

**Remote Meeting of Modbury Parish Council Meeting  
Tuesday 9<sup>th</sup> June 2020 at 7.00 PM  
MINUTES**

**Apologies:** Cllr Cole and Harvey

**Present:** Cllrs Watts (Chair), Middleton (Vic-Chair), Taylor, Coates, West, Woodcock, Rosevear, Whybrow, Keohane and Keel. (Also present, Cllr Gilbert, and 4 members of the public).

**Devon Councillor's Report:**

Cllr Gilbert had sent his report to councillors by email prior to the meeting (a copy of this will be made available on the website). The Clerk had requested an update on the new road markings and yellow lines to be installed and he hoped to be in a position to give an update on when these might be completed, but he believed the delays were pandemic related. Cllr Watts was able to confirm that there was now a signpost in situ regarding restrictions for unloading near the Co-op and the double yellow lines in Scalders Lane which had been installed.

A resident had been emailing Cllr Gilbert regarding the possibility of installing a pavement on the East side of Barracks Road and Dark Lane. Could anybody shed any light on this? Cllr Whybrow believed there may have been a slight mix up as at a previous meeting a few months back, there had been mention about the possibility creating a footpath on the corner verge opposite Dark Lane. Cllr Gilbert asked if somebody from the Parish Council could please contact the resident to clarify the situation as he had received several emails about this. This was agreed. This will require further discussion so the Clerk will make a diary note to consider this as a possible future agenda item. Cllr Keel said that he would look into this but this will require extensive research. Cllr Woodcock said she had recently received a leaflet from the Guide Dogs Association which was asking people to lobby the council for such pedestrian safety improvements, so requested she be part of any working group that is tasked with researching this project.

The Council was reminded by about the recently circulated/published Notice about Devon County Council's (DCC) Reallocation of Roadspace for Active Travel which gives Councils the power to put in place temporary cycle ways in 7 days, providing the Council has somebody who is Chapter 8 Trained (Cllr Cole is Chapter 8 trained). Cllr Gilbert left the meeting.

**District Councillor's Report:**

Cllr Taylor advised that South Hams District Council (SHDC) is currently working on building of picture of the way forward and how things will be when it returns to the "new" normal.

SHDC has already paid out £37K on the discretionary Business Grant. There have been 270 applicants, with 20 new applications per day. This is difficult for SHDC as there is no income, but it is in better position than most councils as it has built up a healthy reserve, when some councils have no reserves. New investment plans have to be placed on hold. The first virtual Planning Committee meeting will be taking place in July.

£2,500 has been allocated to Modbury as a smaller local town (with larger towns receiving £5000). This grant is to help make towns safe. It could be used could be used for example, to purchase signage and safety equipment to maintain pedestrian safety (when the local retailers re-open their shops) and promote safe social distancing whilst the risk of Covid 19 is still prevalent; as the anticipated queueing to go into shops will mean pedestrians may need to step into the road. A new Chief Executive (Andy Bates) has been appointed at SHDC. He has a lot of experience and will be good asset to SHDC.

Parking permits can now be applied for as car parking charges are now being resumed in line with retailers opening. Cllr Whybrow said that he had been going through the details of expenditure for the £2,500 grant that Modbury had received. There would be restrictions and conditions. Did Cllr Taylor have any idea when there might be better clarification of what these might be? Cllr Taylor confirmed the monies can be utilised to assist to provide a safe scheme to encourage them to open safely, without them incurring any costs. Modbury needs to ascertain what it's retailers wish to do before it can take this forward.

Cllr Coates asked how close SHDC was to business resuming as normal. ie. When would the postponed parking charges proposals discussions be resumed? Cllr Taylor confirmed that SHDC's Officers are all currently working from home and that there have been no proposals as yet, for moving back to Follaton House. Leisure Centres are the top priority as they obviously generate income for SHDC, and income flow is of high importance.

Cllr Taylor advised he was asked to liaise with a very distressed resident (parish unknown) who was experiencing real financial difficulties/potential loss of their home as a direct result of the Covid crisis. Cllr Whybrow advised that Modbury Emergency Support Group had already set up a facility for such cases and that he would willingly liaise with this lady if she were a Modbury resident or assist Cllr Taylor if she were a member of one of the other parishes under his remit. This will be handled in complete confidentiality.

Cllr Middleton urged everybody to look at the Facebook page for “Nicolas Hair and Beauty” which sets out their proposals for opening whilst operating safely. She encouraged all local businesses to provide a similar sort of plan to show how they will manage opening, as a positive step.

Cllr Taylor announced that this will be his last meeting as a Parish Councillor, but he will of course still attend in his capacity as District Councillor.

#### Open Forum:

Mr Barnes raised two matters. Firstly, he wanted to highlight the “Pop-up” cycle path scheme as mentioned above. Secondly, as Trustee of the Memorial Hall he has submitted an objection to planning application 269.

A Luscombe Maye representative also declared their presence as they were acting on behalf of the applicant of planning applications 265-268.

#### 20.44. Declarations of pecuniary and other interests

- Cllr Coates declared that the applicant of planning item 272 is his neighbour so he will abstain.
- Cllr Taylor declared that he sits on the Planning Committee so will abstain from all planning items.

#### 20.45.

261	1240/20/FUL	Highfield Barn, Modbury PL21 0TB	Householder application for two storey extension to replace existing conservatory and conversion of part of the existing stables to create new double garage	BK / CW - <b>Support</b> - all in favour bar 1 x abstention.
262	1241/20/FUL	Land at SX 691 517 Polston, Modbury PL21 0SB	Provision of an Agricultural Building	BK / GR - <b>No comments</b> - to make all in favour bar 1 x abstention.
263	1240/20/HHO	Highfield Barn, Modbury, PL21 0TB	READVERTISEMENT (Amended Development Description) Householder application for single storey side extension to replace existing conservatory and reconstruction of existing garage (resubmission of consent 0331/19/HHO) <i>MPC Formerly Supported.</i>	BK / CW - <b>Support</b> - all in favour bar 1 x abstention.
264	1285/20/FUL	Butland Farm Modbury PL21 0TH	Provision of agricultural livestock building with landscaping works (application 1 of 4)	BK / PW - <b>Support</b> - all in favour bar 1 x abstention.
265	1289/20/FUL	Butland Farm Modbury PL21 0TH	Provision of agricultural livestock building with landscaping works (application 3 of 4)	BK / PW - <b>Support</b> - all in favour bar 1 x abstention.
266	1293/20/FUL	Butland Farm Modbury PL21 0TH	Provision of agricultural livestock building with landscaping works (application 3 of 4)	BK / PW - <b>Support</b> - all in favour bar 1 x abstention.
268	1294/20/FUL	Butland Farm Modbury PL21 0TH	Provision of agricultural livestock building with landscaping works (application 3 of 4)	BK / PW - <b>Support</b> - all in favour bar 1 x abstention.
269	1337/20/FUL	Development Site At Sx 657 516 Back Street Modbury	Proposed new dwelling (resubmission of 0454/20/FUL) <i>MPC Objected on the grounds of access and overdevelopment of this small site – the application was subsequently Withdrawn.</i>	BK / MM - Resubmission - nothing substantially changed. MPC formerly objected and maintains <b>Objection</b> <b>All</b> in favour bar 1 x abstention.
270	1351/20/HHO	Imdina Browston St Modbury PL21 0RQ	Retrospective householder application for boundary fencing to rear garden area	BK / CW - <b>Support</b> – All in favour bar 3 x abstentions. (MM & PK know applicant).
271	13522/20/LBC	Imdina Browston St Modbury PL21 0RQ	Retrospective listed building consent for boundary fencing to rear garden area	BK / CW - <b>Support</b> – All in favour bar 3 x abstentions (MM & PK know applicant).
272	1320/20/FUL	Land at SX 656 515 adjacent to 2 Moon Lane Modbury	Proposed new dwelling (resubmission of 2394/19/FUL) <i>MPC formerly objected and it was refused.</i>	BK / MM all in favour - <b>Object</b> – all in favour bar 2 x abstentions.

#### 20.46. Minutes of Meeting 14<sup>th</sup> May 2020

- a) Cllr Middleton proposed, seconded by Cllr Rosevear, and all were in favour the minutes be **approved** as a true and accurate record.
- b) The **Appendix II Action Plan** had been circulated to councillors prior to the meeting and there had been no changes.

#### 20.47. Finance and Human Resources

- a) The Council considered the payments as listed in **Appendix 1**; Cllr Rosevear proposed, seconded by Cllr Whybrow and all were in favour that all payments be **approved**.
- b) The Council considered MARS's plans for mainly S106 funded **Tennis Court Resurfacing Project**. Cllr Watts and Cllr Rosevear declared their part on the MARS Committee (which is in fact part of the Parish Council). The Clerk informed councillors that one of the quoting contractors has premises (as a tenant) at her husband's business estate but she had only realised this after quotes had been obtained by MARS. Cllr Whybrow proposed, seconded by Cllr West, and all were in favour that the project be **approved**.
- c) The Clerk updated everybody on the **Clerk Vacancy** situation (as advertised in the June Messenger and on the Devon Association of Local Council's website). There had been interest from 6 people, 3 of whom had previous clerking experience. Two of these potential people were sitting in on the meeting that evening.
- d) Councillors had previously requested that all non-urgent "**for information**" emails should be emailed to them in as a compressed folder email attachment each week rather than being forwarded as individual emails to councillors. The Clerk had started doing this and this seemed to be working well. It was **generally agreed** that this should remain the method of circulating non urgent, general info emails.

**20.48. Neighbourhood Plan update:** Cllr Whybrow read out the latest report on the Neighbourhood Plan (*a copy of which will be published on the Parish Council's website*). He added that going forward, the NPG sub-committee of the Parish Council will manage all future queries and correspondence. Part of the NP's process is the forthcoming consultation. There were three important messages to note: 1. The process is no longer in the hands of the Parish Council; it is now in the hands of SHDC. 2. The NP sub-committee will put forward a status update about what stage the NP has reached. 3. Any NP communications will now be managed by the Committee. Cllr Keel proposed, seconded by Cllr Whybrow and all were in favour that this be resolved. The consultation response address is not yet known but will be contained in the advanced notification that will be sent out to MPC by SHDC.

#### 20.49. Correspondence:

- a) The council discussed the future use of the **Flag Pole** and whether this should be limited solely to important diary dates or general events following a requests to use the flag pole for religious occasions. Currently the pole is used for Royal British Legion (RBL) events (the RBL is obliged to take part in military signal events under statute so it is currently used for events like VE day or VJ day). The Parish Council also uses it to mark national occasions such as the Queen's birthday, or Merchant Seaman's week.  
Currently Cllr Middleton is responsible for lifting the flag for national events. However, she was happy for this be taken over by David Scott. Cllr Middleton felt we should have a schedule listing all events. Cllr Rosevear will submit a list of the regular signal and national events. It was generally agreed that if the Church wishes to mark religious occasions it should do so within its own grounds as the Council did not feel it could support the use of the flag pole for this purpose.
- b) The Council had received a request for a **bee hive** to be sited in the **Millennium Park Orchard** at Galpin Street. Factors that needed consideration were the Council's public liability Insurance, the Clerk had already circulated the specific requirements of the Council's insurers to councillors prior to the meeting. Training for the people who would be maintaining the Hive; and any potential problems or opposition this may face from the local residents were also considerations. Cllr Whybrow had spoken to SHDC to enquire if they would have any objection (as the Council leased the Park from them) and they had confirmed this would not be a problem so long as it met the requirements set out in Policies made by Reepham Council in Norfolk. Also the public living within the area of the hive would also need to be consulted. It was suggested that an article be placed in the Messenger to see if anybody was willing for a bee hive to be sited in their garden. More research needed to be done. The question was not just about siting the hive but there is also the issue of bees swarming and accepting the hive. It was generally felt that unless the people requesting this can come up with a very strong case council was minded not to proceed. Cllr Whybrow will go back to Tor Allen (who is a founder of the Galpin Street Orchard (Millennium Park Orchard)) to convey the Council's views.
- c) The Council had received communications about Devon County Council's new scheme for "**Reallocation of road space for active travel – Walking and Cycling interventions for Parish and Town Councils**" (as mentioned earlier in the meeting). Cllr Taylor explained that there was no definite funding as he believed the majority of this would be taken up by major cities. This scheme gave local councils powers to create temporary of cycle paths and footways, primarily to assist with the anticipated problems that may be faced when retailer

open their premises and people need to queue outside on the pavement because of the social distancing requirements needed because of the Covid 19 pandemic. It is envisaged that passers by would be forced onto the Highway in order to pass whilst maintaining a safe distance. The Council needed to obtain more feedback to ascertain what plans Modbury's traders already had. It was thought that some shops would be remaining closed. There were lots of issues to consider. But the council would have the power to cone off sections of the A379, and erect temporary speed restrictions signage for the safety of pedestrians. It was suggested that a task group be formed so Cllrs Middleton, Rosevear, Watts, Coates and Woodcock volunteered to be in the newly formed Covid Highway Monitoring Group (CHMG) and would liaise with retailers and come up with a plan. It was generally agreed that this working group be formed.

In discussions that followed, the Clerk advised that a grant of £2,500 had just been received from SHDC so that Modbury Parish Council could assist retailers to take such steps as were necessary to allow them to start trading, whilst meeting all Covid 19 safety measures that needed to be observed, without incurring additional costs to them. It had been too late for this to go on the Agenda which meant that it would not be possible to lawfully vote on how this money was to be spent. The Clerk suggested that as there was some urgency, councillors might briefly discuss and agree to some general spending proposals. For any spending exceeding the relevant levels set out in Financial Regulations, this could then be formally agreed by email before purchases were made and then ratified afterwards at a later meeting. Cllr Keel felt the Council could vote tonight to delegate the spending of the entire grant to the newly formed Covid Highway Monitoring Group for such things as traffic cones and road signs under the above Reallocation of Road Space Scheme. The Clerk again explained this would not be lawful and that without a lawful vote amending the Council's Financial Regulations, this could potentially amount to a breach of these Regulations if existing spending limits were to be exceeded; plus any decisions could potentially be challenged. Cllr Rosevear said that he had attended a DALC virtual meeting which advised the Council could call an extraordinary meeting at 3 days' notice, and the Clerk explained that 3 clear days does not include the date of issue or the date of the meeting, but that she could get an Agenda out straight after the meeting to call a meeting at the earliest opportunity. This suggestion was dismissed. The Clerk again reiterated that in this instance it would be in order for the CHMG to hold a meeting, make their proposals to councillors by email, which could then be formally agreed by email, and ratified at a later meeting so that there was a proper paper trail for transparency. She reminded the council about the spending limits set out in the Financial Regulations and the need for council decisions to be lawful (including her own emergency delegated powers).

Cllr Whybrow felt the funding and the reallocation of road space were separate elements. He felt that the pedestrianisation was just one element of the grant we have received. A lot of work had already been put into the Modbury Loves Local campaign and it was not for the Council to decide but for the traders to decide what they wanted to do and what they wanted assistance with in promoting reopening. Cllr Taylor confirmed that the grant was for public safety and to help the shops protect the public without it costing them anything.

Cllr Middleton volunteered to be Chair of the CHMG and it was agreed that a meeting of the new working would take place on Thursday at a time to be confirmed. The group would come up with a plan of action then inform what they were doing by email afterwards; but that no email voting system would be take place as it was not felt necessary. The Clerk informed Councillors that she noted their intentions and would minute that this was against her advice.

**20.50. Committees and Working Groups:** Updates were received from the following Working Groups and Committees).

- **Memorial Hall Play Area** – The group are ready to send out a consultation to residents electronically. Cllr Rosevear should be in a position to be able to put Heads of Terms to the Memorial Hall Trustees by the end of the week.
- **Allotments** – Things are now working very smoothly. There has been a very good uptake and all new plots have been allocated, with two thirds of the plots having had preparation works carried out. Bloor have been very helpful in discharging their obligations.
- **Maintenance Committee** – Cllr Taylor gave an update on behalf of Cllr Cole who was experiencing difficulty in getting delivery/collection of the posts for the wooden railing repairs on the corner of Church Lane (on A389). The Clerk is trying to locate a mobile number for the contractor so will send this to Cllr Cole as soon as possible.
- **P3 Parish Paths** – Mr Weeks had emailed a report to councillors before the meeting. *(A copy of this will be published on the council's website)*

Cllr Middleton queried the absences of Cllr Cole and Harvey (who have both been in social isolation) for the last 3 months. She felt they had been given enough time to sort out internet access which was available to them. She queried the rules that relate to non-attendance for 6 successive meetings. The Clerk clarified that where apologies have been accepted by a Council then the 6 month period begins again. This had been clarified by Cara Stobart of DALC at workshop on remote "Zoom" meetings that the Clerk attended back in April. Cllr Keohane felt that it was not always easy for people to feel

comfortable with technology and that perhaps the Council could give more support to assist and find another way for them to perhaps dial into the meeting by phone. It was felt that in future, apologies given via third parties would no longer be acceptable and all councillors must give their apologies personally to the Chair or the Clerk, with a reason for their non-attendance.

The Chair announced that Cllr Taylor was sadly resigning from his role as a Parish Councillor and thanked Cllr Taylor for his past 5 years hard work and support. Cllr Taylor confirmed he would still attend Parish Meetings in his capacity as District Councillor.

Meeting closed at 2101hrs.