

LYDFORD PARISH COUNCIL
MINUTES OF THE MEETING

Held in The Nicholls Hall
Tuesday 21st February 2006

14-2006 Present:

Mrs L Cole: Mrs S Holland: Mr S Powne (Chairman): Mrs L Ellicott
Mr P Fletcher - Mrs P Martyn - Mr DG Evans (Clerk)

Parishioners in attendance:

One member of the public was present plus Dr R Meryick- Chairman of
Standards Committee (WDBC)

15-2006 Apologies for absence:

Mrs K Boyd (Vice-Chairman): PC K Reed: Cllr A Hosking (DCC): Cllr R
Williamson (WDBC)

16-2006 Questions from the floor:

None raised

17-2006 To approve the minutes of the previous meeting:

17.1 The minutes of the meeting held on 17th January were signed as a true
and accurate record.

18-2006 To receive report from the Police:

18.1 None received

19-2006 Standards Committee and new legislation:

19.1 The Chairman welcomed Dr Meryick and invited him to make his
presentation to those present. Dr Meryick explained that his reason for
attending was to explain the new legislation due to be implemented shortly
and to explain about the changes to the Code of Conduct for members. He
explained that members should consider exclusion if they felt it could be
shown that by being present it could give them an unfair advantage. The code
is intended to be clearer regarding confidential issues and bullying behaviour
is to be made clearer, to the extent that it will not be tolerated. Dr Meryick
suggested that they should be treated as guidance and not further rules. If a
member feels that he should declare an interest then he should not remain in
the meeting whilst the item is discussed. In the future, decisions regarding
complaints made by the public will be made by the Standards Committee at a
local level as opposed to them being referred to the Standards Board of
England, wherever that is based in the future! It is hoped that this will enable
decisions to be made by people with a local knowledge and not by a person
appointed who would make a telephone call to discuss the allegations.
Regarding 'Dual Hatted Members' and Trustees, Dr Meryick detailed the
statement received from the Charity Commissioners as follows: 'If a
councillor is a Trustee of a charitable organisation then he **must** act in the best
interests of the charity he/she is a Trustee of.' It would therefore be wholly
inappropriate to take part in, or vote on, any issue raised at the parish council
meeting where it could be considered that they have a prejudicial interest in
the outcome. As a consequence, the Trustee(s) concerned should declare an
interest and leave the room whilst discussion and voting takes place. It would
be considered acceptable for the Trustee(s) to make a statement to the
members, prior to leaving the room.

19.1 (Contd.) The chairman sought to clarify the definition of ‘trustee’ and the difference between them and Management Committee members. Dr Meryick considered that this should be defined in the Trust Deed. Mrs Holland stated that the land at the Nicholls Hall and the Sports Field are not owned by the Trustees but by the Charities Committee, Dr Meryick stated that this was not a problem. Regarding the differences between Trustees and Committee Members, Dr Meryick considered that the wording for the description of the person’s role made no real difference and if it was likely to cause a problem (becoming non-quorate etc.) then the members should consider applying for a dispensation. Mr Fletcher considered that a distinct difference existed between Committee Members (Officers) and Trustees. Dr Meryick reiterated that the terminology may differ between Trustee and Officers, however at the end of the day if a member sits on a charitable organisation and is a member of the parish council they must declare a prejudicial interest and leave the room not taking any part in the ensuing discussion or vote. Mrs Holland volunteered to send a copy of the deeds relating to the Nicholls Hall to Dr Meryick. Dr Meryick concluded by explaining the make up of the Standards Committee which Mr Fletcher considered was wholly inappropriate by having three WDBC councillors on it. Dr Meryick agreed and stated that this was being looked at. The Chairman thanked Dr Meryick for his presentation and invited him to stay for the remainder of the meeting. Dr Meryick stated that he would like to stay for some if not all of the meeting.

20-2006 Matters arising:

20.1 A progress report on the book of recollections was sought. The Chairman detailed current progress and circulated the final book. It was confirmed that this is now in print and can be removed from future agendas.

20.2 Resiting of the Post Office – It appears that the chances of this valuable facility being repositioned within the village looks to be very remote. All members expressed regret at the outcome and the Chairman considered that the parish council could have done no more in its attempts to relocate it elsewhere within the village. This was unanimously agreed.

20.3 No recent communication has been received from DNPA regarding the unauthorised building work at Bridge House and the Waste Treatment Works. The clerk was requested to write to Dr N Atkinson DNPA requesting what progress has been made on the unauthorised stainless steel separator tank installed by them at the Waste Treatment Works and to confirm that enforcement action has been instigated.

20.4 Lydford Conservation Area – The report from DNPA has now circulated amongst members and all considered that no comment was required.

20.5 Road work at Lake Hill – The members unanimously expressed concern as to the lack of response from Brian George regarding the questions asked by them. They also sought clarification from Highways regarding the work carried out outside Shellaford Cottages. It appears that as the gully constructed is higher than the previous one the water now sweeps down into Bolts House. The clerk was requested to write again and copy Cllr Williamson in order to seek his support for this work.

20.6 Recent work carried out at the Camping and Caravan Site was discussed with three complaints being received regarding the lighting that has been placed and the work on hard standings carried out. The question was also raised as to what is happening regarding the upgrading of the sewage tanks and the total amount of pitches this site is licensed for.

21-2006 Receive reports from Councillors on respective outside bodies:

21.1 DNPA – Date of next meeting May 12th with items for inclusion on this agenda to be submitted by March 31st. Mr Fletcher requested that the members consider any items for inclusion and to advise him at the next meeting of the PC in March.

21.2 Police Authority – No meeting held

21.3 Southern Link Committee – The next meeting is scheduled for March 12th

21.4 In the absence of Mrs Boyd, Mrs Ellicott & Mrs Holland detailed the events that had been arranged and detailed future expenditure.

22-2006 To receive financial report:

22.1 The clerk circulated balances as follows;

Current - £390.42

Flexi - £6118.95

22.2 The following payments were authorised for February:

Clerk – £239.70 – PC costs £15 – Telephone for 12 months £60.00. The income of £100 for cutting the grass at the Triangle was also shown.

23.2006 - Correspondence:

23.1 Register of members' interests – The clerk was requested to obtain copies of the original declarations by members.

23.2 A letter from the Chairman of the Sports Field was received in which Mr Friend requests a letter of support from the parish council to enable the Sports Field Committee to attach it to the funding bid being submitted to Sport for England. Messrs Powne, Holland and Ellicott declared a pecuniary interest and retired from the room. It was proposed by Mr Fletcher and seconded by Mrs Cole that this letter should be sent. This was unanimously agreed. Messrs Powne, Holland and Ellicott returned to the room at this point.

23.3 Applications for the Royal Garden party were discussed and unanimously agreed that Mrs Cole and Mrs Martyn should represent this council.

23.4 A copy of the letter received by the chairman of the Sports Field from Mrs Poppy Arnold, Chair of the School Governors, was submitted to the members for comment. The reason Mr Friend had passed this letter on was because of some of the comments in it regarding the parish council and low cost housing. It was considered that this parish council has always supported the placing of housing onto the Church Field this potential site was rejected by planning officers at DNPA at a site meeting attended by Mr Powne, Mr Evans, Mr Jarvis (DNPA), Cllr Williamson (WDBC) and the Rev I Sykes. It was agreed that this site would still have the full support of the members although a question mark over whether Lydford would still be classed as a priority in light of the demise of the Post Office.

23.4 (Contd.)It was agreed that the clerk should respond to Mrs Arnold stating that the members have always supported low cost housing, to the extent that they had identified a suitable site only for DNPA to dismiss it for spurious reasons. It was also agreed to place this item onto the March agenda and to invite Mrs Arnold to attend. It was further agreed that a copy of the recently conducted housing survey should be forwarded to her.

23.5 Parish plan – It was agreed that Jane Osborne should be invited to attend the March meeting to give a presentation on the benefits this village could gain from conducting a Parish plan.

24.2006 - Planning applications:

24.1 None to hand

24.2 Concern was expressed regarding the lack of consistency with planning officers at both DNPA and WDBC. It was agreed to inform Cllr Williamson of this concern and to invite him to a separate meeting to discuss the issues to hand.

25.2006 - Items raised for inclusion on this agenda:

25.1 Celebrations for Her Majesty's 80th Birthday – It was agreed that the clerk should endeavour to attain funding from outside sources to enable the village to celebrate this occasion.

25.2 Proposal to grant prisoners the right to vote – It was agreed that a letter should be sent to Geoffrey Cox QC MP requesting his assistance in this matter as it is considered this could have a major impact on this Electoral Ward.

26.2006 - Items raised for inclusion on the March agenda:

26.1 DNPA Community Forum – Agenda items

26.2 Future housing needs for Lydford

26.3 Dog fouling

26.4 Parish Plan

27.2006 - To agree the date of the next meeting:

27.1 The date of **Tuesday 21stth March 2006** was agreed commencing at 7.00pm.

There being no further business the meeting was formally closed by the Chairman at 9.10 pm.

DG Evans
Clerk to the Parish Council

23 February 2006

Signed as a true and accurate record.....Date.....
(Mr S Powne - Chairman)

[Return to Lydford Parish Council Website](#)