

MINUTES OF THE ORDINARY MEETING OF HALBERTON PARISH
COUNCIL HELD ON TUESDAY, 8TH MARCH 2011 AT 7.40PM AT
HALBERTON VILLAGE HALL

224. Present

*Cllr Browse (Chairman), Cllrs Mesdames Graham and Johnstone and Cllrs **Britton (Vice-Chairman), Corden, Hand, Radford and Saunders

*Cllr Browse arrived later. **Cllr Britton chaired the meeting until the Chairman arrived

225. Apologies

Cllrs Mrs Cuthbert, Cllrs Gibbs and CCllr Hannon

226. Public Forum

Mr Payne advised that he had prepared posters advertising the forthcoming elections. He was thanked for helping with this. Further Welcome Packs had been prepared. Mr Payne suggested altering the Clerk's e-mail address so it was simplified to `clerk@halberton.org`. The Clerk had no objection to this and would liaise with Cllr Mrs Cuthbert accordingly.

227. Green Burials

The Clerk provided information about green burials. The cemetery at Tavistock had a natural meadowland area which was used for green burials. The deceased were buried in biodegradable materials such as a cardboard or wicker coffins in unmarked graves and only one burial per plot was permitted. Embalming was not permitted due to the chemicals used. It was not permitted to inter ashes. The site required no regular maintenance from family or friends and Tavistock Town Council mowed the grass twice a year to encourage and protect the local wildlife. It was understood that Seaton had a woodlands burial area which operated in the same manner as Tavistock. The Cemetery Superintendent would be willing to show members of the PC around the green burial site at Tavistock if requested. It was agreed that `Green Burials` be an item for the Annual Parish Meeting and the Clerk to advertise the subject in the next edition of the Newsletter. It was important to gauge parishioners views as to whether the PC should use an area of un-consecrated land in the cemetery for this purpose. The Clerk would also send Cllr Corden details of Tavistock Cemetery.

228. Approval of the Minutes

The Minutes of the Ordinary Parish Council Meeting of 8th February 2011 were approved (subject to the insertion of the word `flower` after `wild` at Minute 211) and signed accordingly

229. Matters Arising from the Ordinary Minutes

- i. John Clarke MDDC's Enforcement Officer, had at long last contacted Cllr Saunders about the issues at Five Bridges. However Cllr Saunders had not received a follow-up report from Mr Clarke. The Clerk advised she would chase him up again.
- ii. Emma Higgins would be now be attending the April PC meeting instead of the March meeting to give a presentation on Active Village Funding
- iii. The hedge at Greenway had now been trimmed. The Vice-Chairman was actively pursuing other persons who needed to get their hedges cut
- iv. Cllr Saunders advised he was still liaising with parishioners regarding the willow tree in the centre of Ash Thomas which was dead and their requirements as to a replacement tree
- v. The Clerk advised that the mobile fish and chip van should be operating in Halberton wef 10th March

vi. The Chairman was in the process of speaking to the owner of the field on which it had been suggested that the existing stiles on his land be made more dog friendly. If the owner agreed then the Chairman would request Nick Page to carry out the necessary work

vii. The Clerk had informed CCllr Hannon of the proposed locations for the grit bins. It was understood that the matter was being progressed

viii. The Clerk had made some enquiries regarding the legal requirements of advertising planning applications. It was understood that under Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 it was mandatory for a local council to publicise a planning application in "a newspaper circulating in the locality". In the context of planning law it was likely that a court would find that a planning notice in a free newspaper such as the Mid Devon Star would be sufficient. The Clerk had received a response from MDDC regarding the PC's concerns about MDDC no longer advertising in the Tiverton Gazette and using the free paper instead. MDDC had responded by stating that the Star had a large circulation and in using this publication it was saving MDDC advertising costs. It was suggested that in view of certain rural areas in the Parish not receiving the free paper that the Clerk request MDDC to provide copies of the Star at the Ash Thomas Telephone Box and at Culm Valley Farmshop (Clarks) situated on Willand Road

230. The Chairman's Announcements

The Chairman reminded PCllrs of the importance of submitting their election nomination papers in accordance with the timescales set down by MDDC. The Chairman reported that Mid Devon District Council had not reduced its revenue contribution (£54,700) to the Canal for 2011/12 and Devon County Council had only reduced its revenue contribution (now £101K) by £2K. DCC was also continuing its capital investment of £100K towards the cleaning and repair of culverts and £210K for the new visitor centre. A restructuring of the Highways Department at DCC was currently taking place and that the management of the Canal was likely to come under the Public Rights of Way section in the future. Planning consent had been granted for the construction of the new visitor centre. Listed Building consent was awaited from the relevant Government Office and once this had been obtained tenders would be sought with a view to commencing work in the Autumn. It was hoped that the new centre would be open in the spring of 2012.

231. Police Matters

The Clerk received the following Police Report after the PC Meeting:-

"There have been a few burglaries reported in and around the village since the PC meeting in January where power tools have been taken.

There was a burglary to a workshop at a local farm, theft of timber from Crown Hill Timber Yard, and a break in to a property at Crown Hill (on a separate night to this).

There has also been a burglary at a property at Pond Hill and an attempt break in to property at Corner Lane.

Patrols are being conducted in and around the area and have been for some time and people are being asked to be extra vigilant at this time and ensure their property is secure. We are also encouraging people to contact us should they wish to report a suspicious vehicle or person.

As well as these break-ins the only other incidents to note are:

- Males asking about batteries at Hartnoll Farm
- Theft of number plate from a vehicle in Britton Close
- A dog bit a runner whilst out on the canal path – no further details given so we do not know who the owner of the dog is for words of advice to be given"

232. DCC Matters

- i. It was understood that additional government money was being provided to repair pot holes in roads which had resulted due to the adverse winter weather
- ii. DCC had published an Options Consultation Paper for its Minerals Core Strategy which would provide the strategic framework for minerals planning in the County until 2031. Public Consultation Events were being held across the County. The consultation period would extend until 29th April.
- iii. David Slack had referred three matters to the Clerk which she in turn had forwarded to CCllr Hannon for necessary action. The matters were:-
 - i. there was a consistent puddle in the middle of Halberton High Street presumably caused by a burst pipe approx outside 41/43 High Street.
 - ii. the priority sign outside number 49 High Street had been hit by a vehicle and was just about facing the wrong direction.
 - iii. the drainage grid at the west end of the new footpath from 53/55 High Street at the entrance to Mr Slack`s shared drive was actually higher than the surrounding tarmac resulting in water flowing further to the west.CCllr Hannon had confirmed that he was dealing with these issues and had notified Mr Slack accordingly.

233. MDDC Matters

- i Cllr Radford advised generally about MDDC`s future plans for green waste collections
- ii. Cllr Radford suggested that another Litter Picking event should take place. It was agreed that this should be on 9th April -10am for 10.30am start. Cllr Radford would arrange to advertise the event.
- iii. Cllr Hand had submitted his application to MDDC to become a PC representative on MDDC`s Standards Ctte
- iv. MDDC at its Full Council Meeting on 23rd February had agreed to a council tax freeze, to protect frontline services and that there would be no compulsory redundancies
- v. Cllr Hand would look at the information relating to MDDC`s Green Infrastructure Strategy. He would liaise with the Chairman and the Vice-Chairman with regards to whether or not the PC needed to take any action in this matter
- vi. MDDC was seeking a volunteer to join its Remuneration Panel which met once or twice a year to make recommendations on allowances and expenses paid to District Cllrs. The Clerk had the information available if any member was interested.
- vii. MDDC had adopted a new Community Housing Strategy for 2010-2015. The strategy would point the way with a number of actions on matters such as homelessness, affordable housing, private sector housing and supporting vulnerable people.

234. Cemetery Matters

The fir trees had been cut down. The ash tree still needed to be cut down. It was understood that some of the tree stumps could not be lifted out as they would disturb the kerbstones. It was agreed that the rubbish between the stumps would be dug out and the trees would be cut off to the same level and then 12” of tanalised timber would be put down with earth behind followed by the planting of beech. It was resolved that £100 be spent on replacement trees. In addition it was resolved that Cllr Saunders erect a post and rail fence to continue that which was already in situ. It was resolved that the costs be limited to £100 The proposed wild flower area would be scarified shortly.

The Clerk confirmed that in February she had provided Cllr Corden with forms of disclaimer re the use of volunteers in the cemetery by e-mail but he had not received this communication. She

had also copied in the Chairman and Vice-Chairman who confirmed that they had both received the e-mail concerned with the said forms attached. The Clerk could only assume that Cllr Corden's e-mail system had been attacked by gremlins!

The Clerk advised that she had been in contact with a parishioner regarding the interment of ashes of a relative of the parishioner, who had died some months ago. The parishioner concerned wished to have an informal burial without the use of an undertaker and it also appeared that he wished to excavate the burial plot (in which the husband of the deceased was already buried) to inter the ashes himself. The Clerk had advised the parishioner that this was not possible under burial law and would also be in breach of Halberton Cemetery's Rules and Regulations. The Clerk had effectively put the parishioner 'on notice' in writing and verbally, by stating categorically that such an informal burial could not take place. Cllr Mrs Jepps had also been advised of the situation and would monitor if there was any suspected disturbance of the grave. The parishioner was now considering whether or not to have a formal burial of the ashes or whether the scattering of the ashes was more desirable. The Clerk also advised the PC that the memorial stone had already been engraved with details of the deceased. It would be usual for the ashes/body of the deceased to actually be interred prior to the memorial stone being engraved with these details. It was agreed in this instance that the stone should remain in situ but in all future cases that memorial stones could only be engraved with information about a deceased person after the interment had actually taken place.

235. Transport Problems in Halberton resulting from the use of Satellite Navigation

It was not possible to discuss this matter in any great depth as CCllr Hannon was not present and the PC really required his input. It was agreed that the Clerk contact CCllr Hannon and advise him of the problems with a number of lorries in the vicinity of Old Bridwell. These vehicles were inadvertently ending up at this location due to the driver using Sat Nav guidance and despite there being a blue prohibition sign. Cllr Hand advised that residents in the area were becoming increasingly concerned as vehicles were hitting and damaging walls and thought it was only a matter of time before a vehicle would go ploughing through a house wall

236. Royal Wedding Street Parties

The Clerk advised that if anyone was interested in holding street parties in the Parish that applications had to be submitted to DCC no later than 24th March. There would be no fee payable. Cllr Radford advised that residents of Orpington Court were interested in holding a street party. The Clerk would forward to him all the necessary information.

237. Car Park/New Footpath Update

The Clerk had heard nothing further from Chris Liversidge of NPS. She would contact him again. The Chairman advised that Steve Gardiner of DCC was in the process of getting the Permissive Path Agreement for the Farmshop path out to the PC.

238. Dates of Future Meetings

15th March 2011 – Making it Work Locally – Exeter City Football Club

The Chairman would be attending this. On the following day the Chairman would be taking a delegation around Halberton to showcase the achievements of the village which have benefited the community etc – affordable housing, the orchard etc

3rd May 2011 – The Annual Parish Meeting at Halberton Village Hall at 7.00pm

It was resolved that Cllr Mrs Johnstone provide the buffet at a cost not exceeding £50.

239. Committee Reports

Amenities

The Clerk had not yet received the Rospa Report. The Clerk to investigate the cost of MDDC carrying out the task of inspecting the play equipment on behalf of the PC in future years

Footpaths

It was resolved to accept Nick Page`s quote for the 2011 works on the footpaths in the sum of £375. The Chairman had spoken to Ros Davies at DCC about the footpaths grant. The PC would not be receiving any further monies in the new financial year. However it was understood that there were a number of free gates etc which would be available to the PC. The Chairman suggested if gates were needed that the PC should obtain them now whilst they were available.

240.Clerk`s Report

The Clerk advised that she would be attending MDDC`s meeting of Parish and Town Council Clerks being held on 10th March at MDDC Offices

241. Accounts

RECEIPTS FOR PERIOD 1ST - 28TH FEBRUARY 2011:

Bank Interest	1.49
Newsletter	200.00
Cemetery	395.00
TOTAL	596.49

PAYMENTS MADE FOR THE PERIOD 1ST - 28th FEBRUARY 2011 £893.40

PAYMENTS TO BE APPROVED

Cheque No	Amount	Vat	Total	Details
1478	83.96		83.96	Mrs C J McIntyre – Repayment of cost of postage stamps and travel to additional meeting on 22 nd Feb (£5)
1479	6.78		6.78	South West Water – Cemetery Water Charges Nov - Feb
1480	5.10	1.02	6.12	Ottery Office – Photocopying Costs
1481	353.71		353.71	Mrs C McIntyre – Salary
1483	12.00		12.00	DALC – Delegate Fee
1484	16.11	3.23	19.34	M Britton – Repayment of cost of bags of grit

The above payments were approved for payment

Balance of bank accounts carried forward	26300.38
Plus Receipts for period 1 st – 28 th Feb 2011	596.49
TOTAL:	£26896.87

Minus Payments made for the above Period	£893.40
TOTAL	£26003.47
Made up as follows:- High Interest A/c	25014.92
Current A/c	988.55
TOTAL	£26003.47

VILLAGE HALL FUNDS	3420.00
PARISH PATHS FUND	1688.00
VILLAGE OF THE YEAR PRIZE	252.00
DONATION FROM PARISHIONER	1949.00
PARISH PLAN FUND	434.00
CAR PARKING	3500.00
TRAINING	165.00
RECREATIONAL GROUND	412.00
GENERAL FUNDS	14183.47
TOTAL	£26003.47

Halberton Newsletter: Income to date £2430.09 - less expenses of £2701.18

= deficit of £271.09

242. New Auditor

The Audit Commission had advised that the appointed auditor to Halberton for the 2010/12 accounts was Jackie Bellard

243. Miscellaneous Matters

i. The Clerk had received a further communication from Parish Online re the provision of a mapping system. It was understood that the setting up fee was £20 and thereafter annual payments of £10. It was agreed that the item be included on the April agenda but in the meantime the Clerk to contact the Company to request an extension to the period that the Parish Council had free access of the system so that it could make an informed decision about whether or not to purchase the system at the April PC Meeting.

ii. Tiverton Town Football Club had sent an invitation to the PC in respect of the `Back to the Golden 60s` concert it was holding on 7th May 2011. Further details could be obtained from the Clerk

iii. It was understood that there appeared to be some building activity taking place at Crosslands Farm, Ash Thomas EX16 4NU. There were new PVC windows in the property and building materials were on site. The PC was unaware that a planning application had been submitted for any works in respect of this property. The Clerk to request John Clarke MDDC`s Planning Enforcement Officer to investigate.

iv. It was understood that the re- enforced precast concrete posts that held the galvanised rail required urgent attention in view of its poor condition. It was clearly a health and safety issue and the Clerk was requested to report this to DCC asap

v. It was agreed that the purchase of an aerial photograph of Halberton be considered at the April PC meeting. The Clerk to include it on the April Agenda

vi. Cllr Mrs Graham reported that there were a number of stinging nettles growing up around the pond. It was agreed that the Vice- Chairman would ask Nigel Cuthbert to deal with them.

vii. It was reported that there were problems with the cycling signs at Pond Hill. One of the signs was facing the wrong way. Cllr Hand would investigate and if possible take appropriate action to rectify.

viii. It was agreed that `the Queen`s Diamond Jubilee` be included on the April Agenda

244. Exclusion of the Public

It was resolved that in accordance with the Public Bodies (Admissions to Meeting) Act 1960 (as extended by s.100 of the Local Government Act 1972), the press and public be excluded from the meeting during the consideration of the following matter on the grounds that

it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972 by virtue of the paragraph specified against the item”.

245. Confidential Item

A member of the PC had been reported to MDDC’s Standards Ctte for alleged breaches of the Code of Conduct. The Clerk provided details of the alleged breaches. MDDC had subsequently considered the matter at the Assessment Sub-Ctte of the Standards Ctte on 4th February. Following this meeting the Clerk and the member concerned were subsequently advised by MDDC:- “In accordance with S.57A(2) of the Local Government Act 2000 as amended, the Assessment Sub-Ctte of the Standards Ctte decided that no action should be taken on the allegations” It was also understood that the Standards Board was being abolished next year. However legislation was being passed to make it a criminal offence to deliberately withhold or misrepresent a personal interest. This would mean that serious misconduct which at present leads to censure by a local authority standards committee and having to make an apology, will instead possibly result in a criminal conviction.

246. Future PC Meetings

22nd March 2011

7.00pm Planning Ctte Meeting (provisional)

12th April 2011

7.00pm - Planning Ctte Meeting

7.30pm - Ordinary PC Meeting

The Meeting closed at 9.35pm

CHAIRMAN

DATED

