

# UPLOWMAN PARISH COUNCIL

Clerk to the Council : Robert Hodgson  
Lower Beer,  
Uplowman,  
Tiverton EX16 7PF  
Tel/fax: 01884-821239  
E-mail : UplowmanPC@btconnect.com

14/09/17

All Parish Councillors

Dear Councillors,

## **UPLOWMAN PARISH COUNCIL - NOTICE OF MEETING** **THURSDAY 21<sup>st</sup> September 2017**, starting at 7.30pm in Uplowman Village Hall

The next meeting of this Council will be on **THURSDAY 21<sup>st</sup> September 2017**, starting at 7.30pm in Uplowman Village Hall with any comments from the public. Draft Minutes of the last meeting have been circulated and can be found at <https://parish.middevon.gov.uk/Uplowman>.

Ms Tania Weeks from Devon CC will make a presentation on the upcoming review of the Definitive Map of Public Rights of Way (foot paths) before our meeting. She will be looking for assistance from the PC in locating the PROs in the parish and identifying those for retention (or maybe addition).

I've been reminded that our Code of Conduct should have been reviewed by now so please find it attached for consideration at the meeting.

We received a suggestion that the leat might be cleared out for its entire length to improve water flows in the stream in Sampford Peverell. This came from a SP parishioner and will also be discussed in SPPC. The leat is an historic artefact and might be developed as a footpath at the same time as clearing it. It could make a good joint project between the parishes - there is plenty of scope for discussion.

The Audit has been returned. We have a clean bill of health with a couple of 'Advisories', which I will describe at the meeting. It's not yet clear what the arrangements will be for the Audit in 2018 because the current External Auditor's contract is now completed.

Our next meeting (and last for this year) will be on 16<sup>th</sup> November. I have provisionally booked the following dates for meetings in 2018: (all Thursdays): 18<sup>th</sup> January, 15<sup>th</sup> March, 17<sup>th</sup> May, 19<sup>th</sup> July, 20<sup>th</sup> September and 15<sup>th</sup> November. Please can we confirm (or change) this schedule at the meeting.

Yours sincerely,

Robert Hodgson (Clerk to Uplowman Parish Council)

# UPLOWMAN PARISH COUNCIL

## AGENDA FOR MEETING TO BE HELD AT THE VILLAGE HALL, UPLOWMAN, ON THURSDAY 21 SEPT 2017 at 7.30pm

*The evening will start with presentation on DCC's upcoming Review of Public Rights of Way and an open session at which parishioners may raise matters of concern. All are welcome to observe the council meeting.*

1. Attendance
2. Procedural matters:
  - 2.1 Apologies for Absence
  - 2.2 Review of UPC Code of Conduct
3. Minutes of last meeting (20<sup>th</sup> July 2017)
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>£5708.15</b>  |
| Income since last meeting          |  | £0.0             |
| Expenditure authorised on 20 July: |  | £192.88          |
| <b>Current balance:</b>            |  | <b>£5,515.27</b> |

5.2 Payments for approval:

J Veen, for grass cutting: £135.50

UHRA, for Hire of Hall: £30.00

R Hodgson, Clerk's Salary + expenses: £535.00 + £8.30 = £543.30

Agreement to pay for Clerk Attendance at DALC AGM (£25)

5.3 Arrangements for Clerk's annual Appraisal

6. Planning and Licensing Applications (plus applications received after this notice) :

- 6.1 17/1108/OUT: Land NE of Twin Oaks: Erect dwelling – Likely to be considered 4 Oct
- 6.2 17/1131/CLU: Roselands: Lawful use in breach of Ag occupancy – Permitted by MDDC
- 6.3 17/01306/FULL: Micholsfield convert shed to indoor sand school. UPC made no objection
- 6.4 17/01331/HOUSE: Shapcott extension, UPC inspected and made no objection
- 6.5 17/01333/LBC: Shapcott extension, UPC inspected and made no objection
- 6.6 17/01343/LBC: Spalsbury internal and roof alterations. To be discussed at meeting
- 6.7 Height of hedge adjacent to Green Acres: complaint made by Mr D Field to MDDC.
- 6.8 Proposals for Parish Planning. Option to invite presentation by Devon Communities together

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

- 7.1 Environment, SWW, etc:
- 7.2 Local Plans and Surveys,
- 7.3 General Correspondence
- 7.5 Village projects

8. Hall & Recreation Association

- 8.1 Report.

9. Emergency Planning & Neighbourhood Watch

- 9.1 Neighbourhood Watch Report

10. Community Projects and matters.

- 10.1 Invitation to support the Tiverton & Dist Table Tennis Club TAP bid for new tables.
- 10.2 Leat clearance: proposal for joint project with Sampford Peverell PC to enhance leat

11. Parish Transport/Paths.

- 11.1 Condition of roads in Parish: Lane between Whitnage and Cherry Tree update
- 11.2 Parking on road outside Hall at school drop off/pick up times.

12. Date of next meeting (Thursday 16 Nov, to be confirmed).

**CORRESPONDENCE SINCE LAST MEETING (20 July 2017)**

| Ser No | Date received | From/to        | Subject                                                   | Date replied/sent |
|--------|---------------|----------------|-----------------------------------------------------------|-------------------|
| 445    | 27/07/17      | Burlescombe PC | Confirmation that data protection training will be needed |                   |
| 446    | 08/09/17      | Grant Thornton | Audit completed – posted on website and board 11/09/17    |                   |
| 447    | 11/09/17      | J Veen         | Invoice for grass cutting etc (£135.50)                   |                   |
| 448    | 11/09/17      | UHRA           | Hire of Hall (£30.00)                                     |                   |

## 6. PLANNING

| Ser No     | Date received   | From/to     | Subject                                                         | Date replied/sent |
|------------|-----------------|-------------|-----------------------------------------------------------------|-------------------|
| <b>602</b> | <b>06/08/17</b> | <b>DALC</b> | <b>Introduction to Parish Plans</b>                             |                   |
| 603        | 14/08/17        | MDDC        | 17/01306/F: Micholsfield shed to indoor sand school. UPC no obj | 30/08/17          |
| 604        | 17/08/17        | MDDC        | 17/01331/H: Shapcott extension, UPC no obj                      | 04/09/17          |
| 605        | 04/09/17        | Mr D Field  | Cc of letter to MDDC regarding height of adjacent hedge         |                   |
| 606        | 08/09/17        | MDDC        | 17/01343/LBC: Spalsbury internal and roof alterations TBD       |                   |
| 607        | 08/09/17        | MDDC        | 17.01131/CLU: Roselands change of use granted by MDDC           |                   |

## 7.1 ENVIRONMENT, including Sewerage, Recycling, Roads &amp; rivers

| Ser No | Date received | From/to | Subject                                                | Date replied/sent |
|--------|---------------|---------|--------------------------------------------------------|-------------------|
| 314    | 03/08/17      | DCC     | Definitive Map Review of Rights of Way                 | 03/08/17          |
| 315    | 03/08/17      | DCC     | Will investigate road near Whitnage                    |                   |
| 316    | 16/08/17      | DCC     | Posters etc for public meeting re Public Rights of Way |                   |

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

| Ser No | Date received | From/to | Subject        | Date replied/sent |
|--------|---------------|---------|----------------|-------------------|
| 304    |               |         | None this time |                   |

## 7.3 GENERAL CORRESPONDENCE

| Ser No | Date received | From/to | Subject                              | Date replied/sent |
|--------|---------------|---------|--------------------------------------|-------------------|
| 1553   | 05/08/17      | DSV     | Everyone's tomorrow magazine         |                   |
| 1554   | 30/08/17      | CHAT    | Invitation to CHAT opening on 10 Oct |                   |
| 1555   | 02/09/17      | DALC    | Annual Report                        |                   |
| 1556   | 08/09/17      | C&CD    | Clerks & Councils Direct magazine    |                   |
|        |               |         |                                      |                   |

## 7.5 Village projects.

| Ser No | Date received | From/to    | Subject                                                       | Date replied/sent |
|--------|---------------|------------|---------------------------------------------------------------|-------------------|
| 327    | 17/08/17      | T&D TTC    | Invitation to support Table Tennis Club app for TAP funds TBD |                   |
| 328    | 24/08/17      | Mr A Brown | Proposal to clean out all leat and improve flows TBD          |                   |

Plus about 252 incoming emails. Support for councillors: <http://www.ntselearning.co.uk> for information and on-line courses.

# **UPLOWMAN PARISH COUNCIL: CODE OF CONDUCT**

## **Introduction**

Pursuant to section 27 of the Localism Act 2011, Uplowman Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

## **Definitions**

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

## **Member obligations**

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

## **Registration of interests**

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in Appendices A and B.

7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register any interests in Appendices A and B.

8. A member shall register any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.

9. A member need only declare on the public register of interests the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

### **Declaration of interests**

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.

11. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting.

13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter before withdrawing. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.

14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate, the member shall disclose the nature of the interest and withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

### **Dispensations**

On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Code of Conduct adopted by Uplowman PC on 19 July 2012

Subject to review: May 2015 or as required by statute.

## Appendix A

Interests defined by regulations made under section 30(3) of the Localism Act 2011 and described in the table below.

| Subject                                           | Description                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain.                                                                                                                                                                                                                                                |
| Sponsorship                                       | Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.                   |
|                                                   | This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.                                                                                                                                                                              |
| Contracts                                         | Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities*) and the Council — |
|                                                   | (a) under which goods or services are to be provided or works are to be executed; and                                                                                                                                                                                                                                               |
|                                                   | (b) which has not been fully discharged.                                                                                                                                                                                                                                                                                            |
| Land                                              | Any beneficial interest in land which is within the area of the Council.                                                                                                                                                                                                                                                            |
| Licences                                          | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.                                                                                                                                                                                                              |
| Corporate tenancies                               | Any tenancy where (to the member's knowledge)—                                                                                                                                                                                                                                                                                      |
|                                                   | (a) the landlord is the Council; and                                                                                                                                                                                                                                                                                                |
|                                                   | (b) the tenant is a body in which the member, or his/her spouse or civil partner/ the person with whom the member is living as if they were spouses/civil partners has a beneficial interest.                                                                                                                                       |
| Securities                                        | Any beneficial interest in securities of a body where—                                                                                                                                                                                                                                                                              |

|  |                                                                                                                                                                                                                                                        |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | (a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and                                                                                                                                              |
|  | (b) either—                                                                                                                                                                                                                                            |
|  | (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or                                                                                                                     |
|  | (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

*\*'Securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

## **Appendix B**

An interest which relates to or is likely to affect:

(i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

(ii) any body—

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the member of the Council is a member or in a position of general control or management;

(iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.