

# **MILTON ABBOT GROUPED PARISH COUNCIL**

**(Parishes of Milton Abbot (MA), Chillaton (C), Dunterton (D) and Bradstone (B))**

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## **To all Members of the Council**

You are hereby summoned to attend a Meeting of the Milton Abbot Grouped Parish Council to be held at at **7.30pm on Thursday 20<sup>th</sup> February 2014 at Milton Abbot Hall** for the purpose of transacting the following business:

**H.J. Asbridge, Acting Clerk to the Council**

Thursday 6<sup>th</sup> February 2014

## **A G E N D A**

### **Part 1**

- 1. Open Session – Members of the Public may speak regarding parish matters**
- 2. Apologies for Absence**
- 3. Declarations of Interest**
- 4. Pre-application consultation: Erection of wind turbine at Ramsdown, Milton Abbot.**

aardvark EM Ltd, acting for Murex, have initiated a public consultation exercise, as is now required before an application for planning permission can be submitted for any single wind turbine over 15 metres high.

aardvark have sent information about the proposed turbine, together with a response form, to about 100 households in Milton Abbot and surrounding area that are within 1km of the site in question. Parish Councillors have already been sent copies of those documents, attached to an email from the Clerk dated 3<sup>rd</sup> February.

**Please print out your copy and mark it as Appendix A. [In case of difficulty, please ask for a printed copy from the Clerk before the meeting.]**

MABRAKE will hold a public meeting on Monday 17<sup>th</sup> February at 7.30pm to brief residents on this proposal. aardvark will not be attending that meeting.

Parish Councillors are encouraged to attend, as the outcome of that meeting will be considered by the Parish Council on the 20th, as part of our response to aardvark.

A similar proposal was considered by the Parish Council in 2011 and the views expressed thereon may be relevant. **A copy is attached as Appendix B.**

Turbine operators are expected to make a 'community benefit' contribution, equivalent to £5,000 p.a. per megawatt of installed capacity. For a 500kw turbine such as the one proposed, this presumably means £2,500 p.a.

Having regard to i) the outcome of the MABRAKE meeting on 17<sup>th</sup> February, ii) any available feedback from the aardvark consultation process, iii) its previous views on a similar proposed

development, the Parish Council is REQUESTED to determine its response to aardvark on the proposed development and on the associated proposed community benefit payment.

## **5. Confirmation of Minutes – Regular Meeting – 13<sup>th</sup> November 2013**

### **6 Matters Arising**

## **7. Confirmation of Minutes – Special Meeting – 8<sup>th</sup> January 2014**

### **8. Matters Arising**

## **9. Liaison with Lifton Parish Council**

There appear to be several pending applications for large wind turbines; some in the area of our parish, some in Lifton Parish. There would be benefits in establishing a link with Lifton Parish Council to ensure that each parish fully understands the cumulative effect of the turbines proposed in our joint area.

There has been some consideration by Lifton Parish Council recently of the repair works to be carried out to the Southern Bridge at Tinhay. The possible need for the existing bridge to be replaced or supplemented to stop it being damaged, has been discussed. However, any improvement in the capacity of the bridge at Tinhay, has serious consequences for traffic through Chillaton [and indeed through Tavistock] and our Parish Council needs to be fully involved in any discussion of improvements to the bridge and alternative traffic routes in the area.

Lifton Parish Council is preparing a Neighbourhood Plan and that could have implications for various parts of our parish. There would be benefits in establishing a dialogue between both parish councils over their respective local plans.

It is therefore RECOMMENDED that the Acting Clerk should contact Lifton Parish Council and arrange for these issues to be discussed in an appropriate forum.

## **10. Nominations for Mayoral awards**

Any nominations have to be made by 28<sup>th</sup> February. Community volunteers, green champions and unsung heroes are being sought as nominations open for this year's West Devon Borough Council Mayoral Awards. The awards are held annually to recognise people who have done something particularly noteworthy within the borough or who have enhanced the reputation of West Devon on the national stage.

The awards fall into three categories – a young person (under 18); an organisation, business or person (over 18); and an individual or group who have made a significant contribution to the conservation and protection of the natural environment of West Devon.

The Parish Council is REQUESTED to determine its response.

## **11. Review of Standing Orders**

The Acting Clerk produced an interim review of Standing Orders last October. This was circulated to members but not considered fully at the November meeting. We still need to resolve some issues, as follows:

### Authority to act between meetings

We did agree in November that:

*At the beginning of each year, the Council may decide that executive powers be delegated to the Clerk of the Parish Council where urgent action is required between scheduled meetings, and where it is not possible or convenient to call a special or extraordinary meeting.*

*The Clerk may, following consultation with the Chair and Vice-Chair of the Parish Council deal with urgent business. Any action involving expenditure will not be in conflict with agreed Parish Council policy. All actions taken under executive powers must be reported to the next meeting of the Parish Council.*

Rather than keep having to quote the relevant Minute each time this authority is exercised, it would be better to amend Standing Orders to incorporate this procedure and it is RECOMMENDED that this be done.

### Consideration of planning applications

Our Standing Orders say nothing about the organisation of meetings of the Planning Sub-Committee referred to in S.O. 48 and in practice its activities resemble an informal process, rather than that of a Sub-Committee. Decisions of the Planning Sub-Committee are not minuted and are not reported to the Parish Council, nor is there any formal regard as to whether or not there is a quorum.

For example, Standing Order 30 states that the quorum for any sub-committee shall be half of its members. In Chillaton, that means two out of three PCs. Declarations of interest, absence on holiday could easily make such 'meetings' inquorate.

According to DALC's advice note *Meetings and Procedures*, sub-committees can be convened without public notice and the public have no statutory right to attend. Our informal gatherings on site to consider a planning application can therefore be deemed to fall within that advice.

According to the NALC's Legal Topic Note LTN 1, sub-committees can be convened with less than three clear days notice, unless standing orders say otherwise. As NALC says, that would enable comments to be made to planning authorities in respect of planning applications affecting the parish concerned, within the timeframe allowed.

It is therefore RECOMMENDED that Standing Orders are amended so that:

1. Decisions of any Planning Sub-Committees are reported to the next meeting of the Parish Council, so that they are placed on record.
2. If any meeting of a Planning Sub-Committee is inquorate, those present give informal advice to the Clerk, who then takes urgent action, under the above proposed Standing Order, to advise the Planning Authority of the Parish Council's views.

Although we respond as the whole Parish Council to a major application such as a wind turbine, we have no criteria by which to determine which applications should be dealt with by a ward Planning Sub-Committee and which should be referred to the whole Council.

It is therefore RECOMMENDED that Standing Orders are amended so that:

If any planning application is so significant or contentious, or would be a departure from existing policies, or constitute development outside agreed settlement boundaries, or the public are likely to want to be present at its consideration, the Clerk should take urgent action, under the above proposed Standing Order to call an emergency meeting of the Parish Council with whatever notice is appropriate, if any.

## Matters affecting Employees of the Parish Council

S.O. 13 requires the Parish Council to review the pay and conditions of service of its employees each year when the estimates are approved. This has not happened in recent years.

Standing Order 26 forbids discussion of any matter relating to an employee of the Parish Council unless consideration has been given to excluding the public. We regularly consider whether or not to pay salary owing to the Clerk in the open part of the meeting, without complying with S.O. 26.

In practice there is usually no-one present, but it is not appropriate for an individual employee's salary to be discussed in public and in fact it is completely unnecessary, as we are contractually bound to pay it anyway.

It is RECOMMENDED that these requirements be complied with in future and that the practice of requiring the Parish Clerk to submit requests for payment of salary [but not expenses] should cease.

## Consequent Changes to our Agendas

Looking at a model agenda prepared by DALC, the following items should appear on our agenda, either every time or when necessary:

### ***Progress Reports***

### ***Planning***

*To note the decisions of the Planning Sub-Committee held on ....*

### ***Clerk's report on Urgent Decisions since the last meeting.***

### ***Councillors' reports and items for future agenda***

*Each Councillor is requested to use this opportunity to report minor matters of information not included elsewhere on the agenda and to raise items for future agendas. Councillors are respectfully reminded that this is not an opportunity for debate or decision making.*

### ***To consider the exclusion of the public and press in the public interest for consideration of the following item:***

*Personnel issues.*

What should not appear on the agenda are 'Matters Arising' or 'Any other Business'. 'Progress Reports' should be used to enable discussion on issues previously considered under 'Matters Arising' but the items concerned should be listed on the agenda.

It is RECOMMENDED that future agendas be based on the above model.

## **12. Frequency of meetings**

The benefits of being slightly more formal and more organised are that our actions should be legal, more transparent and more defensible from criticism. The downside is a slight loss of flexibility and this, coupled with major planning applications and issues like a Neighbourhood Plan, may make it worth reviewing the frequency of Parish Council meetings. Indeed, Councillor Gradidge has

suggested that we consider meeting on a monthly basis, to avoid the need for so many special meetings.

It is RECOMMENDED that the current cycle of Parish Council meetings be reviewed.

### **13. Affordable Housing – Milton Abbot**

Alex Rehaag at WDBC has passed on an enquiry from Trand, who are interested in developing a site in Milton Abbot to provide affordable housing. The site is to the south of St Constantine's Church and off Vicarage Gardens.

The issues we would need to consider centre on i) the need for affordable housing in Milton Abbot and ii) the usual planning considerations involved in a development of this kind.

As far as housing need is concerned, the Acting Clerk is working with Alex Rehaag to adapt the current survey form to create one more suited to rural locations such as ours. It is intended that a copy of the revised form will be on the Agenda for our meeting on 5<sup>th</sup> March. Ideally, we would want to look at Trand's definitive proposals in the light of a new housing needs survey.

Given the size of this agenda, it would not be sensible to try and include a presentation from Trand at this meeting. We therefore have the choice of holding an informal meeting with Trand or of deferring the matter until either our meeting on 5<sup>th</sup> March or the one on 8<sup>th</sup> May.

The Parish Council's instructions are REQUESTED.

### **14. Financial matters**

#### Parish Precept

To NOTE that it would have been possible to vary the 2014/15 precept to gain an additional £32 income, but as the Parish Council had decided not to seek any increase in the precept, this offer was declined by the Acting Clerk and the precept remains unchanged from 2013/2014.

#### Budget report

To NOTE that once the Acting Clerk has received the necessary working papers, the annual budget report will be presented to the Parish Council. The budget for 2014/15 was able to be set at the November meeting because it was agreed that there would be no change in income or planned expenditure in the forthcoming year.

#### Grass cutting 2014/15

To REVIEW the process for letting the annual contract for grass cutting in Milton Abbot. At present we have not made any formal decision regarding this contract for 2014/15 and we need to determine how best to proceed.

Please note that we have recently received a request from Grounds Maintenance SW – P. Burrige to be included on our 'invitation to tender' list.

### **15. Neighbourhood Plan**

We deferred further consideration of this matter until March/April this year. The increasing number of major planning applications before us makes the creation of a Neighbourhood Plan even more relevant, whilst at the same time our capacity to prepare one is reduced by the amount of other Parish Council work.

Nevertheless, we should REVIEW the current position and decide how to make further progress in 2014.

## **16. Influencing Services**

At our November meeting, we agreed that we would look at our local areas and identify any that were not covered by a regular eight-weekly cycle of street sweeping. WDBC has now been informed, as agreed, that the section of road without pavement, from the end of Marlow Crescent to the centre of Chillaton should be included in the high priority areas for autumn leaf clearance.

We also agreed to circulate the original paper on influencing local services and review street sweeping standards at a future meeting. **That paper is attached as Appendix C.**

We also decided that we should give consideration to making a joint application with a neighbouring parish, to the Town and Parishes [TAP] Fund for the employment of a part-time parish lengthsman to be deployed between the parishes concerned. However, the closing date for applications is the 20<sup>th</sup> February.

The Parish Council is REQUESTED to consider what further action to take.

## **17. Community Alarm Monitoring Service – ‘Call24’**

A request has been received from Call24 to advertise their services in Parish Council publications, such as parish magazines, websites. The Company provides portable pendants that allow you to raise an alarm from anywhere within your home or garden. You will then be able to speak to someone who will call for assistance at any time of the day or night.

Does the Council consider that this product should be endorsed or should it be left to the Company simply to make its own arrangements with the relevant magazines and websites?

## **18. To consider the exclusion of the public and press in the public interest for consideration of the following item:**

Recruitment of Parish Clerk