

# DUNCHIDEOCK PARISH COUNCIL

## Minutes of a meeting of the Council held on Tuesday 8th September 2020 at 7.30 pm by Zoom

Present: Cllrs Moor (Chairman), Ellis, Oxley, Robson.  
Mr Harvey (Clerk)  
TDC Cllr Andrew Swain (later in meeting)  
Two members of the public and a guest

### **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. Andrew McKenzie, Town Clerk of Dawlish Town Council, was welcomed as a guest in connection with a study course.

### **2. Conduct of the meeting**

The Chairman advised that the existing Standing Orders would apply for the conduct of the meeting at his discretion. 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 and voting on a question shall be by a show of hands. Each participant is permitted to use only one device. Items 4 and 29 are for members of the public to make comments, each person may speak only for a maximum of 3 minutes, voting is not permitted and a question will not receive a response at the meeting unless included in an item on the agenda.

### **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**

No items were raised.

### **5. Apologies for Absence**

Apologies received from Cllr Cook

### **6. Declarations of Interest and Dispensations in accordance with the Code of Conduct** - None were made

### **7. Minutes**

The minutes of the meeting held on 14<sup>th</sup> July 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. Co-option of a Councillor**

The Chairman advised that there were three applicants for the two co-opted vacancies as Parish Councillors and their applications had been circulated. Two of the three applicants were at the meeting. The Chairman advised that the third applicant was unwell and could not attend. The Clerk read the comments of the applicant who was not present and the two applicants present were invited by the Chairman to speak in support of their reasons for being a Parish Councillor which they each did. Cllr Robson asked each candidate present the question:

*Can you give us your comments on how you would deal with a conflict between a decision for the benefit of the community and your own personal beliefs?*

The councillors voted on each vacancy. The votes for the first vacancy were four votes for one candidate and there were no votes for either of the other applicants. James Griffin was therefore confirmed as a new councillor. He was invited to remain for the duration of the meeting.

For the second vacancy, there were no votes for either candidate. As the second vacancy was not filled the applicant present was invited to remain for the duration of the meeting.

The Declaration of Acceptance of Office must still be signed at a social distance in front of the Clerk or Chairman by the new councillor 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.

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

The remaining applicant mentioned that he would not be applying for co-option again as the process and voting were a charade.

The remaining vacancy for a co-opted councillor will be advertised again and will be on the agenda for the next meeting.

## **9. County and District Councillor Reports**

This was delayed until the later arrival of TDC Cllr Andrew Swain. He mentioned that there was a councillor in Ide who designed websites and may be able to help this council. The Chairman advised that the council was already committed but thanked him for the information. There were no matters to be reported.

## **10. Clerks Report**

The Clerk reported that the main matters dealt with were submission of the AGAR documents in accordance with the revised deadline, discussions on the design of the new website, and starting a review of documents which have to comply with the Accessibility Regulations. This has again been a busy two months as can be seen by the number of items on the agenda.

The Clerk also advised that in a previous series of emails from a resident there had been several with the heading "Sheep led by Donkeys" which did not receive a reply as the content was rather woolly. There have also been emails stated as coming from a dog but as he does not have the "Dr Doolittle book on Barking" he will be unable to reply to them. He cannot name of the dog as this would contravene the Data Protection Act.

TDC has advised that the Rural Skip Service planned for the end of October has been cancelled and at present it is unlikely to be re-scheduled in the current year.

Unfortunately, two residents have found it necessary to investigate the personal background of the Clerk as a continuation of their puerile bullying, harassment, intimidation and threats towards him. They are wasting their time and efforts.

## **11. Annual Governance and Accountability Return 2019/20**

The RFO reported that the Certificate of Exemption had been submitted to the External Auditor by the revised deadline. Confirmation has been received that it has been accepted.

Requests to inspect all the documents for the audit had been received from two residents. In view of the Government Regulations regarding not holding face to face meetings, the requests were referred to the External Auditor. The response was that it was a matter for individual councils to deal with. An offer was made to copy the numerous documents at a charge, as provided for in the notes to the Notice of Public Rights and a list was sent to the residents of all the documents that were included in the audit.

A resident has made a serious accusation that the Council was fraudulent in not complying with the deadline printed on the Certificate of Exemption. As advised in item 17(a) of the minutes of 12<sup>th</sup> May 2020 and item 12 of the minutes of 14<sup>th</sup> July 2020, Government Regulations issued due to the Coronavirus pandemic extended the deadline and reporting procedure. The information was therefore in the public domain and the External Auditors did not reprint their documents. As stated above the Certificate of Exemption has been accepted. An appropriate reply has been sent to the

resident with a copy to councillors. The correct action has therefore been taken.

Another resident has made a strong criticism regarding the signatures being displayed on the AGAR documents due to the possible fraudulent copying of them. This has been checked with DALC and whilst this matter has been raised in the past, the national advice is "The External Auditor and the National Audit Office consider that it is not permissible for signatures to be blanked out". The correct action has therefore been taken.

## 12. Highways

The Clerk reported on the following matters:

### A. Drainage on Blacksmiths Hill

The NHO has advised that the drainage works between Webberton Cross and Dunchideock Bridge are programmed for 4<sup>th</sup> January 2021 and are estimated to last for 4 weeks.

The comments of Cllr Ellis regarding where the problems may start have been passed to the NHO who has passed them to the Delivery Team dealing with the original project. She would however prefer that consideration of this extra work does not cause a delay to the planned work.

### B. Proposed DCC Haldon Forest Clearway Order:

DCC Highways response to questions raised at the last meeting is:

(1) Is it possible to obtain details of the complaints:

*There were comments to object and to support the proposed order that have not been published and are not yet available. They are being considered to try and find a way forward before any further action is taken.*

(2) Should Forestry England be asked to pay for the cost of the public enquiry:

*The funding associated with the scheme is associated with a Section 106 Agreement. The specifics of the agreement are very clear as to the funding allocation and what measures can be introduced*

(3) Why is it not possible for DCC to place yellow lines on the road:

*It would not be feasible for Civil Enforcement Officers to conduct enforcement of No Waiting At Any Time on a National Speed Limit road where there are no footways. Installation of a No Waiting At Any Time restriction would provide an expectation from the community that enforcement will be conducted. The principle of introducing a clearway order was that enforcement can be conducted by the Police.*

(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:

*If this complaint relates to obstruction of the carriageway then the matter can be referred to the Police for action. If the complaint is purely related to the inconvenience of having to wait for opposing vehicles to pass then there is little enforcement action that can be taken.*

### C. School Wood Quarry

A notice had been published regarding the Operator's Licence for the company based at the quarry. This was only an administrative requirement in connection with a change of postcode. For information, the Traffic Commissioners Office has advised the council that it will not be informed of any notices and cannot object to any proposals as it does not own property near the quarry.

### D. Other Matters

Speed Surveys – This work has been delayed due to other commitments. A resident has sent the NHO details of a survey completed in 2008 which may have been in council records but is not available now. This has yet to be looked at.

Road past Tower Court to Underdown – The patching work has been completed. Cllr Moor mentioned this was a big improvement.

High Street, Ide - Ide PC has advised that High Street, Ide will be closed from 6 pm 17<sup>th</sup> September to 6 am 18<sup>th</sup> September for Openreach to install fibre cable. Subsequent advice from DCC is that five days have been allowed for this work for desilting and clearing blockages which will be done out of hours

Cllr Ellis spoke regarding the new McDonalds site opposite the racecourse on Haldon Hill. He had

been to the location and had seen the litter being cleared and they appeared to have a plan to keep their area tidy. However, he had then seen rubbish being dumped from a car near the telephone box in the village. He looked at it and found the name and address of the purchaser which he will pass to TDC for further action to be taken against those responsible for the rubbish.

TDC Cllr Andrew Swain joined the meeting.

### **13. Planning**

The Clerk reported on the following matters:

- A. Planning Ref: 20/00155/ENF  
Location: Webberton Lane, near Borough, Dunchideock  
Matter reported: Creation of access and removal of part of hedgerow and Devon Bank

As reported at the last meeting, a site visit has been made. 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 and reinstate the Devon Bank. The new and previous openings are still there. TDC has been advised and are looking into the situation.

- B. Planning Ref: 20/00259/ENF  
Location: The Meadows, School Lane, Dunchideock  
Matter reported: Demolition of existing building and possible rebuilding

A resident has reported that an outbuilding has been demolished and it appears possible that a replacement building may be built. This matter is with the Enforcement Officer at TDC Planning who is looking into the situation.

Cllr Oxley advised that he could not find these items on the TDC Planning website. The Clerk stated that matters that may require enforcement action are not included. TDC Cllr Swain advised that they are not on the website as they are not for public consultation as a legal process may be involved. If Planning Applications are made they will be sent to the council for consideration.

### **14. Notice Boards**

Cllr Moor advised that he has had a meeting with the craftsman. His wife has not been well but he is still keen to do the work. The size of the proposed new noticeboard is 1.65 sq m. As this is only just in excess of the 1.55 sq m limit for Deemed Consent under the Advertising Regulations the Clerk has referred to TDC whether a Planning Application is required. The senior planning officer has confirmed that an application is required at a cost of £76. In addition, Listed Building Consent is required at no cost. Cllr Moor thought the choices are A – to ask the craftsman to reduce the overall size so that it is no larger than 1.55 sq m or B – to continue with the size of 1.65 sq m and submit a Planning Application at a cost of £76 (with the attendant delays). The majority view agreed was option A ask the craftsman to reduce the size (the implication of this is that it may not display 3 x 6 A4 sheets without overlaps).

### **15. Provision of New Website**

A. The Clerk reported that the Terms and Conditions and Contract had been received. The order has been placed with Parish Council Websites and the reduced deposit of £168.84 had been paid in accordance with item 7 of the minutes for 26<sup>th</sup> May 2020. A website design had been selected by councillors from 12 designs provided. The firm has recently sent a working draft of the proposed new website for the comments of councillors.

B. As predicted it has been necessary to renew the contract with the email host. There are problems with changing the contract with the website host from two-yearly to monthly and it is hoped that these will soon be resolved. Since resolved.

C. As part of the requirement for documents to be accessible, documents back to September 2018 have to be reviewed and possibly converted as do documents prior to this date if they are

considered to be required for Active Administrative Purposes. The view amongst clerks is that there is no clear guidance on numerous matters including which are these documents. This may be quite a task and could be considered as a Disproportionate Burden as the work will take more time than the contracted hours of the Clerk. This will need to be in the Accessibility Statement.

D. DALC also advise that there are some documents which will just simply not be able to be made accessible, such as the AGAR documents which are a known problem and this appears to include scanned documents. These problems will need to be covered in the Accessibility Statement.

E. The Clerk has re-designed the agenda and minutes so that they do not have accessibility issues except for the signature which is another known problem. The Clerk thanked Cllr Andrew Swain for the document he provided which gives far clearer advice than any other seen.

F. The Clerk had an opportunity to raise the subject of the need for new websites and accessible documents and the cost to parish councils with the local Member of Parliament. He has confirmed that the enquiry has been passed to the Minister for Housing and Local Government.

## **16. Coronavirus**

A. The Clerk gave a report from Cllr Cook on the Home Support Scheme *Requests for help to the Home Support Scheme which has been running since late March for the six parishes in the Teign Valley and Haldon Hill Mission Community have ceased and there have been no further requests since the last meeting. The scheme will continue to be available for a few months until it becomes clear that there is no further need for it. In our small community a significant number of people have been helped informally by neighbours and friends.*

B. The Clerk reported that only weekly Newsletters are now being received from DCC and TDC. These are mainly providing information on national and local schemes and grants in respect of recovery from the effects of the pandemic together with information on the re-introduction of local services. Links were on the parish council website. There is still a strong message to be cautious and to continue to follow the long-standing Government and NHS guidance with the current messages being “Stay Alert, Control the Virus, Save Lives” and “Hands”, “Face”, “Space”.

C. The Clerk stated that the previously issued Government Regulations and guidance continue to be followed and the conduct of business was more or less normal.

D. Cllr Robson advised that the Fruit and Produce Show was held on 8<sup>th</sup> August and it was very successful. The residents adhered to the restrictions in place and followed a one-way system. The possibility of a Village Party will still be considered when it is safe to do so. A booking of the Village Hall for 5 weeks had been received.

## **17. Footpaths**

Cllr Robson advised that the DCC Parish Paths Newsletter for Summer 2020 had been sent to councillors. She had received an initial quotation of £1,600 from the local PROW contractor to clear the gully and drains for Footpath 1 which comes out opposite the property Mount Pleasant on Webberton Lane. The quotation was increased to £2,000 to also provide a bund to take away the excess water coming down the footpath. As the amounts were more than the grant of £1,100 the quotations had been passed to the DCC Parish Paths Liaison Officer (PPLO) who had referred them to the local PROW Ranger. Decisions are awaited as this now appears to be a major project and leaves no funds for the other three footpaths. Hopefully, there will be a report for the next meeting

## **18. Asset Register**

The Clerk advised that after the discussion at the last meeting the Chairman and Clerk had reviewed the guidance issued by the External Auditor in The Practitioners Guide for 2019/20. They agreed that the original value of an asset is the basis for valuation of items in the Asset Register and will not change for the life of the asset. The following proposed minute had been circulated to councillors:

### **“ASSET VALUATION POLICY**

At the meeting of the Parish Council held on 8<sup>th</sup> September 2020 it was confirmed that the Assets would be valued at historic cost for the purpose of Line 9 of Section 2 – Accounting Statements – of the Annual Governance and Accounting Return. This method can only be changed by a new minute and means that the valuation will always be the historic cost of the asset”.

Proposed by Cllr Moor and seconded by Cllr Robson and resolved that this minute is adopted as the valuation policy for items in the Asset Register

## **19. Operation London Bridge**

The Clerk was advised by an officer at TDC that no action had been taken regarding the enquiry as to whether this council or the PCC should provide the Book of Condolence in case of need. The Clerk had spoken to other clerks and the procedure elsewhere was that the parish council had paid for the Book and that it would be placed in the church. The Clerk suggested that the decision regarding purchase of a Book of Condolence should be delegated to the Chairman after consultation with the Administrator for the church. Proposed by Cllr Moor and seconded by Cllr Ellis and resolved that this should be done.

## **20. Telephone Box**

The Clerk has a neighbour who is a manager with BT and had obtained the following information:

*This is a K6 kiosk. Our records show the kiosk was installed in February 1992, but, our records are really not that accurate and would not necessarily be an original install date and could be a kiosk replacement date, but, we have no way of knowing if this is the case.*

Cllr Ellis advised that the box was definitely not on his family land and was more likely to be on the highway verge. Cllr Griffin had a photograph from 1934 and a telephone box was not shown. Cllr Moor commented that the lack of historic evidence does not assist a case for listing at this stage and consequently the matter cannot be progressed at this time.

## **21. Parish Council computer upgrade of software**

The Clerk reported that Microsoft 365 Personal is now installed on the computer on an annual subscription which reduced the cost. This provides a current system and the benefits are already being seen. A definite benefit is the Accessibility Checker in connection with the production of accessible documents. Following a suggestion by a resident at the last meeting, Kaspersky Internet Security has also been installed for a two-year period which has reduced the cost

## **22. Training**

The Clerk advised that it has been a long standing recommendation that councillors attend courses that will assist with their responsibilities and requested approval to the attendance by two co-opted councillors on DALC "Being a Good Councillor" Courses at £72.00 when they are resumed. Cllr Ellis asked whether the cost of these courses was an item that the council could afford as he thought they took a whole day and councillors resigned soon after the course had been completed and paid for. The Chairman and Clerk advised that the courses were essential for a new councillor to attend and provided a good insight into the work, duties and responsibilities of a councillor that could not be provided by the council. The Clerk added that these were now short course held in the evenings and none had been attended or paid for since this time last year. Proposed by Cllr Moor and seconded by Cllr Robson and resolved to agree to the attendance on this course and the cost.

## **23. Governance Documents**

### **A. Social Media and Electronic Communication Policy**

The Clerk advised that an increasing number of parish councils were introducing a Social Media and Electronic Communication Policy to cover the use of websites and emails and in some cases due to their misuse. The draft Policy had been circulated to councillors and covered communications both from and to the council. It was based on a model policy produced by the Society for Local Council Clerks and amended for the needs of the council. The Clerk requested that it was approved. Proposed by Cllr Moor and seconded by Cllr Oxley and resolved that the policy was adopted.

### **B. Delegation**

The Clerk advised that at the start of the Coronavirus pandemic, NALC recommended that local councils reviewed their schemes of delegation. This council does not have a scheme. However, there could be situations of urgency or emergency when some delegation is available to be used.

Under section 101 of the LGA 1972, any delegation can be to the Clerk but not to an individual councillor, but provision for consultation is possible. The Clerk has circulated to councillors proposed Financial Regulation 4.10 and Standing order 27 covering delegation and approval was requested. Proposed by Cllr Moor and seconded by Cllr Ellis and resolved to approve the addition of Financial Regulation 4.10 and Standing Order 27.

## 24. Bank Mandate

The RFO advised that there were only three signatories able to authorise payments on behalf of the council instead of the usual four. Payments must be authorised by any two of the signatories. The councillors authorised to sign are Cllrs Ellis, Moor and Robson. Approval is requested to the addition of Cllr Cook as a signatory. Proposed by Cllr Robson and seconded by Cllr Moor and resolved to add Cllr Cook to the Bank mandate.

## 25. Country News

Cllr Moor advised that the council places newsletters and other items in the magazine to give the activities of the council as wide a circulation as possible to the residents. The organisers do not make any charge for these items. He would like approval to a donation of £50 being made to Country News to assist with the running cost in place of a charge being made. There is provision in the Budget. Proposed by Cllr Ellis and seconded by Cllr Robson and resolved to approve a donation of £50 to Country News.

## 26. Clerks Terms of Employment

Cllr Moor advised that in the minutes for the meeting held on 14<sup>th</sup> January 2020 it was predicted there would be an increase in the National Joint Council pay scales for clerks of 2.5% from 1<sup>st</sup> April with provision included in the Budget. Confirmation has been received of the new pay scales back dated to 1<sup>st</sup> April 2020. DALC advise that the award is for 2.75%, but there was a calculation error last year which affected a few of the SCP points and has been corrected in the new award. The Clerk is on SCP 10 and the increase is 2.7% amounting to 29p per hour. The Chairman has seen a copy of the NALC new salary scales. The council is obliged to pay this increase. Proposed by Cllr Moor and seconded by Cllr Oxley and resolved to approve the increase in the pay scale for the Clerk.

## 27. Finance

The Responsible Financial Officer presented:

A. The Bank Reconciliation as at 31st August 2020 which balanced. This had been approved by Cllr Robson. The amount available to the Parish Council is £3,319.38 after allowing for designated amounts. Proposed by Cllr Moor and seconded by Cllr Robson and resolved to accept the document.

B. The Budget/Actual Comparison as 31<sup>st</sup> August 2020. Proposed by Cllr Robson and seconded by Cllr Oxley and resolved to accept the document.

## 28. Expenditure and Income

To approve payments and note the income

| Expenditure  |                      | £       |
|--|----------------------|---------|
| Greenwoods – Payroll fee August and September – S/O        | £10 + VAT £2         | 12.00   |
| Clerks Salary for July and August                          |                      | 379.76  |
| PAYE for above period                                      |                      | 95.00   |
| Clerks Expenses: Home/Office - £26.00 Consumables - £12.25 |                      | 38.25   |
| Being a Good Councillor Courses for 2 new Cllrs            | £60.00 + VAT £12.00  | 72.00   |
| Book of Condolence (Operation London Bridge)               | To be confirmed      |         |
| Weebly Web Site Hosting - if needed pending change         |                      | 48.00   |
| Ionos Domain name and Email Host – (Confirmation)          | £8.28 + VAT £1.66    | 9.94    |
| Parish Council Websites (Minute 7 26.5.20)                 | £140.70 + VAT £28.14 | £168.84 |
| Income   |                      | £       |
| Nil  |                      |         |

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

**29. Public Discussion**

None as no member of the public was present.

TDC Cllr Swain congratulated the new councillor on his appointment

**30. Date of Next Meeting**

10<sup>th</sup> November 2020

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

The meeting closed at 9.05 pm

Signed

Appointment

Date