

# DUNCHIDEOCK PARISH COUNCIL

## Minutes of a meeting of the Council held on Tuesday 14<sup>th</sup> January 2020 at 7.30 pm in the Village Hall, School Lane, Dunchideock, EX2 9UG

**Present:** Cllrs Moor (Vice-Chairman), Bean, Ellis, McCarthy, Robson. Mr Harvey (Clerk)  
TDC Cllr Andrew Swain and 8 members of the public

### PRESENTATION

Councillor Moor made a presentation from and on behalf of the Councillors to Sarah Sharpe who unfortunately had to resign as Chairman of the Council and as a Councillor for health and personal reasons. He made reference to her enthusiasm and energy as a Chairman who had worked tirelessly to achieve a number of benefits for the parish. On behalf of the Councillors he expressed Best Wishes to her for the future and a complete recovery to good health.

1. **Election of Chairman:** The Vice-Chairman, Cllr Moor, took the chair for this item and requested nominations for the appointment of a Chairman until the Annual Council Meeting in May 2020. Cllr McCarthy nominated Cllr Moor, who agreed to the nomination. Proposed by Cllr Bean and seconded by Cllr Robson and resolved that Cllr Moor would be Chairman until the Annual Council Meeting in May 2020.

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

2. **Election of Vice-Chairman:** The Chairman advised that whilst it was not necessary to have a Vice-Chairman this was a recommended appointment in case he was unable to attend a meeting. He requested nominations for the appointment of a Vice-Chairman until the Annual Council Meeting in May 2020. Cllr Robson nominated Cllr McCarthy, who agreed to the nomination. Proposed by Cllr Bean and seconded by Cllr Ellis and resolved that Cllr McCarthy would be Vice-Chairman until the Annual Council Meeting in May 2020.

3. **Public Discussion:** No items were raised.

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

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

January – Saturday 18 - Tea Afternoon - £5 - Saturday 25 - Burns Big Breakfast – No film night  
February – 6 – Parish Council Election - Village Hall then closed for Kitchen Upgrade – No film night.  
Every Monday 7-8 Pilates – In February this will be held at the Lord Haldon Hotel.  
March – Saturday 21 – Tea Afternoon - £5.

b. Cllr Cook was not present to give details of the Church events.

5. **Apologies for Absence:** Received from Cllr Cook and DCC Cllr Connett.

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

Cllr Ellis declared an interest in items 11b and 12a in connection with the Quarry.

### 7. **Minutes:**

a. The minutes of the meeting held on 19<sup>th</sup> November 2019 were presented for approval and signature. Proposed by Cllr Robson and seconded by Cllr McCarthy and resolved that they were an accurate record of the meeting and they were duly signed.

### 8. **County & District Councillor Reports:**

TDC Cllr Andrew Swain provided a report which is an Annex to the minutes.

9. **Clerks Report:** The Clerk reported that no Freedom of Information requests had been received and in addition to the usual high number of emails the concentration of his efforts had been on reviewing the Governance Documents that are in the next item.

### 10. **Governance Documents**

a. The Clerk advised that the Council must have rules for the administration of the Council. Some of these rules are set out in statute and others are recommended by the National Association of Local Councils and the Council can add its own regulations. If it is thought that there are too many rules and that they are possibly bureaucratic it must however be remembered that they protect people's rights and give confidence that the Council is properly run.

- (1). **Complaints Policy and Procedure:** It appears that these were last fully reviewed in October 2018. The review makes them similar to those of other Council's.
- (2). **Policy for Dealing with Unreasonable and Unreasonably Persistent Complainants, Vexatious Complainants and Unacceptable Behaviour:** This is a new policy that is being introduced by an increasing number of Councils and Schools to cover any of these situations if they arise.
- (3). **Internal Control Policy.** This was last fully reviewed in May 2018. The review adds clarification to some of the items.
- (4). **Financial Regulations 2019.** The Responsible Financial Officer advised that the National Association of Local Councils had issued a revised model version in 2019 which is basically the same as the 2018 version with the addition of several new paragraphs relating to credit cards which do not apply to this council. It is recommended best practice that these Regulations are adopted by the Council.

The Clerk/RFO requested that these four Governance Documents were approved and adopted. Proposed by Cllr McCarthy and seconded by Cllr Moor and resolved that the four Governance Documents were approved and adopted. They will be published on the website.

b. **Safeguarding Policy:** Cllr Cook

In the absence of Cllr Cook this item will be on the agenda for the next meeting.

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

- a. **Drainage on Blacksmiths Hill:** Cllr Ellis reported that DCC Highways were arranging for a couple of bags of salt to be placed at the junction of the lane from Webberton Cross to the Church. There was no further information regarding the repair to the drainage. It is his view that the CCTV revealed that the drains are too small and the repair may be a major job. He will find out if there is any news on the repair.
- b. **Road surface near entrance to School Wood Quarry:** Cllr Moor advised that DCC Highways were not aware of the second accident near the entrance to School Wood Quarry until advised by the Council. There is still no indication of when the road surface will be repaired. He added that there had been a report of excess water still coming onto the highway. Cllr Ellis advised that he had used 25 tons of stone in the large soakaway. He had monitored the performance and it was working well with normal rainfall and clean water was coming out. Recent rainfall had been exceptional and the excess water could not be dealt with.
- c. **Speed limit on road from School Wood Quarry to Manstree Cross:** Cllr Ellis advised that DCC Highways were going to look at their records regarding a previous review before deciding on the location of their equipment for the process of getting the speed readings taken.
- d. **Road Closure on School Lane:** The Clerk reminded the Council that part of the lane will be closed for part of Thursday 23<sup>rd</sup> January 2020. Details are on Notice Boards and the website.
- e. **Speed limit on Webberton Lane:** The Clerk advised that the NHO will do a site visit to the lane to determine if anything can be done but again this will be dictated by funding and resources available.
- f. **Provision of Road Signs:** The Clerk had requested information from the NHO on signs but had not yet received a reply.
- g. **Potholes:** Cllr Robson reminded the Council and public of the importance of frequently reporting potholes either through the Parish website or DCC website. She had reported three in the Parish.

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

- a.     **Application Ref:**         15/03485/FUL  
       **Location:**             Quarry at School Wood, Dunchideock  
       **Proposal:**             Retention of access to Quarry and provision of soakaway at entrance onto highway

The correct Application Reference is as stated. The Senior Enforcement Officer has confirmed that he has been in contact with the owner who has provided a soakaway which collects water to prevent it going onto the highway and the NHO was happy with the works carried out and that no further action was necessary.

b. **Grant of Conditional Planning Permission**

- |                         |                                     |
|-------------------------|-------------------------------------|
| <b>Application Ref:</b> | 19/01710/FUL                        |
| <b>Location:</b>        | Pitman's Barn, Dunchideock, EX2 9TS |

Proposal: Change of use of agricultural land to domestic curtilage, creation of new access and erect workshop/carport and associated hard standing and works

This application was considered at the Council meeting on 22<sup>nd</sup> October 2019 and the Council decided not to raise any objection subject to two issues regarding highways and trees being resolved. TDC has now granted Conditional Planning Permission

13. **Defibrillators:** Cllr Moor advised that approval had been overlooked for payment by the Council for the electricity for the third defibrillator at Belvedere Park. This would be a low amount and approval was required to correct the situation and this was therefore requested. Proposed by Cllr Moor and seconded by Cllr Bean and resolved that the Council would pay for the electricity for the third defibrillator.

14. **Climate Emergency:** Cllr McCarthy gave a briefing on the increasing profile of the Climate/Ecological Emergency and the progress made by other Parish Council's. There were two approaches this Council could take, the first that this Emergency would be taken into account in all its decision making and the second was to declare a Climate Emergency. In addition, to provide an information resource for residents in a dedicated section of the website. Cllr McCarthy recommended that the Council declares a Climate/Ecological Emergency as a statement of solidarity with other parish councils/local authorities nationally and to act as a catalyst for further action by the PC on the subject. Proposed by Cllr McCarthy and seconded by Cllr Bean and resolved that the Parish Council declares a Climate Emergency and provides information for residents on the website. The full text of the briefing by Cllr McCarthy is in an Annex to the minutes.

15. **Public Rights of Way:** Cllr Robson reported that approval had been given at the last meeting to join the Parish Paths Partnership Scheme (P3). Signing of the Agreement had been deferred and it was signed now. She outlined the benefits of the Scheme as being able to make the four footpaths more accessible for residents, easier to use with less problems on the paths and with the stiles and better signposts. The health benefits of regular walking are frequently mentioned and these improvements will make a contribution. The forms had been received for the annual survey and grant application and both will be dealt with by Councillors. Whilst the amounts to be received are not significant there is support from DCC and this will all help to contribute towards an improvement over time of this free local amenity. Proposed by Cllr McCarthy and seconded by Cllr Moor and resolved that the Agreement is signed and that the survey and grant application are completed.

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

- a. Junction of School Lane at Dunchideock Bridge: It had been noticed that water was getting inside this notice board following the damage to it last year possibly by a vehicle passing too close and making contact with the Notice Board and post box. A sealant had been applied and a check will be made to see if the box has dried out. The board may need to be taken down to complete a further repair.
- b. Underdown: It had been reported that the posts for this Notice Board are unstable. The condition has been inspected and it is thought this is due to the nature of the ground resulting in the posts not being properly seated. The condition is thought not to be a danger and it will be monitored. The intention is for this board to be replaced by the existing one at Belvedere Park.
- c. An amount has been included in the Budget to cover repairs if considered necessary.
- d. New Notice Board at Belvedere Park: After the last meeting a revised estimate was received for the provision of a new Notice Board in oak that will provide space for 6 x 3 A4 sheets. The estimated amount is £946 but may be nearer £1,000 and the Council has £640 towards this. This will be the prime Notice Board in order to comply with the legal requirement to publish agenda. Efforts are being made to raise the funds. When replaced, consideration will be given to the existing Notice Board replacing the one at Underdown.

17. **Bus Stop Shelter:** Cllr Moor advised that this project is ongoing but is subject to various issues, the most important of which is the cost and the funding. It will also require consent from the landowner, an ecological survey, certain preparation works, planning permission, highways consent and minor replanting of hedging on completion. The Council may try to install another notice board inside the bus shelter for a bus timetable and for Parish Council notices. A local contractor had been approached who could provide a bus shelter on a design and build basis as a complete project. The probable cost is say £6,000. An approach for funds may be made to DCC as the transport authority or a National Lottery application may be considered. This project is likely to progress slowly and the Council will provide reports.

18. **Telephone Box:** The Clerk reported that BT has advised that the application for adoption has been cancelled as BT intends to use the kiosk and it has been reserved for wifi to enhance the mobile signal. The telephone will also be retained.

19. **Teignbridge Association of Local Councils (TALC):** Cllr Moor reported that he attended the last meeting on 28<sup>th</sup> November 2019. The speaker was Cllr John Hart, Leader of DCC who covered the very wide

range of the DCC budget. He referred to the problems that are known with some services being overspent and that the overall budget may be a negative balance as the Government says it is not to be balanced by council tax. The move of some services down to Parish Councils was mentioned but comment was made that this was moving costs and responsibilities from DCC to Parish Councils. As an item of interest rural bus service subsidies include £9m for some 140,000 bus passes. Other matters included a possible Working Party to review the effectiveness of TALC and how to increase the attendance.

20. **Parish Map:** Cllr Moor reported that a resident had produced a revised version of his map and copies would be placed on the Notice Boards and he has been thanked for doing this.

21. **Clerk's Hours of Working and Home Working Allowance:** Cllr Moor reported:

a. At the last meeting a request had been received from the Clerk for an increase in his working hours from three to five hours per week. The last review was in May 2018. A review has been completed and the volume of work has increased and this was very apparent in 2019 from records that had been kept. It was also realised that the current hours are below comparable parishes and even one smaller parish. The additional two hours were considered to be a reasonable increase. An annual appraisal had also been completed and the Clerk qualifies for an increment in the national pay scales. The Society of Local Council Clerks (SLCC) has advised the Council that there is a potential 2½% increase in the national pay scales.

b. In view of the additional hours being worked the Clerk had also requested an increase in the Home Working Allowance. This appears to have been £1.92 per week for several years and an increase to £3.00 was considered to be reasonable.

c. Cllr Moor proposed that the Clerk's Hours of Working were increased to five hours per week with an incremental increase to SCP 10 of the national pay scales, together with a national increase and that the Home Working Allowance was increased to £3.00 per week, all from 1<sup>st</sup> April 2020. Seconded by Cllr Robson and resolved to confirm the proposal.

22. **Internal Audit:** Cllr Moor reported that it was necessary to make initial preparations for the Annual Governance and Accountability Return (AGAR) that must be completed each year. As part of this the following matters had to be confirmed:

a. The qualified and very experienced Clerk for Kenn Parish Council was the Internal Auditor last year and has offered to do it this year at a cost of £55.00. Proposed by Cllr Moor and seconded by Cllr McCarthy and resolved that the Clerk of Kenn Parish Council will be the Internal Auditor for this year at a cost of £55.00.

b. Under current regulations small authorities with an income below £25,000 and in existence before 1/4/2015 are eligible for exemption from External Audit and for this to be done it is necessary to approve and sign an Application for Exemption from External Audit. All documents and figures for the financial year will still be published. Proposed by Cllr Moor and seconded by Cllr McCarthy and resolved that the Application for Exemption from External Audit would be approved and signed.

23. **Budget and Precept for 2020/2021:** The Clerk/Responsible Financial Officer advised that he had signed a Dispensation under the Localism Act 2011 for the Councillors to discuss these items and presented:

a. The Budget Review of 2019/20 and Budget Statement for 2020/21: The details of both are in the documents that have been circulated to Councillors and are available to members of the public. They will be published as an Annex to the minutes.

(1). The RFO reported that it was predicted that the Budget for 2019/20 would result in a difficult financial year as the expenditure had been kept as low as possible. Despite several variations there was a possibility of break even or a small surplus. However residents have requested an election to fill a Casual Vacancy. This has to be paid for by the Council and ultimately by the council tax payers and this will cause a deficit of about £1,300 and a substantial reduction in the reserve funds of the Council. Full details are in the Annex.

(2). The RFO reported that the Budget Statement for 2020/21 had also been difficult to prepare. The expenditure for 2019/20 gave a good indication of what had to be provided, but many of the amounts had to be increased to provide realistic figures. In preparing the Budget a major fact is that there is only one opportunity to request an annual precept and the Council cannot ask for more at a later date. One of the larger amounts is the salary of the Clerk which is an increase for the reasons given previously. The other and larger increase is the inclusion of the cost of elections. Many of the amounts are also beyond the control of the Council and the total is £9,100. Full details of the Budget Statement are in the Annex.

Proposed by Cllr Moor and seconded by Cllr Bean and resolved that the Budget Review for 2019/20 and the Budget Statement for 2020/21 were accepted and approved.

b. The Precept for 2020/21: The details have been circulated to Councillors and are available to members of the public and are on the website. They will be published as an Annex to the minutes. The figures have been explained in the Budget Statement for 2020/21 and are considered necessary for the Council to fulfil its functions for the next financial year. The RFO recommended that the Precept for 2020/21 is set at £9,100 which is an increase of 117%. Proposed by Cllr Moor and seconded by Cllr Bean and resolved that the Precept for 2020/21 will be £9,100.

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

- a. The Bank Reconciliation as at 31<sup>st</sup> December 2019 which was agreed. The funds available to the Parish Council are £3,262.06.
- b. The Budget/Actual Comparison for 2019/2020 as at 31<sup>st</sup> December 2019 and projection to 31<sup>st</sup> March 2020. Proposed by Cllr Robson and seconded by Cllr Moor and resolved that both documents were accepted.

25. **Expenditure and Income:** The items for payment need approval and noting of the income:

<b>Expenditure</b>		<b>£</b>
Greenwoods – Payroll fee for December	£5 + VAT £1	6.00
Clerks Salary for November and December		219.82
PAYE for above period		55.00
Clerks Expenses: Home/Office - £16.66		16.66
Eon Defibrillator electricity for 1/10/19 to 31/12/19	£3.90 + VAT £0.20	4.10
Internal Audit fee for 2019/20		55.00
Community HeartBeat Trust - Defibrillators - Annual Support Cost for 2020/21 (330.00 + VAT £66.00 less balance held)		256.65
SLCC – Annual Membership fee for 2020/21		65.00
<b>Income</b>		<b>£</b>
VAT refund to 31/3/2019		158.05

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

26. **Public Discussion:** The Chairman suspended Standing Orders for this item.

- a. A question was asked about the Council's response to the Planning Application at item 12b in respect of Pitman's Barn and the information was provided.
- b. The condition of Footpath 1 where it joins the lane opposite the property Mount Pleasant was described as causing major problems because of the amount of water flowing onto the lane and the large amount of stones strewn on the lane, with the possibility of two drains being blocked and a large pothole. The following day this was referred to the Neighbourhood Highways Officer and Parish Paths Liaison Officer at DCC. The condition of the footpath, which is down a track, will probably require work as a capital project to resolve the problem. The Council has been advised that this will require planning and funding and there may not be a quick response which is the situation with problems elsewhere in the Parish.
- c. A resident asked about the number and cost of the elections and whether residents could complain to the Local Government Ombudsman. The resident was advised of the procedure in respect of the Casual Vacancy and that this allowed the democratic right of 5% of the electors to request an election. The election process was the responsibility of TDC and the cost had to be paid by the Council and council tax payers. A complaint could not be made to the LGO and the election and cost were beyond the control of the Council.
- d. A resident asked if an explanation could be provided in the Newsletter regarding the Precept, the elections and the cost. This will be done.

The Chairman re-instated Standing Orders.

27. **Date of Next Meeting:** Tuesday 10<sup>th</sup> March 2020

The meeting closed at 9.12 pm

Minutes Approved

Signed

Appointment

Date