**Minutes of West & East Putford Parish Council Meeting held on Wednesday, 25 July 2018 in Parkham Methodist Church Schoolroom at 7.30pm.**

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| **Chaired by: Councillor Mrs P Geen** | | | **Clerked by: Sue Squire** | |
| **Present: Councillors**  **P Bond**  **Mrs R Crout**  **Mrs L Drake**  **Mrs P Geen**  **J Jessel**  **Mrs M Lewis**  **M Thomas**  **J Wooldridge**  **Mrs L Miller, Kivells (Land Agents for**  **Common Moor)** | | | **Agenda: -**  Items raised by members of the public  Apologies  Declarations of Interest  Approval of the Minutes of the meeting held on  23 May 2018  Reports  Common Moor  Matters Arising  Planning & Planning Correspondence  Finance  Correspondence / Notices & Publications Received  Matters raised by Councillors / Clerk  Date of next meeting | |
|  |  | | | **Action:** |
| 19. | **Items raised by members of the public***.* No members of the public present. | | |  |
| 20. | **Apologies.** Councillors A Bewes, N Moulder, County Councillor B Parsons, PCSOs M James and E Tomkies. | | |  |
| 21. | **Declarations of Interest.**  **Councillor Thomas – Committee Member of Putford Post**  **Councillor Jessel – Mrs Jessel is a member of the Putford Post Committee**  **Member of Torridge Headwaters Advisory Committee**  **Councillor Mrs Geen – Vice Chairman of Northern Devon Healthcare Trust** | | |  |
| 22. | **Approval of the Minutes of the Meeting held on 23 May 2018.**  **Approved and signed as a correct record.**  The circulated notes prepared by Councillor Jessel to be attached to the Minutes as an Appendix. | | | Clerk |
| 23. | **Reports:**  **23.1 Police.**  Details of the new team had been received, as follows:  PCSO 30643 Mark James and PCSO 30538 Emma Tomkies.  Contact details are: 101 and ask for one of them or email holsworthy@devonandcornwall.pnn.police.uk  The July 2018 rural Policing Update showed crimes in Bradworthy, Holsworthy Hamlets, Brandis Corner, Chilla and Halwill but none in West or East Putford.  **23.2 County Councillor B Parsons.**  Councillor Parsons had advised that in connection with roads identified in the Parish as requiring attention, he is meeting the new Highway Team for the area and a response will be forthcoming.   * An update on Holsworthy Hospital had been received and circulated to Councillors. A further update on the evening before the meeting advised that another meeting had been held which informed there was a lot of effort going into trying to solve a very difficult situation. * Paper based surveys to be highlighted when available.   **23.3 District Councillor R Hicks.** Not present.    **23.4 Meetings attended by Councillors / Clerk.**  The Clerk had attended a course entitled ‘Making Good Decisions’ organized by the Devon Association of Local Councils in Exeter on 12 July 2018 and a Report of the training had been circulated to Councillors. | | |  |
| 24. | **Common Moor.**  **24.1 Update on grants (Cllr Thomas)**   * 90% of information had been obtained and Councillors should be in a position to make a decision. * Between now and the signing off of the Agreement in September, Tenders to go out to contractors. These details must be included into the Agreement and further delay would incur additional costs from Kivells (Land Agent) and have an impact on Natural England. * A Community Councillor grant of £1,000 from District Councillor Hicks’ allocation had been awarded and a letter of thanks sent. The funding not tied to any aspect of Common Moor and can be used as the Parish Council see fit. * Councillor Thomas had applied for a grant in the sum of £3,000 from Grantscape, a landfill tax grant scheme. The application had been successful with a caveat that the funding must be used for swailing by June 2019. Details of the Natural England grant would be covered later in this part of the meeting. * The points raised at the last Parish Council meeting which were of concern to Councillors had been passed to Mrs L Miller of Kivells who had been negotiating with Natural England on the details. * Mrs Miler advised that in connection with the additional break clauses in the 10 year Agreement, the only break permitted would be after 5 years if the Parish Council was signed up before the first payment was made. It would not be possible to write in a 2, 3 or 4 year break clause into the Agreement. * No penalties would be applied to the Parish Council. * Natural England could not fine the Parish Council if an incorrect procedure was carried out. The only way the Agreement could be breached is if no work at all was done.   Councillors voiced the following thoughts:   * Natural England was promoting work on Common Moor. They are also in charge of inspecting it. If contractors do not carry out the work, this would have to be reported by Natural England which in turn could have an impact on the funding received, thereby putting the Parish Council in a difficult position. * Torridge Headwaters want to open the land to allow marsh fritillary traversing. * The Parish Council is in an intermediary management position and should not have to take risks. * Due to the Parish Council receiving the funding, it would have to assume some responsibility. * There was concern that informal conversations and assurances given by Natural England had not been put in writing and written confirmation should be requested. * Responsibility for the Barrows. One Barrow close to the property known as The Cottage, has been taken out of the Agreement as it is on private land which would be a potential impact on a member of the Parish. The other Barrow is a scheduled monument.   The Barrow on private land was safe.  However, it was felt this should have been brought to the Parish Council’s attention.  Assurances in writing would be required and Councillors were assured this would be built into the Agreement.  There was concern that the people interred were among the earliest agriculturalists and the site should be respect as far as possible. Archeology has a value and Councillors were asked if archeology was more important that funding.   * Councillor Thomas suggested that Councillors should consider if the Parish Council would afford to proceed and spoke about the annual cashflow version 2, circulated, which showed an end of year balance at the end of each year.   Quarter 3 of year 2020 would be a critical time in terms of payments / receipts. It would probably be necessary to ask contractors to accept a later payment for the work done due to the budgetary restriction the Parish Council would then be facing prior to the regular funding being received.  Contractors could be asked to quote on a 4 yearly basis. Councillors debated on the position if the work was not carried out to satisfaction and if contractors would be prepared to commence from year 2.   * Swailing for the first year would be free of charge. The £3,000 grant offered could not be used.   In these circumstances Councillor Thomas felt the offer of the £3,000 grant should be  rejected.   * Councillor Thomas advised that Natural England had confirmed that capital works could be deferred until year 2.   In the first year of capital works, Natural England will pay 80% of the total cost of the work.  The Parish Council would then have to pay all the capital costs, less the work to be done.   * Regarding Barrow clearance, the Parish Council has to foot the bill and £500 per annum maximum would be received.   Councillor Thomas would check the position should any unforeseen damage be done to the  Barrow.   * Information Notice Board. It is not a requirement for this to be in place. However, quotations would be required and a decision made whether or not to proceed before the Agreement is drawn up. * Management Plan. If the Parish Council decides to proceed, payment for the preparation and printing of the document would be welcome. This was not a condition and an acknowledgement only would be in order.   The document would be used as a reference document for creating the Agreement.   * Eye Sore Clearance. The Parish Council can claim up to £300 per annum. * It was confirmed that the generated money can go to the Parish and used as the Parish Council see fit.   It was pointed out that the receipts and payments would need to be checked by the Clerk, involving an additional cost where there were no firm figures but would have to be factored in to the overall budget.   * The cost of additional insurance would have to be put in the Common Moor account line and the Clerk to do two separate accounting statements. * It was questioned how access to Common Moor would benefit parishioners. The Natural England Agreement is not about improving access, it is purely environmental with a financial benefit to the Parish Council.   Councillor Cornish questioned scrub clearance planned for September 2020, pointing out that bushes would require trimming before then.  He was certain that local contractors could assist with this when they were doing their own work. The Chairman suggested this should be checked with Devon Highways (see also Minute 29 below).  Councillor Thomas was thanked for his work to clarify the situation.  **24.2** **Points from the last meeting raised with Natural England (Mrs L Miller, Kivells & Cllr Thomas):-**  These had been debated above and the Chairman summarized the discussion as follows:  The £3,000 grant had been successful and due to the work being covered by Devon Wildlife Trust free of charge, by rejecting it, this would prevent a dual funding issue.  **Proposed by Councillor Thomas to reject the grant. Seconded by Councillor Mrs Drake,**  **Unanimously agreed.**   * **Additional break clauses.**   The Parish Council had been advised that the first break clause would be in Year 5 and there is no room to negotiate any earlier break clauses with the addition that if the Parish Council could leave before the first payment was paid. In reality, it was necessary to work on the basis that the Parish Council would be tied in for 5 years.  The Chairman asked Councillors if they wanted to instruct Mrs L Miller of Kivells to negotiate an earlier break clause if evidence can be found that a one year break clause has been agreed with an organization?  **Councillor Thomas proposed that the Parish Council proceed with a 5 year break clause, but speak to Natural England seeking to get an annual break clause based on any evidence obtained.**  **Seconded by Councillor Mrs Drake.**  **Vote: To support Councillor Thomas’ proposal: 7. Carried.**  **2 abstentions**   * **No penalties to be applied to the Council.**   This was confirmed. However, if the work was not carried out, there was the possibility that Natural England would withhold or delay payment. This scenario was discussed.  If the payment was not made, the work could be reduced.  There would need to be a contingency in place if payment was not received.  The Management Plan stated the Parish Council would not be out of pocket.  Councillor Thomas reiterated that the risk is at the end of 2020, how the risk would be managed and contractors advised.  Mrs Miller suggested an Agreement for contractors to sign and return. She had spoken to Natural England on an informal basis and had been advised there was a fast track system in exceptional circumstances.  Councillor Mrs Geen spoke about the large volume of additional documents received last year and if any documents would require signature. This would be checked by Mrs Miller.   * **Responsibility for the Barrows.**   Part of the Countryside Stewardship Agreement is that the Barrow adjacent to Common Moor Cottage is not part of the management.  **Proposed by Councillor Thomas. Seconded by Councillor Mrs Lewis.**  **Vote: That the Barrow is not part of the management. In favour: 6. Carried**  **2 abstentions**  Councillor Mrs Drake declared an interest and did not vote.   * **Flexibility with the Management Plan.**   The document would be used as a reference tool for creating the Agreement.   * **Financial details of the proposed Agreement (discussion of the 2 cash flow spreadsheets)** (Cllr Thomas)   Councillors had received full details and were fully aware of the sums and risks involved.  **24.3** Outline timetable (previously circulated work programme) (Cllr Thomas)   * Councillor Cornish felt that Councillors were concerned about the work despite a Land Agent being appointed to do this.   **24.4** Decision on whether to proceed (All)   * The condition of proceeding is a properly constituted Sub Committee involving members of the Parish Council and as an additional resource, members of the community. Councillor Mrs Geen had identified a member of the public who had similar interests.   The Sub Committee should familiarize themselves with the issues surrounding Common Moor and Councillors expressed the hope that young people would become involved.  Councillor Thomas would draft Terms of Reference using the template to be provided by the Clerk.  Councillor Cornish gave the name of a local resident who may be suitable for the Sub Committee and agreed to follow up and report back. Councillor Mrs Geen would also follow up with someone who she thought may be interested.  Councillor Thomas felt that the existing Sub Committee worked well together. The  Committee comprised:  Councillors Thomas, Mrs Drake, Cornish, Pomeroy, Moulder.  Councillors felt it was important there was a deputy in place should Councillor Thomas be  unable to head the Committee for any reason and Councillor Thomas was tasked with  identifying a suitable person.  **Councillor Mrs Drake proposed that the Sub Committee was based on the above**  **arrangements. Seconded by Councillor Cornish. Unanimously agreed.**  **Councillor Mrs Geen proposed that this would be a condition on which the Parish Council would sign the Agreement. Seconded by Councillor Jessel.**  **Councillor Thomas proposed that the signing off of the Agreement was not dependant on the final setting up of a Sub Committee. Seconded by Councillor Mrs Drake.**  **Vote: Councillor Thomas’s amendment. In favour: 6. Carried.**  **Against: 3**  **Decision to Proceed with the Agreement itself.**  **Proposed by Councillor Mrs Drake. Seconded by Councillor Thomas.**  **Vote: In favour: 6. Carried**  **Against: 2**  **Abstention: 1**  Before Mrs Miller left the meeting on conclusion of this part of the meeting, it was arranged that she would liaise with contractors in connection with all the arrangements and work involved. | | | Kivells  MT/LM  MT  MT  Clerk  MT  Kivells  MT/LM  Kivells  MT  MC/PG  Sub Committee  Kivells |
| 25. | **Matters Arising**.  **25.1 Putford Post.** In light of the report at the last meeting, to discuss how the Parish Council can communicate with the Parish. This item has been deferred to the September meeting.  Councillor Mrs Geen had been approached by a parishioner who was interested in being involved in parish communications.  **Councillor Mrs Geen proposed that she follow this up. Seconded by Councillor Mrs Drake. Unanimously agreed.**  Councillor Thomas advised that the Putford Post in printed form will not continue and will appear on the Putford.com website.  **25.2 Broadband Update.** This item had been deferred to the September meeting. | | | September Agenda  PG  September  Meeting |
| 26. | **Planning and Planning Correspondence.**  There were no Planning Applications to consider.  **26.1 Planning Correspondence.**  **26.1.1 North Devon & Torridge Local Plan Consultation running until 17/8/18.** The Inspector had asked the Councils to consult on a further Main Modification which is considered necessary to make the Plan sound. The Proposed Main Modification relates solely to reducing the yield from 10 to 5 homes on a housing allocation in Buckland Brewer.  Councillor Mrs Crout advised when attending the Holsworthy Advisory Group, those present were advised that Planning Applications from developers are going through and they are then saying they cannot progress because it is against the Local Plan.  **26.1.2 Appeal in respect of Certificate or proposed lawful development at Powlers Piece Park, Putford.** Comments had to be received by 13/7/18.  **26.1.3 It was noted that Planning Application 1/0483/2018/FUL –** change of use of holiday let to create a single dwelling at Briery Field, East Putford had been granted permission. | | |  |
| 27. | **Finance.**  **27.1 Balances.** **Lloyds Bank Treasurers Account as at 8 June 2018: £4,970.91**  Budgetary figures to the end of June 2018 were tabled.  **27.2 The following payments were approved and authorised:**  **Mrs S Squire**  Redacted under the Data Protection Act. Councillors will be shown the details  **HMRC** PAYE **£ 41.60**  **Community First Insurance** Renewal premium due on 1/6/18 **£173.76**  *Arrangements had been made for the cover to be held in place as the company failed to send the renewal documentation*  **Julie Snooks** 2017/18 internal audit fee **£ 50.00**  **27.3 Internal and External Audit.** The Clerk advised that no Report was prepared as all items were considered satisfactory. Two minor items had been raised:   * Was it confirmed that Public Liability cover from Community First did not cover Common Moor Public Liability.   The Clerk recalled that Community First, over the course of many emails, never actually confirmed that Public Liability cover was applicable. This was the reason why alternative cover was sought and purchased.   * Out of date cheques to be written back in the year and are not ‘outstanding’ cheques.   **27.4 Variation Mandate to update cheque signatories for all Councillors to sign and for the Clerk to have the facility of ‘view only’ online banking.**  Councillors completed the forms. | | | Clerk  Ch.No.343  Ch.No.344  Ch.No.345  Ch.No.346  Clerk to submit to bank |
| 28. | **Correspondence / Notices & Publications Received – were placed on the table to see and read.**  **28.1 TDC.** Email regarding the Gambling Act 2005 consultation on Statement of Principles 2018. Comments to be received by 31/8/18.  Councillors decided not to respond.  **28.2 North Devon Record Office.** Email from Barnstaple Town Council for information. *Noted.*  **28.3 TDC,** Email regarding the Licensing Act 2003 – Consultation on Statement of Licensing Policy. Comments to be received by 2/10/18.  Councillors decided not to respond. | | |  |
| 29. | **Matters raised by Councillors /Clerk.**  **29.1 Councillor Mrs Crout.**  Highways issue – concern about lack of verge cutting in key areas and also a blind junction at Parsonage Cross which it is hoped can be improved. An accident had recently occurred at the site.  The Clerk to report this to Devon Highways with County Councillor Parsons copied in.  **29.2 Mrs S Squire, Parish Clerk.** Following on from the report of her training, Councillors to discuss whether to progress with **delegatory powers for the Clerk in case of an emergency** and whether **Terms of Reference** will be required for a Committee.  This had been covered under Minute No. 24.  Due to time restriction, this item to be included on the September Agenda.  Under the Smaller Authorities Transparency Code, no items have been advised to the Clerk for inclusion on the Agenda. | | | Clerk  September  Agenda |
| 30. | **Date of next Meeting:** Wednesday, 19 September 2018 in Bradworthy Primary Academy at 7.30pm.   * Venue of Parish Council meetings, in the light of preferred facilities at Parkham Methodist Schoolroom * Cheque for £10.80 in respect of hire of Parkham Methodist Schoolroom for this meeting (the same amount at Parkham Parish Council pay) * Terms of Reference for Common Moor   The meeting ended at 9.48pm. | | |  |
| **Summary of Decisions:**   * **Minutes of the Annual Parish Council Meeting of 23 May 2018. The Appendix prepared by Councillor Jessel to be attached to the signed document** * **The grant of £3,000 offered for work on Common Moor to be rejected on the basis that Devon Wildlife Trust would do the swailing free of charge in 2019** * **5 year break clause to be included the Countryside Stewardship Higher Tier Agreement** * **The Barrow adjacent to Common Moor Cottage is not to be included in the Countryside Stewardship Higher Tier Agreement** * **Formation of Sub Committee and the basis on which the Agreement was signed** * **The signing off of the Agreement would not be dependant on the formation of a Sub Committee** * **To proceed with the submission of the Countryside Stewardship Higher Tier Agreement** * **Councillor Mrs Geen to follow up an offer by a parishioner to assist with Parish Council communications in the area** * **Payments** | | | | |
| **These Minutes are agreed by those present as being a true record.** | | | | |
| Signed:  Chair of West & East Putford Parish Council: | | Date: | | |