

Minutes of the Council Meeting held 01/04/21, 19:30 Online*

PRESENT:

Cllr Harvey	Chairman	Cllr Dorow		
Cllr Martin	Vice Chairman		Cllr Searles	Cllr J Yabsley
		Cllr Northam	Cllr Smith	

In Attendance:

District & County Cllr J Yabsley

21 Members of the public
P G Dunn - Clerk

Meeting convened in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*.

1. Public Session (maximum 3 mins per subject overall max. 15 minutes).

1.1. General Questions.

None.

1.2. Adventure Playground – Working Group Progress Report.

Additional information on composting toilets and further refinement of estimates was provided and had been circulated to councillors.

The Chairman outlined the council would at this meeting review the outcomes of the Working Group research and forthcoming proposals with a view to taking forward to the next stage elements it could support at this time. Secondly, review a draft Section 106 Expression of Interest application drafted by Cllr Searles for submission to North Devon Council and confirm the council was now in a position to draft a Tender for bids from suppliers.

It was expressed residents were present to hear how the council would progress the refurbishment given the Working Group's ideas presented to date.

The Chairman invited any of the residents present to address council if they had any further comments. A number of residents expressed their support for the Working Group proposals.

The Chairman thanked everyone for their contribution.

2. To Approve Apologies for Absence.

RESOLVED: Approval of apologies from Cllr Goodwin and Wells.

3. To receive the following Reports (strictly maximum 15 minutes – long reports should be submitted in advance to the clerk to circulate to councillors prior to the meeting):-

3.1. Police update - <https://www.devon-cornwall.police.uk/your-area/teams/South-Molton>.

A meeting open to the public on security arrangements and cyber security for the G7 summit in Cornwall was scheduled.

4. Minutes.

4.1. 04/03/21. To sign if approved, minutes of the Council.

RESOLVED: Cllr Smith proposed, Cllr Yabsley seconded and all were in favour approval.

5. To consider Code of Conduct Matters:-

5.1. Written councillor dispensation requests arising.

None.

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5.2. Declarations of Interests not declared in the Register of Interests.

Agenda	Councillor	Type	Reason	Dispensation
8.2.2	Cllr Yabsley	DPI	Related of contractor.	n/a
8.6	Cllr Martin	DPI	Landowner of part of the public right of way under review.	n/a

6. To consider the following Planning Matters.

6.1. Planning list (appended).

See report appended.

6.2. Planning applications received following agenda publication.

None.

6.3. Enforcement Issues Arising.

None.

6.4. Strategy on future development outside the dev boundary and securing open space allocation in MDDC Local Plan.

Cllr Searles stated the parish council should have a strategy to deal with future planning applications outside of the parameters of the Local Plan.

RESOLVED: Cllr Northam proposed, Cllr Dorow seconded and all were in favour Cllrs Yabsley, Searles and Dorow should meet and draft a position paper to measure any applications against, for the council's consideration. **Cllrs Yabsley, Searles and Dorow to action.**

6.5. NDC – Batsworthy Wind Farm 12th April 2021 - Strategy and Resources Committee draft report consultation.

Noted. It was felt the parish council should not be involved given Witheridge was not included as a beneficiary of the wind farm's associated community benefit funding.

7. To consider the following Finance & Policy matters:-

7.1. Finance update circulated to councillors' for review.

RESOLVED: To note 31/03/21 Report and Bank Reconciliation including online banking payments raised reviewed with no issues.

7.2. Sanction payment schedule appended & instruct cheque signatories.

RESOLVED: Cllr Northam proposed, Cllr Yabsley seconded and all were in favour settlement accounts 7.2.1 through 7.2.12, clerk to setup online payments, Chairman to authorise. **Chairman and clerk to action.**

7.3. Banking Changes.

Correspondence dated 03/03/21 noted.

7.4. Note Parish Hall Grounds 2020 Maintenance Re-Charge.

Re-agenda. **Clerk to action.**

7.5. Casual Vacancy Co-Option process.

It was suggested anyone interest in co-option should contact the Chairman, however the clerk stated the parish council policy was to advertise vacancies for co-option inviting written applications to the council for consideration.

RESOLVED: Cllr Martin proposed, Cllr Northam seconded and all were in favour advertising the vacancy with applications addressed to the council in writing. **Clerk to action.**

7.6. Return to physical meetings given current legislative "sunset" clause.

The Chairman reported attendance with the clerk a virtual meeting hosted by Devon Association of Local Councils (DALC) considering the requirement and arrangements council meetings would need to address to return to face to face meetings from 07/05/21. Such meetings would require a risk assessed venue which could provide a Covid safe environment incorporating social distancing

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measures. Implications would likely require online access to meetings to allow for public attendance so as not to breach social distancing requirements.

The clerk outlined The government's "Road Map" indicated a hope to return to pre-pandemic normality from 21/06/21, however social distancing measures were likely to remain in some fashion. A range of outcomes of the DALC meeting to manage council business in the interim included suggestions that parish councils should undertake to hold their Annual Council virtually prior to 07/05/21 to sign off the year-end requirements and to implement a scheme of delegation in accordance with Section 101 of the 1972 Local Gov. Act; this would allow management of council's affairs until such time councils' were satisfied with a return to full face to face meetings.

Cllr Yabsley outlined similar thinking from other town and parish councils whereby a quorate committee of the council would meet with a scheme of delegation to take decisions following consultation of the wider community of councillors on the council. Further the County and District Councils are strongly in favour of hybrid meetings if not full continuation of virtual meetings; such representations have been made to government alongside evidence of significant environmental and cost savings through using virtual meetings.

Cllr Searles further supported the argument for virtual meetings given the governments statement that the country is going to have to live with Covid and its implications and queried if there was a law against parish councils holding virtual meetings. The clerk advised local authorities can only make decisions on matters they have been given explicit powers over, the temporary power granted by government to meet virtually has a sun-set clause of midnight 06/05/21.

Cllr Smith stated many have not had their second inoculation as yet and once received would not be fully effective for a minimum of a further two weeks further, attendance at virtual meetings was of tremendous benefit to disabled councillors. The Chairman advised any councillor unable to attend a meeting could submit their apologies and reason and council can approve an absence; the six month law on non-attendance resulting in the loss of a member's seat on the council only applies when six consecutive months of non-attendance and no approved apology has been granted.

RESOLVED: Cllr Searles proposed, Cllr Smith seconded and all were in favour:-

- Constitution of a quorate committee (current requirement 3) to include Chairman and Vice-Chairman and initially Cllr Northam, with an option for substitution in the event a member is unable to attend.
- Cancellation of June Council meeting to be replaced by the committee above if required.
- Establishment of a Scheme of Delegation to said committee with full powers excluding those reserved to full council.

Clerk to action.

8. To consider the following Property/Environment matters:-

8.1. Highways, Drainage & Public Rights of Ways Issues.

The Chairman reported the intermediate works carried out to drain water at Bradford Mill had no warning signage left in situation and still left half the lane width flooded. **Cllr Yabsley to contact the Highways Neighbourhood Officer.** Cllr Yabsley advised the whole drain required digging out and re-built.

The Chairman sought an update on the annual Public Rights of Way grants, the clerk advised confirmation the late report would be considered eligibility and funding notified later in the year.

The Chairman thanked Cllrs Goodwin and Martin for their path survey reports.

The clerk reported concerns of speeding tractors in the village and of volunteers willing to set up a Speedwatch group, together with a response to previously reported actions in respect of West Street issue with vehicular access to Drayford Lane. The clerk advised the police had been notified about the tractor issues. Cllr Yabsley advised Highways should be included in the conversation.

Cllr Searles advised he had witnessed issues with speeding and two near misses with the egress of

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tractors with full loads emerging and turning left from North Street. Further, tractors hauling un-sheeted "muck" for spreading leading to deposits on the roads in the village.

Cllr Yabsley advised the only route was through the Police and Highways.

Parking on corners at Chapple Corner created further issues by removing the possibility of using the road entrance as a passing place.

Cllr Dorow expressed concern with oversized tractor often "playing chicken" in certain places which could well end in a serious accident.

RESOLVED: Cllr Martin proposed, Cllr Searles seconded a letter should be sent to the Police and Highways concerning these issues and resolutions sought. **Clerk to write again to Police and Highways.**

The clerk drew councillors' attention to another resident's complaints, Butts Close potholes and absence of street cleaning. Cllr Yabsley stated he had chased the street cleaning issues and awaited a response, but opined there was no street cleaning currently being undertaken by the District Council; efforts to try and get Butts Close patched were ongoing and currently it was on the patching list for next year but funding was limited.

8.2. Office Let.

8.2.1. Lease Update.

The clerk reported the lease had been received for signing (Clerk's note: final lease included in councillors' papers for their review). It was agreed the Chairman, Vice-Chairman and clerk would meet 07/04/21 14:30 to sign.

8.2.2. Sink Installation Quote.

Cllr Yabsley declared an interest as related to the contractor.

The quote was considered. Cllr Dorow objected adding and opined the tenant should pay and that the quote represented nearly half a year's rent and he did not know duration of the lease agreed.

[Clerk's note: the council approved the drafting of a 12 month lease renewable annually 01/10/20 minute 8.3 attended by all councillors excepting Cllr Prynn. The emerging draft was included in councillors' papers for review at council meetings 07/01/21, 04/02/21 and the current].

The clerk reminded the meeting was unanimous that the council would fund the sink given the council had received a £10000 government "covid" grant for the support of the council's business and further the installation would make the property more marketable now and in future. The clerk stated the previous quote was for a sink arrangement which proved unsuitable for a business and the contractor in question was now unable to undertake the work having moved away.

A further two quotes had been sought for a commercial grade stainless steel sink with hot and cold water supply by the clerk to which one was received. Due to the increased cost of this quote resulting from the changed specification, when councillors were consulted a councillor had concerns therefore the matter had been brought back to council to determine.

RESOLVED: Cllr Northam proposed and Cllr Searles seconded quote acceptance. Following a recorded vote 5 were in favour, Cllr Dorow was against and Cllr Yabsley abstained. Motion carried 5 to 1. **Clerk to actions.**

8.3. Parish Clock - Maintenance Update.

The clerk reported attendance by an engineer who removed the clock winding motor for further testing given a suspected fault and had also reviewed the areas raised by the PCC buildings review. A further report was awaited.

8.4. Adventure Playground – resident depositing bags of rubbish.

The Chairman reported the full rubbish bags deposited was the result from kerbside litter picking from a resident who had placed them in the Adventure Playground for the council to remove. The

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clerk reported the village litter picking efforts supported by the council had a direct arrangement with the Waste Collection Authority (North Devon Council), the parish council's playground bins were emptied to a trade waste bin funded by the parish council and did not have sufficient capacity for the volume of bags being deposited by the resident. The volume of waste being collected should be dealt with by the resident by liaising with North Devon Council direct as the responsible authority. Cllr Yabsley confirmed this and whilst the effort was laudable if undertaken by an individual it became the responsibility of the said individual. The Chairman suggested making arrangements to coordinate with the village litter picking, Cllr Yabsley stated he felt it should be dealt with direct between the resident and North Devon Council. The resident stated they would deposit future litter picking in the village litter bins.

8.5. Review Adventure Playground Working Group proposals for adoption and progression.

Led by the Chairman councillors reviewed proposals and agreed to take forward the following:-

- Specification of play types of play equipment.
- Exercise route.
- Bike trail.
- Skateramps.
- Benches and Picnic Tables.
- Litter bins.

And deferred consideration of the following:-

- Provision of toilet facility.
- Landscaping.

The clerk drew council's attention to the duration of the meeting following the Annual Parish Meeting which commenced 19:00.

RESOLVED: Cllr Yabsley proposed, Cllr Searles seconded and all were in favour adjournment 21:45 of the meeting to be re-convened 15/04/21 19:30. **Clerk to action.**

Reconvened Meeting 15/04/21 19:30

PRESENT:

Cllr Harvey	Chairman	Cllr Dorow	Cllr Wells
Cllr Martin	Vice Chairman	Cllr Goodwin	Cllr J Yabsley
		Cllr Northam	Cllr Searles
			Cllr Smith

In Attendance:

District & County Cllr J Yabsley	9 Members of the public
	P G Dunn - Clerk

Continuation of Agenda Item 8.5:-

Councillors reviewed the completed North Devon Council Section 106 Expression of Interest (EOI) form.

RESOLVED: Cllr Northam proposed, Cllr Goodwin seconded and all were in favour approval the EOI subject to:-

- Removal of public toilet provisions.
- Restating the funding sought to a minimum of £130,000.

Clerk to amend and submit.

It was agreed until North Devon Council had determined the sum of awarded Section 106 funding consideration of budgets, additional funding requirements and drafting of the project tender would be put on hold.

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8.6. Circular Village Walk Update.

Cllr Martin left for this item.

Councillors discussed the route and type of surfacing improvements. It was agreed the clerk should write to the Public Rights of Way Officer at Devon County Council to discuss the proposal. **Clerk to action.**

9. Correspondence / Consultations Received for consideration:-

9.1. Resident concerns at vehicular access to Drayford Green.

Correspondence dated 25/03/21 was considered and it was agreed the council would revisit the parking concerns expressed should it become an issue. **Clerk to advise resident.**

10. Dates of Next meetings recommended:-

10.1. Annual Parish Council - 06/05/21 – agenda deadline noon 23/04/21.

Noted.

10.2. Agenda Items for consideration by the next meeting

No additional items identified.

Closed 20:40.

Planning List (Cllrs can access the Local Plan [here](#) , applications [here](#))

Application No.	Description
72990	Change of use of land & siting of 3 unique holiday cabins at Rondon from Five Crosses to Witheridge Moor cross Witheridge Tiverton Devon EX16 8QW Grid Ref: 284608; 114865 Recommendation: No Objection (Cllr Yabsley abstained from the vote as a member of the Planning Committee).

Payment Schedule

Item	Chq Ref	Payee	Purpose	£
7.2.1.	OB	S Sandland	Toilet Management & Cleaning Contract	300.00
7.2.2.	OB	North Devon Council	Non Domestic Rates 21/22 – Cleaner Store	264.47
7.2.3.	OB	Citizens Advice Torridge, North, Mid and West Devon	Grant	200.00
7.2.4.	OB	Leach Brothers Ltd	Skateramp repairs	72.00
7.2.5.	OB	Wallgate Ltd	Handwash Unit Annual Service Contract	520.80
7.2.6.	OB	Spirebourne Ltd	Public toilet clearance drain blockage caused by flushing of a bag of faeces down toilet	114.00
7.2.7.	CC	iNet Telecoms	Telephone no. rental ***6520	3.60
7.2.8.	** Staff Salaries & Expenses **			
7.2.9.		Redacted in accordance with GDPR	Total:-	835.85
7.2.10.				
	To Ratify:-			
7.2.11.	OB	South West Water Business	Toilet Block Water & Sewerage Charges to 16/02/21	48.93