

THORVERTON PARISH COUNCIL

Additional Information

Tuesday 14th June 2022 Additional Information

1. **Public Open Session**
2. **Declarations of Interest** - To receive any declarations of interest relating to items on this agenda.
3. **Apologies** - To consider any apologies for absence.
4. **Confirmation of Minutes** - [Minutes of 10th May 2022](#).
5. **External Reports** - To receive reports from:
 - 5.1 C/Cllr Squires
 - 5.2 D/Cllr Deed
 - 5.3 Police statistics – zero crimes for April.
6. **Highways** - Raddon sign, School Lane surface sinking and disabled bay at Broadlands.

[Enq 211475283 Disabled Parking Bay Application Broadlands](#)
[Email from DCC 23rd May](#)

I have passed this to the team dealing with the enquiry.

Hopefully they should respond direct.

Thanks

Neighbourhood Highways Officer

7. Recreation Ground -

- 7.1 Mower service £318.06 (service and fuel funnel) and financial report for May (£74.95)
[Cllr Sims bringing receipts to the meeting – see payments below.](#)

7.2 Moving litter bin and additional bin

[Email from MDDC – 24th June](#)

> I have been out and looked into your request to relocate a waste bin.

> I would suggest moving the Green round litter bin from the lane from the Glebe to the large layby next to the water works, Locating the bin as far left of the layby as possible due to it flooding during heavy rain fall.

> It would also need to be sited and fixed to a wooden stake, as there are no posts in that area to fix too.

> If you are happy with this we could relocate the Bin for £98.32p

> I would also be happy for you to relocate the bin yourselves.

> Please let me know of your decision.

If you need any more help in this matter please do not hesitate to contact me

[Email from MDDC – 7th June](#)

Regarding moving the dog bin,

> It is possible but due to the land anchor used they can be very difficult to remove. And in most cases a new anchor has to be purchased at a cost of £65.00. And we would not know until we have to remove it.

> So removal could cost more depending on the condition of land anchor.

> We have “any bin will do” stickers that can be put on the green litter bin if required.

Recreation Ground Bin

>If you would like the litter Bin moved we can move it for an extra £45.00p if done on the same day as the dog bin relocation.

> looking at our bin data for that bin MDDC would not pay for an extra bin.

> If the Parish wish to purchase an extra bin for the recreation ground it will cost £247.44 plus £260.00 per year to empty once a week.

8. Projects

8.1 EV Charging points Results of the survey.

Survey results circulated in full by Cllr Lane on 1st June. Cllr Lane's summary:

Electric Vehicle Charging Points Item 8.1 for the June 2022 meeting of Thorverton Parish Council

Purpose

1. To consider the results of the Electric Vehicle (EV) Charging Points Survey and any subsequent action.

Background and Discussion

2. In April Council agreed that we should gather views of parishioners on the possibility of installing charging points for EVs, probably located either in the Quarry Car Park or the Memorial Hall Car Park. The survey ran through May and elicited 91 responses, mostly through people completing and returning the hard copy forms which we circulated with the Here to Help leaflet.

3. Not unexpectedly, under 7% of respondents currently own an EV, although 57% did say that they would or might get an EV within the next five years. For just over three-quarters of respondents, the current lack of an EV charging point was not seen as a barrier to buying an electric vehicle. Almost 80% of respondents felt that a charging point was a service that should be available in Thorverton, even if they did not expect to make regular use of it themselves. Indeed, 57% of respondents did not think that they would be likely to use a publicly available charging point.

4. Although respondents were generally supportive, there were several concerns expressed, in particular:
- that charging points would be using Council Tax to fund a service that was more likely to be of benefit to the richer residents;
 - that the Quarry Car Park was already rather busy;
 - that we should not be discriminating in favour of electric vehicles;
 - that the charging time would be too slow.

Action by Council

5. It is recommended that Council agrees to publish the summary results for each question.

6. Council is invited to consider how best to proceed. There does seem to be a fair level of support for installing EV charging points and Council may wish to indicate that it is going to explore the costs and potential benefits far more closely before taking any decisions. It would be as well to discuss with the Memorial Hall Committee, as they had shown an interest in the possibility of installing charging points and may see advantage in having points in their car park.

Neville Lane 12 June 2022

8.2 Affordable Housing Final report from the Task & Finish Group

Cllr Crang's closing report of the T&FG, circulated by email 8th June

Section 106 Deed of Variation re Affordable Housing in Leonard Square
Closing report on the Working Group by Councillor Crang

Background.

At the 8th March meeting members of the public from three households voiced concerns over the process for the allocation of one of the Affordable Homes at Leonard Square. Council was also made aware of the Deed of Variation of the s106 agreement dated 18.01.22 and posted to the

planning portal under the outline planning consent for the development.

Under item 21/178

- Council unanimously RESOLVED to write to Heritage Homes asking to halt them to sale and to MDDC unhappy about the way matters have been handled throughout and the change to the s106 without consultation.

- to set up a Task and Finish group led by Cllr Crang bringing in appropriate expertise to report on the implications of the changes made and anything that the Parish Council can do.

The group. Cllrs Crang, Uglow and Wills with assistance from Andrew Wiles and Roger Cashmore. The group has corresponded by email and held Zoom meetings hosted by TPC Chairman.

Activity.

The group has assisted the Clerk in the drafting of the emails referred to in the first point of 21/78; they were sent on 28th March. Heritage Homes (HH) replied by letter dated 11th April and Angharad Williams (Development Management Manager, MDDC) attended, by Zoom, the Council meeting on 10th May. The group helped draft the Clerk's subsequent email to her. Councillors and members of the public are aware of this correspondence.

Report on implication of the changes.

As Council is now aware, the s106 variation gave HH the right to allocate the two "intermediate" homes to eligible "local" people. Those homes are sold outright at a discount and then lost to any future eligible "locals". The definition of local was unchanged, so includes anyone working in the parish for six months.

The "intermediate" homes are a pair of semidetached three bed houses one of which is sold as a "self/client build" site at a fixed price and the other completed at a discount to market value.

Actions the Parish Council can take.

Council has the power to seek a Judicial Review to try to overturn the Deed of Variation, but apart from any other consideration we are out of time. We were not advised of the Deed of Variation by MDDC in any case.

Therefore we are restricted to learning from the process. There are lessons for TPC and for MDDC. Heritage Homes letter 11.4.22. is helpful and, in summary, gives details of the application process for one home which is being sold at £300,000, 80% of market value; the person to whom they have allocated it was the first to enquire, is a single local mum, a first time buyer and also in the Forces/Police/Key worker category; with some discretionary help from HH her earnings are sufficient to have an agreement in principal for a mortgage. The HH letter gives no information about the purchaser of the other half of the semi-detached house which is being sold as a site for a self/client build for £100,000 against a stated market value of £125,000. HH advise that the sign at the entrance to the building site advertised the availability of the affordable homes to local people.

In their letter HH correctly state that TPC could have raised concerns when consulted on the application for consent for reserved matters. It is useful to review how we dealt with the application by Heritage Homes.

The planning process:-

Application for Reserved Matters submitted by HH on 13.09.19 together with 28 supporting documents. TPC did make neutral comments on issues of design etc on 8.10.19 and 13.11.19. The Officer report 28.2.20 faithfully copies all points raised by TPC so can assume that any comments about the affordable housing would have been noted.

A Design and Access statement by DLP Planning Ltd and an Accommodation Schedule were submitted on 13.9.19. The former states that after consultation with the Affordable Housing Officer a pair of semi-detached three bed houses are provided as intermediate affordable units for sale as shared ownership or shared equity at 80% of market value. The Accommodation Schedule shows two "intermediate Sh. Eq."

TPC did not comment on either of these, nor on an apparent error in DLP's statement that says 1 and 3 bed homes are provided, nor on DLP's assertion that 30% of affordable houses rounded to the nearest whole number was "accordingly" four rather than five.

MDDC Housing Enabling Manager message dated 17.9.19 stated that local need was for 3x1bed and

1x2bed. This referenced in the Officer report 28.2.20 but no other comment on Affordable Housing available in Planning Portal to show what MDDC did in relation to affordable housing or what consideration was given to it. TPC could have asked how this statement of need was reconciled to the housing being provided.

The changes to the s106:-

TPC not involved in this negotiation between MDDC and HH and we know that we are not a statutory consultee. Although we could have made pre-emptive comments advising against other changes to the agreement, it is difficult to see how anyone would anticipate what MDDC have agreed. TPC did not anticipate that "intermediate Sh. Eq." would result in two houses being sold once at a discount and then being lost to the local community.

MDDC obliged to respond to a request to vary a s106 if a developer can demonstrate the change is necessary to ensure the viability and hence delivery of the development. Difficult to see how some of the changes they have made do not reduce viability rather than enhance it.

The email 22.5.22 to Angharad Williams sets out TPC's suggested actions for MDDC

1. That there is an 'audit' or 'review' of the allocation of the 2 homes designated for shared equity and/or self-build, in particular looking at:

- were the homes marketed sufficiently and appropriately, especially to local people?
- were they allocated/sold in accordance with the s106 requirements, in particular with regard to prioritisation for local people; and were those people on the Housing Needs Register?
- were they allocated/sold to someone with a connection to Heritage Homes?

2. That MDDC will contact the local households whose hopes of being able to buy one of these homes were disappointed:

- to explain what has happened, and
- to consider what help MDDC can now offer them to enable them to meet their reasonable housing aspirations

3. That MDDC will draw lessons from whole matter, perhaps culminating in a report to its Planning Committee including

- consulting Parish Councils whenever a substantial change is proposed to a s106 (it may not be a legal requirement to consult PCs but presumably there is no legal bar)
- being more restricted in its delegation to developers (especially non-housing associations) of the marketing & allocation of affordable homes; policing these delegations much more rigorously
- being much more wary of agreeing to unusual tenure arrangements for affordable housing delivered through s106
- reviewing in what circumstances (if any), MDDC should consider agreeing to less than 30% (rounded) affordable housing in a development (of above x homes), and how any such proposal should be shared and consulted with the public. Reviewing how viability assessments are made.

Conclusion

Thanks due to all participants in the group, but especial acknowledgement of the expert contribution by Andrew Wiles.

Stuart Crang 7.6.22

8.4 Platinum Jubilee memorial.

8.5 Jubilee Green & Barliabins incl authority to spend up to £250 on the fences.

8.6 Litter bin for Silver St/Hulk Lane (see 7.2 Rec Ground above)

8.7 Bike rack for the Post Office

8.8 New Cemetery

9. s106 Funding and Applications to Spend from the Cricket and Football Clubs

[Cllr Wills' s106 Summary, email 1st June](#)

Funding available for Thorverton from Section 106 contributions

1. A review of the Section 106 funds available to Thorverton was carried out in May 2022. Information and valuable advice was provided by the Planning Obligations Monitoring Officer at Mid Devon District Council., Jo Williams.
2. A summary of the funds available and expected is in the table below;

Held by MDDC and available to spend	Income	Expenditure	Balance
General Fund Thorverton (pre-2015)	£22,723.88	£6,249.50	£16,474.38
Creation of recreational public open space at Barliabins	£3,242.00	0	£3,242.00
Towards improving sporting facilities at Thorverton Football Club			
TOTAL	£28,665.88	£6,249.50	£22,416.88
Due from Heritage Homes on First Occupation			
Towards cost of improvements to Thorverton Football Club	£7,994		

3. The deadline for spending funds from the Court Barton development is ten years from receipt, i.e. August 2027, and amounts to £16,195 of the total held (slightly more than the figure in the s106 agreement because it was index-linked). The rest of the contributions came from planning consent from individual properties, and although there is no deadline MDDC would be delighted if we could commit all these funds as soon as possible. If we wanted to use the funds that are already held by MDDC on projects that are different from those listed (i.e. Thorverton FC and Barliabins) we would need to make MDDC aware as soon as we can.
4. The contribution from Heritage Homes for the Broadlands development is due when the first occupation happens, which is due later this year. It is possible to use that contribution for another project if the Parish Council and original recipient could persuade the developer to redirect it, but again the necessary actions would need to be taken as soon as possible.
5. The Mid Devon Local Plan Policy S5 refers to Public Open Space and states the policy priorities. These are allotments; amenity green space; parks, sports and recreation grounds; play space (children); youth space (teenagers). The policy also states that

“Access to public open space including sports facilities is an essential element of healthy communities and national policy promotes such provision. To this end the Council has undertaken an Open Space and Play Area Study (2014) to identify the level of supply across Mid Devon and the gaps in open space provision. This results in the above standards, which aim to maintain the current level of provision per person as Mid Devon’s population increases, and to increase the provision for teenage facilities which has been identified as a particular area of open space deficiency. Teenage facilities might include skateboard parks, basketball courts and ‘free access’ Multi Use Games Areas (MUGAs). In practice, there will always be some flexibility of use where younger children use equipment designed for youths and vice versa.” (Extract from Policy S5, Mid Devon Local Plan 2020)
6. Section 106 funding is not to be used for noticeboards, Village Halls, phone boxes, graveyards, grounds maintenance, repairs to equipment, refurbishment of existing facilities. It can be used for play equipment, safety surfacing, secure fencing, sports facilities, BMX tracks and skate parks, community orchards, picnic benches.
7. An application for the funding can be made by the Parish Council, or a relevant organisation with the support of the Parish Council and District Councillor. Only capital projects can be funded and three quotes must be supplied. The application will only be successful if it gives satisfactory confirmation of;
 - Value for money;
 - Needs and justification;
 - Quality and design;
 - Mitigation against development;

- Landowner consent.

A copy of the application form is held by the Clerk.

JW May 2022.

Thorverton Cricket Club email 29th May

I am writing on behalf of Thorverton Cricket Club to ask for your support for an S106 application we are hoping to submit to Mid Devon District Council in the coming weeks.

We noticed that you have a Parish Council meeting tomorrow evening so we wanted to inform you prior to this and hopefully have it added to your agenda for discussion.

The funding relates to "Welcoming Environments" so we wanted to outline what we would plan to purchase with the funding and how it would benefit the local community.

As a cricket club we see ourselves as an integral part of the community in the service that we offer to adults and juniors that use the club and it's facilities throughout the year. We hope to use the funding to make the cricket club more welcoming to members of the club and the local community by offering a bespoke space/ area for them to sit and enjoy the cricket or our hospitality facilities. We currently don't have enough outdoor furniture to make it an enjoyable or completely welcoming environment and we want to encourage as many people to come and enjoy the ground and be comfortable while doing so.

We hope to purchase the following;

- **Outdoor furniture - two picnic tables and two benches.**
- **Parasols to add shaded space on the ground as well as some pop up portable gazebos that can be used by families on various parts of the ground.**
- **A new BBQ that we can use at events and at junior training nights and games.**
- **Patio heaters for cooler weather.**
- **Some poles and rope to section off our car park to increase space of social areas and add to the safety of people on the ground.**
- **A welcome sign on the road highlighting opening times and highlighting upcoming events at the club.**
- **We are still waiting on concrete quotes to come back for all of the individual items but we expect the costs to be between £2,300 and £3,000 in total.**

We currently have over 200 senior, social and junior members along with their parents and families. The purpose of the project is to create a welcoming and safe environment for people, particularly families, to enjoy the ground as well as attracting new people to it.

We welcome anyone to the ground when cricket is on so the facility will be used by anyone with an interest in cricket not just members.

I hope that all of the above makes sense and we would be so appreciative of your support for this project. We think that it will really help the wider community to enjoy our facilities and forge even greater ties with the village.

If you have any questions or issues arising from the above then please do not hesitate to let me know.

I look forward to hearing from you. Many thanks, **Thorverton Cricket Club Honorary Secretary**

Thorverton Football Club email 1st June

S106 funding

Further to the May meeting notes on the parish council site, you may already know this by now, but the S106 funds from the Broadlands development should be £7,995.

I found this out from the attached deed having searched the link supplied by the TPC clerk in the email below. I am aware there was a later variation to this deed but I could not see it altered the S106 funding.

I know Graham was looking at the cost of replacement playground equipment for the Rec, and Thorverton FC support the use of such funds going towards this.

The FC agreement with the PC

Further to 18.3, our agreement is to maintain the Recreation Ground throughout the year, not just the season. We have not agreed to touch the trees or any fixed equipment other than the goalposts. I attach our agreement, as a reminder.

Graham does kindly help us maintain the area, but in theory we should cut the pitch throughout the year. I thought I would clarify this in case Graham thinks it is solely his responsibility! We will keep on top of this. We appreciate the work Graham does but are happy to keep the pitch cut (I do need to be shown how to use the strimmer at some point so I can do the verges).

Incidentally, we have asked one of our committee members, who is a tree surgeon, to cut the trees to reduce the overhang on the football pitch. We last paid for this via a grant a couple of seasons ago, but we will make him do it for free as should not be as much work this time. There is no preservation order on the trees, so I see no issue with this (and am just informing you for completeness sake).

Kind regards., Thorverton FC Secretary.

Thorverton Football Club email 16th May

Regarding S106 funding from Broadlands (this is just my little history reminder, which follows, as it may be useful (or not!)):

From April 2021 minutes, the football club requested a meeting to discuss the spending of S106 money, as the funding has to be spent in the vicinity of the Rec. Cllr Foster was leading on this.

May 2021, Cllr McKee headed up the working party for S106 funding.

June 2021, S106 group amalgamated into different groups. Cllr Sims leading Rec group with Cllr Price. At some point I agreed to go on the group, but this then seems to have dropped away from the PCC minutes.

My email below shows I approached MDDC but at that point no funds had been received. I had it in mind that about £9k may have been available; however, having checked the MDDC website they have taken off their spreadsheet showing where allocations were made.

I am happy to contact them, although you may be happy to do so yourself?

My concern is not spending the money in time and it going back to the developers.

As a football club, we were originally hoping to spend some of the S106 funds to help us, but we think we can obtain other grants to assist us, so would like to help the PCC spend it on playground equipment, as this indirectly helps us in providing a nice play area for our members with children.

Kind regards, Thorverton FC sec.

10. Thorverton in Bloom

Cllr Lane's email 16th May

As background to this request I should explain that we had a reasonably successful Thorverton in Bloom in 2021, with a good number of people making a significant effort. However, this year, I have not wanted to push Thorverton in Bloom too much given the village's energy being directed at the Jubilee celebrations. It felt to me as though that would be just asking a bit too much. It does mean that we have reached a point when we need to decide either to give Thorverton in Bloom a big push or simply to drop the idea and tell people why we have done so.

11. Village Tidy-up Day

12. Correspondence Policy

Draft Correspondence Policy

All correspondence is handled by the clerk with the Councillors being consulted, copied into replies or an item being put on the agenda for next Council meeting as the clerk sees fit.

Correspondence may be received directly by the clerk or via a Councillor in one or more of the following formats

- o Email
- o Physical letter
- o Telephone enquiry
- o SMS text enquiry
- o Personal contact
- o Website enquiry
- o Facebook message
- o NextDoor message

Councillors should forward details to the clerk of any items received.

13. Planning 13.1 Applications

13.1.1 [22/00635/DPO](#) – Variation to the s106 agreement for Court Barton Close – Consideration of draft comments – “Thorverton Parish Council appreciates that this change is designed to raise more funds with which the Housing Association can use to build more affordable homes and cautiously supports the application. The Council trusts that MDDC are confident that:

1. this is standard practice
2. the Housing Provider is well-run and not in danger of liquidation
3. there is no threat of eviction for the tenants of Court Barton”

13.1.2 [22/01063/FULL](#) - NGR 292292 101832 (plot 2) (South Of Broadlands) – Double garage

13.2 Decisions

- 13.2.1 [22/00532/HOUSE](#)** Hannabusses Thorverton EX5 5PJ- Instal PV panels (**granted**)
- 13.2.2 [22/00789/HOUSE](#)** 12 Silver St EX5 5LT – Side & rear extensions (**granted**)
- 13.2.3 [22/00743/HOUSE](#)** The Briars Jericho Street EX5 5PA – extensions (**granted**)
- 13.2.4 [22/00408/HOUSE](#)** 31 Silver Street – side and rear extensions (**granted**)

14. Handyman - To discuss the work for the next month and consider the increase in hourly rate.

Email from Ben Fitch, 3rd June

Please accept my apologies for the delay in getting the two attached invoices to you, it has taken me much longer than expected to catch up with admin following the covid infection that I had over Easter. Anyway, I am up to date now and completely understand that I will have to wait, in line with Thorverton PC protocol, before the invoices can be approved and paid. the invoices relate to works carried out on 12th and 26th May, respectively.

In addition, I am having to increase my hourly labour rate, to £20, (**NB from £15 JPR**) with immediate effect. This is as per the following line in the attached quote (BFQ20210001): "this rate may be subject to review, in line with changing business and economic conditions". This quote is dated 17th September 2021 and was provided to the appropriate Thorverton PC members as part of the tender process for the corresponding contract. I would be grateful if you will bring the increase to the attention of the Parish Council, and provide me with any feedback, at your earliest possible convenience.

15. Finance

- 15.1 Annual Accounting and Governance Return**
- 15.2 Bank Balance** To note the bank balance of £ 62,946.84 (8th June 2022).
- 15.2 Banked Receipts (May)** £ 3.21 interest
- 15.3 Grant Giving** £150 for Thorverton Through Time website

15.4 Insurance renewal

Quote for renewal – Gallagher £719.34 (36.7% increase over 2021/22)

Response to challenge to premium (received 27th May)

Thank you for your recent query regarding the increase in your renewal premium this year, we understand your concerns and hope that the following information helps to explain why such increases have been applied.

Insurance runs through a cycle of hard and soft markets and the industry is currently experiencing a hard market which is characterised by increasing insurance premiums, and reduced insurer capacity. Whilst the impacts of Covid-19 has had significant impacts in creating the hard market there are other factors which have caused this such as: regulation changes, increasing storm severity and frequency, claim inflation, reinsurance costs and low interest rates. Claims inflation has meant that average claim costs are rising above inflation as a result of increased building costs and labour shortages. Storm events within the UK are also becoming more severe and frequent and therefore costing insurers more money than previously.

All of these factors are passed back to the client in increased premiums.

We fully appreciate the affect that an increase in premiums can have on our clients, but want to reassure all of our clients that we have explored all options available. We have confidence that we continue to represent significant value for the comprehensive insurance solutions we offer the sectors we serve.

We continue to review, negotiate and engage with our insurer partners to maintain our professional proposition. We will maintain communication with all of our clients, in order to ensure we deliver the highest levels of service and advice and, as always, look for client feedback to maximise our efforts in this regard.

[Name]

Client Advisor

Alternate quote from Zurich Insurance (received 20th May)

Hello Jim,

Please find enclosed your 2022 quote with Zurich Insurance for Thorverton Parish Council, which we hope will offer you a competitive premium and some significant increases in cover, as well as other benefits.

Our understanding of your organisation: [Detail removed]

The quote includes the following lines of cover (specific details listed in the attached schedule):

[Detail removed]

Pricing:

The annual cost for your policy with Zurich Insurance is detailed below, including the price for a 3-year Long Term Agreement (LTA), which offers a further saving.

Policy Term	Annual Premium including Insurance Premium Tax @ 12% (VAT @ 20% on Engineering Inspection if applicable)
1 Year	£1,353.18
3 Year LTA	£1,236.07

15.5 Payments To consider the following payments:

15.6.1 MDCC Garage rental (monthly DD)

£ 55.72

15.6.2 Ben Fitch	Inv no. BF20220086 & BF20220096 for work in May	£ 211.89
15.6.3 Insurance Renewal	Arthur J Gallagher Ltd	£ 719.34
15.6.4 A M Burke	Thorverton Through Time project	£ 150.00
15.6.5 Cllr C G Marshall	Materials to repair the notice boards (receipted)	£ 136.08
15.6.6 Sarah Acock	Lucy's Larder restocking (receipted – minute 21/204 (iv) refers)	£ 100.00
15.6.6 JP Roberts	Pay for April	£ 380.79
	Reimbursement – Strutt & Parker Allotments rent (year)	£ 90.00 £ 470.79

16 Correspondence - To consider correspondence received

18.1 Hedging left on grass

18.2 Car washing water draining into the leats

18.3 Ukrainian flag correspondence

Emails received – oldest first

10th May I formally request that the Ukrainean flag is removed from the village green. I am starting a legal against Thames Valley Police for illegal detention and seeing this flag about freedom is not good .

12th May Under the FOI Act I would like a copy of the rules/protocols relating to the use of the flagpole

In the village green. Also a copy of any information relating to it's use of displaying the Ukrainian flag.

13th May Please point out that I in no way condone Russian behaviour but two wrongs don't make a right and it is clear that Ukraine has breached the Geneva Convention as well eg. filming dead Russian soldiers, broadcasting hundreds of interviews with Russian prisoners (the BBC reported this), I could go on.

The Syrian flag was not put up to support Syria.

The Afganistan flag was not put up to support them.

Other people have said the Ukraineans are more like us.

Are we rascist in keeping the Ukrainean flag on display ?

The conflict with Russia/Ukraine may be seen as political. In this case it has no case in TPC.

And finally, to make it personal, I was illegally detained by Thames Valley Police last year in clear breach of the law and nobody cares. Justice should begin at home. There is clear evidence to support my claim and nobody cares and is even willing to view the evidence with me.

15th May I have previously donated £500 to charities to help Ukraine so I am not anti-Ukraine.

24th May (1) I wish to withdraw my objection to the Ukrainean flag being displayed as I've now started legal proceedings against TVP and they have acknowledged receipt of papers.

On another note. I have objected to planning application 22/00635/DPO. I am amazed that the Parish Council has not objected to the application. The next parish council meeting is scheduled to take place after the decision date.

The reasons for my objection are on the mid devon council website.

I would like the Parish Council to note that they did not object to the application. I think the application will be rejected on my reasoned argument.

24th May (2) It's not a change of heart. I have started legal proceedings against TVP and English law is complicated. I don't want to compromise my position.

On the matter of the planning application. Did the PCC receive the assurances it asked for ?

Time is running out. My research shows that if this application is approved it COULD be detrimental to the section 106 agreement .

COULD means a possibility in the future.

My understanding is that in the worst case scenario, if agreed, social tenants in Court Barton Close could be subjected to market rents. Why wouldn't you oppose this ?
I request an emergency meeting of the parish council which I will attend to discuss this matter.

29th May You seem to be saying that S106 is pointless.
Without your input, I think my objection to MDDC will be enough as it is a reasoned argument. If MDDC reject the amendment , as I think they will, then I will ask the entire parish council to resign.

7th June You may seen the article
[Zelensky hails 'important ally' Boris Johnson surviving Tory coup bid after confidence vote | Daily Mail Online](#)

I think the Union Jack is now the flag on the village green. This is the perfect time to stop displaying the Ukrainean flag.

This is now political. Support for the Ukrainean flag could be seen to mean support for Boris Johnson now.

I really don't want this to be issue and suggest the obvious exit ramp.

Extract from Hansard re Ukrainian crisis:

Mr Deputy Speaker - This excellent debate and, at the start of our proceedings, the outpouring of love and solidarity for the Ukrainian ambassador, who was present, with that long standing ovation that the Minister mentioned—unprecedented in my 30 years as an MP—clearly demonstrate in a graphic way the 100% support that this House of Commons has for the brave people of Ukraine. [Hon. Members: “Hear, hear.”] {Hansard Vol 709, Weds 2nd March 2022}

18.4 May meeting agenda and minutes correspondence

Emails received – oldest first

12th May Can you please advise when the May meeting was posted on line? and when the notice was put on the notice board in Thorverton? Many Thanks

Reply I am not sure what exactly you mean by the phrase 'when the May meeting was posted on line[sic]'.
As I expect you remember I was appointed on the 17th December 2021. When I took up the role the [Thorverton Parish Council website home page](#) had the following paragraph displayed at the top of the centre section of the text.

'Meetings: Council meetings are held in Thorverton Memorial Hall on the second Tuesday of the month and usually start at 7pm. Meeting agendas and minutes will be published, in the usual way, under the relevant 'tab' at the top of this page and on the notice board in School Lane.'

The paragraph has not been changed and is currently displayed just below an invitation to complete the Electric Vehicle survey online. I believe meetings have been held on the second Tuesday of the month for many years.

The earliest confirmation of the date of May's meeting would have been when the April agenda was published. The last item on the agenda of April's meeting, which was displayed on the website and the noticeboard in School Lane 3 clear days prior to April's meeting, stated that the next meeting after April's would be on Tuesday 10th May.

The date and time of the May meeting would have been displayed on the same page on the right text panel from a few days after the April meeting. It was also displayed on the [meetings and agenda](#) page. The date, time and venue of May's meeting are, as I type, still displayed on the website as I haven't had a moment to change them to June's details. They will be updated very soon.

The agenda for the May meeting was published on the School Lane noticeboard before 4pm on Thursday 5th May. The agenda was uploaded to the website in full text on the meetings and agenda page on Friday 6th May. Unfortunately, although being the correct agenda for May it had April's date at the top. This wasn't spotted until Saturday 7th May when I corrected the website.

Finally, I am aware (from Declarations of Interests at previous meetings) that Cllr Sims is your father-in-law. I am sure he would be very happy to advise you of the dates of future meetings. However, I will repeat that Thorverton Parish Council meetings are planned to be on the second Tuesday of the month, at 7pm, in the Thorverton Memorial Hall, Silver St every month except August.

I hope this clarifies the situation for you and answers your question satisfactorily.

17th May (1) Dear Clerk So in other words, you cocked up on the paperwork by putting April instead of May. Thanks for the response.

Reply Not quite. The paperwork was correct - I cocked up the website for 24 hours.

17th May (2) Attached is an email from another ex-councillor who doesn't agree with your explanation. Your revised comments would be appreciated before submission to the monitoring officer. **Enclosed Email** - Thank you for your message.

As a former Parish Councillor I follow the activities of the PC with interest.

I looked on line for the agenda for the meeting on 10th May - it was not on their website on Friday 6/05/22 and I checked over the weekend but it did not appear until Monday 9/05/22 (the day before the meeting.

As it didn't appear on line I checked the PC notice board in School Lane over that weekend and again it didn't appear until Monday 9/05/22.

I did mention this to a Parish Councillor (who I do not wish to name at the moment) on Monday 9/05/22 - they said they had received the agenda but acknowledged this was in their email.

Personally, I do not consider the agenda was issued to the public in suitable time prior to the meeting as per the pc standing orders
regards

Reply Thank you for sight of Mr Turner's email.

I can but disagree with the contents and stand by my earlier, comprehensive reply.

You may wish to note that, as an employee of the Parish Council, my understanding is that complaints about my mistakes are proper to my employer rather than the Monitoring Officer. A copy of the Parish Council's Complaints procedure is available on the Parish Council website.

I am sure that the Monitoring Officer will advise you of the correct procedure.

Please do not hesitate to contact me if you need any further information.

19th May Dear Clerk,

Thank you for your recent response to our questions.

Thank you for pointing out that we need to complain to Mr Foster rather than Mid Devon.

As you are aware, AF is not to be trusted to carry out an un-biased investigation in to any inappropriate actions from his Councillors or staff.

He has mentioned, many times, both verbally and in writing that he has no control over the clerk or councillors.

It would appear AF is still Neville Lanes Puppet.

As a result I will raise this with the monitoring officer thanks.

Reply I confirm receipt of your email which has been circulated to the Councillors.

For complete avoidance of doubt I do not work for the Chairman, I work for Thorverton Parish Council as an entity in, and of itself. I report to the whole Council and the whole Council would decide any criticism or disciplinary action necessary for the Council's employee.

Cllr Foster is correct that he has no direct control over me; that is exercised by the Parish Council as a whole and is enacted by resolution at properly constituted meetings. Normally there would be input from the Staffing Group who deal with the detail of employment matters, but the final decisions are always that of the full Parish Council.

I have no wish to enter into a debate but I would like to take this opportunity to utterly reject your completely unfounded allegations of bias towards Cllr Foster and the notion that Cllr Lane is, in any way, operating puppets.

I look forward to any opinion on the situation offered by the Monitoring Officer should it be made available to me.

I trust I have made myself clear, but please do not hesitate to contact me if not.

20th May (1) Thanks Jim for your email.

There really is no need to state the obvious.

You are overlooking the fact that due to a technicality and your mistake that your May meeting is null and void.

In due course, I will forward a second email from *[name redacted]* which confirms this is correct, contrary to your denial and statement made.

This means you will need to re sit your May meeting again to give proper notice under section 1.2 to comply with your own rules.

I don't trust Andrew Foster to carry out any investigation into this, He says one thing and then does another. As proven with my complaint about Mr Lanes actions. (BTW, this is still with the MO off MDDC.)

Please feel free to pass all my emails on to all councillors. I have nothing to hide, and I welcome this newfound transparency in the Council.

If anything, had Mr Lane been honest and transparent with his own fellow councillors in the first place none of my complaints to and about the TPC would have been necessary, would they? As proven by my FOI request.

AF has only wanted to sweep my complaints under the carpet. He has taken no disciplinary action over my complaint about Mr Lanes behaviour so you will understand why I have lost trust in these 2 members of the council. (Only)

In addition, you have not recorded things I have asked you to and have decided to leave out information in my case about Mr Lane.

For the avoidance of doubt, I am not one to massage people's egos, neither yours or Mr Fosters.

This is just another example of you and your chairman's inability to operate the council properly.

Have a lovely weekend and see you soon.

Reply The statutory obligation for display of the agenda for May 2022's meeting were met. The meeting is not null and void.

I reject all your negative comments about Cllr Foster and Cllr Lane.

Neither Cllr Foster, nor any Parish Council Chairman, can 'take disciplinary action' against any Cllr or Clerk due to the nature and constitution of Parish Councils.

Minutes are recorded in accordance with the legal advice from the National Association of Local Councils and the Charles Arnold-Baker book 'Local Government Administration'.

All the Cllrs see all your emails.

I can corroborate your observation as I have never seen you massage anyone's ego.

20th May (2) Clerk, here is the email from *[name redacted]*.

Enclosed email Thank you for sight of this

Reading the clerks message re posting the agenda for the meeting in May it is claimed it was displayed on the notice board on Thursday 5 May - but given the error on the date of the of the web site posting which was corrected on Saturday 7 May, did the notice board agenda show it was for the meeting on 10 May?

The meeting agenda is claimed to have been posted on the PC web site on 6 May but with the wrong date which was corrected the following day - the posting on Friday was already too late as Standing order 1.2 requires 3 full days notice prior to the meeting and this excludes the day of posting, the day of the meeting and Sundays

regards

Reply The correct agenda, with the correct date, was displayed on the noticeboard on Thursday 5th May leaving 3 clear days before May's meeting. That meets the statutory obligation of the Council to publish the agenda under the Local Government Act (1972). I hope this is of use to you.

21st May (1) So are you calling Mr Turner a liar? How can you prove what you say?

Reply In answer to your questions

No

and

I don't believe I can prove it.

I hope this helps

21st May (2) Thank Jim See you soon.

22nd May Thanks for your reply. Has this email thread been sent to all councillors please.
Thanks

6th June Good morning, Jim, I hope you enjoyed the Jubilee break.

Thanks for your last email response in which you claim your last meeting in May 2022 was valid and the notice was put up on Thorverton notice board on Thursday 5th May, before 4pm.

I regret to inform you, due to your mistakes that Mays meeting is still null and void, due to a technical error on your behalf. (despite your claim that it was valid)

I have now spoken to 2 people who have both said that they checked the notice board on Friday 6th May and that there were no agenda for May on the notice board. Could it have been that due to your error there may have been a notice up with April's date on it?

You have already stated that you corrected one of your errors on Saturday 6th May (Website) But, I suspect you didn't get the notice board changed from April to May. (your confirmation of this point would be invaluable)

If this is the case then under your standing orders, (1.2) you have not given the 3 days' notice required to residents, therefore, the council has NOT complied with its 3-day notice period.
FACT.

You have also stated you cannot prove when the notice was put up on the board and that you cannot prove if it had the correct (Mays)date on.

I would also like to ask you to consider the following;-

1. In our earlier discussions, you brought up my stroke in your little rant. Totally unprofessional and unnecessary. (Decembers meeting which is recorded)
2. You also were about to bring up my Father's death in Decembers meeting, before I stopped you (Recorded)
3. You are correct, Mr Sims is indeed my Father-in-law. Unlike Mr Lane he DOES feel it necessary to declare an interest when my family or businesses matters are discussed. (which is the correct way to do things)
4. Let me make this clear, YOU are the clerk, it is YOUR job to notify members of the public about meetings accurately, Not Mr Simms or any other councillor for that matter.
5. It would be preferable if you did not use these unprofessional tactics or rude personal comments in your letters or emails or verbal exchanges in the future.
6. Please let other councillors know that our meeting to discuss Neville Lanes behaviour with the Monitoring officer again is scheduled towards the end of this month. (June, not May for avoidance of doubt)

7th June Dear Clerk,

I have spotted 2 errors in my email of 6th June 2022.

Apologies for that.

Paragraph 5 should read 7th May (Website)

And points 1 and 2 were January's meetings. This was the only recording taken.

Again apologies

Reply to emails of 6th & 7th June I am in receipt of your email of 6th June and your subsequent email of 7th June with minor corrections to the content of the former. Both emails had the subject "Void Meeting April 2022" but I believe you are referring to May's meeting. I can do no more but, yet again, correct your false statements and incorrect assumptions.

- May's meeting is not null and void.
- The agenda was published in good time, with the correct date on, on the School Lane noticeboard. I cannot account for anyone's assertion that it was not there on Friday and do not intend to.
- There was an error of the correct agenda being published on the website but under April's date which had been left unchanged from the previous meeting, as advised in my email to you on 17 May.
- The 3 clear days' notice of the meeting under the Act was complied with.
- I did not rant at January's meeting and only replied in the tone matching that with which I was addressed. I attempted to answer your questions in an effort to help, which was inappropriate as the Public Session allows speakers up to 3 minutes to say what they wish. It is not a question and answer session under the Standing Orders of Thorverton Parish Council. I had only been in post for less than a month at that time and was not fully up to speed with the Standing Orders.
- If I was going to bring up your ill-health or the death of a relative it would only have been to offer my condolences and sympathy.
- Cllr Lane is fully aware of the need to declare pecuniary or other interests and does so when necessary.
- Cllrs are free to advise their family, friends or any member of the public of meeting dates and times, but not obliged to do so.
- I have never used 'unprofessional tactics' or 'rude personal comments' in an email or verbal exchange.
- The Cllrs have been made aware of your impending meeting with the Monitoring Officer. I hope you find it useful.

I am sure you are as weary of this email exchange as I am. We disagree on both the facts and the consequences of a sequence of events. Any resident is welcome to complain about me and my behaviour to whomsoever they wish, but the correct channel is through the Chairman of Thorverton Parish Council.

I trust you will find this useful and have had an enjoyable weekend.

12th June Can you please confirm if you have forwarded my email of 6th June to all councillors?

Thanks

13th June (1) Dear Jim, Can you please answer my last question. Has my email of June 6th been forwarded to all councillors. Thank you.

13th June (2) Dear Jim, Again, can you please confirm if my email of 6th June has been forwarded to all councillors? A simple yes or no will suffice.

If no then I can always forward to them on your behalf ready for tomorrow's meeting.

Many Thanks for your assistance

Reply to last 3 emails (sent 3 times) I refer you to my email of 14:22 on Saturday 21st May 2022, paragraph 5 which clearly answered this question. Regards

17 Business at the Chairman's Discretion - No decision making during this item.

18 Next Parish Council meeting - Tuesday 12th July 2022.