

WINKLEIGH PARISH COUNCIL MEETING

Notice and agenda of a meeting
Councillors are Summoned to a Meeting of Winkleigh Parish Council
Wednesday 24th February 2021 at 7.30pm

To be held remotely in accordance with The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020

Members of the public wishing to attend the meeting are asked to identify themselves on screen – Any member of the public wishing to remain anonymous will not be permitted to speak during public participation in accordance with our Standing Orders

The meeting room is open from 7.10pm for Cllrs to join, members of the public will be admitted from 7.20pm

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PLEASE NOTE THIS MEETING WILL BE RECORDED (VISUAL AND AUDIO) TO FACILITATE MINUTE TAKING

Agenda

9.21 APOLOGIES FOR ABSENCE to be received and considered for approval *(Chair)*

10.21 DECLARATIONS OF INTEREST FROM MEMBERS to be received *(Chair)*

11.21 CENSUS 2021 – Liza Oxford – Census Engagement Officer (Guest Speaker)

The 2021 Census is a 'digital first', meaning that the ONS are aiming for 75% + surveys to be completed online. The benefits of a digital census are the speed of data collection and analysis and therefore the results can be acted on quicker. 2021 Census will commence 21st March 2021.

12.21 PUBLIC PERIOD *(Chair)*

with standing order 2(f) a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given, or the matter placed on the agenda for the next parish council meeting. Only matters raised during public participation that require an answer from the Parish Council will be minuted.

13.21 MINUTES *(Chair)*

To Resolve to approve the minutes of the Parish Council Meeting held remotely on 20th January 2021 as a true and accurate record

14.21 FINANCE

14.1. Bungalow Drains

Councillors are requested to retrospectively approve the cost of 2 x £170.00 (total £340 plus VAT) for drain inspections of the Cemetery Bungalow – Budget Provision – Bungalow Contingency, Power LGA 1972 s.140(1)

Background

A drain blockage issue was reported as an emergency to the Clerk by the tenants in January 2021. The matter was discussed with Pure Lettings who currently manage the bungalow tenancy on behalf of the Council, who advised that due to the lack of routine drain management by the Council, this would be the responsibility of the Council and not the tenants to remedy. The blockage has been cleared but the reason for the blockage has not been fully established. Pure Lettings arranged for a drain contractor to assess the drains at a cost of £170.00, approved under Clerks Delegations in consultation with Chair.

A report has been provided by the drain contractor with a costed recommendation for further works. Due to the cost of the recommended works, in consultation with the Chair and Vice-Chair, a second quotation has been requested from a different contractor, to carry out their own drain survey at a cost of £170.00 to determine what, if any, works are

required. Details of both contractors, their reports and costed recommendations will be presented to the Council under agenda item 18

14.2. Financial Statements (Doc 007/21) (Clerk)

To receive and approve the financial statement for February Incorporating bank reconciliation and all payments/receipts since WPC meeting 20th January 2021

15.21 PLANNING MATTERS

15.1. Planning Applications for Council resolution

15.1.1. 1/0942/2020/DIS – Devon Plant Services, Unit 1 Winkleigh Airfield - Discharge of Condition 5 (tree planting and landscape) of planning permission 1/0093/2017/FULM

15.1.2. 1/1018/2020/FUL – Land and Buildings at Bidbeare Barton Farm, Bondleigh – part retrospective application for raising of ground levels, formation of concrete yard and hardcore yard area. Installation of gas tank base, grain silo and fencing. Recladding parts of the existing building and alterations to the internal layout to house cattle and milking parlour.

15.1.3. 1/0076/2021/FULM Land at Old Winkleigh Airfield, Proposed building for the storage of class motor vehicles

15.1.4. 1/0130/2021/FUL Tawmix Recycling Ltd Winkleigh Airfield, Replacement boundary walling/fencing

16.21 REPORTS

16.1. Chair

16.1.1. Consultation – National Planning Policy Framework proposed changes to national planning rules in England

The Government has announced a raft of proposed changes to national planning rules in England. These include requiring that at least 10% of new homes in major housing developments should be affordable, tightening the rules about building isolated homes in the open countryside; greater protection for trees and historic statues and plaques; clarifying that neighbourhood plans can allocate large sites and new transport tests and requirements. Consultation closing date 27th March 2021

[National Planning Policy Framework and National Model Design Code: consultation proposals - GOV.UK \(www.gov.uk\)](https://www.gov.uk/national-planning-policy-framework-and-national-model-design-code-consultation-proposals)

16.2. Clerk

16.2.1. Cemetery Grave and Monument maintenance (Doc 008/21)

Councillors are required to determine what precautions the Council is to take with regards to the risk to all users of the cemetery, including whether to level the graves identified, lay flat, remove or refix unstable monuments, or attach warning notices to individual graves/headstones as per the agenda document

Budget provision – Cemetery Budget £500 remaining plus £1735.15 business rate tax relief – Power LACO 1977
Background

Following the annual inspection report of the cemetery in September 2020, and all recommendations approved by full council, a number of grave levels and monuments were identified as a Health and Safety Risk and the Clerk as Officer appointed as the Cemetery Manager, (*Local Authorities Cemetery Order (LACO) 1977 Sch 2 2, Part 1, Para 1*) has written to all traced nok of the plots identified as a risk, asking them to make good the grave/headstone as applicable and notify the council once this is done.

Authority

Winkleigh Parish Council are the Burial Authority for Winkleigh Parish Cemetery and therefore, have the responsibility to ensure that the cemetery is safe for all users. (*LACO) 1977, s2.4 - shall keep the cemetery in good order and repair*)

Responsibility

Under the terms of the exclusive rights of burial issued to all nok when a grave plot is purchased, the nok are responsible for the maintenance of the grave and any monument for 100 years.

For the graves where no nok can be traced, the Burial Authority (WPC) has the legal obligation under LACO 1977 s.16, to keep the cemetery in good order, including levelling of the surface of any grave and keeping in order any grave and memorial

Action

The Clerk has sourced 2 quotes to level the identified graves and make safe the memorials which will be discussed under Agenda item 18.

The agenda document gives an example of what other cemeteries have done to warn users of unlevel surfaces and unstable monuments

Risk

Publication – Ministry of Justice – Managing the Safety of Burial Ground Memorials

Any precautions taken must be proportionate to the risk of people suffering harm. In most cases the actual level of risk from an unstable memorial will be very low such that a warning sign near to – or in some instances on – a memorial alerting visitors to the potential danger will suffice until repair has been arranged. If the circumstances make this impractical, for example there is the potential for confusion as to which memorial any warning refers, a memorial may need to be cordoned off until it is made safe.

A memorial may be so unstable there is an imminent risk of it toppling. In a very few cases where this could result in serious injury, immediate steps may be necessary to reduce the risk e.g. restricting access or laying the memorial flat. The routine staking of memorials is not recommended – not only is there a risk of harm in the staking itself, there is also the potential for damage to the memorial.

In all cases where temporary measures have been taken to make a memorial safe, steps to effect permanent repairs should be taken as soon as possible. Operators should be aware of the potential for upset and distress amongst mourners and the bereaved, as well as the potential for disfiguring the appearance of a burial ground.

Recommendation of Burial Ground Manager

The Cemetery working group carry out a full risk assessment of the cemetery and grade the level of risk of the individual memorials and grave levels for March meeting. The Clerk is qualified under IOSH to identify, evaluate, and control risks and will write the risk assessment document to be used. If Cllrs wish the Clerk to be involved in the inspection, this will incur overtime which will be required to be pre-authorized.

16.2.2. Cemetery notice board Replacement (Doc 009/21)

Members to consider options for a replacement cemetery notice board, as per agenda document.

Funding – An application of £250 has been made to District Cllr Newton.

Budget provision – Cemetery Budget £500 remaining plus £1735.15 business rate tax relief – Power LACO 1977

16.2.3. Additional Parish Defibrillators

Members to consider approval to support the purchase and installation of another defibrillator in the Parish, to be paid for by Kingsley Plastics, and for the Parish Council to oversee Maintenance and service level agreement for the defibrillator throughout its life span of 4 years. – Minimal financial consideration.

Background

A request has been received from a parishioner for an additional Defibrillator to be purchased and installed outside the Doctors Surgery. Kevin Down, Kingsley Plastics, has offered in writing to the Parish Council, to purchase the defibrillator. Clerk has written to Wallingbrook Surgery requesting permission to install a defibrillator on the outside of the Doctors surgery Winkleigh and for them to bear the small electrical cost for the cabinet. They are in favour of a defibrillator at this location but have to seek permission from TDC as their landlord. This consent is still awaited.

Any defibrillator purchased would fall under the responsibility of the parish council, who would have to consider its eventual replacement.

Financing

SWASFT, who provide the Defibrillator in the Square, have quoted for a 4-year assisted package of £1800.00 plus VAT (£2160.00). They usually do a deal whereby if we purchased two packages the first would be full price and the second would be £1000.00 plus VAT (£1200.00). Usually these have to be purchased at the same time or within 6 months of the first package.

The defibrillator in the Square is due for replacement on 28/07/2022 and the Parish Council will need to make a decision as to whether to proceed with another 4-year agreement or to return the defibrillator and cabinet to SWASFT.

Budget Provision - The Parish Council will have £800 accrued for defibrillator replacement in 2021/22 financial year – Power Public Health Act 1936 s.234

16.2.4. Use of Own Device for Council Business

In accordance with the Councils Use of Own Device Policy, Cllr Turner has submitted an application to use her own device. The Clerk has ascertained that the device carries the appropriate security requirements in accordance with the policy and Cllr Turner has signed the required security agreement, and therefore it is recommended that Cllrs approve the use of own device in accordance with this policy.

16.3. County Cllr Saywell

16.4. District Cllr Newton

16.5. CPRE Devon Membership (Cllr Naylor) (Doc 010/21)

Propose that WPC reinstate their membership to Devon CPRE (Campaign to Protect Rural England). CPRE have valuable information and experience in helping parish councils to fully utilise Local and Neighbourhood Plans to fight bad planning decisions around housing developments. Annual cost £60.00 per annum. (LGA 1972 s.143(1)(b) – Budget provision – General contingency)

16.6. Winkleigh Work Hub (Cllr Radcliffe)

Things are now progressing with the Grant Funding Agreement. This has been received from DCC and is with TDC legal team. The planning application for the Hub will then be submitted and we can positively move forward. The area that is delaying the project slightly other than the GFA is the percolation tests and trial holes for the proposed/required septic tank upgrade to a water treatment plant which will help serve the Work hub proposal, Football club and the Public toilets. These need to be undertaken in the next few weeks for the planning application and to determine the increase in costs for this system.

The hub will be looking to replace the derelict modular building by the bowling green, with the access improved down the side of the building.

TDC are incredibly grateful that the Sport centre have been hugely supportive and proactive in helping with this project.

TDC are asking if people are aware of individuals/businesses who would be looking to use this hub and would be an important viewpoint to have in this stakeholder group to ensure this work hub meets the needs of its users. TDC would like to invite a couple of these potential users to a stake holders meeting first week of March, so if anyone has any recommendations please let the Clerk know by email asap.

16.7. COVID 19 (Cllr Findlay)

WPC will be supporting our Parishioners, if requested, with paid transport (via volunteers), to receive the vaccine. Due to the risk to volunteers, PPE must be worn at all times by volunteers and parishioners. Any volunteers requesting PPE equipment and any parishioner requesting transport to contact the Clerk 01837 89095, winkleighpc1@btconnect.com or Covid Co-ordinator (Cllr Findlay), 01837 682616, wpccovid19@outlook.com
(Covid19 Grant fund, s.137 LGA 1972, Social Welfare)

16.8. Cllr Verbal reports not requiring a discussion

No Decisions to be made during this item. The business to be transacted can only lawfully be that of which notice has been given on the agenda

17.21 FUTURE MEETINGS

17.1. March Meeting Date, 7.30pm via zoom

Motion to bring forward the March meeting from 24th March to Tuesday 23rd March 2021, 7.30pm PCM due to Clerks training commitment all day on 24th March, on behalf of WPC

17.2. 28th April 2021, 7.30pm via zoom

17.3. Remote/zoom meetings from 7th May

Remotely held meetings will cease to be written in to law from midnight 6th May 2021. For Information only The advice from Counsel sought by NALC/SLCC confirms that online meetings may be permitted by the LGA 1972. The Courts are now being approached to try to get them to confirm this, so that even if Government does not bring forward primary legislation to make online meetings specifically lawful, the Courts will at least confirm that they are not unlawful! Online meetings are lawful before 7th May but we don't yet know whether they will be unlawful after that date, but online meetings after 7th May are certainly not illegal, as there are no laws that prohibit them.

17.4. Annual Parish Meeting

The Annual Parish Meeting is accountable to the electors as a whole and must be held between 1st March and 1st June 2021

The Annual Parish Meeting is open to all electors of the Parish, who have the right not only to attend but also to speak on any matter of local interest. The chair will deliver her annual report on council activities and financial expenditure.

Councillors to determine if WPC hold the Annual Parish Meeting on the same night of the Annual Parish Council Meeting, at 7pm. Whilst not best practice, so long as there is a clear distinction between the two, and each meeting is formally opened and closed so that everyone present knows which meeting is taking place at any given time, this is acceptable.

17.5. Annual Parish Council Meeting 26th May 2021, 7.30pm – venue and format to be confirmed

18.21 TO CONSIDER QUOTATIONS RECEIVED FOR DRAIN MAINTENANCE WORK AT THE CEMETERY BUNGALOW

Motion to Move to Part II – to Exclude the Public to consider quotations due to the disclosure of time sensitive commercial interests of the Council and the persons that have quoted is not in the public interest, for

18.1. the Cemetery Bungalow drains,

18.2. the Cemetery grave and memorial maintenance

Return to public session to hear any resolutions



Melanie Bickell, Winkleigh Parish Clerk, 18th February 2021