

**FENITON PARISH COUNCIL**  
**MINUTES OF THE PARISH COUNCIL MEETING**  
**HELD ON MONDAY 14<sup>th</sup> December 2009**

**Present:** Cllr M Smith (Chairman)

**Councillors:** Mr P Privett, Mrs B Powell, Mr G Preston, Mrs P Blackmore Mr M Jolly and Mr G Broom.

**In Attendance:** Cllr Roger Giles (DCC), Cllr Graham Brown (EDDC), 12 members of the public PC Jim Tyrell and J Masters (FPC Clerk).

**116. Set the 2010-2011 Parish Council Budget and Precept**

The Parish Council agreed the 2010-2011 budget and have set the 2010-2011 Precept at £15,000.00, this was proposed by Cllr Blackmore and seconded by Cllr Privett, all agreed.

**117. Questions from the public: -**

The Chairman welcomed everyone to the Parish Council meeting saying that the first 15 minutes is open for any member of the public to ask questions of the council.

A spokesperson for the residents of Louvigny Close asked why they have not yet received a response to their letter about Planning Application No 09/2099/FUL.

The Chairman said that he would not be responding to the question at this point in the meeting and asked the residents to wait until the matter is debated later on the agenda.

Cllr Blackmore wished to make it clear that the Parish Council only meet once a month, matters raised will only then be discussed and the Clerk is then instructed to reply.

**118. Apologies for absence: -** None received

**119. Declarations of Interest from Members and Officers:-**

The Chairman Cllr M Smith declared an interest in Item Number 11 on the agenda; (Item 126 in these minutes) Cllr Smith said he would hand over the Chair to the Vice Chairman Cllr P Privett.

**120. Confirm the Minutes of the meeting held on 9<sup>th</sup> November 2009:-**

The minutes were agreed and the Chairman initialled each page and signed the last page.

**121. Police Officer's Report:-**

There were 7 recorded crimes in total which were as follows;

1 x burglary non-dwelling at Station Road in which a tack room was entered but nothing was taken.

1 x burglary non-dwelling at Feniton Bowling Club in which 2 hedge trimmers were stolen.

1 x burglary non-dwelling at Old Feniton in which a petrol strimmer and 6 wooden patio chairs were stolen

1 x burglary non -dwelling at Old Feniton in which a chain saw was stolen

1 x criminal damage to a motor vehicle in Wells Avenue

1 x criminal damage to a motor vehicle in Feniton Gardens

1 x criminal damage to a property in Ottery Road. This crime was domestic orientated.

There were 9 incidents reported to the Police which were as follows; a report of 9 bullocks running loose, a silent 999 call, an allegation of harassment domestic dispute, 3 reports of vehicle obstruction, a sudden death and a non-dwelling burglary resulting in one of the crimes listed above.

PC Tyrell told the meeting that they have now moved into their new Police Station in Ottery St Mary which is the former Convent in the Square; they also have a new Station Sergeant, Sgt Simon Tennant.

The Chairman thanked PC Tyrell for his report and wished him a Happy Christmas, PC Tyrell left the meeting.

Cllr Blackmore gave her apologies and left the meeting for another appointment.

## **122. County and District Councilors' Reports:-**

Cllr Giles (DCC) spoke about the Boundary Commissions win in the High Court for the Local Government Review which is going for consultation between 8<sup>th</sup> December and 9<sup>th</sup> January which is a very short time and over the holiday period.

Cllr Brown (EDDC) wished to make it clear that he had made a mistake in the report that was presented to the last Parish Council meeting and printed in the Parish Magazine on last years flooding by saying that the pipe going under the railway was cut by the owner of the bungalow at 9 Salisbury Close, Cllr Brown apologises for any distress caused and accepts that the pipe was cut before the present owner purchased the property.

## **123. Finance: – The following December payments were authorized:-**

- a) 001698 Mr A Spry, Village Handyman. £204.75
  - b) 001699 HM Revenue & Customs, Income Tax on Clerks Salary. £77.20
  - c) 001700 Mr J Masters, Clerks October Salary. £309.29
  - d) 001701 Mr J Masters, Clerks September Expenses. £86.72
  - e) 001702 DAPC, New Councillor courses and Conference fee, plus VAT. £86.72
- The Clerk explained to the meeting that because the DAPC forgot to put VAT on their booking forms they had returned the councils cheque for £65.00 and requested a new cheque with the VAT.
- f) 001703 Atlas Fencing, New Chainlink Fence & Concrete Posts Ely Play area, £690.00
- The Clerk confirmed that the work has been satisfactorily completed.

## **124. Correspondence:-**

- a) Maureen Mills, Questions on Planning Application 09/2099/FUL sent to the Chairman
- It was agreed that due to some misinformation on the ownership of the strip of land between the Youth Centre and the pavement in Louvigny Close, the council agree not to continue with the planning application. The Clerk was instructed to write to Mrs Mills with the Council's decision.
- The Council made it clear that they still support the Youth Centre and recognised the good work done by Mr John Partridge for the youth of Feniton. The Chairman asked that the Youth Centre be put on the next council meeting agenda.
- Cllr Jolly said that he was dismayed at some of the comments in the papers sent in with Mrs Mills letter especially the allegation against the Parish Clerk. The Clerk explained that he had reported the allegation to the Compliance Officer and would say more in the Clerks Report (130 in these minutes).
- b) The Chairman's Email reply to Mrs Mills's letter.
  - c) EDDC, Provision of maroons for Remembrance Day purposes
- The Parish Council were disappointed that EDDC will no longer provide Maroons to mark Remembrance Day and agreed that the Council will buy them next year.
- d) EDDC, Important Planning Information
  - e) DAPC, 'Rising to the challenge' conference Monday 8<sup>th</sup> February in Tiverton
- It was agreed that the Council would not attend this conference.
- f) DAPC, returning the Parish Council's cheque as they had forgotten to add the VAT to the original booking forms, reference Finance Payment 123.e £86.72
  - g) EDVSA, intending to become a limited company.

## **125. Late Entry Correspondence:-**

- a) Atlas Fencing & Timber Products, estimate for Replacement fencing to the left of green at Ely Close Play Area. The Clerk explained that he had asked for an estimate from Atlas Fencing because his attention had been drawn to the fact that the fencing posts on the north side of the green in Ely Close were rotting and only being held up by a resident's fence post. It was agreed to instruct the Clerk to order new fencing and posts.
  - b) Devon & Cornwall Police Authority, requesting update on Parish Contact and Parish Magazine info
- The Clerk has completed the form and returned it to the Police Authority.
- c) EDDC Email from Electoral Services Officer requesting that electoral alterations be sent by Email
- The Council discussed this and agreed that the Clerk can receive this information electronically.

### **126. HM Revenue & Customs: - Update**

Cllr Smith stood down from the chair and Cllr Privett took over the meeting.

As instructed by the Council at November's Parish Council Meeting a formal letter of complaint was made to the Chief Inspector of Taxes at HM Revenue & Customs.

On Thursday 12<sup>th</sup> November a letter was received from Colin Douglas Assistant Officer in Customer Operations East Kilbride dated 9<sup>th</sup> November. The letter did enclosed P35 return but no P14 which according to his letter I should also be completed. The letter gave information of a 'Help Line' which I rang and ordered a copy of form P14 which arrived on the 30<sup>th</sup> November; the two forms were completed and sent off to HMR&C.

On the 4<sup>th</sup> December a letter was received dated 30<sup>th</sup> November acknowledging receipt of our complaint which they will investigate and reply by the 10<sup>th</sup> December. As of today 14<sup>th</sup> December no further communication has been received.

The Clerk was instructed to make a further complaint to HMR&C that they had failed to reply by the date they said they would reply by.

Cllr Privett stood down from the chair and Cllr Smith resumed as chairman.

### **127. Planning:-**

a) 09/2024/FUL Mr P Edwards, 13 Mount View, Feniton EX14 3EB. EDDC grant planning permission for the erection of a Conservatory

### **128. Late entry Planning**

a) 09/2456/FUL Mr David Morris, 9 Farmway, Feniton EX14 3BX. Loft conversion with dormer windows. The Parish Council have no objection to this application.

### **129. Village Handyman's Report: -**

As instructed by the Clerk the hedge in Louvigny Close was trimmed back to the edge of the pavement boundary. The Chairman asked why this instruction was given; the Clerk had received a request from DCC because they were unable to clean the pavement which was being obstructed by the hedge.

Report continued: - general trimming of the grass etc.

### **130. Clerks Report: -**

Wednesday 11<sup>th</sup> November at 11am two Maroons were let off at the sports playing field.

12<sup>th</sup> November, a 'Final Warning' letter was sent to the tenant of allotment 17 to bring it up to an acceptable standard by the 31<sup>st</sup> December 2009 or the tenancy will not be renewed.

A 'Final Warning' letter was also sent to the tenant of Allotment 16 to bring it up to an acceptable standard and remove the illegal shed by the 31<sup>st</sup> December 2009 or the tenancy will not be renewed.

A letter was sent to the Local Health trust on behalf of the council expressing the councils concerns about the bed closures in Ottery St Mary Hospital

Wednesday 18<sup>th</sup> November I had a site meeting with DCC about the possible sighting of a Dog Waste Bin at the junction of Ackland Road and Station Road, It was suggested that the best position would be on the grass near the Parish Council Noticeboard, (this is land rented by the Sports and Social Club) I have spoke to the S&SC management committee and they said they have no objections as it would help stop people from putting the Dog Waste in their bins.

23<sup>rd</sup> November a copy of the Village Plan was sent to Mr D Shaw of 12 Louvigny Closed as instructed by the council.

Wednesday 25<sup>th</sup> November attended the DAPC Conference at the Kenn Centre on Empowering the Community.

27<sup>th</sup> November Cllr Smith forwarded a letter from Mrs Mills of 10 Louvigny Close and various copy emails, copy of previous council meetings minuets and deeds to Louvigny Close all relating to the proposed new entrance to the Youth Centre via Louvigny Close.

In one of the Emails sent to EDDC dated 17<sup>th</sup> November from Mr D Shaw of Louvigny Close on behalf of all the residents of Louvigny Close, an allegation was made, quote **‘the clerk to the Parish Council Mr John Masters also quite interestingly has an allotment and it would seem, a vested interest in the plan to go ahead, something does not smell very nice about this whole under handed affair.’** The email finishes (quote) **‘Regards, David Shaw (with permission of all residents of Louvigny Close).’**

Advice was taken from the Society of Local Council Clerks on the allegation of the Clerks personal interest in the planning application and the reference ‘this whole under handed affair’, on the SoLCC’s advice the allegation was reported to the Compliance Officer at EDDC Denise Lyon.

A letter was sent to Mrs Mills advising her that I had received the letter sent to Cllr Smith and it would be on the Agenda of the next Parish Council meeting, on the advice of the SoLCC I also said the allegation by the residents had been reported to the EDDC Compliance Officer, Denise Lyon and if they wished to peruse the allegation they should contact Denise Lyon the Compliance Officer at EDDC.

The Clerk handed the Chairman an Email from the Compliance officer and left the meeting.

Minutes taken by Cllr Privett

Advice from Denise Lyon the Compliance Officer at EDDC was relayed to the meeting, the council discussed the matter, expressing disappointment that the allegation had been made and was clear that the clerk provided support to the council but had no influence in the decision making process.

The clerk rejoined the meeting and took over the minutes for the remainder of the meeting.

Friday 4<sup>th</sup> November I attended the Society of Local Council Clerks quarterly meeting in Exeter the delegates were advised to get the councillors signed agreement that they are prepared to accept the parish council agenda via Email. Cllr’s Smith, Privett, Powell, Jolly and Broom all agreed to receive the monthly Agenda via Email.

Thursday 10<sup>th</sup> December I attended the Honiton Parish Cluster Meeting where a number of issues were discussed. The guest speaker was Dominic Maxwell-Batten, Emergency Planning Officer at DCC. Dom gave me the DCC Emergency Leaflets he promised me when I met him on the 25<sup>th</sup> November at the Empowering Communities Conference. David Lanning has agreed to distribute them around the village via the church team.

Last week the Clerk received 7 bottles of wine for the councillors from one of our suppliers.

The councillors agreed that they could not personally benefit from this generous gift the Chairman asked for suggestions on which local group would benefit from the wine to raise money.

It was agreed to donate the wine to Feniton Primary School for their fundraising efforts.

The Clerk was instructed to contact the school and arrange delivery.

### **St Andrews Lychgate War Memorial**

Mr Glazier has only just got back to me with a rough estimate for the repair and restoration which is in the region of £2,000.00. I have been on to the War Memorials Trust and have completed a form called ‘Grants – Expression of interest form’ and as requested sent them some photos. They have it in their power to ward up to 50% grant towards repairs.

### **131. Dog Bin for Station Road**

The Clerk advised the council the costs of installing a second dog bin is approximately £150 then £300 per year to empty it three times a week

**132. Individual Member responsibilities:-**

A written report submitted by Cllr Blackmore before leaving the meeting:-

19<sup>th</sup> November attended Councillors Course which was good and informative class which was fairly well attended by approximately 24 councillors. I learnt quite a lot and would recommend attendance for any new councillors we may recruit.

Cllr Preston the gully between Rutts Lane and Green Lane is blocked by leaves which in turn have blocked the drain near Green Lane and the rain water is continuing down the road into the old village.

The Clerk was instructed to report this to DCC

Cllr Jolly announced that he is now a Parent Governor at Kings School.

Cllr Privett asked if the hedge trimming work in Salisbury Close and near Feniton Court had been reported as it was still overhanging the road.

The Clerk confirmed it had been reported and will chase it up. Cllr Giles (DCC) asked to be copied in on any Emails concerning this.

Cllr Smith wished everyone a Happy Christmas and looked forward to working with them in the New Year

**133. Date of next full Parish Council Meeting: - 7.30pm on Monday 11<sup>th</sup> January 2010**

There being no further business the meeting closed at 21.15hrs