

Clerks Report

MAY 2017

1. P3

Council has been working with the DCC's P3 dept. and a local landowner to address issues with members of public straying from the path. This has resulted in complaints on both sides and has in part been blamed on the path being unclear.

The County Council is arranging for additional signage and laminated maps to be placed along the routes; the parish will promote the official routes on its website and social media pages. The landowner is hopeful this will go a long way toward solving the problem.

2. Footpath creation Order

Consultation on the Orders in relation to changes to the path of the public right of way in the Broadclyst/Clyst Honiton border is now underway and closes on 15th June 2017. Notification has been placed on both parish council websites and on local noticeboards in the area.

3. Living Wage Foundation

Edmund Heery, Professor of Employment Relations at Cardiff University, and author of "Framing Work; Unitary, Pluralist and Critical Perspectives in the 21st Century" contacted the Council for consent to use a quote from Broadclyst in their publicity on an attributed basis. The comment was as follows:

"Becoming a Living Wage employer gave Council a recognised benchmark, sending a clear message to staff that they are valued and appreciated. Electors identify with "Living Wage" rates of pay in a positive manner rather than saying "you're paying her how much an hour to clean the toilets?" All in all, Living Wage has been a hugely positive step for the Council as a local employer."

4. Broadsheet

An additional 150 copies of the summer broadsheet were requested as we were slightly short in the new builds last time round.

5. Ward Members meeting

Janvrin and I met with the 4 Broadclyst Ward Members, Cllrs Ray Bloxham and Sara Randall-Johnson – Devon County, and Cllrs Chris Pepper and Eleanor Rylance – EDDC, on 24th May to discuss Broadclyst Parish's issues around development in the West End of East Devon. It is important that the Ward Members are aware and up to date with issues as many of the challenges we face do not directly relate to any one application but are more of a cumulative effect.

The Parish Council is concerned that a holistic overview is not taken when considering the impact of development across the West End, and that major challenges such as highways infrastructure provision are not necessarily easily or adequately addressed. We have requested, through the SkyPark Liaison Group, the transport modelling assessment for traffic movements across the south of the Growth Point (i.e. in the junction 29/Blackhorse/Clyst Honiton/Cranbrook area) be revised, as the current model included the provision of the Intermodal freight terminal (IMF), which would move up to 50% of goods by rail. This requirement, which was a condition attached to development at Hayes Farm, was removed from the Local Plan by the Inspector and there is a DoV in respect of the planning consent to formally remove the IMF provision. What now needs to be negotiated with the Church Commission (Hayes Farm

landowners) is mitigation which is comparable and as effective. No mean feat, and one which needs swift attention as the DoV is being prepared as we speak.

The resubmission of planning consent for the Mosshayne strategic site development to bring it under CIL legislation will inevitably result in gaps in off-site infrastructure which would be delivered via 106 agreements in the current consent. Neighbourhood Planning offers a framework to enable necessary infrastructure to be delivered via CIL, however the CIL 'pot' has to fund all identified projects across the district and its allocation is prioritised by the 123 list. The current [CIL Regulation 123 list](#) was published in April 2016; it is relatively generic, allowing projects within the range of infrastructure types on the list to be funded by CIL.

If we wish to amend this list, any changes should be clearly explained and subject to appropriate local consultation. Also, where a change to the list would have a very significant impact on the viability evidence that supported the examination of the CIL charging schedule, this should be made as part of a review of the charging schedule (i.e. the amount of the CIL that should be charged). When EDDC adopted CIL last year, it committed to carrying out an early review of the CIL charging schedule, and are at the early stages of doing this. Even so, it is likely to be at least a year until we have a new CIL charging schedule in place.

The process by which CIL is allocated seems somewhat ambiguous. It is likely a CIL Panel will be formed and will comprise County, District and Growth Point Members but this is not in place to date despite CIL being adopted over a year ago.

6. Old Park Farm Phase 1 meeting

The Chairman and I met with Barratts and the director of Stuart properties to discuss transfer of community infrastructure and assets to the Parish. The final decisions have not been made and some of what we have requested is commercially-sensitive and therefore not for disclosure at this point, however a summary of discussions to date follows:

- a. **Allotments** – to be transferred to the parish; land use for allotments in perpetuity; nominal purchase price; up to the parish if its actively managed or an Allotment Association is set up as per the Broadclyst allotments. Layout to be revised in consultation with residents; EDDC has indicated no issue with this providing evidence of the community's wishes are demonstrated. This is underway via the social media group for the development and emails to all on waiting list.
- b. **Community Sports pitch** – to be transferred to the parish; land for sports use in perpetuity; nominal purchase price; shared-use agreement with the school; ownership of access land under discussion. Pitch has a 1-year maintenance package in place.
Requested more works to be done in the access corner to bring it in line with planning consent, including securing 24/7 direct access.
- c. **LEAP (play area)** – has been requested for transfer to parish. Detail under discussion as commercially-sensitive implications for the management company.
- d. **Open Space** – there may be an area of open space for transfer to the parish. Detail under discussion as commercially-sensitive implications for management company.
- e. **Park and Change** – the ownership / long-term management of the park and change is under discussion. Whilst it will not come to the parish, there may be an opportunity to engage with the managers of the facility for residents/visitors parking.
- f. **Dog waste bins** – locations have been suggested by the community; landowners will consider and give consent. Some locations may be unsuitable now as they are subject to future works.

- g. **Barretts office** – the offices are set to default to either shop units or residential use on vacation. It was suggested the parish council may wish to discuss options for use as Council offices. The lease on the council's current office commenced in May 2016 for 5 years, with a clean break after 3 years (May 2019) with 6 months' notice. It may be that the timing isn't right and/or the premises unsuitable, however it is worth having the conversation given Council was keen to have an office within the parish boundary and is fast out-growing its current office premises.

In summary, residential development has built out other than the 14 homes at the very far end of the Barretts site and 4 on the David Wilson site. A revised mixed-use application will be submitted in the next couple of weeks which addresses concerns about the layout raised in the consultation of the earlier application.

Barretts envisage being on site for no more than a year and so now is the time to get assets transferred and any snagging completed.

Financial impact

Transfer of assets to the parish will inevitably bring an increase to the precept, however commuted sums are being discussed to ease the impact. The Management Company manages a set area inside their 'red line' and is restricted to only raising its annual estate charge of £150 per property in line with inflation. This makes it impossible for them to make necessary adjustments should operational costs increase over and above this rate.

There is evidence to illustrate management companies making massive increases to their fees¹ and whilst this cannot happen at OPF1 under the current agreement with the current management company, there is nothing to say this will continue to be the case. There is a danger an increase in costs could result in a decrease in service delivery, cheaper parts, and generally residents not getting value for money.

7. External support Clyst Honiton Parish Council

CHPC suddenly found itself without a Clerk/RFO due to a change of circumstances in their appointed Clerk which led to her resigning with immediate effect.

Having spent so much time earlier in the year putting their accounts in order, it was straightforward for us to do their year-end and organise their internal audit; this has been carried out (clean audit, no actions arising) and all documents for their Annual Return have been submitted to the external auditor. We have advised them on their recruitment process. Janine (Cranbrook Clerk) has also been supporting them, and she clerked their annual meeting in May.

Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs. Applications have been very few in number and it is possible the parish will appoint a trainee. Should this be the case it may be that we continue to hold their accounts during the training period. This would need to be done under a formal agreement to meet statute².

In terms of time input, now the accounts are in good order this work would be no more than one day per month in total, including preparation of a monthly finance report to Council.

¹ <http://www.dailymail.co.uk/property/article-3480702/Homeowners-pay-2-800-year-average-property-management-charges-new-flats.html>

² <http://www.legislation.gov.uk/ukpga/1972/70>

8. Village Parking

I asked EDDC for advice about the legislation around parking in residential but otherwise unrestricted areas. This was the response from the Parking Services Team Leader

“I have been searching through various bits of legislation to try and find any information that might be of help to you.

Unfortunately I think I am going to be of limited help to you, if we could go back 3 years when EDDC did on street enforcement I could have at least arranged for our CEO's to be in the area when the problem is particularly bad. We have done this in the past when there have been issues especially in Clyst St Mary and to a lesser degree in Newton Poppleford.

I could send you information from the 2004 Traffic Management Act but it would be of limited help as you really need to get some assistance from DCC. They may be able to provide a presence to “educate” people or another option would be to introduce some parking places orders to enable enforcement such as yellow lines/keep clear markings or resident parking only. I am not sure how willing they would be to do the latter due to the costs and legislation involved though.

I'm sure you already have contact details but just in case they are customer@devon.gov.uk or cscroads@devon.gov.uk and the tel number is 0345 155 1004 .

Do you have a PCSO in your area, could they get involved? I know that the PCSO in Ottery St Mary is quite often at the primary school at the busy times. My apologies that I cannot be of more help,. “

I rang that number and asked the same question of DCC who stated they have no public information sheets they could let us have and advised we contact the Neighbourhood Highways Officer. She in turn said parking was not really her area of expertise – and passed me back to EDDC... This is as far as I have got with my investigation as it was becoming frustratingly unclear that I was simply being passed from one authority to another without gaining any further clarification as to who can help with what.

On Tuesday 30th May I received a call from a visitor who had rented a property in Town End over the bank holiday weekend and wanted to report his concern about the aggressive conduct of the “Parish Council's Neighborhood Watch Chairman”. After expressing sincere regret that the visitors had been subjected to a distressing experience whilst visiting the village, I stated that the Parish Council does not have a Neighbourhood Watch group and that any interaction between the visiting party and a resident was neither associated with nor endorsed by the Parish Council. I further advised that if the visitor felt any member of his party wished to pursue this matter further it should be reported to the Police as the Parish Council has no jurisdiction over car parking on the public highway or control over individual residents who are not acting with delegation from the Council.

9. Community Sporting Champion

The Parish Council received the following email from EDDC on 24th May:

“The Chairman, Councillor Andrew Moulding, will be holding a garden party at the Knowle starting at 3pm on 16 July.

The Chairman would like to invite sporting champions from all over the district of East Devon to attend the party as a way of thanking them for their contribution to their local community. A sporting champion could be a volunteer referee, umpire, score keeper, coach or something else along these lines.”

We are extremely fortunate in Broadclyst to have many people working tirelessly behind the scenes for the benefit of sporting activities however the one nominee who immediately came to mind for this recognition and that's Vicky Carnell from Tornadoes Netball Club. Vicky has done a lot of work entirely off her own back to start and run a netball club in Broadclyst, and its numbers are growing weekly. The

Parish Council has supported her efforts by way of a grant in 2016/17 towards the cost of training sessions with a professional coach and in 2017/18 towards the cost of equipment for the Club. Vicky has been a pleasure to support and work with and would be a worthy recipient of this recognition.

Recommendation:

- to acknowledge the tremendous effort of all who give their time and efforts to further sporting provision in the parish;
- to resolve that Vicky Carnell be nominated as Broadclyst Sports Community Champion for her work with Tornados Netball Club

10. Commercial waste collection – Pavilions

The bins at the pavilions take the waste from public rubbish bins on the recreation ground and by the public toilets as well as from the Pavilions facility itself. Bin bags are dumped intact into landfill as collected from each bin; Council does not have suitable facilities for its staff to sort through rubbish bags to separate waste for recycling.

The current waste collection arrangements are: 4 x 180l black wheelie bins, collected fortnightly in line with domestic collection schedule. The bins are always full at the end of a fortnight and so when moving to 3 weekly collections there will be insufficient capacity to continue as we are.

The current cost is £584 per annum.

Alternative solutions have been considered by the Clerk, Administrator, and handyman, and quotes sought in accordance with Council's adopted financial regulations.

The options are recorded in the table below, with the most cost-effective and suitable solution indicated by the yellow highlighted line.

Broadclyst Parish Council								
Waste Management								
Required capacity is at least 360 litres per week								
			Total	Per week	Cost	Quoted		
	Size bin (litres)	Qty	Capacity	capacity	Per unit	Total cost	Serviced	Notes
Existing	180	4	720	360	146	584	Fortnightly	Paid 17/18
Alternatives	240	5	1200	400	209	1045	Three-weekly	
	660	2	1320	440	397	794	Three-weekly	
Supplier 1	1100	1	1100	367	580	580	Three-weekly	Existing supplier
Supplier 2	1100	1	1100	367	728	728	Three-weekly	
Supplier 3	1100	1	1100	367	682	682	Three-weekly	

Figure 1: comparison chart between bin sizes, capacity and cost

Recycling of waste from within the Pavilions by user groups / casual hirers will continue to be encouraged; an additional green recycling box has been ordered FOC.

The 1100l bins hold approx. 22 bags of rubbish and are 1.07m deep by 1.24m wide, standing approx. 1.33m high.



Figure 2: Illustrational comparison between bin sizes

Risk Management: Financial Impact

There is no financial impact for changing to a 1100l bin from Council's existing supplier, with the annual cost dropping slightly by £4 (gross). As there is no financial impact and the bill for 2017/18 has already been paid, this order for this change has been progressed under Officer delegation.

Recommendation: to note that the order has been raised to swap 4 x 180l wheelie bins for 1 x 1100l bulk bin. This will be done during wk./com 12th June, which is changeover week to the new collection schedules.

This concludes my report to Council.

Angie Hurren, MILCM.

31 May 2017