

# How does the Council work?

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As the tier of local government closest to communities, Parish and Town Councils play a vital role in delivering services to meet local need, and strive to improve community wellbeing.

Parish and Town Councils are the smallest and most 'local' level of government in England, but operate in a similar way to larger councils. They:

- represent their local community
- deliver services to meet local needs
- work to improve the quality of life for residents in their parish or town.

Like County, District and Unitary Councils, they have councillors elected by their local community (usually every four years coinciding with a District Council election) and raise money through council tax and other means to run public services.

There are 10,000 local councils in England, and 100,000 councillors serving on them, and investing over £1 billion into their local communities each year.

What they do varies across the country. [In Devon there are over 400 Town and Parish Councils](#) providing and maintaining a range of local services including allotments, bridleways, burial grounds, bus shelters, car parks, commons and open spaces, community transport schemes, community safety and crime reduction measures, events and festivals, footpaths, leisure and sports facilities, litter bins, public toilets, street cleaning and lighting, tourism activities, traffic calming measures, village greens and youth projects. They also have input into the planning process in their area and any local plans.

Like other councils, Town and Parish Councils must open their meetings and committees to the general public and press, except in very exceptional circumstances. Residents cannot speak while normal business is being conducted, but there will usually be some time set aside for residents to address the council on issues that concern them. The time and place of meetings must be advertised at least three days in advance, usually on the parish noticeboard or website.

## What is Moretonhampstead Parish Council responsible for?

### Allotments

The Council owns the Allotments. They are rented and managed by Moretonhampstead Allotment Committee. The Allotment Committee took over the administration of the Allotments in 1997 under the Small Holdings and Allotments Act 1908, s27 (6).

## Burial Grounds

The Council is the burial authority for Moretonhampstead. The Clerk arranges all interments in St Andrew's Churchyard. The fees and rules can be found at [What we do – Moretonhampstead Parish Council \(moretonhampstead-pc.gov.uk\)](http://www.moretonhampstead-pc.gov.uk)

The Council is also responsible for maintaining the Churchyard and has contracted the work to a local gardening company. The Council works closely with the bio-diversity group to manage the land sensitively.

The old part of the churchyard was closed in 1988. Because the churchyard is closed, no further burials can take place, except in a double grave where a family member is already buried, or where a grave has been reserved for a specified person. The burial of ashes can take place in a family grave.

The Parish Council agreed to take over the upkeep and maintenance of the churchyard in March 1989. The Parish Council is therefore responsible for grass cutting, repairs to walls and footpaths, maintenance of gates and care of trees etc.

The Council was gifted the land where new burials take place in 1987 for the purpose of a burial ground. The land was consecrated in 1988 by a Registrar of the Diocese of Exeter.

## Bus Shelter

The Council maintains the bus shelter in Court Street car park.

11 February 2003 – Letter received from Teignbridge confirming the bus shelter is not owned or maintained by the District Council and therefore not included on its asset register. 'The Council has no objection to the continual siting of the structure on its land subject to it being kept in a satisfactory condition by the Parish Council.'

March 2003, min no.100/2003 – The Council agreed to a brass plaque being placed in the bus shelter noting the shelter was donated to Moretonhampstead by Mr and Mrs Jim Hickey.

## Open Spaces

The Parish Council is working towards managing verges and open spaces to encourage the growth of wild flowers and to support insect and small vertebrate habitats. It is balancing this with a need to keep sight lines clear at road junctions. The Council includes the grass verges approaching the Chagford Cross roundabout from Moreton and heading towards the Betton Way roundabout in its grass cutting tender. Devon County Council believes the Council cuts them for aesthetics.

The Council also manages some of the open spaces around the town. These include the Sentry, the Pound & Henge, the garden at the war memorial, the dancing tree, the flower baskets lining the pavement in Court Street and several benches around the town.

The Sentry is owned by Graham Wilson who leases it to the Council. The deed of variation of a lease relating to the Sentry was signed on 24/12/2001 and replaced the previous agreement between the PC and previous owners signed 12/06/1972. The lease states the Council is responsible for the maintenance and keeping the field tidy and to use the land for the purposes of a recreation ground.

The Council re-landscaped the picnic area in 2017 resulting in a massive improvement to the Sentry.

The Henge is owned by the Council, deeds signed 07/03/1982.

In 2001, the Parish Council and Development Trust installed art on two buildings in Moreton, 10 Pound Street and 3 The Square. Agreements were signed by the Parish Council stating that the Council would be responsible for maintaining the art, making good any damage to the property and paint the wall at intervals not exceeding 5 years and 3.5 years respectively.

At present, the Pound, the garden at the war memorial and the dancing tree are maintained by custom.

## Events

The Council hosts the annual Christmas light switch on event. This usually involves a grotto and stalls in the Square.

In 2020, the Council purchased new sparkly lights for the Square.

## Grants

Organisations based in the parish and which provide services which enhance the economic, social or cultural well-being of the community of Moretonhampstead are invited to apply for a grant to the Parish Council using the form below.

Applications are considered twice a year with deadlines for completed forms to be returned to the Council office by midnight 28th February 2021 and 31st July 2021 in hardcopy or by email.

View the [Grant application form](#) and [Grant Awarding Policy](#)

## Litter Bins

The Council is responsible for the emptying of the litter bins in the Sentry; the Council pays Teignbridge District Council to empty the bins.

In March 2020, minute no. 46/2020, Cllr Paul Dodd proposed the Parish Council agree to the Finance and Policy committees' recommendation to keep two large litter bins and one dog bin in the Sentry, and to purchase one large dog bin to replace the existing bin. Bins to be emptied once a week – to be kept under review in accordance with F&P minute 9/20.

## Phone box

In 2020, BT decommissioned the phone box in Ford Street. The Council voted to purchase the phone box for £1 (min no. 12/2020). Currently the Council have agreed that Wellmoor has use of the phone box for one year and manage the use of it (min no. 137/2020). Wellmoor, supported by the Council, are managing the repairs to the phone box to bring it up to a good standard.

## Playpark

The Council is responsible for the playpark in the Sentry. In 2015, the Council purchased brand new play equipment and benches. The Council instructs an independent inspector to undertake an annual safety inspection of the playpark.

## Planning

Planning applications relating to Moretonhampstead are decided by Dartmoor National Park Authority. Moretonhampstead Parish Council is a statutory consultee and gives a view on planning applications within Moretonhampstead on behalf of the community. Residents can see the Parish Council's responses to recent applications via the link below; the links will lead to the application details on Dartmoor National Park Authority's website.

[Dartmoor National Park Authority Planning Portal.](#)

## Tourism activities

The Council is keen to encourage visitors to Moretonhampstead. The Council often supports groups and organisations to put on events that attract visitors through grants and allows them to use the Sentry.

The Council recently purchased an information board and finger post sign to attract users of the Wray Valley trail into the town centre.

## Day to day running of the Council

### Accounts

Every local authority is required to make arrangements for the proper administration of its financial affairs and to ensure that one of its officers has responsibility for the administration of those affairs. In Moreton's case the Clerk holds the post of 'Responsible Financial Officer' (RFO).

The Council is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control which includes arrangements for the management of risk.

The Council must approve an annual governance statement in accordance with the practices set out in the Practitioner's Guide, which must accompany the accounting statements. Separate accounts must be kept for s. 137 expenditure (Section 137 of the Local Government Act 1972 enables local councils to spend a limited amount of money for purposes for which they have no other specific statutory expenditure. The basic power is for a local council to spend money on purposes for the direct benefit of its area, or part of its area, or all or some of its inhabitants.)

Regulation 11 of the Accounts and Audit Regulations 2015 requires local councils to prepare an income and expenditure account and a statement of balances in the form specified in the annual return, as set out in the Practitioners Guide.

Following completion of the Annual Accounting Statements in the Annual Return, the RFO must sign and date them to certify either that: the income and expenditure and statement of balances fairly present the council's financial position, or that the receipts and payments are properly presented.

The full council must consider and approve the Annual Governance Statement and Annual Accounting Statements by the 30<sup>th</sup> June following the end of the financial year, after which they should also be signed and dated by the person presiding at the meeting. The Annual Governance Statement must be approved before the Annual Accounting Statements.

The RFO must publish the unaudited Annual Return on the council's website no later than 2<sup>nd</sup> July.

Councils must, no later than 30<sup>th</sup> September, publish the accounting statements, including the external auditor's report on their website - [Accounts – Moretonhampstead Parish Council \(moretonhampstead-pc.gov.uk\)](https://www.moretonhampstead-pc.gov.uk/Accounts)

### **Chairman**

The first business to be transacted at the annual meeting of the Council is the election of a Chairman from among the Councillors. The Chairman continues in office (unless he or she resigns or vacates office through persistent absence or ceases to be qualified or becomes disqualified) until his successor is elected.

### **Clerk**

The Council is required by s. 112 of the Local Government Act 1972 to appoint such officers as it considers necessary for the proper discharge of its functions. Moretonhampstead Parish Council has one Officer; the Clerk and RFO.

The Clerk is a professional, legal advisor and ensures the Council acts within the law. The Clerk is a custodian of the Council and administrator of Council Policy. The Clerk works for the Council as a whole, not individual Councillors.

### **Committees**

The Council is empowered to appoint one or more committees for the purposes of discharging any of its functions.

The Council has three committees; Planning committee, Finance & Policy committee and the Open Spaces committee. Only the Planning committee has delegated functions which mean that the Planning committee can comment on applications without needing approval from the full Council.

The Finance & Policy committee and Open Spaces committee can only make recommendations to the full Council.

Terms of reference for the separate committees can be accessed at [Governance – Moretonhampstead Parish Council \(moretonhampstead-pc.gov.uk\)](https://www.moretonhampstead-pc.gov.uk/Governance)

### **Council Meetings**

The Council must hold at least four meetings each year, one of which is to be the annual meeting. Meetings are usually held in the Community Centre and committee meetings are usually held at the Parish Council office.

At least three clear days before a meeting takes place, notice of the time and place of the meeting has to be displayed in a conspicuous place within the parish. The Council displays the notice in the noticeboard in the Square and on the website [Routine business – Moretonhampstead Parish Council \(moretonhampstead-pc.gov.uk\)](https://www.moretonhampstead-pc.gov.uk/Routine-business)

In addition to the public notice, the Clerk is required to serve upon every councillor a summons to attend the meeting, specifying the business to be transacted. The summons must be signed by the Clerk and is delivered electronically via email. Councillors should notify the Clerk they have received the summons.

An extraordinary meeting of the council may be convened at any time by the Chairman or by any two members.

No business can be conducted unless at least one-third of the total number of councillors is present. The quorum for Moreton is 4 councillors. Voting is by show of hands. The decision goes with the majority of members present and voting. The member presiding at the meeting has a casting vote to overcome an equality of votes.

Councillors have a responsibility to take part in the meeting and consider all relevant facts and issues on matters which require a decision and take part in voting, representing the whole electorate.

The minutes of the proceedings are to be recorded and kept in a book for that purpose, by the Clerk. Minutes must be signed at the next meeting by the presiding chairman. Minutes are signed as to their accuracy. It is not permitted to reopen discussions recorded in the minutes.

Business to be transacted at a meeting must be specified in the summons sent to councillors therefore it is bad practice for an agenda to include 'any other businesses. It is not lawful to take any decisions if they have not been advertised on the agenda and summons.

### **Councillors**

Councillors are elected for a term of four years. Elections are held on the first Thursday in May.

A person is qualified to be elected as a local councillor, if he or she is a qualifying Commonwealth citizen, or a citizen of the Republic of Ireland, or a relevant citizen of the European Union and on the relevant day has reached 18 years of age AND –

(a) on that day he/she is, and thereafter continues to be, a local government elector for the area of the authority; or

(b) he/she has during the whole of the twelve months preceding that day occupied, as owner or tenant, any kind of land or other premises in the area; or

(c) his/her primary or only place of work during that twelve months has been in the area

(d) he/she has during the whole of those twelve months resided in the area; or

(e) he/she has during the whole of the twelve months preceding the relevant date resided within three miles of the parish or community.

If a casual vacancy arises the Council must notify Teignbridge electoral services and advertise the vacancy in a conspicuous place. If within fourteen days of the public advertisement a poll is requested by not fewer than ten electors, a by election must be held. Otherwise, the vacancy is to be filled by the Council itself by co-option of a suitable person qualified to serve as a councillor as soon as practicable.

### **Highways**

Devon County Council is responsible for Highways. Problems can be reported at [Routine business – Moretonhampstead Parish Council \(moretonhampstead-pc.gov.uk\)](#)

## **Housing**

Devon Home Choice manages the social housing in Moretonhampstead. More information can be found at [DHC Home page | Devon Home Choice](#)

## **Insurance**

The Council has a responsibility to ensure it is properly insured. It is of paramount importance that all elements of 'risk' associated with the operation and management of the council are considered. The council's risk assessment can be found at [Governance – Moretonhampstead Parish Council \(moretonhampstead-pc.gov.uk\)](#)