

Beer Parish Council

The Parish Council Meeting was held on **Wednesday 12 January 2022, 7.30pm** at the Mariners' Hall. Copies of minutes and reports are available on request.

Present: Cllr. G Pook (Chairman) Cllr. D Clinch Cllr. R Dormor Cllr. E Molony
Cllr. M Graham Cllr. T Stevens Cllr. L Vine

In attendance: Annie Dallaway (Clerk), Kayleigh Westlake (Events Coordinator), Cllr Marcus Hartnell (DCC)

1. Apologies accepted by the Council: None received.

2. Members to declare any interests they may have in agenda items: Cllr Stevens declared a pecuniary interest in agenda item 9.3 (F&GP mins 5.1) as he is a parking permit holder at The Meadows.

3. Items to be dealt with after the public, including the press have been excluded: There were none.

4. Co-option of one Casual Vacancy

Four applications have been received for the co-option of one casual vacancy at the January meeting: Peter Anderson, James Green, John Heath and Brian Potter.

The Clerk circulated paper ballot forms with the names of the four candidates and advised that all councillors had one vote.

The candidate with the most votes was James Green who was duly elected onto the Parish Council.

A Declaration of Acceptance of Office was made available and signed at the end of the meeting.

A member of the public, Mr Martin Shobbrook interrupted the meeting proceedings to query why only one casual vacancy was being co-opted at the January meeting. The Chairman explained the co-option process.

There are currently four casual vacancies resulting from one resignation in October and three resignations in November. As the council was notified of the resignations on different dates, the vacancies were advertised with different time scales.

When a casual vacancy arises the Parish Council notifies the Returning Officer at EDDC of the vacancy and a notice is posted to the electorate. This notice runs for 14 days from the date the notice is displayed and gives the electorate the opportunity to call for a by-election. All notices are displayed on the Parish Council noticeboard. If ten or more electors call for a by-election, then an election is organised by EDDC and further notices are posted informing interested persons of how to apply to enter as a candidate in the election. If an election is not called, the Parish Council is notified by EDDC to fill the vacancy by co-option as soon as possible.

The Parish Council is able to co-opt the vacancy from the October resignation at the January meeting, as EDDC has confirmed there is no requirement for a by-election. EDDC has not yet advised whether a by-election has been requested for the other three vacancies resulting from the November resignations. If no by-election is requested, the Parish Council will co-opt the remaining casual vacancies at the February meeting.

Mr Shobbrook also asserted that every Parish Council should have an election every four years and that Beer had not. The Chairman reported that Beer had held elections every four years but at recent elections there had been insufficient nominations to prompt a "contested" election. In this instance, those nominated are elected "uncontested" and the remainder of the vacancies are filled by co-option.

5. Public participation: There were seventeen members of the public in attendance at the meeting with one who wished to speak in the public session.

Peter Anderson, on behalf of Friends of Beer, raised the following points:

- The Chairman of the Council is dual hatted during asset transfer negotiations – BPC councillor and EDDC Ward Member/Asset Management Forum member. On this basis, there is a conflict of interest and the Chairman of the Council should not be the lead BPC member for the asset transfer project. The Chairman should step aside and let the Vice-Chair take over.
Cllr Pook clarified that he had not been on the EDDC Asset Management Forum since May 2020.
- The draft Heads of Terms contains a reference to the Parish Council taking on “a not insignificant risk” with the asset transfer. Mr Anderson wished to stress that this was an unacceptable level of risk for the community of Beer.
- It has previously been suggested that the precept could be raised in the future to help towards any funding shortfall. Mr Anderson expressed concern about this course of action.
- More detailed financial information should be made available and the council should engage a qualified accountant to verify the financial information.

6. Police – to receive the report.

There was no report available from Devon & Cornwall Constabulary for December 2021.

7. Approval of minutes:

The minutes of the Parish Council Meeting held on the 8 December 2021 were reviewed.

Cllr Stevens queried item 17 (EDDC Asset Transfer report) which stated that the draft Service Level Agreement was being reviewed by the Parish Council. Cllr Stevens asserted that the SLA was not made available to Parish Councillors until after the meeting. Cllr Pook reported that the SLA had been sent direct to the Chairman of the Council in advance of the meeting and was circulated to all councillors after the meeting.

The minutes of the Parish Council Meeting held on 8 December 2021 were approved as an accurate record.

PROPOSED BY CLLR GRAHAM; SECONDED BY CLLR MOLONY. RESOLVED WITH MAJORITY IN FAVOUR. CLLR STEVENS VOTED AGAINST.

8. EDDC and DCC Cllr reports

DCC – no report available for January

EDDC – written report available

The EDDC Strategic Planning Committee met in December to review options for development in East Devon. The reference to a development in Beer does not have Local Planning Authority support and will not be included in the final Local Plan.

9. Financial report – all documents previously circulated

9.1 To approve the bank reconciliation to end December & receive Alpha software reports
Council noted that there is still a delay with the payment of the s106 funding from EDDC but the funding agreement is currently being processed by the EDDC Legal department.

9.2 To approve the schedule of payments for January 2022 in accordance with Appendix A.
Total payments of £1391.48 detailed on the schedule of payments. Additional payments requested of £40 for the ICO for the annual Data Protection Fee and £77 for EDDC for the event fee for the fireworks display on the beach (previously approved). Total payments of £1508.48 approved.

PROPOSED BY CLLR VINE; SECONDED BY CLLR DORMOR. RESOLVED. ALL IN FAVOUR.

9.3 To approve the minutes and the recommendations from the Finance & General Purposes Committee Meeting held on 14 December 2021
Review of fee income 2022/23 5.1 – 5.5.

PROPOSED BY CLLR VINE; SECONDED BY CLLR DORMOR. RESOLVED. ALL IN FAVOUR.

CLLR STEVENS DECLARED AN INTEREST AND DID NOT TAKE PART IN THE VOTE RE 5.1 AS HE IS A MEADOWS PARKING PERMIT HOLDER

Personnel issues 6.1 – 6.3

PROPOSED BY CLLR DORMOR; SECONDED BY CLLR CLINCH. RESOLVED. ALL IN FAVOUR.
Budget 2022/23/Review of Standing Orders/Financial Regs/Risk Management & Data Protection 7 – 10

A balanced budget was presented with a 5% increase in precept to provide sufficient allocation for employment costs.

PROPOSED BY CLLR CLINCH; SECONDED BY CLLR DORMOR. RESOLVED. ALL IN FAVOUR
9.4 To formally approve the precept figure for 2022/23

Council approved a 5% increase in precept: £25,335 with the individual band D house charge levied at £38.04 per year

PROPOSED BY CLLR CLINCH; SECONDED BY CLLR DORMOR. RESOLVED. ALL IN FAVOUR

10. Community Infrastructure Levy CIL – to receive an update re electrical installation on the Jubilee

An additional £3,194 has been received in CIL funding. Council has approved expenditure on the electrical installation on the Jubilee, for use by stall holders at events. Further research has indicated that the work is likely to cost less than £1K so the Electrical Term Contractor can undertake the work. **ACTION: CLLR POOK**

11. Parish Clerk recruitment – to receive an update

The Parish Clerk position was re-advertised on the DALC website, the Parish Council website/social media and on the Devon Jobs website. The council has received two applications and interviews will take place on 13 January. The Clerk's notice period expired at the end of December but the Clerk had previously agreed to stay on until the end of January and longer as necessary to support the transition and hand-over.

12. Parish Council website – to receive an update

The new website (compliant with the accessibility guidelines) has been commissioned with Vision ICT who will provide a link in due course for the council to view the new website and provide feedback.

13. Environment & Community portfolio report – to receive verbal report

13.1 Traffic/parking survey – to receive an update

The consultants have provided a preliminary report summarising recommendations and identifying potential traffic schemes and costings. A working group will be organised to review the report and feedback to council. Cllr Graham will convene the working group to include Cllr Pook, Cllr Stevens and new Cllr James Green. Cllr Marcus Hartnell will be invited to attend on behalf of DCC. Further community engagement and public consultation will take place once provisional recommendations are in place. **ACTION: CLLR GRAHAM**

14. Assets & Property portfolio report – to receive verbal report

The annual safety inspection is due at Ash Hill play park. Cllr Vine will organise an alternative quote. **ACTION: CLLR VINE**

15. EDDC Asset Transfer – to receive report and update re revised draft Heads of Terms

Cllr Pook provided a verbal report and advised that the revised draft Heads of Terms and the draft Service Level Agreement are still being reviewed by EDDC legal officers. Cllr Pook and Cllr Dormor met with EDDC officers in early January to discuss the draft SLA. Once the draft Heads of Terms has EDDC officer approval, it will be made public (on the Parish Council website) and the Parish Meeting will take place at least two weeks later. The Parish Council's solicitor will review all documents in advance of the Parish Meeting.

An informal meeting has been offered to the "Friends of Beer" in advance of the Parish Meeting in order to provide ample opportunity for questions.

Cllr Pook presented a draft PowerPoint presentation about the Asset Transfer in preparation for the Parish Meeting. Councillors were asked to provide feedback to help ensure clarity of presentation. Cllr Stevens queried whether it could be written into the final contract that assets could not be leased or disposed of without resident approval. Cllr Pook reported that he believed disposal of assets was covered in the Parish Council's existing Financial Regulations. The presentation is currently in draft form but will be available on the Parish Council website in due course.

16. Beer Community & Tourism Team – to receive verbal report

- Kayleigh Westlake reported that the Christmas Festive Fun Weekend 10-12 December and the NYE Firework Display on the beach had both been enormously successful and well attended. A total of £1583.78 was raised by donations. Kayleigh thanked the community and business representatives who offered help and support for the festive events.
- The next meeting of the BCTT will be 26 January – this will be an informal meeting to explore ideas regarding the Platinum Jubilee and potential grants. The Clerk advised that the Parish Council will need to give formal approval for any grant applications.

17. Planning – no Planning Committee Meetings have been held since the last council meeting.

18. Correspondence - as on Appendix B

There were no correspondence items for discussion.

19. Dates of next meeting:

February Full Council: Wednesday 9 February 2022, 7.30pm, Mariners' Hall (main hall)

Parish Meeting: tbc

NOTE: DATES OF MEETINGS MAY CHANGE SUBJECT TO COVID 19 STATUS

The meeting closed at 9.10pm.

Date:

Chairman: