

# Bridgerule Parish Council

Minutes of the Parish Council Meeting held on Wednesday, 19<sup>th</sup> January 2011 at 8.00 p.m. in Bridgerule Village Hall

## Present:

Chairman: Cllr. K. James

Councillors: Cllrs. K. Chilton, A. Linney, K. Davey, G. Abbott, J. Medland, C. Seymour-Smith, J. Giles and J. McDougall

In Attendance: Parish Clerk  
Mr. Ken Miles – TDC Solicitor  
County Cllr. Barry Parsons  
Mr. A. Johnston and Mr. S. Sharp – co-option candidates  
Members of the Public

## 437. APOLOGIES FOR ABSENCE.

PCSO Beverley Harvey had sent apologies.

## 438. DECLARATION OF INTERESTS

The Chairman requested that interests be declared as matters arose.

## 439. PUBLIC OPEN QUESTION TIME

There were no questions.

## 440 TO RECEIVE INFORMATION FROM MR. KEN MILES, SOLICITOR, TDC REGARDING PERSONAL AND PREJUDICIAL INTERESTS

Cllr. James welcomed Mr. Miles. Mr. Miles explained that he had been invited, at the request of the Clerk, to explain Personal and Prejudicial Interests in light of 8 out of 9 Bridgerule Parish Councillors now sitting on the Parish Hall Committee. All Cllrs. are bound by the Code of Conduct which covers many areas; treating others with respect, not bullying any person. They are also obliged to complete a Register of Interests. He explained that a personal interest should be declared if the Cllr. feels that the business under discussion could affect the well being or financial standing of him/herself, a member of his/her family, a close personal associate, his/her employer, a body of which he/she is a member (or in a position of general control) to which they have been appointed by the Council. There are other situations where a personal interest should be declared but Mr. Miles did not feel these would apply to the issue within Bridgerule Council.

Councillors should consider declaring a Prejudicial Interest if they sit on both the Parish Council and Hall Committee and feel that a member of the public, who knows all relevant facts under discussion, would deem the Cllr's. Interest to be so significant as to prejudice his/her judgement, and if it either affects the financial position of the body under discussion or the approval, consent, permission of anything relating to that body, resulting in none declaration being reported to the Standards Committee.

Mr. Miles felt that there will be grey areas, which may need to be discussed as they arise (if the 8 Cllrs. continue to sit on the Hall Committee), and he had informed the Clerk that she was free to contact him at any time. He also explained that if a Prejudicial Interest is declared, the Member cannot take part in the discussion, must leave the room and cannot vote; the Member can take part and vote if a Personal Interest is declared. However, a Member may be able to declare a Prejudicial Interest, but make representation on behalf of the body, but must then leave the room.

Mr. Miles explained that dispensation could be given, by the Standards Committee, to Cllrs. and this could be done as and when the Clerk knows a problem re. Interests may arise when a subject is to be discussed. He briefly explained the dispensation criteria.

A general discussion ensued relating to the makeup of the Hall Committee, funding, etc.

Cllr. Parsons explained about funding within Devon; describing the work of North Devon+ and Leader 4. He explained that there is less and less money available for projects and went on to explain the discrepancy between funding received in Cornwall, from Europe, and Devon – Devon being the poor neighbour. He indicated that Malcolm Harris at TDC and Martin Prentice, who is heavily involved in fund raising, might be able to give advice.

Cllr. Parsons asked the Chairman if he might give a brief report. Cllr. James agreed to this.

Cllr. Parsons reported that three and a half years ago TDC had been classified as a poor Council with poor prospects. Last year TDC had been awarded a Local Government Award, being in the top 5 of the most improved Councils and it is the best performing Council in Devon. He thanked Ken Miles and other Officers within TDC for their work in achieving this.

He gave a brief report on DCC Highways; the changes in Officers and their roles and the fact that Devon has the largest highways network in the Country. He went on to say that he has been investigating a salt spreader appliance which can be attached to a 4 x 4. It is possible he will be able to purchase 6 (at a cost of approx. £1,500 each) of these from his Locality Allowance. These would be shared between rural areas in his Ward.

Cllr. Medland expressed concern about the discrepancy in the level of the Road Tax Licence; whatever the size of the vehicle they all use the roads. Cllr. Parsons said he would bring this to Geoffrey Cox's attention.

Mr. Miles and Cllr. Parsons left the meeting.

**441. POLICE REPORT**

A Police Report was not available.

**442. COUNCIL MEETING MINUTES**

The Minutes of the Meeting held on 17<sup>th</sup> November, 2010 had previously been circulated. Cllr. James proposed the Minutes be approved. Cllr. Chilton seconded the proposal which was carried. (Vote 9 For. 0 Against. 0 Abstentions).

**443. MATTERS ARISING**

Item 423 – the Clerk had still not received a reply from Highways and will continue to follow up.  
Item 433 – the Clerk asked Cllr. James if he had an update on Mrs. Orchard's plans. He did not, but will follow this up for the next meeting.

**444. ACCOUNTS DUE FOR PAYMENT**

The following accounts were presented for payment.

<b><u>BRIDGERULE PARISH COUNCIL - INVOICES PAID IN JANUARY 2011</u></b>							-
<b><u>COUNCIL EXPENDITURE</u></b>							-
<b>Date</b>	<b>Pay To</b>	<b>Voucher</b>	<b>Gross</b>	<b>Net</b>	<b>VAT</b>	<b>Reason</b>	
19.01.11	Holsworthy Hamlets Parish Cl.	434	£56.25	£56.25		Training for 3 Councillors.	
19.01.11	M. Fenner	435	£613.36	£613.36		Salary	
19.01.10	C & L Clocks	436	£262.97	£223.80	£39.17	Parish Plan print/newsletter and associated costs	
<b>TOTAL</b>			<b>£932.58</b>	<b>£893.41</b>	<b>£39.17</b>		
<b>Bank Accounts</b>							
<u>Current Account</u>				<u>Reserve Account</u>			
Balance at 19th November		3,544.75				of which £832.98 is Parish Plan grant	
Income - VAT repayment 30.12.10		<u>325.91</u>					
	433			740		0.5 Interest March 10	
		£3,870.66				0.5 Interest June 10	
						0.5 Interest September 10	
Balance at 19th December			<b>£3,130.66</b>				
					<b>£4,934.42</b>	At 19th Dec. 832.98 parish plan	
					<b>£4,101.44</b>	Available to Council as Reserves	

The Clerk asked if there were any questions regarding the accounts presented. There being none, Cllr. James proposed the payments be approved. This was seconded by Cllr. McDougall and unanimously agreed. (Vote 9 For. 0 Against. 0 Abstentions). The budget shows that total expenditure stands at %

The Clerk explained that reclaimed VAT had been paid into the Current Account and she would like to transfer this to the Reserve Account, and a similar transfer from the Reserve Account to the Current Account in respect of the £262.97 paid to C&L Clocks (Parish Plan); this would leave £570.01 remaining from the Parish Plan Grant (the VAT element (£39.17) of this would be reclaimed eventually and placed back into the Parish Plan money). Cllr. James proposed that the transfers as detailed should be authorised. Cllr. Medland seconded the proposal which was carried unanimously. (Vote 9 For. 0 Against. 0 Abstentions).

#### 445. PLANNING

##### Application

1/0980/2010/FUL            Extension to agricultural building to cover feed area  
Borough Park  
Bridgerule

No Interests were declared. Cllr. James proposed the above application be approved. Cllr. Linney seconded the proposal which was unanimously agreed. (Vote 9 For. 0 Against. 0 Abstentions).

Cllr. James gave a brief update on affordable housing.

Cllr. Chilton asked the Meeting if anyone had heard about a Pre-Planning Application for houses adjacent to the open space at Southfields. The Clerk said that she had already had a query from a resident regarding this; there are no planning applications on TDC's website and Cllr. James confirmed that pre-planning applications are not advertised. Cllr. James then explained the difference between 106 Agreements and Commuted Sums. He also confirmed to Cllr. Medland that he would be speaking to Heather, secretary for the Holsworthy Property Trust, regarding the take up on affordable houses.

#### 446. HIGHWAYS

The Clerk had reported the condition of the road from Furze Cross to Dux to Highways; they were already aware and it is "on the list" to do.

#### 447. PARISH HALL

The ATC read out the letter received from Peter Peter & Wright (see Item 17 of Correspondence Received), which confirmed that Bridgerule Parish Council holds the land on which the current Hall is sited, in Trust, hence it is not a Fixed Asset for the purposes of the Annual Audit Return. She also brought Cllrs. attention to the previous draft Lease and Deed of Trust which PPW had prepared; the whole scheme being aborted. Cllr. James gave a brief history of the difficulties encountered and why the decision not to go ahead with previous plans had been taken. He commented on the amount of immense hard work that Cllr. Abbott had carried out to try and get the previous plans to fruition and that he (Cllr. James) was extremely sad that Cllr. Abbott was no longer on the Hall Committee. Cllr. James informed the meeting that he felt the location and make up (sports facility being incorporated) of a new Hall still needed to be discussed further. Cllr. Seymour-Smith pointed out that the Parish Plan results indicated that the majority of residents wanted a new Hall to remain on the present site. Cllr. James felt that a reality check was needed. Cllr. Seymour-Smith said that the next meeting of the Parish Hall Committee would take place on 2<sup>nd</sup> February, 2011 and he would update the Council on 16<sup>th</sup> February, 2011.

#### 448. TO RECEIVE CORRESPONDENCE

The list for November – December had been circulated with the Agenda.

##### **Correspondence Received 18<sup>th</sup> November – 31 December 2010**

1. TDC – Electoral register
2. R. Staddon – TDC – advice for people re. clearing snow etc.
3. Rural Services newsletter
4. TTVS – garden service and volunteers
5. A. Johnston – application re. co-option
6. G. Cooper – query re. possible planning application at Sanctuary
7. Cllr. CSS – query re. prejudicial interest etc.
8. K. Miles Monitoring officer – reply re. prejudicial interest
9. K. Miles – further info. re. 8 above. And dispensation
10. Cllr. CSS – re interests, hall, etc. – all cllrs. copied in

11. Cllr. CSS – reply to item 11 of sent.
12. Cllr. CSS – hall – **all further correspondence regarding this will be included in this numbered item**
13. Mr. S. Sharp – co-option application
14. DCC – monthly newsletter
15. Rural Services – December roundup
16. Rural Services weekly newsletter
17. Peter Peter & Wright – Hall/Deeds etc.
18. TDC – Area Advisory Group Agenda 13<sup>th</sup> December (**Cllrs. advised**)
19. MCTi – Minutes
20. Village Green – December issue
21. DCC In touch – special bulletin – feedback on public meetings held by John Hart
22. Ruby Country Newsletter
23. DCC – Snow code
24. Ride the Ruby Country – project newsletter – equestrian based
25. NALC The Localism Bill (**e-mailed to Cllrs**)
26. DCC – Mobile Library Timetable – Bridgerule Tuesdays Upland 10.00-10.30 and Hall 10.35-111.20
27. SWLCA (South West Local Councils Assoc). – Democracy Pack – re. elections 2011
28. SWLCA – Democracy Pack – elections (**will copy some of this for Cllrs. if requested**)

Highlighted items were brought to Councillors' attention.

#### **Correspondence Sent 18<sup>th</sup> November – 31<sup>st</sup> December 2010**

The list for November – December had been circulated with the Agenda.

1. M. Glover – recycle bins
2. C. Smale – PPWright – land ownership
3. M. Norton – TDC – Returning precept form
4. A. Johnston – co-option application – to be discussed in Jan. meeting
5. Cllrs. – informing of item 4
6. G. Cooper – reply re. query on planning
7. K. Miles Monitoring Officer – re. prejudicial interests
8. K. Miles – re interests and acknowledging advice
9. All cllrs. – advising of K. Miles advice
10. Cllr. CSS and Cllrs. – replying to CSS e-mail item 10 of received
11. Cllr. CSS – replying to item 11 of sent **all further correspondence regarding this will be included in this numbered item**
12. Mr. Sam Sharp – cooption application – to be discussed in Jan. meeting
13. B. Williams – cheque for grass cutting
14. PP Wright – acknowledgement of letter re. Hall etc.
15. VAT reclaim

Highlighted items were brought to Councillors' attention.

#### **Correspondence Received 1<sup>st</sup> January – 19<sup>th</sup> January 2011**

1. Environment Agency – Community Flood Planning/newsletter
2. Clerks/Councils Direct – January newsletter
3. DALC – Jan/Feb newsletter
4. TDC – Register of Electors (**in file**)
5. TDC – elections talk at Area Advisory Meeting (**all Cllrs. circulated**)
6. Rural Services newsletter (**forwarded to those with e-mail**)
7. DCC – monthly newsletter

Highlighted items were brought to Councillors' attention.

#### **Correspondence Sent 1<sup>st</sup> January – 19<sup>th</sup> January 2011**

1. Article for Buzz
2. Various e-mails to Cllr. Chilton (**see e-mail file**)

Highlighted items were brought to Councillors' attention.

**449. CHAIRMAN'S REPORT**

Cllr. James (as a District Councillor) reported that it would appear that the Gypsy/Travellers' site at Derriton was "back on the cards". This could have an effect on school capacity, since both Holsworthy and Pyworthy Primary Schools are full. He would keep the Council updated. Cllr. James then replied to queries Cllr. Chilton had previously asked him regarding previous elections. Cllr. James gave detailed information regarding previous elections, why they had happened, who had stood and been elected etc.

A query regarding plans for a Solar Panel Depot at Bradford was raised, and although not in the Parish of Bridgerule, the ATC was requested to enquire of TDC's Planning Office whether this would have an impact on heavy goods vehicles driving through Bridgerule.

**450. CLERK'S REPORT**

The Clerk reported as follows:

- She has prepared posters re. the Election on 5<sup>th</sup> May, 2011 to encourage people to stand and vote. She briefly explained the procedure re. nomination papers; the timetable for the election, etc. She and Cllrs. have been invited to attend the Holsworthy Area Advisory Meeting on 31<sup>st</sup> January, in the Memorial Hall, Holsworthy where Paula Hunter TDC will go through the process of the election. The Clerk will inform Cllrs. of the time when she hears.
- She had received a letter, which she read out, from the Big Sheep re. the Parish Newsletter and Parish Ambassadors. She will pass this onto Sheila Cholwill.

**451. TO DISCUSS THE CO-OPTION OF A COUNCILLOR**

The Clerk had previously circulated letters from both Mr. Alex Johnston and Mr. Sam Sharpe applying to be co-opted. Both Mr. Johnston and Mr. Sharp gave brief resumes of themselves. Cllr. James thanked them for their interest and they left the meeting.

Cllr. James then asked Cllrs. to vote by a show of hands. Cllr. James declared that Mr. Sam Sharp had been elected to Bridgerule Parish Council as a Councillor. The Clerk will inform both candidates of the decision.

**452. EXCHANGE OF INFORMATION.**

Cllr. Linney informed the Meeting, that she had confirmation that Bridgerule Primary School would be happy for future Council Meetings to take place on its premises, at no cost to the Council. This will be placed on the Agenda for 16<sup>th</sup> February, 2011 Full Council Meeting to discuss.

**453. CLOSE**

There being no further items of business the Chairman thanked all present for their attendance and declared the Meeting closed at 9.45 p.m.

Signature ..... Date .....