

MILTON ABBOT GROUPED PARISH COUNCIL

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

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 4th November 2015 at Milton Abbot Church Hall** for the purpose of transacting the business set out below.

E James, Clerk to the Council

Wednesday 28th October 2015

A G E N D A

- 1. Apologies for Absence**
- 2. Declarations of Interest**
- 3. Confirmation of the Minutes of the meeting held on 2nd September 2015**
- 4. Open Session – Members of the Public may speak regarding parish matters**
- 5. Planning Applications**

Applications 00950/2015 and 00952/2015: Holland Farm, Bradstone:

The Bradstone Planning Appraisal Panel has considered these applications and recommended support for both applications, with a requirement that suitable materials are used in any alterations or extensions to the original façade and roofs. The Clerk has forwarded the comments to WDBC, using the delegated powers as set out on the agenda of 1st July 2015 and approved at that meeting.

Application 00996/2016: Bradstone Manor: Change of use

The Bradstone Planning Appraisal Panel has considered this application and recommended supporting it. The Gatehouse is already undergoing refurbishment under listed building consent 00501/2014 and the proposed application for a change of use should not have any adverse impact to the building or surrounding area. The Clerk has forwarded the comments to WDBC, using the delegated powers as set out on the agenda of 1st July 2015 and approved at that meeting.

6. Planning Appeal - Stables, Edgecumbe Road, Milton Abbot, Devon

Notification has been received that an appeal was lodged against the refusal of retrospective permission for:

‘Alterations to levels and retention of the building as built in association with part use for an internet sales business (93sqm) and part use for a barn/agricultural store (126sqm) together with the regrading and seeding of land around the existing building and removal of the field shelter.’

The Parish Council can submit additional representations if it so wishes, or modify or withdraw its previous representations.

The application was considered at a meeting of the Parish Council held on 27th May and the relevant Minute is set out below:

42:15/16 APPLICATION 00452/2015 STABLES, EDGE CUMBE LANE, MILTON ABBOT

The Acting Clerk reviewed the previous events regarding the development of this site and then described the current proposal, referring also to offers made by the applicant, via his consultant, to agree to conditions restricting his use of the site, should planning permission be granted.

The application sought retrospective planning permission for alterations to levels and retention of the building as built, in association with part use for an internet sales business (93sqm) and part use for a barn/agricultural store (126sqm) together with the regrading and seeding of land around the existing building and removal of the field shelter.

It was pointed out that the purpose of the meeting was to consider the merits or otherwise of the current application. Enforcement action to deal with any unauthorised physical development or activity currently taking place on site was a separate issue.

Members of the public present at the meeting were then invited to speak and very considerable concern was expressed at the manner in which the applicants had proceeded to develop the site in ways that did not accord with the planning permission originally granted.

The original use of the site had generated HGV traffic and this had caused potentially serious risks to other road users. However, the applicant informed the meeting that 90% of the internet sales that were now the basis of his business were sent by post and the remainder generated one or two visits by courier vans each day. No suggestion was made by any member of the public that the current operation of the site was generating HGV traffic.

Nevertheless, traffic to and from the site was of concern to many of those present.

Some doubts were expressed over the likelihood of the future operation of the site being kept within the scope of the current application, should it be granted. The applicant then stated that, if the current application was approved, the appeal against enforcement action in respect of the earlier, more intensive, use would be withdrawn.

Other issues were raised regarding the inappropriateness of the site for the use concerned and the visual impact of the building.

It was suggested that it was unlikely that any application for a commercial development outside the village boundary would normally be approved and that the current position had been reached solely because the applicant had proceeded without permission.

Although some concerns were expressed over the visual impact of the building, no clear evidence was offered of any adverse visual effects of the unauthorised element of the structure.

*Having considered the issues referred to above and the fact that, at the conclusion of the opportunity for members of the public to speak about the application, the majority were not in favour of it being approved, **the Parish Council agreed** to object to the granting of retrospective planning permission for the non-agricultural development concerned, on the following grounds:*

- 1. That it is an inappropriate use of a site in a rural location, outside the village boundary, that if approved could set a precedent for the further industrialisation or commercialisation of the area.*
- 2. The granting of planning permission would not create the opportunity to provide additional local employment that might, in some cases, offset the adverse effects of locating a commercial use in a rural location.*

The attention of the Borough Council is drawn to the statement in the application that there are already six cars existing on the site and that there would be a reduction of four, if permission was granted. As no planning permission has been granted for any cars on the site, the effect of approving this proposal would be an increase of two vehicles.

NOTE: The word underlined in the preamble to the above decision, was added when the draft minutes were amended at the meeting of the Parish Council held on 1st July.

The Appeal will be heard by way of an informal hearing before the Inspector and **the Parish Council is requested** to determine:

- (i) Whether or not it wishes to amend or supplement the views it has already expressed, in the light of the continued operation of the site since May.
- (ii) How it will be represented at the Appeal hearing.

7. Financial Matters

Bank Accounts

At present receipts are paid into the Reserve Account and money is paid out of the Current Account, meaning that a fairly regular transfer of funds from one account to the other is required, and has in the past resulted in the current account becoming overdrawn. This could be easily simplified and the risk of becoming overdrawn removed, if all receipts are paid into the current account. The Reserve Account could then be used to hold funds that are earmarked for projects not likely to be needed in the near future and contingency funds.

The Parish Council is requested to approve the above arrangements and agree to make the Clerk the 'bank correspondent' who will then be able to monitor the bank accounts and deal with correspondence.

Parish councils are now legally permitted to use on-line banking to pay invoices and transfer funds from one account to another. Most banks have systems in place which allow for different levels of access to the accounts and for signatories to authorise payments and transfers electronically. **The Parish Council is requested** to consider the move to on-line banking; the Clerk to have view only access to the accounts and the ability to set up payments or transfers and two of the bank signatories to have access to authorise payments. Should it not be possible to pay an invoice in this way the Parish Council would still be able to pay by cheque, as at present.

Clerk's Pay

There are two options available to the Parish Council; that the RFO undertakes the role or this is outsourced to a suitable company. Hodgsons Chartered Accounts, who are employed by Lifton Parish Council to facilitate the payment of their Clerk, have supplied a quotation to undertake the same for MAGPC. This cost of this is £120 per year and covers the processing of the monthly wage, PAYE reports and the end of year procedure. Should the Parish Council wish Hodgsons to also deal with the auto-enrolment of the Clerk with the Pension Regulator under the new regulations, there will be additional costs. **The Parish Council is requested** to consider the option for payment of the Clerk it feels best suits their needs and how it wishes to facilitate the Pension Regulator auto-enrolment regulations.

Clerk's Training

The Parish Clerk also works for Bratton Clovelly Parish Council, who have already agreed to support her training to obtain the Certificate in Local Council Administration (CiLCA). This involves the production of a portfolio of work over a maximum period of 12 months. If the Clerk is successful in obtaining the qualification, MAGPC would be able to consider obtaining the General Power of Competence should it so wish. The CiLCA qualification is also an essential requirement if the Parish Council was ever to obtain Foundation or higher status. The total cost of the training is £250, plus expenses and as both parish councils will benefit, **MAGPC is requested to consider** contributing half the cost.

VAT Claim

Councillors are advised that a claim for the reimbursement of VAT paid over the last 3 years (the maximum time allowed) has been made. The claim amounts to a sum of £1,086.79 and should be received within the next couple of months. Claims can be made either on a yearly basis or for sums amounting to more than £100. The Clerk advises that this has been added to an annual cycle to ensure that it is not overlooked.

Payments

The Parish Council is requested to authorise the below listed items for payment:

- a) Milton Abbot Hall Hire: A list of all hall bookings, up to and including 21st July 2015 has been received and reconciled with Parish Council records, the total amount outstanding being £191.50. Minute 52: 15/16 authorised a payment up to the amount of £109.50 and this has now been paid. Payment of the remaining amount of £82.00 will settle the invoices to date.
- b) Clerk's Expenses: Reimbursement of the purchase of stamps - £6.48
- c) Payment of £115.32 (inc VAT £19.22) to Cllr Beighton as reimbursement of payment to HostPapa for the creation and registration of a domain name for a Parish Council website. [See item 9 below]

Budget

The Parish Council is requested to approve the revised budget for this financial year as set out in Appendix A and note the reasons for the expenditure of £738.33 more than this year's income as previously reported.

A draft budget for 2016/17 is also contained in Appendix B and **the Parish Council is requested** to determine whether or not this would meet their requirements for the coming financial year. The amount of Council Tax Support grant the Parish Council will be allocated has yet to be announced, but it is anticipated that it will be reduced. A 25% reduction has been included at this stage.

Although inflation continues to be at a very low level, provision has been made for increases in expenditure where it is considered this may occur in 2016/17. Taking this and several other additional items of proposed expenditure into account, the current level of precept would be insufficient next year.

The Parish Council is therefore requested to consider whether it wishes to meet the anticipated shortfall of £313.56 from reserves or if it wishes to increase the level of precept and, if so, by how much?

To generate additional precept income of £100 would require an increase of 2.6% in the council tax paid by a Band D property. An increase of 8% would generate an additional income of £312.08 on last year's precept.

8. Data Protection

There is a requirement for every Council that meets the relevant criteria, to register annually with the Information Commissioners Office (ICO). Following the introduction of the Transparency Code there is an expectation that Councils will always follow best practices of which this is one. A self-assessment questionnaire on the ICO Website has therefore been completed and indicates that the Parish Council should register. **The Parish Council is therefore requested** to consider approval for registration with the ICO. The annual membership fee is currently £35.00.

9. Parish Council's use of IT

At the last meeting, the Transparency Code was discussed and the issues surrounding the current use of the Chillaton.net website to meet the Parish Council's legal obligations. We also considered the need to present a more professional and auditable approach to our electronic communications.

At that meeting we discussed the potential costs of setting up various IT solutions and agreed the need to introduce an IT solution that was not dependent on equipment not owned or managed by the PC.

It was agreed that possible solutions would be reviewed prior to the next meeting and that we would also aim to have a MAGPC email address in place for the newly recruited Parish Clerk to use immediately on her appointment.

To that end Cllr's Beighton, Hough and Asbridge explored a number of options, eventually reaching the decision to purchase the domain name 'magpc.co.uk' along with the capability to support a number of solutions, such as email and websites. It was agreed that a hosting offer by 'HostPapa' would meet the immediate requirements and represented good value for money when compared with alternative providers.

In accordance with the action agreed at the last meeting, the Parish Clerk is now using the email address, clerk@magpc.co.uk and councillors have all been provided with an email address and account details that can be used to set up their own MAGPC accounts.

The cost of the implemented solution to date is £115.32 and it is intended that this, along with any associated costs yet to be identified, will be reclaimed via a grant allowed to councils for the purpose of meeting the Transparency Code requirements. Currently the costs to date have been met by Cllr Beighton and **it is recommended that the Parish Council** reimburses Cllr Beighton for his expenditure to date and thereafter seeks to claim these costs via the Transparency Code grant funding.

Moving forward, we now have an outstanding requirement, in accordance with the action agreed at the last meeting, to host Parish Council information in a publicly accessible location that is controlled and ideally managed, by the council. **It is proposed that** this is achieved by way of a new website, hosted on the newly purchased domain (magpc.co.uk).

Cllr Beighton has offered to build such a facility at no cost to the Parish Council. The migration of the relevant data currently on the Chillaton.net site to the new site would be managed by the Parish Clerk following training and may be done over an extended period if required. Updates of minutes, agendas, parish notices, councillor's registers of interest and any other materials deemed appropriate for publication would be published to the new website by the Parish Clerk, following training.

It is **recommended that the Parish Council** consider this proposal in the light of our Transparency Code obligations and decide if this is the most appropriate approach.

10. Retaining wall, Milton Abbot Churchyard

As part of his responsibilities when Acting Parish Clerk, Cllr Asbridge began to research the background to the Parish Council's involvement with this wall. With the assistance of Cllr Hough and Cllr Westcott, Cllr Asbridge has continued this work and his report is set out in Appendix C.

11. Highway Maintenance/Road Warden Scheme

Cllr Asbridge will report further at the meeting on the current position regarding DCC's Road warden scheme.

12. Felldownhead Road

Report from Cllr Pahlsson is set out in Appendix D.

13. Grass Cutting Quotations

Grass cutting quotations for Milton Abbot Churchyard for the forthcoming financial year will need to be obtained for consideration at the next Parish Council meeting, due to be held in January. At least three quotes should be sought; the current contractor, any that have recently expressed an interest in carrying out such work for the Parish Council and any others that the Council may be aware of in the locality. **It is therefore recommended that the Parish Council** authorise the Clerk to obtain quotations for the work, for consideration in January.

14. Snow Warden Scheme

With winter now approaching, Devon Highways have asked parish councils to review their current Snow Warden arrangements. Cllr Brewer is currently the Snow Warden. The Parish Council has a supply of salt which is stored in Chillaton in bags, but no arrangements are in place to distribute it beyond that village.

With the services undertaken by Highways being reduced, some parish councils are looking to other options for gritting their local roads. Lifton Parish Council purchased a salt spreader around four years ago at a cost of approx £850. They pay a contractor to spread the grit, when it is needed, around their high footfall areas such as the school, shop and doctors surgery. The contractor is a local resident who is a supportive member of the community and the parish council reimburses him for the additional cost to his public liability insurance (approx. £100 p/year) and sets a budget each year to cover the costs.

The Parish Council is requested to consider:

- (i) reviewing the current arrangements for carrying out the Snow Warden duties
- (ii) if providing some form of direct service to treat appropriate roads might be worth taking forward in the future.

15. Chichester Arms, Chillaton

The length of time that has passed since the Chichester Arms was closed for renovation is a matter of concern for local residents, especially as the condition of the building appears to be deteriorating and there is no sign of any significant work currently being carried out.

Given the need to retain pubs and other community facilities, the Parish Council may wish to consider seeking advice from the Borough Council as to the scope, if any, for action to be taken to safeguard the building and its restoration as a working pub.

16. Improve our Rural Roads Petition

Geoffrey Cox MP has initiated a public petition to the House of Commons calling for improved maintenance to our local roads. **The Parish Council is requested** to consider if/where to display the petition which has to be returned by 20th November.

17. Devon Minerals Consultation

The consultation is for a new Devon Minerals Plan covering a period of several years, up until 2033. A link to the Plan was emailed to Cllrs on 13th October. **The Parish Council is requested** to determine what response, if any, to make to the consultation, which ends on 16th November 2015.

18. Parish Council Document Retention

Devon Records Office in Exeter is obliged to store those parish council documents that have to be legally kept for an indefinite length of time; i.e. minutes and financial records. **It is recommended that the Parish Council** approve the sending of such documentation prior to the year 2000 to the Records Office, for secure storage.

In addition, NALC Legal Note 40 sets out the required documentation retention periods including that of Planning Applications; which is that they are kept until the work is complete. As that could be a considerable number of years, difficult to establish, and the documentation is available on the WDBC website **it is recommended that the Parish Council** approve the disposal of these documents after a period of one year.

19. 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.

20. Dates of future meetings

Wednesday 6th January 2016 Marystowe Church Hall

Wednesday 2nd March 2016 Milton Abbot Village Hall

Wednesday 4th May 2016 Parish Meeting for Chillaton Marystowe Church Hall

Thursday 5th May 2016 Parish Meeting for Milton Abbot, Dunterton and Bradstone at Milton Abbot Village Hall followed by the AGM and an ordinary Council Meeting.