

LUPPITT PARISH COUNCIL

Minutes for the Annual General Meeting of **Luppitt Parish Council** held in the Village Hall at **7pm on Tuesday 12th May 2009**.

Present: Mr Gavin Brake (Chairman), Mrs Lindsey Dalgety (Vice Chairman), Mrs Julia Sparks, Messrs Derek Hooper, Bernard Clapp, Brian Pulman, Paul Prettejohn, County Councillor Roger Boote, PCSO Anning 3001 and 12 members of the public.

Apologies: Mrs Joan Beckett, Cllrs Andrew Tucker &, PC Vickery 4783 and District Councillor David Key.

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).

- 1.1 **Cllr Boote took the chair for the nomination of chairman and officers –**
Chairman – Gavin Brake was nominated, this was unanimously agreed and he accepted the post.
Vice Chairman – Lindsey Dalgety was nominated, this was unanimously agreed and she accepted the post.
- 1.2 **Minutes** of the previous meeting held in the Village Hall on Tuesday 7th April 2009 were signed as a correct record of that meeting. Agreed.
- 1.3 **Receive apologies for absence AS ABOVE**
- 2 **PLANNING** http://planning.eastdevon.gov.uk/PublicAccess/tdc/DcApplication/application_searchform.aspx for full details
- 2.1 **Decisions** (for information)
09/0476/LBC Palmerhayes Farm – permission granted for replacement of internal hardboard doors and ceramic tile window sills with natural oak.
- 2.2 **Applications** (For comment, support or objection)
- 2.2.1 09/0846/RES Dolish Farm – erection of agricultural workers dwelling – Mr Pulman declared an interest and left the room while the application was discussed and voted on, Mr Clapp declared an interest and abstained from the vote. COMMENTS; The Parish Council have no objections to this application.
- 2.3 **Planning Aid** – training sessions and advice for communities
- 2.4 **Changes to the planning appeals process** – from 6th April 2009 there will be ‘Householder Appeals Service’ to fast track appeals by written representation. The changes to the service are as follows: The time limit to the appeal has been reduced from 6 month to 12 weeks, there will be no right by third parties to comment at the appeal stage (although any representations made at the application stage will be considered), no further written statement can be sent at the appeal stage with the report, policies and associated documents forming the councils case. All fast track Householder Appeals must be submitted in electronic format, the inspector will visit the site alone, with the appellants only present if it is necessary to gain access. For information.
- 3 **HIGHWAYS AND TRAFFIC**
- 3.1 Map of highways issues in the parish – report on progress
- 3.2 **Letter from the Leader of the Devon County Council Brian Greenslade regarding highway maintenance** – the DCC budget for 2009/10 includes a 6% increase for general highway spending (£59m) this included a further £1million for improving drainage capacity at badly affected spots. After this terrible winter a further £2million was allotted to ensuring winter weather damage is made safe. The total will then be £61m a total increase of just over 9.5%. For information.
- 3.3 **Issues to report:** classification of roads and the link to highway maintenance budget was discussed in relation to School Lane, householders to check their records for how the road was brought up to standard for adoption and what DCC promised to do once it was brought up to standard. Also to investigate the possibility of a higher classification since it now serves more habitable dwellings than at the time of original classification.
- 3.3.1 **FOOTPATHS AND BRIDLEWAYS**
- 3.4 At the last commoners meeting it was agreed that the section of track on the Commons from Hill End up to the Hartridge road will become a permissive bridleway. Signs will go up shortly. For information.
- 3.4.1 **ENVIRONMENT** nothing to report
- 6 **COMMUNITY FACILITIES**

Minutes for Luppitt Parish Council 12/5/09

- 6.1 **Community policing report** – given at annual parish meeting
- 6.2 **Parish plan** – given at annual parish meeting
- 6.3 **Emergency Plan** – model plan is available at http://www.devon.gov.uk/model_plan.pdf (for completion).

7 FINANCE

- 7.1 **Receipts** – additional P3 Grant £600.00
- 7.2 **Cheque payments** - Ken Abraham internal auditor 2009 £135.00
(Cheques agreed).
Account balances - at 1/5/09 P3 balance £1044.30 (not account balance)
Parish Account £6914.93
- 7.3 **Accounts** 2008-9 and Annual Statement of Governance was agreed (internal audit completed with no issues).
- 7.4 **VAT reclaim** of £285.35 was received for 2008-9. (for information)
- 7.5 A **new cabinet** was supplied for parish council records to be kept in the village hall, this will mean that all data is not kept at one abode and therefore split the risk of loss. Clerk to send a letter of thanks to MST Auctioneers who donated the cabinet and delivered it free of charge. Agreed.
- 7.6 **Equality and Human Rights** – Public sector duties – the forthcoming Equality Bill will harmonise the three public sector duties in to one equality duty, which will also be extended to cover seven equality strands (age, disability, gender. Gender identity. Race. Religion or belief and sexual orientation). These changes will not come into force until 2011. see www.equalityhumanrights.com/publicsectorduties for more details. For information.
- 7.7 **PAYE** - Clerk has revenues agreement under guidance EIM67320 (see www.hmrc.gov.uk) that as the clerk is working for several parish councils and that the pay is below the personal allowance that she can file any earnings together with her self employed tax return rather than register the parish council for PAYE. For agreement of the council. For consideration.

8 CHAIRMANS DISCRETION

- 8.1 Mrs Little of EDDC planning department has responded to Mr Brakes letter and is looking at the current system to ensure the same misunderstanding cannot arise again in the future.

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

Dates for next meetings –

8pm Tuesday 2 nd June 2009	Luppitt Village Hall
8pm Tuesday 7 th July 2009	Luppitt Village Hall
8pm Tuesday 4 th August 2009	Luppitt Village Hall
8pm Tuesday 1 st September 2009	Luppitt Village Hall
8pm Tuesday 6 th October 2009	Luppitt Village Hall
8pm Tuesday 3 rd November 2009	Luppitt Village Hall
8pm Tuesday 1 st December 2009	Luppitt Village Hall

This months useful information....

What's the Annual Parish Meeting then???

Its that confusing time of year again where the parish council have an Annual General Meeting – that's a normal parish council meeting with an added extra to vote in a chairman and vice chairman, plus we also call the Annual Parish Meeting – so what's all this about? Why two meetings? Well its all in the rule book!

The Annual Parish Meeting is the meeting of the electorate invited and chaired by the Chairman of the Parish Council, it must be held between 1st March and 1st June . It is not a Parish Council meeting, although chaired and called by the Chairman of the parish council. There is no prescribed format for the meeting. LGA 1972 Schedule 12 paragraph 14. It is usual that the new chairman for the coming year and the parish council members are introduced to the public, the chairman's report for the past year will be given by the past or present, (but usually continuing) chairman. It is also usual for all village groups to give a short report on their year.

The Annual General Meeting of the Parish Council is the meeting which usually falls directly before the APM, and includes the election of officers and acceptance of office. At the Annual Meeting of the Council (AGM) the Chairman opens the meeting and then passes over to another person to take nominations for the chair, the election of officers, committees and sub committees, the new (or continuing) chair then takes the rest of the meeting. This is a meeting of the Parish council, open to the press and public as usual and must be held in May, in an election year it is must be held between within fourteen days of the election (inclusive) as per Local Government Act 1972 Schedule 12 paragraph 7.

See all the legislation at http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1972/cukpga_19720070_en_45