

**MINUTES OF THE ORDINARY MEETING OF HALBERTON PARISH COUNCIL
HELD ON TUESDAY, 13TH DECEMBER 2011 AT 7.45PM AT HALBERTON
VILLAGE HALL**

166. Present

Mesdames Anderson and Graham, Cllrs Browse (Chairman), Corden and Hand, DCC Cllr Des Hannon and PCSO J Sims

167. Apologies

The Vice-Chairman, Cllr Mrs Johnstone and Cllrs Parker and Walters

168. Public Forum

Nothing was raised

169. Approval of the Minutes of the Ordinary Parish Council Meeting of 8th Nov 2011

It was resolved to approved the Minutes without amendment and they were duly signed accordingly

170. Approval of the following Minutes and Recommendations contained therein:-

- i. the Policy and Finance Committee Meeting of 8th November 2011
- ii. the Amenities Committee Meeting of 29th November 2011
- iii. the Emergency Planning Committee Meeting of 29th November 2011

It was resolved to approve the aforementioned Minutes and the recommendations contained therein and all the Minutes were duly signed accordingly

171. Matters Arising from of the Ordinary Parish Council Meeting of 8th November 2011

- i. The Pond area had very kindly been tidied up by Cllr Mrs Anderson and Cllrs Hand and Corden. Their hard work and effort was much appreciated not just by the PC but by parishioners also.
- ii. The Clerk had been advised that the outstanding monies owed to the PC by DCC re the school's use of the Rec` was being progressed by Jenny Bryant at NPS and Paula McCree at DCC. Jenny had advised that DCC`s file relating to this matter appeared to have been destroyed. It had been suggested by Jenny that it may be appropriate for a new Memorandum of Arrangements to be completed for the benefit of DCC and the PC.
- iii. The Chairman and the Clerk were actively progressing the acquisition of the field behind the cemetery. The Clerk would submit a plan of the area of interest to Roger Folley/Dan Meek at NPS South West shortly and would report back at the next PC meeting of any progress made
- iv. The Clerk advised that Came and Co, the PC`s insurers had provided additional requirements, the PC had to comply with in relation to the Snow Warden Scheme. The Clerk handed out sheets to the PCllrs present specifying these requirements but the key point was that there had to be communication between the PC and the community as to the PC`s intentions eg which paths would be cleared and when etc. It was agreed that the Clerk should place a notice on the PC`s website and on the parish notice boards and at the Farm Shop advising that the PC would take all reasonable endeavours to clear paths etc and that clearance would be done using volunteers who were not always available so clearance may be limited in specific areas etc. and may not be carried out regularly. The Clerk had e-mailed Cllr Hand a form which he could use to register details of volunteers taking part in snow clearance duties. Cllr Hand advised that only 5 -10 minutes notice of the salt delivery to the Farm Shop (organised by DCC) had been given today. This was unreasonable and unfair, particularly on the Farm Shop owners.

He understood that other parishes had been treated in a similar fashion. The full quantity of salt had not been delivered either but this was now being addressed. The Clerk would confirm this issue in an e-mail to Cllr Hannon.

iv. MDDC had advised that the Section 106 contribution re Cordwents in the sum of £8286 had now been collected from the developer

v. It was understood that the legal documentation re Bales Charity was being progressed in order that the Permissive Path Agreement (Farm Shop) could be finalised

vi. A letter of thanks had been received from the CAB for the PC's donation of £50

vii. Cllr Hand was still investigating a new location for PC notices to be displayed on the Uffculme side of the Parish

viii. The Parish Lengthman would next be in Halberton from 15th – 18th February

ix. It was noted that the magnificent Christmas tree had been supplied free of charge by Janet and Anthony Stevens. The Clerk to write a letter of thanks on behalf of the PC for this most generous gesture and also to express its most grateful thanks for helping with the salt delivery with minimal notice

x. The sponsorship of the Donkey Derby was being dealt with by Rob Stevens, Colin Parsons and Cllr Corden

xi. It was understood that Cllr Saunders was dealing with the fencing at the Mead

xii. A letter had been received from a parishioner complaining about an overgrown hedge in the Parish. Cllr Corden would pass the letter to the Vice-Chairman for him to pursue with the errant parishioner concerned

xiii. Cllr Hand advised that the siting of the grit bins in the preferred locations had now been dealt with

172. Matters Arising from:

i. the Policy and Finance Committee Meeting of 8th November 2011

The Clerk had contacted Steve Gardner at DCC regarding the PC's proposed contribution (using Section 106 monies towards the costs of the provision of two new footpaths in the Parish). She had asked him to provide a breakdown of costs which she could then forward to Steve Densham at MDDC for consideration. Mr Gardner was most appreciative of the PC's gesture and indicated that he would forward a breakdown of costs shortly. To date the Clerk was still waiting for this.

Mark Baker, DCC's Canal Ranger had sent his thanks to the PC for the PC's donation of £1400 from 2012/13 budget towards the costs of the canal. He indicated that some of the funding would be used on the signing and promotion of a new circular route incorporating the Swans Neck towpath and proposed new paths from the cemetery to the Canal and from the Farm Shop to Greenway

Carol Onley-Gregson had e-mailed the Clerk to send a `huge thank you` to the PC for its donation of £1500 from the PC's 2011/12 budget. Mrs Onley-Gregson had advised that the money would be used towards the cost of an interactive whiteboard and projector

173. Resolution to vary the current Parish Council's Standing Orders to provide for additional Committees and (where appropriate) Sub-Committees and Advisory Committees

It was resolved that Standing Orders 41 – 48 be amended to provide for additional committees, sub-committees and advisory committees. The item to be discussed fully at the January PC Meeting

174. Chairman's Announcements

The Chairman reported that he had today attended the annual meeting of NALC's National Council. The Chairman together with Richard Parry had been elected Vice-Chair of the Association. This was indeed an accolade and the Chairman was warmly congratulated on this honour as it would certainly put him and Halberton PC on the map! The Chairman also reported that it was likely that PCs were likely to receive between 5 – 10% of the Community Infrastructure Levy. With regards to Code of Conduct issues, PCs may be able to adopt their own Code of Conduct procedures instead of those operated by their district/county councils

175. The Localism Act 2011

The Clerk advised that the Localism Act was now law. The Clerk had e-mailed a number of PCllrs a law update from Bevan Brittan which contained Model Arrangements for dealing with standards allegations under the Localism Act 2011. However it was noted that there was no reference to PCs being able to adopt their own Code of Conduct procedures as suggested by the Chairman previously. It was anticipated that the Code of Conduct provisions would take effect in April 2012.

To summarise, the provisions which would effect PCs included the following which would be subject to enabling regulations:-

- i. An obligation for all Councils (including Town and Parish Councils) to have a code of conduct for councillors which comply with the Nolan Principles. This accompanies a new duty to promote high standards of councillor conduct.
- ii. The Code to include provision as the LA considers appropriate for registration and disclosure of pecuniary and non pecuniary interests.
- iii. The Code must make provision for the completion of a Register of Interests to include those 'Disclosable Pecuniary Interests' defined by regulations and also some other pecuniary interests or non-pecuniary interests (to be defined by the council). These interests will be published on the council's website.
- iv. Failure to register a Disclosable Pecuniary Interest will be a criminal offence.
- v. A Town or Parish Council can adopt their principal authority's code
- vi. All principal councils to have arrangements to investigate allegations and make decisions on them (including those about town and parish councillors)
- vii. These arrangements to include for the appointment of at least one independent person whose views *must* be sought and taken into account before making a decision on an allegation
- viii. The independent person's views *may* be sought by:-
 - the authority dealing with an allegation not being investigated
 - by a member the subject of an allegation
- ix. The Independent Member may not be a voting member of any local Standards Committee.

176. Police Matters

PCSO Sims advised that a number of minor matters had been reported and the crime rate was relatively low in the Parish. He advised that concerned parishioners had reported a door to door salesman. Concern had been expressed that the gentleman concerned was operating a scam but enquiries revealed that he was genuine; there had been a burglary at the Barge; a male had been reported acting suspiciously at Muddisford Farm – but he was simply working in his car; a RTA had occurred in the High Street – but no injuries had been sustained by occupants of the vehicles involved; there had been a theft of a pedal cycle; Quad bike thefts in Devon were on the increase but there had been none reported so far in Halberton; Speed Watch would be progressed in the New Year

PCSO Sims advised that it wasn't legally possible to carry out enforcement action re speeding vehicles in Halberton due to the 20mph zone although Community Speedwatch would be carried out which seemed to be successful. PCSO Sims also advised that he had not yet had an

opportunity to carry out spot checks of the Rec in view of the vandalism that had been reported at the last meeting. He would however arrange to check the Rec in the coming weeks. It was understood that as far as the PC was aware no further incidents of vandalism had occurred.

177. DCC Matters

- i. May Gurney would be carrying out works outside Lower Hearne Barn at Crossparks, Ash Thomas from 15th – 19th December and a section of road would be closed in order for the works to be effected
- ii. CClr Hannon advised that at Muxbeare Lane a Traffic Regulation Order was being progressed (Prohibition of Motor Vehicles Except for Access) as finance had been obtained to effect it

178. MDDC`s Matters

The Clerk had sent a list of outstanding matters to Cllr Ray Radford for him to pass to the appropriate departments for necessary action. To date the following were still outstanding:-

- i. The dog bins at Church Walk and at the school had not been repaired – faulty locks and sticking lids
- ii. The dumped tyres at the flowerbed at Pond Hill had not been removed
- iii. The Church Path pavement (Pond Hill end) had not had a pressure wash. It was slippery and dangerous due to algae. Persons had fallen over and also a cyclist had fallen off his cycle. Concern was expressed that unless this issue was addressed persons may be tempted to pursue claims against the local council. In addition there were two damaged flagstones between the entrance of the school and the church.

It had been reported that two MDDC tenants had been evicted due to rent arrears. The message from MDDC was that tenants who were having financial difficulties should make contact with Housing Services as a matter of urgency to enable them to be given help and assistance with debt management and budgeting.

179. Devon and Somerset Fire and Rescue Service (DSFRS) Fire Alarm Response Consultation

The DSFRS was consulting on a proposal to change the way it responded to calls resulting from automatic fire alarm activations. The changes were intended to reduce the impact of false alarms on the Service. It was agreed that the Clerk forward this information to Halberton School

180. Clerk`s Report

The Clerk had nothing to report

181. Accounts

RECEIPTS FOR PERIOD 1ST - 30TH November 2011:

Bank Interest	1.47
Newsletter	378.00
Cemetery	30.00
TOTAL	£409.47

PAYMENTS MADE FOR THE PERIOD 1ST – 30th November 2011 £444.78

PAYMENTS TO BE APPROVED

Cheque No	Amount	Vat	Total	Details
DD	26.00		26.00	MDDC – Cemetery Rates
1555	50.00		50.00	At Andrews Church – grant for churchyard
1556	1500.00		1500.00	Devon County Council – grant for equipment re new building Halberton School
1557	57.00	3.60	60.60	Mrs C J McIntyre – repayment of costs of confidential waste disposal & postage stamps
1558	473.60		473.60	Education Matters – publication costs of Newsletter
1559	11.59		11.59	South West Water – Cemetery Rates
1560	15.52	3.10	18.62	Ottery Office – photocopying 1550
1561	50.00		50.00	Victim Support – Donation
1562	135.00	27.00	162.00	Audit Commission – Audit Fee
1563	353.51		353.51	Mrs C McIntyre – Salary (Dec/Jan)
1564	75.83	15.17	91.50	Halberton Village Hall – Room Hire

It was resolved that the above mentioned invoices be paid

Balance of bank accounts carried forward	28297.89
Plus Receipts for period 1 st – 30 th November 2011	409.47
TOTAL:	£28707.36

Minus Payments made for the above Period £444.78

TOTAL £28,262.58

Made up as follows:- High Interest A/c 24772.63
Current A/c 3489.95

TOTAL £28262.58

*VILLAGE HALL FUNDS	4420.00
PARISH PATHS FUND	1223.00
VILLAGE OF THE YEAR PRIZE	212.00
DONATION FROM PARISHIONER	1616.00
PARISH PLAN FUND	434.00
CAR PARKING	4500.00
TRAINING	75.00
RECREATIONAL GROUND	77.00
COMPUTER/SOFTWARE	00.00
CHAIRMAN`S ALLOWANCE	100.00
GENERAL FUNDS	15605.58
TOTAL	£28262.58

***AshThomas - £2250 and Halberton £2170**

Halberton Newsletter: Income to date £2119 less Expenses £1888.94 = credit of £230.06

182. Bank Mandate and Telephone Banking

The Bank Mandate authorising all the PCllrs as signatories for the PC's cheques had been effected and also the telephone banking system had been set up with the Clerk being the `Primary User` and the Chairman and the Vice-Chairman as `other users`.

183. Committee Reports

The Footpath Survey Reports required completion and return

184. Miscellaneous Matters

i. It was understood that Mr Bennett, Head Teacher of Halberton School, would be retiring at the end of term. A presentation would take place at the school on 15th December. The Clerk to send a letter of thanks on behalf of the PC for his commitment to the school and the many achievements attained by the school whilst under his headship

ii. A former parishioner had been in contact with the Clerk to advise that he was considering leaving a substantial amount of money in his will to be used in the setting up of a charity to benefit the children of the Parish for their post 16 further and higher education. The PC was extremely grateful to the gentleman concerned for his most generous gesture. It was agreed that the Clerk should write to the gentleman thanking him for his proposed intentions and to advise that the PC would be keen to work with the gentleman's legal team in the formulation of the charity best befitting the Parish.

iii. It was agreed that consideration be given to revising the Clerk's contract of employment. The Clerk to supply members with copies of her existing contract and the new Model Contract prior to the January PC Meeting for consideration.

iv. St Andrews Church Ladies Flower Team was seeking sponsorship towards the costs of the Flower Festival being held in St Andrew's Church for the Queen's Diamond Jubilee. The item to be considered at the January PC Meeting.

185. Future PC Meetings

10th January 2012 Planning Cttee Meeting – 7.00pm

10th January 2012 Ordinary PC Meeting - 7.30pm

The Meeting closed at 9.05pm

CHAIRMAN

DATED

