

UPLOWMAN PARISH COUNCIL

Clerk to the Council : Robert Hodgson
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May 15, 2022

All Parish Councillors

Dear Councillors,

UPLOWMAN PARISH COUNCIL - NOTICE OF ANNUAL MEETING THURSDAY 19th May. 2022, starting at 7.30pm IN UPLOWMAN VILLAGE HALL

The next meeting of this Council will be on **THURSDAY 19th May 2022 IN THE VILLAGE HALL, UPLOWMAN**, starting at 7.30pm. Please note that Cllr Moore is unable to be with us and Cllr Branton has offered to Chair this meeting only. Cllr Moore has signified willingness to continue as Chair of UPC for 2022-3.

We will start with the Annual Report on UPC's activities since May 2021 and a presentation on Emergency Planning by Martin Rich of Devon Communities Together.

The most important business will be agreement of the Annual Governance and Accounting reports and of the Certificate of exemption from Audit, which I attach in draft form. The papers have been checked by Richard Clark acting as our internal auditor. Please read them carefully, particularly the Governance statement, to be sure that we are all comfortable with the requirements.

I attach a list of updates and items needing decision, which I hope will be useful.

The remaining meeting dates for 2022 will be: 21st July, 15th September, and 17th November (all Thursdays).

Yours sincerely,

Robert

Robert Hodgson (Clerk to Uplowman Parish Council)

UPLOWMAN PARISH COUNCIL
AGENDA FOR ANNUAL MEETING on THURSDAY 19th May 2022
To be held in Uplowman Village Hall, starting at 7.30pm

The meeting will start with an open session, when parishioners may raise matters of concern. There will be a Report on 2021 and a presentation on Emergency Planning by Martin Rich of Devon Communities Together.

1. Attendance & Apologies for absence: Election of Chair for the coming year.
2. Reports from DCC and MDDC.
3. Minutes of last meeting (17th March 2022).
4. Matters arising from Minutes of previous meetings not covered elsewhere.

5. Finance and procedures

5.1 Current position :

Bank balance at last meeting :		£5,680.18
Income since March (fees for First Aid)		£360.00
Expenditure authorised on 17 March:		£1,653.29
Current balance:		£4,386.89

5.2 Payments for approval:

R Hodgson, expenses, incl Membermojo, (£80.95)
 J Veen, grass cutting in March (£62.30)
 Redwoods Inn, clearing leat (£118.50)
 Community First Trading Ltd, Insurance premium (£182.41p)
 Contribution to Uplowman Jubilee celebration (£300 proposed).

- 5.3 Agree and sign Annual Governance Statement 2021/22
- 5.4 Agree and sign Annual Accounting Statement 2021/22
- 5.5 Sign Certificate of Exemption from Limited Assurance Review. Exercise of rights to be 13/6-22/7/22

6. Planning

- 6.1 21/02187/Full: Rosebank erect new shed. Awaiting decision
- 6.2 22/00244/HOUSE: Locks End rear extension. UPC No Objection, MDDC approved.
- 6.3 22/00277/HOUSE: 1Wallflower Cott extn. UPC No Objection, MDDC approved.
- 6.4 22/00115/FULL: Lowerman Fm, infill between two barns. MDDC approved
- 6.5 Sip Shed variation of Licence resubmitted.
- 6.6 22/00561/House: Shapcott, solar panels on stable. UPC No objection, Awaiting decision
- 6.7 22/00748/Full, Hill Farm, Change shepherd hut to holiday let. UPC no objection, Awaiting decision
- 6.8 22/00753/Full, Land at Stonebridge, replace shed with 2 dwellings, to be discussed.

7. Community Projects and matters.

- 7.1 Support for refugees in Uplowman.
- 7.2 Use of £550 grant from Parish Magazine and other projects: Village signs for £300?.
- 7.3 Arrangements for Platinum Jubilee celebration.

8. Environment & Healthy living

- 8.1 Reducing Uplowman's carbon footprint update

9. Correspondence (See attached list plus any correspondence received after this notice)

- 9.1 Environment, SWW, etc:
- 9.2 Local Plans and Surveys.
- 9.3 General Correspondence
- 9.5 Village projects

10. Hall & Recreation Association Report

11. Emergency Planning & Neighbourhood Watch

- 11.1 Discussion of presentation by Martin Rich; Next steps.

12. Parish Roads/Paths.

13. Date of next meeting (Thursday 21st July 2022).

CORRESPONDENCE SINCE LAST MEETING (17 March 2022)

5. Finances

Ser No	Date received	From/to	Subject	Date replied/sent
557	24/03/22	PKF Littlejohn	Arrangements for 2022 audit	
558	04/04/22	DALC	Invoice for subscription (£83.68, paid through MDDC)	
559	07/04/22	MDDC	Payment of Precept less DALC sub (£3216.32)	
560	09/04/22	Nat West	Statement, yr end balance= £4386.89	
561	12/04/22	Zurich Ins	Offering insurance for £214	
562	04/05/22	J Veen	Invoice for Grass cutting (£62.30)	
963	04/05/22	The Redwoods	Invoice for Grass cutting (£68.50)	
964	06/05/22	Community 1st	Annual Ins renewal (£182.41)	

6. PLANNING & LICENSINGddt

Ser No	Date received	From/to	Subject	Date replied/sent
946B	23/03/22	MDDC	22/00277/HSE, 1 Wallflower Cotts extn. Revised. UPC No Ob	
948	04/04/22	MDDC	22/00655/LBC: Uplowman Hse, conv cellar to gym UPC No Ob	02/05/22
949	07/04/22	MDDC	22/00561/HOUSE: Shapcott, solar panels on stable UPC No Ob	02/05/22
950	19/04/22	MDDC	22/00748/FULL: Hill fm conv hut to holiday let UPC No Ob	11/05/22
936C	19/04/22	MDDC	22/00277/HSE, 1 Wallflower Cotts extn Approved	
951	21/04/22	MDDC	22/00753/FULL: Land at Stonebridge: 2 dwellings TBD	
952	21/04/22	MDDC	Sip Shed Licence variation resubmitted. UPC No further comment	27/04/22
947B	28/04/22	MDDC	22/00115/FULL: Lowerman Fm, infill two barns approved	
944B	29/04/22	MDDC	22/00244/HOUSE: Locks end Ext, Approved	
953	08/05/22	Mr T Milner	Comments on 22/00115/FULL, circulated	
948B	10/05/22	MDDC	22/00655/LBC: Uplowman Hse, conv cellar to gym Approved	

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

Ser No	Date received	From/to	Subject	Date replied/sent
382	16/03/22	DCC	Roadmap newsletter, forwarded	
383	13/04/22	DCC	Dares Down to Stoney La closed 18/19 Jul	
384	To 26/04/22	Cllr Westerman	Numerous emails concerning potholes	

7.2 LOCAL PLANS & SURVEYS, including HRA

Ser No	Date received	From/to	Subject	Date replied/sent
332			None this time	

7.3 GENERAL CORRESPONDENCE

Ser No	Date received	From/to	Subject	Date replied/sent
1696	06/04/22	MDDC	Town & Parish newsletter - circulated	
1697	26/04/22	Jim Bray	Uplowman to be village of day in market?	
1698	05/05/22	C&C Direct	magazine	

7.5 Village projects.

Ser No	Date received	From/to	Subject	Date replied/sent
351			None this time	

Plus about 460 incoming emails.

UPDATES AND DECISIONS NEEDED

Items 5.3, 5.4 and 5.5: Annual Governance & Accounting statements

Attached. The statements must be signed in this order. The period during which parishioners may exercise their rights to inspect the books will be 13th June to 22nd July

Item 6.8: Note by Trevor Milner on Planning application 22/00753

This application is based on a failed application 21/00796 by an affidavit that says the land was used for agriculture prior to 2013 and should therefore be considered under Class Q. It has also sought to address the dimensions of the 2 buildings so as not to intrude over the nearby properties.

Concern is that the case is relatively simple and relies on a Class Q fallback which several criteria that must be met.

The primary factors in determining a Class Q application are 3 issues to be proven:

1. that the building must have been an agricultural building on or before 2013
2. that there has to be safe access to the site
3. the building has to be structurally sound to be converted.

Issue 1:

Previous testimony from residents that have lived in the village since it was first constructed is that the building has never been an agricultural building but has always (until very recently) been a stables for equestrian purposes.

The applicant has sworn that the land has been used for agricultural purposes such as grazing of sheep and horses. There are questions relating to this as to the exact nature of the use and the length of time this may have occurred. If horses have been grazed they have also received additional feed and been protected whilst in the field which would by definition not be categorised as "grazing" in law. The use of sheep is questionable but if it did happen prior to 2013 it was for a very short period and could not be said to be agricultural use.

The General Permitted Development Order defines an agricultural unit as:

agricultural land which is occupied as a unit for the purposes of agriculture, including—

(a) any dwelling or other building on that land occupied for the purpose of farming the land by the person who occupies the unit, or

(b) any dwelling on that land occupied by a farmworker.

At no time has the building been used for agricultural purposes and is separate from the land in those terms. It has not been used for grazing animals nor for machinery used on the land.

Hence it fails on the first test even if the field was deemed an agricultural holding by some stretch of the definition.

Issue 2

Regarding the Highways aspect then in the Devon Highways Development Management Advice it fails to meet the visibility criteria as given on page 29 and exceeds the maximum of 3 dwellings for private drives on page 14. The Guidance when the 3 existing properties were approved has been improved in terms of safety and consequently the scheme should be rejected due to access issues.

Hence it fails the second test.

Consequently, it fails on the first two tests to pass as a Class Q building.

Issue 3

The criteria for converting a barn are sometimes subjective and a structural engineer may provide different opinions depending on the client. It is difficult to provide an alternative opinion without paying an engineer, but MDDC do have resources in house.

So, it fails on Class Q and therefore the issue of betterment should not arise. However, the proposed 2 dwellings are still higher than the existing stables and cover a larger area. They still intrude over the space enjoyed by existing properties.

Given that without Class fallback it would be treated as a normal application then it would also fail as both Uplowman Parish Council and Mid Devon do not regard Uplowman as suitable for new development.

Item 7.1: Support for Ukrainian refugees

There are now two groups of Ukrainians in the Parish. It is proposed to hold periodic coffee mornings and get together with other local Ukrainians in the Hall. The PC has been asked if it could support by paying for hire of the hall committee room, typically £15 per month.

Item 7.2: Use of Parish News donation.

Cllr Branton has proposed that two village signs be replaced in oak for cost of £300. To consider installation and any other costs.

Item 7.3 Platinum Jubilee Celebrations

The fete committee has requested a donation to cover a souvenir of the occasion for each Uplowman resident under 18 years of age. It is estimated that there are 80 young parishioners and a donation of £300 has been proposed.

Item 12.1: Pot holes:

Some pot holes have been repaired, eg Stoney Lane and one bad one along the lower road. No news of Whitnage Road.

Annual Internal Audit Report 2021/22

UPLOWMAN PARISH COUNCIL

<https://www.middevonparish.co.uk/uplowman/> WEBSITE/WEBPAGE ADDRESS

During the financial year ended 31 March 2022, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2021/22 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.			✓
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.			✓
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2020/21, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2020/21 AGAR tick "not covered")			
L. The authority publishes information on a free to access website/webpage up to date at the time of the internal audit in accordance with any relevant transparency code requirements	✓		
M. The authority, during the previous year (2020-21) correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations (evidenced by the notice published on the website and/or authority approved minutes confirming the dates set).	✓		
N. The authority has complied with the publication requirements for 2020/21 AGAR (see AGAR Page 1 Guidance Notes).	✓		
O. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.			✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

Name of person who carried out the internal audit

8/05/2022

RICHARD CLARK

Signature of person who carried out the internal audit



Date 08/05/2022

*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned; or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

Section 1 – Annual Governance Statement 2021/22

We acknowledge as the members of:

UPLOWMAN PARISH COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2022, that:

	Agreed		'Yes' means that this authority:
	Yes	No	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.			<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.			<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.			<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.			<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.			<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.			<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.			<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.			<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			<i>has met all of its responsibilities where as a body corporate it is a sole managing trustee of a local trust or trusts.</i>

*For any statement to which the response is 'no', an explanation must be published

This Annual Governance Statement was approved at a meeting of the authority on:

19/05/2022

and recorded as minute reference:

5.3 MINUTE REFERENCE

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

SIGNATURE REQUIRED

Clerk

SIGNATURE REQUIRED

Other information required by the Transparency Code (not part of the Annual Governance Statement)

The authority website/webpage is up to date and the information required by the Transparency Code has been published.

Yes	No
✓	

<https://www.middevonparish.co.uk/uplowman/> LE WEBSITE/WEBPAGE ADDRESS

Section 2 – Accounting Statements 2021/22 for

UPLOWMAN PARISH COUNCIL

	Year ending		Notes and guidance
	31 March 2021 £	31 March 2022 £	
1. Balances brought forward	5678	8018	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	3100	3200	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	3593	7077	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	1160	1400	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	3193	12508	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	8018	4387	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	8018	4387	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	3733	3733	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	N/A
			✓
			<i>The Council as a body corporate acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
			<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2022 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

Date

01/05/2022

I confirm that these Accounting Statements were approved by this authority on this date:

19/05/2022

as recorded in minute reference:

5.4

Signed by Chairman of the meeting where the Accounting Statements were approved

Certificate of Exemption – AGAR 2021/22 Form 2

To be completed by smaller authorities where the higher of gross income or gross expenditure did not exceed £25,000 in the year of account ended 31 March 2022, and that wish to certify themselves as exempt from a limited assurance review under Section 9 of the Local Audit (Smaller Authorities) Regulations 2015

There is no requirement to have a limited assurance review or to submit an Annual Governance and Accountability Return to the external auditor, **provided** that the authority has certified itself as exempt at a meeting of the authority after 31 March 2022 and a completed Certificate of Exemption is submitted no later than **30 June 2022** notifying the external auditor.

UPLOWMAN PARISH COUNCIL

certifies that during the financial year 2021/22, the higher of the authority's total gross income for the year **or** total gross annual expenditure, for the year did not exceed **£25,000**

Total annual gross income for the authority 2021/22: **18,295.04 AMOUNT £00,000**

Total annual gross expenditure for the authority 2021/22: **13908.15 AMOUNT £00,000**

There are certain circumstances in which an authority will be **unable to certify itself as exempt**, so that a limited assurance review will still be required. If an authority **is unable to confirm the statements below then it cannot certify itself as exempt** and it **must** submit the completed Annual Governance and Accountability Return Form 3 to the external auditor to undertake a limited assurance review for which a fee of **£200 +VAT** will be payable.

By signing this **Certificate of Exemption** you are confirming that:

- The authority was in existence on 1st April 2018
- In relation to the preceding financial year (2020/21), the external auditor **has not**:
 - issued a public interest report in respect of the authority or any entity connected with it
 - made a statutory recommendation to the authority, relating to the authority or any entity connected with it
 - issued an advisory notice under paragraph 1(1) of Schedule 8 to the Local Audit and Accountability Act 2014 ("the Act"), and has not withdrawn the notice
 - commenced judicial review proceedings under section 31(1) of the Act
 - made an application under section 28(1) of the Act for a declaration that an item of account is unlawful, and the application has not been withdrawn nor has the court refused to make the declaration
- The court has not declared an item of account unlawful after a person made an appeal under section 28(3) of the Act.

If you are able to confirm that the above statements apply and that the authority neither received gross income, nor incurred gross expenditure, exceeding £25,000, then the Certificate of Exemption can be signed and a copy submitted to the external auditor **either** by email **or** by post (not both).

The Annual Internal Audit Report, Annual Governance Statement, Accounting Statements, an analysis of variances and the bank reconciliation plus the information required by Regulation 15 (2), Accounts and Audit Regulations 2015 including the period for the exercise of public rights still need to be fully completed and, along with a copy of this certificate, published on the authority website/webpage* before 1 July 2022.

By signing this certificate you are also confirming that you are aware of this requirement.

Signed by the Responsible Financial Officer Date I confirm that this Certificate of Exemption was approved by this authority on this date: **19/05/2022**

Signed by Chairman Date as recorded in minute reference: **5.5** **MINUTE REFERENCE**

Generic email address of Authority Telephone number
UplowmanPC@btconnect.com **ED GENERIC EMAIL ADDRESS** **01883-821239** **NUMBER**

*Published web address

https://www.middevonparish.co.uk/uplowman/ **E WEBSITE/WEBPAGE ADDRESS**

ONLY this Certificate of Exemption should be returned EITHER by email OR by post (not both) as soon as possible after certification to your external auditor, but no later than 30 June 2022. Reminder letters incur a charge of £40 +VAT