

**MINUTES OF AN ORDINARY MEETING OF HALBERTON PARISH COUNCIL ON  
TUESDAY, 10<sup>th</sup> JULY 2007 AT 7.00PM AT ASH THOMAS VILLAGE HALL**

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**61. Present**

The Chairman (K Browse), Vice-Chairman (B Lane-Smith), Mesdames Cuthbert, Jepps and Johnstone, Cllrs Britton, Corden, Gibbs, \*Radford, Saunders and Wooding, Cllr Des Hannon, Mrs M Squires Chairman of MDDC, Mrs J Dearlove of Hastoe Housing, PC Dodd and 6 Members of the Public

\*Cllr Radford arrived later in the meeting

**62. Introduction of Mrs M Squires, Chairman of MDDC**

The Chairman of the PC welcomed Mrs Squires. She gave some background information as to her role as the Chairman of MDDC and advised of impending changes at MDDC.

**63. Public Forum**

Concern was expressed by a parishioner that Philip Kerr had attended the public meeting on 3<sup>rd</sup> July, indicating he was a representative of Jigsaw Consultants who were acting on behalf of Mr and Mrs J Clapp. The Clapps were looking to develop Hartnoll Farm as a large scale industrial business unit site. Cllr Des Hannon also confirmed that Mr Kerr had indicated to him that he was a representative of Jigsaw. The parishioner believed that Mr Kerr was not connected with Jigsaw at all and was concerned that he was giving a misleading impression.. The Clerk understood that Mr Mathew Turnball of Jigsaw was the representative who should have attended the meeting as she had been corresponding with him and was concerned that this had not been the case. The parishioner also advised that that it was becoming difficult to manoeuvre at Green Acre. There were two bollards, a high wall and bad parking which was making matters hazardous. The Clerk would check the plans for Green Acre to see whether there were bollards in the scheme drawings. The Hastoe affordable housing scheme at Pethertons was causing problems for Mr Gates and Mrs Fincham. Part of the development was being built so close to their property that they could no longer use their garden in view of the privacy issues. Mr Gates produced photographs as evidence of the problem. It appeared that the plans had been revised but the PC had not seen the revised plans. Mr Gates had also seen revised plans which he had agreed with the Site Manager but it was clear the building was no longer being built in accordance with the revised plans. Mrs Squires and Cllr Radford would set up a site meeting with Jonathon Guscott and Alison Fish of MDDC, Mr Gates and Mrs Fincham, within the next two weeks.

**64. Apologies**

There were no apologies

**65. Hastoe Housing**

Mrs Dearlove introduced herself and was very apologetic about the problems which Mr Gates and Mrs Fincham were encountering regarding the development. She had no prior knowledge of the problem until she had arrived at the meeting tonight. Mrs Dearlove explained that her role was to manage the properties.. There would be some shared ownership properties and other properties for rental. She detailed the criteria for shared ownership and rental. She also explained about Choice Based Lettings which was a means of allocating social housing in a way that was slightly different to normal procedures. Anyone interested in the properties would need to register with MDDC. The contact name was Fran Cheetham.

## **66. Approval of Minutes**

The Minutes of the Ordinary Parish Council Meetings of 12<sup>th</sup> June 2007 were approved and signed subject to the following amendments:-

Para 33. Delete heading and first two sentences. Insert new heading “Signing of Declarations of Office”

Para 42 – Delete `Vice-Chairman` and insert `Cllr Wooding`

Para 52 – after the word `Farm` add `and left the room`

## **67. Matters Arising from the Minutes**

i. The Clerk had provided each member of the PC with a copy of a job description for the Police Community Support Officer. It was understood that Mel Smith would commence this role in the Parish wef 19<sup>th</sup> July.

ii. Tim Hugill has carried out some work to update the Parish Website. However he would shortly hand over the responsibility for the site to Cllr Mrs Cuthbert.

iii. It was resolved that the PC arrange with its insurers to take out Libel and Slander and Official's Indemnity Insurance Cover at an annual cost of £51.66.

iv. The Head Teacher of Halberton Primary School, Mr B Bennett, had expressed his thanks to the PC for its kind comments concerning the School's excellent Ofsted report.

v. Kevin Finan of MDDC had advised with regard to Halberton PC's S.106 money, £17,000 of the total sum of £41,000 would be set aside for new play equipment but the remaining amount would be reduced in order to fund an officer's post at MDDC. The Clerk had seen the S.106 agreement for Townsend House and as far as she was concerned MDDC was acting ultra vires in using the money for the purpose it was proposing. The agreement was quite specific as to what purposes the monies could be used and the funding of an officer post was not one of them. There had been no consultation with any PCs as far as she was aware and the Clerk was appalled that MDDC could act in this cavalier fashion. She had since written to Mr Finan to ask on what authority MDDC could use Parish money, but to date she had not received a response. It was resolved that the Clerk write to MDDC's Chief Executive about this matter in view of Mr Finan's lack of response.

vi. Mr Harvey of MDDC's Standards Cttee would now be attending the October Meeting to talk about Code of Conduct etc.

vii. The Chairman had been elected on to DAPC's County Cttee for 2007 – 2011

viii. Halberton had been short listed in the Devon Village of the Year Competition. The Clerk reminded Cllrs that if there were any particular areas in the village that required attention eg weeding, tidying up etc to let her know. Judging would take place shortly.

ix. The Clerk to chase up DCC about the strimming course that Cllr Corden wished to attend as she had not received a reply to her request to reserve a place for him

## **68. Chairman's Announcements**

The Chairman advised that the bus shelter had now been re-roofed. He expressed his thanks to all those PCllrs who had given up their time to help with this matter.

## **69. Model Code of Conduct**

The revised Code of Conduct had been circulated to all PCllrs. It was resolved to adopt all of the Code including Code 12 (2) but not to adopt Clause 7. The Clerk supplied PCllrs with a new Declaration of Interests form which each Cllr would need to be complete. However she would let PCllrs know when they had to send them to MDDC. It was agreed that with regard to the likelihood of impending problems with the Hartnoll Farm development that the Clerk draft a letter of dispensation which she would supply to all PCllrs. If they felt that they required this provision then they would need to sign it and send it to Jan Shadbolt, MDDC's Monitoring Officer. The

question of Halberton PCllrs obtaining dispensations was also an item to be discussed at MDDC's Standards Cttee Meeting on 17<sup>th</sup> July. CCllr Hannon advised that there was no conflict of interest with his dealings relating to Hartnoll Farm so any PCllr could make representations to him and he would be happy to assist accordingly as he was very much opposed to development on this scale. The Clerk reminded the PC that any additional meetings which were required to discuss Hartnoll Farm would need to be organised through her. She stressed the importance of Cllrs complying with the Code of Conduct and that behaviour, however innocent, could be perceived to outsiders as not complying with statutory legislation. She accepted that the informal "get-together" held in the Village Hall following the Planning Cttee Meeting on 3<sup>rd</sup> July was not a meeting called by the PC but because it was a discussion in the Village Hall which was a public building it could have been perceived to outsiders as a formal PC Meeting. She reminded PCllrs that they must at all times adhere to the Code of Conduct. CCllr Hannon advised that funding was being made available for cycles to be purchased for police officers in order that they could monitor the canal, parks etc

### **70. Police Matters**

The Speed Survey was in hand. A police colleague and Mr Wilson at DCC were dealing with it. If the PC wished to have the survey extended to cover Willand Road then it would have to make representations accordingly. PC Dodd was impressed by the Methodist Youth Club and thought it was excellently run. He thought that youngsters should be given the opportunity to paint the interior of the bus shelter at Pethertons to define their "ownership" of it. PC Dodd would be in contact with the various schools in the vicinity to arrange this. There had been some minor but annoying crimes carried out recently such as eggs being pelted at parishioners windows. He was concerned that people were not coming forward to report crimes in the Parish. It was suggested that some persons in the Parish would not take this action as they feared reprisals. Cars had been broken into at Manley lane. PC Dodd would try and arrange for the covert capture car to operate at the canal car park. The vehicle had been used recently at Tiverton Parkway with good results.

### **71.DCC Matters**

The Clerk had now received an update from DCC regarding various highway matters. It was understood that the School signs had been ordered; no highway safety defect was found at Cordwents Hedge; Springfield Court had been inspected by the Highway Superintendent and referred to senior managers for prioritisation as possible expensive works. A decision was awaited. The Ash Thomas problem would be dealt with when the Officer was back from leave; the details of works required at Muxbere Road would be passed to DCC's contractor shortly; the occupier of 26 High Street had been issued with an overgrown vegetation letter on 11<sup>th</sup> May. Cllr Saunders had still not been contacted about the sign at Brithem Bottom. CCllr Hannon would ask DCC to chase up these two outstanding matters. CCllr Hannon mentioned the continuing problems at Birdcage Cottage with regard to the erection of a pole outside the cottage which had temporarily been removed.. The Clerk to arrange a site visit by DCC's Highways Officers, CCllr Hannon and representatives of the PC. It was understood that a hedge on the Farm Shop side of the road required trimming and the signage uncovered as this was now obscured with growth.

### **72. Mid Devon District Council Matters**

i. MDDC's Planning Cttee would be considering the contents of the "Issues and Options Reports" for the Exe Area Development Plan Documents. The draft documents could be viewed by looking at the Planning Cttee agenda for 27<sup>th</sup> June. Consultation would start at the end of July but a longer consultation period of eight weeks would be allowed. The Clerk to invite Simon Thornley to attend the August PC Planning Meeting. The PC to make its response known to the document at the September PC Meeting.

- ii. Gerald Hirsch currently Director of Environmental Services at Broxbourne BC, Herts had been appointed as the new Chief Executive of MDDC.
- iii. MDDC had received a report about its housing performance. The report rated the authority as “poor” with poor prospects of there being any improvement.

### **73. Request for Funding by Vitalize**

It was agreed that the Clerk should ascertain from the Charity as to how many persons in the Parish had actually been helped by this organisation. Once this was known then the PC would re-consider its request for a donation.

### **74. Request for Funding by Ash Thomas Village Hall**

It was agreed that the sum of £300 be paid towards the cost of the renovations. Cllr Saunders declared Model Code of Conduct.

### **75. Play Equipment for the Rec and No Dogs sign**

The “No Dogs” sign had very kindly been collected by Cllr Mrs Cuthbert. The Clerk advised that the play equipment was being installed on 13<sup>th</sup> August. Mr Webber would prepare the ground work on 8<sup>th</sup> – 10<sup>th</sup> August. Tebbutts would deliver the loosefill granules on 15<sup>th</sup> August. Whilst the work was being carried out, the Rec` would have to be closed. The Vice-Chairman would make appropriate laminated signs to be placed on site at the relevant time which would state “Closed – by Order of the Clerk”. Cllr Saunders would repair the fence. Cllr Saunders declared an interest under the Model Code of Conduct. The Chairman would lend security fencing for the project. It was resolved that if it was damaged during the installation period that the PC would replace the same. It was important that the security fencing was put back into situ once the play equipment had been installed. The Clerk to remind the contractors to do this. The Chairman declared an interest under the Model Code of Conduct.

### **76. Parish Council Committees and Organisations**

It was agreed that the existing Cttes of the PC should remain. Chairmanship of the Cttes (other than the Planning Ctte which would be determined at this meeting) would be decided at each forthcoming Ctte meeting. However the Cemetery Sub Ctte would consist of the Vice-Chairman, Cllr Mrs Jepps, Cllrs Saunders and Gibbs. The Chairman would be available `as and when` required. Membership of outside organisations would be considered at the September PC Meeting. It was noted that the Vice-Chairman did not wish to stand for re-election on the DPFA Ctte. He would inform DPFA of his decision.

### **77. Car Park/Footpath Update**

A survey of the site had now been carried out and plans of the survey had been received. . The Clerk had circulated a copy of the letter received from Alison Fish (MDDC`s Planning Officer) in order that the new PCllrs had some background information to the project. Mrs Fish had various reservations about the project. It was agreed that an Amenities Ctte Meeting should be called to further consider the project. The Vice-Chairman would liaise with the Clerk to arrange an appropriate date/time.

### **78. Public Rights of Way Consultation Document**

A number of PCllrs had not seen this document. It was still being circulated and the item would be discussed in September

## **78. Meetings Attended**

### **i. 17<sup>th</sup> May 2007 - South West Cemeteries Forum**

Cllr Mrs Jepps attended this. She found the meeting interesting and useful.

### **ii. 9<sup>th</sup> July 2007 – DAPC**

The Chairman attended this. He visited the canal with other members.

## **79. Committee Reports**

### **The Cemetery**

There appeared to be problems with rabbits in the cemetery. The problem would be dealt with shortly.

## **80. Planning Applications for consideration**

<b><u>Planning App No</u></b>	<b><u>Name/Address</u></b>	<b><u>Details</u></b>
07/01129/FULL	Mr G Maunder, Doctor`s Farm, Halberton	Erection of replacement dwelling

**PC`S COMMENTS: No objections**

## **81. Planning Decisions**

<b><u>Application No.</u></b>	<b><u>Name/Address</u></b>	<b><u>Decision</u></b>	<b><u>Planning Conditions</u></b>
07/00648/FULL	Mr S Threlfall, East Manley Farm	Granted	3
07/00797/OUT	Mrs E Kilby, Walnut Keep	Refused	
07/00980/FULL	Mrs A Sidlow, 14 High St	Granted	
07/01201/CLP	Way Mill, Butterleigh	Granted	

## **82. Miscellaneous Planning Matters**

### **i. Mobile Home situated near mobile home at Moorfield Dairy**

Cllr Radford was calling in the planning application submitted by Mr and Mrs Barrington.

However it was understood that another mobile home was sited opposite the Barringtons home without planning permission. The Clerk had made representations to MDDC about the matter and the Enforcement Officer was investigating.

### **ii. R Persey Planning Application 07/00814/FULL – Erection of Agricultural Storage Building for egg packaging and farm waste storage.**

Concern had been expressed previously about waste being stored in close proximity as eggs.

However MDDC had advised that in terms of waste it would be mainly plastics etc prior to recycling. The room would be completely separate to the egg packaging and any concerns relating to conditions for egg packing would be dealt with under health and hygiene legislation.

Environmental Health Officers had been consulted about the application but raised no objections. The PC felt reassured by this explanation.

### **iii. Mr T Radmore Planning Application 07/01035/CAT – Notification to Carry Out Works to Trees**

In order for the PC to make an informed decision, the Clerk had written to MDDC for more information about the application but this had not materialised. The Clerk to chase up.

### **iv.. Wall at 91 High Street**

The Clerk to write to J Guscott to obtain an update with regard to the wall.

### **v. Appointment of Chairman of PC Planning Ctte**

It was resolved after a vote that Cllr Radford should remain as Chairman of the Planning Ctte

### **vi. Commencement Time of PC`s Planning Ctte Meetings/Circulation of Planning Applications**

After much discussion it was resolved that the previous format of the Planning Ctte`s commencement time of 7.00pm should be reinstated wef the September PC Meeting for a trial period of three months. Cllr Jepps wished for it to be noted that she was very much opposed to the decision as she was of the view that the existing format was preferable. The Clerk reminded

PCllrs that in order for everyone to have an opportunity of seeing all new applications prior to a PC Meeting that PCllrs should ensure that they did not hang on to them for any longer than a couple of days at the most. There appeared to be hold-ups in some quarters which effectively meant that a number of PCllrs were being denied the opportunity of seeing the applications, prior to PC Meetings.

### **83. Clerk's Report**

The Clerk had nothing to report. However she was very concerned about MDDC's decision to reduce the Parish's S.106 monies and would do every thing in her power to get the decision reversed.

### **84. Accounts**

#### **RECEIPTS FOR PERIOD 1<sup>ST</sup> – 30<sup>TH</sup> JUNE 2007:**

Bank Interest	52.74
Newsletter	270.50
Cemetery	262.50
<b>TOTAL</b>	<b>£585.74</b>

#### **PAYMENTS MADE FOR THE PERIOD 1<sup>ST</sup> – 30<sup>TH</sup> JUNE 2007 £350.10**

##### **PAYMENTS TO BE APPROVED**

<b>Cheque No</b>	<b>Amount</b>	<b>Vat</b>	<b>Total</b>	<b>Details</b>
SO	23.00		23.00	MDDC – Cemetery Rates
1115	18.21		18.21	Mrs C J McIntyre – repayment of cartridges
1116	243.88		243.88	Mrs C McIntyre – salary July/Aug
1117	331.00	57.93	388.93	Gardencare – Grass Cutting for June
1118	350.00	61.25	411.25	Centre Line Surveys – survey of Cordwents
1119	244.02		244.02	Mrs C McIntyre – salary Aug/Sept
1120	18.48		18.48	Mrs C J McIntyre – repayment of cost of postage
1121	15.00	2.63	17.63	Orbital Group – Cost of sign for Rec

The above accounts were approved for payment

Balance of bank accounts carried forward	25458.43
Plus Receipts for period 1 <sup>st</sup> – 30 <sup>th</sup> June	585.74
	<b>TOTAL £26044.17</b>
Minus Payments made for the above Period	350.10
	<b>TOTAL £25694.07</b>

Made up as follows:- High Interest A/c	22638.85
Current A/c	3055.22
	<b>TOTAL £25694.07</b>

<b>VILLAGE HALL FUNDS</b>	<b>600.00</b>
<b>PARISH PATHS FUND</b>	<b>2113.79</b>
<b>PARISH PLAN FUND</b>	<b>433.54</b>
<b>CAR PARKING</b>	<b>850.00</b>
<b>GENERAL FUNDS</b>	<b>21696.74</b>
<b>TOTAL</b>	<b>£25694.07</b>

**Halberton Newsletter: Income for Period 1<sup>st</sup> April - 30<sup>th</sup> June 2007 = £744.07 less expenditure £520.36 = Profit £223.68**

**85. Bank Mandate**

It was agreed that due to lack of time, the amendment to the Bank Mandate be discussed at the September PC Meeting.

**86. Miscellaneous Matters**

- i. It was noted that the recycling can bank at the village hall had not been emptied recently. The Clerk to chase up with MDDC
- ii. Cllr Corden advised that a sign was needed in the Village Hall Car Park in view of persons dumping rubbish. He would deal with the matter.

**87. Future Parish Council Meetings**

- i. 14<sup>th</sup> August 2007 at Halberton Village Hall at 7.30pm – Planning Ctte Meeting
- ii. 11<sup>th</sup> September 2007 at Halberton Village Hall at 7.00pm – Planning Ctte Meeting followed by Ordinary PC Meeting

The Meeting ended at 10.10pm

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DATE

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CHAIRMAN