

## UPLOWMAN PARISH COUNCIL

Clerk to the Council : Robert Hodgson  
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10/07/20

All Parish Councillors

Dear Councillors,

### UPLOWMAN PARISH COUNCIL - NOTICE OF MEETING THURSDAY 16<sup>th</sup> July 2020, starting at 7.30pm By ZOOM

The next meeting of this Council will be on **THURSDAY 16<sup>th</sup> July 2020**. This will be a **virtual meeting held on line using Zoom**, starting at 7.30pm with any comments from the public. **The meeting link is in the email**. We have subscribed to Zoom so the meeting length will be unlimited.

Draft Minutes of the last meeting have been circulated and can be found at <https://middevonparish.co.uk/uplowman/>. Please note the change of UPC's web address!

Trevor has revised UPC's procedures for dealing with planning applications. The attached document has changes in bold. Please read it carefully so that it can be discussed at the meeting.

While the current Covid-19 restrictions continue, UPC's meetings will be kept to essential business. Since Rob cannot join us for the virtual meetings, the PC needs to consider his position before his absence from the meetings reaches the six-month limit. If you wish to accept his temporary absence due to the present unusual circumstances then that can be minuted and we will avoid another casual vacancy!

The present circumstances also highlight a need for the PC to review its emergency planning. An item has been added to the agenda so that preliminary consideration can be given to this, which is a PC function.

Due to a need to make the website and the documents referenced there accessible, I have for the present time removed the historic minutes. I am also ploughing through the remainder of the website to achieve accessibility. We may be able to reinstate the historic minutes at the end of this process.

The following dates are booked for 2020 (all Thursdays): 17 September and 19 November.

Yours sincerely,

Robert Hodgson (Clerk to Uplowman Parish Council)

**UPLOWMAN PARISH COUNCIL**  
**AGENDA FOR MEETING TO BE HELD online by ZOOM,**  
**ON THURSDAY 16<sup>th</sup> July 2020 at 7.30pm**

*The Meeting will start with an open session at which parishioners may raise matters of concern. For meeting joining details please email [uplowmanpc@btconnect.com](mailto:uplowmanpc@btconnect.com)*

1. Attendance.
2. Procedural matters, including reports from DCC and MDDC:
  - 2.1 Apologies for Absence
  - 2.2 Process for co-option of councillor to replace Mrs S Floyd.
  - 2.3 To consider and, if desired, approve the absence from virtual meetings of Cllr Norman
3. Minutes of last meeting (21 May 2020) and of Planning meeting held on 11 June.
4. Matters arising from Minutes of last meeting not covered elsewhere
5. Finance and procedures

5.1 Current position :

Bank balance at last meeting :	<b>£8,701.60</b>
Income since last meeting	£0.00
Expenditure authorised on 21 May:	£735.54
<b>Current balance:</b>	<b>£7,966.06</b>

- 5.2 Payments for approval:
  - R Hodgson, Clerk's expenses (£8.30)
  - J Veen, grass cutting (£90.82)
  - R Norman, repairs to school path (£600.00)
6. Planning
  - 6.1 20/00555/FULL: Lowerman Cross, replace barn, convert barn to carport. Approved by MDDC.
  - 6.2 20/00675/FULL: Uplowman House erect 2 dwellings etc. UPC no objection, decision awaited.
  - 6.3 20/00509/FULL: Greenend Ho: replace garage . UPC objected, out of keeping. Decision awaited.
  - 6.4 20/00728/FULL: Beer Down Lodge, change use agriculture to garden. UPC no object, decision awaited
  - 6.5 20/00968/LBC: Stagg Mill replace kitchen and other modifications. To be considered at meeting.
  - 6.6 Review of UPC Planning procedures. Applications now advertised on web site; draft attached
7. Environment & Healthy living
  - 7.1 Covid-19 response in Uplowman – How to take it forward
8. Correspondence (See attached list plus any correspondence received after this notice)
  - 8.1 Environment, SWW, etc:
  - 8.2 Local Plans and Surveys.
  - 8.3 General Correspondence
  - 8.5 Village projects
9. Hall & Recreation Association
  - 9.1 Report.
10. Emergency Planning & Neighbourhood Watch
  - 10.1 Review process for emergency plan
  - 10.2 Police Advocate scheme
11. Community Projects and matters.
  - 11.1 Bus shelter progress & proposals for bicycle rack installation.
  - 11.2 Air Ambulance night landing – update
  - 11.3 Parish broadband update
12. Parish Transport/Paths.
  - 12.1 State of roads & footpaths
13. Date of next meeting (Thursday 17 September 2020, to be confirmed).

## CORRESPONDENCE SINCE LAST MEETING (21 May 2020)

### 5. Finances

Ser No	Date received	From/to	Subject	Date replied/sent
519		Community 1sr	Sent cheque for Annual insurance renewal	23/05/20
520		PKF Littlejohn	Exemption from Annual Audit certificate	26/05/20
521	09/07/20	J Veen	Invoice for grass cutting (£90.82p)	
522	09/07/20	Nat West	Statement, Balance = £7966.06	
523	10/07/20	R Norman	Invoice for school path repairs	

### 6. PLANNING

Ser No	Date received	From/to	Subject	Date replied/sent
681	18/05/20	MDDC	20/00675/FULL: Upplowman House erect 2 dwellings etc.	14/06/20
682	19/05/20	MDDC	20/00509/FULL: Greenend Ho: replace garage	14/06/20
683	26/05/20	MDDC	20/00728/FULL: Beer Down Ldge, change use ag to garden.	14/06/20
684		Mrs J Clifford	Seeking clarity on MDDC approach to Class Q related matters	26/05/20
685	28/05/20	MDDC	19/00912/OUT: Land at Crosses fm: 8 dwellings: Appeal made.	17/06/20
886	03/06/20	MDDC	Response to email to Mrs Clifford from Mrs N Morgan	
887	10/06/20	MDDC	20/00675/FULL: Upplowman House revised plans	
888	11/06/20	MDDC	20/00555/FULL: Lowerman Cross, replace barn, Approved	
889		Mrs J Clifford	Further clarification sought on Cl Q.	17/06/20
890	07/07/20	MDDC	20/00968/LBC: Stag Mill replace kitchen	

#### 7.1 ENVIRONMENT, including Sewerage, Recycling, Roads & rivers, Healthy living

Ser No	Date received	From/to	Subject	Date replied/sent
347	11/06/20	DCC	Footpath 22 closed for repairs to Lands Mill bridge	

#### 7.2 LOCAL PLANS & SURVEYS, including HRA

Ser No	Date received	From/to	Subject	Date replied/sent
319			Nothing this month	

#### 7.3 GENERAL CORRESPONDENCE

Ser No	Date received	From/to	Subject	Date replied/sent
1636	02/06/20	MDDC	T&P Newsletter, circulated to councillors	
1637	04/06/20	Mrs S Floyd	Resignation as Councillor for personal reasons	04/06/20
1638	04/06/20	MDDC	Notice of vacancy – published on website	
1639	04/06/20	Off PCC	<b>Invitation to join police Councillor advocate scheme</b>	
1640	09/06/20	MDDC	<b>Accessibilty report on website</b>	
1641	30/06/20	MDDC	<b>No election requested – proceed to co-option</b>	
1642	06/07/20	C&CD	Clerks & Councils Direct magazine	

#### 7.5 Village projects.

Ser No	Date received	From/to	Subject	Date replied/sent
339			Nothing this time	

Plus about **510** incoming emails.

# Uplowman Parish Council

## Planning Application Procedures

### Background

Parish Councils do not have power to grant or refuse planning permission. The Local Government Act 1972, section 101 does however, require local authorities to consult parish councils on certain matters affecting their parish and a parish council is a statutory consultee on the development plan, local plans and structure plans as well as for planning applications that affect land within the Parish.

Planning authorities must inform local parish councils of applications affecting its parish and consider its views when deciding on planning applications. The statutory consultation period is twenty-one days in Mid Devon.

It is important that local parishioners are able to put forward their views to the Parish Council as well as directly to the Planning Authority, which is usually Mid Devon District Council but could be Devon County Council for certain strategic matters.

This document sets out a Procedure to allow Uplowman PC to respond in a timely way to planning applications, given that the consultation period may not include a full council meeting, currently scheduled every 2 months in Uplowman.

### Decision making

Decisions of the PC (or other local council) may be made either by councillors at a properly constituted open meeting or by delegating the powers to an officer.

Three things are needed for the Parish Council to make a decision:

- There be a Chairman of the meeting
- There must be a Quorum of 1/3 of all councillors or a minimum of 3 councillors
- The public must have access, by written notice, to the meeting to provide an opportunity to express views and to show transparency

Alternatively, under the Local Government Act (LGA) 1972 section 101 the Council may arrange for the discharge of its functions by one of its officers, provided it is a "Proper Officer". This is commonly referred to as "delegated powers".

The Parish Clerk is delegated by Uplowman PC as the Proper Officer to make decisions on Planning Applications where a decision is required between Parish Council meetings. This delegation will be reviewed annually.

### Applications: General

The Planning Applicant and neighbours will have been informed by MDDC of the application plus a notice will have been posted at the site to enable other parishioners the opportunity to examine the proposals and to comment either directly to MDDC or to their Parish Councillor.

***In addition, all planning applications are placed on the Parish Council web site with notes if a site meeting has been arranged. This allows all residents to make themselves aware of any application.***

***To ensure that as many residents as possible are notified of applications for new dwellings or have a major impact on the community then the Response Hub using email will be used.***

***It should be noted that, unlike Full and other applications, Permitted Development applications, including those under class Q for agricultural building conversion, are not notified to the Parish Council prior to decision by MDDC.***

As a guide, applications may fall in to 3 main cases:

- Those that are non-contentious e.g. minor changes to a building
- Those requiring comment but without the need for a site visit
- Those where a site visit is required to ascertain certain facts and possibly to speak to other interested parties. Case (c) will include all new developments and situations where neighbours may be affected by the proposal.

***Issues to be considered when looking at a planning application.***

***It should be based on our current policy, which is to not support any new residential development because the village is deemed unsustainable in planning terms and this policy aligns with that of Mid Devon policy in their Local Plan.***

***Some applications may be based on a class Q fall-back position, but this should be examined to ensure the Parish Council agrees this statement.***

### **UPC Procedures for consideration of Planning Applications:**

1. The Clerk is informed of all applications by the Planning Authority (either Mid Devon DC or Devon CC) and notification is passed to the Chairman, with a copy to other Councillors, asking for the appropriate action.
2. Where consultee response period finishes prior to the next full meeting, all Councillors are requested to read the applications and to inform the Clerk and the Chairman promptly of their views.
3. Where all are agreed that Case (a) or Case (b) above applies then the Clerk will take a consensus of the views and inform MDDC of the decision of the Parish Council under delegated powers, with a copy to the Chairman.
4. For Case (c) applications, where a site visit is considered necessary by the Chairman or another Councillor, then the Chairman will appoint a minimum of 2 councillors who do not have a personal or financial interest in the application as an ad hoc subcommittee. A site visit of the councillors plus the Clerk will be arranged and will be advertised on the noticeboard and the web site, with a minimum of 3 clear days' notice. ***Councillors should be aware that they should avoid any risks associated on a site and wear appropriate footwear.***
5. Following a site visit the councillors will discuss their findings and provide the opportunity for any member of the public present to make comments.
6. Where a decision is required prior to the next Parish Council meeting and the ad hoc committee considers that the issues can be decided without a full meeting then the Clerk will take all known information in to account and make a decision as the Proper Officer under LGA 1972 and inform MDDC.

7. In contentious cases a request to MDDC for an extension will be made. Such requests have always been granted in the past but may not be so if other deadlines have to be met.

8. All applications will be discussed at the subsequent full Council meeting, which meets every 2 months. The Clerk will inform the Meeting of any decisions made under delegated powers, as per LGA 1972, between meetings. The public have an opportunity to attend the meeting and to make comments.

*Adopted September 2016*

*Redrafted July 2020*