

**Minutes of the Annual Berrynarbor Parish Council Meeting
Held on Tuesday 8th May 2018 at 7pm at Manor Hall,
Berrynarbor**

Present: Cllrs A Stanbury (Chairman), Mrs G Bacon, Mrs S Barten, Mrs J Fairchild and Mrs D Reynolds
Mrs V Woodhouse, Parish Clerk
Cllr Miss A Davis, Devon County Council, Cllrs Mrs Y Gubb and J Lovering, North Devon Council
1 member of the public

1805/01 **To Elect the Chairman for 2018-2019**

It was **resolved**, with no votes to the contrary, that Cllr Stanbury be elected Chairman for 2018–2019.

1805/02 **The Chairman will read and sign the prescribed ‘Declaration of Acceptance of Office’**

The Chairman, Cllr Adam Stanbury, read and signed the prescribed Declaration of Acceptance of Office.

1805/03 **To Elect the Vice-Chairman for the year 2018-2019**

It was **resolved**, with no votes to the contrary, that Cllr Mrs Barten be elected Vice-Chairman for 2018–2019.

1805/04 **Apologies**

Cllrs A Coppin, Mrs J Beer, D Kennedy and Mrs C White.

1805/05 **Declarations of Interest**

None.

1805/06 **To receive report from outgoing Chairman**

The report was circulated prior to the meeting and it was **resolved**, with no votes to the contrary, to note the report.

1805/07 **Public Participation Period**

None.

1805/08 **To approve and sign the Minutes of the Berrynarbor Parish Council meeting held on Tuesday 10th April 2018**

Copies were circulated prior to the meeting. It was **resolved**, with no votes to the contrary, to approve and sign the minutes of the meeting held on the 10th April 2018 as a correct record. Cllr Stanbury duly signed the minutes.

1805/09 **To review the Council’s Standing Orders**

It was **resolved**, with no votes to the contrary, to amend as follows:

1. Meetings – **Addition under paragraph L**

Inclusion of: A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.

Addition under paragraph S

The minutes of a meeting shall record the names of Councillors present.

Inclusion of: The time and place of the meeting.
The names of Councillors who have given apologies.

Interests that have been declared by Councillors and non-councillors with voting rights.

The grant of dispensations (if any) to Councillors and non-councillors with voting rights.

Whether a Councillor or non-councillor with voting rights left the meeting when matters that they held interest in were being considered.

A brief summary of public participation.

The resolutions made.

2. Proper Officer – **Addition under paragraph b i**

Inclusion of: or by email authenticated in such manner as the Proper Officer thinks fit.

9. Minutes – **Addition of new paragraph f**

Inclusion of: if the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.

24. Freedom of Information Act 2000 – **Amendment**

Alterations of the wording to say *“as a Parish Council these requests will be prioritised and responded to as quickly as possible, where legal advice is required on releasing the information a response might take longer but in all cases the Parish Council will aim to provide a response within the 20 working days timescale”*.

27. Financial Matters – **Deletion of paragraph e and Addition of new paragraphs e, f and g**

Inclusion of:

- e A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 27f is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.
- f A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.
- g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,416 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts

Regulations 2016.

Inclusion of the Following Additional Paragraphs between 24 Freedom of Act Information 2000 and 25 Relations with the press/media:

25 Responsibilities to Provide Information

- a If gross annual income or expenditure does not exceed £25,000 the Council, shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

26 Responsibilities under Data Protection Legislation

- a The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning personal data.
- b The Council shall have a written policy in place for responding to an managing a personal data breach.
- c The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action take.
- d The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- e The Council shall maintain a written record of its processing activities.
- f The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

It was further **resolved**, with no votes to the contrary, to defer consideration of adding a paragraph to read "The Council shall appoint a Data Protection Officer" due to the amendment that has been proposed to the General Data Protection Regulations and until this requirement is clarified.

1805/10

To review the Council's Financial Regulations

It was **resolved**, with no votes to the contrary, to increase the financial limit that the Clerk can spend in an emergency in paragraph 3. Budgetary Control 3.3 from £200 to £1,000 which is the limit for procurement of services without a formal tender.

1805/11

To appoint the following representatives:

Footpath Officer
Deputy Footpath Officer
Highway Liaison Officer & Tree Warden
Emergency Plan Officers
Councillor to check invoices for payment
Combe Martin & District Tourism Association
Berrynarbor Manor Hall Committee
Play Area Inspections
Finance Working Party
Personnel Working Party

It was **resolved**, with no votes to the contrary, to appoint the representatives as follows:

Footpath Officer – Cllr Mrs Fairchild
 Deputy Footpath Officer – Cllr Mrs White
 Highway Liaison Officer & Tree Warden – Cllr Coppin
 Emergency Plan Officers – Cllrs Stanbury, Kennedy and Coppin
 Councillor to check invoices for payment – Cllr Mrs Fairchild
 Combe Martin & District Tourism Association – Cllr Mrs Beer
 Berrynabor Manor Hall Committee – Cllr Mrs Fairchild
 Play Area Inspections – Cllr Mrs Beer
 Finance Working Party – Cllrs Kennedy, Stanbury and Mrs Bacon
 Personnel Working Party – Cllrs Kennedy, Mrs Barten and Mrs Reynolds
 Councillor to initially check planning applications – Cllr Mrs Bacon

1805/12

To receive reports from:

- Police
The newsletter had been circulated.

- County Councillor Miss A Davis
Cllr Miss Davis informed members that the recycling center was now fully open. Cllr Miss Davis had discussed the replacement of the bus shelter on the A399 with the Highway Officer and they would prefer to see a stone structure which is on the same footprint, it was agreed to arrange a site meeting to progress. Cllr Miss Davis reported that there are already signs saying no caravans entering Sterridge Valley and further signage will not be added. Members asked for an update on permission to add a finger to the finger post for the dog area, it was agreed to forward a photograph of the sign for Cllr Miss Davis to pursue.

- District Councillors Mrs Y Gubb & J Lovering
Cllr Mrs Gubb updated members on the final recommendations from the Boundary Review, Combe Martin will be a ward on its own and Berrynabor will join with Marwood, the changes will be implemented from the 2019 elections.

Cllr Lovering provided an update on the all-weather football pitch in Barnstaple at the Tarka Tennis Centre. Cllr Lovering reported that the Link Road litter pick had seen twice the amount of litter collected than last year and gave details on a recent fly-tipping prosecution. Due to the extension, part of the Museum would be closed and it is hoped the project will be completed by summer 2019. Cllr Lovering also reported that businesses can now advertise on waste bins through sponsorship.

- Play Area Inspections. Councillor Mrs J Beer
Nothing to report.

- Councillor Mrs D Reynolds, Manor Hall
Cllr Mrs Fairchild reported that the new PA system, which had been purchased through the TAP fund and with the support of the Parish Council, had been installed and thanked the Parish Council for the assistance in obtaining the funding. The scaffolding had been erected ready to undertake the roof repairs.

- Footpaths Report Councillor Mrs White
Nothing to report.

- Dog Exercise area Councillor Mrs White
Nothing to report.

- Meetings/events attended by Councillors/Clerk
Cllr Mrs Barten reported that she would be organising a dog show to help raise funds for the newsletter and would submit the details to the June meeting.

1805/13

Planning & Planning Correspondence

Planning Applications: to consider Planning Applications received to date
None. It was noted that the application shown on the Agenda had been dealt with at the last meeting.

Decisions Notices

64609 Certificate of Lawfulness of propose use or development – application for a proposed use of land to site eight caravans for full residential use, Berrynarbor Park, Sterridge Valley, Berrynarbor

64606 Construction of mobile poultry unit to be moved annually between two sites at PT Wheel Farm, Berrynarbor, Combe Martin

It was **resolved**, with no votes to the contrary, to note the information.

1805/14

Matters to Note (correspondence is available from the Clerk unless otherwise stated)

- Completion of Monthly Defibrillator report
- DALC's April newsletter
- Certificate of Lawful Use or Development for use of land as a single dwelling house at Yellaton Garden, Combe Martin
- Certificate of Lawful Use or Development for use and occupation of the building as an independent residential unit, building known as Alfie's Barn attached to Greenfields, Berry Down, Combe Martin
- Request for signage in Sterridge Valley and reply from the Highway Authority

It was **resolved**, with no votes to the contrary, to note the above.

Cllr Miss Davis left the meeting and did not return.

1805/15

To approve payments and receipts to date

The following payments were received: -

Payments 11th April 2018 – 8th May 2018

Clerk's May Salary	£316 (Net)
Expenses: Mileage 08/05/2018 39 miles @ 0.45 =	£17.55
Total:	£333.55
HMRC PAYE	£79
A&B Contractors, Installation of Signs	£436.80
Donation towards Berrynarbor Newsletter	£500
Donation to North Devon Record Office	£50
DALC, Membership	£192.32
The Play Inspection Company, Annual Inspections	£180
British Gas, Electricity	£8.71
Julie Snooks, Internal Audit	£200
Payments total:	£1,980.38

Receipts 11th April 2018 – 8th May 2018

Interest	£0.74
North Devon Council, Precept and grants	£8,652.17
Receipts total:	£8,652.91

It was **resolved**, with no votes to the contrary, to approve the above payments.

- 1805/16 **To review the Council's Assets Register**
The Asset Register was reviewed and it was **resolved**, with no votes to the contrary, to note the information.
- 1805/17 **To review Members' Code of Conduct**
The Code of Conduct was reviewed, it was noted that some amendments to the wording were required to change the reference from the District Council to the Parish Council and it was **resolved**, with no votes to the contrary, that these amendments be undertaken along with including the declaration of Prejudicial Interests.
- 1805/18 **To Review the Council's Statement of Internal Control for the financial year 2017-2018 in accordance with the Local Government Act 2003**
The document was circulated prior to the meeting and it was **resolved**, with no votes to the contrary, not to make any changes and to agree and sign the Statement of Internal Control for 2017-2018.
- 1805/19 **To discuss and agree the Annual Governance Statement detailed in the Annual Governance and Accountability Return 2017/2018**
The information was circulated prior to the meeting and it was **resolved**, with no votes to the contrary, to agree the Annual Governance Statement detailed in the Annual Governance and Accountability Return 2017/2018.
- 1805/20 **To receive and agree the Accounting Statements contained within the Annual Governance and Accountability Return 2017/2018 along with the Internal Auditor's Report**
The information was circulated prior to the meeting and it was **resolved**, with no votes to the contrary, to agree the Accounting Statement contained within the Annual Governance and Accountability Return 2017/2018 and to receive and note the Internal Auditor's Report.
- 1805/21 **To consider and agree the Annual Governance and Accountability Return for 2017/2018**
The information was circulated prior to the meeting and it was **resolved**, with no votes to the contrary, to agree the Annual Governance and Accountability Return for 2017/2018.
- 1805/22 **To consider Parish Council's Insurance Renewal**
The renewal quotations were circulated and it was **resolved**, with no votes to the contrary, to accept the recommendation from Came and Company to renew the Parish Council's Insurance for one year with Inspire it was further **resolved**, with no votes to the contrary, not to enter into a long-term agreement and only to renew for one year.
- 1805/23 **To receive update on the General Data Protection Regulations**
Members were reminded of the main principles of the General Data Protection Regulations and the procedures the Parish Council will be undertaking to work towards compliancy. Members were also informed that an amendment to the bill had been submitted which would remove the requirement for Town and Parish Councils to appoint a Data Protection Officer, the Parish Council would still be required to comply with all other aspects of the act and members would be informed once a decision has been announced.
- 1805/24 **To consider renewal of DALC membership**
It was **resolved**, with no votes to the contrary, to renew the Parish Council's membership for 2018/2019.

- 1805/25 **To consider donation towards Berry In Bloom**
Members considered the request and it was **resolved**, with no votes to the contrary, to give a donation of £500.
- 1805/26 **To receive and consider annual play inspection reports**
The reports were circulated prior to the meeting. It was noted that the safety issue with the slide in the Manor Hall Play Area had been actioned and the repair would take place as soon as possible. It was **resolved**, with no votes to the contrary, to obtain quotations to undertake the necessary work.
- 1805/27 **To consider repeat order for 2019's annual play inspection**
It was **resolved**, with no votes to the contrary, to agree the repeat order for 2019.
- 1805/28 **To consider Draft Flood Plan** (Cllrs Mrs Fairchild and Mrs Beer to report)
The draft Flood Plan was circulated, it was felt that as Snow Warden and Emergency Plan Officer Cllr Coppin should be involved in the Flood Plan and Warden Scheme and it was **resolved**, with no votes to the contrary, to keep the draft plan under review.
- 1805/29 **To receive update on fencing at the Recreation Field, request for financial assistance from South West Water and the replacement planting of Laurel bushes**
Cllr Stanbury reported that he had again contacted South West Water and it was indicated that SWW might be able to provide some financial assistance towards a fence and he is awaiting contact details to progress the matter. Members considered the costs and type of fences, it was felt that deer/stock fencing similar to that in the dog area would be appropriate and it was **resolved**, with no votes to the contrary, to obtain quotations for this fencing.
- Cllrs Mrs Gubb and Lovering left the meeting and did not return.
- Members discussed the boundary and growth of the Laurel Bushes, it was noted that the bushes were now growing well and thickening to provide a good screen it was therefore, **resolved**, with no votes to the contrary, not to plant any replacement bushes.
- 1805/30 **To consider defibrillator awareness training for 2018**
It was **resolved**, with no votes to the contrary, to arrange the awareness training for June 2018 and to promote the event as far as possible to encourage members of the parish to attend.
- 1805/31 **To consider alternative shelter/shed proposals for the Recreation Field**
It was noted that the school would appreciate a band stand style structure on the existing base, members discussed various styles and options and it was **resolved**, with no votes to the contrary, for Cllrs to obtain styles and prices and present to the June meeting for consideration.
- 1805/32 **Close**
There being no further business the meeting closed at 8.35pm.

Signed Dated