **Chair** **It was proposed by Barbara Babb, seconded by Trevor Mills and agreed unanimously that Jim Lowe should be appointed as Chair of the Council for the year 2018/19.**

b. **Vice-Chair** **It was proposed by Jim Lowe, seconded by Andrew Hewitt and agreed unanimously that Trevor Mills should be appointed as Vice-Chair of the Council for the year 2018/19.**

690. Apologies for Absence Cllr. Alison Boyle, Shaun Harrington (TDC, Development Management Team Leader)

691. Declarations of Interest None

692. Appointments to Personnel Sub-Committee **It was proposed by Trevor Mills, seconded by George Heywood and agreed unanimously that the following councillors should be appointed to the Personnel Sub-Committee: Jim Lowe, Elisa Hurley, Barbara Babb and Andrew Hewitt.**

693. Appointments to Fields and Allotments Sub-Committee **It was proposed by Trevor Mills, seconded by George Heywood and agreed unanimously that the following councillors should be appointed to the Fields and Allotments Sub-Committee: Elisa Hurley, Trevor Mills and Andrew Hewitt.**

694. Appointments to Parish Plan Steering Group **It was proposed by Marie Douglas, seconded by George Heywood and agreed unanimously that the following councillors would continue to serve as members of the Parish Plan Steering group: Elisa Hurley, Barbara Babb, Andrew Hewitt and David Watson.**

695. Appointment of Snow Warden **It was proposed by Barbara Babb, seconded by Elisa Hurley and agreed unanimously that George Heywood should continue to serve as the Snow Warden.**

696. Appointment of Parish Council Member to Village Hall Trustees **It was proposed by George Heywood, seconded by Barbara Babb and agreed unanimously that Marie Douglas should continue to serve as the Parish Council's appointment as a Village Hall Trustee.**

697. Appointment of Internal Auditor Following a favourable report from the Clerk, **it was proposed by Trevor Mills, seconded by David Watson and agreed unanimously that Alison Marshall should be appointed as the Council's Internal Auditor for the year 2018/19.**

698. Review of Dates and Venue for Future Meetings It was proposed by Marie Douglas, seconded by Barbara Babb and agreed unanimously that regular monthly meetings should continue to be held on the second Wednesday of each month, and that the fourth Thursday of each month should be set aside for extra Planning Consultation meetings, if required, to meet Planning deadlines. All meetings to be held in the Parish Church School Room unless it is unavailable. There will be three meetings per year of the Fields and Allotments Sub-Committee on dates to be set by that committee and one meeting of the Personnel Sub-Committee to carry out the Clerk's Annual Appraisal in November 2018.

699. Review of Standing Orders, Financial Regulations, Code of Conduct and Risk Assessment The clerk reported that the NALC had recently issued an updated model standing orders to include recent changes in legislation. It was agreed that the Clerk will draw up a revised set of Standing Orders for approval at the next meeting. It was agreed unanimously that, pending any amendments that might be recommended next month, the existing Standing Orders, Financial Regulations and Code of Conduct would be adopted for the 2018/19 year of office.

700. Minutes of the Meeting of the Parish Council held on 11th April 2018 The minutes of the meeting held on 11th April 2018 were agreed and signed.

701. Public Participation

- a. Brenda Mills asked if future Annual Parish Meetings could not be held on the 3rd Wednesday of the month as this clashes with other regular meetings. The Clerk explained that the Annual Parish Meeting must be held at any time between 1st March and 1st June each year, but that the exact date can be set by the Parish Council to suit the community. Jim Lowe explained that the Council is often limited by the availability of guest speakers.
- b. A resident from Southwood Meadows talked about the planning application for 22 new dwellings in the adjacent field (see item 712.c). She said that, although some of the issues that had been raised following the developer's consultation with the residents, there was still an issue with the poor access to the site and concern by some of the residents about who would be responsible for maintaining the green area that was not being built on. Jim Lowe explained that the Parish Council had written to the Planning Department with a number of concerns and that these, and the resident's concerns would be taken into account in the consultation response.

702. Clerk's Report

- a. Correspondence 46 items of correspondence had been distributed by email since the last meeting. The Clerk highlighted the following items: i. DALC had issued details of a nationally agreed increase in the salary scales for the Parish Clerk – a 2% increase with effect from 1st April 2018. The increase is reflected in the Clerk's pay for April 2018. ii. A progress report on the Draft Local Plan had been received explaining how limited, moderate and significant weight will be given to the new plan when considering applications in future as it is so close to being approved. A presentation for Parish Councils is planned for June or July. iii. Councillor Barry Parsons had issued a Holsworthy Rural update which is attached at appendix 1 iv. Buckland Brewer School had sent a confirmation that the change in age range permitting admission of children from 2 years of age had been approved by their governors. v. TDC had sent notification of a planning appeal in respect of a change of use of pens at Beech Tree Farm for which responses are required by 15th June 2018.
- b. Report on new General Data Protection Regulations and the Impact on the Parish Council The Clerk had recently attended a seminar about the introduction of new data protection legislation, the General Data Protection Regulation, which takes effect on 25th May 2018. He had distributed a report outlining the action that needs to be taken, including the need to issue Privacy Statements, preparation of a data audit and the drafting and approval of a Data Protection Policy. The report is attached at appendix 2. The report had been checked and approved by the Internal Auditor. It was proposed by George Heywood, seconded by Barbara Babb and agreed unanimously to approve the recommendations in the report, including the wording of the Website and General Privacy

Statements. The Clerk will undertake a data audit and prepare a draft Data Protection Policy for a future meeting.

- c. Establishing A Timetable to Consider New Policy Documents for Data Protection, Freedom of Information, Internal Control, Grant Awarding, Training and Development, Equality and Diversity, Health and Safety, Lone Working, Complaints, Grievances, Community Engagement and Media. The Clerk explained that he had attended CiLCA training course recently where various policies had been discussed and had also been advised by the Internal Auditor that the Council has not yet adopted a number of policies that are now recommended. It would be too much work to try to introduce all of these at once. However, the Clerk is hoping to complete the CiLCA (Certificate in Local Council Administration) over the next 12 months, and the development of some of these policies could come out of the work he will be doing for that qualification. **It was agreed unanimously that the policies listed above, with the addition of an Anti-Fraud and Corruption Policy, should be drafted by the Clerk for approval at meetings throughout the coming year, at the rate of about one a month, with a view to having a complete portfolio of the recommended policies by the start of the Council term starting in May 2019.**
- d. Clerk's Training & Development – CiLCA Course As approved at the last annual review, the Clerk had attended a 2-part CiLCA course as an introduction to completing the professional qualification. The next step is to register to complete the online examination process, which entails completing 30 Learning Objectives designed to test the Clerk's understanding of the financial, legal, and administrative environment. Registration will cost £250, with some extra costs expected for books and stationery. The course must be completed within 12 months of registering. Once the Clerk is fully qualified it will be possible for the Council to approve a General Power of Competence, which will widen the scope of what the Council could do. **It was proposed by David Watson, seconded by Trevor Mills and agreed unanimously that the Clerk should complete the registration process at a time that is convenient to him.**

703. Fields and Allotments

- a. Works to Community and School Fields, Progress Report (Trevor Mills) Trevor had cut the grass 3 times recently. A woodchipper has been hired and is coming next Friday. He asked for volunteers to help with clearing the hedge cuttings. Once the sites are cleared he will proceed with erecting the fences and gates. The target was to complete this by the end of May, but the earlier bad weather might mean this is not achieved. Jim Lowe said that that the school had asked if the field would be ready for use for the School Sports Day on 13th July. **It was agreed that the school could use either the community field or the school field, or both, on that day.**
- b. School Field Rental Agreement, Progress Report (Clerk) The Clerk had written to FOBBS as requested at the last meeting. A response had been received from the Head Teacher, suggesting that the school might now offer £200 towards the legal costs of the agreement. A meeting had taken place on the morning of 9th May attended by the Chair, Parish Clerk, Head Teacher and Chair of Governors but the school is unwilling to contribute any further funds towards the legal costs of either the lease agreement or the amendment to the covenant and feels that the cost should be borne by the previous landowners. The Clerk explained that there was no longer any urgency on the part of the school for the covenant to be changed because, for next year, the school will be able to meet the County Council's maximum school roll once internal works are completed to provide an extra classroom and toilet block. Some members felt that the covenant therefore ought to remain unchanged until the County changes its target and asks to erect a temporary classroom on the site. However, it was also thought that it would be short-sighted not to amend the covenant now, while the Parish Council was supportive of the school, rather than leave it to a later date when the covenant as it now stands could jeopardise the school's ability to respond to changing demands. **It was proposed by David Watson, seconded by Trevor Mills and agreed by a vote of 8 to 1 that the Parish Council would refer the matter to Cllr Barry Parsons, as a Cabinet Member for DCC, for his consideration.**

- c. Consider Tenders for Job's Field (Portway) and Approve New Tenant Only one tender had been received asking to use the field for hay and grazing sheep. The applicant was already the tenant of one of the other fields and there have been no issues of concern with that tenancy. **It was agreed unanimously to accept the applicant's tender of £110 per year, with a deposit of £100. The tenant will be required to provide secure fencing if he intends to graze sheep.**

704. Changes to Neighbourhood Policing Services Inspector Kenneally and our local PSO, John McGovern, had provided an outline of how the reduction in PCSOs throughout the county will affect the policing service, particularly in relation to action days. Members noted the report which is attached at appendix 3.

705. Parish Churchyard Path: Consider Response from PCC Members noted a response from the PCC that they would not support the recommendation to improve the footpath through the churchyard. No further action will be taken.

706. Complaint re Maintenance of Back Lane Footpath and DCCs Response The Clerk had received an enquiry via the Facebook page about the maintenance of Back Lane. He had reported it to the Footpaths Officer at DCC who had inspected it and felt that it was in "pretty good order". The county maintains the path once year as a matter of routine and he offered to bring forward the cut if he thought it was necessary. However, the County is only responsible for keeping the path free from obstruction and keeping down upgrowth. Sidegrowth from the hedges is the responsibility of the landowners.

707. IntaGR8 Community Bus Service Littleham Parish Council has responded to say that they were not interested in taking part in any discussions but would like to be kept informed of developments. There has been no further contact yet from Parkham. Rachel Raper, the Managing Director of IntaGR8 explained that she had been consulting with local villages herself and trying to work what was needed and how much it would cost. The organisation has 2 buses already but these are fully used. It would therefore be necessary to acquire another bus, but this could then be used for other activities as well. Rachel felt that the total cost could be about £10,000 and that she might be able to raise about £5,000, possibly more. Trevor Mills suggested hiring a mini-bus for the school holidays or for a pilot scheme on Saturdays. **It was agreed that Rachel would investigate putting on a pilot scheme for the 6 weeks of the school summer holidays** and would liaise with local schools before the end of the school term. Rachel will be attending next week's Annual Parish Meeting to talk about the full range of work that IntaGR8 does.

708. Grant Request: Buckland Brewer Badminton Club This newly created club had contacted the Chair to request a grant of £250 to help with set up cost. **Their request was approved unanimously.**

709. Flashing Speed Signs and Wireless Monitoring Systems The County Council has still not responded with any recommendation following the traffic survey, stating that staff shortages and the requirement to report to committee have caused delays. **Jim Lowe will take up the matter with Cllr Barry Parsons.**

710. Parish Plan, Progress Report (Steering Group Representatives) David Watson reported that the first meeting had got off to a fairly slow start, with everyone still trying to work out what needs to be done. Stephen Harding has accepted the post of Secretary, but no Chair has yet been appointed. The next meeting has been arranged for 5th June 2018. One member, Paul Davies, has already resigned as he felt that he could not commit enough time to the project. **It was agreed that it would not be necessary to find a replacement as there were still 10 on the group, 4 Parish Councillors, and 6 parishioners.**

711. Members' Reports

Marie Douglas said that she was still having internet problems and could not forward copies of the Village Hall minutes. A Cider Stroll is planned for 3rd June. The committee had been discussing Christmas events. The Trustees are still in consultation with the school about their use of the car park and the hall. The final bill for the building of the new hall has been paid.

Andrew Hewitt reported that the road to Parkham is getting worse (Barcott to Parkham). He has reported it but the potholes are getting worse.

George Heywood wanted to confirmation that he should obtain a replacement stock of salt, which was agreed unanimously. He hoped that the County would again supply 5 tons at no cost. It might be possible to arrange for our contractor to collect salt directly from the depot at Parkham, but they would require training I use of the equipment.

Elisa Hurley said there will be a talk on recycling at the next day's 4 o'clock club. On 23rd May TorrAge are to meet with the Fit as a Fiddle Club to discuss how that group will be managed after September.

Jim Lowe reported that Somerset Council had announced that it would not be continuing with any plans to merge with Devon County as it had agreed to seek Unitary status. He also pointed out that the Annual Parish Meeting has not been advertised in Village Scene. The Clerk had prepared a flyer which Brenda Mills was asked to make copies of for distribution throughout the parish.

Trevor Mills reported that Tythecott Bridge is being repaired and will be closed for a week.

Rosemary Sanders said that she had attended a wedding at the church, but parking had been very difficult around the green and asked if restrictions could be put in place for Weddings and Funerals. It was generally felt that local residents are always happy to move vehicles when asked for such occasions, but it would be possible for the PCC to purchase suitable 'No Parking' cones similar to those recently purchased for the village hall.

David Watson noted that there are a lot of weeds around the War Memorial. Trevor Mills will ask Matt Fry, who cuts the grass on the village green, if he can treat the area. David also reported that Chris Turner will be leaving the Lemon Jelly Drop-In Centre at the end of the year. The Chapel is keen to continue with a facility for young people and would like to expand it to attract more of them. They are opening a joint account with the church so that they can work together on the project. He felt that some funding might be available through the Methodist Church. It was pointed out that there was £300 unspent from last year and another £300 in the current year's budget and some or all of this could be applied to the new service subject to the making a suitable request.

712. Planning

- a. Feedback from TDC re Southwood Meadow Development The Clerk explained that the Council's comments following the approach from the developers had been sent to the Planning Department and the Leader of the Council, who had responded to say that our views would be taken into account.
- b. Application: 1/0339/2018/FUL, The Old Village Store, Part retrospective application for the erection of a storage building **It was proposed by Andrew Hewitt, seconded by Trevor Mills and agreed unanimously to object to the application on the following grounds:**
 - **the structure has been erected on top of boundary walls with guttering or drainage so that surface water floods the adjacent footpath**
 - **it is a conservation area and is detrimental to the character and appearance of the area**
 - **the structure shows poor workmanship and it is believed that it does not comply with building regulations**
 - **had this structure been in the original planning application the Council would have objected on the same grounds**

- c. Application: 1/0379/2018/FULM, Land at Southwood Meadow, Construction of 22no. dwellings with access, car parking, landscaping and associated works **It was proposed by Trevor Mills, seconded by Elisa Hurley and agreed unanimously to object to the application on the following grounds:**
- Clarification is needed about which properties constitute the 40 % affordable housing requirement. Unless the developer plans to provide 4-bed affordable houses, the mix does not include any small, open-market properties suitable as starter homes or for people who do not otherwise qualify for affordable housing.
 - It was noted that two large 4-bed properties in Rectory Close remain unsold 9 months after they were completed whereas the smaller 2-bed properties in the Hillpark development sold quickly and attracted younger families to the parish. The mix is therefore inappropriate for the needs of the parish.
 - It is not clear who will be responsible for maintaining the green space to the north of the site?
 - Questions raised at the outline permission stage about surface water drainage have not been addressed
 - The site is not within the designated settlement boundary as recognized in the draft local plan
 - Access will be difficult, particularly for larger vehicles such as refuse freighters, removal vans etc.
- In the event that the application is approved, the outline planning provision provides s106 monies in excess of £18,000 for offsite play provision. The Parish Council believes that it should be the appropriate body to allocate this sum, which could be used to develop the village's new community/sports field as well as to maintain the existing playing field. The Parish Council should have discretion about how much should be used for capital works and how much for revenue expenses.
- d. Consultation: 1/0310/2018/AGR, Silkland Farm, Erection of an agricultural building to house young livestock. To consider only whether changes or further details of siting or design should be required for visual amenity/landscape reasons. (Permitted development)
It was agreed unanimously that the Council had no objections to the site layout or design.
- e. Decision: 1/0166/2018/FUL, Land To The West Of Tower Hill, Variation of Conditions 3 (Layout - Plans Schedule) and 11 (Parking) of application 1/0784/2016/OUT (Affecting a public right of way) –
Granted Permission - Noted

713. Accounts

a. Receipts and Payments

I. Bank balances as at April 2018 (£48,311.23):

1. Parish Council Current Account was £8,841.10
2. Thornhillhead Moor Account was £1,327.04
3. Savings Account was £38,143.09

II. Fund balances as at April 2018 (£48,311.23):

1. General Account - £22,983.24
2. Thornhill Head Account - £25,327.99

III. Payments due (£2,702.35 + VAT)

The following list of payments was approved:

1. Parish Clerk's salary, expenses and associated PAYE (April 2018): £642.61, including PAYE - £94.80 and training (including travel) of £136.26 + VAT
2. Fishleigh's of Galsworthy, Salt Spreading - £950.00 + VAT
3. NALC, Local Councils Explained (book) - £19.99
4. DALC, CiLCA Course Part II - £115.00 + VAT
5. E.on, Electricity - £7.94 + VAT
6. Alison Marshall, Internal Audit Fee - £175.00
7. Community First Trading, Insurance Premium - £205.81
8. John Coles Contractors Ltd, Flailing at Thornhillhead Moor - £336.00 + VAT
9. Buckland Brewer Badminton Club, Grant - £250.00

IV. Receipts (£9,387.50)

1. TDC, Community Grant re School Field - £300.00
2. TDC, 1st instalment of precept - £5,857.50
3. Arqiva, Mast Rent - £3,000.00
4. Field Rent - £230.00

- b. Year-End Accounts 2017/18 The Clerk had distributed a set of accounts for the previous financial year. Please see appendix 4. Including Thornhillhead Moor, there was a total surplus for the year of about £10,000. Reserves at the end of the year amounted to just over £41,000, of which £24,000 is earmarked for Thornhillhead Moor, £5,000 is not earmarked (the General Reserve) and the rest is earmarked for a variety of purposes, including maintenance of the landing lights, fencing of the amenity and school fields, elections etc. The General Reserve is much healthier than at this time last year. Although it is at the lowest end of the recommended level, the council has much more in earmarked reserves than most Councils and these could be diverted if an emergency were to happen. The accounts were noted.

714. Annual Returns and Audits for 2017/18 The Annual Internal Audit had been carried out by Alison Marshall on 3rd May 2018. A copy is attached at appendix 5. The main recommendations were that the Council should formalise a number of policies that it does not yet have. (see item 702.c) There was no criticism that the Council has been doing anything incorrectly despite the lack of the written policies. However, the Clerk has been unable to update online HMRC records due to a technical problem with the site, but has been unable to get any help from HMRC despite numerous phone calls and emails. The Internal Auditor felt that this was an issue that ought to be resolved. The Clerk had prepared a Statement of Internal Control and completed the Annual Governance Statement and Annual Financial Statement. Copies of these were distributed to members prior to the meeting and were noted and approved as shown below. The Clerk had set the dates of 11th June 2018 to 20th July 2018 as the statutory 30-day period for the exercise of public rights to inspect the annual accounts and returns. The final date for the submission of returns to the external auditor is 11th June 2018 but he will submit these within the next few days.

- a. Approval of the Council's Annual Statement of Internal Control **It was proposed by Jim Lowe, seconded by George Heywood and agreed unanimously to approve the Statement of Internal Control for 2017/18 and the document was signed by the Chair and Parish Clerk**
- b. Approval of Annual Governance Statement **It was proposed by Jim Lowe, seconded by George Heywood and agreed unanimously to approve the Governance Statement for 2017/18 and the document was signed by the Chair and Parish Clerk**
- c. Approval of Annual Financial Statement **It was proposed by Jim Lowe, seconded by George Heywood and agreed unanimously to approve the Financial Statement for 2017/18 and the document was signed by the Chair and Parish Clerk**

There being no further business, the meeting closed at 10:00 pm

Dates of Future Meetings:

Parish Council – Wednesday 13th June 2018, 7:30pm, Parish Church School Room

List of Appendices:

- Appendix 1 Holsworthy Rural Update, April 2018
- Appendix 2 Report on the General Data Protection Regulation
- Appendix 3 Report from Inspector Keneally regarding Changes to Policing Services
- Appendix 4 Year End Accounts 2017/18
- Appendix 5 Internal Audit Report 2017/18

Signed as a true record:

Chairman: **Date:**