

DUNCHIDEOCK PARISH COUNCIL

Minutes of a meeting of the Council held on Tuesday 12th May 2020
at 7.30 pm by Zoom

Present: Cllrs Moor (Chairman), Bean, Cerio, Cook, Ellis, Robson.
Mr Harvey (Clerk)
TDC Cllr Andrew Swain
2 members of the public

1. Welcome

The Chairman welcomed everyone to the first virtual meeting of the Council. Although everyone was at home the meeting would be conducted as near as possible to a normal meeting.

2. Conduct of the meeting

The Chairman advised that the existing Standing Orders would apply for the conduct of the meeting at his discretion. In particular, a councillor may speak once in a debate, speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes, a person shall raise their hand when requesting to speak, only one person is permitted to speak at a time, voting on a question shall be by a show of hands. These Standing Orders would apply to items 4 and 21.

3. Confirmation of Attendance

The Chairman advised that in order to comply with the Government Regulations it is necessary for members to be able to hear and where practicable see and to be heard and where practicable to be seen by all other members. Each member was asked in turn and confirmed this was possible.

4. Public Discussion:

No comments were made.

5. Apologies for Absence:

Received from Cllr McCarthy

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

None were made

7 Minutes:

(a) The minutes of the meeting held on 10th March 2020 were presented for approval and signature. Proposed by Cllr Robson and seconded by Cllr Bean and resolved that they were an accurate record of the meeting and they were duly signed.

(b) The Chairman advised that the resolutions of the confidential Part 2 meetings held on 17th September 2019 and 10th March 2020 had been recorded in the confidential minutes of these meetings as these are not dealt with in Standing Orders. The Clerk had subsequently found reference to confidential resolutions in two documents not held by the Council. These indicated that confidential resolutions must be recorded in the minutes without disclosing the confidential information. These had been published and circulated and needed to be annotated onto the minutes of the two meetings. Proposed by Cllr Cook and seconded by Cllr Robson and resolved that the confidential resolutions without the confidential information of the two meetings were approved and that the minutes of the meetings should be annotated in respect of these meetings.

8. County & District Councillors Reports: TDC Cllr Andrew Swain reported that TDC meetings are being held on line, waste collections have continued, re-cycling centres will open soon and garden waste collections are still available. There is a potential budget shortfall of £11m with some serious problems to resolve. Initially £60,000 had been received from Government funding

which barely covers lost car parking revenue and a further £1.3m was much better. The Kenn Valley Ward TDC Councillors have done a lot of work on the Teignbridge Local Plan. The Parish Council was encouraged to provide a response to the Consultation on the Local Plan.

9. Clerks Report

The Clerk reported an exceptionally busy period since the last meeting for three main reasons:

- (a) The existing website could not be changed to comply with the Regulations below and quotations and information had to be obtained from five website providers.
- (b) The Coronavirus pandemic meant that all parish council's were heavily involved as the first tier of government in getting information to the public. There had been a constant flow of information from DCC and TDC regarding Government and NHS advice and other organizations as information and procedures were established to deal with the emergency. This included new regulations and procedures for the work of and conduct of meetings of all councils.
- (c) Two residents chose this national emergency to send an excessive number of emails to the council, which were a repetition of a previous pattern of unacceptable behaviour. From 2nd April to 12th May 90 emails were received, 76 of these were from one resident with 6 on one day and were manifestly unjustified. None were received from any other resident. The content and tone of the emails from this resident were abusive, derogatory, rude, and vitriolic and far beyond what a reasonable person would expect to read. Sending these emails has obviously become an obsession, with comments such as my computer does not have a camera and microphone and which email does this reply relate to. These are a deliberate attempt to place a disproportionate burden on the council. This one resident has the potential to increase the council tax for all the other residents due to the work that could be incurred.

10. Governance Documents – Safeguarding Policy

Cllr Cook had been requested to prepare a draft Safeguarding Policy. This had been circulated. This was one of the shortest safeguarding policies he had come across, reflecting the limited contexts in which the Parish Council is directly involved with children and/or vulnerable adults. It is based on a template created by a county council, specifically for parish councils, rather than the far more extensive policies needed by larger organisations. He recommended that it was adopted. Proposed by Cllr Bean and seconded by Cllr Cerio and resolved that the Safeguarding Policy was adopted.

11. Highways

The Clerk reported the NHO had advised that only safety critical work is being carried out and all other planned works are on hold until the present situation is relaxed. After Note. Short notice patching work was completed between Webberton Cross and Penhill Cross

12. Insurance

The Clerk reported that the Insurance Policy is due for renewal for the period 1/6/20 to 31/5/21 as part of the 3 year long term agreement to 31/5/22 with Community Action Suffolk. The premium would have been £154.28 which was the same as last year but the assets had been revalued to a replacement value. The new premium is £186.73 which is still below the amount paid in May 2018. Proposed by Cllr Cook and seconded by Cllr Robson and resolved that the Insurance Policy was renewed at the premium stated.

13. Notice Boards

Cllr Moor reported on the following matters:

- a. New Notice Board at Kings Bridge. There is no information in the council records regarding the existing Notice Board. Kings Bridge is a Grade II listed building and the council does not own the wall on which the Notice Board is fixed. TDC has given three different items of advice, the last being that Planning Permission and Listed Building Consent are required for the fixing of the new Notice Board. The owner of the wall has given permission for the board to be placed there. Proposed by Cllr Ellis and seconded by Cllr Cook and resolved that Planning Permission and Listed Building Consent are applied for together with payment of the relevant fee when known.

b. Junction of School Lane at Dunchideock Bridge: Due to the work of Cllr Ellis the Notice Board now appears to be dry.

14. The Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018

The Chairman thanked Cllr McCarthy and the Clerk for all the information and quotations they had obtained from five website providers which he had considered in detail. He was very concerned that this will be the second website in two years. Confirmation is held from two sources that the existing website cannot be changed to comply with the Regulations due to the format that was used. It is therefore vital that the new website is the correct one and meets all the needs of the Council. Rather than request a decision on the website provider he considered that additional information was required. Members were asked if they had any points they would like to be clarified. Cllr Moor proposed that further information is requested from four of the website providers and a decision is deferred until a further confidential meeting is held on 26th May 2020. Proposed by Cllr Robson and seconded by Cllr Bean and resolved to obtain the additional information and defer a decision until a further meeting is held on 26th May.

Proposed by Cllr Bean and seconded by Cllr Robson and resolved that the meeting on 26th May would be a Confidential Part 2 meeting.

15. Review of the Resolution in Minute 1c of the Confidential Part2 Meeting Held on 10th March 2020

The Chairman made the following comments:

- (a) The resolution without the confidential information of this minute had been circulated and published under item 7(b) above. There had been a delay in sending the letter to the resident, and just before it was sent an excessive number of emails started to be received as reported by the Clerk at item 9(c) above. These were unacceptable to Councillors. In accordance with Standing Order 7 the Clerk received a Notice from every Councillor requesting that the Resolution is reversed and if agreed the letter is not sent. I recommend that the Resolution is reversed. Proposed by Cllr Robson and seconded by Cllr Cook and unanimously resolved that the Resolution in Minute 1c of the Confidential Part 2 Meeting held on 10th March is reversed and that the letter is not sent.
- (b) Members of the Council are aware of the emails referred to in the Clerks Report at item 9(c) above. In order to avoid undue pressure on the Council I recommend that the Policy for Unreasonable and Unreasonably Persistent Complainants and Vexatious Complaints and Unreasonable Behaviour is implemented immediately and that the resident is advised that the recent and future emails will not receive a reply with review in November 2020 or the first meeting thereafter. Proposed by Cllr Robson and seconded by Cllr Bean and unanimously resolved that the recommendation is implemented immediately and that a letter stating this is sent to the resident.

16. Coronavirus:

- (a) Cllr Cook gave a report on the Home Support Scheme. He was aware that, as expected in a small vibrant community, very many people are assisting others simply as good neighbours. The Home Support Scheme was established in March to supplement this, and to meet the needs of those needing shopping or medication. It covers all six parishes in the Teign Valley and Haldon Hill Mission Community. There are local co-ordinators in each village, and Councillor Cook is the co-ordinator for Dunchideock.

The scheme is registered with the Teignbridge Community Services website, and with a number of other websites that have sprung up during the current lockdown. He thanked the 18 volunteers in Dunchideock. To date there have been 23 requests for help (13 for prescriptions and 10 for shopping). Details of the scheme are available on the village website and on the individual parish pages on the "A Church Near You" website. The plan is to continue the scheme as long as it is required during lockdown. Those who are vulnerable are encouraged to use the scheme, rather than placing themselves at risk.

He also reported on the establishment of the “Teign Valley Larder” - a food bank currently based in the porch of Christow Church, but covering all six parishes in the Mission Community. The aim is both to make food available to those who are struggling financially and to limit food waste.

(b) The Clerk had stated in his report at item 9(b), that Parish Councils were used as the first tier of government to get information to the public from primarily the Government, NHS, DCC and TDC. Initially this was almost a flood as numerous decisions were issued regarding assistance and restrictions which had to be made public as quickly as possible. This did cause some strain initially but publication of all the information was achieved on the website and Notice Boards.

(c) The Clerk stated that as mentioned below the Government has issued Regulations to deal with the continuation of council business as normally as possible because some statutory functions cannot be complied with. This has meant an increased use of emails and the post to maintain continuity. Although some non-urgent matters may not be dealt with, as much as possible will be done as usual. Some of the deliberate hindrance seen is not welcome in these difficult times.

17. Annual Governance and Accountability Return 2019/20

The RFO dealt with the following matters:

(a) In view of the current situation the Government has issued Regulations revising the arrangements for the completion of this return. The dates have been extended regarding completion of the Annual Accounts, the AGAR documents, Internal Audit and dates for Public Inspection. Where possible the previous arrangements will be observed but obviously other factors have to be considered. The Return and Internal Audit will now be dealt with at the July meeting.

(b) The Receipts and Payments Account for 2019/20 and Bank Reconciliation as at 31st March 2020 had been signed by the RFO and approved by Cllr Bean respectively, circulated and published. Proposed by Cllr Cook and seconded by Cllr Robson and resolved to approve these documents.

(c) The Budget/Actual Comparison for 2019/20 as at 31st March 2020 had been circulated and published. Proposed by Cllr Robson and seconded by Cllr Ellis and resolved to approve this document.

(d) The Bank statement as at 30th April 2020 had not been received and the Bank Reconciliation could not be completed

18. Annual Parish Meeting 19th May 2020

The Clerk reported that SLCC had advised that Part III of The Local Government Act 1972 requires that an annual parish meeting takes place between 1st March and 1st June each year. But, there is no duty for the Parish Council to convene this although it is customary that it is convened by the Parish Council Chairman at a date and time set by the Parish Council. There is no effective sanction should the Parish Council not set a date and time for this to occur and in view of the current restrictions this meeting will not be held this year.

19. Arrangements for Virtual Meetings

The Clerk reported that the Government had issued Regulations that give greater flexibility in the conduct of local authority meetings including allowing members to attend remotely and for the public and press to have access to these meetings. Details had been circulated to members. The meetings may be held or the frequency altered without a requirement for further notice, except in respect of the agenda. The need for parish councils to hold annual meetings was removed and appointments continue until the next annual meeting whenever that is held. The Regulations continue until 7 May 2021. In order to comply with the Regulations the Chairman and Clerk had made arrangements for virtual meetings to be held using Zoom at a cost for one year of £143.88 under Financial Regulation 4.1 and confirmation of this action was required. Proposed by Cllr Cerio and seconded by Cllr Cook and resolved to confirm the action that had been taken

20. Expenditure and Income

To approve payment of the items of expenditure and note the income:

Expenditure		£
Greenwoods – Payroll fee April and May - direct debit	£10 + VAT £2	12.00

Clerks Salary for March and April		265.43
PAYE for above period		66.20
Clerks Expenses: Home/Office - £26.00 Consumables - £38.49 + VAT £4.58		69.07
Eon electricity for Defibrillator - 1/1 to 31/3/20 – direct debit - £3.86 + VAT £0.19		4.05
Devon Association of Local Councils – Annual Fee	£57.00 + VAT £7.72	64.72
TDC fee for election in February 2020		To be confirmed
Clerk for Zoom virtual meetings to 30/4/21	£119.00 + VAT £23.98	143.88
Community Action Suffolk – Insurance Premium – 1/6/20 to 31/5/21		186.73
Income		£
TDC Precept 1 st Instalment		5,050.00

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

21. Public Discussion

- (a). A resident stated he had metadata from a website that indicated the meeting was not legal. The Chairman stated that the Agenda had been posted on the conspicuous Notice Board to give the required three clear days notice in accordance with the revised Government Regulations and having obtained advice from DALC.
- (b). A resident asked why the free version of Zoom had not been used as the meeting could be resumed at the end of each 40 minutes. The Chairman replied that it was unprofessional to keep stopping and starting a meeting and the basic subscription version was recommended by NALC which the Council was able to purchase at a discount.
- (c). A resident asked if all future meetings would be held by Zoom as this appeared to be a more efficient method of holding meetings. The Chairman stated that these virtual meetings will be held in accordance with Government Regulations. Cllr Robson mentioned the fact that some members of the public could not attend and this should be considered.
- (d). The Chairman advised that he would like to enquire whether the Telephone Box could be given Listed Building status. The Clerk will look into this.
- (e) After note: The Clerk had received an email from the resident in 21(a) above stating:
 “Agenda published Wednesday.
 Thursday, Saturday & Monday = three clear days.
 Meeting Tuesday so is legal.”

The resident referred to in item 15 above had sent an email stating that the meeting was not legal based on the same metadata from a website as in 21(a) above and quoting the rule for a Last Will and Testament as his reason for doing so.

22. Dates of Next Meetings:

The Annual Parish Meeting will not be held this year
 Tuesdays – May 26th (Confidential), 14th July, 8th September, 10th November 2020
 Tuesdays – 12th January, 9th March 2021
 These meetings will be held by Zoom until further notice
 and can be cancelled without further notice.

The meeting closed at 8.23 pm

Signed

Appointment

Date