

Minutes of the Annual Council Meeting of Mary Tavy Parish Council, held on Wednesday 8th May 2019, 7pm in the Reading Rooms.

Present: Cllr. Page; Cllr. Fife Cook; Cllr. Williams; Cllr. Dunn; Cllr. Reid; Cllr. Hill; Cllr. Wright; Penny Clapham (Locum Clerk); 9 members of the public.

All councillors introduced themselves with a brief history.

1) Election of Chairman

a) Invite nominations and elect a Chairman for the year.

Cllr. Fife Cook nominated Cllr. Page, seconded by Cllr. Wright.

Cllr. Reid nominated Cllr. Williams, seconded by Cllr. Hill.

Cllr. Page nominated Cllr. Hill, who declined.

Voting took place by show of hands. Three for Cllr. Williams: Two for Cllr. Page.

Declaration: Cllr. Williams as Chairman of Mary Tavy Parish Council.

b) The Declaration of Acceptance of Office by the Chairman was received.

Cllr. Page 'point of order' the election of a vice-chairman should be the next item on the agenda.

3) Election of Vice Chairman (moved up)

Cllr. Fife Cook proposed by Cllr. Page, seconded by Cllr., Wright.

Cllr. Hill proposed Cllr. Reid, seconded by Cllr. Williams.

Voting took place by show of hands. Three for Cllr. Page: Two for Cllr. Reid.

Cllr. Page declared to be vice-chairman.

Cllr. Page 'point of order': that the agenda does not follow the order as dictated in Council's Standing Orders, regardless of the fact that said order of items have been created/updated within the last six months.

Cllr. Hill informed Council that Standing Orders are a guide to best practice.

Cllr. Fife Cook then called for a vote of 'no confidence' in the newly elected Chairman, seconded by Cllr. Page. Show of hands: three in favour, three against: Chairman has casting vote – against. Motion dismissed.

Cllr. Page stated that he considers this meeting to be illegal and would not take any further part in the meeting but would stay in the room. Cllr. Fife Cook concurred with Cllr. Page.

Report attached as part of these minutes.

Meeting Resumed:

2) Co-Option of two councillors from members of the public attending this meeting.

Anita Prosser, a previous parish councillor, put her name forward. There being no other candidates, voting took place: 4 in favour, 1 abstention. Anita Prosser duly signed the acceptance form as a councillor.

4) Appointment/confirmation of signatories for cheque payments and internet bank payments. Four signatories are required. Cllrs. Page and Fife Cook are already bank signatories. Cllr. Reid and Prosser agreed to be signatories to the bank account once changed from TSB to Unity Trust Bank.

5) To appoint or re-appoint Councillors to the following Committees/Activities.

- i. **HR Committee (3)**
- ii. **Finance Committee (3) or Full Council**
- iii. **Planning Committee (3) or Full Council**

Cllr. Dunn requested Council to consider having committees later on in the council year, once new councillors had completely understood their responsibilities. Proposed from the Chair, all agreed.

- iv. **Emergency/snow warden** - John Hill has agreed to remain as emergency warden.
- v. **Southern Parishes Link Committee Representative** - Cllr. Hill; Cllr. Williams.
- vi. **DNPA Representative** – Cllr. Reid.
- vii. **Coronation Hall/Recreation Ground Representative (if required)** Cllr. Williams

6) Dispensations - to agree dispensation for the councillors for the following and for the life of this Council (read by the Clerk) All agreed and the dispensation was signed by the Clerk.

7) PUBLIC DISCUSSION

An opportunity for members of the public to make representations, answer questions and give evidence in respect of any item of business on the agenda, or other relevant matters. The period of time designated for public participation shall not exceed 15 minutes.

Reminder that members of the public are not allowed to raise issues when Council is in committee.

Parishioner stated that he was confused about the two councillors who are not taking part in this supposed illegal meeting.

Parishioner stated he was very disappointed that two members of the Council were not taking part in the meeting. An appeal was issued to please work together for the good of this parish.

8) Apologies For Absence: None received.

9) Declarations of Interest: In accordance with the Code of Conduct, members are required to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have, in items to be considered at this meeting. Members are also reminded that any change to their Declaration of Interests must be notified to the Monitoring Officer at West Devon Borough Council within 28 days of the change. None declared.

10) Minutes: the Minutes of the meeting held on the 10th April 2019 were approved and signed by the Chairman as a true record.

11) Cemetery - to thank Peter Jarvis for agreeing to keep the cemetery records for the next two months. Council warmly thanked Peter Jarvis for his kind offer to keep the records updated for the next two months.

12) Clerk – the Council to consider the appointment of a Clerk/RFO to the Council on a permanent basis, and to refer this task to the HR Committee. Cllr. Prosser informed Council that she considers there will be great difficulty in find a clerk as knowledgeable as the current Locum. Council thanked the Locum Clerk. Clerk to draft a job description, and circulate to Cllr. Wright, Cllr. Dunn and Cllr. Reid, together with an updated salary schedule.

- 13) Website** – Council to commence looking for a replacement website as the current one will go off-line on the 1st October 2019. John Hill to be asked to add items to the current website for the time being, and to be asked to advise on a replacement website.
- 14) Certificate of Exemption** – to resolve to agree and sign the certificate of exemption from external audit 2018/19. Resolved. Proposed by Cllr. Hill, seconded by Cllr. Reid, all in favour by show of hands.
- 15) Annual Governance Statement** – read by the Clerk to Council. Resolved. Proposed by Cllr. Williams, seconded by Cllr. Prosser, all in favour by show of hands.
- 16) Accounting Statements** – to resolve to agree the annual accounting statements and the re-stated figures for 2018. Resolved: Proposed by Cllr. Reid, seconded by Cllr. Williams, all in favour by show of hands.
- 17) Explanation of variances** – to agree the explanation of variances as listed by the Clerk. Next agenda. The Clerk will research the reasons.
- 18) Internal Audit report** – Internal audit completed on 12th April – no issues to report. Noted.
- 19) Final accounts 31st March 2019** – to agree and sign the final accounts. Agreed and signed by the Chairman; to be published on the website.
- 20) Insurance Renewal** – to agree the renewal due 1st June 2019. A three year term was proposed by Cllr. Prosser, seconded by Cllr. Williams, all in favour by show of hands.

21) PLANNING

Planning Applications - Dartmoor National Park has asked for comments from the Parish Council.

- a) 0161/19 Slate hanging to smaller south gable to prevent water ingress, The Barn.

Standing orders suspended for parishioner to comment.

Standing orders resumed.

SUPPORTED.

- b) 19/0020 Conservation area: fell eucalyptus, Box Cottage.
No opinion

22) FINANCE

Expenditure	West Devon BC winter service dog bin empties	£89.70	Cq1317
	Lee Accounting internal audit fee	£72.00	Cq1316
	Locum Clerk expenses	£409.25	Cq1318
	Gardeners World	£425.00	Cq1315
	Came & Co. Insurance renewal	£341.20	Cq1319
Income	None noted as no bank statements from TSB available.		

- 23) Council resolved to accept the accounts.** Proposed by Cllr. Dunn, seconded by Cllr. Prosser, all in favour by show of hands.

- 24) Councillor Training** – dates received from DALC for training. Clerk to book courses as listed and notified to her.

25) Welcome to Dartmoor Project Overview – some discussion. An invitation to attend the June meeting will be issued.

26) Councillor's reports and External Meetings attended (for information only)

Emergency warden and snow warden – no report.

Southern Parishes Link Committee representative – no report.

DNPA representative – no report.

Coronation Hall/Recreation Ground representative – village spring fair 27th May.

Items for Information - The date of the next council meeting Wednesday, 12th June, 2019, 7pm in the Reading Rooms.

Meeting closed at 8.16pm.

Email Circulation

DALC News with training opportunities.

Signed.....

Date.....

Report on minute number 3 and 'point of order' from Cllr. Page, Wednesday 8th May 2019.

Cllr. Page indicated that he considered the meeting to be illegal because Council were not following Standing Orders as adopted September 2018, page 11 (j).

The legal part of page 11 (j) was completed in accordance with the Local Government Act 1972, Sch 12.

Quote "Apart for the election of the Chairman and any Vice Chairman to the council, and deciding if any acceptance of office forms can be submitted at a later date, the annual meeting is not subject to any other statutory requirements." Tharmarajah 2013 *Local Councils Explained*. A NALC Publication.

Items in 5 (j) pages 11 and 12 are advisory not legally required.

Item 26 (d)

The decision of a chairman of a meeting as to the application of standing orders at the meeting shall be final.

As your current qualified Locum Clerk/RFO I consider the meeting held on the 8th May 2019, to be completely legal and in accordance with both the law and Council's standing orders.

Penny Clapham PSLCC
Locum Clerk/RFO