

**MINUTES of the THORVERTON PARISH COUNCIL MEETING held on Tuesday 14<sup>th</sup> January 2020,  
at Thorverton Memorial Hall, 7.30pm**

**Present:** Cllrs S Crang, R Deed, R Flatt, A Foster, J Hodge, N Lane, G Sims, D Waldron and K Wells.

**In attendance:** Mrs A Marshall (Clerk) and 4 members of the public.

Standing Orders suspended.

**Public Open Session:** 3 members of the public spoke –

1. School Field project – Covenants had been consulted and, in the resident's view, the Parish Council's plans may contravene these. It was recommended that the Parish Council seeks legal advice on the use of the land. The resident suggested that, contrary to the Parish Council's understanding, there is no time pressure in which Section 106 funding needs to be spent and as these are public funds the public should be invited to consider how to spend them.
2. School Field project – With reference to the heading on the agenda 'land off The Glebe - public open space' the resident suggested that use of the term is likely to be incorrect as there is documentary evidence stating that the land is a 'public amenity area' and not 'public open space'. He added that, in his view, this legal category does not authorise public access and the land does not qualify as public open space. It was recommended that the Parish Council seeks legal advice to clarify the situation.
3. School Field project - The Minutes state that the land was purchased as 'public open space' but the resident suggested that the plans and drawings indicate that it was purchased as a 'public amenity area', and so is prevented from being a public open space. It was recommended that the Parish Council seeks legal advice to clarify this matter.

The Chairman thanked the members of public for their participation and confirmed that the matters raised would be considered under item 19/172 later in the meeting.

Standing Orders resumed.

**19/167 Declarations of interest:** None.

**19/168 Apologies:** C/Cllr Squires.

**19/169 Confirmation of Minutes:** It was RESOLVED to sign the Minutes as a correct record following Cllr Waldron's name being removed from item 19/161 in connection with the Jubilee Green trees.

**19/170 Councillor Resignation:** Cllr Lawson had tendered her resignation and it was agreed that she would be greatly missed and that she had been an asset to the Parish Council. Mid Devon District Council had been notified accordingly and the relevant notice had been posted. Should an election not be called the Parish Council's co-option policy would come into effect on 1<sup>st</sup> February. It was agreed that Cllr Lawson had supported the Council in many areas.

**19/171 Precept - 2020/2021:** Following a thorough review of the draft Budget and Precept documentation it was RESOLVED to submit a Precept claim in the sum of £15,739. Whilst this is a slight increase on the current year the overall result will show as a decrease on Council Tax contributions payable to the Parish Council, due to there being more 'band D' properties in the parish currently. Furthermore it was RESOLVED that the expected payments for the new tax year would total £28,000. and that grant funding would be received to off-set some of these outgoings. The predicted income, prior to receipt of any grant funding, was RESOLVED as being £1,061. It was RESOLVED to lower general reserves to £5,000.

**19/172 S106 - Court Barton funding:**

**i) Sheep Dip** – Cllr Flat had sourced quotes for contamination testing and it was RESOLVED that Horizon Consulting Engineers Limited be asked to take on the work, at a cost of £890.00 plus VAT, this being the lowest quote.

**ii) School Field project / Public Open Space – land off The Glebe.** The Chairman explained that as the term 'public open space' had been used as the title on the Section 106 application to Mid Devon District Council the same title had been used on the agenda. He referred to a Land Registration document, dated October 1981, that listed the

area in question as both a 'public amenity area' and 'public open space' which may have been the cause of confusion during the Public Open Session.

Following discussion and due to the School and neighbouring property owners having raised concerns about the public use of the land it was RESOLVED to drop the project. Cllr Deed suggested that the legal document referred to by the Chairman was ambiguous and, for that reason, had caused issues. It was confirmed that the idea for the project had been raised by the Section 106 working group and that Parish Council, as a whole, had voted to investigate the matter. Cllr Foster confirmed that at the meeting with the School the project had been welcomed and that the recently received letter did not reflect the meeting. One idea behind this project was to help with the safety of families walking to and from School to avoid the use of School Lane or Bullen Street. Cllr Crang confirmed that legal advice had been gained regarding the covenants in the past and that the documentation could be found if required in future.

**iii) Silver Street footpath** – Cllr Wells had contacted Rewe Parish Council, and would be meeting a resident who had been involved in the Rewe main road footpath project, to gain information and would report back at the March meeting. Cllr Crang suggested that a meeting with C/Cllr Squires be arranged to discuss the possibilities of such a project, whether this was something the Parish Council could take on or a Highways matter, whether there was sufficient space on either side of the road and whether a 'virtual' pavement could be considered. Cllr Wells agreed to contact C/Cllr Squires.

#### **19/173 Allotments:**

**i) Annual allotment renewals** – it was reported that, to date, 18 tenants had renewed their Agreement, 11 tenants were in the process of being chased for a response and 3 plots had been given up. An advert had been placed on the website, noticeboards, and in Focus regarding the vacant plots. An e-mail from a resident had been received asking that allotment tenants be reminded not to dispose of gardening rubbish in or on the surrounding hedges. It was RESOLVED that the Clerk send a reminder to all allotment holders.

**ii) Purchase of the allotment field and the laying of water pipes through the allotment field** – the Church Commissioners had offered the allotment field for sale to the Parish Council and had invited an offer price. Cllr Wells proposed that a list of advantages and disadvantages of purchasing the field be put together for consideration, which was RESOLVED. Cllrs Lane and Foster volunteered to oversee this project. Further discussion on the purchasing of the field and the laying of water pipes would take place at the February meeting.

**19/174 Defibrillator:** Further to gaining agreement to re-house the defibrillator on the external wall of the Doctors Surgery, due to Parkers Insurance leaving the village, it was RESOLVED that the Clerk should accept the lowest electrical quote to move the machine. Cllr Waldron advised of a British Heart Foundation offer where a second machine could be purchased at a very good price. It was RESOLVED to look into this matter further, which Cllr Waldron volunteered to do, reporting back to Council at the February meeting.

**19/175 Recreation Ground:** Cllr Sims reported that the mower had broken down and that the Football Club were, on this occasion, seeing to the repairs.

**19/176 South West Water Compensation Claim:** Cllr Crang shared an update received from the Parish Council's Land Agent stating that South West Water would sign a letter agreeing to move the cables should planning permission be gained in the Quarry Car Park at any time in the future. As this appeared to be a solution to the current problem it was agreed that the letter should be requested, received and considered at a future meeting.

**19/177 Village leats and waterways:** Cllr Crang reported on the water source supplying the village leats in that as the dam was currently blocked the water supply had, for the time being, ceased. He had investigated the situation, with the owner of the land on which the dam is situated, and they had concluded that extensive repairs to the dam were required and due to the wet weather the works would need to wait until the summer, when the land would be

dry enough to hold the digger. It was agreed to put the matter on the April agenda for further consideration and, at the same time, to look into the Parish Council's responsibilities or legal rights regarding the water supply and village leats.

**19/178 Handyman:**

- i) Salary** - it was RESOLVED to pay the requested £25.50 gross. The monthly report was noted and no additional duties were added.
- ii) Storage for tools and equipment** – due to the Recreation Ground store having become full additional storage was now required. It was RESOLVED that Mid Devon District Council be approached regarding a short term rental of a garage in the village, alternatively, a local storage company should be contacted. The Clerk was given delegated authority to deal with the rental. Cllr Hodge volunteered to investigate longer term options and to report back to Council at the February meeting.
- iii) Employment review** – it was agreed that the Clerk and Cllr Lane would conduct the Handyman's three month employment review and report back to Council in due course.

**19/179 Finance:**

- i) Bank balance** – as at 01/01/2020 the balance was noted as being £74,163.43
- ii) Bank receipts in December** – noted as being £8.77 bank interest and £10 allotment rent.
- iii) Payments** – it was RESOLVED to make the following payments -

|                              |  |                      |
|------------------------------|--|----------------------|
| A Marshall - Clerk salary    | Salary £421.88 gross, less tax   | £418.28              |
| N Matthews - Handyman salary | Salary £25.50 gross, plus tax rebate   | £28.70               |
| A Marshall – Clerks expenses | Stationery, stamps, heating, xmas cards  | £29.55 (VAT n/a)     |
| HMRC                         | PAYE A Marshall (cheque pending ¼ end)   | £3.60                |
| GX Accountancy               | Payroll management quarter to 5 <sup>th</sup> January                          | £22.50 (incl VAT)    |
| Surlec Southwest/D Browning  | Jubilee Green electricity connection repairs                                   | £128.40 (incl VAT)   |
| Geoflow                      | Archaeological dig, flotation of soil samples                                  | £679.00 (VAT n/a)    |
| Devon Mobility               | Grant Funding (agreed December)  | £200.00 (VAT n/a)    |
| Dunn 2000                    | Plant hire for the Archaeology dig<br>(payment agreed as invoice as per quote) | £1,260.00 (incl VAT) |

**19/180 External Reports:**

- a) C/Cllr Squires** had sent a report advising that Home-Start, a scheme providing one to one parent support to families, had secured sufficient funding to enable it to re-open.
- b) Police statistics** for November evidenced 1 crime of 'theft other' in the Dinneford Street area with the Police being unable to prosecute the suspect. Cllr Foster had attended the first of the new quarterly Police meetings.
- c) D/Cllr Deed** reported that the Local Plan modifications did not include anything relating to Thorverton, specifically. Mid Devon District Council (MDDC) is to revisit car parking charges, continue reviewing Governance arrangements and not put further funding to the twelve town development plans already considered. Climate Change remains high on the MDDC agenda and forms part of all things being considered. A website covering what MDDC is doing about Climate Change is being created. The Greater Exeter Strategic Plan, which consists of four councils working together to find space for 58,000 new homes in South West by 2022, continues to consider new sites.

**19/181 Planning Applications and Decisions:**

- i) 19/01527/MARM** Revised reserved matters for the erection of 16 dwellings - land south of Broadlands, Thorverton. It was RESOLVED to submit no comment regarding this application.
- ii) 19/01917/FULL** Erection of a dwelling with associated works and demolition of existing buildings between 13 and 17 Silver Street, Thorverton. It was RESOLVED to submit no comment regarding this application.

- iii) **19/02103/FULL** Erection of an agricultural grain store (972sqm) at Middle Chitterley, Silverton. It was RESOLVED to submit no comment regarding this application.
- iv) **19/02137/FULL** Change of use of land from agricultural to residential at Thatchers Barn, Thorverton. It was RESOLVED to submit no comment regarding this application.
- v) **19/01886/FULL** Erection of 2 dwellings following demolition of 2 existing agricultural buildings at Lodge Farm, Brampford Speke. It was RESOLVED to submit no comment regarding this application.
- vi) **19/01987/CAT** Notification of intention to fell 1 Fir tree within the Conservation Area at Ivy Cottage, Lynch Road, Thorverton. No objection.
- vii) **19/01936/HOUSE** erection of first floor side extension (revised) at Victoria Orchard, Dinneford Street, Thorverton. Granted.
- viii) **19/01701/FULL** retention of a storage container – land west of the Millennium Green, Thorverton. Granted.

**19/182 Communications:**

- i) **DALC – Royal Garden Party 2020.** It was RESOLVED that past Parish Council Chairman, Mr M Ayre, be nominated.
- ii) **Mid Devon Local Plan Review - Proposed Main Modifications Consultation.** Noted.
- iii) **Dog fouling** – e-mail from a resident. It was RESOLVED that a request be submitted to MDDC in order to move the spare bin at the bottom of the footpath leading from The Glebe to School Lane, to the Raddon Road area as indicated in the resident’s e-mail.
- iv) **Section 106** – e-mail from a resident. It was RESOLVED that the Clerk would respond to the queries raised.

**19/183 Representative Reports covering November and December 2019:**

- i) **Footpaths** – Cllr Foster volunteered to create and install an A4 laminated footpath map, with information, at Raddon Top. Pictorial road signs continue to be investigated.
- ii) **Speedwatch** – during November and December 8 sessions had taken place in the village. 436 vehicles had been monitored of which 27 had been found to be speeding and so the details were reported to the Police. The highest speed recorded was 54mph in a 30mph area.
- iii) **Thorverton Millennium Green Trust** – the Parish Council was thanked for the recent grant towards planning permission costs for the new storage container. 137 new trees had now been planted.
- iv) **Thorverton Memorial Hall** – the December Minutes indicated that Mr Russ Clerk had become the new Chairman of the Management Committee, consideration was being given to a re-vamp of the outside seating area and that a list of all future events could be found in the Focus magazine.
- v) **Saturday Market** – Cllr Lane volunteered to attend the February 8<sup>th</sup> market on behalf of the Council.

**19/184 Satisfaction Survey:** Cllr Lane referred to the results and proposed that these be published which was RESOLVED. It was agreed that further consideration would be given to the results in due course.

**19/185 PART 2 (private session):** It was RESOLVED that due to the sensitive nature of the business to be discussed the following item be dealt with as Part 2 business and, in accordance with the Public Bodies (Admission to Meetings) Act 1960 and the Local Government Act 1972, the press and public be asked to leave the meeting and that Standing Orders be suspended:

- i) **Dark Lane wall repairs** – five quotes had been invited and two had been received. Following a review of the documentation it was RESOLVED to accept the lower quote. Cllr Flatt volunteered to oversee the project.

**19/186 Business at the Chairman’s discretion:** None.

**19/187 Next meeting:** Tuesday February 11<sup>th</sup> 2020.

The meeting closed at 21.49

Chairman ..... Date 11<sup>th</sup> February 2020