

**Modbury Parish Council Virtual Annual Meeting  
Tuesday 4 May 2021, 7.00 pm**

**MINUTES**

**PRESENT** Cllrs Watts (PW), (Chair), Middleton (MM), Vice-chair, (Standing down from the role to be replaced by CW), Coates (TC), Cole (BC), Harvey (JH), Keel (BK), Keohane (PK), Rosevear (GR), Walker (AW), West (RW), Whybrow (CW), Woodcock (JW)  
Also present: Cllr Taylor (BT) (SHDC)

1 member of the public was in attendance

**2021 54 Election of officers**

1. **Proposed by GR, seconded by RW and all in favour of electing PW as Chairman.** (Completion of Declaration of Acceptance of Office will take place later)  
PW thanked Council for their continued support
2. Proposed by CW, seconded by GR that MM be elected as Vice-Chair – MM declined.  
Proposed by GR, seconded by PW that RW be elected as Vice-Chair – RW declined  
**Proposed by PW, seconded by BK that CW be elected as Vice-Chair. CW accepted and all in favour of the appointment.** (Completion of Declaration of Acceptance of Office will take place later)  
PW thanked MM for all her work during the previous year as Vice-Chair.

A warm welcome was given to AW who briefly introduced himself.

**2021 55 Apologies had been received from Councillor Gilbert (DCC)**

**2021 56 In accordance with the Public Bodies (Admission to Meetings) Act 1960, S1(2), the Council determined that agenda items 2021 72 and 2021 73 should be taken with the public excluded**

**District Councillor's Reports**

- BT agreed to check that there would be no sign-off of the Bloor works by SHDC until the SUDs situation had been remedied.
- BT to chase for the large road sweeper to visit Modbury
- BT congratulated PW on his election as Chairman

**Open Forum**

A member of the public unable to attend the meeting had sent in some questions/observations:

- Modbury clean-up day has been arranged for 27<sup>th</sup> May
- Heavy trucks using Brownston Street and need for signage as early as Kitterford Cross. Council agreed to approach DCC for a meeting to review the road infrastructure in its entirety and a group comprising GR, PW, BT, CW and TC will put together a brief for consideration including considerations in the Neighbourhood Plan
- Thanks to MM for refurbishing the community noticeboards
- ~~Offering support should the Council wish to pursue the opening of the school swimming pool~~  
(amended at June meeting – Offering support to any individuals or groups who wish to pursue the opening of the school swimming pool)

**2021 57 Declarations of pecuniary and other interests**

**Received from MM for agenda item 2021 67a) and RW for agenda item 2021 66c)**

**2021 58 Minutes of Meeting 6<sup>th</sup> April 2021**

- a) The Council considered the **draft Minutes** (distributed earlier). Proposed by RW, seconded by CW and all were in favour they be approved as a true and accurate record.
- b) The **Appendix II Action Plan** had been circulated to councillors prior to the meeting and the clerk updated on the following:
  - No further correspondence had been received regarding the opening of the swimming pool
  - Work has been progressing regarding the installation of a CCTV camera in Burn's Lane and a final decision will be made at the June meeting.

- DCC had confirmed the road signs that would be acceptable to deter large lorries using the narrow cut through lanes and BC will investigate costings.
- Two "Slow Down" signs designed by school children have been chosen to create signs for Barracks Road.

**2021 59**            **Committees, sub-committees and working groups and their delegation arrangements and terms of reference were reviewed by Council** (scheme of delegation distributed previously) and the scheme updated. **Council resolved to adopt the amended scheme and requested that Cllr West and the clerk clarify the financial delegation terms for Committees in line with the Financial Regulations for ratification at the June meeting.**

**2021 60**            **A Complaints Review Committee in accordance with item 4 in the complaints policy and procedure was approved and it was resolved the panel would comprise Cllrs Peter Watts, George Rosevear, Margaret Middleton, Rob West, Peter Keohane, Barry Keel**

**2021 61**            **Representation by members on the committees, sub-committees, working groups and other bodies as detailed in the Scheme of Delegation (Distributed previously) was agreed and the scheme updated.**

**Standing Orders were dropped** for BT to enquire whether sufficient members of the maintenance committee had chapter 8 training. RW confirmed that he and BC were attending training late May.

**Standing Orders resumed**

**2021 62 "Catch up with your Local Policing Team" group**

**It was resolved that TC would represent MPC on this group and PW would stand in when he was unavailable.**

**2021 63**            **Parish Council arrangements:**

**Proposed by BK, seconded by TC and all in favour that the following arrangements be confirmed:**

Insurance – BHIB three years to end of March 2024

Subscriptions to other bodies:

DALC    £410.00            Orchard Link    £12.00            ICO            £35.00            IDALC    £7.00

Consideration was given to the merits of employing a Lengthsman and **it was agreed that MPC was lucky to have an excellent and very pro-active maintenance group and were not in need of this at present.**

**Maintenance Committee to review in 12 months.**

**2021 64**            **It was resolved that meeting dates for the next 12 months would continue to be on the first Tuesday of every month and that Councillors would resume meeting in the Pavilion on 1<sup>st</sup> June. PW and clerk to work with MARS committee to ensure safe social distancing and enable public attendance via live streaming.**

**2021 65**            **Proposed by RW, seconded by BK and all in favour that the following policies and council documents be adopted:**

Emergency Plan (revised Jan 2021)	Planning Policy
Child Protection Policy	Privacy Policy
Statement of Internal Control (revised May 2021)	Protocol for Public Participation
Anti-Fraud and Corruption Policy	Publication Scheme
Code of Conduct (revised May 2021)	Register of Fixed Assets (Revised March 2021)
Complaints Policy	Reserves Policy (New March 2021)
Disciplinary Procedure (New May 2021)	Risk Schedule
Equality and Diversity Policy (New May 2021)	Scheme of Delegation (New May 2021)
Financial Regulations (Revised May 2021)	Social Media Policy (New May 2021)
Grievance Policy (New May 2021)	Standing Orders (Revised May 2021)
Health and Safety Policy	Training and Development Policy (New May 2021)

Any amendments to the Financial Regs during the review of scheme of financial delegation (2021 59) to be ratified at the June meeting.

**2021 66 The following Planning applications were considered:**

- a) 0710/21/HHO Mr and Mrs Mason Householder application for proposed demolition of existing two storey extension with replacement single storey extension and proposed alterations and restoration of existing dwelling and annexe. Kingsland Brownston Street Modbury PL21 ORQ **AND** 0711/21/LBC Mr and Mrs Mason Listed building consent for proposed demolition of existing two storey extension with replacement single storey extension and proposed alterations and restoration of existing dwelling and annexe Kingsland Brownston Street Modbury PL21 ORQ  
**Proposed by BK, seconded by GR and all in favour of supporting this application.**
- b) 0798/21/FUL Mr Luke Clement - BASE Property Support Retrospective application for rebuilding of existing first floor wall. 5 Broad Street Modbury PL21 OPS  
**Proposed by BK, seconded by TC and all in favour of supporting this application**  
**RW removed to the waiting room having expressed an interest in the next applications**
- c) 0799/21/HHO Mr and Mrs West Householder application for proposed demolition of existing outbuilding and construction of replacement single storey extension, alterations and landscaping. 18 Brownston Street Modbury PL21 ORG **AND** 0800/21/LBC Mr and Mrs West Listed building consent for proposed demolition of existing outbuilding and construction of replacement single storey extension, alterations and landscaping. 18 Brownston Street Modbury PL21 ORG  
**Proposed by BK, seconded by GR and all in favour of supporting this application**  
**RW returned to the meeting**
- d) 0957/21/HHO Susan Malyon Householder application for replacement of existing rear extension with new rear extension Spring Cottage 4 New Road Modbury PL21 OQQ  
**Proposed by PW, seconded by CW and all in favour of supporting this application**
- e) 1151/21/HHO Householder Application for Proposed garden room to replace existing conservatory 15 The Priory. Modbury PL21 OTL  
**Proposed by BK, seconded by JH and all in favour of supporting this application**
- f) 0821/21/VAR Application for variation of conditions 1 (approved drawings) of planning consent 1373/16/FUL (Retrospective) Calancombe, Modbury PL21 OTU  
**Standing orders were dropped for BT to give some background to this**  
**Proposed by BK, seconded by GR and all in favour of supporting this application with a comment urging SHDC and DCC highways authority to ensure that the applicant is required to provide and maintain a high quality access to the site at all times.**
- g) 0802/21/FUL Provision of farm shop and cafe known as The Ring Feeder (Resubmission of 3800/20/FUL) Colmer View Farm, Modbury PL21 OSG  
Proposed by BK, seconded by GR and all in favour that MPC have no comment on this application.

**2021 67 Finance****GR declared an interest in item a)**

- a) **The payments as listed in Appendix 1a) were approved (TC informed Council that the payment schedule for Earthwrights should be altered in line with the altered works schedule and the clerk will hold 2<sup>nd</sup> and 3<sup>rd</sup> instalments until further instruction)**
- b) **The financial statement (App. 1b) was received**
- c) **The End of Year Accounts (including MARS) (Distributed previously) were received**

**2021 68 Annual Governance and Accountability Return (Distributed previously)**

- a) The annual internal audit report was considered and the following actions agreed:
- **Clerk to amend Asset Register in line with guidance from the internal auditor**
  - **Website to be reviewed by the Communications Committee and a proposal brought to the July meeting**
- Proposed by GR, seconded by BK and all in favour of approval of the following documents:**
- b) Section 1 of the Annual Governance Statement 2020-2021
- c) Section 2 Accounting Statements 2020-2021
- d) **It was agreed that the clerk would arrange the dates for the period for the exercise of public rights**

**2021 69 Memorial Hall Play Area update:**

TC outlined the proposed schedule for works starting with the erection of the safety fence on 11<sup>th</sup> May and a proposed opening event mid-July.

AW entered the waiting room having tendered for fence work prior to his election to Council.

The tenders for the fence work were presented. **It was agreed to go with the least expensive quotation**

#### **2021 70 Committees, Sub-committees and Working Group updates:**

**Allotments** – new committee being formed. There is a problem with the turfs dying on hedge banks.

**Palm Cross Parking** – all the bollards have been erected and most spaces taken. Clerk reported that some key-holders had not paid to date. Return of keys will be requested on non-payment. The Industrial Units are now opening and their parking spaces will no longer be available for use by the public.

**Communications** – MM and the Clerk had attended Social Media training and MM communications strategy training. Ideas presented will be considered at the next Comms meeting.

#### **2021 71 The following correspondence was considered:**

- a) Installation of speed bumps on Poundwell Street/ Church Lane  
It was noted that this has been looked at previously and turned down by DCC as it is against their policy. The DCC policy was made after the installation of the speed bumps at Ermington.
- b) Some blue badge holders are using the disabled parking bay in Galpin Street as a long term parking spot (sometimes for 48hrs or more). It was noted that, unless the sign states it, there are no restrictions to parking time allowance. **Clerk to request that a restriction be put on the sign**
- c) Request for use of office by CAB – It was noted that the CAB had used the office in the past but had stopped due to lack of privacy. MPC happy for CAB to try again but that they would be responsible for any expenditure to create privacy.
- d) Kingsbridge and Salcombe Chamber of Commerce - Platform to impress, for local businesses and communities. **Clerk to request a presentation at a future meeting.**

## **PART 2**

**In accordance with the Public Bodies (Admission to Meetings) Act 1960, S1(2), the Council determined that agenda items 2021 72 and 2021 73 should be taken with the public excluded**

#### **2021 72 Memorial Hall Play Area**

TC delivered a brief presentation summarising financial position of the project to date and, in particular, the extremely successful fund-raising efforts, both community and corporate sponsorship. Council considered a potential conflict of interest with a relatively large donation offered by a local business/family. The donor owns an adjacent plot to the park (MPC has objected to 2 planning applications on this site) and has declared a longstanding desire to approach the Memorial Hall trustees for a small section of the land MPC has leased. In the potential event of a sale and subsequent request to amend the leased land, MPC wanted to ensure the donation could not be perceived as affecting their decision making process. It was decided that MPC should agree a position and then seek guidance from DALC.

**PMN: DALC have been consulted and support MPC's transparent approach to the situation.**

**Proposed by TC, seconded by PK that MPC take the following proposal to Devon Association of Local Councils (DALC) for their advice:**

**PMN: Now approved by DALC**

*To accept the donation and apply the following safeguards:*

- *All future communication regarding the matter to take place between Memorial Hall and adjacent land owner. MPC have no interest in the matter until approached by Memorial Hall.*
- *Make this Pt 2 discussion public in the minutes to the meeting*
- *Modbury Parish Council's position on the leased land: it remains for community play and wider recreation. Any future decisions must ensure this is not degraded.*
- *If an approach is made by the Memorial Hall trustees to amend the lease with regard to this matter; prior to considering any amend to the lease:*
- *Modbury Parish Council will request that Memorial Hall trustees have conducted a full public consultation*
- *Modbury Parish Council will request that as part of that consultation Memorial Hall trustees can identify how they plan to invest any money received so MPC can take an informed vote in the public interest*

**Six councillors were in favour and 4 against.**

**2021 73 Highways Maintenance**

Council considered the offer of a donation from one of the parking space holders in the light of possible perceived influence in securing a permanent parking space.

**Agreed that the donor be asked to consider money in kind as a volunteer and donate the money anonymously to the MHPA fund.**

**PW expressed regret at losing BC from the Council and acknowledged his input on council matters and the maintenance work he has done over the years for the Council. MPC is pleased that he has agreed to continue as a volunteer on the maintenance committee.**

**Meeting closed at 10.39pm**

**SATURDAY ROTA for MAY:**

**15th Cllr Harvey  
22<sup>nd</sup> Cllr Watts  
29th Cllr Keel**