

Minutes for Luppitt Parish Council 5/8/08

LUPPITT PARISH COUNCIL

Minutes for a meeting of **Luppitt Parish Council** to be held in the Village Hall at **8pm on Tuesday 5th August 2008**.

Present: Mr Gavin Brake (Chairman), Mrs Julia Sparks, Messrs Derek Hooper, Bernard Clapp, Andrew Tucker,

Brian Pulman, District Councillor Mr D Key, PC Vickery 4783, and members of the public.

Apologies: Mrs Lindsey Dalgety (Vice Chairman), Paul Prettejohn, County Councillor Mr Roger Boote, PCSO Anning 30012

All councillors are politely reminded of their obligation to declare interests under the Code of Conduct

In making decisions the Parish Council recognise their statutory duties provided for in Section 11A(2) of the National Parks and Access to the Countryside Act 1949 (National Parks) and Section 85 of the Countryside and Rights of Way Act 2000 (AONBs) that in exercising or performing any functions in relation to, or so as to affect, land, they shall have regard to their purposes (ie conserve and enhance their natural beauty, wildlife and cultural heritage and to promote opportunities for the understanding and enjoyment of their special qualities by the public).

1 Minutes of the previous meeting held in the Village Hall **on Tuesday 1st July, 2008** were signed as a correct record of that meeting. AGREED.

1.2 Receive apologies for absence. AS ABOVE.

2 PLANNING

1. Decisions (for information)

08/1420/FUL Windsor Farm – permission granted for agricultural building for storage of hay and straw

08/0459/LBC Woodhayes Farm - permission granted for conversion of farm building to office and holiday letting annexe and replacement store extension to farmhouse.

2. Applications (for recommendation)

08/1658/LBC Palmerhayes Farm – alterations to workshop and construction of terrace.

Recommendation: Approval. However the addition of a shower cubicle raises some concern as this is an office building about the future use of the building and we would like a condition placed that the building may not be used as a separate dwelling or let as a separate entity.

08/1605/FUL Palmerhayes Farm – alterations to workshop and construction of terrace.

Recommendation: Approval. However the addition of a shower cubicle raises some concern as this is an office building about the future use of the building and we would like a condition placed that the building may not be used as a separate dwelling or let as a separate entity.

2.3 Enforcement

Land adjacent Catkins – further letter confirming caravan has been removed and that land may only be used for agricultural purposes unless planning permission is sought for alternative uses. Furthermore the area of land which is being cut with a lawn mower and has been planted with non native species of trees is classed as domesticating land which would need permission and should therefore be stopped. What is permitted under the Caravan Sites and Control of Development Act 1960 is parking of one caravan for not more than two consecutive nights, for no more than a total of 28 days in the year. The Chairman praised Enforcement for their swift access

3. HIGHWAYS AND TRAFFIC

1. Map of highways issues in the parish as raised at the last meeting and as part of the parish plan have been sent to Paul Wilson and a meeting with Steve Tucker is to be arranged (hopefully at or by the next meeting).
2. Please be advised that we are applying to close the road between The Dipsy Doodle and Dolish Farm, Luppitt from 12/11/08 – 16/11/08 to carry out some enabling works. Any queries please call the helpline on 0800 169 11 44 quoting 2362502 Jessica Tait, Balfour Beatty Utility Solutions Streetworks Coordinator
3. A list of uncut hedges causing highway safety issues was made and the Chairman and other councillors are making personal approaches in most cases to ask for cutting back. Those which have already received letters in the past and taken no action will be put forward to highways for official notices.

4. FOOTPATHS AND BRIDLEWAYS

1. Footpaths and Rights of Way review – Cutting has been done and some new signs have been put up. Paul McFadden is to raise awareness locally on the dangers of cut bracken for cows as a precaution. A circular riding route of 14 miles through Luppitt and new directional signs are being put up, this has also raised some issues where ditching and other works have been carried out, DCC are carrying out works for the new route and have not been sensitive to tree welfare or SSSI and Higher Level Stewardship status of land in some cases. Chair is to write to DCC Highways and express dissatisfaction that the Parish Council and landowners have not been contacted at all prior to works taking place.
2. Proposed diversion of footpaths 23 & 24 Luppitt and footpath 3 Upottery. Devon County Council proposes the diversion of these paths to enable re-siting of a footbridge crossing the Otter. The current footbridge has reached a condition where it needs replacing within 12 months. The western abutments of the footbridge are standing on ground that due to erosion is likely to be washed away in years to come and an alternative site for the bridge has been agreed with landowners approximately 30 metres upstream. Footpath 3 Upottery has been out of use for some years and access to the current footbridge is blocked by a hedge, instead access is gained by a proceeding along the highway. The very minor diversion on footpath 24 is to bring the definitive map into line with the route taken by users.
3. Mrs Sparks attended the Public Enquiry regarding the footpaths being challenged at Offwell to see what lessons could be learned in the light of Luppitts many challenged paths. There was much emphasis put on recording living memory and also on the specific use of the path (use by children to get to school, work, posty paths and other local uses as opposed to the wider general public use carry different weight). Permissive paths are quite different to other classes of paths and just as a path was used by parishioners would not necessarily mean it was open to all and sundry. It was discussed whether the Parish Council, local history group or

the Commoners should lead a campaign to record living memories of any parish paths, their uses and existence and keep these as a public resource for years to come. Clerk to request a copy of all the evidence for each path being contested in the parish.

5. ENVIRONMENT

6 COMMUNITY FACILITIES

6.1 **Community policing report** – two crimes on the night of Luppitt Madness, one criminal damage to vehicle where a car had been moved twice into the road and bumper damaged and a theft of wooden house sign.

6.2 **Playgrounds** – work to lower step of slide has now been completed.

3. **Parish plan** – no report given

6.4 Draft Proposal for a Unitary Government for Devon. On the 7th July 2008 the Government published their draft proposal on which comments are now invited. The proposal is for a Devon Unitary Authority comprising the existing County with no changes to Plymouth or Torbay. The full draft can be seen at <http://www.electoralcommission.org.uk/boundary-reviews/all-reviews/south-west/devon/devon-structural-review>

Representations can be made by email via the above link or in writing to the Review Officer, Devon review, The Boundary Committee for England, Trevelyan House, Great Peter Street, London, SW1P 2HW.

6.5 EDDC letter received from Mark Williams offering attendance at a meeting to discuss the above if required.

6.6 Dog Control Orders consultation – Luppitt Parish Council are asked whether they would endorse dog bans in the Children's Play Area and on the Sports Field. It was agreed that precluding dogs from any area in the parish would not be acceptable.

7 FINANCE

7.1 **Receipts** – HMCE (VAT refund 2007-8) £1650.31

7.2 **Cheque payments** - none

(Cheques for agreement).

Account balances - at 1/8/08 Paths Account £817.85

Parish Account £2556.83

2. Clerk to close old Lloyds Village Hall Trustees Account. For agreement.

3. Letter from Mr John Sage, he has now completed logging all meetings in the third minute book and the clerk is to

collect and deposit all at the Devon Records Office. Mr Sage thanks the Parish Council for allowing him the use of the book

2. Life Long Learning Network – Parish Councillors training needs survey conference – 11th September 2008

Newton Abbot Racecourse 10am – 4pm

7. CHAIRMANS DISCRETION

1. **EDDC Annual Parish Councils meeting** Wednesday 27th August 2008 at 6pm ? (Possibly). Two councillors

may attend. Mr Brake will be attending if he is available.

8.2 A lady has requested that the trees at the playground be trimmed. Agreed that the hedge should be laid and Mr Tucker was authorised to carry out the work in November.

QUESTIONS FROM THE PUBLIC (The meeting to be closed before questions from the public). none

Dates for next meetings –

8pm Tuesday 2nd September 2008 Luppitt Village Hall

8pm Tuesday 7th October 2008 Luppitt Village Hall
8pm Tuesday 4th November 2008 Luppitt Village Hall
8pm Tuesday 2nd December 2008 Luppitt Village Hall

This month's useful information....
Section 137 of the Local Government Act 1972 – so what's that about then?
The Parish Council has the power to raise funds for the community and spend this public money on their behalf. There are a range of Powers and Duties under which spending is covered by various Government Acts, but if the council wishes to fund something which falls outside these granted powers and duties this can still be done under 'Section 137 LGA 1972', which allows the parish a maximum of £5.36p per elector (in 2007/8) to fund things that are deemed by the parish council as beneficial to the parishioners.
There are approximately 364 electors in Luppitt – that's up to £1951.04 per annum which the parish council could budget to spend on special projects each year!
Why not ask the parish council if you have an idea for a parish project which could be enabled by special parish council funding? Call Gavin Brake 01404 892767 or Tracey Bell 01823 681138