

# DUNCHIDEOCK PARISH COUNCIL

## Minutes of a meeting of the Council held on Tuesday 10th November 2020 at 7.30 pm by Zoom

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

### **PART 1 - OPEN TO THE PUBLIC AND PRESS**

#### **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 said that the meeting would be conducted in accordance with the letter previously sent by the Clerk.

#### **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 had sent written questions and referred to them: -

"Why do UK laws and High Court judgments not apply to Dunchideock Parish Council?"

"Why did the proper officer place his life at risk by breaking lockdown regulations when he visited Alphington Post Office on 13 May 2020 at 8:13 AM to post a recorded delivery letter. This was the early morning after the previous night's parish council meeting. If the posting of this letter was so important then why did the proper officer not post a letter on 11 March 2020 which at that time was not life-threatening and not covered by a lockdown?"

The Chairman replied that as the resident is in litigation with the council through the Information Commissioners Office the questions would not receive a reply.

The resident objected very strongly to this response and repeated that he wanted a reply. The Chairman reiterated that he had said there would not be a reply for the reason given.

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

Received from TDC Cllr Nuttall

#### **6. Declarations of Interest and Dispensations**

None were made

#### **7. Minutes**

The minutes of the meeting held on 8<sup>th</sup> September 2020 were presented for approval and signature. Proposed by Cllr Robson and seconded by Cllr Ellis and in the absence of any objections 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 two applicants for the one co-opted vacancy as a Parish Councillor and their applications had been circulated. The 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. Cllr Robson asked each candidate a question and the candidates gave their response.

The councillors voted to fill the vacancy. There were no votes for either candidate. As the vacancy

was not filled the applicants were invited to remain as members of the public for the duration of the meeting. The vacancy for a co-opted councillor will be advertised again and will be on the agenda for the next meeting.

DCC Cllr Connett joined the meeting from Kenn Parish Council during the co-option item. One member of the public left the meeting.

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

TDC Cllr Swain mentioned there was concern about the isolation and loneliness of people living alone. Councillors were asked to be aware of any residents who may be in this situation. If there were ideas on how to deal with these problems would councillors please share them with him. The TDC Covid Hotline was still working and was a means of contact.

DCC Cllr Connett mentioned the announcement today that DCC is leading the operation to organise networks of providers across the county, using a £2 million government grant, to support vulnerable children and families in the most effective way. This will be a major operation in Devon to combat holiday hunger for children this Christmas. Over the next few weeks a range of community kitchens, holiday clubs, charities and local businesses will be enlisted to coordinate help and support for those who need it the most in every district in Devon. They will ensure that every child entitled to Free School Meals will be able to get free food over the Christmas holiday, during the Easter half-term and the Easter holidays.

## **10. Clerks Report**

The last two months have been very busy and there is a delay in some matters being dealt with.

An email from a resident advised of an attempted break-in on the night of October 16<sup>th</sup> which included part of an email from another resident intimating that the council would do nothing about it whereas the first resident would do so. Neither resident included any details of the incident. Action was taken as councillors were immediately informed and the reply from another resident was that he was not aware of the incident. The two emails were sent to the Neighbourhood Police Team who replied that there was no report of any incident in the Police log.

The council has been advised that the Rural Skip Service has been permanently cancelled by TDC due to an increasing need to make considerable savings due to the pandemic. Last year there was half a ton of waste from the parish and the cost was £1,128.37. There are several factors involved in the cost of providing the service. If the council wanted to arrange a similar service, the cost could be higher as the TDC contract included some economies of scale. An article has been placed in Country News and the facilities provided by TDC are on their website.

## **11. Highways**

The Clerk reported on the following matters:

### **A. Drainage on Blacksmiths Hill**

It is understood that the drainage works may extend between Penhill Cross and Dunchideock Bridge starting on 4<sup>th</sup> January 2021 and are estimated to last for 4 weeks. Full details of the length of road and dates will be published when the DCC Road Closure Notice is received.

### **B. Other Matters**

Cllr Ellis had been to the new McDonalds site opposite the racecourse on Haldon Hill to speak to the manager but there was a long queue. He will call again when it is quieter and report in January. Cllr Moor had reported several potholes and there had been a swift response from DCC.

## **12. 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 |

The Enforcement Officer at TDC has been given information by the owner of this hedgerow about the work that he has done. This work needs to be discussed with DCC in case there are any concerns about the access and the council will be contacted again.

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

The Enforcement Officer at TDC has been advised by the owner that works have been carried out to restore an existing building that had fallen into disrepair due to a collapsed roof. This was reinstated to make the building good and to bring it into use as an ancillary building to the main house. It is claimed that the building is no larger than previously and if this is the case there are no planning issues as an existing building can be repaired and maintained. It would appear that there has not been a planning breach.

A later comment from TDC is that further information has been received from a local resident which is being investigated by the Enforcement Officer.

DCC Cllr Connett left the meeting

- C. Planning Ref: - 20/01936/VAR  
Location: Land near Penhill Cross  
Proposal: Variation to Condition 2 of Conditional Planning Permission 20/00265/FUL to alter access

Cllr Griffin reported on the application. Comments were made about the removal of a 12 metre section of hedge being excessive, when the existing entrance was more convenient. It was thought it may be counter to the concerns of the original planning decision and affect the amount of light pollution. Proposed by Cllr Griffin and seconded by Cllr Moor and in the absence of any objections it was resolved that the council would object to the application. The full objection is at Annex A.

### **13. Notice Boards**

Cllr Moor said that the craftsman is very busy at present and there is no up to date information. It was reported that water is still getting into the notice board at Dunchideock Bridge. Cllr Ellis will try and find the problem.

### **14. Provision of New Website and Accessibility**

A. The Clerk reported that a revised website design had been received from Parish Council Websites. The design had received very favourable comments from councillor's, and it was considered to be easy to navigate. Amendments had been suggested but pressure of other work has delayed these being advised to the designers. A date when it will be in use is not known.

B. The Clerk advised that as far as he was aware the Accessibility requirements for the existing website had been complied with. This involved checking that over 100 documents did not have any accessibility issues and redesign of the agenda and minutes. An Accessibility Statement had to be produced in respect of which he had been complimented on its content.

### **15. Coronavirus**

A. Cllr Cook welcomed the DCC scheme detailed in item 9. He reported that the Home Support Scheme, which was introduced for the first lockdown - with a coordinator in each of the six villages in the Teign Valley and Haldon Hill Mission Community, has stayed in place over the summer, although demand in Dunchideock reduced to zero in August. The scheme provides help for those stuck at home who need help in collecting shopping and medication etc.

As a result of the recent announcement about lockdown, it is confirmed that all the village co-ordinators are still in place and active. A news/blog is on the website with details about this for Dunchideock. Please encourage anyone you know who needs it to make use of it. Cllr Cook is still the Dunchideock contact for the scheme.

B. The Clerk reported that the weekly Newsletters continue to be received from DCC and TDC which both provide a clear indication of what is proving to be a fast moving and changing situation. They provide accurate information on national and local schemes and resources available in respect of the effects of the pandemic. 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 “Hands”, “Face”, “Space”.

C. The Clerk advised that the conduct of council business was more or less normal.

## **16. Footpaths**

A. Cllr Robson advised that

Footpath 1 – Opposite Mount Pleasant on Webberton Lane to Haldon Gate

This footpath is operational. The cost of dealing with the deposit of material on the highway exceeds the grant for this year.

Footpath 102 - Village Hall to Biddypark Lane

Public Right of Way Warden is liaising with the landowner about the condition of the stile and replacement with a kissing gate. The council is waiting for a response from DCC with the cost.

Footpath 103 – Biddypark Lane Cross to Idestone

PROW Warden has suggested a better waymarker and to put in steps down to the bridge and is liaising with landowner. The Parish Council is waiting for a response from DCC with the cost.

Footpath 104 - Through School Wood

This footpath is operational and in good working order. A new finger post will be installed halfway on the path to clarify the route. The council is waiting for the cost from DCC.

B. The Clerk advised that under the Countryside and Rights of Way Act 2000, a cut-off date was officially introduced for adding historic paths to Definitive Maps.

Footpaths and bridleways which existed before 1949 and which are not recorded on Definitive Maps on 1 January 2026 will be extinguished. This means that paths which have been walked for centuries and may be in use today, will be lost if they are not recorded on the Definitive Map. The Ramblers Association believes there may be tens of thousands of miles of missing paths throughout the country. The parish has four footpaths. If anyone is aware of a footpath in the parish that is not recorded will they advise the Clerk who will refer it to the DCC Parish Paths Liaison Officer

## **17. Operation London Bridge**

The Clerk advised that he hoped to have prepared a draft Local Plan as has been suggested by TDC but due to pressure of other work this had not been possible

Cllr Cook advised that the situation with a Book of Condolence was that the church had already bought a book in accordance with instructions from the Bishop. Cllr Moor considered that the cost should be paid by the council following the instructions from TDC. The clerk advised that in many other parishes the arrangement was that the parish councils had paid for the cost of the book and that it would be placed in the parish church. He had not been advised that any PCC's had paid for the book. Proposed by Cllr Oxley and seconded by Cllr Griffin and in the absence of any objections it was resolved to pay for the cost of the Book of Condolence up to £100.

## **18. Governance Documents**

The Clerk advised that it was accepted best practice to review the various Governance Documents on an annual basis. It was intended that this review would be spread throughout the year to avoid them all being dealt with at one meeting. The following documents had been referred to councillors for review and their comments and approval:

Code of Conduct (pending new national model code)	Risk Assessment
Complaints Policy	Sandbag Policy
Internal Control Policy	Unreasonable, Unreasonably Persistent and Vexatious
Publication Scheme (ICO v2)	Complainants and Unacceptable Behaviour Policy

Proposed by Cllr Cook and seconded by Cllr Moor and in the absence of any objections resolved that these documents were approved.

### **19. Devon Association of Local Councils (DALC) AGM**

The Clerk reported that he had attended this virtual AGM. Out of a possible 352 councils who could attend 50 were present. The main points dealt with were:

The Association is now a company limited by guarantee

There was a loss of £13.7k to 31.3.2019. There was a surplus of £19.6K to 31.3.20. The projected surplus to 31.3.21 is £5K

Subscriptions will be increased by 2.9 % for 2021/2022

A new website was intended to be in use by October, but now delayed until late December

The move to their new office in Cheriton Bishop has been successfully completed

### **20. Section 1(2) Public Bodies Admission to Meetings) Act 1960**

Cllr Moor advised there were two matters that needed review by the Council. Both of these would require reference to personal data and the Council has obligations regarding the use of personal data under the Data Protection Act 2018. To comply with this Act, it is necessary to exclude the public and press from this review and to hold the review in Part 2 of the meeting which will be confidential. In order to do so a resolution must be approved, and this is recommended. Proposed by Cllr Cook and seconded by Cllr Robson and in the absence of any objections resolved that the public and press are excluded from Part 2 of the meeting.

### **21. Shillingford Wood**

Cllr Moor advised that this is an ancient woodland situated on the ridge above Shillingford St George church. The owners had offered to sell it to Shillingford St George Parish Council as an asset for the community. The parish council had declined to proceed despite the majority of residents being in favour of the purchase. A charity, Friends of Shillingford Wood was being formed to investigate the possibility of achieving the purchase. The organisers of the charity had requested if this council and other parish councils would be prepared to provide support without any financial commitment. The comments of councillors were requested and all were in support. Proposed by Cllr Cook and seconded by Cllr Oxley and in the absence of any objections resolved to offer non-financial support to the charity Friends of Shillingford Wood towards their purchase of this wood.

### **22. Royal British Legion**

Cllr Moor advised that the Council has made an annual donation to this charity of £25. It is a worthwhile national charity that cannot have the usual street collection this year and is predicting a loss of millions in its income. He recommended that it is supported. Proposed by Cllr Ellis and seconded by Cllr Lewis and resolved to donate £25 to the Royal British Legion.

### **23. Training**

The Clerk advised it was agreed at the last meeting that the two new councillors would attend "Being a Good Councillor" courses arranged by DALC. Due to the Coronavirus pandemic these courses were being held by Zoom in a different format of four modules to provide the courses. This had meant an increase in the cost. There are two councillors that need to attend the courses and potentially a third. The cost of the courses for three councillors is £180 plus VAT of £36 to make a total of £216. Proposed by Cllr Moor and seconded by Cllr Cook and resolved to agree to the attendance of three councillors on the current "Being a Good Councillor" courses at a cost of £216.

### **24. Clerks Terms of Employment**

Cllr Moor advised that the Clerk had requested a review of various matters related to his terms of employment as follows: -

- A. (1) Review of existing Hours of Working and Salary
- (2) Payment for additional hours worked in respect of Website Accessibility Requirements
- (3) Increase in Hours of Working and Home Working Allowance from 1/4/2021
- (4) Payment of an incremental unit to SCP 11 of the NJC pay scales from 1/4/2021
- B. To note possibility of 2 % increase in the NJC pay scales from 1/4/2021

Cllr Moor recommended that these should be considered at a Part 2 meeting which will be arranged in due course. Proposed by Cllr Robson and seconded by Cllr Cook and in the absence of any objection resolved to consider this item in a Part 2 meeting.

## **25. Proposed DCC Haldon Forest Clearway Order**

The Clerk reported on the present situation with the introduction of this proposed Order, which was a condition of a Planning Approval for Forestry England for their Haldon Forest Park. At the request of the council he had contacted the Neighbourhood Police Team and DCC Highways because of the large number of cars being parked on the road outside the entrance.

The Police responded to advise that at a recent a meeting with the Haldon Rangers, Forestry England and Teignmouth NPT about the parking and other issues they will work together to address the issue. The national situation had amplified the problem with people encouraged to get outside.

DCC Highways advised that a revised scheme had been prepared that had been sent to all the supporters and objectors of the original proposal. This shortened the length of the roads to be included in the Order and details had been passed to councillors. The council and other adjacent local councils have been given the opportunity to make comments.

Adjacent parish councils were contacted to ask that they also lobby the Police and DCC Highways to try and achieve some progress and this met with a mixed response. A commitment from DCC Highways is that the council will now be kept advised of developments.

Cllr Connett has advised that he has been pushing hard for this to progress, given that DCC had intended to abandon the Clearway proposal.

Councillors discussed the original and proposed schemes. Proposed by Cllr Cook and seconded by Cllr Moor and in the absence of any objections resolved to advise DCC Highways that the council supported the introduction of the original road scheme but were divided about the revised scheme.

## **26. Litter Pick – Saturday 14<sup>th</sup> November**

Cllr Oxley advised this event had been cancelled in view of advice received from TDC and Keep Britain Tidy and because of the new lockdown. Walkers around the parish were encouraged to pick up any litter to keep the area as tidy as possible

## **27. Budget/Precept 2021/2022 Initial Review**

The RFO advised that he had sent councillors a Budget Review for 2020/2021 to be read with the Budget/Actual Comparison below. With five months of the Financial Year still to be completed it was predicted that there would be a surplus which may change in amount. Councillors had also been sent an internal briefing note as part of a review to prepare for setting the Budget and Precept for 2021/2022 at the meeting in January.

## **28. Finance**

The Responsible Financial Officer presented:

A. The Bank Reconciliation as at 31st October 2020 which balanced. This had been approved by Cllr Robson. The amount available to the Parish Council is £5,992.85 after allowing for allocated amounts. Proposed by Cllr Robson and seconded by Cllr Cook and in the absence of any objection resolved to accept the document.

B. The Budget/Actual Comparison as 31<sup>st</sup> October 2020. Proposed by Cllr Moor and seconded by Cllr Robson and in the absence of any objection resolved to accept the document.

## **29. Expenditure and Income**

To approve payments and note the income

Expenditure	£
Greenwoods – Payroll fee October and November - direct debit £10 + VAT £2	12.00
Clerks Salary for September and October and arrears	414.46
PAYE for above period	103.80

Clerks Expenses: Home/Office - £26.00 - Consumables - £35.68 + VAT £4.43	66.11
Country News	50.00
Royal British Legion	25.00
DALC Training Courses - £180.00 + VAT £36.00	216.00
Book of Condolence (Operation London Bridge)	To be confirmed
Eon Defibrillator Electricity 1/7 to 30/9/20 - £3.90 + VAT £0.20	4.10
Parish Council Websites – Balance of Website cost and annual fee	To be confirmed
Information Commissioners Office – Annual Data Protection Fee by Direct Debit	35.00
Income	£
TDC Precept 2 <sup>nd</sup> Payment	5,050.00
DCC Locality Fund Grant for Website	300.00

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

### 30. Public Discussion

A member of the public made the following comments: -

- A He was concerned at the secrecy of the financial documents as they had not been published. (After note – the resident was advised by the then Chairman in January 2019 that these documents had to be approved by councillors before they were published).
- B. He considered that no votes had been made in respect of any items.
- C. He regretted that he had not been selected to be a councillor and that it was a pity he would be unable to contribute his knowledge to the work of the council.

### 31. Date of Next Meetings

- 24<sup>th</sup> November 2020 This meeting will be held by Zoom.
- 12<sup>th</sup> January 2021 This meeting will be held by Zoom and can be cancelled without further notice.

The meeting closed at 9.20 pm

Minutes Approved

Signed Appointment Date

## PART 2 – NOT OPEN TO THE PUBLIC AND PRESS

### 1. Review of minute 15 (b) of the meeting held on 12<sup>th</sup> May 2020

The council reviewed the Confidential Report dated 5<sup>th</sup> November 2020. Proposed by Cllr Robson and seconded by Cllr Cook and unanimously resolved to advise the resident that emails received will not be sent a reply and the decision will be reviewed in May 2021 or at the first meeting thereafter.

### 2. Review of minute 1 (2) of Part 2 of the meeting held on 12<sup>th</sup> May 2020

The council reviewed the Confidential Report dated 5<sup>th</sup> November 2020. Proposed by Cllr Robson and seconded by Cllr Cook and unanimously resolved to advise the resident that emails received will not be sent a reply and the decision will be reviewed in May 2021 or the first meeting thereafter.

The Meeting closed at 9.40 pm

Minutes Approved

Signed Appointment Date