

MINUTES OF THE ORDINARY MEETING OF HALBERTON PARISH
COUNCIL ON TUESDAY, 10TH JUNE 2008 AT 7.40PM AT HALBERTON
VILLAGE HALL

28. Present

The Chairman (Cllr Browse), Vice-Chairman (Cllr Britton), Cllrs Mesdames Jepps and Johnstone, Corden, Gibbs, Lane-Smith, Radford, Saunders and Wooding, CCllr Des Hannon, Cllr Mrs Margaret Squires, Chairperson of MDDC and 13 Members of the Public

29. Apologies

Cllr Mrs Cuthbert and Beat Officer Katie Rich

30. Welcome of Cllr Mrs Margaret Squires, Chairperson of MDDC

The Chairman welcomed Mrs Squires to the meeting. Mrs Squires spoke about matters that MDDC was currently involved in – diversity, PO closures, unitary etc. With regard to unitary proposals she advised it was very important for the views of individuals and parish councils to be submitted in order that the Boundary Commission could get a representative view prior to it making any decisions. CCllr Hannon thanked Mrs Squires for being present at the Trail Boat Festival and for being actively involved with the Parish event. CCllr Hannon also thanked Cllrs and members of the public for being so supportive of the event.

31. Public Forum

Several members of the public expressed their views in respect of the proposed closure of the Post Office. Some opposed the proposals but others understood that the business was no longer financially viable and for this reason could not continue. Nick Geech, parishioner, expressed his thanks to Jan and Dick for all their hard work over the years in running the PO and wished them a long and happy retirement. (This matter was further discussed at Item 53).

32. Approval of the Minutes

The Minutes of the Ordinary Parish Council Meeting of 13th May 2008 were approved without amendment. The Clerk advised that she could not amend the Annual Parish Minutes 2007, as requested at the May Meeting by Cllr Lane-Smith, to indicate that he had been present, as the register of attendance showed this not to be the case. Cllr Lane Smith had attended the Ordinary PC Meeting on that evening but he had given his apologies for the other meeting as he had another engagement.

33. Matters Arising

- i. Unfortunately the village had not managed to reach the finals in the Calor Village of the Year Competition. However it may have won a category prize but this would not be known until later on in the year
- ii. The Clerk of Copplestone PC had indicated that it was unlikely that her PC would be able to contribute towards the costs of obtaining an expert's report on the legality of MDDC retaining part of the S.106 funds for the purposes of funding an Open Spaces Officer post. The Clerk felt at the moment she was unable to progress this matter further
- iii. The dumped brambles had been cleared from land at Greenway House

34. Chairman's Announcements

The Chairman thanked the organisers and CCllr Hannon, the Canal Manager and everybody else involved in making the Trail Boat week-end such a success. A huge number of Duck Race tickets had been sold generating a substantially increased amount of funds for the village. Cllr Corden

expressed his thanks for the opportunity of being able to sell so many tickets. The Chairman advised that the 30mph speed restriction sign was now in situ along Willand Road together with the Parish planter. The Chairman also mentioned the Devon Rural Housing Awards Competition which he considered Halberton to be a suitable candidate for. The item to be placed on the July Agenda for further consideration.

35. Police Matters

Katie Rich had provided a Report in her absence (attached to these Minutes). It was agreed that the Clerk write to the Chief Constable to express concern that PCSO Mel Smith had been moved on after spending such a short period of time in Halberton. Mel had started to build up a relationship with the community and it seemed an illogical decision for her to be moved on at this stage. The lack of continuity was a concern to the Parish.

36. 20mph Speed Limit Update and DCC Matters

Cllr Hannon had organised a recent site visit at which he was present, together with Meg Booth from DCC, the Chairman and others, to see how the current traffic calming measures could be improved. A substantial list of improvements had been drawn up and Cllr Hannon advised that in view of the expenditure involved it may only be possible for the improvements to be implemented in stages and plans would also need to be drawn up. One of the proposed improvements would be for the pedestrian walkways to be more effectively defined. Meg was actively pursuing MDDC with regard to resolving the problem with the wall at 91 High Street. Cllr Hannon had today been requested to pursue the extension of the 30mph speed restriction along Willand Road which would be investigated. The drainage issues at Lower Town had again been examined and it was hopeful that these would eventually be resolved. Cllr Hannon had inspected the footpath surface between Church Path and Corner Lane and could not understand why there were continual complaints about it, as he was of the view that the surface was fine. However it was explained to him that when it rained the water did not drain away adequately and a small section needed to be 'built up' in order to provide for this. The road from Brithem Bottom to Five Bridges was being patched up and part of it overlaid this year, ready for surface dressing next year. The pot hole outside the school had now been filled. The potholes on the road between Battens Farm entrance and Ivy House Cross had been filled and the road would be patched next year with surface dressing the year after. Cllr Hannon mentioned again the overwhelming success of the Trail Boat Festival at which over 5000 attended. The results of the speed survey had been circulated amongst the Parish Councillors. It was clear that there was a large percentage of vehicles travelling in excess of the 20mph speed limit. In view of numbers of vehicles travelling in excess of 30mph, Cllr Corden was of the view that as these vehicles were in breach of the national speed limit, that action could be taken against them by the police. Cllr Hannon had lobbied the Chief Constable and others about the police rethinking of saying "we don't enforce 20mph limits" and police officers would no longer be stating this. Pilot work was also underway in Cornwall on training volunteers in a less formal speed limit enforcement approach. Cllr Hannon was dismayed that the sign for Brithem Bottom had still not materialised. Cllr Saunders reported that another incident had occurred, involving a lorry along the narrow back lanes, which lanes were unsuitable for large vehicles. Lorries finding they could not get through, then had to reverse back and in one case this was for ¾ of a mile! A sign preventing HGV's using the lane was required. Cllr Hannon would pursue the matter again on receipt of contact details from the Clerk

37. Mid Devon District Council Matters

i. MDDC's Executive on 15th May had considered tenders submitted by two bidders and chose leisure company Sports & Leisure Management Ltd (SLM) as its preferred partner for the running

of its three leisure centres at Crediton, Cullompton and Tiverton. More detailed negotiations would follow with SLM with a view to reaching an agreement to enable a contract to be awarded to the company

ii. MDDC advised that from 8th May, the responsibility for considering complaints that a member may have breached the Code of Conduct, had moved to the Standards Committee of MDDC. The Standards Ctte would be chaired by an independent member who would be responsible for receiving allegations in relation to the Code of Conduct. The Ctte would decide whether any action needed to be taken

iii. MDDC would be carrying out Estates Inspections in Ash Thomas on 18th November and Halberton on 11th November

iv. Meetings had taken place during the beginning of the month at various locations, for local groups and organisations who had received, or who wished to apply for grant funding from MDDC's Scrutiny Ctte. The Ctte would then make recommendations to the Council's Executive re the grant funding

v. The Tiverton Cloth Place had taken place in Tiverton. The Cloth Place formed part of 'Tiverton Talks' a ground breaking local project that would be used to develop education and children's services

vi. A Big Litter Pick across the whole of Mid Devon involving schools, town and parish councils and individuals had taken place during April and May.

vii. The alternative weekly recycling scheme had resulted in over 48% of waste being recycled and a 33% reduction in waste buried in landfill

viii MDDC was intending on holding a series of public meetings around the district for people to give evidence as to whether anti-social behaviour was being dealt with adequately by the policies currently in place

xi Cllr Lane-Smith had submitted complaints to the Standard Ctte against Cllrs Mrs Cuthbert and the Chairman alleging breaches of the Code of Conduct. A local sub committee would meet on 17th June (this being a closed meeting). Following this meeting, a written summary of the allegations and the sub committee's findings would be forwarded to the Clerk. The Clerk thought it was relevant to remind Members of the types of behaviour which constituted a breach. She also advised that if other members considered fellow PCllrs may be committing breaches, then they also would be perfectly at liberty to submit complaints. The Clerk advised it was a very serious step to take and advised that if the allegations were not accurate, trivial or not substantive, malicious or untrue then they would almost certainly be thrown out. There was also the risk that the Cllr, the subject of the complaint, may also then make a complaint about the complainant and the Standards Ctte would then have to investigate that complaint. There was also the possibility in the case of malicious or untrue allegations being made, that the Cllr who was the subject of the allegations, may also issue an action in libel against the complainant and the defence of qualified privilege could not be used if it could be proved that the statement was made with improper motive or malice. The Clerk was available to give procedural/general advice only in this type of matter and could not be involved in specific complaint issues. This would be between the Cllr concerned and MDDC

38. Request for donation by Vitalise

It was resolved to make a donation of £50 in view of the organisation having helped local persons.

39. Proposed Closure of Halberton Post Office

It was agreed to discuss this as the final item if the Meeting

40. Parish Plan Update

Cllrs Mesdames Johnson and Cuthbert were progressing matters. The Emergency Plan had not yet been updated. However it was suggested that the Clerk obtain a copy of Uplowman's PC's Emergency Plan as it was understood that this would be an excellent template to use.

41. Cemetery Update

Following the inspection of the cemetery and the Clerk checking ownership of plot details it was agreed that Richard Grant be asked to carry out a survey of the headstones and provide an individual quote for each headstone which required attention. With regard to damaged headstones and/or graves requiring topping up (and which it was understood the grave owners had since died), it was resolved that notices be placed on each grave, on the notice board, cemetery gates and in the Newsletter requesting next of kin to come forward to arrange for works to be carried out. If after a period of 6 months there were a number of graves where next of kin could not be traced then the PC would have to arrange for the works to be carried out at its own expense but would also try and recover the repair costs at some future date. The Clerk to check with the PC insurers as to what steps the PC was required to take in the event of individuals carrying out the repairs themselves rather than employing a specialised contractor. It was suggested at the next Precept meeting that consideration should be given to charging a one-off maintenance fee to plot owners in order that monies were instantly available for eventualities such as the topping up of graves and repairs to headstones etc. It was understood that the length of the grass in the cemetery was causing concern as it made the cemetery appear unkempt. However recent rainfall had encouraged a growth spurt of the grass and in view of the grass cutting contract specifying fortnightly cuts it was considered that there would be occasions when the cemetery would not always look its best. The situation would be monitored. The Clerk advised that a Deed of Grant issued to the purchaser of a burial plot, was valid for a period of 100 years.

42. Nomination of Person/Persons in the Parish to attend MDDC's Chairperson's Autumn Reception

This item to be deferred to the July agendas

43. Proposed Removal of Payphones in Halberton and Ash Thomas by BT

The Clerk had sent two e-mails to BT requesting information as to the maintenance costs, the income received etc in relation to the two telephone boxes. No responses had been received. It was resolved that the PC oppose the removal of the boxes. The Clerk to inform BT accordingly.

44. Car Park/Footpath Update

Roger Folley from DCC had requested the PC provide i. a plan showing the proposed siting of the car park and footpath, ii. written confirmation from MDDC's Planning Dept, that the proposals would appear to them to be acceptable, iii. written confirmation from DCC's Environment Economy and Culture Directorate that the proposals would appear acceptable. The Chairman and Cllr Corden would speak to the landowner about the PC's proposals. The Clerk to speak to Roger Folley at DCC to ascertain how the garden at Old Cordwents was let. It was understood that there was a Local Projects Fund of £1.55 million funded by part of the proceeds of the sale of Exeter Airport. Funding was on a 'first come, first served' basis. The money could only be spent on capital projects – this being a legal constraint, projects would be favoured where there was match funding and they were helping to sustain community life in rural communities and which were environmentally sustainable. DCC would not be committing to projects that required

ongoing revenue funding. The PC would need to move forward with the project as soon as it was able in order to be able to qualify for funding.

45. Meetings Attended

There were no reports

46. Future Meetings

i. 10th July 2008 2.30pm DPFA – Ipplepen Village Hall

ii. 15th July 2008 10.00am Exeter Court Hotel – Throwing Light on the Role of Town and Parish Councils in Devon

47. Committee Reports

Amenities

- i. The Clerk advised that she would shortly contact the suppliers of the swings to arrange for them to shorten the chains, as this was the suppliers initial error.
- ii. Cllr Lane Smith would arrange to have a key cut for the gate into the Rec`. Roy Leader to retain a key should the contractors/or any other authorised person by the PC require it. It was understood that the grass cutting contractors already held a key.
- iii. The Clerk to arrange for the removal of the plank left on the seat by the pond (believed to be by MDDC`s contractors)
- iv. The Clerk would contact the Parish Lengthsman to request that on his visit in August that he clear the weeds etc from the road on the corner opposite the Farm Shop. The Lengthsman to contact Cllr Lane-Smith for the exact location.
- v. The Clerk would contact Mark Baker with regard to the damaged Dick Drews Memorial seat near Crown Hill Bridge
- vi. It was noted that the hedge bordering the path from Church Path to the Rec` was the responsibility of the Primary School who had an ongoing issue with the holes, with attempts to rectify the problem being many and varied!!
- vii Cllr Mrs Cuthbert was still pursuing quotes for the cost of trees, to replace the dead trees on the cemetery perimeter
- viii CCD was trying to organise playing fields/equipment training day if there was enough interest
- ix. Improving the entrance to the Rec` was considered in depth and also improving access for disabled persons. The Chairman agreed to provide the hardcore required. Works to the disabled access would need to be further considered and priced up.

48. Clerk`s Report

The Clerk had nothing to report

49. Approval of 2007/08 Parish Council Accounts

The Clerk advised that the accounts had been circulated prior to the June Meeting to all members by e-mail and post. They had also been circulated at the May Annual Parish Meeting. Mrs Erasmus had subsequently completed the internal audit of the accounts. However it was necessary for Sections 1 and 2 of the Annual Return for the year ending 31 March 2008 to be approved. The Clerk subsequently went through the statements with the PC and it was resolved as follows:-

- i. to approve the accounts as set out in Section 1
- ii. to approve the `Statement of Assurance` as set out in Section 2

It was agreed that Mrs Erasmus who very kindly audited the PC accounts each year, be rewarded with a M & S gift card as the PC's appreciation for her hard work. The amount to be increased from £15 (which had been paid to her for several years) to £20.

50. Accounts

RECEIPTS FOR PERIOD 1ST - 31ST MAY 2008:

Bank Interest	60.64
Cemetery Fees	80.00
Newsletter	35.91
TOTAL	£176.55

PAYMENTS MADE FOR THE PERIOD 1ST - 31ST MAY 2008 **£1069.73**

PAYMENTS TO BE APPROVED

Cheque No	Amount	Vat	Total	Details
DD	24.00		24.00	MDDC – Cemetery Rates
1206	340.63		340.63	Mrs C McIntyre – salary May/June
1207	255.40		255.40	HM Revenue & Customs – ¼ income tax due March – June
1208	344.31		344.31	Education Matters – Newsletter publication costs
1209	15.00		15.00	Mrs J Austin – Newsletter delivery costs
1210	85.00		85.00	Mrs J Johnstone – repayment of cost of noticeboard
1211	10.57		10.57	Cemetery water charges Feb – May
1212	38.26		38.26	Repayment of costs to Mrs C J McIntyre i. postage stamps - £19.98 ii. ink cartridges - £15.56 + vat £2.72
1213	40.00		40.00	Mrs C J McIntyre – ¼ reimbursement of internet and telephone charges
1214	339.75	59.46	399.21	Gardencare – Grass Cutting of Cemetery, the Mead and the Rec
1215	51.04		51.04	Mrs J Johnstone – repayment cost of buffet -£40 and coffee break items for community workers £11.04
1216	20.00		20.00	Mrs C McIntyre – repayment of cost of vouchers for Mrs Erasmus for carrying out auditing
1217	13.45	2.25	15.80	Ottery Office Practice – photocopying
1218	60.92	10.66	71.58	Mr B Corden – material for notice board
1219	30.00		30.00	S Hutter – refreshments for judges re Village of the Year Com
1220	250.00	43.75	293.75	B Saunders – to supply and erect fence etc

It was resolved that the above accounts should be paid

Balance of bank accounts carried forward	30005.60
Plus Receipts for period 1 st – 31 st May	176.55
	TOTAL £30182.15
Minus Payments made for the above Period	£1069.73
	TOTAL £29112.42

Made up as follows:- High Interest A/c	27202.73
Current A/c	1909.69
TOTAL	£29,112.42

VILLAGE HALL FUNDS	1500.00
PARISH PATHS FUND	2108.79
PARISH PLAN FUND	433.54
CAR PARKING	1500.00
GENERAL FUNDS	23570.09
TOTAL	£29,112.42

Halberton Newsletter: Income for Period 1st - 31st May 2008 = £566.87 less expenditure £364.37 = Profit £202.50

51. Members Business

Nothing raised

52. Miscellaneous Matters

- i. The Clerk would contact Cllr Mrs Cuthbert to ascertain as to what progress she had made with regard to the Greenway sign
- ii. The directional recycling banks sign was still in situ despite the banks having been removed some time ago. Cllr Corden would deal with the matter as soon as he was able.
- iii. The Vice-Chairman would provide the Clerk with a list of numbered street lights which were being obscured by trees and were not providing sufficient light. The Clerk would then pass this information onto DCC's Street Lighting Dept
- iv. The crash barrier near the Barge where the Sampford Peverell road met the Willand Road required repair work. The Clerk to advise DCC of this matter
- v. The directional arm for Uplowman on the Battens Cross sign post was missing. It was also understood that a sign further along, also had the Uplowman name sign missing. The Clerk to report these matters to DCC.

53. Post Office

Cllr Mrs Johnstone in her capacity as Cllr and Postmistress read out a statement advising why she was not opposed to the proposed closure of the PO. After she read out her statement (and in view of her having a prejudicial and personal interest) she left the room. Cllr Corden also had the same interests and left the room. The Chairman, and Cllr Wooding each declared personal interests. A statement was read out by the Clerk from Cllr Mrs Cuthbert who was not present and who also had a personal and prejudicial interest but who supported the proposed closure of the PO. Other letters indicating both opposing and approving the proposals were also read out by the Clerk. In view of the fact that Cllr Mrs Jepps, Gibbs and Lane-Smith had organised a petition to save the PO, prior to the PC Meeting (which the Clerk was only made aware of at the meeting), it effectively meant that as they had failed to obtain dispensations to remain in the meeting, they were only entitled to make a statement each and then were required to leave the room. It was considered unfortunate that this had had to be the case as the matter could only now be considered by a minority of PCllrs, rather than having a full and frank exchange of views by the majority of members. It was suggested that perhaps when any contentious issues were discussed in the future, Cllrs should remind themselves of the Code of Conduct requirements and take whatever action was laid down under the Regulations to be able to participate in discussions, in order to avoid eventualities such as this. Cllr Mrs Squires provided further information about the proposed PO closures. It was noted that in Halberton the petition circulated had generated only a

small number of signatures and an equally small number of letters and e-mails had been received opposing the closure. In addition it was also noted that there had been a very small turn out of parishioners at tonight's meeting opposing the closure. This suggested to the PC that the majority of parishioners accepted the proposed closure of the PO and the alternative provision of an outreach service. After some debate, it was resolved by the PC that although it was saddened by the proposals to close the PO, it accepted it was no longer viable to keep it open and would accept the proposed Outreach Service as an alternative service offered by the PO. This information would be conveyed to John Bodley-Scott at MDDC by the Clerk. The Clerk to also contact the PO to ascertain full details of the proposed outreach service eg hours/days of operation, services to be provided etc.

54. Next Meeting

The next Meeting will be held at Ash Thomas Village Hall on 8th July 2008 at 7.00pm

The Meeting closed at 10.00pm

CHAIRMAN

DATED

Halberton Parish Council Meeting June **Report of Katie Rich – Beat Manager**

Apologies that I am unable to make this month's meeting but I am on Annual Leave until the 17th June. I will be able to attend the next meeting.

As I am sure some of you may already have heard unfortunately PCSO Mel SMITH has been moved to Tiverton Police Station. PCSO Tracey PETERS has stepped in to her position but we are unsure at this time whether this will be a permanent move or temporary one. If anything comes up at this meeting which requires urgent police attention then Tracey can be reached at tracey.peters@devonandcornwall.pnn.police.uk

There have been a minor number of incidents reported in the Village in the last month which is reassuring to see again.

Incidents to note:

Youths placed a metal bar in the road close to the Bus Stop in the village to just cause a nuisance. An officer attended and they had disappeared, as had the bar.

A youth was reported to have knocked on a person's door in the middle of the night in Pethertons. The youth was identified and spoken to about his conduct.

There was a theft of a motor vehicle from Hartnolls Farm.

The telephone Exchange on Willand Road has been targeted twice in the last month with Lead flashing and copper Cable being stolen. Unfortunately on both occasions no evidence was recovered to suggest who may have been responsible.

A window was damaged at a property on Corner Lane.

A vehicle was damaged overnight in Pethertons – no witnesses to the damage.

Copper Piping and a cylinder were stolen from a property along the High Street.

Several properties in ASH THOMAS were hit on the night of the 25th May. A burglary of a garage took place on this night and shed break and also a house burglary. There have been no reported burglaries within Halberton village however.

These are all the crimes, to date, and incidents that have been reported to the police.

If there are any police matters arising from this meeting please can myself or Tracey be contacted about them?

Many thanks and see you all at the next meeting
Katie