

SUTCOMBE PARISH COUNCIL

Minutes of Sutcombe Parish Council Meeting held Remotely Using the ZOOM Platform, on Monday 22nd June 2020 which commenced at 7.30p.m

Members of the Council Present: Councillors C. Quance (Chairperson) B.Galbraith Marten -(Vice Chairperson), C. Furse, M. Wonnacott, E.Horn and J. Daniel and John Shepherd
Also present was Mrs Lorraine Buttery (Clerk)

1. Chair's announcements

Councillor Chris Quance welcomed all to the meeting

2. Declarations of Interest

a) Register of Interest: Councillors are reminded of the need to update their register of interests.

There were none declared

b) To declare any personal interests in items on the agenda and their nature. *There were none declared*

c) To declare any disclosable pecuniary interests in items on the agenda and their nature. *There were none declared.*

3. Apologies and reasons for absence were received from:

Devon County Councillor Barry Parsons, District Councillors Anna Dart, Richard Boughton and Stephen Harding.

4. Public Comment Session

There were no members of the public attending.

5. Reports from Devon County Councillor and District Councillors:

None were present, but updates had been received by email

6. All members of the Council had received a copy of the minutes of the Parish Council meeting held on the 20th April 2020 by email, with the unanimous decision of the Councillors, the contents were deemed true and correct and were duly signed by the Chair Councillor Chris Quance.

7. Matters Arising

1) Sutcombe Playing field – update, further to emails received from Pam Johns, Codes solicitors the 'Heads of Terms agreement' for the purchase of the Playfield from DCC was discussed, a detailed transcript of the reply to be sent to Pam will be attached as a separate sheet to the minutes. Councillor Quance said he had had a quote for the fencing of £1,885 plus VAT. The new signage is very good, the old 'School signs' on the road will be replaced but no date had yet been given, DCC has asked us to be patient.

2) Newsletter update, no further update.

3) Emergency Committee, had received a request for payment for a contribution towards travelling costs to supply goods for the 'pop up' shop, this was unanimously agreed and a cheque will be sent along with a letter of thanks. It was unanimously agreed to keep the remainder of the funds in case of any further claims. Councillor Emma Horn suggested that a notice be put up to remind Volunteers that they can claim for out of pocket expenses.

4) Sutcombe Bridge, the damage had been reported by the Clerk to Devon Highways and the repair will be done, but the date has yet to be decided. Councillor Emma Horn reported that further damage to the top of the bridge had been done since the original report.

8. **Planning Applications:** *There were none*

Planning Decisions: *There were none*

Planning Appeals: *There were none*

9. Finance.

a) Financial report to date, the cash book spreadsheet had been emailed to all Councillors, no issues were raised, There being £11,202.48 in the bank (Statement presented to uphold), earmarked funds of £350.00 election costs £3,002.00 project funds, £3150.00 owing to D.C.C. for fencing. The remaining balance of £4,700.48 being PC General funds.

b) Loan for Playfield, after several emails and telephone calls the initial application has been sent to NALC by Cara of DALC, it is hoped that this initial approval will be granted.

c) Approval was unanimous and two Councillors signed cheques for:

i) Admin Expenses Jan-June £38.84 ii) Travel Expenses for Lydia Farmer £147.80

iii) Dr J Foster internal Audit £50 iv) Annual Insurance £321.73

d) All Councillors had been sent a copy of the Annual Accounts 2019-2020, no issues were raised and were unanimously approved by a show of hands.

e) **Annual Audit (AGAR Returns):**

All relevant details had been emailed to the Parish Councillors well in advance of the meeting.

- i) The Annual Internal Audit had been done by Dr Julia Foster, no issues were raised by her and was unanimously approved by a show of hands.
- ii) The Annual Governance Statements were read out by the Chair, Councillor Chris Quance and unanimously approved by a show of hands and was duly signed by the Chair.
- iii) The Accounting Statements were studied, unanimously approved by a show of hands and signed by the Chair.
- iv) The Certificate of Exemption was explained by the Clerk, unanimously approved by a show of hands and duly signed by the Chair, this will be emailed to the external auditors J.Littlejohn Ltd. The Clerk will collect all paperwork from Councillor Quance and deal with it as appropriate.

10. Correspondence as below and as available at the time of the meeting

- i) Rural Police Update
- ii) DCC Councillor Barry Parsons-Digital Moorland, Broad Band Rollout
- iii) DALC Newsletters and Covid 19 updates, message from DCC
- iv) Rural Network Bulletins x 4
- v) R.S.N Rural Funding
- vi) Pam Johns x 3
- vii) H. Roper Gov. Funding for Dairy Farmers, Small Grant Schemes, Business Grants.
- viii) Devon Communities Focus Groups updates
- viv) DCC – Stay Alert
- x) Lord Lieutenant-Re Honours
- xi) NHS Test & Trace
- xii) Bridget TVVS Zoom meetings
- xiii) DCC Members Bulletin
- xiv) Highways Dept -Sutcombe Bridge
- xv) Love Devon Update

The above were all received by email no issues were raised

11. Matters for discussion or to be noted, and matters brought to the attention of the Chairman

- 1) Hedge/ Verge cutting, Councillor Chris Quance will get quotes for the cutting, the Clerk will look into the possibility of obtaining Grants to help with the cost.
- 2) DAAT night-time site, Councillor Claire Furse informed the Parish Council that preliminary discussions had been made with Toby Russell, and a suitable site has been suggested, is the Parish Council in agreement to take the discussions further?
It was the unanimous decision of the Parish Councillors to do so.

The Next meeting will be arranged depending on the outcome of the emails to Pam Johns at Coodes and decisions made by DCC.

There being no further business the meeting closed at 8.45 pm.

DCC Heads of Terms: V1	Parish Council Asked For:	DCC Response
<p>Overage / Clawback on Disposals</p> <p>‘Relevant Period is 50 yrs’ Overage percentage shall be: First 20 yrs – 60% 21 – 40 – 40% 41 – 50 – 20%</p>	<p>Relevant Period to be 20 yrs</p> <p>Fixed overage percentage of 50%</p> <p>Remove overage on grant of planning permission.</p> <p>Cap / limit costs</p>	<p>In the first 20 yrs – 50% Years 21 – 30 – 40% Years 31 – 40 – 20%</p> <p>Overage will have to apply to both disposal and on implementation of planning permission.</p> <p>Parish council are minded to accept – does Pam think it’s worth chasing</p>
<p>5.2 No building or structures are to be erected on the land without the consent of the Transferor. Additional structures for community benefit may be permitted subject to the consent of DCC which shall not be unreasonably withheld.</p>	<p>In connection with the covenants requires for the transferee and covenant 5.2 the Parish Council require the following to be amended, namely “for the avoidance of any doubt this shall not apply to the Parish Council play equipment and any toilet facilities and storage container for such play equipment provided by the Parish Council”.</p>	<p>DCC – Agreed. Heads of Terms to be amended.</p> <p>Agreed</p>
<p>5.3 That in the event that the transferee disposes of the Property the Transferee shall apply the proceeds in perpetuity for the wider benefit of the community and in particular to provide community facilities for Devon residents</p>	<p>5.3, the provision of community facilities for Devon residents was never discussed or agreed, being to provide community facilities for the Parish of Sutcombe only.</p>	<p>DCC are prepared to delete the last part of the clause so that this clause now reads “That in the event that the Transferee disposes of the Property the Transferee shall apply the proceeds in perpetuity for the wider benefit of the community”</p> <p>PC to confirm this is acceptable.</p> <p>For the benefit of Sutcombe and surrounding boundary parishes.</p>
<p>5.7 To maintain the shared vehicular access way serving the property, subject to the owner of the old school house contributing 50% towards the costs as provided for a conveyance of the old school house.</p> <p>Note: The transferee will not be granted any rights of access over the transferor’s retained property. The transferor, and its successors in title, shall be reserved rights of access over the access way and Property, with and without vehicles, plant and machinery for the purposes of maintenance, repair, renewal and construction on the old school property.</p>	<p>5.7 is Inequitable. The Parish council must have access to the old school site and the soakaway system to ensure, if there are any problems with the same, that it is not adversely affecting the former School Playing Field. Any rights of access would, of course be on the basis of not causing any unnecessary damage and making good any damage in fact caused and, certainly, not relating to anything covered by a building or structure.</p> <p>5.7 The Parish Council understand that the Old School House does not need access over the entire length of the shared vehicular access and the extent of that shared access should therefore be limited to a point on the plan</p>	<p>PC to clarify – are we referring to the old school septic tank? (Which now only accepts surface water, as this is situated in the land to be transferred to the parish council. Can the Parish Council please provide details of why and were (with reference to a plan), they consider this necessary, so we can take a final view</p> <p>Who is responsible for the septic tank – as it has previously flooded / has been blocked by straw in rain water?</p> <p>DCC – correct. See amended plan to show the extent of the right of access for the Old School House and I will revise the Heads of Terms to reflect this point.</p> <p>Clarify that – does the plan show shared access or where shared access finishes - pink section</p>

	<p>Does not address: Damage to our land.</p> <p>Access can be granted for maintenance of property (small day work with no vehicles and all materials cleared away at the end of the day).</p> <p>Large works involving plant / machinery and vehicles would need securing from playground, notice and to be approved by Parish Council due to children’s playground in situ.</p> <p>Any damage must be made good.</p>	
Stone boundary wall	The Parish Council note that the stone wall against the Old school house presently appears to be included within the land being transferred to the Parish Council but, is that correct? Does that wall “belong” to the Old School House	<p>The conveyance of the old school house clearly shows this wall as remaining in the ownership of DCC so this wall will have to be included in this transfer.</p> <p>Parish Council are happy with this.</p>