

# **MILTON ABBOT GROUPEd PARISH COUNCIL**

**(Parishes of Milton Abbot, Chillaton, Dunterton and Bradstone)**

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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 **7.30pm on Wednesday 5<sup>th</sup> November 2014 at Marystow Church Hall** for the purpose of transacting the business set out below.

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

Wednesday 29<sup>th</sup> October 2014

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

### **Part 1**

- 1. Apologies for Absence**
- 2. Declarations of Interest**
- 3. Confirmation of Minutes - Meetings held on 3<sup>rd</sup> and 30<sup>th</sup> September 2014**
- 4. Open Session – Members of the Public may speak regarding parish matters**
- 5. Proposed Wind Turbine at Cardwell Farm – Consultation Statement [Appendix A]**

The Pre-Application Consultation Statement contains a précis of the representations sent by local residents to Planex, the consultants for the applicants for this proposed 57.4m [188ft] high wind turbine at Cardwell Farm, Long Cross. It also contains the consultants' response to the issues raised.

The representations sent can be summarised as being concerned about:

- The perceived inadequacy of the area in which this consultation was carried out.
- The need for the Zone of Theoretical Visibility [ZTV] to reflect tip, not hub, height.
- The impact on the landscape and on the Tamar Valley AONB and Dartmoor National Park.
- The potential for noise impact on residential properties and farm animals.
- The risk to wildlife from turbine blades.
- The potential adverse effect on local businesses.
- The potential for radio interference.
- The flicker effect of turbine blades.
- The adverse impact on listed buildings and historic assets.

The consultants' response covers the following issues:

- The consultation was carried out in accordance with the '*requirements of legislation*'.
- A ZTV to tip height will be published together with the application.
- Concerns about visual impact will be covered by an independent Landscape and Visual Impact Assessment.
- The economic justification for the turbine will be set out in the supporting statement accompanying the planning application.
- Shadow Flicker will be addressed in the planning application.

- An independent noise study will be carried out. Predicted noise levels do not exceed those that would affect receptors.
- Ecological and bat activity surveys have been carried out and their recommendations will be complied with.

The Parish Clerk has been in correspondence with Planex regarding the consultation process to be adopted once the application has been lodged with WDBC, bearing in mind that no public meeting/exhibition was held at this stage, as is envisaged in guidance now issued by WDBC.

The Parish Clerk has proposed to Planex that they agree a date for a public meeting/exhibition with the Parish Council, that would give residents two week's notice of that event. It should be held no later than the first week of the statutory period for objections, giving the Parish Council at least a fortnight in which to meet, consider the outcome of the public meeting and make its views known to WDBC. The Parish Council would 'host' that meeting, as it has done on previous occasions of this kind.

That is a tight schedule and might require the Parish Council to hold a special meeting, but recognising that the applicants will want to see their application determined as quickly as possible, this would seem to be a reasonable compromise.

The Parish Clerk also stated that the Parish Council would want to be able to review that timescale if the process was to take place in December as happened with another application last year, as it would be impractical to expect residents to be able to respond as quickly as necessary, in the run-up to Christmas. It can also be more difficult to hire suitable premises.

Planex have responded as follows:

*'We would like to have public meeting to discuss the proposal post-submission and agree to the requirements for procedure which you have set out.'*

The Parish Council is requested to determine its views on this proposal at this stage, having regard to the representations made and the response by Planex.

## **6. Progress Reports**

To review any developments since the last meeting, regarding the following matters:

Proposed Wind Turbine at Beckwell Farm – outcome of Appeal, if known.

Traffic issues - Felldownhead Road: current position.

Pre-application consultation process – correspondence with WDBC.

Purchase of speed warning signs – current position.

To note that planning permission was granted for four industrial units at Hayedown, with no additional conditions as were suggested by the Parish Council.

MACKPlan: A successful public meeting was attended by just under 40 people. The first training/briefing session has been held, with another scheduled for 11<sup>th</sup> November, at Meadwell village hall.

## **7. Half-yearly expenditure review and draft estimates for 2015/16**

A schedule showing estimated or actual expenditure to date for the current year and proposed expenditure for the forthcoming financial year is attached – **Appendix B**.

No allowance has been made for inflation in any individual budget for 2015/16, given (i) the current low rate of increase predicted, (ii) the reduction in Council Tax Support Grant and (iii) the need to keep the precept as low as possible to avoid contributing to an increase in Council Tax.

Variations have occurred between budget provision for 2014/15 and actual expenditure. There are also variations between forecast expenditure for 2015/16 and budget provision for 2014/15. All of these are explained below.

Audit Commission: Because of the delay in submitting accounts for 2013/14, we have been charged £25 for the additional work incurred by the external auditors.

Village Hall Hire: Because of the number of extra meetings to consider proposed wind turbines, the cost of hall hire in 2014/15 will be higher than forecast. That level of activity may continue and therefore similar provision has been made in the estimates for 2015/16.

Clerk's Salary: Expenditure in 2014/15 will be very low as the work is being carried out by Cllr Asbridge on a voluntary basis. There will be a separate report to the Parish Council as soon as possible, with proposals for an increase in the number of hours worked by the Clerk and a review of the rate of pay. Meanwhile, provision for 2015/16 has been substantially increased, but will be reviewed in the light of the above-mentioned report. Provision has also been made for the cost of an advertisement in the Tavistock Times, once the recruitment of a new Clerk is agreed.

DALC: It is suggested that the Parish Council continues its subscription to DALC for another year as the Acting Clerk has found this useful, as no doubt will any new post-holder.

MACKPlan: A grant for consultant's fees, stationary, postage, etc., supports the work of the MACKPlan team until 31<sup>st</sup> December. Although at this stage, it is not envisaged that further support from the consultant will be required, if that were the case, a further application for grant aid could be made in April 2015.

However, it is likely that there will be some minor expenditure incurred on MACKPlan during 2015/16 on hall hire, office expenses, etc. and it would be sensible to make provision for this. Obviously, if an application were made for a grant for major expenditure on MACKPlan next year, the opportunity would be taken to seek funding for these costs as well.

### **Annual precept**

Even after making provision for a significant increase in the Clerk's salary and allowing for MACKPlan costs, the Parish Council's expenditure can be contained within the same level of precept as last year, although this will be slightly lower as a result of the reduction in Council Tax Support Grant. It is therefore recommended that no change be made in the level of precept for 2015/16, compared with 2014/15. However, if there is a change in the Parish Council's budget sufficient to warrant further consideration of the level of precept for 2015/16, before the deadline for submission to WDBC in January, then the matter will again be brought before the Parish Council.

## **8. Localism Act 2011 – Identification of community assets**

Following reports in the national press that thirty-one pubs in the UK go out of business each week, at its last meeting the Parish Council considered whether or not to use the powers contained in this legislation to identify 'community assets' such as pubs, village halls, etc and seek their registration as such, by WDBC.

Once registered, those 'community assets' could not be put up for sale without the local community having the opportunity to decide whether it wanted to make a purchase offer and then having a further six months within which to raise the necessary funds.

The Parish Council considered that this approach was worth exploring further, but decided to defer a decision until its next meeting to allow Cllrs to identify potential community assets and seek the views of local residents.

This issue was raised with Chillaton residents via the local email network and, although there was little reaction, the response received was in favour of the Parish Council taking action. At the time of producing this agenda, the views of Milton Abbot residents on facilities in their village are not known.

The Parish Council is requested to determine what further action to take.

## **9. Our Plan – Housing targets for local communities**

As part of the process of identifying population centres that could accommodate further housing development in order to meet its target of 220 new dwellings a year, WDBC originally proposed that 'Milton Abbot' might take between 20-30 new houses over the 15 year life of the Plan. This is because the main centres of population; Okehampton and Tavistock, cannot generate enough new development to meet the target, although they will provide the great majority of sites.

That target has now been revised to 20-50 homes. Further information will be given by WDBC at a meeting on 5<sup>th</sup> December, to which all councillors have been invited to attend.

This is a suggested target at this stage and it would appear that 'Milton Abbot' would include Chillaton, although the focus is on the former village. If this target is formally adopted, then MACKPlan will have to contain proposals for at least this amount of development. The Parish Council's views are requested.

## **10. Annual accounts 2013/14 –report of Audit Commission**

To report that the Audit Commission has approved the accounts for 2013/2014 but, as expected, has qualified them because they were submitted late and had issues such as risk assessments that could not be signed off by the internal auditor, as they were not carried out. The accounts also contained the effect of an error carried forward from 2012/13, which had been dealt with, but needed formal acknowledgement.

All these issues are being addressed, as can be seen by the following items dealing with standing orders, financial regulations and risk assessments.

Given where we are in the annual financial cycle and the ground that has to be made up, it is not possible to achieve compliance with the Audit Commission's requirements in every detail this year. However, the Parish Council should be able to satisfy the Audit Commission that it has made substantial progress by its AGM next May.

## **11. Revised Standing Orders**

Using DALC's model standing orders, the Parish Clerk has produced a revised set of standing orders, as set out in **Appendix C**. This proposed version is far longer and more complex than the Parish Council's current standing orders, which are based on DALC's 1999 model. There are several reasons for this. (i) The new version covers issues that would not normally arise, but provides guidance if they do. (ii) Some new standing orders are included because it is a legal requirement to have them. Standing orders that are a statutory requirement are shown in bold type. (iii) Other standing orders relate to the Parish Council's Financial Regulations or risk assessments – issues that have not been formalised previously.

There are a number of issues that would arise from the adoption of these standing orders, as follows:

In accordance with DALC's suggested good practice and in line with what has actually happened on most occasions, it is suggested that overall time for the public to speak at Parish Council meetings be increased to 20 minutes, with a maximum of 5 minutes for any one speaker.

S.O.3h reflects the new requirement for the public to be able to record Parish Council meetings.

The Code of Conduct referred to in S.O.3p is WDBC's, adopted by the Parish Council.

We have referred to our delegated planning bodies as committees and as sub-committees. They should be called committees, as they are standing committees created by virtue of S.O.4d.

By law, we have to state that the annual meeting of the Parish Council will take place at 6pm unless otherwise agreed. It is suggested that the Parish Council states that this will be at 7.30pm until further notice.

S.O.5i contains 21 separate duties that the Parish Council should carry out at its AGM; most of which are not done at present. If these standing orders are approved, the Parish Clerk will revise the AGM agenda accordingly.

S.O.16 creates a framework for submitting regular financial reports to the Parish Council and for the formal approval of the Parish Council's financial regulations.

In preparing this report, the Clerk realised that the previous instruction of the Parish Council, that all planning lists be sent to all Councillors, is not being adhered to. Any list with a matter concerning the area of the Parish Council is circulated as an email attachment, but not those with no such items. What would the Parish Council like to see happen in future?

## **12. Financial Regulations**

To consider adopting the draft Financial Regulations set out in **Appendix D** and approving a programme of action needed to ensure compliance with Audit Commission requirements.

Using the model financial regulations supplied by DALC and having regard to the version currently in use by Lifton Parish Council, the Clerk has prepared the regulations set out in Appendix D. The proposed regulations are comprehensive and cover some circumstances not currently applicable to the Parish Council, e.g., the ownership of property. However, it seems sensible to include such measures as they might be required in future.

As Councillors are aware, the Parish Council did not complete the annual return required by the Audit Commission by the due date, this year. It also had to file an incomplete return, as various internal reviews and risk management assessments had not been undertaken.

However, it has to be acknowledged that the financial affairs of the Parish Council are in good order. Also that the 'one size fits all' approach adopted by the Audit Commission does not always produce procedures that seem appropriate to a Parish Council of our size and range of activities, etc.

However, once the Parish Council has adopted the procedures needed to ensure compliance, many of them will not be onerous, as their application will be limited in our case.

The Clerk has reviewed the draft regulations in Appendix D and produced a schedule of regular activities that would need to be undertaken if they are adopted, as set out overleaf:

<b>Reg.</b>	<b>At every meeting</b>	<b>Current status</b>	<b>Action</b>
5.2	Record every payment due and sign cheques	Payments reported. Cheques usually signed elsewhere.	Sign cheques at meetings.
<b>Quarterly</b>			
	<b>Quarterly</b>	<b>Current status</b>	<b>Action</b>
2.2	Verify bank reconciliations	Not done	Report quarterly
4.7	Statement of receipts and payments to date	Not done	Report quarterly
<b>Annually</b>			
	<b>Annually</b>	<b>Current status</b>	<b>Action</b>
1.5	Consider Annual Governance Statement	Not done	Report in May
5.1	Review bank arrangements for Council a/cs	Not done	Report in May
2.3	Statement of accounts/report/draft return	Done	Report in May
2.3	Approval of annual return to Audit commission	Done	Report in June
2.5	Appoint internal auditor	Done	Report in May
2.6	Receive annual report from internal auditor	Not done	Report in May
3.1	Consider detailed estimates for next year	Done	Report in Oct
3.2	Fix precept	Done	Report by Jan
3.3	Review 3 year forecast of revenue and capital	Not done	Report in Oct
4.4	Review salary budgets	Not done	Report in Oct
8.1	Consider investment policy	Not done	Initial review
13.2	Annually review insurance cover	Not done	Report in Oct
14.1	Review risk assessment policy	Not done	Report in May
<b>On-going</b>			
	<b>On-going</b>	<b>Current status</b>	<b>Action</b>
6.8	Keep back up copies of financial records off-site	Not done	Implement
6.9	Ensure high level computer security in place	Not done	Implement
6.10	Appoint RFO as Service Administrator	Not done	Implement
1.10	Record assets and liabilities of the Council	Not done	Implement
7.1	Tax/N.I. requirements for staff salaries	Not checked	Comply
7.4	Keep confidential record of salary expenditure	Not done	Implement
8.4	Banks statements to Chair as well as to RFO	Not done	Implement
9.6	Complete VAT return	Not done	If required
12.1	Secure lodgement of title deeds, etc	Not done	If required
12.3	Keep register of assets	Not done	Implement
14.2	Make risk assessment on any new activity	Not done	Implement

It is recommended that the draft financial regulations as set out in Appendix D be adopted and that the above schedule of compliance activities be approved and implemented as quickly as possible.

### 13. Risk Assessment

As councillors will note from the table in item 12, the Parish Council is required to carry out an annual review of its risk assessment policy and also assess the risks inherent in any new activity it is considering. This is to ensure that the Council does not overreach itself financially, nor find itself legally committed in ways it did not envisage or becomes engaged in activities that are beyond its powers and competence.

Having looked at Lifton Parish Council's annual risk assessment and considered the issues outlined above, the Parish Clerk considers that MAGPC's annual assessment should cover the following areas:

Continuity of operations: how would the Council function if it lost the services of the Clerk, his office, his computer or if sufficient Councillors resigned or were unable to attend, rendering the Council inquorate?

Security of operations: how does the Council ensure that its personnel, financial and other records [on paper or computerised] are safe from loss or damage?

Safety of operations: are the buildings we use safe and suitable for the public to attend? Do we have adequate insurance cover? How do we minimise the potential for legal action to be taken against the Council?

Funding our operations: Is our precept adequate? What future demands on our finances are likely?

The Parish Council is requested to give initial consideration to this issue and determine what further action to take.

#### **14. Councillors Code of Conduct**

The Parish Council has previously adopted the Code of Conduct used by WDBC. WDBC has now amended this and a revised version is attached at **Appendix E**. Various amendments are highlighted and the Council is requested to determine whether or not it wishes to adopt the revised version.

#### **15. Consideration of planning applications**

00944/2014: Livestock/feed shed – Narracott Farm Milton Abbot: The Chillaton Planning Committee has considered this prior notification of the erection of an agricultural building and decided to express a neutral view thereon.

Applications 01002/2014 and 01003/2014: Roof light at The Stables, Week: The Chillaton Planning Sub-Committee has considered these applications and decided to express neutral views thereon.

#### **16. Payments due**

In accordance with Standing Orders, the Parish Clerk will seek authorisation at the meeting for any outstanding payments to creditors, to be made by the Parish Council.

#### **17. 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.

#### **18. Dates of future meetings**

Wednesday 7<sup>th</sup> January 2015 Marystowe Church Hall

Wednesday 4<sup>th</sup> March 2015 Milton Abbot Village Hall

Wednesday 13<sup>th</sup> May 2015 Parish Meeting for Milton Abbot, Dunterton and Bradstone at Milton Abbot Village Hall.

Thursday 14<sup>th</sup> May 2015 Parish Meeting for Chillaton followed by the AGM and an ordinary Council Meeting.