

# DUNCHIDEOCK PARISH COUNCIL

## Minutes of a meeting of the Council held on Tuesday 14th July 2020 at 7.30 pm by Zoom

Present: Cllrs Moor (Chairman), Cook, Ellis, Robson.  
Mr Harvey (Clerk)  
DCC Cllr Connett      TDC Cllr Andrew Swain  
Three members of the public

### 1. Welcome

The Chairman welcomed everyone to this 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. Items 4 and 30 are for members of the public to make comments, each person may speak only for a maximum of 3 minutes and voting is not permitted.

### 3. Confirmation of Attendance

The Chairman advised that 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 that this was possible.

### 4. Public Discussion

A resident raised concerns about the proposed new Notice Board at Kings Bridge. The concerns were that it was not being fixed to Kings Bridge and so this was an incorrect description, no progress had been made since March, permission had not been obtained from the residents of Belvedere Park, planning permission had not been obtained, it was likely to be damaged by the waste collection lorries and he had not been advised of the proposed size. The Chairman stated that these concerns would be covered in agenda item 15.

### 5. Apologies for Absence

None were received.

### 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 12<sup>th</sup> May 2020 were presented for approval and signature. Proposed by Cllr Cook and seconded by Cllr Robson 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 26<sup>th</sup> May 2020 were presented for approval and signature. Proposed by Cllr Robson and seconded by Cllr Ellis and resolved that they were an accurate record of the meeting and they were duly signed.

### 8. Resignations of Councillors and Casual Vacancies

A. The Chairman reported that Cllr McCarthy had resigned due to business commitments, Cllr Cerio had resigned for personal reasons and Cllr Bean had resigned due to business commitments. The Chairman thanked the three councillors for their service on the council and requested that our thanks are recorded in the minutes.

B. The three casual vacancies had been advertised. The first vacancy can be filled by co-option of a councillor. Confirmation has been received from TDC that the second vacancy can also be filled by co-option. Notice of the third Casual Vacancy will expire on 16<sup>th</sup> July.  
After Note – the third vacancy can also be filled by co-option.

DCC Cllr Connett left the meeting.

## 9. Co-option of a Councillor

The Chairman advised that there were three applicants for the first co-opted vacancy as a Parish Councillor and their applications had been circulated. The three applicants were at the meeting and were invited by the Chairman to speak in support of their reasons for being a Parish Councillor which they each did. Each candidate was then asked a question about teamworking by Cllr Cook.

The councillors voted with one applicant receiving four votes and there were no votes for either of the other applicants. Lewis Oxley was therefore confirmed as a new councillor. The Declaration of Acceptance of Office must still be signed at a social distance in front of the Clerk or Chairman before he can become a member of the council. This will be done as soon as possible so that he is able to participate in council business at the earliest opportunity.

After Note: The Declaration of Acceptance of Office was signed in front of the Chairman.

## 10. County and District Councillor Reports

TDC Cllr Andrew Swain mentioned that DCC Cllr Connett could not remain on line as he had another meeting to attend. TDC did have a potential £6.9m shortfall but funding from central government will cover 75% of this. The Greater Exeter Strategic Plan had been issued and was being considered by District Councils before being sent to Parish Councils for consultation. The number of houses is being forced on the District Councils by central government who will enforce the numbers. More sites are included in the Plan than are needed and these will be part of the consultation. There will be CIL payments but none for Dunchideock. The Clerk advised that the information leaflet produced by the local TDC Councillors had been circulated to the parish councillors.

## 11. Clerks Report

The Clerk reported that this had been a busy two months. The matters dealt with included the Internal Audit, continued discussions regarding the new website, the Coronavirus flow of information and the variety of items as seen on the agenda. Although being busy and with the changes in regulations, council business was very much being continued as normal.

## 12. Annual Governance and Accountability Return 2019/20

The Responsible Financial Officer advised that Government Regulations issued in view of the Coronavirus had changed the reporting procedures for this audit period, but the requirements of the External Auditor remained the same. As the income and expenditure were both below £25,000 the council could apply for exemption from external audit provided that the following documents were approved by the council. The RFO had circulated the documents and read them out. Because of the restrictions and signing requirements the documents will be published later on the website.

- A. Report of the Internal Auditor which was satisfactory and noted.
- B. Annual Internal Audit Report which had been signed by the Internal Auditor and was noted.
- C. Annual Governance Statement – proposed by Cllr Cook and seconded by Cllr Robson and resolved to approve and sign this Statement.
- D. Accounting Statements – proposed by Cllr Robson and seconded by Cllr Ellis and resolved to approve and sign this Statement.
- E. Exercise of Public Rights from 3<sup>rd</sup> August to 11<sup>th</sup> September 2020 – proposed by Cllr Cook and seconded by Cllr Ellis and resolved to agree these dates.
- F. Certificate of Exemption from External Audit – Proposed by Cllr Robson and seconded by Cllr Ellis and resolved to confirm signature of this Certificate.

The documents that required a signature were with the Chairman as the External Auditor requires a “wet” signature and they were duly signed. After Note: A Newsletter received by the RFO indicated that the council was one of only 30% of councils to have submitted the Certificate of Exemption by the middle of July.

### 13. Highways

A. The Clerk reported comments from the NHO:

Work is now beginning to start again and the present situation with matters in the parish is:

Blacksmiths Hill – This job is currently in the programme and has also been extended to include some drainage issues further down towards Dunchideock Bridge. It has become quite a large job, but it is anticipated that this will resolve all the problems being experienced in this area.

CLLr Ellis thought the drainage problems may start up at Penhill Cross and go down as far as Dunchideock Bridge. The Clerk will advise the NHO and request contact direct with the councillor.

School Wood Quarry – Works completed.

Speed Surveys – The paperwork for the speed surveys to be undertaken is being prepared. This will start the process and should be taken to the next Highways meeting in October.

Road past Tower Court – There are patching works planned in September/October which will be carried out under a road closure between Tower Court (and Underdown).

B. CLLr Robson read out a statement from the officer dealing with the proposed DCC (Haldon Forest)(Clearway) Order for the road past the entrance to the Forestry England site at Bullers Hill:

“The original order that was advertised received objections.

In summary, because the restrictions proposed, prohibits loading, the only way to resolve the objections and for DCC to get a decision would be through a public enquiry. This would mean hiring government inspectors designated by the Secretary of State, but there are insufficient budgets to accommodate the significant costs associated with this process.

DCC will be looking at suggesting a reduced extent for the restriction and write to the people that objected to see if they would be willing to withdraw. If they are not willing to withdraw the objections then DCC will have to consider alternative options, which are limited because DCC cannot place double yellow lines on the road.”

Comments were made regarding:

- (1) Is it possible to obtain details of the complaints
- (2) Is it possible to enquire whether Forestry England should be asked to pay for the cost of the enquiry as that organisation has received the benefit of the increased parking and the Clearway Order was a condition of their approved Planning Permission.
- (3) Why is it not possible for DCC to place yellow lines on the road
- (4) A resident has complained about 65 and 75 cars being parked along this road on two recent Sundays which is a major route into the village and to Exeter.

The Clerk will pass these comments onto DCC Highways.

C. The Clerk reported that the council had been advised of the closure of the road between the crossroads at Underdown and in Clapham at the junction with Brenton Road from 1<sup>st</sup> September. A formal Road Closure Order will be published in due course.

### 14. Planning

The Clerk reported on the following matters:

A. TDC has granted Planning Permission to this Application

Application Ref: 20/00265/FUL  
Location: Land near Penhill Cross  
Proposal: Demolition of agricultural building and erection of two dwellings

At the meeting on 10<sup>th</sup> March 2020 the council raised no objection subject to two areas of concern. The development is liable to make contributions under the CIL regulations.

B. CIL and S106 payments raised by a resident  
Application Ref: 14/00933/COU and 19/02093/VAR  
Location: Pitman's Barn, Dunchideock

A resident has asked for the response of the council to the decision of the Conservation Officer that a Section 106 payment was no longer a requirement for 14/00933/COU and that a CIL payment was not required for 19/02093/VAR. Application 14/00933/COU was considered at the meeting on 3<sup>rd</sup> November 2014. The decision of TDC is not recorded in the minutes and a S106 payment is not mentioned and there are no documents easily available to the council if they still exist. It appears that the resident has information that is not in the council records. This fact is confirmed as the former councillor who dealt with planning did not mention the requirement in his report. An email has been seen that includes a critical comment about the Parish Council. Following approval of the associated Application 19/02094/LBC, the clerk contacted TDC about a CIL payment and the response was that the applicant had been granted self-build exemption relief.

The reasons for the enquiry were that the decision was made without any notice to the public or to the council and so it was passed to TDC. The reply from TDC was that the later application was an improvement on the earlier application and the S106 payment should no longer be a requirement. The further comment was made that in the later application the applicants met the requirement for a self-build exemption and a CIL payment was not required. The response from TDC also stated that the matter was concluded with the resident being advised accordingly by TDC. The Clerk asked the council if they wanted to take any further action. Proposed by Cllr Ellis and seconded by Cllr Moor and resolved that no further action is taken.

C. Creation of access and removal of part of hedgerow  
Planning Ref: 20/00155/ENF  
Location: Webberton Lane, near Borough

A resident had reported that the farmer of a field had removed part of a Devon Bank to create a better access into the field. This matter was referred to TDC Planning as it was thought that planning permission was required. The latest information is that a site visit has been made and the TDC Enforcement Officer has advised the farmer, who does not live in the parish, that he should either have to apply for planning permission to determine whether the access can be retained, or close the access, and replant a hedgerow. (A Devon Bank would be preferred)

## 15. Notice Boards

Cllr Moor outlined the current situation regarding the proposed new Notice Board at Kings Bridge. The size had been increased to take 18 x A4 sheets and the wood changed to oak. The quotation was £946 and grants were held from the DCC and TDC councillors for £940. The tradesman had been in lockdown and unable to work. He hoped to have a site meeting by the end of the month. The Clerk has now obtained confirmation from TDC Planning that planning permission is not required and that Listed Building Consent is required. Advertisement Consent may be required if the area based on the external size is more than 1.55 sq.m but if less Deemed Consent may apply.

In response to the points raised by a resident: The view of TDC Planning now is that the stone wall forms part of the bridge structure and is therefore part of the listed structure. The situation with Planning Permission and the lack of progress have been explained. The Secretary of Belvedere Park Estate Management Company Ltd has given permission so far as it may be necessary. The owner of the wall has given permission. The existing Notice Board has not been damaged by waste collection lorries in all the years it has been there. The Clerk had asked TDC if there was a problem with the position of the board and no reply had been received. The external size and area of the board will be confirmed after the site meeting.

## 16. Provision of New Website

Cllr Moor advised that at the meeting on 26<sup>th</sup> May 2020, Parish Council Websites were approved as the preferred provider of the new website at a cost of £649 plus VAT. Discussions had continued with the firm regarding the content of the new website and a reduction in the cost to £469 plus VAT had been achieved, therefore a saving of £180. The firm had sent us 12 examples of their website designs at the beginning of July and these had been considered by the councillors. In achieving this reduction some residual amendments may need to be made to the content of the website which was considered acceptable in view of the reduction in cost. At present the Terms & Conditions, Contract, timing and programme were awaited together with their invoice for the deposit.

The new provider will result in website and email support based in this country. Renewal of contracts with both existing hosts is due and approval is requested to pay amounts that may be due for as short a period as possible pending completion of the transfer. Proposed by Cllr Cook and seconded by Cllr Ellis and resolved to make these payments as arranged by the Chairman and Clerk.

## 17. Coronavirus

A. Cllr Cook advised that the Home Support Scheme had been running since late March for the six parishes in the Teign Valley and Haldon Hill Mission Community. In this parish 17 volunteers had been used with 33 requests for assistance made up of shopping 50% and prescriptions 50%. It was known that other people had provided assistance for neighbours. The use of the Scheme was quieter but it will continue for the time being.

B. The Clerk reported that only weekly Newsletters are now being received from DCC and TDC. These have information from the Government and NHS and the two councils together with details of all the national and local schemes and grants to help individuals and businesses to get through and recover from the effects of the last over 100 days. Links were on the parish council website.

C. The Clerk stated that as previously reported the Government had issued Regulations for the holding of virtual council meetings, which had been done without any problems and Internal Audit procedures were changed. The conduct of business was more or less normal.

D. Cllr Robson advised that the suggestion of a Village Party from a resident had been passed to her by a former councillor. The Village Hall Committee was considering holding a Flower and Produce Show on 8<sup>th</sup> August. Depending on the situation with Coronavirus there may be a Village Party later.

## 18. Encouraging Children and Young Peoples Involvement with the Parish Council

Cllr Cook advised that no progress had been made due to Coronavirus associated commitments.

## 19. New Model Code of Conduct Consultation

The Clerk reported that the NALC Code of Conduct has not changed since August 2012. NALC has now circulated to all local councils for consultation a draft New Model Code of Conduct produced by the Local Government Association. The intention is that all tiers of government, including local government, will adopt this Code of Conduct and therefore all will be using the same document. There appears to be provision for local amendments. This new Code is more comprehensive and requires councillors to observe it in more ways including the use of electronic communication and social media. NALC is recommending a sanction of suspension from attendance at meetings for six months for a breach of the code. A response by the Clerk has been circulated and includes:

One Code of Conduct for all council's is welcomed

As the Code is being produced by the Association for principal councils, NALC should request that Parish Councils should be able to refer a breach to their principal council for investigation.

Support for the proposed NALC sanction with the addition of permanent prevention from being a councillor for a second breach

Clarity of electronic communication and social media to include emails and websites

Proposed by Cllr Moor and seconded by Cllr Robson and resolved to send the response to NALC.

## 20. Casual Vacancy Election 6<sup>th</sup> February 2020

The Clerk reported that the cost of this election was £1,268.47 with a provision of £1,500 in the Budget and precept.

## 21. Footpaths

Cllr Robson reported that DCC had allocated £1,100 for improvements in March but due to the Coronavirus no progress has been made. With restrictions easing estimates can now be obtained for the following projects:

FP 1 - Replacement sign, clear ditch, unblock drains, add concrete bund with landowner's permission

FP 102 – Swap stile with landowner's permission, addition of two garden gates to be resolved

FP 103 – Add better way marking, add steps close to bridge, check bridge boards for rot and add wire mesh to reduce slipping.

FP 104 – Inspect gates near quarry entrance and resolve any problems

## 22. Asset Register

The Responsible Financial Officer advised that the valuation of items in the Asset Register could be based on one of several methods and the External Auditor recommended that the method adopted should be recorded in a minute. The Clerk read out part of the Guidance of the External Auditor that "In most circumstances once recorded in the asset register, the recorded value of the asset will not change from year to year" and "Commercial concepts of depreciation and revaluation are not required or appropriate for this method of valuation" and "the original value of fixed assets will usually stay constant throughout their life". The Parish Council Assets appear to have been valued on the basis of cost since 2000. The Clerk recommended that this method is continued and read out a proposed minute based on the above Guidance and acquisition cost. The Internal Auditor agrees with this as do other Clerks.

The Chairman asked why we were not stating the current estimated value for insurance cover. The RFO disagreed with this view as Parish Council assets are not treated the same as the assets of a firm, as they do not appear in the accounts. Depreciation and revaluation do not appear in the accounts and an insurance value is the assumed value of a new or replacement asset and not the original asset in the Asset Register which is the figure required. Any change in method has implications for Section 2 – Accounting Statements of the AGAR. The RFO was requested to ask the External Auditor for clarification and their reasons for their Guidance and the original value of an asset being what is required.

## 23. Draft Teignbridge District Council Local Plan 2020 - 2040

The Clerk reported that this document is the Draft Local Plan (Part 1) for Teignbridge and is the second step in updating the existing Local Plan adopted in May 2014. Within the next few years this plan, alongside the Local Plan (Part 2) and the Greater Exeter Strategic Plan, will replace the existing Local Plan in full. It sets out many policies to be considered and indicates that most of the housing and employment will be in Kingskerswell, Kingsteignton and Newton Abbot with development for local needs in Bovey Tracey, Chudleigh, Dawlish and Teignmouth.

The nearest villages that are mentioned are Doddiscombeleigh, Ide and Kennford as villages having a shop, public house, village hall, school and daily public transport which will have settlement limits. As there are no policies or factors that directly affect this parish it is proposed that no response is sent to TDC. TDC Cllr Swain did request that there was a response in view of some of the policies that were included. Cllr Cook offered to do this, but the consultation had closed on 13<sup>th</sup> July and no response was sent.

TDC Cllr Andrew Swain left the meeting

## 24. Operation London Bridge

The Clerk advised that this is the code word for marking the death of a senior national figure and councils have been sent guidance on the protocols to be observed. The procedures are strictly

confidential. TDC has requested that parish councils prepare local plans based on the protocols. As part of these arrangements it was confirmed in the minutes of the meeting held on 16<sup>th</sup> July 2019 that the PCC had agreed that a parish Book of Condolence would be placed in the church. It appears that the Bishop has issued a separate directive to the church. The Clerk has requested guidance from TDC and Cllr Cook has requested guidance from the Diocese as there is no need for two Books of Condolence in our parish. A decision regarding a Book of Condolence and a local plan will be considered at the next meeting.

## 25. Telephone Box

Cllr Moor reported that he was attempting to find out the date that the Telephone Box was installed before completing the application for Listed Building status. Cllr Ellis has looked in deeds and other documents but so far has been unable to trace a date and will look again.

## 26. Parish Council computer upgrade of software

A. The Clerk advised that Word 2007 was still installed on the computer and is no longer supported by Microsoft and was not compatible with more modern versions. It did not have facilities that would assist in the production of accessible documents in compliance with the WCAG requirements. It is understood that Microsoft 365 is the most popular system and is used by other parish councils who have completed an upgrade. The options appear to be MS 365 Personal at £5.99 pm or MS 365 Business Standard at £9.40 plus VAT pm. Both offer similar facilities with Business Standard also including Teams in case of need for future virtual meetings. Cllr Cook advised that in his experience MS 365 Personal would be adequate for the needs of the Parish Council. Proposed by Cllr Cook and seconded by Cllr Moor and resolved that Microsoft 365 Personal is installed on the Parish Council computer at a cost of £5.99 pm.

B. The present Anti-virus system is a free version of Avast which has been described as only providing basic protection. Windows Defender which comes with Windows 10 is described as providing basic protection and premium protection is recommended. Both McAfee Total Protection and Norton 360 Standard offer a first year subscription of £24.99 and thereafter £59.99 pa. Cllr Cook thought that McAfee may be the more appropriate system. Proposed by Cllr Moor and seconded by Cllr Cook and resolved that McAfee Total Protection is installed on the Parish Council computer at a cost of £24.99 for the first year and thereafter £59.99 pa. In view of comments by a resident in the later Public Discussion alternative virus protection software is being considered.

## 27. Training

The Clerk advised that it has been a long standing recommendation that councillors and the clerk attend courses that will assist with their responsibilities and requested approval to the following:

A. Attendance by Cllr Oxley on DALC "Being a Good Councillor" at £36.00

B. Attendance by the clerk on SLCC "Creating Accessible Word & PDF Documents" at £36.00

Proposed by Cllr Moor and seconded by Cllr Robson and resolved to agree to attendance on the above courses at the costs stated.

## 28. Finance

The Responsible Financial Officer presented the Bank Reconciliation as at 30<sup>th</sup> June 2020 which was agreed. This had been approved by Cllr Cook. The amount available to the Parish Council is £3,924.63 after allowing for designated amounts. Proposed by Cllr Cook and seconded by Cllr Moor and resolved to accept the document.

## 29. Expenditure and Income - To approve payments and note the income

Expenditure		£
Greenwoods – Payroll fee June and July - direct debit	£10 + VAT £2	12.00
Clerks Salary for May and June		379.96
PAYE for above period		94.80
Clerks Expenses: Home/Office - £26.00 Consumables - £44.04 + VAT £8.40		78.44
SLCC Course for Clerk	£30.00 + VAT £6.00	36.00

New Councillor Course	£30.00 + VAT £6.00	36.00
Eon electricity for Defibrillator - 1/4 to 30/6/20 – direct debit – £3.86 + VAT£0.19		4.05
Microsoft 365 Personal software for 1 year	£49.99 + VAT £10.00	59.99
Kaspersky Anti- virus software for 2 years	£22.91 + VAT £4.58	27.49
Book of Condolence (Operation London Bridge)		To be confirmed
Weebly Web Site Hosting - if needed pending change		To be confirmed
Ionos Domain name and Email Host – if needed pending change		To be confirmed

Income £  
Nil

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

### 30. Public Discussion

- A. A resident stated that he had contacted TDC Planning regarding the Garden Wall at Pitman’s Barn and the S106 and CIL payments as he considered amounts were due to the Parish Council.
- B. A resident challenged the comments made in minute 14B and the Clerk has sent a copy of the relevant document to him.
- C. A resident suggested Kaspersky for the anti-virus software and this will be investigated.
- D. Cllr Ellis expressed his concern at the litter that could be caused by users of the new McDonald’s takeaway near the Racecourse. He offered to visit the location and enquire about the measures that will be taken to reduce this potential problem and this was accepted and noted.

### 31. Date of Next Meeting

8<sup>th</sup> September 2020

This meeting will be held by Zoom and can be cancelled without further notice.

The meeting closed at 9.39 pm

Signed

Appointment

Date