**MARLDON PARISH COUNCIL MEETING**

Minutes of the Meeting of Marldon Parish Council held on

Monday 10TH February 2020 at 7.15pm

**PRESENT:** Cllr. Page, Cllr M Oliphant, Cllr J T Pennington, Cllr. Ward. Cllr. Thorp Cllr. Clarke. Cllr. Webber. Cllr. Palk. Clerk to the Parish Council, Mrs S J Watt. - County Councillor Hawkins.

**ALSO PRESENT:** 14 Members of the public.

Public Forum: A member of the public stated that the parking situation outside the School was once again problematic. Cars are being parked on the Yellow lines, on the Zig Zags, and across private driveways. The member of public also complained that although the Police had attended, they were parked where everyone could see them and consequently whilst the police were there, no one parked illegally. It was explained that the Police are unable to ‘hide’ from sight. It was requested that the Clerk investigate again and contact the School. Cllr. Hawkins stated he would inform the Parking department of South Hams District Council to see if they could send a patrol.

A member of the public also stated that there were now numerous instances of Dog Fouling outside the school. Dog Owners had been witnessed walking in front of their dogs who were not on leads, the dogs then defecated on the pavements without the owners returning to clear away the mess. This was posing a massive problem for the primary school children who were walking in the dog mess. It was requested that the Clerk investigate.

A member of the public stated that the roadsides in the whole of Marldon needed the road sweeper to go through and clear debris. The Clerk will make a request to Localities.

**1. (10.02.20) APOLOGIES**. None

**2. (10.02.20) DECLARATIONS OF INTEREST:** None

**3. (10.02.20) APPROVAL MINUTES OF 10th JANUARY & 29th JANUARY 2020:** - were approved as a true record of the meetings and duly signed by the Chairman.

**4. (10.02.20) MATTERS ARISING**. None

**5. (10.02.20) CLERK’S REPORT:** Public Consultation – on going preparation. Consultants at Exeter University had been contacted and also assistance from Devon County Council to instruct an Ecologist to complete the studies at Torfield and Broomhill Meadow.

Love Lane Wall – SHDC had confirmed it had a lorry with damage and a missing piece of machinery and confirmed that lorry had been in the vicinity on the day the wall was damaged. However, SHDC stated that they did not believe it was their lorry as the in-vehicle video did not identify it had reversed as far as the damaged wall. The Clerk was then instructed to contact SHDC’s insurance company. This has been done, and now await confirmation from the insurers that SHDC will admit liability. The Clerk stated concern that if left much longer and due to the bad weather, more of the wall may fall.

Torfield Fencing – urgent health & safety issues: The Chairman of the Council and The Clerk, thanked a member of the public for informing the Council urgently that the fencing had been blown down (a 2nd time) and also thanked two other members of the public who assisted with the repair and reinstating the fencing as a temporary measure. The Clerk reported that she had also had contact with A. R Hood whose fencing this was and was who was looking to take it back, it has been in situ for 12 months! The Clerk had obtained two quotes for wooden fencing, and a quote for a stone wall. It was proposed by Cllr. Thorp and 2nd by Cllr. Page that the Council go ahead immediately with the installation of new fencing, it was therefore, RESOLVED to pursue the installation of new fencing above the cliff face to ensure the safety of those walking in Torfield and the properties situated below the field. Cllr. Pennington proposed that the Clerk also contact SHDC to see if they could assist with a quote for the fencing. This was 2nd by Cllr. Clarke. It was therefore, RESOLVED that the Clerk contact SHDC for a quote and to proceed with the fencing not necessarily taking the cheapest option, but also the speed and durability of the materials to be used. The Clerk stated that it did not always follow that using the cheapest was value for money if the fencing would need replacing in a couple of years’ time.

Torfield Play Park Closure – health and safety issues: After an inspection by Allianz inspectors, a report had been received that multiple issues still needed attending to and that the main bar across the swings and its middle joint were now dangerous, the fencing was also an issue. The Clerk had had the Danger Do not Use signs placed on the gates. The Clerk reported that any more monies thrown at individual repairs was not appropriate and most definitely not value for money. The Clerk stated that there had been no substantial investment into the Play Park for many years and that any further funds should now actually be to regenerate the whole of the Play Park. It was unanimously agreed that the Clerk should submit applications for grant funding and also if necessary, apply to the Public Works Loan Scheme. The Clerk stated that she was meeting with Play Park companies who would produce plans and quotations for the regeneration of the Play Park. It is hoped that the Play Park will be completed by early summer.

Environment Agency Update: The resident had been contacted and forwarded with a survey which the EA required to be completed to assist in identifying when the bonfires were occurring. Grit Bins: Highways had acknowledged the request to fill or replenish all grit bins in Marldon and Compton. They had said they were working as quickly as they can, not forgetting that it covers a massive area. It was not possible for Highways to give exact timings but hoped to have all completed within the very near future. The new Grit Bins are on order. Autospeed camera: Highways have refused permission to install this camera, stating that although other areas in the Country are using them effectively, Devon County Council/Highways had not carried out their own assessment and were not looking to do so in the very near future. Five Lanes: Highways have given authorisation to install SLOW CHILDREN/PEDESTRIAN signs at either end of Five Lanes. The signs can be erected on current poles holding the 20 mile per hour signs, however, if the signs were not above head-height, new poles would have to be erected in the hedges, the Parish Council would need to obtain permission from the property owners. The Clerk offered two options for the signs. It was proposed by Cllr. Webber and 2nd by Cllr. Ward that 4 of the smaller oblong signs be purchased at a cost of £36.90 plus vat each. The vote was unanimous in favour.

Co-Opted Councillor update: There were now six applications. Deadline is 28 February 2020.

S106 Application update: The application had been submitted. There had been a challenge by a member of the public, however, in a letter from the Legal department, it was stated that the application was being supported, however, a variation order was being obtained by them from the Contractor, they did not feel that this was going to be an issue. The legal department also confirmed that the Parish Council (the Clerk) had approached the Specialist at SHDC first, many months prior to the Application being submitted and that the Parish Council had followed the correct procedures and were most definitely not Ultra Vires as had been alleged by a member of the Public.

Procedures & Policies: The Clerk had produced Marldon Parish Council’s Complaints procedure, which the Cllrs. read. It was proposed by Cllr. Thorp and 2nd by Cllr. Ward to adopt the Complaints procedure. After a unanimous vote, it was therefore, **RESOLVED** to adopt the Complaints Procedure dated 10th February 2020 which was duly signed and dated by the Chairman, Cllr. Page.

All other items on the Clerk’s report were deferred to the next meeting.

**6. (10.02.20) VILLAGE HALL:** Rotation of Parish Councillors to sit on Village Hall Council. After a brief discussion, it was proposed by Cllr. Pennington and 2nd by Cllr. Clarke to defer this until the Parish Council’s March Meeting. All in favour.

**7. (10.02.20) FINANCIAL STATEMENT/PAYMENTS:**

The Clerk/Responsible Financial Officer read out the current state of finances.

The allotment invoices had been sent out, however, there was a discrepancy between the number of current plot holders and the number of plot holders from last year. Cllr. Thorp confirmed that he had no paperwork which allocated the plots to names. It was requested that Cllr. Thorp assists the Clerk in establishing an up to date spreadsheet. It was further agreed that any additional plot holders would not be under the deadline of 14th February 2020 for the payment of their plots. It was proposed by Cllr. Palk and 2nd by Cllr. Oliphant that the payments and finances were agreed. All in favours.

The following payments were submitted for approval on 10th February 2020:

**Payments- Main a/c:**  £

Clerks Salary, phone allowance, office allowance and stationery sundries

(January - paid 29/01) **£634.80**

Opus Energy (Electric Jubilee Meadow) **£9.80**

Lengthsman (Mr S Holley) **£110.00**

Additional Stationery items (Mrs S J Watt) **£22.86**

**BANK ACCOUNTS as at 10/02/2020**

Main Account (approx.) as at 10 February 2020 (verbal) £20,673.46

P3 Account as at 30th September 2019: £580.64

Environment Account as at 30th September 2019: £172.83

NS&I Investment Account Balance at 31/12/2017 (estimated at 10/02/2020) £11,854.72

**Total Balances (approx.) held by Marldon Parish Council at 10.02.2020: £33.65,281**

**NOTE:**  January 2020 statements not yet been received. Balances are estimated, from verbal given on Main BOI account this morning. No information received form NS&I, transfer of £9,164.00 transacted on 17/01/2020 as per request date 13/01/2020.

STANDING ORDERS SUSPENDED

**8. (10.02.20)** DISTRICT REPORT: Council Pennington stated that SHDC budget was being set on Thursday.

COUNTY REPORT: Cllr. Hawkins stated that DCC budget was being set in two weeks’ time. He reported that SHDC/WD had now employed a Climate Change Officer (contracted for 2yrs). There is a fund of £400,000 for projects which will make a real and specific change and can be considered for assistance. It was noted that Marldon Parish Council had yet to declare a Climate Emergency.

STANDING ORDERS WERE REINSTATED

**9. (10.02.20)**  **MEG Report:**  Cllr. Page reported that over 60hrs of voluntary work had been carried out by volunteer members of MEG. The Parish Council again thanked MEG for all their hard work. Cllr. Page also thanked Rod Bromfield and his son for re-erecting the fencing at Torfield (twice) and also Derek Hore for reporting the issue. Full report attached.

**Allotments Report:** Allotment plots needed allocating as per the plan produced. Cllr. Thorp and The Clerk will work together on this.

**Public Grounds Report:** Cllr. Clarke reported that the Youth Club were still awaiting a permanent home. She also reported that youth club now had 20 members.

**10. (10.02.20) COMPTON REPORT:** Cllr. Oliphant requested the Clerk writes a letter of thanks to SHDC for the quick action to clear a massive fly tipping action in the village. Cllr. Oliphant also reported that Widdicombe Lane was still a problem and that nothing had been done regarding the Speed Hump which Highways had said they would see too. Cllr. Hawkins and the Clerk will request Highways action as soon as possible. Cllr. Oliphant reported a tree had come down but had been cleared by residents, however, it was highly likely that another tree was at imminent risk of falling onto the road. This was in an area between The Cranny and Higher Orchard, it was proving difficult to ascertain who owned that land. The Clerk would investigate further.

**11. (10.02.20) PLANNING:** 0230/20/HHO was SUPPORTED however, comments need to be made to consideration of drainage issues and light pollution. Cllr. Oliphant proposed that construction lorries access Compton Barton via Ipplepen and not Marldon, this was 2nd by Cllr. Clarke. All in favour. (Note: Cllr. Pennington did not take part in the discussions or vote due to conflict of interest within his District Councillor role)

**12. (10.02.20) HIGHWAYS:** Cllr. Thorp asked about progress regarding the yellow lines at West View Road. The Clerk stated that Highways are investigating and if required, the lines would be re-painted.

The public were asked to leave whilst the next item was discussed under CONFIDENTIAL MATTERS as the discussions were regarding Cllr. Conduct. and request for items to be placed on the Agenda – namely reinstating all committees.

**13.** **(10.02.20)** **CONFIDENTIAL MATTERS:** Cllrs. were reminded that under confidential matters which also included legal discussions, Cllrs. were not permitted to discuss the issues outside of the Council meeting. Cllrs. were also reminded that all Council Business should be actioned through the Clerk and not carried out by Cllrs. who had no authority to do so.

There was then a full discussion regarding the Committees, it was RESOLVED that no further committees would be reinstated at this time. It was again explained that the reason the Committees had been voted to be dissolved in July 2019 were that the Committees were in breach of legal requirements. In many instances there was only one person on the Committee when a minimum of 3 was the needed. No Committee had published Agenda’s and there were no published Minutes. Meetings were being held in Cllrs. homes with ‘invited’ guests only. There had been no adopted Terms of Reference and no delegated authority.

Each Committee was then discussed and the following Committees would remain dissolved or as currently actioned under an Officer:

Finance Committee: Remains Dissolved. All financial decisions and transactions are carried out by the full Council in a transparent manner. All actions carried out by the RFO/Clerk.

Planning Committee: Remains Dissolved. All Planning decisions were discussed and voted on by the full council.

MEG Committee: Continued and still does as a Committee and Working Group.

NDP: Continued as a Committee, but suspended to a Working Group of the Chairman and the Clerk until the NDP can be put on track again.

Allotments Committee: Will remain dissolved and operate under the Reporting Officer.

Public Grounds Committee: Will remain dissolved until such time as the Public Consultations are completed and the regeneration, in whatever form it takes, commences, when a Working Party will be required to assist with the projects. In the meantime, all decisions regarding Public Grounds will be taken by the full Council and actioned by the Clerk. Reporting Officer to remain as Cllr. Clarke

Cemetery Committee: Will remain dissolved for the time being, any issues will be actioned via the Clerk and/or the full Council.

Footpaths Committee: Will remain Dissolved as not required. MEG patrol the footpaths.

Marldon Land Charity Trust: The Clerk reported that no one seemed to know why this Trust was included in the block of Committees to be reinstated as it had nothing to do with the Parish Council. The Clerk also reported that little was known about this charity as it did not have a website but had substantial funds which the village poor or in need could apply for assistance from. In fact only one application appeared to have been requested in the last two years (not confirmed) of £100. It was believed there is in excess of £16,000 in the fund. It was proposed by Cllr. Webber and 2nd by Cllr. Clarke that the Clerk writes to the Trust to request that they make the Trust more visible to the residents of Marldon, with maybe a piece in the Parish Magazine. This was unanimously agreed.

War Memorial Committee: Remains Dissolved. The Parish Council pays for floodlighting and any repairs and maintenance. Decisions to be taken by the full Council and actioned by the Clerk.

Road Safety Committee: Remains Dissolved. The full Council monitors and discusses road safety issues with the Clerk carrying out any resolved business.

Neighbourhood Watch Committee: Remains Dissolved. The villagers effectively inform each other of any issues.

Tree Warden Committee: Remains Dissolved. Cllr. Page is the Tree Warden and works closely with SHDC and our own Clerk if there are issues with TPO works required.

Cllr. Clarke stated that she had been given a notice regarding some tree works in Moorview and why was it not on the Agenda. It was explained that the Tree Warden manages those issues and it was not necessary to discuss under full Council.

SHDC Development & Control: No information was available as to the function of this user group and the Councils representative, Cllr. Clarke had only ever been invited to attend one meeting. There was no need to appoint a Committee or further representatives.

**14. (10.02.20) Business at the Discretion of the Chair.** There was none.

**15. (10.02.20) DATE OF NEXT MEETING.** Monday 9th March 2020 @ 7.15pm

The meeting closed at 21.30hrs.

Signed By.................................................. Cllr. Page (Chairman) – 9th March 2020