

MINUTES OF THE ORDINARY MEETING OF HALBERTON PARISH COUNCIL HELD ON TUESDAY, 8TH DECEMBER 2009 AT 7.35PM AT HALBERTON VILLAGE HALL

152. Present

Cllr Browse (Chairman), Cllrs Mesdames Cuthbert, Jepps and Johnstone and Cllrs Britton, Corden, Hand, Radford and Saunders, CCllr Hannon and one member of the public

153. Apologies

Cllr Mrs Graham

154. Public Forum

Nothing was raised

155. Approval of the Minutes

- i. The Minutes of the Ordinary Parish Council Meeting of 10th November 2009 were approved and signed without amendment
- ii. The Minutes of the Policy & Finance Committee Meeting of 10th November were approved (including all the recommendations contained therein) and signed without amendment

156. Matters Arising from Minutes of the Policy & Finance Committee Meeting

- i. It was noted that the financial forecast provided by Halberton Pre-School was for the school academic year and not the financial year. It was also noted and accepted that the donation of £1,000 would decrease the PC's general funds to a projected figure of £8,383 and not £9383, as previously advised by the Clerk. The Chairman and Cllr Hand declared personal interests. It was resolved that the PC ascertained from the Pre-School prior to handing over the donation of £1,000 that its projected financial situation was unlikely to improve during the current year; that it provided an undertaking to the effect that if the deficit was less than £1,000 any differential was to be repaid to the PC, if the PC required this course of action to be taken; a copy of both sets of the financial accounts and academic year accounts be provided at the appropriate time for scrutiny by the PC and that the grant was given by the PC to the Pre-School on the understanding that this would be a one-off payment
- ii. It was resolved that £2,000 from the PC's precept would be ring fenced for the Rec. The grant to be paid in kind by way of direct payments to suppliers etc to satisfy the requirements of the District Auditor and the Charity Commission

157. Matters Arising from Minutes Ordinary Parish Council Meeting

- i. One of the white line markings in the High Street required removal as it was causing problems to motorists. The Clerk to remind CCllr Hannon about this
- ii. It was suggested by CCllr Hannon that PCSO Jonathan Sims (he was not present whilst this item was being discussed but see Minute 166 below) be requested to speak to the parishioner concerned about the obstruction he was causing with his vehicle by parking over the line of the virtual pavement. Parishioners were having to walk into the road to avoid the vehicle. It was understood that there was no Traffic Order to restrict parking in the High Street but an obstruction was an offence which the police could deal with
- iii. It was understood from CCllr Hannon that DCC was not able to take any further action over the new sloping pavement in the High Street. The anti-skid surfacing had been applied to the full width of the High Street in Exeter with the first stretch having been laid approx 5 years ago and

DCC had not received any reported concerns or issues with it. In view of this, DCC did not consider there was an issue to deal with.

iv. The diverters across the pond were still in situ. However the Chairman was in the process of writing to Western Power to try and bring this matter to a satisfactory conclusion

v. The Chairman had heard nothing further regarding the proposed development at the school. It was understood that residents who lived near the Rec had indicated their preference to the school using its own land on which to store materials etc whilst the work was being carried out

vi. A replacement bus stop sign would be erected shortly (to be erected just past the junction with Orpington Court)

vii. Paul Tucker, MDDC's Grant's Officer was appreciative of the PC's congratulations, on him being awarded the George Award for being the Best Grants Officer in the South West

viii. The PC's comments on the Mid Devon Allocations and Infrastructure Development Plan Document had been acknowledged. The Development Plan Document would be considered by an independent Planning Inspector appointed by the Secretary of State who would decide whether the plan was sound and could be adopted by MDDC. The Inspector may recommend changes to the plan to make it sound. The recommendations would be binding on MDDC.

ix. Members of the PC had still not had an opportunity to speak to errant residents regarding problems of overhanging tree branches/uncut hedges etc which were sited on their land. The PC members would deal with this issue shortly

x. The agreed works at the pond area had commenced but due to the heavy rainfall had had to be curtailed. They would be resumed shortly.

158. Chairman's Announcements

i. HogCo. was organising two courses in February and March re community growing. The Chairman reminded the PC that there would also be another meeting in the Village Hall on 9th December at 7.30pm to progress the project in the village.

ii. It was understood that the Boundary Commission had completed its review in Devon and had provided advice to the Secretary of State and had made an alternative proposal for unitary local government in Devon. It was now up to the Secretary of State to take a decision on: whether: i. to implement the original (ie Exeter's) proposal, with or without modification ii. to implement the Ctte's alternative proposal with or without modification, or iii. to take no action. It was understood that the PC could make comments but these would have to be submitted before 19th January. It was agreed that the following be submitted by the Clerk:- "If the Commission is minded to go down the unitary route the PC would prefer a county unitary authority option to be chosen".

159. Proposed Street Light for Pethertons/the Mead

Cllr Corden had consulted residents within the vicinity about the proposed new street light. Cllr Corden handed the Clerk a list of names of residents who were agreeable to the erection of the light. It was also understood that MDDC may already be progressing this matter via Patrick Hyde. It was agreed that the Clerk should send Mr Hyde a plan showing where the PC would prefer the siting of the light. It was understood that if Mr Hyde already had a plan of MDDC's chosen location, it was hoped that this would marry up with the PC's plan! It was agreed that a copy of Mr Hyde's plan be obtained. With regards to two existing street lights on Boyes Close, it was suggested that side hoods be placed upon them, in order that the lighting was aimed downwards.

160. Adoption of BT Phone Box at Ash Thomas

The Chairman signed the Western Power Agreement for an unmetered supply of electricity. It was understood that when this was submitted to Western Power the PC would then be allocated a specific pin number in order to progress the adoption of the phone box. The agreement with WP

had to be completed before the formalities with BT. There was quite some concern about this by Cllr Britton regarding the PC being responsible for ensuring the maintenance and safety of the box.. He was of the view that the PC should think again about the cable remaining. The Clerk advised that the matter had been fully discussed at the previous meeting and it was agreed then that the cabling would remain for a year (as the cost of removal was £500) but the matter would be reviewed at the end of that year. It was agreed that before the PC adopted the box that BT should provide proof of it being electrically compliant. The Chairman would also speak to a former Parish Cllr about this issue. It was understood that Jenny Clifford MDDC's Professional Services Manager was co-ordinating responses from the parishes as to whether or not each Parish wished to adopt their phone box. It was understood that not all the parishes had responded.

161. Consideration of MDDC's Planning Protocol and possible adoption by PC

Mrs Shadbolt had provided a booklet "Probity in Planning" and an extract from MDDC's Planning Protocol which the PC was to have regard to. In addition Cllr Corden was very concerned that the protocol contained in MDDC's own protocol documents did not cover what MDDC's Monitoring Officer was stating insofar as the PC was asked to look at the Cordwents site the subject of a planning enquiry. Cllr Corden referred to Page 278/9 point 9.1 which was further repeated in 9.2. It was resolved that this matter be referred to Mrs Shadbolt for consideration. Further, Cllr Corden has drafted a Protocol for implementation by the PC. It was agreed in the first instance that this be forwarded to Mrs Shadbolt to ensure that she considered this to be satisfactory before the PC formally agreed to adopt it. The Clerk to deal with this.

162. Parking at Pethertons

Cllr Corden had managed to speak to some of the residents regarding this matter. 5 residents were in favour, 1 was strongly opposed to it and 2 of the residents were not at home at the time of Cllr Corden's visit. It was resolved that the PC progress this matter and the Clerk should contact Sandra Hunt at MDDC to see whether further progress could be made

163. MDDC Matters

- i. MDDC had published its first edition of its new Private Landlords Newsletter with the aim of working more closely with local landlords
- ii. MDDC had advised that it intended to pay the Parish precept in two instalments for 2010/11. The PC was of the view that this was not sufficient notice, particularly as its precept had been set. The Clerk to advise that a minimum of one year's notice be given whereupon the PC would agree to the new procedure commencing in 2011/12. Cllr Radford was of the view that the arrangement had not been formally approved in any event despite the contents of the letter stating otherwise
- iii. The Customer First Team at Phoenix House and Crediton had achieved a nationally recognised accreditation for "Customer Services Excellence"
- iv. Free re-cycling was being introduced to local primary schools. All primary schools in Mid-Devon would be provided with a fortnightly black box recycling collection at no charge from December 2009. Schools would be added to the existing household recycling scheme and would be able to recycle the same materials as households
- v. Mid Devon residents were being urged to beware of bogus telephone callers posing as council officers operating in the area
- vi. Following feedback from customer satisfaction surveys – which showed that the public would like more communication regarding recycling and waste matters – MDDC was launching a new quarterly newsletter (e-zine) on recycling

Cllr Radford advised that MDCC needed to balance its books but was of the view that it would have a sensible budget which should not incur the residents of Mid Devon in excessive council tax charges for 2010/11

164.DCC Matters

- i. CCllr Hannon reminded the PC that a meeting needed to be arranged with residents, regarding speeding vehicles along Willand Road. As soon as possible. He had also mentioned this at the November PC meeting
- ii. There had been an exchange of e-mails regarding speeding in Lower Town
- iii. The Lengthsman had been in the vicinity recently but it was understood that the standard of workmanship had not been good. Cllr Saunders advised that the works had not been completed in Ash Thomas
- iv. There were a number of holes in stretches of the highway which required filling. It was understood that they had to meet DCC's depth and width criteria before they were regarded as potholes and were subsequently filled in
- v. The problem of flooding at Lower Town was discussed again. It was understood that the recent heavy rain had had its usual effect on Lower Town with the road being flooded and the pipe being partially blocked with leaves, other debris and mud. Cllr Corden and Mike Preston did the clearing and unblocking work to partially remedy the situation and were warmly thanked for their help and assistance. However the situation needed to be resolved as soon as possible. CCllr Hannon advised that DCC had no official role in the matter as the downstream pipe was on private land. It may be possible for DCC to provide a replacement pipe as the current pipe was still too small but in these times of severe budget constraints it was not guaranteed. It would be a matter of negotiation with the land owner concerned to reach an amicable solution re the drainage problems. Alternatively the Environment Agency could be contacted but their enforcement arrangements were unknown. CCllr Hannon thought the PC could act as mediator. It was agreed that the Chairman and Cllr Corden would speak to the landowner and if this failed then the matter would need to be referred to the Environment Agency

165. Approval of Grass Cutting tender

It was resolved to accept the re-worded tender

166. Police Matters and Neighbourhood Watch

PCSO Jonathan Sims advised that no crimes had been committed in Halberton in the last 30 days. However, eggs had been thrown at a property in Brithem Bottom and there had been a bogus caller incident. Jonathan thanked Cllr Mrs Cuthbert for updating the website. PC Graham Custance would be joining the team shortly to cover whilst Beat Officer Katie Rich was on maternity leave. Katie had recently given birth to Samuel George. Best wishes and congratulations were expressed by the PC. Katie had also passed Part II of her sergeant's exams. The sign to prevent persons parking at the bus stop layby would be erected shortly. Jonathan or another PCSO needed to witness a car obstructing a bus attempting to get into the layby before they could issue a ticket. The PC had previously mentioned about persons parking their vehicle over the virtual pavement line. Jonathan confirmed that if pedestrians were forced onto the road due to a vehicle causing an obstruction he would have the power to issue a penalty ticket. It was agreed that in the first instance Jonathan would speak to the owners of the vehicle concerned but if they chose to ignore his request to cease from this practice then he would issue a fixed penalty notice. It was also understood that vehicles were parking on the footpaths of Chapel Close and other areas in Halberton, which Jonathan would follow up. He indicated that advisory notes could be stuck on car window screens requesting culprits to cease this practice.

Jonathan wanted to increase Neighbourhood Watch in the village. It was noted that the late Brian Wooding had carried out an excellent job when he was in the post of NW Co-ordinator and Jonathan accepted that it would be very difficult to replace him. Jonathan had a number of persons he was intending to approach and he hoped that this would result in some interest in the role.

167. Car Park/Footpath Project

The Chairman had now received confirmation from MDDC's Planning Officer, Alison Fish that following consultation with MDDC's Conservation Officer, she was of the view that the latest proposal to provide an access and parking adjacent to the playing field in Lower Town would seem more suitable than the proposals originally discussed, in terms of the impact on the Conservation Area. No specific plans had been submitted by the PC and therefore Mrs Fish advised that her letter related to the "principle" only. She also advised that the PC needed to ensure that any visibility requirements did not interfere with the frontage of Cordwents. Cllr Corden was opposed to the car park being sited at this location. He was of the view that it would be a "white elephant" and that comments of some of the parishioners who had spoken to him indicated it would not be used. He was of the view that the PC should go back to the original plan. The Clerk would provide copies of Alison Fish's letter to Cllrs Corden and Radford, CCllr Hannon and would return the original letter to the Chairman

168. Allowances for Parish Councillors

The Clerk advised the procedure that needed to be followed in order that the PC could pay its members an allowance. Initially the matter would have to be referred to MDDC for its Remuneration Panel to consider the scheme of allowances for 2010/11 applicable to the PC. There was much discussion but it was agreed that as the position of a PCllr was carried out on a voluntary basis then the PC at this time was of the view that allowances should not be paid. However any expenses incurred by a Parish Cllr in the course of carrying out his/her duties would be reimbursed.

169. Cemetery Matters

One of the trees in the cemetery had fallen down as it was rotten. Cllr Hand had photographed the tree as evidence of its condition, as it was within the Conservation Area.

The Clerk advised that she had now received a cemetery grant for £300 and a churchyard grant for £50 for 2009/10 from MDDC. It was hoped by MDDC that grant levels would be maintained for 2010/11 but the position was not certain. The PC resolved that the maintenance grant for St Andrews churchyard should not be topped up this year by the PC. The Clerk would therefore submit a cheque for £50 to St Andrew's. Cllr Corden declared a personal interest. A course was taking place at Tiverton in February on the "Granting, Exercising and Transferring of the Exclusive Rights of Burial". Unfortunately the course fee was prohibitive. The list which the Clerk had prepared which contained details of next of kin in respect of responsibility for memorials and graves was being worked on by the Chairman and Cllr Mrs Johnstone. The Clerk stressed the urgency of dealing with the memorials/graves which had been highlighted on the list. The intention of the PC was to carry out an annual inspection of graves/memorials every January and log any necessary details on an inspection sheet. The Clerk advised that she was unable to provide a list of details of each grave in January as this task would take several months. It was resolved that there would be a specific site in the cemetery to be detailed for cremation interments. The Clerk had already provided details of incumbents in the public graves. It was resolved that each burial plot be extended by 1`/304.8mm to 10`/3.048 mts. It was resolved that the grave digger be approached re grave maintenance. The Clerk to contact the PC's insurers re the health and safety implications of open graves prior to a burial

170. Shop Local

Cllr Mrs Cuthbert was keen to promote a "Shop Local" scheme. This would be a scheme whereby local businesses who became members could indicate their membership in the advertisements in the Newsletter by means of a symbol. Parishioners would then be offered a discount (10%) on the services/goods they purchased, if they produced the Newsletter to the local businesses in the scheme. It was understood that businesses would lose a bit of their profit margin but would gain more customers. It was a means of encouraging local people to use local businesses. Recommendations of the services/goods by parishioners could be logged on line which would be a means of encouraging others to use the services if the recommendations were good. It was resolved that initially businesses be invited to join a trial scheme to gauge interest.

171. Meetings Attended

Community Speed Watch

Cllr Corden had attended a meeting with Dick Beardsall, the Chairman of the Traffic Committee of the West Hill Residents Association. Mr Beardsall was keen to have a meeting as his Cttee was interested in finding out about the Community Speed Watch initiative. The meeting had taken place and Cllr Corden advised that Mr Beardsall had been much impressed by the set-up in Halberton

172. Committee Reports

Amenities (including Footpaths)

The Parish paths were regarded as being in good condition. Mr Page would be prepared to quote for footpath works for next year. The Clerk advised that Rospa would be carrying out safety checks of the Rec in March 2010

173. Clerk's Report

The Clerk had nothing to report

Accounts

RECEIPTS FOR PERIOD 1ST - 30TH NOVEMBER 2009:

Bank Interest	1.40
Newsletter	17.85
Cemetery	64.00
TOTAL	£83.25

PAYMENTS MADE FOR THE PERIOD 1ST - 30TH NOVEMBER 2009 £1535.39

PAYMENTS TO BE APPROVED

Cheque No	Amount	Vat	Total	Details
SO	25.00		25.00	MDDC – Cemetery Rates
1346	50.00		50.00	Donation – Vitalise
1347	1000.00		1000.00	Halberton Pre-School – Grant
1348	50.00	7.50	57.50	DAPC – Training Course fees
1349	353.51		353.51	Mrs C McIntyre – salary Nov/Dec
1350	86.18		86.18	Mrs C McIntyre – repayment of costs of stationery, postage, ¼ internet charges & call charges

Cheque No	Amount	Vat	Total	Details
1351	53.79	8.07	61.86	Shaw & Sons Ltd – cost of Receipts & Payment book
1352	274.26		274.26	HM Customs & Excise – ¼ payment tax & NI
1353	10.32		10.32	South West Water – Cemetery water charges August – November
1354	416.50		416.50	Education Matters – Newsletter Publication Costs
1355	58.00		58.00	Education Matters – Cost of Footpaths Flyers
1356	25.00		25.00	Education Matters- Cost of Welcome Packs
1357	7.20		7.20	Mrs A Browse – repayment of printing costs re footpaths

The above invoices were approved for payment

Balance of bank accounts carried forward	26918.47
Plus Receipts for period 1 st – 30th November 2009	83.25
TOTAL:	£27001.72

Minus Payments made for the above Period	£1535.39
TOTAL	£25466.33

Made up as follows:- High Interest A/c	23,691.09
Current A/c	1775.24
TOTAL	£25466.33

*VILLAGE HALL FUNDS	2420.00
PARISH PATHS FUND	2123.79
VILLAGE OF THE YEAR PRIZE	500.00
DONATION FROM PARISHIONER	2186.00
PARISH PLAN FUND	433.54
CAR PARKING	2500.00
GENERAL FUNDS	15303.00
TOTAL	£25466.33

*Ash Thomas £1250 and Halberton £1170

Halberton Newsletter: Income to date £1776.75 - less expenses of £1685.55 = credit £91.20

174. Members Business

It was understood that works on the North Devon link road would require traffic to be re-routed through Halberton. Concerns were expressed about heavy traffic coming through Halberton. However it was understood that generally this would only occur in the middle of the night. The work along the A361 would focus on 13 main junctions and uphill lanes between Tiverton and Barnstaple

175. Miscellaneous Matters

i. Football

The ceremony of the cutting of the ribbon of the new goal posts would take place on 9th January 2010.

ii. St Thomas`s Chapel in Ash Thomas

The chapel had been sold . It was understood that the price reflected the onerous restrictions placed upon it.

176. Future PC Meetings

12th January 2010 - Halberton Village Hall

7.00pm Planning Ctte Meeting of Halberton Parish Council

7.30pm Ordinary Parish Council Meeting

The Meeting closed at 10.05pm

CHAIRMAN

DATED