

SITHNEY PARISH COUNCIL

Chairman: Ian Paterson

Clerk to the Council
Mrs. Pauline Williams
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Briar Cottage,
Burras, Wendron
Helston TR13 0HU

10/13

MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT SITHNEY SCHOOL ON TUESDAY 4th JUNE 2013 AT 7.30PM

Present:-

Cllr. I Paterson – Chairman
Cllr. B. Deacon
Cllr. M. Morgans
Cllr. E. Williams (arrived 7.41)

Cllr. P. Bickford-Smith – Vice-Chairman (left 9.25p.m.)
Cllr. P. Martin (arrived 7.34)
Cllr. A. Pascoe

Parish Clerk Mrs. Pauline Williams, Cornwall Councillor John Keeling (arrived 7.45 following Breage PC Meeting.), PCSO 's Paul Whitford and Mark Rogers and 4 members of the public,

1. APOLOGIES FOR ABSENCE - None

2. ACCEPTANCE OF MINUTES - The Minutes of the Annual Parish Meeting held on 9th May were proposed by Cllr. Deacon, seconded by Cllr. Morgans and unanimously agreed as a correct record and were signed by the Chairman.

The Minutes of the Annual Parish Council Meeting held on 9th May were proposed by Cllr. Morgans, seconded by Cllr. Pascoe and unanimously agreed as a correct record and were signed by the Chairman.

3. DECLARATIONS OF INTEREST FOR ITEMS ON THIS AGENDA Cllr. Bickford-Smith declared a disclosable financial interest in Affordable Housing Item 38 as the landowner and left the meeting before the matter was discussed.

Cllr. P. Martin declared a non registerable interest in item 13 PA13/04031 Higher Poldown, Sithney, Helston. TR13 0BJ

4. TO CONSIDER ANY APPLICATIONS FOR DISPENSATIONS UNDER SECTION 33 OF THE LOCALISM ACT 2011

Application from Chairman, Cllr. Paterson for permission for 1 year to participate and vote on rights of way matters on the basis that no pecuniary advantage is attached to his involvement as an officer of the Ramblers Association. The Clerk reminded Council that they had agreed that they would make decisions of applications for dispensations. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Morgans that the application be granted for permission to participate and vote on rights of way matters for 1 year. The Clerk signed the dispensation form.

5. CONSIDERATION OF APPLICATIONS FOR TWO VACANT POSITIONS ON COUNCIL – The Chairman explained that the PC were two Councillors short following the recent non contested election. Despite best efforts by Councillors only two applications had been received. Cllr. Martin asked if the applicants were aware of the commitment and work load, the Chairman confirmed that they were. Both applicants Mr. J. Betteridge and Mr. P. Elliot were present; they and the public were asked to leave the meeting whilst the applications were considered. After discussion it was agreed that both candidates were of good calibre. Cllr. Deacon proposed, Cllr. Morgans seconded and it was carried unanimously that Mr. Betteridge be offered a vacant post. Cllr. Martin proposed, Cllr. Deacon seconded and it was carried unanimously that Mr. Elliot be offered the other vacant post. The public and candidates were invited to return. The Chairman congratulated Cllrs. Betteridge and Elliot on their success, welcomed them to the PC and they took their seats, both signed their Declaration of Acceptance of Office forms and the Clerk countersigned them. Cllrs. Betteridge and Elliot took their Register of Interests forms to be completed and returned by the next meeting at the latest. (Cllr. Betteridge gave his apologies for the July meeting and said he would return the form prior to the meeting). (Cllr. Williams arrived part way through deliberations and took no part in the proceedings)

6. APPOINTMENT OF CO-OPTED COUNCILLORS TO VACANT POSTS AND TO RECEIVE DECLARATION OF ACCEPTANCE OF OFFICE FORMS FROM SUCCESSFUL APPLICANTS. REGISTER OF INTEREST FORMS TO BE RECEIVED BY NEXT MEETING.

Regeneration – Left vacant

Audit & Risk Assessment - Cllr. Elliot

Website - Cllr. Betteridge.

7. MATTERS ARISING FROM PREVIOUS MINUTES

Overgrown trees at Trevarno Front Lodge – Cllr. Bickford-Smith had advised the Clerk that the trees from the Mill Pond down to the Quarry just short of Sithney Green had been trimmed.

Collapsed drain Tregathenan – Tom Marks CC says that some work is to be carried out to the grips (channel that carries the surface water from the road into the drainage ditch).

Damage to Cornish Hedge between Truthall Manor and grass triangle at bottom beyond the bridge – The Clerk had chased New Generation again. Mr. Vandervliet, said that his insurers had declined to accept liability as the Grimme was being driven by Mr. Kevin Andrew as a demonstration vehicle. The Clerk had written to Mr. Andrew, enclosing the photographs asking him to get the damage repaired either via insurers or at his cost, but nothing had been heard. It was agreed to advise Mr. Jacka who had caused the damage and let him deal with the matter. Tom Marks had advised the Clerk that the signs agreed at the site meeting had been ordered and will be put in place as soon as they arrive. Mark Rowe Farming have agreed to put signs in the fields currently being used for potatoes saying right turn only, to stop the vehicles using the narrowest part of the lane.

Road at Longstone to the junction with Nancegollan/Releath Road with the Bosoha/Coverack Bridges Road and Sithney Green to Tregoose – Tom Marks, CC, had stated that they were aware of the problems there and in other places, however due to the further restrictions on budgets repairs had to be prioritised, and he was therefore, unable to say when any repairs could be programmed in.

Flooding/Drainage problems at An-Vownder-Goth. – A meeting had been held between Neighbourhood Steward, Clair Banks, Cllrs. Williams and Bickford-Smith on 15th May. CC had stated that they did not know who owned the drain in the centre of the lane. It would be necessary to identify which field run off came from and then CC would act. CC could not assist further.

Lane Chynhale to Crowntown – Cllr. Bickford-Smith agreed to speak to Parkham Farms who now own the land abutting the land and ask them to get the foliage cut back.

Update Pengoon Farm – Mandy Smith has stated that the Clued had been received, but additional information was required and this has been requested.

Update Wheal Bramble – Mandy Smith stated that originally when this complaint was received CC took advice from their legal services as to whether the temporary structure was permitted development in conjunction with the planning permission for the conversion of the barns. The temporary building is permitted development under Schedule 2 Part 4 Class A of the Town and Country (General Permitted Development) Order 1995 as amended. As this is the case there is, at present, no breach of planning control. Mandy will continue to carry out site visits periodically and take photographs of the progress on each visit. At present CC do not have an issue with immunity of the structure as the breach of planning would only start when the renovation works to the barns are complete and the structure remained on site; at this stage CC would consider serving an enforcement notice. With regards to a Completion Notice the time for compliance is discretionary and it does come with some problems in that if it is not complied with the planning permission becomes invalid and at that stage we would have two unauthorised developments. She explained that she had diarised for another site visit in July at which stage she will discuss the matter with her Line Manger again. Several Councillors felt this was not satisfactory, but as legal procedure was being followed no further action could be taken at the present time.

Trevarno Farm – alterations following closure of Trevarno Estate - The planning application for the Railway and Soap Business has been lodged with CC but not yet been received by the PC, it is understood that this was due to the application being returned to the applicant for amendment several times.

Smoke from chimneys of caravans parked behind the stables in New Road on the Nancegollan to Moffits Corner Road – Mandy Smith had advised the Clerk on 22nd May that the caravans had now been removed.

8 PUBLIC PARTICIPATION – Mrs. Mickler thanked the PC, on behalf of Mr. Philip's family, for the lovely seat replaced at Coverack Bridges.

Mr. and Mrs. Thurley spoke about their planning application at Pear Tree Stables. They explained all arisings would be kept frozen and disposed of correctly. The septic tank was to comply with Hygiene Regulations. They hoped to increase the number of animals on the site over time. Mrs. Thurley said they intended to slaughter chickens for other people on the site.

Mr. Abrahams said he had queries over public footpaths. He stated that the footpath from Nancegollan (Bargus Farm) to Higher Prospidnick had no sign on it. It had been missed off OS maps. The Chairman explained that the 1956 Definitive Rights of Way Map was the important document. If it is not on the DROW map it is not a public ROW. If it was felt it had been missed off there was a lengthy procedure involving proof of use for 20 years and witness statements to be undertaken to get it reinstated. Mr Abrahams said he was working with Linda Holloway at CC ROW to get the footpath reinstated, he also said the sign on the Penpraze to Craig House path was missing where it goes to Menamber rock, and concrete blocks were causing an obstruction. However, the Chairman said that the route quoted by Mr. Abrahams was not correct, the path in fact went from the lane to Wheal Vrose (SW643316 into Penpraze yard (SW643315) and was to the east side of the railway embankment, not under the bridge. It was agreed that Cllr. Bickford-Smith would speak with Mr. Abrahams (whilst the meeting continued in the hall), to clarify the problems and help him resolve them as there was not time in an open meeting to discuss the matter in the depth it warranted.

Cllr. P. Martin asked PCSO Whitford why the CPS had failed to take action over a repeated offender, when evidence had been captured on CCTV showing offender and vehicle no. plate. PCSO Whitford said it was up to the CPS whether they considered a prosecution was in the public interest.

9. POLICE REPORT – for 4th June, 2013. There had been no crime reported to the Police during the month of May 2013.

However, over the May period some parishes have had fuel thefts, residents were reminded to ensure they take the appropriate steps to make it as difficult as possible for thieves in abstracting fuel, from tanks or vehicles. Crime prevention advice can be given. PCSO Paul Whitford said he has some Fuel Theft Posters that could be displayed in notice boards around the parish for the information of residents. He agreed to send an electronic copy to the Chairman for insertion in the next newsletter.

Fly tip issues are ongoing in various parishes within the Helston area. He urged that these be reported to the relevant Council Authority or Police.

10. CHAIRMAN'S COMMENTS – The Chairman had asked the Clerk, on grounds of safety, to ask CC to get the vegetation at the junction near Pednavounder Farm on B3302 (Grid ref SW639289), with Hill Top Hayle (60mph zone) cut back as a matter of urgency. CC had stated that it would be done in two weeks.

Porthleven and Sithney Guisseney Twinning Association – The Chairman said he had read in last week's West Briton a report on a twinning visit to celebrate the 20th anniversary of the association. He asked if Cllrs were aware that this existed. He said he was a little surprised that since it was Porthleven and Sithney Association that we were not contacted about the event. It was noted that the PC no longer had a representative on the group. Cllr. Deacon said he would speak to a contact and report back to the next meeting.

The Chairman said he had mentioned to the Clerk the subject of reimbursement of expenses incurred by Councillors on Council business. He said he felt whilst Councillors gave their time freely they should not be out of pocket. The Clerk had taken advice from CALC who had stated that mileage expenses were only payable for attending meetings etc outside of the parish when mandated/instructed by the Council for specific council business such as training, representation etc. CALC had supplied a copy

of 'Cornwall County Council's independent remuneration panel on Cornwall's Parish Councils' Allowances' (pre unitary authority) but she emphasised it had not be reviewed since 2004. However, the current mileage rate has been amended to 45p. The Clerk said she would send a copy to each Councillor, however as there was no budgetary provision in the current estimates claims could not be incurred until the next financial year (subject to budget provision) It was agreed to add to the July Agenda The Chairman said he had noticed that Mr. Philip's seat at Coverack Bridges has been very effectively reinstated and wished Council's thanks to be conveyed to David Pascoe for his efforts. The seat is being used. He said he wondered whether it would be nice to have tubs of flowers around Notice Boards etc. The PC to provide receptacles, compost and plants and maybe residents to water and maintain. Cllr. Pascoe said she felt that flowers in the hedgerow were sufficient and tubs may look out of place. Cllr. Martin said that the idea may be appropriate in some areas, but if they were not maintained they must be removed immediately, it was proposed by Cllr. Deacon, seconded by Cllr. Morgans, and carried that the matter be added to the July agenda.

The Chairman said that certain areas of Sithney village needed the verges cut more frequently than CC had funds to carry out. He said he wondered whether consideration should be given to adding this onto the LMP contract specification next year. Councillors were asked to think about this. The Clerk had raised concerns about the weeds and grass length around some notice boards, Mr. Sanders had agreed to cut these foc when cutting the footpaths.

11. COUNCILLORS' QUESTIONS AND COMMENTS – Cllr Bickford-Smith raised the following matters:-

Footpath through Crowntown needs trimming to save children getting wet legs on the way to school!

At Trevarno Turn (near to junction of road from Chynhale with B3303 OS grid ref SW637311) there is a passing bay. He said that it is often used as a lay-by which is disconcerting for motorists travelling from Camborne when they come round the corner and find parked vehicles. Could Highways erect sign saying 'Passing Bay Only?' It was proposed by Cllr. Pascoe, seconded by Cllr. Williams and carried that CC be asked to do this.

Cllr. Pascoe stated that since the woodlands, previously belonging to the Trevarno Estate had been sold camping was occurring and at Tremayne Wood a caravan had been parked. She also stated that a wooden bungalow had been erected at Little Boshoa and to her knowledge there had been no planning application. The Clerk to advise enforcement.

12. CORNWALL COUNCILLOR'S COMMENTS – Cllr. John Keeling said it had been a frustrating period of talks and deliberations in deciding the make-up of the new administration at New County Hall He had been appointed to the West-sub Planning Committee and had undertaken mandatory two day training events at Dolcoath. In addition, he will be taking up appointments on the standards Committee, Scrutiny Management Committee and Governance and Constitution Committee in due course. He stated that the three Parish Councils in the division would continue to meet on their traditional days and times and though there is a clash between Breage and Sithney PCs; he would endeavour to attend both council meetings to deliver his monthly briefing which will be provided in written form via email and when time permits loaded onto his Councillors website. He stated that the Cornwall Councillors Surgery at the Breage Parish Rooms, on the 3rd Saturday of the month between 11am and 1pm will continue. Breage Parish Council had kindly agreed to allow him to continue this practise for the foreseeable future. Cllr. Keeling said that he knew that enforcement is very much a concern for all Parish Councils and he was pleased to report that the Cornwall Council Enforcement Plan is ready for distribution and he will forward a copy to all Parish Clerks.

Cllr. Keeling said he was holding further discussions regarding the Mellangoose planning application with the Chief Planning Officer to try and find a way forward for the applicant. He had met with Will Morris, Affordable Housing Officer, for a briefing on the mixed affordable/market housing proposal for Crowntown. On the matter of traffic near Sithney School, he had suggested that the temporary traffic monitor is sited on the road to record traffic flow, though he thought that this may have been done in the past. He stated that he had used this method a number of times in the past and it provides evidence of speeding patterns and other data that can be used to justify traffic calming schemes. He would be asking if there is any Cornwall Council funding available for Bus Shelters that can be sited in the parish to improve public transport user facilities; and asked for siting suggestions. Cllr Keeling said he would be discussing the flooding and watercourse issues associated with the Old Chapel, Prospidnick with Martin Clemo, Cornwall Council, Principal Environment Projects & Technical Officer to follow up on investigations started by Loveday.

13. PLANNING

Pre Apps

Cllr. Bickford-Smith asked members to let him have ideas based on the bullet points from the meeting with Andy England in February to form a basis for a PC policy guideline.

Planning Applications To consider recommendations to planning applications received: --

PA13/03663 Replacement dwelling, The Bungalow, Lowertown, Helston TR13 0BZ – PAP supported this application, they felt the new design was more in keeping with the surrounding area and fitted onto the plot better. It was proposed by Cllr. Bickford – Smith, seconded by Cllr. Williams and carried that these views be conveyed to CC.

PA13/04082 Pear Tree Stables, OS field 5324.Trannack, Helston TR13 0DQ. Erection of an agricultural building, installation of septic tank and alterations to existing vehicular access. PAP felt unable to support the application as they required more information and confirmation on some issues viz: - They felt the shed was too large for the site and surrounding land; how many workers are going to use the premises and are they working on the land subject to the application or elsewhere?; more screening of the site should be put in place; what livestock, if any are to be housed In the building?

The Clerk had raised these queries with Matt Doble the Planning Officer dealing with the application. He stated that this application follows on from a previously withdrawn application (PA13/01469). The County Land Agent was consulted on the previous application and his views and comments have informed this new application. The size of the shed was to be reduced to 20 x 15 metres which it has been. There are no employees just the owner and his partner. The shed is being cut into the land and is within a natural slope, it would be screened against existing building to the South and West and the land to the East is higher. He felt any request for additional screening would fail to meet the tests of Para 204 of the National Planning Policy Framework. The land and shed are used for rearing livestock for retail sale; this includes turkeys, chickens, pigs and lambs.

The number of stock will increase as the business develops. The septic tank is required to meet hygiene regulations appertaining to the slaughter of animals.

PAP said they now felt able to support this application and agreed with Council that providing a condition was added to the permission restricting the number of animals to those specified in the e mail from Matt Doble dated 4/6 and the slaughtering of animals was restricted to their own animals they had no objections. The PC did not want the property to become a public slaughterhouse.

The following application had been received since the PAP meeting.

PA13/04031 Higher Poldown, Sithney, Helston. TR13 0BJ. Demolition of existing conservatory, porch and garage. Alterations and extensions to dwelling change of use of land to residential garden land and new Cornish Hedge. No objections.

It was proposed by Cllr. Pascoe seconded by Cllr. Morgans (PM declared a non registerable interest and did not vote) and carried that the recommendations of PAP be approved.

OTHER PLANNING MATTERS: - The Agenda for West sub-area Planning Committee for 3rd June, 2013 had been received.

The Chairman reported that Matt Doble was the PC friendly planner to whom questions should be directed.

The Clerk reported that she had received a response from Matt Doble, CC Senior Development Officer concerning the issues raised about the following application.

PA13/00487 Hilltop Garage, Sithney Common Hill, Sithney. Helston. TR13 0RH. Change of use from sale and repair of motor vehicles and sale of fuel to manufacture of Cornish pasties, and retail of Cornish Produce, including a pasty drive-through takeaway and associated amenity area. Helston Pasty Company Ltd.

The PC had raised various objections on highway grounds (see item 11 p 54/12 March 2013 minutes for list). However The Highways Officer had considered the proposal and the associated transport statement submitted and raised no objections. It was felt that the trip generation would be similar to the previous use as a garage. Highways support would be subject to conditions securing one way entry at the Eastern entrance to the site (off B3302), parking, turning, and surfacing. Therefore highways raised no objections. The PC had raised various objections on Environmental grounds but the Environmental Health Officer felt that conditions relating to noise, delivery vehicles, and times, light pollution and waste management would be adequate and raised no objections. The PC had raised objections re impact on shops in Porthleven and Helston. CC had also raised concerns relating to the impact the retail element would have on Helston town centre, trading in the current economic climate has been difficult. Cornwall Council's Town Centre Manager specialist has raised issues along with Helston Town Council who have objected on the basis of adverse impact on the town centre. The Planning Officer is therefore recommending refusal on the grounds of adverse impact on the town centre citing conflict with the National Planning Policy Framework, section2, the findings of the Mary Portas review and the governments response to this and Policies 1 and 4 of the emerging Local Plan Strategic Policies 2010-2030. If the PC has any objections to the refusal of the application on these terms they must respond by 10th June. The PC felt that at least refusal was being recommended and were certain the application would be re submitted and they would comment again. Cllr. Bickford-Smith left the meeting after this item at 9.25p.m

14. PUBLIC RIGHTS OF WAY – Cllr. Paterson reported:-

Footpath 230/5/4 – This had been reinstated by Rowe Farming Ltd.

Footpath 18/2 – The barbed wire had been removed.

Stepping Stones Lowertown Mill/ Repair/Replacement of footpath signs - Dan Senior had responded to the PC stating that Cormac will reinstate the stepping stones, but no time scale is available. However, the replacement of missing and damaged signs whilst noted was not a priority issue. The Clerk had sought advice from CALC and the PC could contribute towards the cost of the signs being replaced if they so wished.

15. REGENERATION/BT PHONE BOXES – It was noted that the new library in the Lowertown phone box was being well used.

16. LOCALISM - The Chairman said he would like to see a new "portfolio" of Localism which he firmly believed is the single most important issue facing Councils such as Sithney. He stated that serious and urgent consideration should be given to a Neighbourhood Plan or as a minimum a Neighbourhood Development order and he would like to see one of the Councillors fronting the activity.

17. CODE OF CONDUCT – Training will be provided by CC at Helston shortly. The Clerk to advise Cllrs. of date when announced.

18. REPORT OF THE CLERK & CORRESPONDENCE

Signpost - dated 26/4

Rural News 29/4, 13/5,

CALC - receipt Referendums Bill - second reading delayed

Parish Council Training – Preparing a local landscape character assessment

Request from St. Sithney Parish Church for financial assistance

Inclusion Strategy for Cornwall

CALC Newsletter issue no. 5

Cornwall AONB May newsletter – not printed large document

CPD -Local Landscape Character Assessment Workshops not printed – Ann Pascoe to attend

Rural Opportunities Bulletin May 2013

19. FINANCE

a) To consider the following accounts for payment: The Clerk stated that the second invoice to Sithney School had not arrived in time for the agenda, but sought payment of it.

It was proposed by Cllr. Morgans, seconded by Cllr. Deacon and carried unanimously that the following accounts be paid:-

		£
Mrs. Pauline Williams, Clerk £507.79	Salary	433.64
	Mileage	28.00
	Office Allowance	20.00
	Computer Depreciation	10.00
	Telephone Calls	3.65
	Petty Cash	12.50
Sithney School – hire of hall	Invoice Jan 2012 to March 2013	90.80

b) To consider the following applications for donations: St. Sithney Parish Church had requested financial assistance towards maintenance of the churchyard. The Clerk stated that last year an increase of 5% had been applied and £786 contributed in 2012/13. It was proposed by Cllr. Pascoe, seconded by Cllr. Williams and carried on a 6 to 1 vote that an increase of 5% be applied again and £825 be paid to St. Sithney, and that when received a 5% increase should be applied to the donation to Chynhale Chapel as well.

c) Consideration of earmarking reserves – The internal auditor and CALC had advised that the PC reserves should be specified, and the Clerk should identify specific projects allowed for in previous years budgets and allow reserves to cover the first 3 months of each years payments. A copy of the proposals had been sent to all Councillors.

It was proposed by Cllr. Elliott, seconded by Cllr. Pascoe and carried unanimously that the following sums be earmarked to identify what the PC's reserves were intended for.

Cornwall Council Services	£10,200 (saved between 2009 and 2013)
Elections	£3,900 (saved between 2005 and 2012)
Financial Reserves	£3,000 (to cover first 3 months payments)
Community Projects	£7,700 (being balance remaining)

This to be itemised in the final accounts each year and increased as necessary.

20. Speed Visor – Decision deferred to next meeting

21. Revision of Standing Orders – The Clerk reminded Councillors of the text that needed to be decided.

Page 2 SO29 2 hours

Page 5 SO39 (a) 7 days

Page 6 SO40 (xvii) £1,000; SO41 (m) 5 minutes

Page 11 SO58 (d) 7 days, 2 councillors, 2 Councillors. Page 12 3 Councillors

It was proposed by Cllr. Martin, seconded by Cllr Elliott and carried unanimously that these alterations be carried out and the Standing Orders be adopted by Council as their revised copy.

22. Mud – Cllr. Bickford-Smith not being present the matter was deferred to the next PC meeting.

23. Update on proposed affordable housing in Crowntown – The next meeting will be on 18th June.

24. TIME AND DATE OF NEXT MEETING - Tuesday 2nd July 2013 at Trannack School