

**MINUTES OF AN ORDINARY MEETING OF HALBERTON PARISH COUNCIL ON TUESDAY, 8<sup>TH</sup> NOVEMBER 2005 AT 7.30PM AT HALBERTON VILLAGE HALL**

---

**105. Present**

The Chairman (K Browse), Vice-Chairman (B Lane-Smith) Cllrs Cooper, Gibbs, Saunders, Mesdames Armstrong, Hull, Jepps and Fisher and four Members of the Public

**106. Apologies**

Cllrs Greenhill, Radford and Cllr Hannon.

**107. Public Forum**

Barry Corden enquired as to the progress of the proposed letter to be sent to Mr J Guscott Head of MDDC's Planning Dept; regarding the conduct of one of the Planning Officers. Mr Corden was advised that this item would come under 'Planning' to be discussed towards the end of the meeting.

**108. Approval of Minutes**

- i. The Minutes of the Ordinary Parish Council Meeting of 11<sup>th</sup> October 2005 were approved
- ii. The Minutes of the Planning Meeting of 11<sup>th</sup> October 2005 were approved subject to the name 'Fisher', (line 3 of Minute 7), being amended to 'Fish'

**109. Matters Arising from the Minutes**

- i. Cllr Mrs Armstrong advised that the problems discussed at the October PC meeting regarding the failure of MDDC to collect refuse from parishioners at Church Path were continuing. The Chairman added that refuse had not been collected from Valley House either. The Clerk explained that she had contacted MDDC about this problem in October but would contact them again.
- ii. The Clerk had followed up a request from Cllr Cooper about the PC's donation to the Royal British Legion. Cllr Cooper had advised the Clerk that the donation cheque had still not been received by the recipient. However the Clerk had been informed by HSBC bank that the cheque would be cleared by the following day, which indicated that the payment had now been received by the RBL and banked.
- iii. Keys would be cut shortly for the Clerk and Chairman to the Village Hall
- iv. It was agreed that due to problems with e-mail, Cllr Saunders would, until further notice, have his minutes/agendas delivered by post.
- v. The Clerk had received an acknowledgement from DCC about the number of highway matters she had referred to Mr Mitchard, which had been drawn to her attention by parishioners who had kindly completed 'Report Slips'. Hopefully DCC would now respond to the matters raised.
- vi. The blocked drain at Church Path now appeared to be clear. The PC would continue to monitor the situation.

**110. Chairman's Announcements**

There were none.

**111. Precept 2006/07**

It was resolved that the Precept be increased by 5% to £9970 which was 1% less than the previous year. The PC was of the collective view that it wished to reduce the precept in order to try and help its parishioners, as it was aware that for 2006/07 large increases in council tax were forecast for council tax payers.

## **112. Christmas Tree**

The Vice-Chairman agreed to contact Edward Stevens about obtaining a Christmas tree for the Parish. The tree needed to be in situ by the 3<sup>rd</sup> December. The Vice-Chairman would liaise with Cllr Cooper about the tree lights.

## **113. Approval of Accounts:-**

### **i. Parish Council Ordinary Accounts for 2004/05**

### **ii. Halberton Children's Recreation Charity Accounts 2004/05**

The Clerk advised that minor amendments were required in sections 1 and 2 of the Annual Return, although the balance figures would remain the same. The Clerk circulated the Return in order that the PCllrs could see the proposed amendments. It was resolved to amend the accounts and the Clerk and Chairman certified them accordingly. With regards to the charity accounts, the Clerk explained that the gross income for 2004/05, was £2797 and the expenses were £407. It was resolved to approve these accounts and the Chairman and the Clerk also certified these.

## **114. Police Matters**

The Clerk had e-mailed the minutes and agenda to PC Dodd for the November PC Meeting but had not heard from him. It was understood that a number of break-ins in the parish had occurred and it was requested that everyone should be particularly vigilant.

## **115. Devon County Council Matters**

There was nothing to report

## **116. Mid Devon District Council**

There was nothing to report

## **117. Meetings attended**

31<sup>st</sup> October 2005 DAPC Meeting

The Chairman attended this

## **118. Future Meetings**

16<sup>th</sup> November 2005 – Standards Ctte – MDDC, Phoenix House

The Vice-Chairman would be attending. It was understood that Cllr Gibbs was now chairing MDDC's Scrutiny Panel.

## **119. Committee Reports**

### **i. Amenities (including the Cemetery)**

The Chairman of the Ctte (Cllr Lane-Smith) advised of matters which were raised at the Amenities Ctte Meeting of 1<sup>st</sup> Nov. Graham Isaacs had been particularly helpful with regards to matters relating to the Rec`. The PC was most appreciative of Mr Isaacs hard work. The Ctte was seeking a 25% increase in its budget when the precept was being considered at the Policy and Finance Ctte Meeting. Cllr Saunders had purchased a gate for the cemetery. A successful first luncheon had taken place at the Village Hall. Broken glass had been reported in the chippings in the Rec` but the Chairman had found broken glass on the hard standing only. He had however discovered bottle tops in the chippings. These items were all removed. It was understood that broken glass had also been found in the school playground. Slight rot had been discovered on parts of the slide. Cllr Saunders would investigate. A site meeting had taken place with Roger Folley on 2<sup>nd</sup> November, to consider the way forward with the Cordwents site for car parking. Mr

Folley would investigate whether DCC could arrange a survey and draw up a plan and whether or not this work could be carried out FOC. The provision of having a 21 year lease with DCC for the Mead was also tentatively discussed. In addition, whether or not, additional land at Cordwents, could be used for sporting facilities. A local area agreement could be considered. The Chairman advised that work to the roof of the bus shelter at Pethertons would be carried out shortly. The next meeting of the Amenities Ctte would take place on 6<sup>th</sup> December.

#### Environment

At the Ctte meeting of 25<sup>th</sup> October, Cllr Gibbs was elected as Chairman. Items discussed included speeding vehicles in Halberton and the erection of more signs/road markings in the Willand area. The Vice-Chairman had drafted a response to Mr Harvey who had raised concerns about the traffic and lack of pavement along parts of the High Street. The draft letter was approved and the Clerk would forward a response to Mr Harvey. Carole Graham had attended the Environment Ctte Meeting and had raised the issue of traffic calming. Confusion had arisen over a misleading sign at the canal, as a Councillor was not sure whether or not he could use a towpath whilst a fishing competition was taking place. Cllr Browse would ask Mr Trump of the Tiverton Angling Club to make future signs more easily understood. The problem of overgrown hedges and overhanging tree branches were also causing concern. The Clerk to place a notice in the Newsletter drawing parishioners attention to the problem which hopefully would result in the 'culprits' taking appropriate action. The Clerk to write to Mr George at Stagecoach requesting more buses to pick up and return passengers at Pethertons.

#### Communications

The Ctte meeting of 1<sup>st</sup> November had had to be abandoned due to lack of numbers. Cllr Mrs Armstrong advised that Judy Austin had not received notification of the Meeting. The Clerk explained that an e-mail had been sent to Tim Hugill, Judy and Wendy on 24<sup>th</sup> October advising of the meeting. Tim Hugill had responded which indicated the e-mail had been received so the Clerk couldn't understand why Judy and Wendy had not received their e-mail. The Clerk was asked to thank the Newsletter team on behalf of the Parish Council for all their hard work and commitment, thus ensuring the Newsletter's continuing success. Tim Hugill had indicated in his e-mail that if anyone wished to take over the responsibility for the maintenance of the Parish Web site, then he would be willing to relinquish it. However the PC was more than happy for Tim to continue and the Clerk would inform him accordingly. A date would be arranged next year for the next Communications Ctte Meeting.

#### Footpaths

The Chairman required volunteers to inspect the footpaths in the Parish. A number of Parish Councillors indicated their willingness to help with this task. It was understood that many people were confused by the 'Right to Roam', although this provision only affected the Parish in a small way. On 2<sup>nd</sup> December a Parish Paths Christmas Workshop would be held at Kentisbeare. The Chairman, plus either the Vice-Chairman, or Cllr Radford would attend. The Chairman reminded everyone that the next Footpaths Ctte Meeting would be held on 24<sup>th</sup> January. Cllr Mrs Armstrong gave her apologies in advance for this meeting.

### **120. Clerk's Report**

The Clerk had now taken delivery of a replacement chair and a filing cabinet. She was now awaiting receipt of the invoice.

## **121.Accounts**

RECEIPTS FOR PERIOD 1<sup>ST</sup> - 31<sup>ST</sup> OCTOBER 2005:

Bank Interest 21.21  
TOTAL £ 21.21

PAYMENTS MADE FOR THE PERIOD: 1<sup>ST</sup> - 31<sup>ST</sup> OCTOBER 2005 £1295.73

### **PAYMENTS TO BE APPROVED**

<i>Cheque No</i>	<i>Amount</i>	<i>VAT</i>	<i>Total</i>	<i>Details</i>
SO	22.00		22.00	MDDC – Cemetery Rates
100971	317.00	55.48	372.48	Gardencare
100972	236.61		236.61	Mrs C McIntyre – Salary Oct/Nov (less tax deductions)

<i>Balance of bank accounts carried forward</i>	14,289.24
<i>Plus receipts for period 1<sup>st</sup> – 31<sup>st</sup> October 2005</i>	21.21
	<b>TOTAL £14,310.45</b>
<i>Minus payments made for the above period</i>	1,295.73
	<b>TOTAL £13,014.72</b>

Made up as follows:- High Interest 12,660.42  
Current 354.30  
TOTAL £13,014.72

<b>VILLAGE HALLS FUND</b>	<b>£360.00</b>
<b>PARISH PATHS FUND</b>	<b>£1,846.72</b>
<b>GENERAL FUNDS</b>	<b>£10,808.00</b>
<b>TOTAL</b>	<b>£13,014.72</b>

### **NEWSLETTER :**

**Income for period 1/4/05 – 31/10/05 £1,209.67 less expenditure to date of £1005.49 = Net Profit £204.18**

## **122. Members Business**

Cllr Mrs Armstrong reminded the PC about the Remembrance services at St Andrews Church on Friday 11<sup>th</sup> and Sunday 13<sup>th</sup> November .

## **123.Miscellaneous Matters**

- i. The Clerk was happy to forward agendas/minutes of Committee meetings to former members of the Parish Plan team as long as she had all the relevant e-mail addresses. The Vice-Chairman would obtain these for her.
- ii. Details had been received about the `5X30 Project` which supported the Government`s recommendation that everyone should participate in regular physical exercise. The Parish had been invited to take part in the new project. It was agreed to invite Ruth Tucker, 5X30 Community Activator to attend the January PC Meeting in order to discuss the project further.
- iii. The Village Hall`s AGM would be held on 15<sup>th</sup> November at 7.30pm. The PC would have representatives attending the meeting.
- iv. The Chairman would make enquiries of Wally Burke to see whether any meetings were planned by the Mid Devon Association of Local Council for the remainder of the year. A

subscription fee had been paid but to date no meetings had taken place at all during the year.

- v. The surface of Church Path to Pond Hill and Church Path to Lower Town was in a poor state of repair. The Clerk to refer this matter to Mr A Mitchard at DCC . (The problem had already been raised in a letter by Cpt Cornish at the October PC Meeting and the Clerk had already referred the problem to DCC for appropriate action).

### **124. Planning**

The Chairman declared an interest, and left at this part of the meeting and the Vice-Chairman chaired it in his absence.

<b>App No.</b>	<b>Name</b>	<b>Location</b>	<b>Proposed Development</b>
05/02235/FULL	Mr D McBeth	Holmfield, Willand Rd	Construction of new vehicular and pedestrian access with associated turning area

**PC Decision: Approved subject to highways requirements being met**

05/02275/FULL	A J Martin	Netherexe Farm, Willand Rd	Erection of free range poultry unit – original application and revised drawings
---------------	------------	----------------------------	---

**PC Decision: Approved (including the revised drawing) subject to suitable screening being provided**

05/02277/FULL As above

**PC Decision: Approved (including the revised drawings) subject to suitable screening being provided on northern boundary**

05/02300/FULL	Mrs I Hooke	Pleasant Streams, Uffculme	Continuation of use of land for siting of 3 mobile homes
---------------	-------------	----------------------------	--

(Letters from D I Stewart and DCC's Gypsy Liaison Officer were read out at this meeting when this application was being considered)

**PC Decision: Oppose the application on the same grounds as given for previous application no. 05/01511 which was considered at August Planning Meeting**

05/02352/FULL	B Jones	Trevean, 57 High St, Halberton	Erection of dwelling + garage
---------------	---------	--------------------------------	-------------------------------

**PC Decision: Oppose the application on the same grounds as given for previous application no. 05/01566 which was considered at August Planning Meeting**

*05/02368/FULL	Midas Homes Ltd	Townsend House	Erection of 22 dwellings and associated parking
*05/02369/CAC	As above		Conservation Area Consent for demolition of existing buildings

**\*See below Townsend House**

05/02415/FULL	Mr J Clapp	Red Linhay, Crown Hill	Erection of extension, porch balcony and detached double garage
---------------	------------	------------------------	---

**PC Decision: Approved. The Chairman and Cllr Mrs Hull declared an interest**

**\*Townsend House**

There was considerable discussion about this proposed development. Barry Corden explained that an increasing number of parishioners were expressing concern about the size of the development and the fact that there were no play facilities being provided. Mr Corden was advised that the developers had in fact made a concession and a play area was now being provided within the scheme. However the PC considered it was in an unsuitable location and was aimed at

pre-school children only. After much deliberation it was agreed that the application be approved subject to the following three conditions and in line with PPG 3:-

**Condition 1 (in accordance with the following guidance notes)**

**Guidance note 53. “Local planning authorities should have clear policies for the protection and creation of open space and playing fields, and new housing developments should incorporate sufficient provision where such spaces are not already adequately provided within easy access of the new housing”**

**Guidance Note 2 “Local planning authorities should: place the needs of people before ease of traffic movement in designing the layout of residential developments”**

The current planning application for Townsend House does not contain adequate provision of open space within the development for play equipment or ball games. The development which clearly includes accommodation for families, is located nearly a mile away in walking distance to the nearest play area in the Parish and can only be accessed by walking along the High Street which consists of a narrow main road, without a footpath. A child has already been killed in this road and several have been brushed by passing traffic. To expect children of various ages to walk nearly a mile to the nearest amenity along a main road without a footpath, or, alternatively to be required to play on the estate roads because there is no other provision available, will undoubtedly result in serious injury or death. The PC therefore requires additional open space to be included in the proposed development, due to the proposed density and lack of amenities in this part of the village, and in line with PP3, even if this facility necessitates a reduction in car parking spaces or numbers of houses as confirmed in PP3. The PC would be willing to take over the maintenance of the play facility, subject to receiving payment for future maintenance.

**Condition 2 (in accordance with with PP3 Guidance note 2)**

**“Local planning authorities should: “plan to meet the housing requirements of the whole community, including those in need of affordable and special needs housing”**

In accordance with PP3 Annex B Note 6

**“Where planning permission is granted for affordable housing on exception sites, the local planning authority should satisfy itself that adequate arrangements are in place to reserve the housing in question for local needs, both initially and in perpetuity. Both planning conditions and planning obligations may be used for this purpose”**

In line with this policy and the Parish Plan, a total of 10 low cost dwellings (not 7, as stated) must be included in this development, irrespective of whether the developer obtains a grant. Further, each low cost dwelling must be made available, in the first instance for locally based families, eg those who have lived in the parish for 12 months, or, who were born in the Parish, or who have family that have resided in the Parish for at least 12 months

**Condition 3**

A physical (not virtual) footpath should be created on Willand Road, to protect pedestrians at the extremely busy road junction, which will become even busier if the proposed development goes ahead.

**125. Letter to Jonathan Guscott – Head of Planning MDDC**

A draft letter concerning the PC’s concerns regarding Mrs Fish’s apparent lack of knowledge of the Parish Plan at the Planning Meeting, called to discuss Townsend House on 27<sup>th</sup> September,

had been circulated to all PCllrs. A lengthy discussion took place but it was resolved that the letter be sent to Mr Guscott, in its entirety, without amendment. A copy of the proposed letter had also been handed to Mr Corden who had enquired earlier as to the progress of this matter.

**126. Planning Decisions issued by MDDC**

<b>App No.</b>	<b>Name/Location</b>	<b>Planning Decision</b>	<b>No. of Conditions</b>
5/01761/FULL	Mr S Threlfall, East Manley Farm	Granted	3
05/01875/FULL	Mr M Reeves, Land at Willand NGR 303764	Refused	

**127. Planning Misc Matters**

The Clerk reported that MDDC's Enforcement Officer had confirmed that investigations were ongoing regarding the use of land near to Merriemead Farm.

**128. Future Parish Council Meetings**

- i. 6<sup>th</sup> Dec 2005 – Amenities Ctte - 7.30pm
- ii. 13<sup>th</sup> Dec 2005 – Planning Ctte Meeting – 7.00pm
- iii. 13<sup>th</sup> Dec 2005 - Ordinary Meeting of the Parish Council – 7.30pm
- iv. 24<sup>th</sup> Jan 2006 – Footpaths Ctte Meeting – 7.30pm

The Meeting ended at 9.45pm

-----  
**DATE**

-----  
**CHAIRMAN**