

MINUTES OF AN ORDINARY MEETING OF HALBERTON PARISH COUNCIL ON TUESDAY, 11TH MARCH 2008 AT 7.30PM AT HALBERTON VILLAGE HALL

246. Present

The Chairman (K Browse), Vice-Chairman (B Lane-Smith), Mesdames Cuthbert and Johnstone, Cllrs Britton, Corden, Gibbs, *Radford, Saunders, Cllr Hannon and one Members of the Public

*Cllr Radford left the meeting early due to another engagement

247. Public Forum

Mr Andrew Butler, Parishioner informed the PC that flooding had occurred in Lower Town in January. Contractors had partially cleared the culvert but were unable to clear one section of it. Mr Butler understood from the contractors that they were of the view that the 10" pipe under the road was insufficient. They had not been given instructions to check the road drains from the culvert back towards "Pethertons" which they understood from local residents were partially blocked and in need of attention and over which the water flowed in heavy rain. Lower Town was again flooded on 10th March. A question was raised that if DCC did not carry out the work to deal with the drain blockage and flooding occurred, resulting in damage to private land, would DCC be liable? Cllr Hannon would pursue this matter and consider the legal implications.

248. Apologies

Cllr Mrs Jepps and Cllr Wooding and Mel Smith PCSO

249. Approval of Minutes

The Minutes of the Ordinary Parish Council Meeting of 12th February 2008 were approved and signed un-amended

250. MDDC Matters

- i. It was understood that MDDC's garage rents had increased by 100% in nine years. Garage weekly rental was now £11.23. Cllr Corden was of the view that this was exorbitant and he would be relinquishing his tenancy shortly as a protest. Cllr Radford advised that monies collected from garage rental would now be used to maintain the garages, as this had not been the case in the past.
- ii. The Villages in Action grant had been cut by MDDC. Cllr Mrs Johnstone was of the view that this was an area of funding which should not be cut as it provided a vital service to rural communities. Cllr Radford suggested that the precepts of villages who used the service could be increased to cover the costs.
- iii. The annual litter pick would be taking place in April. Suitable dates were discussed and the 19th April was agreed as appropriate. It was important that the 'Pick' be carried out before the tour of inspection by the judges of the Village of the Year Competition. There were a number of items in the village which needed attention, painting, repairing etc. The Vice-Chairman would e-mail the Clerk with this information. She would pass it to the Probation Service to request offenders assist with this work. It was resolved that the the costs of any materials required were to be capped at £100
- iv. It was noted that anyone who carried no more than eight passengers for hire, reward or profit now needed to be licensed by their local council for private hire and would need to ensure that the operator, driver and vehicle all had appropriate licences issued by MDDC
- v. The Council tax bill for an average Band D household would increase from £1,413.03 for 2007/08 to £1475.50 in 2008/09
- vi. It was noted that new arrangements would be coming into effect on 7th April to simplify the way housing benefit was calculated. Local Housing Allowance would come into effect on the

aforementioned date and would effect anyone living in privately rented accommodation who made a new claim for housing benefit after that date.

vii. From 6th April all planning applications would have to be submitted on form 1APP which was a standard planning application being launched by the Department for Communities and Local Government.

viii. Mid Devon was still seeking an Independent Member to join the Council's Standards Cttee following the retirement of its vice-chairman, Maurice Williams. It was understood that interviews would be held on 14th April 2008

ix. It was noted that housing requirements in the Exeter and Torbay area were set to increase dramatically over the next 20 years. An independent panel last year, heard evidence of housing need in the South West as part of the Examination in Public of the regional Spatial Strategy, recommended that 6,500 additional homes a year should be built in Devon

251. Matters Arising from the Minutes

i. The Clerk handed all Cllrs present a questionnaire to be completed and returned by 28th March to the South West Lifelong Learning Network Research Programme. This would be the first part of the programme, followed by a series of individual interviews.

ii. DCC was proposing to re-site the Halberton name sign on private land. The land owner, however did not want the planter to be placed underneath the sign as it obscured his vision when driving his vehicle off his property. The PC suggested that perhaps consideration should be given by DCC for the sign to be sited near the telephone exchange on the Willand road. The Clerk to pass this information to DCC.

iii. The surface of the road from Battens Cross to its junction with the Halberton to Willand Road, past Ivy House Farm and Swandhams, had been repaired.

iv. It was resolved that Cllr Corden pay the sum of £53.23 for the completed renovation work to the notice board. Cllr Corden would be re-imbursed for the cost in due course.

252. Chairman's Announcements

The Chairman attended the Communities in Action Workshop. Community in Action had created an on-line tool for every Parish and market Town Plan, Town Design Statement and Appraisal. Individual Parish Plans would be placed on the Web Site enabling individuals and organisations to access them to discover what was happening in communities etc. Cllr Mrs Cuthbert had indicated that she would be happy to be involved with Halberton's Parish Plan on the website. It was resolved by the PC that she undertake this task. It was agreed that the Parish Plan should be kept alive by ensuring it was kept up to date and reflected the changing needs of the community. It was also suggested that in 2009 a further survey of the Parish be carried out. The Chairman gleaned from the Workshop that it was Parish Councils who adopted Parish Plans not District Councils. It was resolved that "Parish Plan Update" be an item to be included on every PC agenda. The National Trailboat Festival, 'A Grand Western Weekend' would be open to the public on Saturday 24th and Sunday 25th May at the canalside festival. There were plans for a number of events in the main ring, stalls of local produce and crafts and the like together with a variety of musical offerings.

253. Police Matters

PC Dodd had taken up a new position and had been replaced by Katie Rich, the new Beat Manager. She had been invited to attend the PC meeting but had not arrived. Stephen Otter, Chief Constable had forwarded an explanatory letter as to why there had been such a large percentage increase for the police's portion of the 2008/09 council tax. The increase was required to fund 200 more officers to be put onto the beat

254. 20mph Speed Limit and proposed 30mph Speed Limit Update

The Clerk had still not received the speed survey data. Cllr Hannon would continue to pursue this matter on behalf of the PC.

255.DCC Matters

i. DCC had provided a DVD entitled “My Devon – Local Services At Your Fingertips”. Cllr Hannon recommended that PCllrs should look at the DVD as it described how information and services(including highway fault reporting) were now best accessed by telephoning “My Devon”.

ii. The Parish Lengthsman would be in the Parish from 16th to 21st May and from 13th to 18th August. An item would be included in the Newsletter requesting parishioners to submit details of any matters requiring attention, to the Clerk. It was suggested that clearing of culverts was a priority matter for the Lengthsman to deal with.

iii. The PC had been reminded to send back the completed Financial Summary Forms for 2007/08 in respect of parish paths expenditure

iv. The following matters had been logged by DCC but were still outstanding:-

- a. water was coming off fields and flooding the lane between Thurlescombe and Rowridge
- b. The footpath surface between Church Path and Corner Lane had still not been properly repaired. Cllr Corden would be happy to be the point of contact in this matter.
- c. The sign for Brithem Bottom (requesting large vehicles not to use the lane) had still Not materialised despite numerous requests. (It was understood that Meg Booth had Been made fully aware previously of this problem)
- d. the road from Brithem Bottom to Five Bridges was in a very poor state of repair and needed attention.
- e. a pot hole in the road opposite the front school gates needed to be filled

v. Cllr Hannon advised that the following increases to the 2008/09 Council Tax would be implemented on 1st April:- 7.94% police authority, 4.46% MDDC; and 4.93%Fire Brigade.

vi. Cllr Hannon provided a further update on the unitary situation. He advised that Parish boundaries would be untouched. He also emphasised the importance of Parish Council members having involvement with the process and attending meetings and generally having a voice in the proceedings. A series of `Listening Events` would be taking place. Ash Thomas would be holding an event in the Village Hall on the following evening. The events aim was to capture the views of as many towns and parishes as possible, so that these views and preferences could be included in the submission of DCC. The Boundary Committee would be visiting Devon shortly to commence its work and indicated that it would be consulting with all tiers of local government. DAPC had also provided information and had advised that one of the most important roles for town and parish councillors would be one of scrutinising any proposals which were put forward. This may involve responding positively or negatively to claims being made by higher tier local authorities in the light of local knowledge and experience.

vii. It had been noted that the virtual pavement in Halberton was proving to be a success, as vehicles (including buses) were now tending to go substantially slower which was improving safety for pedestrians quite significantly.

256. Code of Conduct – Orders and Regulations

The Clerk provided each PCllr with a copy of the consultation paper for information purposes as it was now too late for the PC's comments to be submitted to the Department for Communities and Local Government

257. The Recreational Ground

The Clerk reminded members that the Recreational Ground was a registered charity. She explained that the Parish Council of Halberton was trustee of the charity and was therefore acting as a corporate trustee. Individual PCllrs were not charity trustees, it was the corporate body which was the charity trustee and which was responsible for the charity.

The Clerk had investigated the question of the PC making an application for a byelaw to ensure the Rec was not used from dusk until dawn. However it appeared that it would be necessary for a model byelaw to be used as specified by the Department for Communities and Local Government. There would also have to be public consultation regarding the proposals. As the Rec was a charity, the Charity Commission's consent would also be required. It would also be necessary for the gate to the Rec to be kept locked from dawn until dusk for the byelaw to be enforceable by the police if persons were found to be in breach of the byelaw. The Clerk had prepared a draft consultation document. This, together with the model byelaw had been circulated to all Cllrs. There was much discussion and it was agreed that when the new Beat Manager attended a future PC meeting, the issue be raised with her. MDDC had recently emptied the bin in the Rec after numerous requests from the PC. Gary Pilling of MDDC had advised that if future emptyings of the bin were required it would either be a matter of someone in the Parish emptying it and placing the bag at the top of Corner Lane, or, alternatively, if MDDC was to go into the Rec and empty the bin, this would be at a cost of £50 per annum (as this was not a bin provided by MDDC). The PCllrs advised that the bin in situ was one that had been purchased by the PC at its own expense to replace a bin provided by MDDC which had been destroyed by a fire work. The PC had had to replace the bin itself, as MDDC had no bins available at the time the PC required one. The Clerk to advise Mr Pilling of this fact and request that it be emptied each Wednesday at no cost to the PC. The Vice-Chairman would contact Graham Isaac about the work required to:- the resiting of the table, the removal of the witches hat pole, light pruning of some of the trees, an inspection of the board at the back of the basketball pole

258. S.106 Update and MDDC's Supplementary Planning Document

The Clerk reminded PCllrs of the background information to this matter. It was understood that no portion of the monies currently held in MDDC's S.106 fund on behalf of the PC would be used for the funding of an Open Spaces Officer. The Supplementary Planning Document did not reveal any information to suggest that MDDC could use S.106 monies for this purpose. However the Clerk had looked at other documents and had discovered that MDDC was investigating whether it was possible to use S.106 monies for this purpose. The PC was required to comment on the planning document and it was suggested that the Clerk respond to this by indicating that the PC was pleased to note that there were no recommendations contained in the consultation documents, for S.106 monies to be used to fund an officer post and that the PC could only conclude that this option was no longer being considered as a viable option.

259. Housing Matters

The problems which Mr Gates was having with drainage of his property (resulting from the new Hastoe development) had now been referred to South West Water. Mr Gates thought that the matter should now be addressed to his satisfaction. However Hastoe was not prepared to fund the cost of more mature trees for the screening of his property in view of the expense. Mr Gates would have to accept the offer of saplings. The problems raised by Mr Broom, who lived at Pethertons had also been referred to Hastoe and these also appeared to have been addressed other than the indiscriminate parking which was causing concern. This was a problem outside of Hastoe's remit and Hastoe suggested it be referred to the police. . Hastoe had advised that 34

Pethertons had been let to a couple from Cullompton. The last unallocated house at Fishers Way had been offered to a Cullompton family. Minutes had been received from the Mid Devon Community Safety Partnership which the Clerk would pass to PCllrs if requested. Cllr Radford was looking into the problem of a family in the village with a baby, living in damp accommodation, resulting in the baby's health suffering.

MDDC invited the PC to make comments on the draft Methodology for the preparation of a Strategic Housing Land Availability Assessment. The closing date for comments was 4th April. The Clerk had already provided Members with a link to the website and suggested that if anyone specifically wished to comment, to forward these comments to her. She would then forward them to MDDC

260. Draft Letter of Complaint to MDDC re various Planning Issues

After considerable discussion the final version of this letter was agreed to be signed by the Chairman

261. Cemetery Update

Two quotes for fencing for the cemetery had been obtained from Mole Valley and West Country Timber in the sums of £191 and £189.88. It was resolved to accept the West Country Timber quote. Cllr Saunders would liaise with Cllr Corden about the fencing. With regard to other works required in the cemetery Cllr Britton would provide a digger and the Chairman a trailer; the earth and compost would be disposed of. Cllr Corden would also investigate the storage of compost, replacement bins, dumpy bags for the disposal of compost etc. The Vice-Chairman would deal with the piece of timber required for the window frame of the small shed. It was resolved that the Vice-Chairman purchase two new watering cans for the cemetery. The Vice-Chairman would be painting the other cemetery gate shortly.

262. Review of Twice Yearly Parish Council Meetings at Ash Thomas

It was resolved that an item be included in the Newsletter to gauge public opinion on the suggestion that all Parish Council Meetings be held in Halberton Village Hall. At the present time the January and July meetings were held in Ash Thomas Village Hall

263. Request for Donation by Halberton Methodist Church Youth Club

After some discussion it was resolved that a donation of £200 be made to the Youth Club. The donation to be made once the PC was in receipt of its Precept.

264. Car Park/Footpath Update

It was agreed that a further meeting on site would take place on 12th March to be attended by a small number of PCllrs and CCllr Hannon. The Clerk had previously e-mailed to the PCllrs a copy of the revised plans that Mark Copleston of Midas Homes had prepared. .

265. Meetings Attended

4th March 2008 – Grand Western Canal Joint Advisory Ctte

The Chairman and Cllr Radford attended this and Cllr Mrs Cuthbert in her capacity as a member of the public

266. Future Meetings

- i. 18th March – Mid Devon Community Safety Partnership – Culm Valley Sports Centre
- ii. 3rd April 2008 – The Role of the Hall, Past Present and Future - Teign Valley Community Centre, Christow
- iii. 16th April 2008 - Getting Ready for Enterprise Workshop Uplowman Village Hall

iv. 5th June 2008 – 11.00am Current Legislation Training - Westbank Healthy Living Centre in Exminster. The course will include Local Government and Public Involvement in Health Act 2007, Criteria for Power of Well Being, Clean Neighbourhoods and Environment Act 2005, Freedom of Information. It was agreed the Clerk should book a place now and it would be decided later as to which PCllr should attend.

267. Future Parish Council Meetings

Tuesday, 1st April 2008 – 7.30pm Planning Cttee Meeting – Halberton Village Hall
 Tuesday, 8th April 2008 – 7.00pm Planning Cttee Meeting – Halberton Village Hall
 Tuesday, 8th April 2008 – 7.30pm Ordinary Meeting of Halberton Parish Council
 (at above venue)

268. Clerk's Report

The Clerk had nothing to report

269. Accounts

RECEIPTS FOR PERIOD 1ST - 29TH FEBRUARY 2008:

Bank Interest	37.37
Newsletter	152.40
TOTAL	£189.77

PAYMENTS MADE FOR THE PERIOD 1ST - 29TH FEBRUARY 2008 £1087.48

PAYMENTS TO BE APPROVED

Cheque No	Amount	Vat	Total	Details
1180	3.46		3.46	Mrs C McIntyre – repayment of paper costs
1181	9.61		9.61	SWW – Cemetery Water Rates
1182	25.40	4.45	29.85	Ottery Office – stationery and photocopying
1183	34.21	5.99	40.20	Mrs C McIntyre – repayment of 4 x printer cartridges
1184	315.84		315.84	Mrs C McIntyre – salary March/April
1185	270.70		270.70	HM Revenue & Customs – Income Tax Jan – March
1186	40.00		40.00	Mrs C J McIntyre – Internet/Telephonce costs re-imbursed for ¼ period

The above invoices were approved for payment

Balance of bank accounts carried forward	15938.79
Plus Receipts for period 1 st – 29 th February	189.77
	TOTAL £16128.56
Minus Payments made for the above Period	£1087.48
	TOTAL £15041.08

Made up as follows:- High Interest A/c	14509.57
Current A/c	531.51
	TOTAL £15041.08

VILLAGE HALL FUNDS	53.25
PARISH PATHS FUND	1723.79
PARISH PLAN FUND	433.54
CAR PARKING	850.00
GENERAL FUNDS	11980.50
TOTAL	£15041.08

**Halberton Newsletter: Income for Period 1st April - 29th February 2008 = £1877.80 less
* expenditure £1711.05 = Profit £166.75
*amended figure**

270. Members Business

Cllr Mrs Cuthbert had been informed by parishioners that hedge cutting at Greenway had left an amount of debris which required to be cleared. There was some discussion as to whether or not the hedge cutting had in fact created the debris. The Chairman would deal with this matter.

271. Miscellaneous Matters

- i. The hedge near Edward Stevens` property had been cut but the debris required to be cleared up.
- ii. It was suggested that at the next Amenities Ctte Meeting an item be included on the agenda re the entrance to the Rec. The entrance was muddy and needed wood chippings to be laid to stop the mud from being carried into Corner Lane. The bank grass was growing high. It was understood that the grass cutting contractor trimmed the bank as part of the PC`s contract.
- iii. Cllr Saunders advised that the concrete crushing at Hartnoll Farm had ceased for the moment.
- iv. The footpath up at Sellake was ongoing.
- v. A complaint had been raised by a parishioner about the state of the bus shelter opposite the Farm Shop. The PC was slightly taken aback. The tiling had recently been fixed and the structure was sound. Leaves may have blown inside giving a slightly untidy appearance but apart from this and the fact that the shelter could do with a lick of paint, it was considered to be in reasonable order. It was agreed that the bus shelter be considered for re-painting at the next Amenities Ctte meeting.

The Meeting ended at 10.20pm

DATE

CHAIRMAN