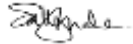


**Modbury Parish Council Meeting
Tuesday 24th October 2023, 7.00 pm**

To all Members of the Council

You are hereby summoned to attend the Meeting of Modbury Parish Council to be held on Tuesday 24th October 2023 at 7.00 p.m. in The Pavilion, QEII Recreation Field for the purpose of transacting the following business.



Sally Smale, Clerk to Modbury Parish Council

19th October 2023

AGENDA

Public Forum: Members of the public and press are welcome to attend

2023 111 Apologies: To receive apologies and to approve reasons for absence.

Devon Councillor's and District Councillor's Reports

2023 112 Declarations of pecuniary and other interests

Councillors are reminded of the need to update their register of interests within 28 days if there have been any changes to their circumstances.

2023 113 Minutes of Meetings 5th Sept. 2023

a) To approve the minutes (distributed previously)

Matters Arising:

- Air quality monitoring
- CCTV camera

2023 114 Finance

- a) To consider the payments as listed in Appendix 1
- b) To receive the Reconciliation
- c) To receive the notice of completion of audit, note the except for and other matters and resolve that special attention be given to these issues April 2024 in the light of the work that will be taking place to disaggregate MARS accounts from MPC:
 - *Except for the matters - The AGAR was not accurately completed before submission for review. The figures in Section 2, Boxes 8 of the prior year comparative column do not agree to the prior year final signed AGAR and insufficient evidence was provided in explanation when requested.*
 - *Other matters - The smaller authority has not provided an adequate explanation for the variance between the prior and current year values in Box 6 of Section 2.*
- d) To agree funding towards administrative support for the River Erme Councils - £1,200 per annum split between the six councils.

2023 115 Planning

1. To consider the following Planning applications:

- a) [3131/23/FUL](#) Mr James Francis Proposed new dwelling Development Site At Sx 657 516 Back Street Modbury
- b) [3209/23/HHO](#) Mr And Mrs Brown Householder application for re-roofing of existing rear lean to, replacement rainwater goods, re-decoration of external walls & incorporation of inline slate vents to roof The Green Palm Cross Modbury PL21 0QZ
- c) [2906/23/HHO](#) Mr & Mrs Edward & Alison Holt Householder application for windows & roof replacement Roslin Cottage Back Street Modbury PL21 0RF
- d) [3188/23/FUL](#) and [3189/23/LBC](#) Listed Building Consent for conversion of agricultural stone barns to one dwelling & one holiday let with associated works, landscaping & new outbuilding/garage Land At Sx 655 505 Modbury

2. To note decisions made by SHDC (See Appendix 4)

3. To agree Cllr Turner as lead for planning matters.

4. To consider the concerns raised regarding works on the trees and fields adjoining Kennel Lane and agree any action

5. To agree the response to The Devon Housing Commission consultation prepared by Cllr Price

2023 116 Highways

1. To receive an update from the meeting with DCC Highways to consider the pedestrian crossing on Church Street
2. To consider the establishment of a [Community Speedwatch](#) initiative in Modbury
3. To agree responsibility for downloading data from the VAS camera on Barracks Road

2023 117 Maintenance

1. To receive the minutes from the last Committee meeting
 - a) To agree the appointment of the maintenance operative for 2 days a month regular work (£4850 per annum) and for occasional work as needed
 - b) To agree the appointment of the consultants to provide a costed feasibility study of highway solutions for priority areas in Modbury - £4823 +VAT
 - c) To agree that the urgent (1 month) and priority (6 months) work highlighted in the recent tree survey be done and that, in the light of the urgency of the work, the decision on contractor be delegated to The Chair of Maintenance and Clerk on receipt of 3 quotations

2023 118 MARS

1. To agree progressing the work to establish MARS as a Charitable Incorporated Organisation (CIO)
 - Council to be the sole corporate trustee
 - Council to appoint a management committee to run the CIO on a daily basis within the guidelines established by the Trustee
 - MPC to appoint and be responsible for the costs of the continued work of the internal auditor to do the preparation work, the Solicitors to complete the legal aspects of the work and Rialtas to support the work of disaggregating the accounts.
2. To agree that MARS acts as a defacto charity as from 1st November 2023:
A de facto charity is not a legally recognized charity, but it operates as one in practice. It is an organisation that provides charitable services or goods to the public, but it has not registered with the appropriate regulatory body to become a legal charity
3. To agree that the current Management Committee act on behalf of the Charity but do not hold Trustee responsibilities
4. To receive the minutes from the last committee meeting
5. To note that the bonfire and firework event organised by the MARS Committee will take place on Sunday 5th November at The Recreation Field.
6. To agree the "Licence to Occupy" for the Tennis Club

2023 119 South West Water

1. To receive feedback from the meeting held between SWW, DCC, MPC and Modbury Traders.

2023 120 Assets

1. Allotments
 - a) To agree the submission of an expression of interest to purchase the land holding the Church Lane allotments under the Asset of Community Value regulations
 - b) To agree to the quote for £300 + Vat for the evaluation of the allotment land to inform Council's decision on price
2. Removal of the telephone box on Poundwell Street
To consider the adoption of the box as a council asset

2023 121 Committees, Sub-committees and Working Groups: To receive updates (If any) from Committees, sub-committees, working Groups not dealt with earlier.

2023 122 Correspondence Received:

Copy of communication regarding the hedgerow along Scalders Lane

2023 122 To agree the Saturday Rota:

| | |
|---------------|---------------|
| 21st October | Barbara Price |
| 28th October | Phil Smith |
| 4th November | Dave Trigger |
| 11th November | Ann Turner |
| 18th November | Sarah Wyatt |