



MINUTES

Committee: Parish Council
Date: Tuesday, 06 October 2020
Time: 7:00pm
Venue: Virtual meeting via Zoom

Present

Cllr Vivienne Hodges (Chair)
Cllr Malcolm Chudley
Cllr Gordy Keep
Cllr Mike Warner
Cllr Mike Jeffery
Cllr Penny Simpson
Cllr Anna Adnitt
Cllr Jan Evans
Cllr Julian Edwards
Cllr John Farrand-Rogers

Also Present

Samantha Parkin (Clerk)
Cllr Jerry Brook, Devon County Council

PUBLIC PARTICIPATION

One member of the public was present. Sue Boulton, Director of Baskervilles Ice Cream Parlour was present in relation to the correspondence received regarding their licence application discussed at minute no.159/2020. She explained the reasons behind the licence application and answered Councillors questions. There is a condition agreed with the Police Authority that alcohol to be consumed on site will only be served as table, waitress service.

145/2020 APOLOGIES FOR ABSENCE

Apologies for absence were received and accepted from Cllr Paul Dodd and Cllr Rose Mogeni.

146/2020 DECLARATIONS OF INTERESTS / REQUESTS FOR DISPENSATIONS

Cllr Hodges declared an interest in item 161/2020 (Bowring Library) by virtue of being a trustee of the Library. Cllr Hodges requested a dispensation to speak on the issue. The Clerk granted the dispensation. Cllr Hodges will not vote on the issue.

147/2020 MINUTES

It was proposed by Cllr Mike Jeffery, seconded by Cllr Jan Evans and **resolved** to accept and sign the minutes of the meeting held on 1st September 2020 as a correct record. One abstention.

148/2020 COUNTY COUNCILLOR'S REPORT

Cllr Brook advised there had been 3 confirmed cases of COVID in the Chudleigh area.

Cllr Brook noted the lack of carers in the system; a debate has taken place about a pay increase. Devon County are legally unable to stipulate carers are paid living wage. If carers received a 50p/hr increase, the total bill would cost the County Council £1 million.

Cllr Brook noted the County Council is back to full working strength; all meetings are being held via Microsoft Teams.

Cllr Brook noted that the number of children in care has risen exponentially; as of last week there are just over 880 children in care. Children and young people services are already overspent for the year. The County Council are £5million adrift on what they have spent out on COVID work.

Cllr Brook reported that the number of children attending school in Devon is very high. He recognised the efforts of teachers and schools to prepare for the children's return.

The Chairman thanked Cllr Brook for attending and Cllr Brook left the meeting.

149/2020 MATTERS ARISING

The Clerk notified the successful 2nd Round Grant applicants; they all passed on their gratitude to the Council.

150/2020 CHAIRMANS DISCRETION

The Chairman had received a letter from a local wheelchair user who was extremely pleased with the recent service she had received from the Okehampton District Community Transport Group. The resident had sent information to the Council about the service. Morecare do use the service as their volunteers are unable to accommodate wheelchair users and the Okehampton group own a 7 seater bus which can accommodate wheelchair users. This is discussed further at minute no.159/2020.

151/2020 DISTRICT COUNCILLOR'S REPORT

Cllr Mike Jeffery circulated his monthly report prior to the meeting. The report was noted and is attached at appendix 1 on page 5.

152/2020 OPEN SPACES REPORT

The Open Spaces monthly report was circulated prior to the meeting. The report was noted and is attached at appendix 2 on page 5. The chairman thanked Cllr Dodd for all his hard work.

153/2020 CLIMATE CHANGE & ECOLOGICAL WORKING GROUP REPORT

Cllr Adnitt advised the group had recently met and discussed the 'green tip of the month'. It was noted the biodiversity group will be hosting a seed exchange later in the month.

154/2020 PLASTIC FREE STATUS

The Council had previously supported Moreton Action against Plastics group. They are supporting the Surfers against Sewage who would like the Council to specifically agree their motions.

It was proposed by Cllr Hodges, seconded by Cllr Jeffery and **resolved** to agree the following motion to enable Moretonhampstead to become classified as plastic free: 1. Council will lead by example and remove single use plastics from its premises and operations; 2. Council will encourage plastic free initiatives in the area, promoting the campaign and supporting events; 3. Cllr to volunteer to represent the Council and sit on the Plastic Free Community Steering Group.

Post Meeting Note: Cllr Penny Simpson volunteered to represent the Council and sit on the Plastic Free Community Steering Group.

155/2020 BUSINESS SUPPORT GRANT

Cllr Evans noted £1000 had already been allocated to the purchase of new Christmas lights. Cllr Evans noted tax on the grant will not apply to the Council as the Council will not make a profit on the grant.

Cllr Evans suggested the grant be used for the pedestrianisation scheme if it is successful. The Council are currently still waiting for a response from Devon County Council. If the scheme is unsuccessful the Council need to think of a project that will benefit the Community such as an electrical charge point.

156/2020 PLANNING APPLICATIONS

0441/20: Variation of conditions 2 planning permission granted under ref 0481/19 to update record of approved drawings to referenced revisions at Cranbrook Farm, Moretonhampstead

Cllr Jeffery gave an overview of the application. It was proposed by Cllr Hodges, seconded by Cllr Keep and **resolved** to support the application.

0440/20: Installation of landscaped swale for rainwater management on site at Cranbrook Linhay, Moretonhampstead

Cllr Mike Jeffery outlined the details of the planning application. It was proposed by Cllr Edwards, seconded by Cllr Hodges and resolved to **support** the application.

156/2020 INTERNAL FINANCIAL REGULATOR REPORT

Cllr John Farrand-Rogers had circulated his report prior to the meeting and was noted (attached at appendix 3 on page 6). Cllr Farrand-Rogers noted the accounts had not been checked in February and March due to Covid restrictions. Cllr Hodges proposed the Council **accept** this and are happy to leave them as they have already been submitted to the external auditor.

157/2020 SCHEDULE OF PAYMENTS

The Council considered its monthly schedule of payments. It was proposed by Cllr Jeffery, seconded by Cllr Evans and **resolved** to approve the schedule of payments at appendix 4 on page 7.

158/2020 LAND REGISTRY

The Clerks report had been circulated prior to the meeting and is attached at appendix 4 on page 7. Cllr Evans thanked the Clerk for preparing the report and summarised the report. The Council decided it was unreasonable to spend lots of money registering the land if it didn't provide any benefit to the Council. The Chairman thanked Cllr Evans for her work on the matter.

159/2020 CORRESPONDENCE

Correspondence was received and circulated prior to the meeting from Okehampton District Community Transport group. It was proposed by Cllr Hodges, seconded by Cllr Farrand-Rogers and **resolved** that the matter should be **considered** at the Finance and Policy Committee.

Correspondence was received and circulated prior to the meeting from Dr David Irons concerned about the possibility of 'dogs on lead' in the Sentry. Cllr Dodd has discussed the matter with Dr Irons and reassured him that the Council are not proposing to enforce 'dogs on a lead' in the Sentry.

Correspondence was received and circulated prior to the meeting from Judy Hardiman suggesting a shelter in the Sentry. Cllr Dodd mentioned the shelter in the open spaces report; he is not keen to erect a shelter in the Sentry as it invites anti-social behaviour. It was proposed by Cllr Hodges,

seconded by Cllr Jeffery and **resolved** the Council reply to the letter stating the Council are **not in favour** of the idea.

Correspondence was received and circulated prior to the meeting regarding the licensing application at 2-4 Ford Street. The Council had been asked to express an opinion to the licensing department. Cllr Farrand-Rogers noted there are arguments on both sides involving local people. It is not the Council's statutory duty to make a comment therefore it would be best not to get involved. It was proposed by Cllr Farrand-Rogers, seconded by Cllr Evans and **resolved** the Council make **no comment**, if individuals wish to comment they can contact the licensing department directly.

Correspondence was received and circulated prior to the meeting regarding the 2020 Poppy Appeal. The Council have no objection to the poppy appeal going ahead following current Government guidelines.

Correspondence was received and circulated prior to the meeting from Devon County Council regarding flood risk management. This was noted but doesn't relate to the Parish.

160/2020 20/21 PAY AGREEMENT

The pay agreement was noted. It was proposed by Cllr Adnitt, seconded by Cllr Evans and **resolved** to **agree** the increase from 21 to 22 days leave as per the National Employers and the NJC Trade Union agreement.

161/2020 BOWRING LIBRARY TRUST

Correspondence was received and circulated prior to the meeting from the Bowring Library Trust. Cllr Hodges provided a summary of the history of the letter. The Parish Council is not prepared to take over the Library Building but the Council support the transfer of the building to the Trust. It was proposed by Cllr Evans, seconded by Cllr Edwards and **resolved** that the Chairman and Vice Chairman will **formulate** a response supporting the trusts proposal and circulate to all Councillors for approval. Cllr Hodges abstained.

162/2020 WRAY VALLEY TRAIL SIGNAGE

Cllr Warner provided an overview of the signage. The Council had received a quote for the signage but will require two more quotes. It was proposed by Cllr Evans, seconded by Cllr Adnitt and **resolved** that the Council will **apply** for a grant from the locality budget.

163/2020 FINANCE AND POLICY COMMITTEE RECOMMENDATIONS

It was proposed by Cllr Warner. Seconded by Cllr Simpson and **resolved** that the minutes of the finance and policy meeting held on the 30th September be **approved** and signed as a correct record. Two abstentions. The budget is attached at appendix 6 on page 9.

Cllr Evans informed the Council there will be a low key Christmas lights switch on due to the current Government regulations.

164/2020 COUNCILLORS WITH PARTICULAR RESPONSIBILITIES REPORTS

There were no reports to receive.

PUBLIC SESSION

Sue Boulton stated Baskervilles will be enclosing the garden in the future.

The Chairman closed the meeting at 8.35pm.

TO DO ACTIONS

- Clerk to inform MAPS of the Councils support of the plastic free status
- Clerk to inform DNPA of the planning decisions

- Clerk to make authorised payments
- Clerk to reply to all correspondence in minute no.159/2020
- Clerk to receive an increase in holiday allowance
- Cllr Hodges and Cllr Warner to formulate a response to DCC supporting the Trusts proposal and circulate to all Councillors
- Clerk to apply for a grant from the County Councillors locality budget

MPC Minutes 06.10.2020 Attachment no.1 – District Councillors Report

TDC Future planning presentation 3

We had a presentation on the future planning, it was alarming to see that the government want TDC to build 1532 house per year in the district, given that 40% of TDC is in the national park this would mean that the proportion of house in the park would be 612 and that is only in the TDC area, this of course will not be feasible as most of these would probably be in the major settlements of Moreton, Ashburton and part of Buckfastleigh.

The national planning consultation has proposed a formula and 1532 is the number that comes out for Teignbridge. Many people will lead you to believe this, but the government white paper states that allowance for special circumstances should be made and has asked all the districts to identify specific reasons why this number is unrealistic such as the national park and coastal areas. Officers are working on the reasons why 1532 are too many for Teignbridge.

Rural Skip

It is recommended that the rural skip service is to be withdrawn; it has already been withdrawn due to covid. The cost last year for this service was £58000 and is likely to be an increase this year. Parish and town councils are welcome to provide their own service for its parishioners and TDC will give any advice asked for. Also TDC will give advice to residents for the disposal of heavy goods and may even provide a service for this. The rural skip is not a statutory scheme.

Electric charging points

I have heard nothing from car parks working group relating to charging points but speaking to a councillor from Tedburn who have had a charger fitted to their car park by a private firm, he has given me details but it turns out that the private firm owns the car park anyway so I think this is a non-starter. I have written to Tonya at TDC again but I know she is trying to gather a meeting of the review group.

MPC Minutes 06.10.2020 Attachment no.2 – Open Spaces Report

Inspection carried out by: Paul Dodd

Date: October 2020

Area	Comments	Action
The Sentry	See report at end of monthly report.	New dog bin fitted.
Churchyard	All grass cut.	Looks very good.
The Play Area	All looks good.	Old notices removed from fence and boards stored.
The Henge	Looks good groundsman	New signs erected

	said that dog fouling much improved.	
The Pound	Looks good, as above.	New signs erected
Cross Tree	Looks good	None
Geneva Island/War Memorial	Flag lowered and fixings checked.	All ok.
Wheelwright's wheel	Ok	None
Allotment	Not inspected	None
Seats/benches/ Lamp posts	Ok	None.
Gates and Railings	Ok	None
Bus Shelter	Looking good.	None
Recycling	OK	None

I walked around the Sentry last Saturday morning and as far as I could see there was no dog mess, which is excellent. I understand there have been a few complaints on Facebook or the hub about the PC making dog owners keep their dog on a lead, which the notice said we were considering. This was my doing as some owners were taking no notice of the small signs. The fact that owners are talking about it means that it has worked so far. These notices have now been replaced by one that won the painting competition on the subject by the school children. We should return to the more aggressive poster if the problem returns.

With regard to the proposal to site a shed of some sort at the top left hand side of the sentry for people to sit in and knit or whatever I am completely against the idea, not only would it spoil the view it would look totally out of place. A similar idea was proposed about 10 years ago when a report by the Police said that similar constructions had been misused during the hours of darkness at other locations. The proposal was rejected by the PC.

Paul Dodd. Chair open spaces.

MPC Minutes 06.10.2020 Attachment no.4 – Internal Financial Regulator Report

Internal Financial Checks

1. I have now been able to catch up with the details that were hanging fire since the August report. This comment does not include the figures which pertain to the previous financial year.
2. For the benefit of future checkers, the most convenient way is to start with the Cashbook list and compare these figures with the invoice, the amount to be paid (as approved by the Council meeting) and the bank statement. I have examined the documents for August 2020, and the figures correspond correctly.

3. However, there is one detail worthy of note: the payment of the Clerk's salary in August is labelled as being for June. This is a problem which in general terms I identified in the previous report.

4. As far as I can see, with the exceptions mentioned above and previously, there are no problems with the Council's accounts in the period under review.

John Farrand-Rogers

Internal Financial Checker

13th September 2020.

MPC Minutes 06.10.2020 Attachment no.4 – Schedule of Payments October 2020

MANDATORY PAYMENTS FOR August 2020 (pre - approved March meeting)	AMOUNT (inc VAT)	PAYMENT METHOD
MDT (office rent) - paid 01/10/2020	£331.57	Direct debit
S PARKIN (Clerk's salary 1 September - 30 September 2020) – paid 30/09/2020	£1067.68	Online Transfer
PENINSULA PENSIONS (employer's and employee's contribution) –paid 30/09	£314.75	Online Transfer
HMRC (PAYE and NI - next quarterly payment Sept 2020) – paid 30/09	£236.91	Online Transfer
Plusnet (telephone and internet – paid 29/09)	£23.29	Direct Debit
OTHER PAYMENTS AUTHORISED 1 September 2020		
MDT – Photocopying	£11.28	Online Transfer
S Parkin Expenses – Zoom subscription	£14.39	Online Transfer
R Austin – 1 x Churchyard cut, 1 x ashes interment and 2 x Pound and Henge cut	£555.00	Online Transfer
T Sutcliffe – 2 x Sentry cut and 1 x verges cut	£600.00	Online Transfer
Sarah Jenkins – Locum cover for Sept meeting	£39.45	Online Transfer
LITE – Xmas lights	£1182.00	Online Transfer
Viking – Stationary and Ink Order	£66.40	Online Transfer
DALC – Budgeting Training Course	£36.00	Online Transfer
Community Swimming pool – 2 nd round Grant payment	£200.00	Online Transfer
FOMS – 2 nd Round Grant payment	£200.00	Online Transfer
Morecare – 2 nd round Grant payment	£500.00	Online Transfer
Twinning Association – 2 nd round Grant payment	£200.00	Online Transfer
Wellmoor – 2 nd round Grant payment	£200.00	Online Transfer
Biodiversity Group – 2 nd round Grant payment	£200.00	Online Transfer
TOTAL	£5978.72	Online Transfer

MPC Minutes 06.10.2020 Attachment no.5 – Land Registry Application

Past History:

In 2010, the Clerk, Robin Peardon started a Land Registry Application with WBW Solicitors for 5 unregistered pieces of land. WBW ascertained the five pieces of land were unregistered. The five areas are as follows:

1. The Square
2. The Pound
3. Geneva Island
4. Cross Tree (Octagonal area containing an old stone cross and Tree)
5. The War Memorial

7. Signed.....

03 November 2020

Robin completed a statutory declaration with accompanying evidence, which was signed by Mann Jenkins Solicitors.

The Council received a letter on 5/01/11 stating the statutory declaration had been submitted to the Land Registry asking for their views as to whether the Parish Council are likely to obtain a registered title for the 5 pieces of land. At the time the Square and Geneva Island had only been managed by the Council for 10 years which was 2 years short of the statutory 12 years required to obtain a possessory title. The Land Registry required further evidence for the other 3 areas of how long they had been maintained by the Council.

Robin retired from the Council on 31st December 2010.

Julie Lammin replied on 11/02/11 stating that the Council would like to progress the Square and Geneva Island in 2013. Robin, on behalf of the Council, provided evidence of the Council's maintenance of the other 3 pieces of land over the years.

The next correspondence I have found is dated 30th September 2014. The original Solicitor had retired and the files passed to a new solicitor. The correspondence asked Julie to provide a new declaration. The new Solicitors also had a couple of queries relating to Geneva Island and The Pound. It is unclear if this letter was ever replied to.

More correspondence was received in January 2015 asking if Julie had managed to speak to Robin about the application.

A freedom of Information Request was submitted to Devon County Council in February 2015 asking for information regarding the filling in of the subterranean lavatory at Geneva Island. DCC believes the change took place in 1978 and due to the passage of time, they considered that on the balance of probability they would not hold any information relating to it.

Julie left the Council in May 2019.

The next correspondence I have on file was sent on 3/05/19 from WBW asking if the Council would like to proceed with the application. In December 2019 I received a letter noting their previous correspondence had not been replied to. I replied, informing WBW the Council no longer wished to carry on with the application. On 23/12/19, WBW sent the Council an invoice for £750 + VAT + disbursements. The Council replied questioning the invoice and suggesting a lower value given that in our opinion September 2014 would have been a more appropriate time to raise the question of past costs. In the end the Council paid £550 + VAT + disbursements.

Potential Costs:

Cllr Evans has contacted Maureen Jenkins to see how much it would cost the Council to register the land. It would cost £100 to open a file and registering the land would cost upwards of £2000.

DALC Advice:

Email received:

In terms of your insurance, I'd suggest talking to your insurer and seeing whether they think it would be advisable (and to check whether you are covered for any maintenance you are doing).

I've attached a legal topic note from NALC that discusses registering land. It suggests that it may be beneficial for many councils, and provides a link to the [Land Registry](#). The link explains what information you would need to try registering the land, so it may be worth having a look and seeing if you could try it.

If you need further advice on whether it's something NALC would advise, or whether the land is likely to be eligible then we could submit a request for legal advice to NALC. We would need all information and any supporting papers; they normally take a couple of weeks to respond.

MPC Minutes 06.10.2020 Attachment no.6 – Christmas Budget

Xmas Budget 2020				
RECEIPTS	Budget	Actual to date	Remaining	
DNPA Grant	£500.00	£500.00	£ -	Received 16/09/20. The grant is to recognise the efforts of everyone who ensured the community was kept safe and well Plus VAT, Money was taken from the business support grant Money agreed as part of the 20/21 Budget
Xmas lights agreed at Sept meeting	£1,000.00	£1,000.00		
Xmas Budget 2020-2021	£400.00			
Total Receipts	£1,900.00	£1,500.00	£ -	
PAYMENTS				
Xmas Lights	£1,000.00	£985.00	£ 15.00	Plus VAT @ £197 Use money from DNPA grant Use money from the DNPA grant Last years price Not needed £400
Grotto presents	£250.00	£0.00	£ 250.00	
Thank you Hampers	£250.00	£0.00	£ 250.00	
Tim Road Closure	£180	£0.00	£ 180.00	
Xmas	£220.00			
Total Payments	£1,900.00	£985.00	£915.00	

DRAFT