

Thorverton Parish Council

Additional Information for the Meeting held 8th March 2022

Agenda Item 2

2.1 Cllr Margaret Squires – County Councillor Report

Airband Programme Update

- Airband and Openreach contracts in Devon
- CDS Mobile Boost Scheme
- Vouchers

Summary

- CDS has delivered superfast connections to over 315,000 homes and businesses in Devon and Somerset.
- Airband and Openreach teams are working in dozens of communities across Devon under contract to CDS to connect thousands of additional homes and businesses.
- Hundreds of homes and businesses in Devon and Somerset have benefited from the CDS Mobile Boost Scheme funded by the Heart of the South West LEP.
- Over 2,000 additional homes and businesses in Devon now have gigabit-capable connections or are in the process of being connected through the Gigabit Voucher scheme.

Vouchers

In parallel with our broadband contracts and other initiatives, CDS works closely with Building Digital UK (BDUK) to expand take-up of the Government's Rural Gigabit Voucher programme. CDS offers support to communities who wish to contract with telecoms providers to design and shape broadband solutions for their areas. CDS can provide additional financial support where appropriate through its Community Challenge Programme to help bridge any local funding gaps.

To date, vouchers worth £4.5 million have been issued in Devon and 2,458 additional homes and businesses have gigabit-capable broadband or are in the process of being connected.

National Apprenticeship Week 7th-13th February

DCC has been celebrating National Apprenticeship Week this week, I hope you will have seen on DCC's social media channels the work some of our apprentices have done for the organisation.

Over 80 apprentices have completed their apprenticeship ranging from Level 2 standards such as the Customer Service Practitioner all the way up to Level 7 standards such as the Senior Leader Master Degree apprenticeship.

Since the apprenticeship programme started in 2006, Devon County Council has delivered over 850 opportunities for new and existing staff and utilised more than 70 different apprenticeship standards.

We have a retention rate of 76% of our apprentices securing permanent employment at the Council, while the remaining 24% either go onto university or gain employed outside of the Council.

Clerk email to Cllr Squires, copied to the Highways Neighbourhood Officer 4th Mch

Many thanks for the March report which I have circulated and included with the agenda on our website.

The Council will be interested to know if there is any progress or changes with the following -

1. 20mph zones - Thorverton is submitting a zone request.
2. Changes to the School Lane junction (bringing the lines forward to make it safer)
3. The Road Works Priority List and Road Conditions Scores which the November Highways Conference said were available from our Highways Neighbourhood Officer. We're very interested to see these.
4. Signage to prevent large vehicles following satnavs along small lanes and to stop deliveries in inappropriate places (Jericho St).

Any light you can shed on these would be greatly appreciated

Thorverton Parish Council

Agenda Item 5 Affordable Housing

A SHORT NOTE FOR THORVERTON PC from Andrew Wiles

‘Affordable housing’ is a loose term for below-market-price housing. The main categories are (i) ‘social rent’ (about 60/65% of market rent), ‘affordable rent’ (about 80%), and shared-ownership. Most, but not all, affordable housing is provided by housing associations (HAs) or local councils.

I have a range of experience in affordable housing (summarised below). If the PC wishes to investigate whether additional affordable housing, prioritised for locally-connected people, might be needed in the village, I would be happy to contribute to a working group to explore this further (‘contribute to’ not ‘lead’ – I am a newcomer to Thorverton, although a long-term resident of Brampford Speke before this). Some thoughts about the early steps in such an exploration:

- One early step, having made contact with MDDC and having established a working group, would conventionally be to commission a Housing Needs Survey. Such surveys are traditionally overseen by a 3rd party such as Devon Communities Together (DCT). The survey - carried out by door-to-door delivery of survey forms – can also act as an initial way of gauging village opinion on the topic. Cost: v approx £XXX.
- It would also be sensible to get an overview of the affordable housing currently in Thorverton: MDDC’s housing left after Right To Buy; Hastoe’s at Lynch Close; LiveWest’s at Court Barton; Cornerstone’s at Leonard Square; and?
- Once the results have been analysed by DCT, and made public, there can then be a debate about whether, or not, to take the next steps – looking for possible sites, for possible HA partners etc.

Warning note: these projects take ‘several’ years (the Upton Pyne scheme took four), usually uncover some strong opinions both pro & anti, and require energy/commitment from the PC and ‘sufficient’ support from the wider community.

Andrew Wiles February 2022

My background of working in affordable housing:

- Various housing jobs & studies, all related to affordable housing from 1976 to present
- Regional Director for the South West for the then regulator of HAs, known as the Housing Corporation, 1995-2008. Also oversaw HAs’ access to public subsidy
- Consultant to a private developer of rural affordable housing in Devon & Cornwall, 2012-2014
- Board member of LiveWest HA, 2013-2022
- One of the founder members of Brampford Speke, Upton Pyne & Cowley Community Land Trust. There is one up-and-running affordable housing scheme, Lake’s Down at the top of Upton Pyne, and the CLT is currently investigating possibilities for another scheme.

Email from a parishioner –

Following my last mail to you regarding the new development RoseBank Thorverton. In relation to the planning permission granted by MDDC the dwellings were permitted with a 106 that there is too be 2 dwellings for local housing Authority Corner Stone also 2 dwellings for part ownership.

All 4 properties with a 106 for priority to people with local connection live in or work in village. After making enquires several times of my interest in one of the part ownership dwellings. Many phone calls to Heritage Homes who changed the story of what was available many times saying first there was 2 plots available then saying there was only 1.

The planning department at Heritage did confirm that the planning approval is for 2 local authority and 2 part ownership.

Subsequently I have now been informed by Jackson Stopp and Heritage there is only one part ownership available at 80% ownership 1st time buyers only and price charged 3 times in 3 wks from 252 272 but now of this week 275 .. open market value £330,000 . No garage smaller than others. Hence price.

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However the other plot which was for part ownership has been sold to a private builder to build himself.. so basically they are not keeping to the planning approval of 2 part ownership dwellings. Instead apparently I have been told during my timeless investigation this happens a lot on big developments that Heritage will pay a fine to MDDC for not staying within the planning agreement .. Astonished to say the least that the council except this as they then get a substantial amount of money from the fine !

What is the point in planning approval wasting time and expenses when they except a monetary pay out

..

The Planning approval was agreed to support the local community to have the opportunity for local people to buy in the village and keep our heritage of people in the village also.

However now priced out of being able to stay and buy in the village.

Other than the opportunity to buy a shared ownership property, which is now down to 1 opportunity for someone and not 2.

Looking forward to your findings.

[19_01527_MARM-Accommodation_Schedule-1539331.pdf](#)

Rosebanks, Thorverton

Schedule of Accommodation

Open Market Homes

No. Type Style Beds Size sq.m. Tenure

4 Kinnersley Det Hs. 4 176.6 Open Market

1 Bromley Det Hs. 4 155.3 Open Market

7 Petworth Det Hs. 3 111.8 Open Market

12 TOTAL Plots

Affordable Homes

No. Type Style Beds Size sq.m. Persons Tenure

2 Appley Semi Det Hs. 3 87.5 4 Intermediate Sh.Eq.

1 Appley Semi Det Hs. 3 87.5 4 Affordable Rent

1 Butley Semi Det Hs. 3 70.1 2 Affordable Rent

Advice received and comments from MDDC

The Heritage Homes development

I explained my puzzle about the 2 'shared-ownership' homes which, as I set out in my previous email, appeared to have undergone some significant changes compared to the requirements set out in the original (2018) s106 - for which thanks. You can see from below that he has come back quickly to say that there has been a formal deed of variation, which wasn't visible on the MDDC website. I'm guessing that the PC wasn't sighted about these? (but maybe it was).

The changes are a mixture of large ones and fiddly ones. In my view the large changes have taken the 2 properties out of the conventional shared-ownership market, much closer to the open market. I haven't got my head around the fiddly ones.

Entirely up to the PC as to whether it wants to pursue this matter with MDDC.

From MDDC Planning 14th Feb 2022

I've just spoken with the case officer. There was a Deed of Variation to the Section 106. This was completed on 18th January 2022. Apologies this should have been published on the case file although for some reason it isn't currently visible. We have requested that this is rectified so it should be available to view shortly. Although I've attached it for your information – hopefully this provides clarity.

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Agenda item 7 Carried forward from the previous meeting

7.1 Small Trees in Rec Hedge – Carried forward from January

Email received 15 Dec 2021

Good evening

I am unsure who has responsibility for the trees in the attached pictures!

I think they all need sorting sometime in the future.

(One is on the rec hedge & the others are nearly opposite)



7.2 Dinneford St Water Outlet

Possible signs

150mm x 200mm

£8.93

Dibond / Composite Aluminium, PVC Centre
with a laminated metal layer either side.



7.3 Bike rack for the Post Office

CLlr Uglow received an enquiry from a parishioner about the possibility of a bike rack for users of the PO.

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Agenda Item 9.1 Parish Communications

Draft 2 of the wording for the leaflet/pamphlet (from the Chairman after suggestions from Cllrs).

Thorverton Parish Council – Here to help!

Although there has been a Parish Council in Thorverton for well over a century there can still be some uncertainty over our exact areas of responsibility. This pamphlet gives you more information on how Thorverton Parish Council (TPC) works for you, the amenities and responsibilities in our control plus our aims and objectives.

We have direct responsibility for the following assets in Thorverton – Quarry Car Park; Barliabins; Recreation Ground (including the play equipment); Jubilee Green; Leigh Gardens; School Field.

TPC is in the process of acquiring land for a new cemetery and the Clerk will assume the management of this as it starts to be used.

While we do not own the allotment field the Clerk manages the allotment holders.

TPC uses a regular landscape contractor for maintaining the village's verges, controlling weeds on the pavements and keeping the leats clear. TPC also maintains the weir that supplies the leats.

The Memorial Hall and Millennium Green are run by separate trusts. Contacts for both are shown overleaf.

These services are financed by the Parish Precept, part of your Council Tax payments; the Precept is calculated by TPC each year before submission to MDDC.

TPC aim to run these assets in the most efficient, professional and productive way; in so doing the Council's main aim is to make Thorverton an attractive place to live in both now and in the future.

Also use of Facebook, NextDoor, Thorverton Community Group and Saturday Market attendance.

NB No Leavers form returned from ex-Cllr McKee to date.

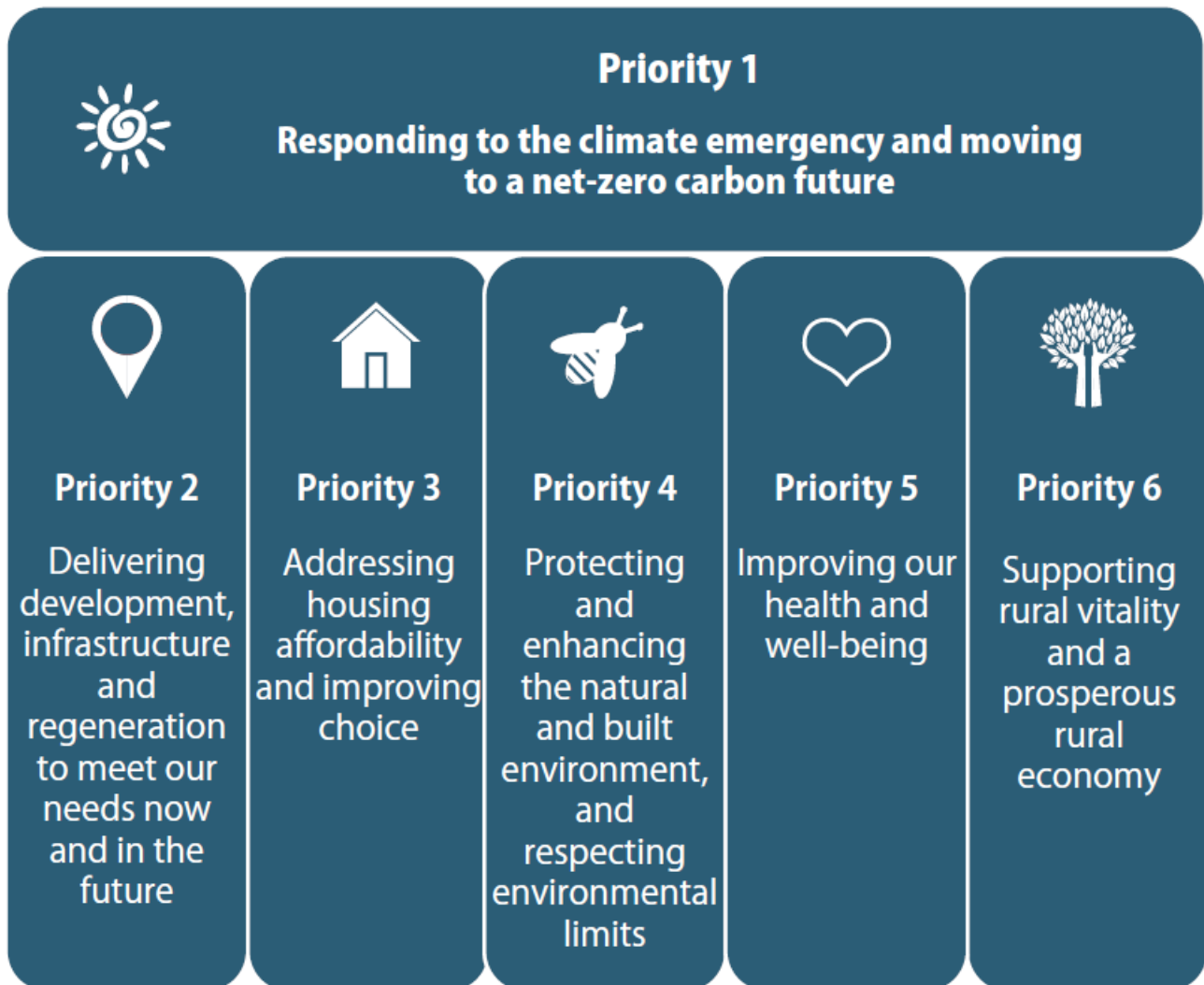
Thorverton Parish Council

Item 10.3 Consultation – Plan Mid-Devon Issues Paper

The Issues Paper

This Issues Paper is the first stage in preparing the new Local Plan (known as Regulation 18 Issues). We are seeking your views about what the new Local Plan will include and how Mid Devon should be planned for in the future. The Issues Paper provides more information about planning and the matters affecting Mid-Devon.

The Issues Paper sets out what we believe should be six top priorities for Plan Mid-Devon. While each priority is interrelated and important in its own right we have placed the need to respond to the climate emergency and moving to a net-zero carbon future as the overarching matter to be addressed. This is since many of the actions that are needed to tackle the climate crisis are also key in helping us achieve the five other priorities we have identified to plan for a sustainable, resilient and prosperous Mid Devon.



The Issues Paper also includes 17 chapters that explore these priorities, and a range of themes and matters that are relevant to our towns, villages and rural parts of the district. It suggests ways in which Plan Mid Devon might overcome the challenges facing the district and make the best use of opportunities that are available to us.

More technical work is needed

The Issues Paper is not about making important decisions now—for example about how many new homes will be planned for and where these should be located. However, it explains how development has been planned in the current local plan and that the new Local Plan will need to take forward our ambition for the Culm Garden Village near Cullompton.

Thorverton Parish Council

There is a lot more technical work that will be completed over the coming months that will be used to help us understand the need for new homes, jobs, shops and services, schools, healthcare, open space, community facilities, transport and other infrastructure and how best to plan for these.

The next steps

Once the technical work has been completed we will prepare and consult on a Draft Policies and Site Options document in the summer of 2023. This will provide a further opportunity for you to have your say on what will be included in Plan Mid-Devon before a completed draft plan is published in mid-2024 and also consulted on. The new Local Plan will be submitted to the Secretary of State and will be examined by a Planning Inspector, and if necessary modified, before being adopted by the Council in 2025.

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Agenda Item 12 Councillor Vacancy

Email from Electoral Services 3rd March 2022

This is to let you know that there were no election requests, so you can go ahead and co-opt. Could you let my colleague Carole, copied in, know the name, address and co-option date of your new councillor in due course? Many thanks

Thorverton Parish Council

Co-option Policy

The co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (election) has been called.

To ensure that a fair and transparent process is undertaken the following procedures will take place:

- 1) On receipt on written confirmation from the Returning Officer, Mid Devon District Council, the casual vacancy can be filled by means of Co-option. The Parish Clerk will:
 - a) advertise the vacancy for 4 weeks on the Council's official notice board in School Lane, on the Councils website, and in local magazines as deemed appropriate
 - b) advise the Council by way of e-mail that the Co-option Policy has been instigated
- 2) Applicants for Co-option will be asked to:
 - a) submit information about themselves by way of completing a short application form
 - b) confirm their eligibility for the position of Councillor within the Statutory rules by completing an Eligibility Form
- 3) Copies of the applicant's application form will be circulated to all Councillors prior to the meeting of the full Council during which the Co-option will be considered.
- 4) Applicants will not be required to attend the meeting but will be invited to do so and to give a short presentation on why they feel they should be co-opted onto the Council. The Council may take this opportunity to ask questions of the applicants.
- 5) Discussion about the applicants will take place in Council session (not closed session) without interruption from the public or applicants and voting will be in accordance with statutory requirements and in line with the Council's Standing Orders. The successful applicant must receive a majority vote of those present and voting. So if there are more than two candidates for one vacancy and none of them at the first count has an overall majority, the candidate with the fewest votes should be eliminated and the remainder put to the vote again. The process should

Thorverton Parish Council

Agenda Item 13.3.2

Payment to the Handyman for work in February

Ben Fitch Garden Maintenance & Handyman Service

INVOICE

To The Clerk
Thorverton Parish Council
Thorverton
Devon

Date Sunday 20th February 2022

Invoice Number: BF20220030

Details	1 hour labour supplied, @ £15/hour, Laying & securing weed barrier sheeting on allotment site (17 February 2022)	£15.00
	Materials	£52.00
	Total due	£67.00

All invoices to be paid in 30 days of issue

Invoice total £ 67.00

March Parish Council meeting - para 13.3.2

Cheque no. _____


Noted by Cheque Signatories

Signature	.....		.....
	Cllr		Cllr
Date	.....	Date	.....

Thorverton Parish Council

Agenda Item 13.3.2

Payment to Vision ICT for website hosting

				
TAX INVOICE		Invoice Date 1 Mar 2022	Vision ICT Ltd 1 Southernhay West Exeter Devon EX1 1JG	
Thorverton Parish Council Alison Marshall - Clerk Dinneford House, Dinneford Street, Thorverton,		Invoice Number 14356		
		Reference WH		
		VAT Number GB785375777		
Description	Quantity	Unit Price	VAT	Amount GBP
Website hosting and support for May 2022 to April 2023	1.00	134.38	20%	134.38
Subtotal				134.38
TOTAL VAT 20%				26.88
TOTAL GBP				161.26
Due Date: 31 Mar 2022				

Invoice total £ 161.26

March Parish Council meeting - para 13.3.3		Cheque no. _____	
Noted by Cheque Signatories			
Signature	.....		.....
	Cllr		Cllr
Date	.....	Date	.....

Thorverton Parish Council

Agenda item 13.3.4

Payment to Thorverton Memorial Hall for meeting hire

<u>THORVERTON MEMORIAL HALL</u>	
REGISTERED CHARITY No 203788	SILVER STREET THORVERTON EX5 5LT
C/O JIM ROBERTS CLERK TO THE COUNCIL THORVERTON PARISH COUNCIL THORVERTON	
INVOICE. 0121 INVOICE DATE. 03/03/2022	
CUSTOMER ORDER No. Verbal / Email	
INVOICE	
TO HIRE THORVERTON MEMORIAL HALL ON THE FOLLOWING DATES. AT A RATE OF £26.00 PER MEETING. 12 th OF APRIL 2022 10 th OF MAY 2022 14 th OF JUNE 2022 12 th OF JULY 2022 13 th OF SEPTEMBER 2022 11 th OF OCTOBER 2022 8 th OF NOVEMBER 2022 13 th OF DECEMBER 2022 10 th OF JANUARY 2023 14 th OF FEBRUARY 2023 14 th OF MARCH 2023	
<u>TIME</u> 7.30pm <u>Till</u> 9.30pm	
<u>HALL HIRE</u> 11 MEETINGS @ £26.00 PER MEETING	£ 286.00
<u>INVOICE TOTAL</u>	<u>£ 286.00</u>
<u>TERMS:</u> NETT 28 DAYS FROM DATE OF INVOICE.	

Invoice Total £286.00

March Parish Council meeting - para 13.3.4		Cheque no. _____	
Noted by Cheque Signatories			
Signature	.....		.....
	Cllr		Cllr
Date	.....	Date	.....

Thorverton Parish Council

Agenda items 13.3.5 & 13.3.7

13.3.5 Final payment to Andi Wyer

Thorverton Parish Council 2021-22

RTI Full Payment Submission (FPS)

Feb-2022

Pay Frequency Details, Layout: Medium

Employee	Tax Code	Total Payments	Basic Pay	Total Hourly Pay	Total Hours	Total Additions	Sick Pay	Parenting Pay	Total Deductions	Over Payment	Total Employee Pension	Student Loan Repayment	Postgrad Loan Repayment	Employee NIC	Tax Deducted	Attachments	Net Pay	Employer NIC	Total Employer Pension
Monthly																			
Andrew Timothy Wyer	OT*	820.99	820.99											2.88	164.00		654.11	11.59	
James Philip Roberts	BR*	1,148.16	1,148.16											42.14	229.60		876.42	56.74	
Total Monthly		1,969.15	1,969.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.02	393.60	0.00	1,530.53	68.33	0.00
Total		1,969.15	1,969.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	45.02	393.60	0.00	1,530.53	68.33	0.00

Net pay £ 654.11

13.3.7 Payment to HMRC for PAYE & National Insurance

Employer Totals:	
	Current Month
Total Net Pay	1,530.53
TAX:	
PAYE Tax	393.60
Total Tax Due	393.60
NIC:	
Employee NIC	45.02
Employer NIC	68.33
Total NIC Due	113.35
Total Tax & NIC Due	506.95

Thorverton Parish Council RTI Full Payment Submission (FPS) 2:18 pm 25-Feb-2022

Total for HMRC £ 506.95

March Parish Council meeting - para 13.3.5 & 7

Cheque nos. _____

Noted by Cheque Signatories

Signature	.....		.....
	Cllr		Cllr
Date	.....	Date	.....

Thorverton Parish Council

Agenda item 13.3.6 Clerk's pay and reimbursements

Clerk Expenses, Reimbursements, Pay, Pension and Tax February 2022 (for March's meeting)

Pay	9 hours per week at an hourly rate of £11.96 (NJC SCP salary point 14)			
	Hours worked	17 th Dec-31 st Dec 2021	= 18	
		January 2022	= 39	
		February 2022	= 39	
			Total 96 hours	= £1148.16

Thorverton Parish Council			
James Philip Roberts 8 Little Silver Exeter Devon EX4 4HV	Pay Period	Feb-2022	Payments Basic Pay 1,148.16 Total Payments 1,148.16 Deductions Income Tax 229.60 National Insurance 42.14 Total Deductions 271.74
	Pay Date	28-Feb-2022	
	Pay Type	Monthly	
	Payment Method	BACS	
	Works Number		
	Tax Code		
	NI Number		
	NI Table Letter		
	Year to Date		
	Taxable Gross Pay	1,148.16	
	Income Tax	229.60	
	Employee NIC	42.14	
	Employer NIC	56.74	
			Net Pay 876.42

February (Month 11) take-home pay from GX Accountancy	£	876.42
Use of home as office allowance 2 x £13.50	£	27.00
Expenses 46.6 miles @ 45p/mile (Handover, Jan & Feb meeting)	£	20.97
Reimbursements Brown Bin renewal at MDCC	£	50.00
Postage stamps	£	18.12
Payable to J P Roberts	Total £	992.51

Pension Not yet arranged.

Income Tax £229.60 included in item 13.3.7

<p>March Parish Council meeting - para 13.3.6 _____ Cheque no. _____</p> <p>Noted by Cheque Signatories</p>			
Signature	.....		.....
	Cllr		Cllr
Date	.....	Date	.....

Thorverton Parish Council

Agenda item 13.4

Thorverton Through Time Grant Application

From the Grant Giving Working Group

Proposal for approval at the next council meeting:

Summary:

'Thorverton through time' (TTT) does have connections to the Thorverton History Society (THS - KM is the secretary) but the request would appear to be autonomous and THS has donated £50.00 towards this request. TTT has requested a £500 grant for the development of a website and a 'walking tour' booklet. (£300 for the website and £200 for the booklet)

Our recommendation:

We would propose we offer £150 for the development of a website and would like to see a quotation or some form of progress on the website before payment. Our thoughts are that this is a 'nice to have' and should be supported by the council but is also classified as 'not essential' and therefore we feel the offer of 50% funding makes sense, with opportunities for TTT to raise monies elsewhere.

We would also propose that we offer a 'potential' 50% funding for the booklet on receipt of an invoice or the booklet itself.

Thorverton Parish Council

Agenda item 14 Correspondence

14.2 Public Session at January's Meeting

Dear Jim and all members of Thorverton Parish Council

As promised , please find attached a copy of the short speech I made at last night's meeting for your record..

Please ensure that the attachment and this covering email are minuted and circulated to all councillors and confirm action by return email.

I am openly copying this correspondence to my Ward Councillor Bob Deed and to Karen Trickey MDDC Monitoring Officer, who I now understand also attended last night's meeting

The **only** reason I attended and spoke last night was because I read the minutes on Monday and realised that **[name redacted]** appears to have suffered what can only be called yet another example of TPC correspondence abuse in precisely the manner that I (and other residents) have suffered on more than one occasion in the past. The list of recently resigned councillors mentioned was merely an attempt to highlight that this type of behaviour has had a huge negative impact on both community engagement as well as council business. This behaviour has been going on for many years now and unfortunately the main perpetrator(s) remain on the council and continue to wield undue influence.

While I was appalled at the manner in which last night's meeting was conducted, I would like to make it clear to you, Chair Foster, and the new members of the council that this correspondence does not reflect on them personally in any way.

My contact details are at the bottom of this email. I am happy for **any** recipient of this correspondence to contact me for a further discussion (under chatham house rules) when I am more than happy to name names and reveal what I know.

If either, no obvious public action is taken to address this subject, or, no one contacts me **before the next council meeting**, then I can only conclude that Thorverton Parish Council is not really interested in improving its service to the residents of Thorverton Community and **unless this subject of ongoing correspondence abuse is to be addressed directly by members of Thorverton Parish Council that** they are content for these and similar abuses of local government regulations and norms to continue

14.3 Public address to December, January & February's meetings

December's meeting

To Whom it may concern,

Without Prejudice

Thank you, Chairman and Councilors, for letting me speak at this meeting this evening.

For those of you who don't know me, my name is **[name redacted]**. Some of you will remember me from years ago I when was a member of the Parish Council. (For about 5 years) So I am very familiar how the Parish Councils rules and protocols should work and be adhered to.

I have lived in Thorverton for over 25 years, and I am the co-owner, along with my wife **[name redacted]** of Paws for Pleasure, the secure dog walking facility that opened in the Village in June 2021.

I would like to introduce my colleague, **[name redacted]** who is here in a personal capacity to help and advise me where necessary. He is a specialist in Data Protection and is also a qualified solicitor.

[name redacted] has been asked to attend this evening to help me explain the mistakes and errors that the Parish Council have made in their dealings with my company.

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Please excuse my reading from a script and [name redacted]'s note taking. I recently have suffered a minor stroke so my note taking, and short-term memory have been affected. Hence the help.

I must stress that I am not here to Discuss "Paws for Pleasure" nor its planning consents or lack off as this in No Way is a concern off the Parish Council and does not fall within the Parish Councils remits.

What I am here to discuss is the way the Parish Council has acted towards my Company, Paws for Pleasure. This has now been ongoing for nearly six months and has been very draining and worrying, especially when opening a new business and considering my recent health issues.

I would like to inform you all that the Parish Council has entered an official enquiry to Mid Devon District Council planning office, asking whether Paws for Pleasure has applied for "change of use" on its land from Agricultural use to Commercial use.

Because of the Councils application, I have suffered an extreme amount of anguish, sleepless nights, stress and emotional upset over the last 6 months since mid-summer and the start of our business.

Worryingly, I have checked through the Parish Councils website (from June to November) and checked for Paws for Pleasure being on the agenda for discussion and there are no notes or records in any of the minutes. Which means this issue has not been discussed or approved by the Council.

The only reason Paws for Pleasure is on the agenda today is because I have asked it to be!

For your information, and as far as I am aware, the only Members of the Parish Council that are aware of this application are the Chairman, Mr Foster, My Father-in-law, Mr [name redacted] and Mr [name redacted].

The only reason Mr. [name redacted] is aware of the Councils application is because I have advised him in case, he would like to Declare an interest at this point. I would invite Mr [name redacted] and Mr [name redacted] if they would like to declare an interest at this point?

I would like to Stress that your Chairman, Mr Foster has been very helpful in keeping me informed during the last 6 months, both verbally and officially by responding to our emails. So, thank you Mr Foster for your help and advice. Sadly though, this has not negated the worries and stress caused by the Councils actions.

Mr [name redacted] and I have emailed the Chairman in lieu of a Parish clerk, asking for information and an email trail of the Councils' application. We have used the "freedom of Information Act 2000" to gain information to investigate whether the Council has acted outside its protocols, codes of conduct and its own rules as published on the Thorverton Parish Website.

Sequence of events; -

1) Mid-Summer 2021, Mr Foster approached me in the Village and asked if Paws for Pleasure had applied to Mid-Devon District Council for "change of use" planning permission, explaining that Mr [name redacted] had an alleged parishioner who had asked this question. My direct response was that this was outside the Parish Councils remit and that any official enquiries by parishioners should be directed straight to Mid Devon Council as they are the planning authority.

Thorverton Parish Council

2) Mid-Summer 2021, The next time I saw Mr Foster, I thought I would explain in some more detail about the way we had approached planning, the status of our land etc. and generally explain why we had decided to take the route and stance we had as we believed our land to be Amenity.

Mr Foster asked if it would help if I spoke to Councillor [name redacted] to explain this. I declined and explained that it was nothing to do with the Parish Council and that any enquiries by parishioners would need to be made in writing to Mid-Devon Planning and that my private business was nothing to do with the Parish Council. I also asked who was making the complaint. Mr Foster replied "please don't ask that"

3) 8th October 2021 The Parish Council submit an enquiry to MDDC about Paws for Pleasure Planning. Shortly after, we receive a letter from Mid Devon Council Planning dept. On seeing Mr Foster shortly after this date I informed him that we had received a letter from Mid Devon regarding Planning. His response was "I know , I am the clerk at the moment as well as the Chairman"

As you can imagine I find it incredulous that the Parish Council has pursued this matter . I enclose copies off all emails received from TPC

It is clear from information in the Mid Devon Code of Conduct for Town and Parish Councils that several breaches of conduct occur in the Councils' approach to Mid Devon, they are listed below.

1) Correspondence to the Parish Clerk regarding a serious enquiry or issue, should be emailed to all councillors to peruse before the next Parish Council meeting. Any items should then be put on to the agenda at the next meeting to be discussed and voted on. Action is then sanctioned by the majority vote.

-In this case, there is no record of correspondence or a written complaint or enquiry .

-The Councillors have not received emails informing them of a " supposed" and undocumented complaint from a resident .

-Thorverton Parish Council is acting outside its remit on Planning

-Councillors are not allowed to use the resources of the Council unless they have prior permission from the Council, ensure that such resources are not used improperly and have regard to any other requirements relating to local Authority publicity. (IE Clerks time and expenses)

In other words, unless Councillor [name redacted] has any information to demonstrate to the contrary, it would appear that Councillor [name redacted] has pursued a fictitious, unprovable, anonymous and probably nonexistent complaint in the name of Thorverton Parish Council:-

2) Thorverton PC have not followed their own procedure as published on their website about how to deal with a complaint, their website is ambiguous, and complaints should only be taken seriously if in writing. Otherwise, situations like this arise and could easily have been prevented, this could also be conceived as a petty interference from Councillor [name redacted] and one might ask what his motivation and reasons are for raising such issues without documentary evidence. Indeed, what does he hope to achieve by his interference on an issue that has absolutely nothing to do with him or Thorverton Parish Council whom he has bought in to disrepute!

3) If Mr [name redacted] wanted to find out whether Paws for Pleasure has the correct planning Permissions, he should have contacted Mid Devon District Council in his own name. It would appear that by trying to hide behind the Parish Council he may well have a hidden agenda, could this be linked to one of his comments in an internal email?

Quote From an email By Mr [name redacted]

Thorverton Parish Council

"I have noticed that a new business has started at the Pleasure House, Raddon Road. This is advertised on its website as Paws for Pleasure", offering secure dog exercising (at a price - I understand that the field used for this was agricultural land and don't believe that we have seen a change of use request for it. Please could you ask MDDC Planning Department whether they have had any change of use application or whether it needs one?"

4) Councilors are not allowed to make individual decisions on behalf of the Council, it would appear that Councilor **[name redacted]** is indeed trying to do this. I would refer you to the Nolan principles in that Councilors should act solely in the terms of public interest. How are Mr **[name redacted]** actions in the public interest?

5) Why have emails regarding Paws for Pleasure been sent to a Parish Council Clerk who resigned some weeks before? Surely this is a very slack approach, unethical and reproachable?

6) Integrity. Integrity is the most important aspect of a local Councils ethics. Again, unless Mr **[name redacted]** can demonstrate the opposite to the satisfaction of the Council, it would appear that Mr **[name redacted]** has acted unethically in all the items listed above. He has been a long-standing Parish Councilor and twice been Chairman so one can assume he knows the rules, regulations and protocols inside out. This blatant lack of integrity brings the whole of TPCs ethics, decision making and honesty into doubt. If a Parish Council or cannot be trusted to work within the simple rules and protocols as set out by Mid Devon they should resign.

I must just add that unless this open letter and my comments are fully documented in the Minutes of this meeting, and a satisfactory conclusion is not reached within 7 days of this information, I will be taking the complaints to the next Level at Mid Devon District and conversing with their Monitoring Office who will in turn report to the Standards committee.

January meeting

Thorverton Parish Council Meeting notes,
11/01/22

Dear Councilors,

This is a request under the Freedom of Information act 2000 regarding all questions listed below.

Councilors, Thank you for giving me the opportunity to speak again regarding my complaint about **[name redacted]**s conduct and behavior.

I hope you will listen very carefully to my questions and the respondents' answers.

[name redacted], my solicitor is on Holiday at the moment, so I have **[name redacted]** taking notes for me today.

All information will be forwarded to **[name redacted]** on his return.

I am not intentionally making trouble for Thorverton Parish Council but, when I feel threatened by a bully or somebody is interfering with my business or business interests then clearly, I am going to stand up for myself. Especially when that person is acting outside of their jurisdiction and as a "one man council" You must remember how much stress **[name redacted]** has put me under in the last 6 months, the sleepless nights I have endured, worried by his actions, the expenses which are building up with our solicitors and the extra stress he has caused **[name redacted]** and I when dealing with a recent bereavement and my stroke.

I am greatly disappointed to learn that Mr Lane has not been suspended whilst the council carries out its investigation into my complaints.

This has given **[name redacted]** the opportunity to try and cover his tracks and use any possible excuse that his actions are within the TPC rules and regulations, which they clearly are not.

Thorverton Parish Council

I have emailed your clerk to inform him that the sections of this meeting are being recorded for the Mid Devon Gazette.

Councilors, please be aware that this discussion over **[name redacted]** conduct is likely to take more than the allotted time given in the public section of only 15 minutes and I request this session needs to be extended today so the matters can be addressed publicly.

I am aware that we are in the public section of the meeting. I will ask, the same as the last meeting, would **[name redacted]** like to declare an interest in my complaint?

The New Clerk.

Jim, Welcome to Thorverton Parish Council.

I am genuinely sorry that you have arrived at a time when things are rather awkward and inflammatory!

Please don't take any of the questions I am about to ask you personally.

a) Could you please give council some background on your experience as a Parish Clerk and your qualifications for the role?

b) Could you please explain to council who has been training you in your trial period?

c) Could you please explain if you know **[name redacted]** personally?

d) Could you please explain who has been monitoring your recent activity, signing off your recent emails to me at Paws for Pleasure and, if **[name redacted]** has edited, written, or taken over and overruled, or told you what to write in your responses.

e) Could you please advise who has re-written my letter of complaint as there are a lot of spelling errors that weren't on the original documents.

f) Is it fair to say that **[name redacted]** has been influencing your responses via email?

g) Can you please inform the council why the freedom of information Act 2000 request email trail has not been included in the minutes or on the agenda for this meeting?

The Chairman Mr Foster, I thanked you for your assistance in Decembers meeting and I would like to reiterate that thanks.

Please cast your mind back to the sequence of events that are documented in my last letter.

I refer to the discussions we had in the summer (June), where I advised you that planning is not within TPCs remit? And advised that any parishioner who was enquiring about our planning status should refer to Mid Devon Council?

1a) Is it fair to say, that each time you spoke with me, you passed the given information back to **[name redacted]**?

1b) Is it fair to say, that you had advised in your email chain that no further action should be taken against Paws for Pleasure as I had informed you about the intricacies of our planning?

1c) Were you aware that **[name redacted]** was still going to ask the clerk to send a request in to MDCC about our planning?

1d) As Chairman of Thorverton Parish Council, did you sanction **[name redacted]** request to Mid Devon regarding Paws for Pleasures planning?

1e) Is it fair to say that TPC have never received any correspondence from any parishioner regarding Paws for Pleasures planning?

1f) Have you any idea why **[name redacted]** would act without informing the Parish councilors of his intended actions?

[name redacted]

A) Can you please tell the Council why you have done what you've done to me and my family?

B) Can you please tell the council why you didn't respect the information fed back to you by your chairman in our sequence of events regarding Paws for Pleasures planning and why you ignored his advice?

C) Can you please tell the council why you still pursued Paws for Pleasure when you were told by your chairman that no further action was required or indeed your requests were outside

Thorverton Parish Council

of TPCs remit regarding planning?

D) Can you explain to the council why you ignored the TPC correspondence Policy as listed on TPC's website?

E) Can you explain why you personally emailed me on Thursday the 6th of January asking for a copy of my complaint to MDDC? In the circumstances, by doing this, it looks like you are continuing your vendetta against me and my company.

F) I have discussed your behavior and actions with my Solicitor, Counsellor Deed, MS Trickey of MDDC and not one of us can understand why you have persisted in your crazed logic regarding Paws for Pleasures planning. Is there something missing you would like to tell council the council and me about?

Many questions still go unanswered, **[name redacted]** will try anything to absolve himself of responsibility for his actions. He has bought this council in to disrepute and will continue to do so if you let him.

Attached is a reply from **[name redacted]** advising and commenting on **[name redacted]** attempts and actions so far to absolve himself of any responsibility in the name of research!

As you will see, this has somewhat been interpreted as a joke and not worthy of a response.

Councilors, I know you, you are the same as I was 15 years ago, you are here to better

Thorverton, help residents, improve the village where possible, play an active and objective role in the community and encourage parishioners to get involved with your projects!

Councilors, You cannot allow yourselves become a "one man council" where you are not kept informed of actions, not allowed to vote on serious issues, kept in the dark over issues and generally treated in a demeaning way!

I have openly kept the council informed of all my actions and intentions. I will continue to do so. It is time for Thorverton Parish Councilors to stand up for themselves, have a vote of no confidence in **[name redacted]** and move forward with a new and positive approach to all Parish Council matters, One where **[name redacted]** cannot continue to bring this council in to disrepute.

Sadly, unless **[name redacted]** resigns from his role, or you per sue a vote of no confidence in **[name redacted]**, this council will never be able to move forward!

February's meeting

Feb 15th 2022 parish Council meeting

Dear Councilors,

Thank you for giving me this opportunity to speak again.

[name redacted], I am sure this situation is getting on your nerves and frustrating you as much as it does me as I have much more important things to be doing with my time and life.

This whole situation is one that you solely have created. Are you prepared to admit yet, that you have made a mistake, and are you happy for the council to prepare and instigate a new correspondence policy so these errors are not made again so that we can all move on with our lives?

If you are prepared to apologize to me today for your mistake, this will enable us all to move on.

Sadly, at the last meeting, I experienced an aggressive Clerk, **[name redacted]** who refused to answer questions and a chairman who was ambiguous in his answers to my questions.

At the last Parish Council meeting, your clerk was antagonistic, verbally aggressive, made a comment about my stroke, he was shouting and intimidatory, and was clearly trying to influence and undermine my complaint to the Council about **[name redacted]**'s behavior.

Your clerk set the tone to a very hostile environment and meeting.

By his own admission, your clerk has no formal qualifications for his position and his previous 2 years of managing a Parish council have been for a very small council with only four councilors.

Shouted statements by the clerk of "are you calling him a liar" and "he has done nothing wrong"

(referring to **[name redacted]**) were unwise, unnecessary, and inflammatory, they were also inaccurate

Thorverton Parish Council

and ill informed, and, on the receipt of Mrs. Trickey of MDDCs letter and investigation into this council's behaviors, confirms his opinions are clearly wrong, misconceived, and inaccurate.

A clerk is paid to advise the council in private. He is not paid to take over the public sessions, is not allowed to assume or make decisions on behalf of the council or make statements that may influence individual councilors opinions in the public section.

The clerk should also realize that he is paid by the community precept, which is funded by the parishioners of this Parish and more respect for the members of this Parish, less sarcasm and a more polite attitude will go a long way should he wish to be successful in his new position.

Mr. chairman you were not clear when I asked you these questions last time, so I am going to ask you them again!

1a) Is it fair to say, that each time you spoke with me, you passed the given information back to **[name redacted]**?

1b) Is it fair to say, that you had advised in your email chain that no further action should be taken against Paws for Pleasure as I had informed you about the intricacies of our planning?

1c) Were you aware that **[name redacted]** was still going to ask the clerk to send a request in to MDDC about our planning?

1d) As Chairman of Thorverton Parish Council, did you sanction **[name redacted]** request to Mid Devon regarding Paws for Pleasures planning?

1e) Is it fair to say that TPC have never received any correspondence from any parishioner regarding Paws for Pleasures planning?

1f) Have you any idea why **[name redacted]** would act without informing the Parish councilors of his intended actions?

1g) Is it fair to say that **[name redacted]** behavior has been embarrassing for you as a chairman and your other councilors?

1h) Is it fair to say that **[name redacted]** behavior has cause a considerable extra amount of work for you to try and rectify his wrong doings!?

I know that Mr. Foster has forwarded a copy of the letter from Karen Trickey to you all.

This letter confirms All of the comments and complaints I have made about **[name redacted]** behavior to be correct.

Mrs Trickeys letter has sent a huge warning shot across the bows of TPC and made some very valid points about the way the council has conducted its business about Paws for Pleasure and my complaints in to **[name redacted]** behaviors and actions.

If any other businesses or parishioners have spurious complaints made about their business, we now know whose door to come knocking on don't we **[name redacted]**!?

In addition, Thorverton Parish Council has not reacted correctly in the way they have dealt with my complaint.

- 1) TPC should have referred themselves to the Monitoring Officer when my complaint was made. I feel it was not initially taken seriously which is why the Monitoring office had to be involved by me.
- 2) **[name redacted]** should have been suspended, pending enquiry into his behavior and actions.
- 3) TPC should not have allowed **[name redacted]** to have been involved with the complaint and investigation about his behavior, which he clearly has.
- 4) TPC should have insisted that **[name redacted]** "declared an interest" in my complaint and left the TPC meeting in January and should do so again tonight.
- 5) The internal email from **[name redacted]** referring to how he had noticed etc, handed to you all at a previous meeting) is not in the minutes of any council meeting. This should be in tonight's minutes and documented in the public domain
- 6) Mr Fosters answers to my questions in January's meeting were conveniently, not recorded in the minutes.
- 7) It very much looks like TPC are trying to cover up **[name redacted]** actions by not showing the full facts of my complaints in the minutes.

Thorverton Parish Council

- 8) Your clerk is not taking specific notes in the public sections about my complaints which looks like the council are engineering a cover up on questions asked. For example, the clerks responses to questions asked to him in the last public section are minuted whilst the chairman's are not, nor is it minuted that **[name redacted]** refused to answer any questions.

I fear that TPC have not yet realized how much **[name redacted]** negativity and controlling behavior in his general approach to the council and particularly younger councilors is affecting the councils ratings with the parishioners of this village.

A 1.8% return on your satisfaction survey is very poor and must tell you something about what the people of this parish really think?

On this note, I strongly support **[name redacted]** statement about how many younger councilors have left this council mainly due to feeling strangled and constricted by **[name redacted]** negativity. It would appear to an outsider that "Its Lanes way or the Highway"! and indeed, all your younger councilors have decided to take the highway!

[name redacted] has been Chairman twice, a Parish councilor for many years and is known for his attention to detail and being a bit of an "I dotter and a T crosser".

He knew exactly what he was doing when he entered the complaint about Paws for Pleasure to Mid Devon and he knew he was operating outside of the usual working protocols and parameters of the Parish Council, and he was hiding behind his role as a councilor. The fastidious rules he applies to others would appear to not apply to him!

[name redacted] has been caught with "his pants down" and he knows it!

Despite Karen Trickeys letter informing she will take no further action in this case; her investigations and consequent recommendations are severe and confirm all the issues I have brought up to be accurate. After considering the following comments made in Karen Trickeys letter, I would like TPC to take a vote of no confidence in **[name redacted]**.

Here are the reasons why;-(quotes from Ms Hickeys letter)

- 1) "That report was seemingly done in the name of the council albeit apparently at the sole request of one member and without any due authority or approval by the council.
- 2) "However, I must add that if I were to receive a similar, prima facie case of a possible misuse by a councillor of his position in the future, I would expect such matter to be referred for investigation and in turn, to the District Standards Committee for determination"
- 3) "You will appreciate that a report to the LPA from a parish council as opposed to a single individual would indicate that the matter is of significant concern within a parish, rather than simply the concern of one parish councillor or parishioner"
- 4) "Unfortunately, as you will understand from **[name redacted]**'s communications with your council, considerable angst can be caused to parishioners by the Parish Council's apparent involvement and even more so, when it might appear to have been the result of only one councillor's actions without proper consideration or discussion by a relevant committee or full council. It is therefore important to maintain integrity in communications from the Parish Council, that correspondence from it to third parties which concerns individuals, is the result of a resolution of committee or full council rather than something which is produced at the request of individual members of the council."
- 5) "Your council's Code of Conduct makes it clear that all councillors are prohibited from misusing their position (i.e. seeking to improperly confer an advantage or disadvantage on any person). This requirement applies when a member of your council acts or gives the impression that they are acting as a councillor. Similarly, your standing orders also provide that "no member will act in such a way that will bring the council into disrepute".
- 6) (a) Misuse of Position

Thorverton Parish Council

A councillor should **not**: take advantage of their position to further their own or others' private interests or to disadvantage anyone unfairly; or

- use, or attempt to use, their position either for their own or anybody else's personal gain or loss.
- In general terms, disrepute can be defined as a lack of good reputation or respectability. In the context of the Code of Conduct, a councillor's behaviour may bring their council into disrepute if his / her conduct could reasonably be regarded as adversely affecting the reputation of the council as a whole or other members of the council in being able to fulfil their role.

7) In summary, as indicated above, I would encourage all members of the Parish Council to remember that:

They all have a role in decision making and helping ensure that no individual member inadvertently or otherwise, determines what actions are taken in the name of the Council; Unfortunately, an individual member's actions can inadvertently undermine public confidence in the Council as a whole;

If an individual councillor rather than the Council (e.g. as evidenced by its consideration of the matter in a meeting) has concerns about a matter, they should not seek to use their position as a parish councillor to address those personal views in the name of the council.

In short, **[name redacted]** has disrespected this council, has acted as a maverick and as I have said all along and will continue to say, **[name redacted]** has brought this council in to disrepute and it is up to the other councillors to stop this man from bringing you in to disrepute again!