

Shobrooke Parish Council

Notice of Meeting of Parish Council

Dear Councillors

I hereby give notice that a meeting of the above named Parish Council will be held in the Shobrooke Village Hall on Tuesday 10 January 2017 at **7.30pm**.

All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the Business to be transacted at the meeting set out hereunder.

Dated this 5 January 2017

Signed



Clerk to the Parish Council

Jane Hole

shobrookepc@outlook.com

01392 851148

Business to be Transacted Public Participation

Members of the public are invited to give their views and ask questions on issues on this agenda or to raise issues for future consideration by the Parish Council. Limited to 15 minutes.

Formal Business

(Members of the public may not take part in the formal business of the Parish Council except under special circumstances)

01/01/17 Apologies

To receive apologies

02/01/17 Declaration of Interest

2.1 Register of Interests (ROI). Councillors to update as required

2.2 Personal Interests (PI). Councillors must declare any personal interest in items on the agenda and their nature.

2.3 Disclosable Pecuniary interest (DPI). Councillors must declare any pecuniary interest in items on the agenda and their nature and they must leave the meeting for that agenda item.

03/01/17 Minutes of the last meeting held on Tuesday 13 December 2016 (previously circulated)

To be agreed and signed as a true record

04/01/17 Mid Devon District Council

4.1 Planning Applications:

None

4.2 Planning Decisions:

16/01776/FULL- Erection of extension to umbrella roof over existing open cattle yard at West Raddon Farm, Shobrooke – grant permission

16/01042/FULL- Erection of stable block and sand arena for use by an equestrian business at Efford, Shobrooke – grant permission with conditions

4.3 To note the Local Plan Review Proposed Submission (incorporating proposed modifications) and Revised Community Infrastructure Levy (CIL) Draft Charging Schedule Consultation (e-mail with further details circulated separately)

05/01/17 Road and Footpaths

5.1 Outstanding Road and Footpath issues (list attached)

5.2 New issues identified

5.3 To note DCC Highways have established a Community Highways Fund – further details in separate e-mail

5.4 To note response from DCC Footpaths re accidents/injury on P3 paths and to consider if any actions are necessary (response attached)

06/01/17 Finance

- 6.1 To approve signatures for this month's cheques
 6.2 Parish Council Payments Current Account:

Item	Payee	Purpose	Amount £
6.2.1	Eakers*	Materials for bus shelter and noticeboard	49.79
6.2.2	J Hole	Salary and expenses incl McAfee antivirus (£89.00)	231.77
			£2,81.56

(* or Jewsons at £41.93 but a large car/van will be needed to collect the noticeboard material)

- 6.3 Parish Council Payments received:

Item	Payee	Purpose	Amount £
6.3.1	HMRC	VAT Refund	1,192.80
			£1,192.80

- 6.4 Balances:

- 6.4a Parish Council Current Account balance: £3,882.55
 6.4b Parish Council Footpath balance (in above current account figure): £1,271.06
 6.4c Parish Council Reserve Account balance: £3,386.35

- 6.5 Financial Statement and Budget Monitor – attached for Cllrs

- 6.6 To agree purchase of bench for bus shelter. Mole Avon can supply a bench for £140.00 incl. VAT

- 6.7 To consider grant to Crediton Community Transport for £100.00 – financial details will be forwarded when available

- 6.8 To agree precept for 2017/18

07/01/17 Matters raised by the Chair

None

08/01/17 Councillor's Reports

- 8.1 To consider any Councillor reports for areas of responsibility

09/01/17 Clerk's Report

- 9.1 Local Council Award Scheme – to note that the application for Foundation award has been submitted
 9.2 To note the Clerk has passed the Certificate in Local Council Administration (CiLCA)

10/01/17 Parish Council

- 10.1 Playing Field
 10.1a To consider latest Inspection Report
 10.1b To consider a self-closing hinge for the playing field gate - £80.00 maximum cost if no existing fitting can be reused
 10.2 Update on outstanding painting to bus shelter and provision of noticeboard – payment required at time of collection of materials.
 10.3 To agree if a litter pick should take place – there is one volunteer to date.

11/01/17 Miscellaneous Correspondence

A list will be available at the meeting

12/01/17 Minor Matters and Items for Future Agenda

Each Councillor is requested to use this opportunity to report minor matters of information not included elsewhere on the agenda and to raise items for future agendas. Councillors are respectfully reminded that this is not an opportunity for debate or decision making.

- 13/01/17 Date of next meeting: Tuesday 14 February 2017 in the Village Hall at 7.30 pm.**

End of formal business

This Notice must be left at or sent to the usual place of residence of every member of the Council, three clear days at least before the meeting.

Agenda Item 5.1

Outstanding issues for Roads and Footpaths

- I. Blocked drains at Exeter Hill/ Exeter Hill Cross towards Shobrooke, Raddon Top to West Raddon, road by Rew Cross, Efford, outside Setters and Church lane - reported to DCC
- II. Poor road surface by church and Zephyr– reported to DCC
- III. Broken gate closer on Footpath 57 – Footpath Warden to action
- IV. Broken directional sign at Normansland – £50.35 plus VAT. A locality grant application has been made to Cllr M Squires
- V. Backfilling of steps on FP15 and 17 - Footpath Warden to action
- VI. Wire mesh for bridge on FP19 - Footpath Warden to action
- VII. Wire mesh on the top of the step boards on FP14 and FP15 – Footpath Warden to action

Agenda Item 5.4

Response from DCC Footpaths re accidents/injury on footpaths

If someone is injured on a right of way we need to clarify how the accident was caused i.e.

- Through poor maintenance
- As a result of a contractor's actions when completing a project
- As a result of a volunteer's actions
- Self-inflicted through working on a path as a volunteer

Please note: There is no case for a claim if someone is injured through tripping over a tree root; that would be considered a natural hazard of walking in the countryside.

- If the parish council employ a contractor and the accident was investigated and deemed the result of defective workmanship or poor practice, then it would be the contractor who is responsible and it would be a matter for their insurance to deal with.
- If the parish council work with local volunteers and the accident was investigated and deemed the result of defective workmanship or poor practice, then it would be the parish council who is responsible and it would be a matter for their insurance to deal with. This would also apply if a stone were to go through a window when the volunteer was using a strimmer.
- If the County Council employs a contractor and the accident was investigated and deemed the result of defective workmanship or poor practice, then it would be the contractor who is responsible and it would be a matter for their insurance to deal with. The injured party might bring a case against DCC in the first instance and then we would seek to make a claim against the contractor.
- If a structure collapses i.e. a stile or a gate when being used by a member of the public or they are chased and injured by cattle, then it is the landowner that is deemed responsible and it will be up to the damaged party to make a claim against them.
- If a volunteer is hurt as a result of their own actions whilst working on a right of way it is up to the volunteer to make a claim on their own personal insurance. However, if a volunteer is hurt as a result of their own actions there may be a possible claim against their 'employer' (Parish Council/County Council) **IF** the injury was caused as a result of failure to provide protective gear/tuition on how to use equipment etc.

If the County Council does not undertake a regular maintenance programme i.e. replace torn chicken wire on a bridge, then it would be the County Council who are responsible and it would be a matter for their insurance to deal with. Our wardens walk paths on a 2-year programme and defects are picked up at that time. We are so grateful to P3 groups because the annual survey can often pick up concerns before they become dangerous to members of the public i.e. holes in the surface of paths or very slippery bridges etc.

Insurance is a complex area. As a rule of thumb always make sure the contractor who is employed to do a job always undertakes a risk assessment and can show valid certificates of insurance (£5m absolute minimum Public Liability Insurance). I know people find this a 'faff' but if something does go wrong (which it does from time to time – there is plenty of YouTube evidence out there) then at least the matter can be dealt with quickly and efficiently with least embarrassment for all concerned.

Shobrooke Parish Council

Financial Statement and Budget Monitor 2016/17

Income/transfer

Current Account	Income
Opening balance (cf from 15/16)	£2,417.39
Precept	£5,000.00
Council Tax Reduction grant	
PROW grant	£1,000.00
VAT Refund	£1,192.80
Transfer from Depost Account	£2,400.00
Locality grant	£135.00
	£12,145.19

Expenditure as at 10.01.17

Item	Budget	Spend to date	Balance	15/16 spend
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Grants	Parish Council Grants	£630.00	£430.00	£200.00	£1,530.00
	Churchyard	£430.00	£430.00	£0.00	£430.00
	Village Hall	£0.00	£0.00	£0.00	£1,000.00
	Community Transport	£100.00	£0.00	£100.00	£100.00
	Other organisations	£100.00	£0.00	£100.00	£0.00

Admin & running costs	Total Admin & running costs	£2,707.00	£2,177.35	£529.65	£2,788.49
	Audit fees	£35.00	£0.00	£35.00	£32.95
	Election	£0.00	£0.00	£0.00	£147.35
	Expenses	£80.00	£84.39	£-4.39	£55.51
	<i>Clerk's Expenses</i>	£80.00	£59.39	£20.61	£55.51
	<i>Other Expenses</i>	£0.00	£25.00	£-25.00	£0.00
	Payroll incl PAYE	£1,994.00	£1,479.15	£514.85	£1,900.33
	Training (inc. ref materials)	£100.00	£60.00	£40.00	£181.70
	<i>Training Clerk's</i>	£50.00	£0.00	£50.00	£144.00
	<i>Training Councillors</i>	£50.00	£60.00	£-10.00	£37.70
	Fees and Subscriptions	£160.00	£215.96	£-55.96	£153.30
	Room Expenses	£60.00	£72.00	£-12.00	£60.00
	Insurance	£278.00	£265.85	£12.15	£257.35
	Publications	£0.00	£0.00	£0.00	£0.00
Newsletter	£0.00	£0.00	£0.00	£0.00	

Repairs & maint.	Total Repairs & Maintenance	£6,082.46	£5,655.29	£427.17	£2,871.95
	Grass cutting in play park	£700.00	£700.00	£0.00	£700.00
	Playground inspections	£100.00	£105.00	£-5.00	£96.00
	General Maintenance	£150.00	£196.71	£-46.71	£278.40
	Allotment rent	£0.00	£0.00	£0.00	£0.00
	Signs	£50.00	£146.46	£-96.46	£26.00
	Footpaths (not P3)	£200.00	£240.00	£-40.00	£186.00
	P3 Footpaths	£882.46	£833.13	£49.33	£1,585.55
	Playground fencing	£4,000.00	£3,433.99	£566.01	£0.00

Misc	Other expenses	£400.00	£0.00	£400.00	£2,474.43
	PC equipment	£0.00	£0.00	£0.00	£449.98
	War memorial	£0.00	£0.00	£0.00	£1,640.40
	Non budgeted expenditure	£200.00	£0.00	£200.00	£384.05
	Emergency spending	£200.00	£0.00	£200.00	£0.00

Totals:	£9,819.46	£8,262.64	£1,556.82	£9,664.87
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Current Account 10.01.17

Total income YTD	£12,145.19
Withdrawn	£5,462.02
Less O/S Cheques	£2,800.62
Balance (incl Footpath):	£3,882.55

Footpath account: **£1,271.06**

Reserve Balance **£3,386.35**

P3 Path	
Grant received 12/13	£340.00
Grant received 13/14	£350.00
Grant received 14/15	£200.00
PC top up 15/16	£0.00
Additional funds 15/16	£500.00
Grant received 15/16	£1,500.00
Grant received 16/17	£1,000.00
Total income	£3,890.00
VAT reclaimed to date	£523.91
Income plus VAT	£4,413.91
Expenditure	£3,142.85
Balance	£1,271.06
VAT to be re-claimed	£0.00

Shobrooke Parish Council

Clerks wages and expenses breakdown

January 2017

Salary for December	13 hours' x £9.647	£125.41
	Additional hours 0.00 x 9.647	£ 0.00
		£125.41

Expenses

Item	Quantity	Charge
Home office allowance*		£ 6.00
Envelopes 2p each	5	£ 0.10
2 nd class stamp (55p)	5	£ 2.75
Printing 4p per sheet	38 sheets	£ 1.52
Antivirus protection for 2 years		£89.99

* Shobrooke portion of 50/50 split with NSC

Expenses sub-total **£106.36**

Total **£231.77**