

# DUNCHIDEOCK PARISH COUNCIL

## Minutes of a meeting of the Council held on Tuesday 19<sup>th</sup> November 2019 at 7.30 pm in the Village Hall, School Lane, Dunchideock, EX2 9UG

**Present:** Cllrs Moor (Vice-Chairman), Cook, Ellis, McCarthy, Robson, Mr Harvey (Clerk)  
TDC Cllr Andrew Swain and 6 members of the public

### PREAMBLE

Cllr Moor referred to the unfortunate and unexpected resignation of Sarah Sharpe as Chairman of the Council and as a Councillor for health reasons. She had been an enthusiastic and energetic Chairman who had worked tirelessly to achieve a number of benefits for the parish. On behalf of everyone he expressed Best Wishes to her for the future and a complete recovery to good health. A Notice of a Casual Vacancy had been published.

1. **Election of Chairman:** The Vice-Chairman, Cllr Moor, took the chair for this item. The Clerk explained that due to the date of the resignation of the previous Chairman the wording of paragraph 88 of Part V of the LGA 1972 meant that a permanent Chairman did not have to be elected until the next meeting in January 2020. Cllr Moor requested nominations for the appointment of a Chairman for this meeting. Cllr Cook nominated Cllr Moor. Proposed by Cllr McCarthy and seconded by Cllr Cook and resolved that Cllr Moor would be Chairman for tonight's meeting. Cllr Moor continues as Vice-Chairman of the Council.

Cllr Moor signed the Declaration of Acceptance of Office of Chairman.

2. **Election of Vice-Chairman:** The Chairman advised that the same situation applied for the election of a Vice-Chairman and requested nominations for the appointment of a Vice-Chairman for the meeting. Cllr Robson nominated Cllr McCarthy. Proposed by Cllr Ellis and seconded by Cllr Robson and resolved that Cllr McCarthy would be Vice-Chairman for the meeting.

3. **Public Discussion:** An owner of Pitman's Barn spoke in respect of the two Planning Applications which are intricate. Work has started and they have decided to make variations to alter the property to how they would like to live in it. The bedrooms are reduced from 5 to 3, the bathrooms are reduced and retaining the internal height to roof level. Structural alterations were necessary as there were insufficient footings, they will retain the existing 4 steps and make design changes to windows on the south side and other internal changes. Officers at TDC and English Heritage had been involved at every stage.

A resident advised that there had been a second accident near the entrance to School Wood Quarry.

### 4. **Community Matters:**

a. Cllr Robson gave details of the following Village Hall events:

November 23 - Tea Afternoon    December 14 - Tea Afternoon    December 19 - Xmas Drinks  
January 18 - Tea Afternoon    January 25 - Burns Breakfast    February - Kitchen Upgrade  
Every Monday 7-8 Pilates

b. Cllr Cook gave details of the following Church events:

December 1 - Advent Carol Service at Doddiscombeleigh,    December 15 - Christingle Service  
December 24 - Christmas Communion at 10 pm    February 16 - Songs of Praise

The Priest-in-Charge has been visiting many people and if anyone is known who would like a visit would they please contact the Church Administrator.

5. **Apologies for Absence:** Received from Cllr Bean, DCC Cllr Connett, Mr D Swain

6. **Declarations of Interest and Dispensations:** (*In accordance with the Code of Conduct*)

### 7. **Minutes:**

a. The minutes of the meeting held on 17<sup>th</sup> September 2019 were presented for approval and signature. Proposed by Cllr McCarthy and seconded by Cllr Cook and resolved that they were an accurate record of the meeting and they were duly signed.

b. The minutes of the Extraordinary meeting held on 22<sup>nd</sup> October 2019 were presented for approval and signature. Proposed by Cllr Robson and seconded by Cllr Cook and resolved that they were an accurate record of the meeting and they were duly signed.

8. **County & District Councillor Reports:** TDC Cllr Andrew Swain advised that he did not have very much to report. He did want to make the same comments as made by the Vice-Chairman in the preamble regarding the previous Chairman. TDC had confirmed that the Village Hall will be the Polling Station for the General Election on Thursday 12<sup>th</sup> December.

9. **Clerks Report:** The Clerk reported that the last two months had continued to be busy with the need to work a substantial number of hours in excess of the contract hours. This was a reflection of the increase in the number of items on the agenda, an increase in the number of emails and a review of documents.

10. **Governance Documents**

a. **Complaints Procedure:** The Clerk reported that a further review of the practical aspects of the draft document had been completed. This will be sent to councillors soon for comments with a view to approval at the meeting in January 2020.

b. **Policy for Dealing with Unreasonable and Persistent Complainants, Vexatious Complainants and Unacceptable Behaviour:** The Clerk reported that this is a new policy that is being prepared which is being introduced by an increasing number of councils to cover any of these situations if they should arise. A review of the practical aspects is being completed. The draft document will be sent to councillors soon for comments with a view to approval at the meeting in January 2020.

c. **Financial Regulations 2019:** The Clerk reported that NALC had issued a revised version. This was basically the same as the 2018 version with the addition of several new paragraphs relating to credit cards which do not apply to this council. There are numerous minor amendments to be made and the final version will be sent to councillors soon for comments with a view to approval at the meeting in January 2020.

d. **Safeguarding Policy:** The Clerk reported that at a recent branch meeting of the SLCC a recommendation had been made that the need for this was considered by councils that organised events such as litter picks. The NSPCC had been contacted for their advice. Cllr Cook advised that safeguarding affects infants and vulnerable adults. He added that it is an important matter to be considered and he will review the information received from NSPCC in order to report back to the meeting in January.

e. **Risk Assessment:** The Clerk advised that he has made slight alterations to the layout of the previously approved document that did not change the wording and requested approval to the revised document. Proposed by Cllr McCarthy and seconded by Cllr Robson and resolved to agree to the changes in the layout.

11. **Highways:** Briefings were received on the following matters:

a. **Drainage on Blacksmiths Hill:** Cllr Ellis reported that DCC Highways had advised that the repairs would not be completed until after March 2020 due to financial constraints. The scheme is being designed now to be ready when funds are available. Highways had offered to assist with ice on the road by placing salt bags out on site and by placing warning signs if needed. It was agreed to accept this offer provided that the salt bags were placed where damage was not caused to vegetation.

b. **Road surface near entrance to School Wood Quarry:** Cllr Moor reported that DCC Highways had advised that although the road surface was not in particularly good condition it did not currently meet safety intervention levels. Funding is not available to treat the whole area but there are some areas of serviceability that could be rectified to improve the condition and a request has been made that this is considered. Highways had been advised of the two accidents.

c. **Speed limit on road from School Wood Quarry to Manstree Cross:** Cllr Ellis reminded the council that this matter had been raised by a resident at the Annual Parish Meeting. He advised that a check had been done several years ago with a full report that stated no problems were recorded. DCC Highways have requested comments on a suitable location to place the equipment that will monitor the speeds. Below the Telephone Box was suggested and the NHO will be asked to liaise with Cllr Ellis and this will mean a check now will record the present situation.

d. **Road Closure on School Lane:** The Clerk reported that part of the lane will be closed for part of Thursday 23<sup>rd</sup> January 2020. Details will be on Notice Boards and the website.

12. **DCC Community Road Warden Scheme:** Cllr Robson reported that there had been a review of the requirements of this scheme. As a result it was considered that the Council did not have the availability of commitment, resources, and workforce to undertake the range of work that would be the responsibility of the Council under the scheme. It was therefore her recommendation that the Council withdraws from this scheme. Proposed by Cllr Moor and seconded by Cllr Ellis and resolved to advise DCC Highways that this Council wishes to cancel the DCC Community Road Warden Scheme Agreement.

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

a. New Applications

- (1) Application Ref: 19/02093/VAR Location: Pitman's Barn, Dunchideock, EX2 9TS  
Proposal: Variation of condition 2 on planning permission 14/00933/COU (conversion of barn to dwelling) to amend design and layout of dwelling

Having reviewed the details of the application it was considered that there were no aspects that would cause any problems and a response of no objection could be made. Proposed by Cllr Robson and seconded by Cllr Moor and resolved not to raise any objection to the Application.

- (2) Application Ref: 19/02094/LBC Location: Pitman's Barn, Dunchideock, EX2 9TS  
Proposal: Conversion of barn to a dwelling – Listed Building Consent for Minor alterations to Approved Listed Building Consent 14/00934/LBC for Grade II Listed Building

Having reviewed the details of the application it was considered that there were no aspects that would cause any problems and a response of no objection could be made. Proposed by Cllr McCarthy and seconded by Cllr Robson and resolved not to raise any objection to the Application.

b. Grant of Planning Permission

Application Ref: 19/01358/CLDE Location: Treetops, Higher Ashton  
Proposal: Non-compliance with an agricultural occupancy condition attached to Treetops

Approved as TDC has issued a Certificate of Lawful Use or Development to establish that the property had been occupied in breach of the agricultural occupancy condition for a period in excess of ten years.

c. Grant of Conditional Planning Permission

Application Ref: 19/01997/FUL Location: Old Mill Cottage, Dunchideock  
Proposal: Single Storey rear extension and associated works

This application has been approved by TDC.

d. To receive a report on the present situation following an enquiry from a resident

Application Ref: 15/02704/FUL and 18/00417/ENF Location: Lyalls, Dunchideock  
Decision: Failure to comply with planning decision regarding a caravan at the location

A planning application was made in 2015 for a caravan at this location to be used for accommodation and it was refused. In 2018 an Enforcement Notice was issued for Failure to Comply with a Planning Decision. Following an enquiry from a nearby resident regarding the continued presence of a caravan and the possibility of it being used to justify retrospective planning permission the Enforcement Officer at TDC was contacted. His response was that it is not the siting of the caravan but what it is being used for. The owner had advised the Enforcement Officer that it is being used as a store and for TDC to take action it would be necessary to have evidence that it is being used for residential or holiday purposes. This would result in a change of use of the land and the site needs to be monitored. Details were provided of when enforcement action could be taken.

e. TDC Planning Scheme of Delegation for the Call In of Applications to the Planning Committee

In TDC, over 90% of Planning Applications are dealt with by Planning Officers under delegated powers. The remainder are determined at the monthly Planning Committee. For a trial period of 6 months Parish Councils can call in an application to be considered by the committee, rather than by a case officer. There are criteria to be observed and the request must be through the Parish Clerk.

14. **Defibrillators:** Cllr Moor gave a briefing on the following matters:

- a. Annual Support Cost 2020: The next payment in respect of the three defibrillators is due in January 2020 for the year from 1<sup>st</sup> March and is for £330 plus VAT of £66, a total of £396. Community HeartBeat Trust holds £139.35 following the change from a solar powered to a mains powered unit for the third location and £196.00 is available in the funds earmarked for the defibrillators in the Parish Council bank account. This leaves a balance of £60.65 to be paid from Parish Council funds. Proposed by Cllr Moor and seconded by Cllr Cook and resolved that the payment of £396 00 is made from the amounts stated above.

- b. Defibrillator at Underdown: The residents in this and the surrounding area have been canvassed to enquire if there was any support. Hardly any support was given. In addition Kenn Parish Council will not

provide any financial support as consideration is being given to the provision of a Defibrillator at Clapham. Cllr Moor recommended that this proposal did not proceed and this was agreed.

c. **Direct Debit for payment of electricity for third defibrillator at Belvedere Park:** The electricity is supplied as an unmetered supply by Eon. The quarterly amounts will be small and it is more efficient to pay by a direct debit which has been signed by two councillors. Confirmation of this was requested. Proposed by Cllr McCarthy and seconded by Cllr Robson and resolved to confirm this being done.

15. **Freedom of Information Act:** The Clerk reminded the Council that at the last meeting he advised that a resident had sent a high number of emails in a relatively short period. Most of these were regarding the personal application of a decision made by the Council which the resident considered did not comply with the correct procedure. It was necessary for the Clerk to submit a Freedom of Information Request to the Local Government Ombudsman to get clarification of the statements being made. The response was that the assertions were incorrect and did not apply to the Parish Council and the resident has been informed.

16. **Climate Emergency:** Cllr McCarthy reported that other pressures had delayed his provision of a full briefing with proper consideration and this will now be presented at the January meeting.

17. **Public Rights of Way:** Cllr Robson reported on the documents received to enable the Council to join the DCC Parish Paths Liaison Scheme. This is a community approach to improving access to the countryside and if the Council joined the scheme it may assist with the maintenance and improvement of the 4 footpaths in the parish that extend to 1½ miles. The grant is £30 per mile per annum with an initial minimum grant of £100 and other grants may be available. The grant can be spent on a number of matters including the purchase of tools. A survey has to be completed and she has some volunteers. Cllr Moor had walked the footpaths in Doddiscombeleigh and he was impressed with the gates and other work that had been completed with the benefit of grants that had been made under the Scheme. There was agreement to proceed but signing of the Agreement will be deferred to January.

18. **Notice Boards:** Cllr Moor reported on the following matters:

a. **Junction of School Lane at Dunchideock Bridge:** The catch had been damaged possibly by a vehicle passing too close and making contact with the Notice Board and post box. The catch has been replaced.

b. **New Notice Board at Belvedere Park:** A Discussion Paper had been circulated to councillors with the necessary factors to be considered regarding a replacement. Quotations had been obtained with the amounts being £810 to provide space for 4 x 3 A4 sheets (roughly the same as existing) and £915 to provide space for 6 x 3 A4 sheets. Funds available were £140 from previous TDC Councillors and £500 from DCC Locality Fund through DCC Cllr Connett to make a total of £640. There was comment about the design and wood to be used and the shortfall in funding. To give time for further consideration this item is deferred to January. Post meeting note: Cost in oak now £946.

19. **Grant Funds:** Cllr Robson reported on the following applications:

a. **DCC Locality Fund:** £500 had been received following the very kind offer by DCC Cllr Connett to be used towards the new Notice Board at Belvedere Park.

b. **DCC Making the Connection Fund:** An application for £300 to be used towards the cost of the new Notice Board was unsuccessful.

c. **TDC Rural Aid Grant Fund:** The application for £5,000 for a new kitchen in the Village Hall was successful with £4,750 being granted. This is a significant contribution towards the cost and with the balance of the cost coming from Village Hall funds the kitchen will be upgraded in February 2020.

20. **Tree Charter:** Cllr Cook reported on the following matters:

a. **The Tree Charter:** In November 2017 the Woodland Trust launched the new Charter for Trees, Woods and People on the 800<sup>th</sup> anniversary of the 1217 Charter of the Forest. A proposal had been made to try and plant a tree in every garden in the parish. Forestry England had offered to provide 100 saplings of native species but required them to be planted in clumps rather individual locations. Due to the lack of suitable land he recommended that this offer is declined. Cllr Moor proposed and Cllr Cook seconded and it was resolved that this kind offer is declined and the proposal will not proceed.

b. **Tree Charter Day – 30<sup>th</sup> November 2019:** The last Saturday in November each year is Tree Charter Day and marks the start of National Tree Week to help people demonstrate the important role trees play in their lives. The Woodland Trust has donated a Wild Cherry tree and the Parochial Church Council has agreed that it can be planted on the Church Green. The tree will be planted at 11.am on this Saturday with refreshments afterwards. The possibility of a plaque to record the purpose of the tree was discussed but will be deferred to the January meeting.

21. **Community Event – Village Litter Pick:** The Clerk advised that there will be a Village Litter Pick on Sunday 24<sup>th</sup> November. It will start and finish at the Village Hall and will be from 10 am to 1 pm. Refreshments will be provided. The parish has Litter Picking Equipment provided by TDC, with the possibility of also using that held by Shillingford St George. Residents are advised to wear sturdy footwear and strong gloves and a Risk Assessment has been completed. An event organiser will be present.

22. **Bus Stop Shelter:** Cllr Moor thought there were two possible sites at Dunchideock Bridge or Webberton Cross. The latter was probably the more practical, as there appeared to be space for a shelter for 4 people and it was in the bus timetable. The landowner had indicated his agreement to the use of the land although other aspects of use of the land, the donation or purchase of the land and planning permission and full funding with grants had to be investigated. Various styles in timber had been obtained and prices appeared to range upwards from £4,000 plus VAT and delivery and the cost of a base and installation. As a result of the information and discussion there was a general consensus to investigate this project further. Proposed by Cllr Ellis and seconded by Cllr McCarthy and resolved to continue with the investigations.

23. **Welcome Pack:** The Clerk reported that the editors of Country News had agreed to the request from the Council for a page containing key information to be included. This will cover important services and contact numbers, bus timetables, bin collection days etc and will alternate between the two parishes. The Welcome Pack will not be reprinted as information for all and new residents will be in Country News.

24. **Telephone Box:** The Clerk reported that the BT 90 day Consultation Period with TDC ended on 13<sup>th</sup> October but the Council has so far not received any information regarding the request to “adopt” the telephone box. If residents have suggestions for its future use the Council will be pleased to receive them.

25. **Parish Benches:** The Clerk reported that the Millennium Bench has been removed and repaired and restored to its original position at Webberton Cross with the cost being covered by a resident. A letter of thanks will be sent. The Jubilee Bench will be left in place and rubbed down and varnished by a resident over the winter.

The Chairman suspended Standing Orders to allow a resident to speak on the next item.

26. **Parish Map:** A resident provided copies of a revised map of the village produced by a former councillor that had now been brought up to date. The layout of the draft was explained and details given of the features that were included on it. The resident asked if any additions were required and several suggestions were made which would be passed back the originator. The use of it was discussed and it was considered appropriate to go on the notice boards. The resident was thanked for her contribution to the map being revised.

The Chairman re-instated Standing Orders.

27. **Dates of Meetings:** Cllr Moor advised that the Council meetings have been held on the 3<sup>rd</sup> Tuesday in every other month. This date was making it difficult to meet other deadlines, especially for Country News. All necessary councillors had been consulted and a change of date to the 2<sup>nd</sup> Tuesday of every other month is possible. Proposed by Cllr Moor and seconded by Cllr McCarthy and resolved that Parish Council meetings will be held on the 2<sup>nd</sup> Tuesday of every other month starting with January 2020.

#### 28. **Clerk’s Hours of Working and Home Working Allowance**

Cllr Moor reported that the Clerk had requested an increase in both of these from 1<sup>st</sup> April 2020. The present contract is for 3 hours per week, which is 13 hours per month and from timesheets maintained the hours recorded are far in excess of this figure. This increase reflects the increased number of items now seen on agendas and the associated work together with a general increase in contact from outside organisations. There is also the need for accurate administration and financial record keeping. The request was for an increase to 20 hours per month. In view of the increased hours being worked an increase in the Home Working Allowance from £8.33 per month to £13 00 per month was also requested which is within the figure permitted by HMRC. He recommended that full consideration was deferred until the next meeting.

29. **Royal British Legion:** Cllr Moor advised that in the past the Council had made a donation to this charity and although not made in some years a donation of £25 was made last year. This is a worthwhile national charity and he recommended that it is supported. Proposed by Cllr Moor and seconded by Cllr McCarthy and resolved that a donation of £25 is made to the Royal British Legion.

30. **Precept 2020/2021 Initial Review at Annex A:** The Responsible Financial Officer advised that the review had been produced now to allow plenty of time for the potential existing and new items to be included in the Budget to be considered in advance of the Budget being prepared. The review had been published as an Annex to the agenda so that the information was available to the residents. Three items will

potentially contribute to a significant but prudent increase in the next precept and council tax. The Chief Financial Officer for TDC has recommended to all Councils that full provision is made and is available each year for an election. The holding of an election is a democratic right and it can be called by say 5 % of the residents. If held now the cost will need to be added into the precept for next year as it will deplete much needed reserves together with the provision for an election next year. The need to replace the Defibrillators in 7 years time must be considered and the Clerk has requested an increase in his working hours. The RFO suggested that he prepares the Budget and Precept in consultation with a small committee of councillors for presentation at the meeting in January 2020. Cllrs Moor, Ellis and McCarthy agreed to do this.

31. **Finance:** The Responsible Financial Officer presented:

a. The Bank Reconciliation as at 31<sup>st</sup> October 2019 which was agreed. The funds available to the Parish Council are £3,649.30.

b. The Budget/Actual Comparison for 2019/2020 as at 31<sup>st</sup> October 2019.

Proposed by Cllr Robson and seconded by Cllr McCarthy and resolved that both documents were accepted.

c. Bank Mandate: The Responsible Financial Officer advised that one signatory had to be deleted and a new signatory added. The present signatories are Cllrs Moor, Ellis and McCarthy. Cllr Moor proposed and Cllr McCarthy seconded that Cllr Robson became the fourth signatory and after her agreement this was agreed and resolved.

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

<b>Expenditure</b>		<b>£</b>
Greenwoods – Payroll fee for September and October	£10 + VAT £2	12.00
Clerks Salary for September and October and arrears		262.27
PAYE for above period		65.40
Clerks Expenses: Home/Office - £16.66 Consumables - £47.80 + VAT £7.60		72.06
Royal British Legion		25.00
Eon Defibrillator electricity for 16/8/19 to 30/9/19	£1.49 + VAT £0.07	1.56
Information Commissioners Office – Annual Data Protection Fee by Direct Debit		40.00
<b>Income</b>		<b>£</b>
Village Hall Trust Committee – balance repayment of part of grant		725
TDC – Precept for 2nd half year		2,100
DCC Locality Budget Grant (For new Notice Board)		500

Proposed by Cllr Moor and seconded by Cllr Ellis and resolved that the payments are made and the income noted.

33. **Public Discussion:**

Speed Limits were raised as residents thought that the speeds on Webberton Lane were also excessive. The speed of the bin collection lorry was advised to TDC Cllr Swain. The possibility of “Slow” or “Please Drive Slowly Through the Village” signs was mentioned and the Clerk will refer these concerns to the NHO.

The Council was asked how it would respond to the very offensive and derogatory remarks made by a resident on a personal website about the former Chairman and why she resigned, together with the continual and numerous adverse comments about the Parish Council and the Clerk. All present agreed that these remarks were unacceptable and wished their distaste to be recorded in the minutes. The Clerk advised the Council does not have powers to deal with this. The Clerk advised that residents should only rely on the official website at [www.dunchideock.org.uk](http://www.dunchideock.org.uk) for accurate information.

34. **Dates of Next Meetings:**

Tuesday 14<sup>th</sup> January, 10<sup>th</sup> March, 12<sup>th</sup> May (Annual Council Meeting) 2020

Tuesday 19<sup>th</sup> May 2020 (Annual Parish Meeting)

The meeting closed at 9.40 pm

Minutes Approved

Signed

Appointment

Date