

# KNOWSTONE PARISH COUNCIL

## Minutes of a regular meeting held on Tuesday 26th September 2017

The meeting opened at 7.30 p.m.

### Present:

Cllr T Browse, Cllr E Costerton, Cllr J Filmer-Bennett, Cllr R Howe (Chairman), Cllr T Moore (Vice Chairman), W Sweet (Clerk)

### In attendance:

Members of the public x 5

### 17/58 Apologies for absence

Cllr J Stanbury  
D/Cllr E Ley

**17/59 Declarations of Interest** (re. matters appearing on this agenda) - none

**17/60 Approve Minutes** The minutes of the meeting held on 22nd August 2017 were unanimously approved.

**17/61 Matters Arising** from the minutes (not on the agenda) - none

### 17/62 Correspondence (not covered elsewhere on Agenda)

- Note receipt of DALC Annual Report 2016/17
- Note receipt of surgery dates posters from Peter Heaton-Jones MP, which have been displayed on Knowstone main noticeboard, Parish Hall noticeboard & website. Cllr Browse requested a copy of the notice or list of the dates to go on the East Knowstone noticeboard.
- Note receipt of email invitation dated 20.09.17 to Devon Highways Parish & Town Council conference in November – Cllr Filmer-Bennett will attend.
- Note receipt of email invitation dated 13.09.17 to Parish Paths Annual Workshop on 31st October – Cllr Browse hopes to attend.
- Note receipt of letter dated 12.09.17 from Alison Marshall re. follow up information after training session. The Chairman reported that all councillors had attended training except Cllr Stanbury and that it had been a very valuable session.
- Note receipt of letter dated 4.09.17 from BHIB Insurance Brokers who will be handling council's next insurance renewal replacing Aon

### 17/63 Public Questions

The Chairman reminded members of the public that they can only speak on a topic on the agenda and that they should contact the clerk regarding any other matter they would like to be considered for inclusion on the agenda of a future meeting.

- a) Mr D Morgans raised issues regarding footpaths and highways which would be covered under the relevant reports later in the meeting.
- b) Mr K Dykes asked that item 12 re. Sidemoor could be dealt with after item 13 Diary/Events. The Chairman agreed to this.
- c) Mr K Dykes updated the council re. agenda item 7(e) by reporting that DCF Batsworthy would not consider making a grant for building works unless Building Regulations have been compiled with. The process has been started and Building Regulations require a survey to be undertaken which will delay the application which is unlikely to be ready by DCF's meeting in late October. The next meeting of DCF takes place in March 2018. The amount being applied for is now £4,000 for outside equipment. As a result of this update item 7(e) to be held over to a future meeting.

### 17/64 Finance

- a) **Finance Report** – to agree accounts and bank reconciliation to 25.08.17. Accounts, bank reconciliation,

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showing that balance in bank once issued cheques clear stands at £25,836.72, plus expenditure against budget update had been previously circulated to councillors. It is a requirement that Parish Council accounts are regularly checked and signed off by a member of the council. The accounts were unanimously agreed and signed by Cllr Filmer-Bennett

b) **Accounts to settle:**

• Clerk's salary & expenses	£183.50
• North Devon Council – by-election cost	£998.92
• Alison Marshall – councillor training	£160.00
• St Peter's Church – upkeep of the graveyard	£200.00

It was agreed to pay all the above; Cllr Moore proposed, Cllr Filmer-Bennett seconded.

- c) **Budget 2018/19 preparation/precept application** The Chairman drew to the council's attention that over the next month or so work would start on the budget for next year along with the precept application.
- d) **To consider appointing Alison Marshall as Internal Auditor**, as per her email and proposal circulated to councillors, for a 1, 2 or 3 year period – cost £100 per year. Cllr Browse proposed, Cllr Costerton seconded, that Alison Marshall be appointed Internal Auditor for the next three years. All agreed.
- e) **To consider purchasing copies of 'Good Councillor Guide'** for members of the council @ £4.99 per copy plus P&P. It was proposed by Cllr Moore, all agreed, to purchase copies for any member of the council who would like a copy in book format – currently 4.
- f) **To consider purchasing 'Local Council Administration', 10th edition** – cost £73.60 plus P&P. It is important for the council to have an up-to-date copy particularly in view of the current Standing Orders review and it was agreed that one be purchased, proposed Cllr Moore, seconded Cllr Filmer-Bennett.
- g) **To consider sending a representative of KPC to DALC's AGM**, Conference and Exhibition on 10th October 2017 at Exeter Racecourse – cost £25.00. It was proposed and agreed that the Clerk would attend.
- j) **To consider repair/replacement of Roachill noticeboard**. The Chairman reported that the noticeboard was in a bad state of repair, verging on the dangerous. A new one could be very expensive. Cllr Browse said that he still had the plans for the one in East Knowstone if that was of use. It was agreed that the Clerk would contact a local carpenter and obtain prices for repair/replacement to bring to the next meeting of the council.

### 17/65 Planning

- a) Applications received after preparation of the agenda – none
- b) Applications notified since last meeting – both had cut off dates prior to this council meeting.
- (i) Ref. 63576: Listed Building Application for external & internal alterations to dwelling at Moortown Barton – unofficial 'no comment' response submitted
- (ii) Ref. 63552 Extension to Dwelling at The Smiths House, E Knowstone – unofficial 'no comment' response submitted.

### 17/66 Members Reports

- a) **CPR training** – Cllr Moore reported that there is approximately 20 people within the parish who are interested in undertaking CPR training and he will circulate a couple of dates for sessions to take place in the hall, using the projector system that is used for Film Night to show the training DVD. It is anticipated that the training will last about an hour and refreshments will be provided which the Clerk will organise. Cllr Moore has spoken to the Masons Arms and a separate session for them will be organised in due course.
- b) **Highways** - Cllr Filmer-Bennett reported that he had been in touch with C/Cllr Yabsley, C/Cllr Hughes (Highways) and Mr Sables (senior Highways officer) who have agreed to attend a meeting in the parish and look at various highways problems including the problem of HGVs and speeding through Roachill. Mr Mervyn Way of Way Transport has been invited to attend in an advisory capacity with reference to the

HGV problem. When a date has been agreed Cllr Filmer-Bennett will inform councillors. There are a few issues i.e. cracked inspection lid in East Knowstone, large pothole in Roachill where a fire hydrant had been leaking, numerous potholes either side of the cattle grids all of which Mr Sables will arrange to be repaired.

There had been an accident on the Link Road that morning where a vehicle had left the road and bounced into a fence. Since the recent fatal accidents the police have heightened policing the Link Road and in a recent three hour surveillance period they had identified 26 driving offences, the majority of which involved the use of a hand held mobile phone.

Mr K Dykes was given permission to speak by the Chairman and pointed out that the keep left bollards at Moortown Cross had recently been replaced with solar powered ones.

Mr D Morgans was given permission to speak by the Chairman and stressed that the depth of the pothole in Roachill meant it is very dangerous to motorcyclists and that it should be filled immediately. Cllr Filmer-Bennett said he would chase it up.

The Chairman said he had been informed that someone had filled in a passing place between Knowstone and Ash Mill. The Chairman and Cllr Filmer-Bennett will go and have a look and see what the situation is and whether the passing place is within the parish.

- c) **Report on MDC Planning meeting re. Stubnail Post** – Cllr Filmer-Bennett had attended a MDC planning meeting on 6th September to represent Knowstone Parish Council to speak against permanent residence being granted to travellers whose temporary residency for a 10 year period on land that abuts Knowstone Parish would be expiring in 2 years' time. MDC granted permission subject to various conditions including only the current occupants and dependant family are allowed to live there, no more than two caravans on the site of which one can be static and only one commercial vehicle on site.
- d) **Police** – monthly report had been received and Cllr Moore reported that the main point from it was the problem of speeding on the A361. With reference to general crime there had been none of significant interest.
- e) **Footpaths & Beaples Stone** – Footpath #3 - Cllr Browse reported that he had received from Ros Davis the official reason the landowner had not been made to reinstate the path to its exact previous position. This is because the new position is within a 10ft wide leeway that paths have. Cllr Browse stated that it would have been useful to have been told this information a lot earlier.

There were two areas of strimming Cllr Browse had not been happy with but on inspection Ros Davis had said they were OK. The Beaples Stone area will be strimmed towards the end of the year.

With reference to the wet area close to the gate of Footpath #8, Roachill to Weston, Stuart Howells will be in touch with the landowner in the coming weeks to discuss stoning it.

- f) **Moors Management Association** – Cllr Costerton reported on the main points from the meeting held on 11th September which were:
  - i) the sighting by David Morgans of a drone flying over the moor which would be looked at again later in the year. Ian Chadwick was going to investigate with the CAA. It was possibly a one-off incident but if it is seen again to let Moors Management know.
  - ii) Richard Stanbury has asked Highways for a new cattle grid to be installed nearer the stone depot layby which would prevent the problem of cattle going straight onto the Link Road should they be able to cross the cattle grid.
- g) **PCC** - Cllr Howe reported that two new members had been warmly welcomed to the PCC – Tim and Michelle Browse. There had been a brilliant Harvest Service conducted by Rev Alistair Foreman followed by an excellent Harvest Supper thanks to Corinna McBride, thanks also to Geoffrey Clapp as auctioneer

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and to Thelma for the wonderful flowers in church all of which were included in the auction. A total of £974 had been raised for church funds.

- h) **Parish Hall** – Cllr Filmer-Bennett reported on the main points from the last Parish Hall meeting held on 14th September: There is now a lot of available loft space where records from the meeting room could be stored; WiFi is now available free of charge; the money raised from the Beetle Drive will be passed to the council to go towards the purchase of the defibrillator cabinet; Film Nights re-start on 30th November; Hobby Horse Race Night will take place on Saturday 21st October, advert which appears in 'In Touch' is being reviewed.
- i) **Emergency Plan** – Cllr Browse reported that the salt bins should be in place by mid-October. The salt bags for Roachill will be stored opposite the entrance to Chula Park, for Knowstone by the hall and in East Knowstone at the Vigus' farm.

All the Emergency Plan questionnaires were delivered about 3/4 weeks ago and so far only 7 completed ones had been received. Cllrs Filmer-Bennett and Costerton reported that 5 had also been received by them from Roachill residents. After some discussion it was agreed that councillors should encourage parishioners to complete and return their forms, both those who may need help in an emergency situation or could provide help. The Chairman suggested that spare copies of the questionnaires be give out to councillors by Cllr Browse. It was also emphasised that any information received would be kept confidential and in line with Data Protection requirements.

- j) **Standing Orders Working Group** – Cllr Moore reported that at its recent meeting the informal group looked at the following issues:
  - i) Co-opting procedure. As the Council's standing orders are silent on this subject the group felt a separate policy was appropriate and a draft was drawn up for the council to approval under Agenda item 11..
  - ii) Public Questions. It was felt that the current S/O was adequate. Members of the public are encourage to contact the Parish Clerk if they have items they feel should be on the Agenda. The process will be reviewed in due course to see if it is working.
  - iii) The Council have been advised by Alison Marshall that Standing Order 5a)xvii which allows the Council to spend £500 without a written motion on an Agenda should no longer be used. A written motion to delete this S/O will be on the next Agenda for the Council to vote on.
  - iv) Section 137 – to clarify what this meant Cllr Moore read out an explanation supplied by SLCC: "Secton 137 permits councils in England which do not have the general power of competence to incur expenditure for purposes for which they do have a specific power. It is a 'power of last resort'" The level of expenditure under Section 137 currently stands at £7.57 per elector.
  - v) Website – as Standing Orders and the Transparency Code require a lot of information to be available on the website, the S/O Working Group recommended that a small group looks at this as a separate issue. The Clerk is the only person who can authorise what should go on the website. It was agreed that the Chairman, Clerk and Wendy Vigus meet to discuss the website.
- k) **Parish Pound** – The Chairman showed the meeting a photo of The Pound in which the area was clearly visible with an attractive back wall. He felt that as the Pound is Parish property it should be kept looking better than it currently does and suggested that the council identifies someone who can clear the area but not remove the shrubs. There would be a cost to this plus regular maintenance costs thereafter. It was suggested that perhaps members of the community could get involved and clear the area on a voluntary basis. The Chairman and Cllr Browse will investigate and come back to the council with proposals.

**17/67 Casual Vacancy for a Parish Councillor** due to resignation of Cllr Mike Smith on 6th September. The Chairman emphasized the important of having a co-option procedure in place that was fair and transparent. A draft co-option policy had been circulated to all councillors prior to the meeting. It was resolved to adopt the proposed policy, Cllr Filmer-Bennett proposed, Cllr Moore seconded, all agreed. A copy is attached to these minutes.

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**17/68 Diary/Forthcoming Community Evens:**

11th October	Coffee morning in aid of MacMillan Cancer Support Dance Club (evening)
18th October	Garden Club
21st October	Hobby Horse Race Night
28th October	Yard Sale 10.00 a.m. – 3.00 p.m. Dance Club (evening)

**17/69 Sidemoor Picnic Area**

The public were asked to leave the meeting due to the confidential nature of the discussion that would be taking place.

When the meeting was re-opened and the public invited back in the Chairman made the following statement: "As a result of its investigations and discussions the Council has decided it will not take on the remainder of the lease at the Sidemoor Picnic Area. The reasons for this decision were the short term nature of the lease, the substantial initial and ongoing costs and the lack of resources with the council to oversee and manage the project."

**17/70 Members - Matters of Immediate Concern** for inclusion at the next meeting - None

**17/71 Date & Time of next meeting:**

Tuesday 24th October commencing at 7.30 p.m.

Meeting closed at 9.35 p.m.

**Minutes prepared by Wendy Sweet (Parish Clerk)**

**Police contact numbers:**

In Emergencies call: 999  
Non-Emergency call: 101  
Email contact: [southmolton@dc.police.uk](mailto:southmolton@dc.police.uk)

DCC pothole reporting helpline:  
<https://new.devon.gov.uk/roadsandtransport/report-a-problem/>

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## CO-OPTION PROCEDURE

### Introduction

If no request for an election is received by North Devon Council by the date of the Notice of Vacancy, the Electoral Services Department will advise the Parish Council that it may co-opt to the vacancy. Co-option is the process by which the Parish Council selects a new Councillor and it is done as an agenda item within a regular Parish Council meeting. The Parish Council manages the process of co-option by itself and aims to demonstrate that it is fair and transparent by following the procedure set out below:

### Procedure

1. Knowstone Parish Council invites interested candidates to write to the Clerk by a specified date via notices place on its noticeboards and website. Candidates will be asked to confirm that they are qualified to be a Councillor (ref. Appendix A) and to include their CV and a brief explanation of why they would like to be a Parish Councillor. Copies of the information received from candidates will be circulated by the Clerk to all Councillors prior to the meeting of the Parish council during which the co-option will be considered.
2. At the Parish Meeting candidates will be invited to say something about themselves and what they would like to achieve as a Knowstone Parish Councillor. Each candidate will be allocated a maximum of six minutes.
3. In a closed session of the Parish Council meeting, without the public present, Councillors will discuss and consider the candidates. The public are invited back into the meeting before voting takes place.
4. Voting will take place by secret ballot. Councillors will have one vote per vacancy. In the event of a tie between two candidates for one vacancy the Chairman will exercise his casting vote.
5. If there is only one candidate for one vacancy they are not automatically co-opted – a yes/no vote will take place.
6. The successful candidate/s will be declared co-opted to the Parish Council and, after signing the declaration of acceptance of office paperwork, will be asked to join the meeting.
7. The successful candidate is a Councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.

## **Appendix A**

### **Qualifications to be a Councillor**

A person is qualified to be elected and to be a Councillor if they are a British, Commonwealth, Irish or European Union citizen and on the relevant day (that is, the day of nomination or election) they are 18 or over.

In addition, the person must meet at least one of the following criteria:

- (1) on the relevant day and thereafter they continue to be on the electoral register for the parish, or
- (2) during the whole of the twelve months before that day they have owned or tenanted land or premises in the parish, or
- (3) during the whole of the twelve months before that day their principal or only place of work has been in the parish, or
- (4) during the whole of the twelve months before that day they have resided in the parish or within three miles of it.

Except for qualification (1), these qualifications then continue for the full term of office, until the next ordinary elections.

Certain people are disqualified from standing, and these include paid officers (including the Clerks) of the council, bankrupts and those subject to recent sentences of imprisonment.

Procedure approved by Knowstone Parish Council 26 September 2017, Minute Ref. 17/67