

DUNCHIDEOCK PARISH COUNCIL

Minutes of a meeting of the Council held on Tuesday 12th January 2021 at 7.30 pm by Zoom

Present: Cllrs Moor (Chairman), Cook, Ellis, Griffin, Oxley, Robson. Mr Harvey (Clerk)
TDC Cllr Andrew Swain
One member 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 following the letter of 26th October 2020 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

No items were raised.

5. Apologies for Absence

Received through TDC Cllr Andrew Swain from DCC Cllr Connett who was attending a meeting of Kenn Parish Council.

6. Declarations of Interest and Dispensations

None were made.

7. Minutes

A. The minutes of the meeting held on 10th November 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 24th November 2020 were presented for approval and signature. Proposed by Cllr Cook and seconded by Cllr Griffin and resolved that they were an accurate record of the meeting and they were duly signed.

Cllr Ellis joined the meeting.

8. Co-option of a Councillor

The Chairman said there had been two late applications for the one co-opted vacancy as a Parish Councillor from previously unsuccessful applicants. He had decided in fairness to have the applications considered if the applicants were present at the meeting. Their applications had been circulated before the last two meetings. As only one applicant was present this was the only application to be considered.

The applicant was asked if there were any comments to make in support of the earlier applications. The response was that there was nothing to add to the applications but wanted to say that the advert did not state that previous applicants were prohibited from applying, he considered that he had a lot of experience to offer the council and he wanted to help.

The councillors voted to fill the vacancy. There were no votes for the candidate. As the vacancy was not filled the applicant was invited to remain as a member 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.

The applicant commented that it was obvious he was not wanted as a member of the council, this was the reason why it was not working but he accepted that there were no votes for him.

9. County and District Councillor Reports

TDC Cllr Swain reported that as not unexpected the budget situation for TDC was worse since last year. The District Council was making ends meet and had achieved £2M in savings and was active in addressing the issue of funding with the Government. The TDC share of the council tax for 2021/22 will increase by the maximum of £5, but he emphasised that this share was only about 9 % of the total amount. The Green Bin annual fee would increase from £30 to £35.

He had proposed an Electoral Reform review motion to TDC that had been accepted. This was to have a voting system similar to that in Scotland and Wales that would move from first past the post to Ranked Preference and Proportional Representation and a lower age for voting of 16 or 17.

10. Clerks Report

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

A resident had contacted the Information Commissioners Office about the letter not being sent to him that was referred to in the minutes of the Part 2 meeting held on 10th March 2020. This matter was dealt with by a councillor.

11. Highways

Cllr Ellis reported on the following matters:

A. Drainage on Blacksmiths Hill

The NHO had confirmed that the drainage work had started which meant that the road was closed between Penhill Cross and Webberton Cross. This work would probably take 20 days to complete and was expected to be finished by the end of January. He had seen that the drainage pipes were quite deep but had still become squashed to restrict the flow of water. The work should enable the water to be free flowing with the water going into a field and stream. Only two sections were being done as there is no funding for any further work.

B. Closure of road between Haldon Gate to Haldon Plain

The NHO has advised that drainage problems causing ponding and standing water have been identified at the car park near Haldon Belvedere. This length of road will be closed from 1st to 5th February and a copy of the Temporary Traffic Notice is on notice boards and the website.

C. Vehicle Activated Speed signs

DCC Cllr Connett had advised the council that these signs could be used by parish councils. Cllr Ellis had spoken to Cllr Connett and the Clerk for Kenn Parish Council which has the signs in Kennford. There is now an easier process that requires approval from DCC who also need to agree the location. Signs would need to be 100 % funded by the council as is responsibility for repair and maintenance. Comment was made that one might be useful, but there had not been any reports about excess speeds on the main road through the village. This had a 60 mph limit whereas the signs were more use for roads with lower speed limits. To be carried forward for future agendas.

D. Grit Bins

DCC Highways had recommended that the council could request that these are replenished as part of their Winter Programme. He had checked those that he was aware of in the parish and they were mainly full.

E. McDonalds Litter

He had not been able to speak to the manager and will try and do so. It did appear that there was less litter since the New Year.

12. Planning

CLlr Griffin 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 advised the owner that planning permission is required for the new access and if an application is submitted we will notify them. However, from the investigation and in consultation with Devon County Council, as the highway authority, it was determined that the new access is better than the one that the owner was previously using. As such, if no application is submitted it is not a matter that would be expedient to take formal action to remedy.

This decision was discussed. The requirement for a Planning Application would mean the involvement of the Wildlife Officer and the need to infill the old gateway with a Devon Bank. The clerk was requested to ask the Enforcement Officer if this had been taken into consideration.

- 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 advised that in this instance it is not exactly clear what works have been carried out. It is claimed that an existing building has been refurbished to the same size as it was previously which if correct would not require planning permission.

However, this is disputed and it is claimed that it is bigger than what was there previously. As such the Enforcement Officer had hoped to visit the site to determine what impact the building has and to decide on whether a breach has occurred and, if so, whether it is expedient to pursue.

Unfortunately, with the lockdowns a visit has not been possible. However, a visit will be carried out as soon as possible so that a decision can be made.

- 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

TDC has granted Variation of Condition Following Planning Permission 20/00265/FUL. This application was discussed at the meeting on 10th November 2020.

This decision was discussed. It appears revised plans have been looked at by TDC but have not been seen by the council. TDC has commented that light pollution will not be an issue. Also, that the 12-metre gap is required by a Regulation. The clerk was requested to ask for details of the Regulation and for clarification why the requested condition not to allow the 12-metre gap has been removed.

- D. Planning Ref: - 20/01953/HOU
Location: Webberton Cottage, Dunchideock
Proposal: Single Storey Extension

TDC has granted Conditional Planning Permission. This application was discussed at the Extraordinary meeting on 24th November 2020 when the council agreed to support the application.

- E. Planning Ref: - 20/00413/ENF
Location:- Webberton Cottage, Dunchideock
Matter Reported: Erection of Garage.

Cllr Griffin said that the height of the garage was the issue and photographs are being sent to the Enforcement Officer.

13. Notice Boards

A. Cllr Moor reported on the proposed new notice board at Kings Bridge. The craftsman has confirmed the cost of £946. It is slightly smaller than originally intended to avoid the cost of applying for Planning Permission. Listed Building Consent is still needed from TDC.

B. Cllr Ellis reported that he had inspected the notice board at Dunchideock Bridge. The problem is that water is getting into the back. He could arrange the repair with a local tradesman at a cost up to £100 and in liaison with the Chairman. Proposed by Cllr Moor and seconded by Cllr Cook and resolved that Cllr Ellis arranges the repair of the notice board up to a cost of £100 in liaison with Cllr Moor.

14. Provision of New Website and Accessibility

A. The Clerk reported that the suggested amendments had been sent to the website providers. They had requested some extra photographs before sending the revised design for approval. The photographs have been sent. A date is not known when it will be in use.

B. The Clerk advised that as far as he was aware the Accessibility requirements for the existing website had been followed and no new issues have been found.

15. Coronavirus

A. Cllr Cook reported that the Home Support Scheme, which was introduced for the first lockdown was still in place. There was a coordinator in each of the six villages in the Teign Valley and Haldon Hill Mission Community. The scheme supplies help for those who had to remain at home who need help in collecting shopping and medication etc. There had not been any recent requests in Dunchideock and it would appear that help is being provided by neighbours and friends.

B. The Clerk reported that Newsletters continue to be received from DCC and TDC about the current situation. These 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 said that the conduct of council business was normal.

16. Footpaths

A. Cllr Robson reported that

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

This footpath is operational. DCC do not have the funds to deal with the cost of dealing with the deposit of material on the highway.

Footpath 102 - Village Hall to Biddypark Lane

The stile will be replaced by a kissing gate. The contractor is very busy at present and it may be some time before the work is completed,

Footpath 103 – Biddypark Lane Cross to Idestone

A better waymarker is required together with steps down to the bridge. The contractor is very busy at present and it may be some time before the work is completed.

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, but there is a delay as above.

All councillors agreed to the completion of the P3 forms for 2021/22

17. Operation London Bridge

The Clerk advised that he had prepared a draft policy for the parish. This had been sent to the Chairman and Cllr Cook, as Church Administrator, as the arrangements require the involvement of the Church. The final version will be sent to all councillors for approval. All local councils have been advised that this is a confidential policy and is not to be published.

As previously agreed, the council is paying for the cost of the Book of Condolence at £28.95. Cllr Cook, as Church Administrator, confirmed he was happy with the church involvement.

18. Governance Documents

The Clerk advised that councillors had been requested to review the following policies for their comments and approval:-

Financial Regulations (Based on NALC model document)

Revised Privacy Policy (Based on SLCC model document)

Standing Orders (Based on NALC model document)

Proposed by Cllr Moor and seconded by Cllr Robson and resolved to approve these documents.

19. Queens Platinum Jubilee Friday 3rd June 2022

The Clerk said that this unique event will be a public holiday with the late May Bank Holiday being moved to Monday 6th June to provide a four-day Bank Holiday weekend. For the Queens 90th Birthday, a Tea Party was held on 12th June 2016 and the council paid £398.26 towards the cost. The Chairman suggested that a Working Party was set up to consider if there should be a local event and if the council should be involved. He thought that Cllr Robson as Chairman of the Village Hall Committee may like to consider a possible event. Cllr Robson will look into the possibility of an event and thought this would very much depend on whether it was wanted by residents.

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

The Chairman advised there was a confidential report about staffing matters to be discussed by the council. This would be in Part 2 of the meeting and it is necessary to exclude the public and press from the discussion. A resolution must be passed to do this which is recommended. Proposed by Cllr Cook and seconded by Cllr Oxley and resolved that the public and press are excluded from Part 2 of the meeting.

21. Proposed DCC Haldon Forest Clearway Order

The Clerk had requested details of the present situation from DCC Highways, but a response had not been received.

22. Internal Auditor for 2020/2021 Audit

The RFO said that the Internal Audit for the last three years had been completed by the Clerk of Kenn Parish Council at a cost last year of £55. Due to the demand for Internal Auditors a request had been made to her to complete the Internal Audit for 2020/21. Her confirmation and cost of £55 have been received and approval to her appointment is requested. Proposed by Cllr Moor and seconded by Cllr Ellis and resolved to appoint the Clerk of Kenn Parish Council as Internal Auditor for 2020/21 at a cost of £55.

23. Budget and Precept for 2021/2022

The Chairman said that the figures were still being prepared by councillors and these matters will be discussed at an Extraordinary meeting on Tuesday 19th January 2021. Proposed by Cllr Cook and seconded by Cllr Oxley and resolved that the Budget and Precept for 2021/2022 will be discussed at an Extraordinary meeting of the council on 19th January 2021.

24. Finance

The Responsible Financial Officer presented:

A. The Bank Reconciliation as at 31st December 2020 which balanced. This was approved by Cllr Robson. The amount available to the Parish Council is £5,286.48 after allowing for allocated amounts. Proposed by Cllr Moor and seconded by Cllr Cook and resolved to accept the document.

B. The Budget/Actual Comparison as 31st December 2020. Proposed by Cllr Robson and seconded by Cllr Ellis and resolved to accept the document.

25. Expenditure and Income

To approve payments and note the income:

Expenditure	£
Greenwoods – Payroll fee December and January – S/O £10 + VAT £2	12.00
Clerks Salary for November and December	390.12
PAYE for above period	97.40
Clerks Expenses: Home/Office - £26.00 - Consumables - £20.60 + VAT £0	46.60
Book of Condolence (Operation London Bridge)	28.95
SLCC – Annual Membership fee for 2021	80.00
Eon Defibrillator Electricity D/D 1/10 to 31/12/20 - £3.90 + VAT £0.20	4.10
Internal Audit fee for 2019/20	55.00
Income	£
	Nil

Proposed by Cllr Cook and seconded by Cllr Oxley and resolved that the payments are made and the income noted.

26. Public Discussion

A member of the public made the following comments: -

A. Emails could not be sent to the council because of the actions of the clerk. Response from the clerk is that emails will only not receive a reply in accordance with the resolution passed by the council in Part 2 of the meeting held on 10th November 2020 and that the clerk was acting in accordance with a council decision.

B, He had not seen the financial documents as at 31st December 2020. The resident was advised again that the Chairman in January 2019 had said that these documents had to be approved by councillors before they were published on the website.

C. Residents on the opposite side of the valley from the Lord Haldon Hotel were annoyed about a new bright LED light for the car park of the hotel. It was an intrusion to the privacy of the residents in the area affected. The problem had been reported to TDC who appeared to take inadequate action. After discussion Cllr Ellis offered to visit the manager of the hotel with the resident to discuss the problems being caused by the new light.

D. Confirmed that water was getting into the back of the Dunchideock Bridge notice board.

Cllr Cook advised that there would not be a printed version of Country News and 3D's magazines for at least the duration of the current lockdown.

The Clerk said that he has had to send a second request for the VAT repayment claim.

27. Date of Next Meetings

19 th January 2021	This meeting will be held by Zoom.
9 th March 2021	This meeting will be held by Zoom and can be cancelled without further notice.

The meeting closed at 9.11 pm.

Minutes Approved

Signed	Appointment	Date
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PART 2 – NOT OPEN TO THE PUBLIC AND PRESS

1. Appointment of Councillor to take minutes

In the absence of the Clerk, it was proposed by Cllr Moor and seconded by Cllr Ellis and in the absence of any objections resolved that Cllr Robson should take the Minutes.

2. Clerk's Terms of Employment

Cllr Cook drew the attention of the Council to the Working Party Report which had been circulated prior to the meeting. He thanked the Chairman (Cllr Moor) for his support, and also Cllrs Ellis and Griffin for their contributions to the Working Party. He also thanked the Clerk for the information that he had provided.

In view of the Clerk's recent resignation, some sections of the Working Party report are no longer directly relevant, except that they may inform the recruitment process for a new Clerk.

Cllr Cook emphasised that the Working Party had the following aims:

- To ensure that the Council is provided with effective, efficient and professional clerking support in the fulfilment of its responsibilities
- To ensure value for money, as a steward of public money
- To ensure the Council fulfils its legal responsibilities of an employer

The Working Party had also been clear that any permanent changes to hours and pay must be in response to *permanent or very long-term* factors, and not involve the Council in a long-term commitment in order to cover a short-term challenge. Apart from the requirement that any annual progress through the relevant pay scale must be subject to satisfactory performance, the Working Party also took the view that it should consider the post, rather than the postholder.

Within the limitations of time and other resources, the Working Party determined its work must be *evidence-based* and hence significant research had been undertaken to identify appropriate benchmarking data. This included the NALC National Agreement 2005, the SLCC Survey into clerks' working hours and its recommendations for minimum hours in 2013, an article by Nick Randle of the Local Government Resource Centre giving useful background to the SLCC report, and surveys by Cambridgeshire (2017) and Worcestershire (2019) local associations of councils.

Recognising that some of the benchmark data available is several years old, the Working Party undertook its own survey of similar size councils. 24 councils of similar size were identified from the 2011 census and asked to provide details about their Clerk's hours and pay, whether the Clerk was

also the Responsible Finance Officer and any other useful background information. 14 councils responded.

A survey of 25 current adverts for Clerks for smaller councils was also undertaken.

Councillors then considered the Working Party Report in detail, considering the supporting information provided and voting on each of the recommendations as follows:

Recommendations 1(a), 1(b) and 1(c) – Performance Review

Councillors noted that although this is no longer directly relevant due to the Clerk's resignation, the appointment of a new Clerk provides the opportunity to review these arrangements.

Proposed by Cllr Cook and seconded by Cllr Robson and in the absence of any objections resolved that a revised contract and job specification for the new clerk should be based on the current NALC template, including the requirement for an annual performance review, and that Council should develop a Performance Review policy.

Recommendation 2 - Overtime on Website Accessibility

Proposed by Cllr Cook and seconded by Cllr Moor and in the absence of any objections resolved that the 28 hours of overtime claimed by the Clerk for updating website documents to meet accessibility requirements should be paid, subject to appropriate documentary evidence or a timesheet.

Recommendation 3 - Overtime Generally

Councillors recognised that there will be peaks and troughs in the Clerk's work e.g. around budget time and financial year-end.

Proposed by Cllr Cook and seconded by Cllr Moor and in the absence of any objections resolved that up to 3 hours overtime each month should be at the Clerk's discretion, to be taken as "time off in lieu" where possible. Any overtime in excess of 3 hours per month must be pre-approved in writing by the Chair or his/her nominated deputy who may wish to consult other councillors at their discretion. Any overtime claim must be supported by a timesheet.

Recommendation 4 - Contracted Hours

Councillors noted the Clerk's request for an increase to 10 hours per week, and the Working Party's view that such an increase would be very significantly out of proportion to the size and responsibilities of Dunchideock Parish Council, based on all the comparative data it had considered.

A number of councillors expressed the view that the Council needed to keep any increase in expenditure to a minimum.

Following further detailed discussion, it was proposed by Cllr Cook and seconded by Cllr Ellis and in the absence of any objections resolved that the new Clerk's contracted hours should be 5 hours per week, as at present and that the budget should be adjusted to provide a contingency for up to 3 hours overtime per month. It was also resolved that should a further review of the new Clerk's hours be necessary during the 2021/22 financial year, savings made during the period when no Clerk is in post should be available to cover any increase.

The Working Party's recommendation that the gap between the Clerk's stated working hours and the benchmarking data should be further investigated was no longer directly relevant, but Councillors noted that the gap before a new Clerk is appointed will provide an opportunity to explore this. Appropriate support for the new Clerk will be very important to ensure the hours are sufficient.

Recommendation 5 – Incremental Progression

Councillors noted that, had the Clerk not resigned, they would have needed to approve the appropriate incremental progression on the NJC Scale, subject to the Performance Review confirming satisfactory performance.

Recommendation 6 - Home Working Allowance

Proposed by Cllr Cook and seconded by Cllr Moor and in the absence of any objections resolved that the Home Working Allowance should be increased from £3 to £4 with effect from 1 April 2021.

Recommendation 7 - IT Skills

Councillors noted the need to include a clear statement of the required IT skills in the “essentials” for the Job Specification for the new Clerk, together with a requirement to undertake appropriate professional development.

Recommendation 8 - Online Banking

The Working Party report recommended that the implementation of online banking should be considered as a target for the current Clerk in 2021/22, as an efficiency measure.

Councillors noted that this could be considered as an initial target for the new Clerk, if not already implemented.

Recommendation 9 - Dealing with Complaints

The Working Party had considered the potential for dealing with complaints from a small number of residents to significantly increase the workload of the Clerk. The 2013 SLCC survey contained benchmark indicators for dealing with all public enquiries. Councillors noted that the demands of dealing with complaints could not be used to support a permanent increase in hours.

Proposed by Cllr Cook and seconded by Cllr Robson and in the absence of any objections resolved that:

- (a) The Clerk should keep timesheets recording the time spent on dealing with public enquiries, complaints and similar correspondence and submit these at the regular bi-monthly meetings.
- (b) The Council should review these timesheets regularly against the benchmark hours for dealing with public enquires in the SLCC 2013 Survey and publicise the *additional* cost of time (over and above the benchmark indicator) involved in dealing with complaints.

Recommendation 10 - New Website

Councillors noted that, following the current Clerk’s resignation, it is a priority to move this forward, and that the Chairman is taking a lead on this.

Overall management of the website will be a core duty in the Job Specification for the new Clerk.

Recommendation 11 - Clerk and Councillor Working Arrangements

Councillors noted the potential for further clarifying working arrangements between the Clerk and Councillors, which will need to be a key element in the induction of the new Clerk.

The induction programme might include an external mentoring arrangement if appropriate.

Recommendation 12 - Working More “Smartly”

All Councillors recognised the imperative to constantly seek to work more efficiently and minimise any increases in expenditure. It was agreed that Cllr Cook should produce a draft paper exploring

options such as an improved email protocol, clear working arrangements (see Recommendation 11) etc and other improvements for consideration at a future meeting.

Recommendation 13 – Contract
Covered in Recommendation 1.

3. Clerk’s Training

Councillors noted that the approval of the SLCC course for the existing Clerk was no longer required. Councillors did however note that a contingency sum for the training and support of new Clerk would need to be included in the budget for 2021/22.

The Meeting closed at 10.10 pm

Minutes Approved

Signed

Appointment

Date

DRAFT