

DUNCHIDEOCK PARISH COUNCIL

Minutes of a meeting of the Council held on Tuesday 16th July 2019 at 7.30 pm in the Village Hall, School Lane, Dunchideock, EX2 9UG

Present: Cllr Sharpe (Chairman), Cllr Bean, Cllr Ellis, Cllr McCarthy, Cllr Robson
Mr Harvey (Clerk), TDC Cllr Andrew Swain
4 members of the public

1. **Public Discussion:** No items were raised.
2. **Apologies for Absence:** Received from Cllrs Cook and Moor, TDC Cllrs Foden and Nuttall.
3. **Declarations of Interest and Dispensations:** (*In accordance with the Code of Conduct*)
No Declarations of Interest were given by the Councillors.
4. **Minutes:** The minutes of the Annual Council Meeting held on 14th May 2019 were presented for approval and signature. Proposed by Cllr Bean and seconded by Cllr Robson and resolved that they were an accurate record of the meeting and they were duly signed.
5. **County & District Councillor Reports:** TDC Cllr Swain advised that most of the parishes in the Kenn Valley Ward now have Defibrillators. Refresher training for the parishes is being considered for later in the year part funded by TDC.
6. **Public Rights of Way:** A briefing was given on the DCC Parish Paths Partnership Scheme by the DCC Parish Paths Liaison Officer. This scheme is a community approach to improving access in the countryside and details were given on how it may assist with the maintenance and improvement of the 4 footpaths in the parish that extend to 1.5 miles. A considerable amount of information was provided covering the types of Public Rights of Way recorded on the DCC Definitive Map, the law, Highway Authority Duties, responsibilities of landowners, how the scheme works, the grants available and examples of projects completed in other parishes. The basic grant is £30 per mile with a minimum grant of £100 and other grants can be made available. The PPLO was thanked by Cllr Sharpe for the briefing and for providing all the detail on the scheme together with a map showing the footpaths in the parish. This will be considered at the next meeting and a decision made on whether to join the scheme and sign the necessary Agreement with DCC.

The Chairman suspended Standing Orders. A local contractor advised the Council that he had completed work in other parishes in connection with this scheme and he would be happy to show councillors examples of his work. The Chairman re-instated Standing Orders.
7. **Clerks Report:** The Clerk reported that the last two months had been quieter although with a steady flow of emails from various sources dealing with generally routine matters. The period for exercise of the Public Rights to inspect and make copies of the Annual Governance and Accountability Return and other documents expired on Friday 12th July 2019 and no requests were received. Very recent matters are that TDC are going to conduct a Residents Satisfaction Survey and notices are on the Notice Boards and website. The TDC garden waste collection service will be available from 1st September at a cost of £40 per bin and applications should be sent to TDC and the Fire and Rescue Service wish to encourage public comments on the review of Fire Stations.
8. **Governance Documents:** Cllr Sharpe stated that at the last meeting it was intended to review the Complaints Procedure and the Risk Assessment and other documents but this had not been possible. Cllr Sharpe will look at the Complaints Procedure after reference to those used by other parishes together with a review of the Risk Assessment with Cllr McCarthy. It is hoped that this would be achieved by the next meeting.
9. **Highways:** Briefings were received on the following matters:-
 - a. Drainage on Blacksmiths Hill: Cllr Ellis reported that a CCTV camera was passed through the drain on 17th June with the process taking most of the day. A report on the findings had not been received which he will pursue.

b. DCC Road Warden Scheme: Cllr Robson stated that she had been trying to find out the present situation regarding implementation in this parish. The contract is still live but there appears to be no activity or support and the scheme appears to be dormant. The Clerk will contact DCC Highways to establish the situation.

10. **Planning:** Cllr McCarthy gave briefings on the following matters:-

a. There had been no new applications or approvals.

b. A Planning Café held by TDC had been attended. These are informal briefings for Councillors and are designed to provide information on current planning matters including the review of the Teignbridge Local Plan that is currently being done. Topics included a Background on Planning Applications, self build and custom build houses. This was a very useful briefing with a helpful booklet given issued by CPRE and NALC. If possible copies will be obtained for all councillors.

11. **Haldon Hub:** Cllr McCarthy advised that he had approached Forestry England for free parking passes for local residents pending the introduction of the DCC (Haldon Forest) (Clearway Order). The Area Land Agent for Forestry England has confirmed that the Clearway Order is a condition of their planning consent and as it is a highway order they have no control over it. It is appreciated that local residents use the park as a recreation area and would feel uncomfortable at paying the full parking charge. For this reason they introduced the Haldon Forest Park Membership for unlimited access to the car park at Bullers Hill for an annual fee of £38 which is a daily rate of 36 pence for two visits per week. This is considered to be a significant concession aimed at supporting and encouraging local and repeat visitors. Applications can be made at www.forestryengland.uk and details will be on the website.

12. **Defibrillators:** Cllr Sharpe gave briefings on the following matters:-

a. Present Situation: Units have been installed at Dunchideock Barton and the Village Hall. The design of the intended solar unit for the entrance to the Lord Haldon Hotel had been changed and the new version is not suitable for that location. A mains powered unit had been considered for a nearby location but the Western Power Distribution quotation for a power supply was £2/3000. Cllr Moor had achieved a reduction of this figure to £560.65. This means that the change of type of unit and location can now proceed. Community HeartBeat Trust hold the donation for the three proposed units and as the mains unit is cheaper than the solar unit they are holding sufficient funds to pay WPD and part of the annual management costs. Once the order is confirmed to WPD the work may take 6 to 8 weeks.

b. As a result of this development it is necessary to agree the following changes to previous decisions:-

(1). Change the third unit from solar to mains powered.

(2). Move the location of the third unit from the entrance of the Lord Haldon Hotel to the wall opposite below 2 Belvedere Park. The owners of this property agree to this location.

(3). Sign a new Hosting Agreement with Community HeartBeat Trust in respect of the change of type of unit and location.

(4). Agree the order with Western Power Distribution to provide an unmetered supply at a cost of £560.65 and at an estimated annual cost of £30.00 (to be confirmed). (Community HeartBeat Trust is holding the funds for a solar unit and will pay WPD and retain the surplus funds as stated above)

Proposed by Cllr McCarthy and seconded by Cllr Bean and it was resolved to agree the four changes set out above.

c. Community Awareness Sessions: Cllr Sharpe advised that the mandatory session had been held by CHBT. A further session had been held for 25 people at Dunchideock Barton given by Stuart Holt and at the Lord Haldon Hotel for their employees. A letter of thanks will be sent to Stuart for all the Community Awareness Sessions that he has completed in his own time.

13. Freedom of Information Act: The Clerk reminded the Council that at the meeting held on 19th December 2018 it was resolved to send letters to two residents of the parish regarding their vexatious complaints and emails. A full report on the continuing situation was given at the meeting held on 19th March 2019. One of the residents had sent an email to the Council on 18th February 2019 requesting documentation held by the Council regarding alleged complaints that led to the letter being sent. A reply was sent on 28th February advising the resident that the letter only referred to emails, that the letter was not an Order, there was no documentation and no alleged complaints. Despite this the resident has sent a Complaint to the Information Commissioner's Office that the Council has not responded to this request. The Complainant appears not to have disclosed the Council's reply to the ICO.

The resident insists that we have sent a Vexatious Complainant Order but in my research I cannot find any reference to this type of Order. Also that we have not followed the procedure required by the Local Government Ombudsman for this type of matter. Section 34(1) of the Local Government Act 1974 defines the authorities the LGO may deal with and this excludes Parish Councils. Again my research does not find any reference to Parish Councils having to follow the LGO procedure.

The Information Commissioner has wide ranging powers and can fine the Council if it is found to be guilty of breaking the law. Any fine would impact directly on the council taxpayers as it would have to come out of future precepts and this would be the effect if the resident was successful with this complaint. The Chairman and I can confirm that every email sent by this resident has been fully dealt with and as far as we are aware the Council has complied with the requirements of the Freedom Of Information Act. A very full report will be sent to the ICO when external advice has been received which will emphasise that the requested information just does not exist. The action so far required from the Council by the ICO is to write to the resident to try and resolve the matter. This has been done and a reply received with a refusal to answer questions which were included to get some co-operation and this will be included in the report.

14. Teignbridge Association of Local Councils (TALC): The Clerk reported in the absence of Cllr Moor who attended the last meeting held on 27th June. Cllr Gordon Hook, Leader of the Council, gave a talk on The New Teignbridge District Council. Topics included an extensive effort to communicate with town and parish councils including being consulted on many matters including possible changes to the planning process. Other topics were affordable housing, off site housing units and social housing being sold. Cllr Jackie Hook spoke on climate action and Fuad Al-Tawil and Helen Chessum spoke about Teign Energy Communities, a not for profit organisation to promote ownership of renewable energy. A local resident was re-elected as the Secretary.

15. Operation London Bridge: Cllr Sharpe reminded councillors that this was the National Contingency plan for the action to be taken nationally and locally on the passing of Queen Elizabeth II. In the absence of Cllr Cook, Cllr Sharpe advised that the PCC had agreed that the Church could be used as the location of a Book of Condolence as the Church is open every day.

16. Notice Boards: Cllr Sharpe advised that Cllr Moor will be meeting a local cabinet maker to discuss the making of a new board to replace the one on the wall near the Lord Haldon Hotel. The amount of £140 is already held towards the cost from previous TDC Councillors, an application for £300 towards the cost is being made to the DCC Making the Connection Fund and an application has been made to the DCC Locality Fund for the amount offered by DCC Cllr Connett. If the cabinet maker cannot assist, commercially provided boards may need to be considered.

17. Grant Funds: Cllr Robson gave a briefing on the following applications:-

a. TDC Rural Aid Grant Fund: An application had been made for a new kitchen in the Village Hall with three quotations. There had been a visit by two councillors who were impressed but advised that the amount of the fund had been reduced from £85,000 to £40,000. There was however the possibility of some funds being made available.

b. DCC Making the Connection Fund: An application will be made for £300 to be used towards the cost of the new Notice Board as above.

c. **DCC Locality Fund:** An application had been made for the amount offered by DCC Cllr Connett to be used towards the cost of the new Notice Boards as above.

18. **TDC Climate Emergency Declaration:** Cllr McCarthy advised that he attended a public meeting of over 200 people on 4th July following TDC declaring a Climate Emergency in April this year. Cllr McCarthy produced a report which is an appendix to the minutes and will be on the website as part of a new permanent item. He summarised his report at the meeting and was thanked by the Chairman for an excellent report. This item will be on the next and future agendas and the report discussed at the next meeting.

19. **Country News:** Cllr Sharpe advised that the Council had made a donation of £100 last year as the magazine had some financial hardship. The Council uses Country News for its Newsletter and other items of public information and a charge is not made for these items. A recommendation is made that in view of the Council's financial situation a donation of £25 is made towards the costs of this valuable local publication which can be reviewed for next year's budget. Proposed by Cllr Sharpe and seconded by Cllr Bean and resolved that a donation of £25 is made.

20. **Litter Picking Equipment:** Cllr Sharpe advised that this has now been received from TDC and includes a wheelbarrow, shovel, broom and 15 sets of gloves, reflective vests, long handled pickers and bag hoops. It is hoped that they can be stored at the Village Hall. Shillingford St George has the same and by collaborating we can do litter picks for 30 participants.

21. **Annual Parish Meeting:** Briefings were given on the following matters raised by residents:-

a. **Shelters at Bus Stops:** Cllr Sharpe advised that the Council does have the power to provide bus shelters in consultation with Highways and having Planning Approval. The Council would need grant funding and the feasibility of providing shelters would be investigated together with Cllr Robson with a report for the next meeting.

b. **Welcome Pack for new residents:** Cllr Sharpe advised that the last one was revised in 2011 which had been circulated to councillors. The information was considered to help new residents moving to the village. Cllr Bean offered to look at a revision and to report to the next meeting.

c. **Naming of Roads:** The Clerk reported the response from TDC on their Street Naming and Numbering Policy. Locally known (or historically known) street names will not have street nameplates unless they form part of the official postal addresses of the properties along those streets. The procedure to be followed involves confirmation by Ward Councillors, consultation with the property owners, confirmation by Royal Mail and the Fire and Rescue Service. All costs will have to be met by the owners or exceptionally by the Parish Council. It was agreed that this would not be pursued.

d. **New map of Parish:** The Clerk reported that this is being considered by Cllr Moor. Cllr McCarthy advised that he may be able to assist with Ordnance Survey Aerial Mapping.

e. **Speed Restriction on Blacksmiths Hill:** The Clerk reported that he had received some comments from DCC Highways. It is advised that safety and speed is considered to be an emotional issue which often generates intense local debate and pressure, but there is little point in a speed limit if it is not going to have any effect on the actual vehicle speed. Their data shows that this area is far safer than other locations and they have to prioritise the currently extremely limited funding. It is regretted that there is little that DCC can do to assist in the situation.

f. **A 4th Defibrillator at Underdown:** Cllr Sharpe reported that there had been little support when contacting residents initially however Cllr Moor had consulted Western Power Distribution and received a quote for provision of a power supply. Cllrs Sharpe and Moor will investigate further.

g. **Use and control of parking outside of Sideling Close:** The Clerk reported that Teign Housing had confirmed that they own the lay-by and the parking area is for the exclusive use of the residents including the privately owned properties.

h. Possible event in between the bi-annual Village fête: Cllr Sharpe advised that this could be a fund raising opportunity for the defibrillators but it would require a lot of effort with the support of the community which was the view of other councillors. The Parish Council would continue to support village events but not undertake to run a bi-annual event.

i. Devon Air Ambulance Community Landing Site: Cllr Ellis advised that this had been considered in the past as there is a shortage in this rural area. A site needed a flat area 50 metres by 50 metres, clear of overhead power lines, with vehicle access and mains power for landing lights. A meeting was arranged with the Community Landing Sites Development Officer to tour the area to see if there was a suitable site. A report will be given at the next meeting.

22. **Training:** Cllr Sharpe advised that Cllrs Cook and McCarthy need to attend the new “Being a Good Councillor” courses but were unable to attend the day long courses previously approved. Evening courses were now being provided which they will attend at a reduced cost of £30.00 plus VAT each, a total of £72.00 which is a reduction in cost. Proposed by Cllr Bean and seconded by Cllr Ellis and it was resolved to agree to the attendance on the course and the cost.

23. **Hire of Village Hall:** Cllr Sharpe advised that the agreed charge for the hire of the Village Hall was £25.00 per meeting and for the period May 2018 to March 2019 would have been £300.00. The Committee had agreed to reduce this charge to £10.00 per hour and the cost for this period was reduced to £177.50. Cllr Sharpe thanked the Village Hall Committee through Cllr Robson for this very generous reduction. Proposed by Cllr Sharpe and seconded by Cllr McCarthy and it was resolved to pay the hire charge. Future invoices will be issued in September and March.

24. **Finance:** The Clerk presented the Bank Reconciliations as at 30th April and 30th June 2019 which were agreed. The funds available to the Parish Council are £2,733.84 but payment for the cost of the election has not yet been requested.

25. **Expenditure and Income:** The items of expenditure need approval and noting of the income:

Expenditure		£
Hire of Village Hall		177.50
Country News		25.00
Being a Good Councillor Courses – Cllrs McCarthy & Cook	£60 +VAT £12	72.00
Greenwood – Payroll fee for March, April, May and June	£20 + VAT £4	24.00
Clerks Salary		202.88
PAYE		50.80
Clerks Expenses: Home/Office - £16.66 Consumables	£36.98 + VAT £7.40	61.04
Western Power Distribution (Through Community HeartBeat Trust)	See item 12	560.65
Income		£
Nil		

Proposed by Cllr Sharpe and seconded by Cllr Bean and resolved that the payments are made and the income noted.

26. **Village Hall:** Cllr Robson advised that the recent Breakfasts had been very good with 36 people attending. Future events were:-

20th July – Tea Afternoon and Barn Dance in the evening

24th August, 21st September, 19th October – Tea Afternoons.

27. **Public Discussion:** No items were raised.

28. **Date of Next Meeting:** Tuesday 17th September 2019

The meeting closed at 9.30 pm.

Minutes Approved

Signed

Appointment

Date