

**Minutes of West and East Putford Parish Council Meeting held on Wednesday,
26 September 2018 in the Bradworthy Primary Academy at 7.30pm.**

Chaired by: Councillor Mrs P Geen		Clerked by: Sue Squire
Present: Councillors M Cornish Mrs R Crout Mrs L Drake Mrs P Geen J Jessel Mrs M Lewis N Moulder D Pomeroy M Thomas County Councillor B Parsons		Agenda: - Items raised by members of the public Apologies Declarations of Interest Approval of the Minutes of the Meeting held on 25 July 2018 and to receive the Minutes of the Common Moor Sub Committee Meeting held on 19 September 2018 Reports Common Moor Matters Arising Planning & Planning Correspondence Finance Correspondence / Notices & Publications Received Matters raised by Councillors / Clerk Part II confidential Date of next meeting
		Action:
31.	Items raised by members of the public. None.	
32.	Apologies. Councillor P Bond and J Wooldridge.	
33.	Declarations of Interest. Councillors Cornish, Mrs Drake, Moulder and Pomeroy have a Dispensation in respect of Common Moor, being Commoners. Councillor Jessel. Member of CPRE (Campaign for the Rural Protection of England) and Torridge Headwaters. County Councillor Parsons and Councillor Moulder declared an interest in connection with County Councillor Parsons' Report, both being foster carers.	
34.	Approval of the Minutes of the Meeting held on 25 July 2018 after it was noted that MC were present and the following amendments made: Page 2. Minute No. 24. 7th and 8th bullet points deleted. Page 3. Minute No. 24. Second bullet point amended to read: "There was concern that informal conversations and assurances given by Natural England had not been put in writing and written confirmation should be requested with respect to late RPA payments". Councillor Jessel asked for confirmation of Natural England's statement that the Parish Council would not proceed with the Stewardship Agreement if the Barrow was cleared. Enquiries to be made of Historic England. Councillor Mrs Geen was of the opinion that if there is agreement between Natural England and Historic England, it should not be a problem to obtain this in writing. Councillor Thomas advised that Natural England had agreed that the Barrow need not be included. Although this had been mentioned in emails, it was not included in other documents. Councillor Thomas continued by saying that Historic England had confirmed it was not necessary to proceed with the clearance of the Barrows, and he would provide the necessary confirmation.	MT

	<p>Councillor Jessel spoke about scenarios about if the Parish Council did not adhere to the Agreement.</p> <p>Councillor Mrs Geen advised that Minute 25.1, communication, would be discussed at the November meeting.</p> <p>To receive the Minutes of the Common Moor Sub Committee Meeting held on 19 September 2018.</p> <p>Both sets of Minutes were approved and signed as a correct record.</p>	
<p>35.</p>	<p>Reports:</p> <p>35.1 Police. Not present. No report received.</p> <p>35.2 County Councillor B Parsons spoke about the following:</p> <ul style="list-style-type: none"> • Libraries Unlimited. No libraries had closed as all were doing well supported by many volunteers across the County. It is not only books which are provided but e-learning too. The library service has a £7 million budget. His IT portfolio wants to try and support people who has issues in this connection. • A supply of leaflets were left regarding a Survey for Holsworthy Hospital which can be completed online. The deadline had been extended to ensure all parishioners have the opportunity to do the Survey as it had been found that some Postcode areas had not received the details. There are issues with Shebbear and Hatherleigh Surgeries. Shebbear had closed and Hatherleigh is looking to open another practice as an alternative and would cover Shebbear. • He was starting to receive good positive feedback about the roads. The budget is thin for smaller roads and unclassified roads do not get the treatment he would like to see. 40% of Skanska's contract relates to smaller roads. • Regarding the budget, there is pressure for children's services where there is a significant overspend, a national problem. Some carers receive more income if children in their care are at the high end. At this point, County Councillor Parsons and Councillor Moulder declared an interest as both are foster carers. <p><u>Questions and comments put to Councillor Parsons.</u></p> <p>Councillor Mrs Drake raised the state of the roads, where the Parish Council had sent a list of those identified requiring urgent attention. Councillor Parsons confirmed this had been sent to the newly appointed Neighbourhood Highways Manager and he was trying to follow this up.</p> <p>Councillor Jessel informed that in the hot weather, the tar had melted on the road from East Putford to Venn Cross and thanked Highways for spreading dusty grit to improve the road's condition. However, Councillor Pomeroy advised that after top dressing the road, the sweeper came and removed the stones and this was the reason for the problem.</p> <p>Councillor Mrs Geen asked about Bradworthy GP Surgery which is affiliated with Holsworthy. Councillor Parsons advised that Bradworthy has not been mentioned. Holsworthy has a target of 30,000 people and are up to approximately 28,000 at present. When the target is reached, they can call in more funding.</p> <p>Councillor Mrs Geen advised that the Parish Council would like to follow up the talk by DCC's Matt Barrow regarding roll out of Broadband and Councillor Parsons would follow this up, the Parish Council's invitations not having been responded to.</p> <p>Councillor Mrs Drake pointed out that the former County Councillor helped pay for a section of road to be repaired and asked if Councillor Parsons had funding for this type of work to which he replied that he was not encouraged to spend his Locality Grant allocation in this way.</p>	

	<p>He suggested that Councillor Mrs Drake's writes to him about the issue.</p> <p>Councillor Pomeroy advised that between Stibb Cross and Powlers Piece, he had noticed white lines on the road, but no work had taken place.</p> <p>Councillor Parsons advised that the lines mark the areas Highways would like to do. Priorities and emergencies often take over and work where there are white lines is put back.</p> <p>He went on to explain about contractors Skanska, staffing issues and catching up with work following the snow.</p> <p>He suggested this was put in writing and confirmed that the three roads identified were on the list which he would track.</p> <p>People were still reporting the issue in other ways.</p> <p>35.3 District Councillor R Hicks. Not present.</p> <p>35.4 Meetings attended by Councillors / Clerk. None.</p>	
36.	<p>Common Moor.</p> <p>36.1 Councillor Thomas will present the recommendations of the Sub Committee which met on 19 September 2018.</p> <p>Councillor Cornish proposed that the rest of the items on the Agenda were dealt with before discussing Common Moor. Seconded by Councillor Mrs Drake.</p> <p>Vote: 9 in favour. Carried. 2 against</p> <p>Councillor Thomas gave an overview of the situation and a summary of the Sub Committee meeting.</p> <p><u>Membership and Terms of Reference.</u></p> <p>Steve Carter was unanimously voted onto the Committee. He would serve as Vice Chair in the event that Councillor Thomas was unavailable.</p> <p>The Terms of Reference were studied and some minor changes were made to those circulated last year. Due to this, it was not possible for the Terms of Reference to be approved at this meeting.</p> <p>Councillor Jessel stated that at least three Members were Commoners who had a financial interest. He felt the minority of the Committee should be Commoners and expanded on this point. Even if Commoners did not use Common Moor to graze the area, they would receive money and if there was a benefit it would not be appropriate for the majority of the Committee to be Commoners. It was noted that there had been a conversation about this in the early stages of discussion.</p> <p>This point to be included in the Terms of Reference and a cap set on the maximum number of Members who are Commoners.</p> <p>Amendments to be made and the Terms of Reference to be ratified at the next meeting.</p> <p>For errors made by Kivells, the insurance they have in place would cover it.</p> <p><u>Tenders</u></p> <p>During the Sub Committee meeting, Tenders were opened.</p> <p>16 contractors had been approached. 7 had responded.</p> <p>Some contractors were ruled out at the time as they had not supplied all the requested information.</p> <p>Three preferred contractors were chosen. Natural England required details of three.</p> <p>The most competitive Tender was from Rural Services (Neil Holding) who had quoted £9,600 for the scrub work. This amount was close to the Natural England's prediction of £10,000.</p> <p>Rural Services had quoted £3,500 for work on the Barrow, 100% of which would be paid for by Natural England.</p> <p>Councillor Thomas confirmed that it was a unanimous decision by the Committee that Rural Services was the preferred contractor.</p>	

The second and third contractors chosen at the Sub Committee meeting were:

Knighton Countryside Management - £24,665

Kernow Management Services - £16,132

There was a question about chipping the scrub as opposed to burning it on the Moor and there is a discussion in progress with Natural England about this.

Footpaths have to be kept open and would be closed temporarily when work is in progress.

Road verges are not part of the Agreement and not the land owner's responsibility.

Regarding the Parish Council's health and safety issues, Councillor Thomas had taken advice from the DALC (Devon Association of Local Councils) and was advised that as long as the contractor has the appropriate health and safety insurance and risk assessment in place with this information on the file accepting it is sufficient, the Parish Council is covered. Kivells also confirmed this.

Councillor Mrs Geen pointed out that responsibility has to be taken by someone and was advised this would be Kivells.

Councillor Mrs Geen felt this should be in writing.

Councillor Thomas to check the position regarding the Parish Council not being the landowner, would the responsibility lie with the person doing the work.

Councillor Jessel was of the opinion and the Parish Council should not proceed to agree until this aspect had been clarified.

Commoners and their formal involvement.

There was the suggestion that Commoners would have to sign off the Agreement.

Councillor Thomas informed that the advice received was that they must be kept informed of the process.

As only a small part of the land would be worked on at any one time, the rest would be for grazing so there were no issues of Commoners not being able to use the Moor.

Councillor Mrs Crout asked if Commoners had been informed and was advised by Councillor Thomas that the Committee have a list of Commoners to advise when necessary.

Heather. The question had been asked about the best ways to manage this and advice received that certain areas would be left until the majority of the work had been done.

Access points. Councillor Jessel had felt there were insufficient.

Councillor Thomas advised he had met with Natural England and Devon Wildlife Trust who had inspected the area and confirmed there were no issues. The firebreaks would be used as the paths.

Parking and Fuel Storage. The Agent has to be advised of this and be responsible.

Break Clause. There is a break within the Agreement at 5 years.

Councillor Mrs Geen advised that Natural England had told her the Agreement could be terminated with six months notice.

Councillor Jessel pointed out that if people drop out of the Parish Council and / or the Committee, the scheme could not function.

It was acknowledged that the scheme may cease in which case six months notice would have to be given and money received for work would have to be paid back if the work had not been done.

Flexibility of the Agreement. This was covered under Point 5.1 in Section 2 which stated that the Parish Council would not be out of pocket.

Pesticides. No pesticides would be used. Herbicides would be spot use on stumps which had been cut.

Side Agreement. This has to be in place as part of the overall Agreement. There is a new Section 8 incorporating the points from the previous Section 8 and Section 9.

Councillor Mrs Crout felt the document implied that Councillors were personally liable and also the Treasurer, meaning the Parish Clerk.

Councillor Mrs Geen was unsure as to who the Agreement was with and was told it was the Parish Council. It was not possible to have an Agreement of one party with itself.

Natural England had seen the document but not commented. The Agreement must be signed at this meeting due to the deadline. No payments to graziers is to be included.

Councillor Mrs Geen felt she could not sign the document as Chairman of the Parish Council without better clarity of the document as she did not understand it. She felt it was more of a declaration than an Agreement.

Councillor Jessel pointed out that Councillor Mrs Geen holds an important post on the Parish Council and if signing the Side Agreement was wrong, it would reflect on her professional position.

Item 13 of the Agreement should read by the Agent, not by the Parish Council. Other wording regarding Tendering should be deleted and 'private contractors selected by tendering' inserted.

Councillor Jessel wanted interpretation on Point 18. If Highways want to do work, the Parish Council could not stop them.

This item to be removed and the wording 'if a statutory body wanted to do work, the Parish Council will inform Natural England'.

Councillor Mrs Geen felt insufficient time had been allowed and there were a number of items to go through, including timescales.

Councillor Jessel spoke about Annexe A where it said that certain organisations have not been approached, the document saying the word 'may'. He had noted there was a list of organisations which had to be contacted. He was not in favour of signing the Side Agreement and although he wanted Common Moor managed, he did not think the Parish Council could manage it.

Feedback from parishioners was given.

Councillor Mrs Geen advised that until she was happy with the risk summarized, she felt the details had not got far enough to sign the document.

Councillor Jessel suggested that the Sub Committee collected objections and the queries addressed, page by page.

Councillors were advised that the Side Agreement must be signed on behalf of the Parish Council, together with the Natural England letter signed by Kivells. By signing, the Parish Council had not committed itself to proceed. The formal offer is to be signed in December.

Councillor Mrs Geen stated she only wanted to sign the Side Agreement if the democratic interest and her personal situation was assured. The consultation and mandatory items has caused nervousness to Councillor Mrs Geen who spoke about the Sub Committee which she felt there was merit in forming.

**Councillor Thomas proposed that a vote was taken on whether to proceed with the Stewardship Agreement on the condition that approval of the Side Agreement is delayed until such time as this can be clarified.
Seconded by Councillor Mrs Drake.**

Councillor Jessel proposed that the Parish Council was not restricted to the whole Agreement, but delay the Side Agreement by asking Natural England for clarification until discussions take place between Councillor Thomas and Rob Dixon (Natural England). If the Parish Council was

	<p>satisfied, it could go ahead. There was no seconder and the proposal fell.</p> <p>A vote was taken on Councillor Thomas's proposal which had been seconded.</p> <p>In favour: 5 - carried Not in favour: 3 One abstention</p>	<p>MT Clerk</p>
<p>37.</p>	<p>Matters Arising. 37.1 Putford Post. Deferred to the November meeting.</p> <p>37.2 Broadband Update. Councillor Thomas advised that Airband is to improve Broadband in the area and it was hoped this would start towards the end of this year.</p> <p>Under a Gigabit scheme every private resident receives a £500 voucher for Broadband infrastructure and businesses receive £3,000. This funding offsets the overall cost.</p> <p>A small team had been formed to follow this up who had approached Openreach about the structure. They had indicated the potential for a full fibre network in Putford and the next step would be to ascertain who would be actively interested.</p> <p>BT indicate the speed would be 3mb, the government's aim is 25-27mb. This scheme would put in 100mb.</p> <p>Councillor Thomas felt there was real scope for a positive outcome and residents will receive details via a mail shot.</p> <p>It was not known if the cables would go underground and if it involved 01237 numbers which some Putford residents had, as well as all 01409 numbers.</p> <p>Councillor Thomas asked if there was a registered charity in the Parish, should this have a bearing on the information given to Openreach.</p>	<p>November Agenda</p>
<p>38.</p>	<p>Planning and Planning Correspondence. There were no Planning Applications to consider.</p> <p>Planning Correspondence. TDC. Email regarding the publication of Inspector's Report on the North Devon & Torridge Local Plan.</p> <p>The Inspector in her report concludes that the Local Plan can be made sound and capable of adoption with the application of the recommended Main Modifications that are provided as an Appendix to her report.</p> <p>It is anticipated that the Inspector's report will be considered at Full Council Meetings of the respective Councils in October 2018 to enable the Plan to be formally adopted.</p>	
<p>39.</p>	<p>Finance. 39.1 Balances. Lloyds Bank Treasurers Account as at 23 August 2018: £4,419.02</p> <p>Budgetary figures to the end of August 2018 were tabled. This included separate figures in respect of Common Moor.</p> <p>The Clerk advised there would be overtime to be paid at the November meeting in respect of additional work between the July and September meetings.</p> <p>Councillor Mrs Crout, while not disputing the overtime or payment of it, questioned an arrangement in place that the Clerk should inform when the maximum hours had been reached due to pressure on the budget.</p> <p>The Clerk pointed out that at the time, there were deadlines to meet and urgent emails to answer and the practicalities of obtaining permission were such that important time would have been lost.</p> <p>Councillors generally supported the Clerk in respect of the work she had carried out.</p> <p>Councillor Mrs Geen proposed that the arrangements for overtime agreed previously were</p>	

	<p>reviewed and a proposal made at the next meeting as to the best way to manage overtime budget. Seconded by Councillor Jessel. Agreed noting there were two abstentions.</p> <p>Councillor Thomas advised that Kivells cost is £1,600 to date, the payment for which is deferred to next year. The total cost over two years is £2,800 and there had been a guarantee that they will stay within the budget.</p> <p>There was the suggestion of giving the Sub Committee a budget and Councillors acknowledged that the amounts involved would be much less from now on.</p> <p>39.2 The following payments were approved and authorised: Mrs S Squire Redacted under the Data Protection Act. Councillors were shown the details.</p> <table border="0" data-bbox="215 629 1300 723"> <tr> <td>HMRC</td> <td>PAYE</td> <td style="text-align: right;">£41.60</td> </tr> <tr> <td>PMP Printing</td> <td>Printing costs associated with Higher Tier Manual</td> <td style="text-align: right;">£44.86</td> </tr> </table> <p>39.3 VAT Reclaim. It was noted that a reclaim in the sum of £79.62 in respect of the period 1/4/17 – 31/8/18 had been made to HMRC.</p> <p>39.4 Variation Mandate to update cheque signatories for all Councillors to sign and for the Clerk to have the facility of 'view only' online banking. It was noted that a response from the Bank was awaited.</p> <p>39.5 TDC. It was noted that the second tranche of the 2018/19 Precept amounting to £1,500 had been credited to the Parish Council's bank account.</p>	HMRC	PAYE	£41.60	PMP Printing	Printing costs associated with Higher Tier Manual	£44.86	<p>PG & RC to deal</p> <p>Clerk Ch.No.349</p> <p>Ch.No.350</p> <p>Ch.No.351</p>
HMRC	PAYE	£41.60						
PMP Printing	Printing costs associated with Higher Tier Manual	£44.86						
40.	<p>Correspondence / Notices & Publications Received – were placed on the table to see and read. The following had been received after the Agenda had been circulated: Devon Highways. Salt Order for 2018/19. The Clerk to order 1 tonne of salt on a pallet.</p>	Clerk						
41.	<p>Matters raised by Councillors /Clerk. 41.1 Venue of Meetings. Following on from the meeting in Parkham Methodist Schoolroom, Councillors considered whether to move the meetings to be held at that location. All felt that the meetings should continue in Bradworthy Primary Academy.</p> <p>41.2 Dates of 2019 meetings. Councillors were in favour of the following, all on Wednesdays: 23 January, 20 March, 22 May, 17 July, 18 September, 20 November.</p> <p>41.3 Archiving of historical Parish Council files and paperwork. Councillors considered a suggestion that this is transferred from the Clerk's home to Bradworthy Historical Society.</p> <p>This was deferred to the next meeting. In the meantime, Councillor Mrs Lewis would enquire from the previous Clerk about the suggestion. The current Clerk had no strong feelings either way although did point out that should she be asked to research archive material, this could prove difficult if the paperwork was in Bradworthy.</p> <p>Under the Smaller Authorities Transparency Code, no other items had been advised to the Clerk for inclusion on the Agenda.</p>	<p>Clerk to book</p> <p>ML</p>						
42.	<p>Part II Confidential. The meeting did not go into Part II Confidential.</p>							
43.	<p>Date of next Meeting: Wednesday, 28 November 2018 in Bradworthy Primary Academy at 7.30pm. The meeting ended at 10.26pm.</p>							

Summary of Decisions:



These Minutes are agreed by those present as being a true record.

Signed:

Date:

Chair of West & East Putford Parish
Council: