

### 34/18 PLANNING

Cllrs Cross and Hartwell declared an interest and left the room whilst the planning applications was being discussed.

Planning Reference: 1878/18/HHO Proposal: Householder application for proposed single storey extension on south elevation. Location: 2 Erme Bridge Cottages, Ermington, PL21 9NN

**Recommendation: Objection – the proposed extension does not preserve or enhance the character of a conservation area. This is an essential planning requirement. The extension would spoil the look of the frontage of the applicant's and adjacent dwellings in conflict with the Conservation Area. The extension would be visible from adjacent properties**

### 35/18 FINANCE

It was agreed to pay the following:-

#### PAYMENT(S)

Cheque No:	Description	Gross	Net	VAT
1221	Caretaker cost – 17 May – 16 June 2018 (inclusive)	£8.93		
1222	Clerk's Salary – June 2018	£525.18		
D/D	EDF Energy – monthly Direct Debit – June 2018	£21.00	22.01	£0.99
1223	Information Commissioner – Data Protection Registration annual renewal	£40.00		
1224	DALC – New Councillors Course – John Dunlop & Patricia Dolman	£60.00	£50.00	£10.00
1225	Amazon – black ink cartridge – reimbursement to Parish Clerk	£57.57	£47.97	£9.60

**RECEIPT(S)** – Keats Concert - £62.50 for the Village Hall Project  
Donation - £16.00 for the Village Hall Project  
Ermington Village Hall Working Group - £120 for the Village Hall Project

On behalf of the Parish Councillors, Cllr Kerslake wished to thank those who have recently raised money for the village hall project at the Ermington Fair.

**GRANT REQUEST(S)** - None

**Treasurers Account – Balance £92,570.98 as at 13 June 2018**

**Business Account - Balance £8,392.13 as at 11 June 2018**

### 36/18 CORRESPONDENCE

#### Emails circulated to Councillors via the Clerk:-

SHDC - Two Fantastic Events See the Launch of the SeaMoor Lotto

SHDC - Have Your Say on Parking Charges

DCC - Mobile libraries and outreach service consultation

SHDC - Councils' Transformation is Complete

SHDC - New Source of Funding Launched for South Hams Community

DCC Highways - Traffic sensitive streets consultation – 2018

SHDC - National Guide: Dementia in Our Communities

SHDC - Partnership Announced to Build New Dartmouth Health and Wellbeing Centre

Devon's mobile library service

New Community Building's Website

SHDC - 1287/18/TPO Decision Notice – Grant of conditional consent

**Post** = ANOB information – circulated.

The meeting closed at 9.45 pm.

The next [Parish Council Meeting](#) will take place on [Tuesday 4 September 2018](#) at [7.30 pm](#), in the Reading Rooms, Ermington

*Cllr Kerslake*  
(Ermington Parish Council Chairman)

Date: 4 September 2018

Minutes can be viewed on the Ermington Parish website - <http://www.ermingtonparish.com/parish-council/archives/>

### 33/18 ERMINGTON VILLAGE HALL PROJECT (EVHP)

Cllr Martin wished to thank various parishioners who assisted at Ermington Village Fair on Saturday 30 June 2018, to sell cakes for the village hall funds.

Cllr Kerslake informed Cllr Onley that the letter which he had signed as the Chairperson of Friends of Ermington Park, had recently been circulated to Councillors and a response would be provided on the points raised after consultation with the EVHP working group and Councillors would also be consulted. Cllrs Onley and Cross accepted that it would not be appropriate for them to be involved in the drafting of the Parish Council's response to the letter.

#### Review of Design and Costings

Cllr Kerslake said that this item followed a recent joint parish council working group meeting on 21 June 2018.

Cllr Kerslake said that he wanted to emphasis at this point that any decisions made by the Parish Council must take account of the Parish Council's responsibilities to parishioners to get the best value for money, at a cost which had the best outcome on the Precept taking account of the current and future needs of the community. The sums debated at the joint PC/WG meeting were significant and councillors needed to do all they could to ensure that great care was taken in reaching conclusions and making decisions which were fully justifiable. Any decision must not be influenced by key people involved in the process threatening to resign pointing out that two members of the working group had already done so.

He explained the Options open to the Parish Council in his view were:

1. Make a decision now on which scheme to adopt, or
2. Put matters on hold pending:
  - a. A discussion with the planners on both schemes as suggested at the joint meeting. (Cllr Holway had agreed to contact planners with the details to expedite matters and had been given copies of the plans.)
  - b. Obtain results from a working group member who has undertaken to contact the Broadhempston Consultant about Architectural Work, Specification, and Budget Costs (hopefully in two week's time).
  - c. A look into a Two Stage Tendering Process to move things forward and give more comfort on the costs.

Cllr Kerslake said he was strongly in favour of putting matters on hold to undertake the work set out above. He also pointed out that there were two new councillors who needed to be brought fully up to date on developments. He suggested that a further meeting could be arranged, hopefully without too much delay to discuss the outcomes of option 2. **Action under option 2 was agreed.** Cllr Martin said that she did not agree with the suggestion for action under point 2c.

It was **agreed** to try to arrange a meeting in August to discuss the findings of option 2.

#### The Next Steps

Prior to the meeting Cllr Dolman had circulated a draft flyer and e-mail/letter. It was proposed that the latter would be sent to parishioners, to establish who would be interested in attending a presentation by manufacturers of modern play equipment. If there were sufficient interest presentations would be arranged and be structured to deal with children in specific age groups. The manufacturers would present some designs and ideas on equipment and facilities for the recreational areas proposed in the current village hall plans. This would be an opportunity for parishioners and children to be involved in decisions affecting children's leisure time, and the future generations of children residing in the parish. Cllr Kerslake read out the information in the draft flyer and e-mail/letter.

It was agreed that rather than organise a two stage process presentations would be arranged and invitations issued for parishioners and children to attend. Teenagers would not be included in this process but would be asked to attend a separate meeting which the Chair of the Working Group would be invited to host.

### (c) Public Questions (continued)

A parishioner - asked if the new Councillors could clarify how they would stop an increase in precept as stated in their manifesto. Cllr Onley would listen to information and challenge where increases were itemised.

A parishioner was concerned that those who voted for Cllr Onley might have been misled by his manifesto which had stated that he would stop Council Tax increases where in fact he meant Precept, controlled by the Parish Council and a very small portion of the Council Tax system administered by South Hams District Council.

A parishioner asked Cllrs Onley and Cross if they were willing to represent the whole of the electorate and not just those who voted for them. Cllr Cross pointed out that there was division in the parish and the local parish election "was close", but it shows the direction of the village hall is not supported by all parishioners. Cllr Onley replied that one of his manifesto pledges is to "heal the divide", and he would welcome any ideas for all sorts of sites within the village for a new village hall.

A parishioner stated, it can be difficult being a councillor and parishioners should be grateful for the work the Chairman and councillors are doing.

### 31/18 TO CONFIRM MINUTES

The minutes of Ermington Parish Council meeting held on 5 June 2018 as previously circulated, were approved by the Chairman.

### 32/18 PAST SUBJECT MATTERS FOR THE PURPOSE OF REPORT ONLY

20/18 Drones – Police and CAA deal with issues, it is not something that SHDC action.

20/18 Fun Day use of playing field – hire cost will be funded by using Cllr Holway, Locality fund.

22/18 Erme estuary bio diversity for the natural management of the lower fields, that they be allowed to go to reed beds instead of grass. Cllr Hosking has searched and cannot find any information. Cllr Onley suggested speaking to Mr Nick Pitts who owns the land west of Ermington rather than the south. **ACTION: Cllr Hosking**

22/18 Speed of traffic through the village is still a major problem, particularly Bunkers Hill to be raised with Nick Colton (DCC Highways). **ACTION: Cllr Hosking** Cllr Hartwell pointed out that £226 is required for two brackets. Agreed to purchase brackets Cllr Hartwell and Parish Clerk to action. **ACTION: Cllr Hartwell**

22/18 Ermington Mills Workshop – excessive noise levels. Readings are taking place.

22/18 Repairs to the bridge near Fawns Close – date to be confirmed. **ACTION: Cllr Hosking**

22/18 Blocked drains on the left-hand side of Town Hill – date to be confirmed. **ACTION: Cllr Hosking/Nick Colton, DCC Highways**

22/18 River Erme erosion A3121 at Ermington – Cllr Hosking stated that the environment agency have carried out an assessment on the river a few years ago, but an up to date assessment is now required. **ACTION: Cllr Hosking**

22/18 Trial to restrict the width of the road near "The First and Last" to see if it would slow down traffic. Cllr Hosking has liaised with Nick Colton DCC Highways and is looking into the design. **ACTION: Cllr Hosking/Nick Colton**

23/18 Use of industrial units as a Village Hall – Cllr Martin explained a meeting had been set up involving the EVHWG and SHDC to look at the possibility of using the industrial units as a Village Hall. The outcome was that SHDC decided that the industrial units could not be used for that purpose and would not be suitable for a number of reasons including proximity to the housing development

30/18

(a) **Police Report – June 2018**

Police Community Support Officer A Potter provided the following report, which was read to those present by Cllr Kerslake.

Ermington

2nd, public order offence, threatening word, dealt with by way of Restorative Justice [apology] CR/048007/18

Lee Mill Ind. Est.

2nd, shoplifting CR/049086/18  
5th, burglary non-dwelling CR/049086/18  
12th, theft of diesel from a vehicle CR/ 051730/18  
20th, threat to damage property CR/054280/18  
27th, possession of a controlled drug CR/056747/18  
30th, drink/ driver

(b) **District and County Councillor's Reports**

Cllr Hosking

The problem of overgrown verges on the slipway onto the A38 heading west near the site of the former Woodpecker pub, has been addressed. Cllr Webley was appreciative of the work carried out, but vision was still impaired by the ditch area and trees at Endsleigh junction. Cllr Hosking will assess and liaise with Nick Colton DCC Highways. **ACTION: Cllr Hosking/Nick Colton DCC Highways**

Locality Budget Fund money of up to £500 is available – generally it is for long term investment in the community and is not to be used to benefit individuals or private businesses.

The launch of the Devon County Council Crowdfunding platform will take place on Thursday 12 July 2018 at Devon County Hall in Exeter. This is an opportunity for groups and organisations to attend and learn more about Crowdfunding. Crowdfunding is about promoting a proposal or idea to the wider crowd, the reasons for it and amount of funds which needed to be raised, inviting contributions from members of the public to financially back projects. The following link was provided to parishioners who would like to attend the event:

<https://www.eventbrite.co.uk/e/crowdfund-devon-launch-workshop-tickets-47015121494>

Cllr Holway

SeaMoor Lottery – tickets are now on sale and people are encouraged to join in. Tickets cost £1 and 60% goes directly to the good cause selected. Ermington Pre-school has joined the scheme.

TAP (Town And Parish) Fund – various changes have taken place and details have been circulated. Cllr Holway suggested discussion with the air ambulance as there could be suitable sites in the parish. The contact person is Toby Russell, 01392 466 66 ext.150.

(c) **Public Questions**

Cllr Onley asked Cllr Holway if he had viewed the objections online in connection with the planning application for the industrial units adjacent to “The Spires” and whether or not he would be supporting the scheme. Cllr Holway said that he would ensure that he read all the documents prior to the Management Committee Meeting and make a decision based on all the information he had received.

A parishioner set out some concerns about the amount of documents online in connection with the planning application and the number of discrepancies. There was concern about the proximity of the planned units to the adjacent housing, the removal of trees and the increase in footprint. In response to a question Cllr Kerslake said that a parish councillor would not be speaking at the event, explaining that this was not done routinely.

A parishioner was disappointed that he not had a reply from SHDC in connection with his query on the Open Public Space below “The Spires” relating to the long term management of the space in the light of the fact that Ermington Parish Council would not be taking ownership of the land. The parishioner will send a copy of documents to the Council which are not available on the SHDC website.

# **ERMINGTON PARISH COUNCIL**

## **The Minutes of Ermington Parish Council meeting held in the Reading Rooms on 3 July 2018 at 7.30 pm**

**Present:** Cllrs John Kerlake (Chairman), Di Webley, Averil Heaton, Patricia Dolman, Roy Hartwell, Susan Martin, John Dunlop, Denis Onley, Robert Cross and Richard Midgley

**Also present:** County Councillor R Hosking, District Councillor T Holway, T Drew (Parish Clerk)

**Parishioners present:** 7

Following the recent Parish Council election, Cllr Kerlake welcomed Cllr Denis Onley and Cllr Robert Cross as new Councillors and confirmed that they had signed the Declaration of Acceptance of Office prior to the meeting.

Cllrs Onley said that he along with Cllr Cross wished to thank those who elected them following the recent parish election and to the parishioner who also stood for election as a Councillor. They wished their manifesto to be considered by the Council, which is to safeguard the park and change the way the Parish Council operates to be more open and transparent about decisions. Taking this into account Cllr Onley asked Cllr Kerlake to stand aside as Chair. Cllr Kerlake declined and proceeded with the meeting.

### **28/18 APOLOGIES**

Apologies received from Police Community Support Officer A Potter.

### **29/18 MEMBERS' CODE OF CONDUCT – Declaration of Interests**

In accordance with the Code of Conduct, members were invited to declare any personal, disclosable or pecuniary interests including the nature and extent of such interests they may have in items to be considered at the meeting.

Cllrs Cross and Hartwell declared an interest in agenda item 7 (minute 34/18).

Cllr Kerlake said, in view of the relationship between Friends of Ermington Park and Ermington Parish Council he wished to explain “predetermination” and related matters.

Cllr Kerlake said that decisions made by local authorities based on bias or predetermination have always been open to legal challenge.

Guidance in a document published as a National Standard had created misconceptions about the legal position and impacted on the democratic process.

The Localism Act 2011 abolished the Standards Board regime and has clarified the position on pre-determination and bias. Section 25 clarified that councillors are not to be regarded as being unable to act fairly or without bias if they participate in a decision on a matter simply because they have previously expressed a view or campaigned on it.

There is a distinction between pre-determination and pre-disposition. Councillors should not have a closed mind when they make a decision as decisions taken by those with predetermined views are vulnerable to successful legal challenge.

Cllr Kerlake emphasised the need to keep an open mind and referred to a Legal Topic Note from the National Association of Local Councils on this subject together with an informative letter from a Minister at the Department for Communities and Local Government. Cllr Kerlake undertook to send Cllrs Onley and Cross a copy of both documents.

Cllr Kerlake went on to explain that with regard to participation in Council discussions councillors are encouraged under Ermington Parish Council's Code of Conduct to declare their involvement in any area which in the Councillor's view might create a conflict of interest (section 7.2 [c] of the Code).

Where a matter affected a councillor's wellbeing or financial interest (other than the specifically listed Pecuniary Interests in Section 7.3) that councillor would not be able to take part or vote (but could speak if the public were allowed to speak) but must then withdraw from the room (Section 8.1[d]).

If a councillor had a disclosable pecuniary interest as defined in section 7.1 of the Code, that councillor must leave the room when the item is discussed.

Cllr Kerlake having explained the position in detail, again invited any declarations. No additional declarations were made by those present.