

74/18 CORRESPONDENCE

Post:-

Proposed Main modifications to the Plymouth and South West Devon Joint Local Plan etc. information. Three public surgeries/drop in events being held in each local authority - circulated

The meeting closed at 9.11 pm.

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

John Kerlake

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(*Ermington Parish Council Chairman*)

Date: 4 December 2018

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

73/18 FINANCE

It was agreed to pay the following:-

PAYMENT(S)

Description	Gross	Nett	VAT
Caretaker's cost – 17 September – 16 October 2018 (inclusive)	£8.93	-	-
Clerk's Salary – October 2018	£525.18	-	-
EDF Energy – monthly Direct Debit – October 2018	£21.00	£19.95	£1.05
SHDC – Charges for Parish Council Election 14 June 2018	£2172.75		
T J Electrical - PAT tests of appliances in Reading Rooms	£54.00	£45.00	£9.00
Hedges & Lawns (N C Wooderson) 1 cut in October 2018 (Field by Ermington church)	£55.00	-	-

RECEIPT(S) – Donation from a parishioner towards the new Village Hall - £11.98
Hire of Reading Rooms - £50.00

GRANT REQUEST(S) – Ring & Ride, Ivybridge & District - £150.00

Treasurers Account – Balance £101,269.61 as at 15 October 2018

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

Cllrs Cross, Dunlop and Allis to attend the DALC “New Councillors Short Course” = 3 x £30.00 - agreed. **ACTION: Clerk**

Purchase of brackets for the speed sign required. **ACTION: Cllr Midgley**

Appointment of an internal auditor Alison Marshall - Local Council Administration Service, for two years. Annual fee £150.00 plus mileage at 45p – agreed. **ACTION: Clerk**

74/18 CORRESPONDENCE

Emails circulated to Councilors via the Clerk:-

SHDC - Resilience Forum Event and further Neighbourhood Planning workshops coming up

DCC - Devon County Council Devon Funding News - All news Update

Devon Communities Together - Help shape Maternity services in Devon

DCC - Chapter 8 training for the Road Warden Scheme

South Hams Citizens Advice - Citizens Advice South Hams AGM Notification (**notice placed on notice boards**)

SHDC - Successful Tree Protection Prosecution for South Hams District Council

Devon Communities - Book now on the Devon Community Resilience Forum or why not come along to one of the Neighbourhood Planning Workshops

SHDC - Helping Families in Need Find a Home in the Private Rented Section

SHDC - Hasn't Your Pumpkin Suffered Enough? (**notice placed on notice boards**)

SHDC - Do you get a discount on your Council Tax

DCC - Devon Local Flood Risk Management Strategy Update - October 2018 Strategy Newsletter

SHDC - SHDC Chairman's Carol Service - 16 December 2018 – **Cllr Webley to attend.**

Cllr Hosking - Take care when buying children's costumes this Halloween

Connecting Devon & Somerset - Please take part in our digital user survey

Parishioner – Public Open Space

Kier Services - Proposed road closure - Ivybridge road, Ermington - 18/02 - 22/02/19

SHDC - Endsleigh Garden Centre - Enforcement Case: 014541 - CASE CLOSED

DCC - Recycle Devon Thank You Awards 2019 (**notice placed on notice boards**)

72/18 PLANNING

Planning Applications:

Reference No: 3114/18/FUL

Proposal: Change of use of land and buildings from storage and distribution depot to commercial vehicle hire and sales centre including installation of jet wash bay and bunded fuel tank

Location: Former Gregory Distribution Depot, Pennant Way, Ivybridge, PL21 9GP

Recommendation: No comment

Reference No: 2580/18/HHO

Proposal: Householder application for repairs and renovation to existing conservatory including slating to roof

Location: Rose Cottage, Langbrook, Westlake, PL21 9JX

Recommendation: Support

Reference No: 3121/18/HHO

Proposal: Householder application for demolition of an existing glazed conservatory extension and replacement with a new extension

Location: Penquit Mill Cottage, Strode, PL21 0LY

Recommendation: Support

Reference No: 3269/18/COM

Application Type 28 (1 month) Communication PD Application Applicant Name Mr Mark Flaherty Daly International. Notice of intention to install telecommunications equipment - replacement of 1no. 300mm diameter dish with 1no. 600mm dish on existing mast at same position

Location: Mast at Churchlands Farm Warren Lane Lee Mill Ivybridge PL21 9JW

Permitted development

The following planning application was ratified:

3087/18/FUL Creation of agricultural yard area

Location: Cleeve House, from Marjery Cross to eastern Lodge, Ivybridge

Recommendation: No comments.

Planning Decisions:

APPLICATION NUMBER: 2679/18/FUL Ermington

LOCATION: Land at Hunsdon Road Ivybridge PL21 9JP

PROPOSAL: Provision of an agricultural building

DECISION: Conditional Approval

APPLICATION NUMBER: 2015/18/HHO Ermington

LOCATION: Torr Croft Hunsdon Ivybridge PL21 9JR

PROPOSAL: READVERTISEMENT (Revised Plan) Householder application for formation of additional vehicular entrance to north boundary of site and extension of drive within site

DECISION: Conditional Approval.

67/18 TO CONFIRM MINUTES

The minutes of Ermington Parish Council meeting held on 2 October 2018 (as previously circulated), were agreed and signed by the Chairman.

68/18 PAST SUBJECT MATTERS FOR THE PURPOSE OF REPORT ONLY

52/18 Public Open Space below "The Spires Development" – A site visit had taken place along with a representative of Devon Wildlife Trust. Cllr Holway was asked to pursue the matter and involve the developer (BDW) residents in "The Spires" as well as the Parish Council. **ACTION: Cllr Holway**

54/18 Crooked Spire ACV – ongoing. **ACTION: Cllr Martin**

54/18 Trial to restrict the width of the road near "The First and Last" to see if it would slow down traffic. **ACTION: Cllr Hosking/Nick Colton**

54/18 Repairs to bridge. The work is waiting to be scheduled. **ACTION: Cllr Hosking**

54/18 Blocked drains on the left-hand side of Town Hill. **ACTION: Cllr Hosking/Nick Colton, DCC Highways**

54/18 River Erme erosion A3121 – A survey in being put in place to analyse the degree of riverbank erosion. **ACTION: Cllr Hosking**

54/18 "The Spires" development - the road within the development has been adopted by Devon County Council Highways.

60/18 Reading Rooms – Cllr Dolman's husband was thanked for kindly repairing the gutter.

69/18 ALLOTMENTS – Cllr Onley

The Clerk reported that to date, no landowners who had been contacted had land available.

The Clerk said an e-mail had been received from one landowner enquiring if the Parish Council would be interested in the possibility of buying some land for the purpose. It was agreed that the Clerk would write to the landowner's agent and inform him that the Parish Council was not looking to buy the land but was seeking land that could be leased or donated. **ACTION: Clerk**

70/18 READING ROOMS – Cllr Onley

Cllr Onley had revised the Reading Rooms risk assessment carried out in May 2018 by the Clerk, to reflect any issues that may arise as a result of clearing out unwanted items in the lower rooms. It was decided that a list of items should be compiled and circulated to Councillors and the Village Fund, prior to the disposal of any items. **ACTION: Cllr Onley**

71/18 ERMINGTON VILLAGE HALL PROJECT (EVHP)

Cllr Kerslake reported that the Parish Council would in due course need to make a decision on which plan to take forward. However in meantime there were hurdles to overcome including:

- The Village Green application which if agreed by Devon County Council would prevent any building on the site proposed.
- If the Village Green application is rejected, the Parish Council would need assurance that the Physical Training and Recreation Act 1937 did not prevent the village hall plans from being taken forward. Advice on this would be provided by the legal department of the owners of the site (South Hams District Council) which is responsible for running it under the auspices of the Act.

Assuming that these hurdles are overcome, a meeting would then need to take place with the Ermington Village Hall Working Group, to look at the latest design and cost information, discuss the Group's recommendations, answer any queries that Councillors may have etc. The recommendations would then be taken to a Parish Council meeting and a decision made.

65/18

(a) **Police Reports for October 2018**

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

Ermington

No reported crime

Lee Mill Ind. Est.

30th Sept, theft from a motor a motor vehicle CR/091680/18
1st Oct, criminal damage to a motor vehicle, paintwork scratched CR/090886/18
5th Oct., attempted shoplifting CR/092229/18
5th Oct, attempted shoplifting CR/092496/18
13th Oct, drink / driver, arrested and charged to court CR/094668/18
20th Oct, harassment CR/097164/18
23rd Oct, criminal damage to motor vehicle, paintwork scratched CR/098493/18
26th Oct, drink driver, driver arrested, enquiries ongoing CR/099317/18
26th Oct shoplifting, enquiries ongoing CR/099409/18
26th Oct shoplifting, enquiries ongoing CR/099745/18

(b) **Councillor's Reports**

Cllr Hosking

Grit bins are in the process of being replenished and a survey to ascertain if they are in the correction location/needed.

Cllr Holway

South Hams DC has introduced advertising on their website to increase their income.
He urged people to engage with South Hams DC through its website portal and to let South Hams know what they think of its services.
South Hams DC Members are currently going through the South Hams budget.
South Hams DC recently reported that a couple had been fined £1,500 for cutting down a tree which was under a Tree Preservation Order. He urged people to check their trees are not covered by a TPO before carrying out any work on them.
Public toilet consultation is ongoing.
Joint local plan with South Devon and Plymouth – comments are welcome on the SHDC web site.
Letting agency has been set up with private landlords and those who require properties.
“The Crooked Spire” enforcement issue is being dealt with.

66/18

(c) **Public Questions**

A parishioner raised concerns about the water running off the highways into the car park at “The First and Last Bistro”. A meeting had taken place with DCC Highways but the parishioner was told that there were no funds available to rectify the problem. Cllr Hosking will discuss the issue with DCC Highways. Cllr Kerslake suggested that the parishioner obtain quotes on work required to solve the problem and discuss them with Cllr Hosking. **ACTION: Parishioner/Cllr Hosking**

A parishioner asked how much the recent two elections had cost the Parish Council. The Clerk stated that the June 2018 election had cost the Parish Council £2172.70, and was waiting for a further invoice for the November 2018 election.

A parishioner was concerned, that Cllr Onley was happy to spend a large sum of money on repairing the lower Reading Rooms floor. The parishioner did not consider this to be a viable proposition. Cllr Onley stated, he wished to have the Readings Rooms brought up to a suitable standard and prevent the building from deteriorating any further. It was pointed out that at the October 2018 Parish Council meeting Councillors had decided to avoid spending money on the lower rooms having taken account of the plans for a new village hall.

ERMINGTON PARISH COUNCIL
The Minutes of Ermington Parish Council meeting
held in the Reading Rooms on 6 November 2018 at 7.30 pm

Present: Cllrs John Kerslake (Chairman), Di Webley, Patricia Dolman, Averil Heaton, John Dunlop, Richard Midgley, Denis Onley, Robert Cross, Josie Allis

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

Parishioners present: 11

Following the recent Parish Council election, Cllr Kerslake welcomed Cllr Josie Allis as a Councillor and confirmed the Declaration of Acceptance of Office had been signed prior to the meeting.

63/18 APOLOGIES

Apologies were received from Police Community Support Officer A Potter and Councillor Susan Martin.

64/18 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.

Cllr Kerslake pointed out, in view of the membership and connections with the Friends of Ermington Park Group which is in direct opposition to the Parish Councils plan for a Village Hall, he wished to explain matters linked to predetermination and conflict of interest.

Cllr Kerslake said that decisions made by local authorities based on bias or predetermination have always been open to legal challenge. The Localism Act 2011 clarified the matter on pre-determination and bias. Section 25 stated 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. He said that there was 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 Kerslake 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 Kerslake undertook to send Cllr Allis a copy of both documents.

Cllr Kerslake went on to explain that Ermington Parish Council's Code of Conduct encouraged Councillors 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 the matter under discussion affected a Parish Councillor's wellbeing or financial interest (other than the specifically listed Pecuniary Interests in Section 7.3 of the Code) 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.

No declarations were made by those present.