

SITHNEY PARISH COUNCIL

Chairman: Ian Paterson

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

20/13

MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT SITHNEY SCHOOL ON TUESDAY 6TH AUGUST 2013 AT 7.30PM

Present:-

Cllr. I Paterson – Chairman Cllr. P. Bickford-Smith – Vice-Chairman

Cllr. J. Betteridge Cllr. P. Elliott

Cllr. M. Morgans Cllr. Mrs. A. Pascoe

Parish Clerk Mrs. Pauline Williams, Cornwall Councillor John Keeling (arrived 7.49) and 4 members of the public,

1. APOLOGIES FOR ABSENCE – were received from Cllr. B. Deacon and Cllr. Ms E. Williams – working.

2. ACCEPTANCE OF MINUTES After the following amendments on p17/13 under impact to residents delete 'Also, with such to pdf' and on page 18/13 last work item 11 change spelling to 'mooted', the Minutes of the Parish Council Meeting held on 2nd July were proposed by Cllr. Mrs. A. Pascoe, seconded by Cllr. Morgans and unanimously agreed as a correct record and were signed by the Chairman

3. DECLARATIONS OF INTEREST FOR ITEMS ON THIS AGENDA – Cllr. Morgans declared a pecuniary interest if Helston Railway applications were discussed.

Cllr. Bickford-Smith declared a pecuniary interest in anything to do with Helston Railway, Chynhale Chapel grant as lease holder and Affordable Housing- as landowner.

4. TO CONSIDER ANY APPLICATIONS FOR DISPENSATIONS UNDER SECTION 33 OF THE LOCALISM ACT 2011 - none

5. MATTERS ARISING FROM PREVIOUS MINUTES

Collapsed drain Tregathenan – Tom Marks advised the Clerk that work on the grips forms part of CC routine maintenance so they are checked regularly. He said the team will be in the area again on Monday and he would ensure they check again

Damage to Cornish Hedge between Truthall Manor and grass triangle at bottom beyond the bridge – Cllr. Mrs. Pascoe reported that Mr. Jacka's insurance company had declined to pay for the damage. The Clerk was instructed to remove this item from the agenda.

Road at Longstone to the junction with Nancegollan/Releath Road with the Bosoha/Coverack Bridges Road and Sithney Green to Tregoose – Tom Marks advised the Clerk that none of these routes scored highly enough for treatment this year but will be looked at again next year. They are subject to regular safety inspections and any changes in their condition will be acted on accordingly. The Clerk was instructed to remove this item from Agenda.

Lane Chynhale to Crowtown – Cllr. Bickford-Smith had e mailed Mr Glasper concerning overgrown foliage and a water leak. He reported that the lane had been cut but to a very poor standard with the arisings being left on the road. These had been washed down the road and blocked some of the drains during the heavy rain. He also stated that the soil at the edge of the carriageway needed pushing back as it too was washing down. The Clerk was asked to contact Mr. Glasper asking for the hedge to be cut to an acceptable standard and the soil moved.

Update Pengoon Farm – A Clued has been submitted and will be considered under Planning.

Update Wheal Bramble – Mandy Smith said she had visited Wheal Bramble and spoken to the owner. He confirmed that at the moment they have stopped work. They are trying to work out a way forward with the build but in the current climate it is difficult. She informed him that she needs to see movement with the development. She will visit again in early September and if there is no change in the situation she will be liaising with Hayley Jewells regarding further enforcement action.

Trevarno Turn (near to junction of road from Chynhale with B3303 OS grid ref SW637311). Passing bay. – Tom Marks advised the Clerk that Mike Peters is dealing with this and will update the PC shortly.

Little Bosoha, Trenear OS ref SW664318 – Lee Viner stated that he had advised the owners that the permission for the caravan had lapsed and that the new wooden structure was too large to be considered moveable under planning legislation and he did not consider it was within the curtilage of the existing property thus not ancillary accommodation to the main house. He said as there was a new baby he would give them a month to respond before chasing them again.

6. PUBLIC PARTICIPATION – Mrs. Bev Brian and Mrs. Carrie Baker of the Lowertown Community Group introduced themselves and spoke on the proposed seat in Lowertown. They confirmed that the group would maintain the grass verge around the seat and that the donor was going to maintain the seat.

Standing Order 40a) vi) was invoked on the basis of expediency and Item 19 Mud was brought forward. Mr Richard Goedegebuur thanked whoever had helped during the flooding of the area by clearing the drains during the recent heavy rain. He said the water had flowed in both directions toward the chapel and had come out of the lane opposite his property. It had scoured the old track by Craig House and there was a lot of water around the Piggeries area. Cllr. Bickford-Smith said that a lot of the problems were caused by climate change and the change in farming practices whereby the stones in fields, which aided drainage, had been removed, and the land previously used for grazing was now used for crops, the field surfaces were flat and this causes run off rather than soaking in to the land. He stated

the gullies discharged from Shop Lane and Chynhale and the water by the Shute was 18"- 2' deep. Cornwall Councillor John Keeling said that the open culvert below Prospidnick Holding had been replaced with a pipe, which could not cope with the flow he would raise this issue when he meets again with Martin Clemo and the Environmental Health Officer.

Mr. Goedegeburrr kindly handed photos of the flooding to the Parish Council. Cllr. Morgans said that whilst the flooding was improved around the Piggeries it had been by no means resolved; barriers had to be installed to stop flooding.

7 POLICE REPORT – PCSO Paul Whitford reported that there had been 3 crimes in July 2013. Crowntown – Burglary from an out building item stolen – no further lines of enquiry. Sithney case of harassment – Police Information Notice Issued. Theft – ongoing investigation at this time. He reminded everyone that no items of value should be left on display in vehicles whilst unattended. He agreed to send details of property marking to the Chairman for the newsletter.

8. CHAIRMAN'S COMMENTS - The Chairman said he had sent a letter of apology to Mr. Abraham. He had attended a Chairman's training course. He had received a request for funding from the Sithney Group and asked for this to be an agenda item in September. Cllr. Paterson said he had received complaints about Trannack School's rubbish bins overflowing onto the road. The caretaker had cleared the mess up. Cllr. Pascoe said she would raise the issue at the September Governors meeting. Cllr. Paterson said he was surprised to hear from the newspaper that Cherry Hawker had left and had not advised the PC. Mrs. Bev Brian was invited to speak and stated that Paul Hunkin of Crowan School was to be temporary head teacher until a new appointment is made.

Cllr. Paterson said he would be looking for volunteers under item 22 to begin formulating a Neighbourhood Plan as he felt this was the way forward.

9. COUNCILLORS' QUESTIONS AND COMMENTS – Cllr. Pascoe said that the road from Sithney Green to Pednavounder Farm OSGR SW639289 at the junction with the B3302 where the verge narrows is so overgrown that visibility is almost nil. The Clerk to speak to Cornwall Council.

Cllr. Bickford-Smith said he had obtained his DBS so could now serve as a Governor at Sithney School. He felt that Scholars Lane (OSGR SW641285 to SW 643287) should be one way from the encirclement road to the main road for safety reasons.

10. CORNWALL COUNCILLOR'S COMMENTS – Cornwall Councillor John Keeling reported that there had been a number of meetings this month including: full council, Resources and Finance Advisory Committee, Constitutional and Governance Review Panel, Cabinet, Standards Committee, Scrutiny Management Committee and various Community meetings.

Cornwall Councillor John Keeling said he had asked full Council about the recent amended Secondary legislation from the Department for Communities and Local Government regarding compulsory pre-application discussions with local Communities for the more significant onshore wind applications; and sought reassurance that the change would be subject to further consultation prior to consideration of the emerging Cornwall Local Plan; and included as part of planning guidance on how impacts arising from renewable energy developments could be addressed and progressed formally. The secondary legislation had yet to be introduced but the Council's planning application guidance would be amended in due course and would strengthen Cornwall Council's current approach.

He stated that he had also asked if guidance would be given to complement the community benefit proposals for approved applications and whether the benefits would represent communities' needs. Reassurance was given that this would be the case.

The Standards Committee put forward a motion expressing the Council's concern about the lack of powers to impose more meaningful sanctions against Council members who had seriously breached the code of conduct. On an amendment it was resolved that:

(a) The Council writes to the Department for Communities and Local Government and the Committee for Standards in Public Life expressing the Council's concerns over the removal of the Council's power to impose more meaningful sanctions in response to breaches of the Members' Code Of Conduct and to ask for a review of the current position, including consideration of the introduction of a democratic power of recall for the electorate in cases of serious wrongdoing on the part of their elected representative.

He stated that the delivery of the A30 Temple to Carblake Improvement Scheme (de-trunking the A30) has moved closer to fruition after some 25 years of aspiration by the Council. The Cabinet moved various recommendations including the matter of compulsory purchase and a separate recommendation will be going to full Council for the approval of the £30 million, funded by borrowing to be added to the Capital Programme as the Council's initial capped contribution to the project.

Cornwall Councillor John Keeling said he had met with both the applicant and objectors to the Helston Railway Planning application and has arranged a public meeting together with the planning case officer at Nancegollan village hall on Wednesday 14th August at 6.30 for 7. Large trucks are still causing problems for local people and damage being done to property. He stated that he will meet up with Tom Marks to seek a solution in due course in terms of possible signage.

He had met with a resident concerning a flooding issue at Roseladden.

Cornwall Councillor John Keeling was asked to chase the signs promised by Tom Marks for the road at Truthall.

11. PLANNING

Pre Apps - Cllr. Bickford-Smith said he had not been able to deal with this as he had been busy at work.

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

PA13/05008. Lower Boscadjack Farm, Trenear, Helston TR13 0HH. Demolition of existing single storey utility room and construction of kitchen extension. Listed Building Consent. – PAP supported this application..

PA13/05962. The Blacksmith Shop, Tregathenan, Sithney, Helston. Removal of condition 5, attached to W2/PA07/00414 4/5/2007 relating to accommodation to be used for holiday purposes only and shall not be used to provide any unit of permanent residential accommodation. Conversion of former blacksmiths to holiday accommodation and erection of an extension. – There were no supporting papers supplied by CC stating why the applicant want the condition removed. The Clerk had tried to contact Cath Bray, the Planning Officer with no success. Therefore PAP asked for these papers to be supplied before they would comment.

PA13/06147 Rosewin, Sithney Green, Sithney, Helston TR13 0RT Extension of time for the conversion of redundant barn into dwelling and installation of a septic tank (PA10/04031 25/8/2010 refers) – PAP supported this application.

CLUED Application

PA13/06232 Pengoon Farm Nancegollan Helston TR13 0BH Proposal: Certificate of lawfulness for the existing use of field for the siting of caravans without restrictions relating to occupancy or duration of siting. PAP felt that as a result of the information supplied in support of the application they should support it.

It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Mrs. Pascoe and carried unanimously that the recommendations of PAP be approved.

OTHER PLANNING MATTERS

Prior Approval not required

PA13/05691 Boscadjack Farm, Coverack Bridges, Helston TR13 0LZ. Agricultural Shed

Decisions Approved

PA13/05627 Trevarno Home Farm, Trevarno, Sithney TR13 0RU. Submission of details to discharge condition 6 in respect of decision notice PA12/05621.

PA13/04293 Barn Conversion, Poldown, Breage TR13 9NN. Variation of condition 2 relating to decision notice PA12/00359 (Conversion of barn to holiday accommodation) for full residential use. (Previously called Sithney Water Cottage)

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

Refusals

PA13/04676 (not consultee) Windy Ridge Farm Prospidnick Hill, Prospidnick, Sithney, Helston TR13 0RY Submission of details to discharge condition 4 in respect of decision notice PA10/03909 Replacement mobile home with dwelling and temporary siting of mobile home to provide accommodation during construction – CC Discharge of condition not acceptable.

Enforcement

EN12/02626 An Gwellos, Prospidnick Hill, Prospidnick, Sithney, Helston. TR13 0RY. Post box and possible use of land for residential use. Case closed no breach found.

Local Enforcement Plan - Due to insufficient time this item to be deferred.

12. PUBLIC RIGHTS OF WAY –

The hole in footpath 11 beside the Crown Inn had been covered with a manhole cover.

The issue of non replacement of Footpath/ROW signs was discussed. The Clerk had asked CC if the PC had the work carried out whether there would be a problem. CC responded outlining the obvious problems of working beside the highway, risk of cables etc, which of course the PC were aware of. The Clerk responded asking CC to replace the signs, they declined on finance grounds. Advice obtained from CALC on 4/6/2013 stated 'you are able to contribute to the cost of the work with the consent of the Highways Authority i.e. Cornwall Council. This is something that your ward member and your community network manager will be able to help the council to do either on its own or by paying Cornwall Council or Cormac'. However, Cllr. Paterson felt that the PC should not be expected to pay the high charges made by CC when it was their legal obligation to replace the signs; he preferred to pay a local contractor.

Cornwall Councillor John Keeling had been in touch with Colin Bayes, who had asked for maps showing the location of the missing signs. It is hoped this may be a way forward. Cllr. Paterson kindly agreed to mark up the maps.

Cllr. Mrs. Pascoe said that she had received complaints about four sections of electric fencing on FP18 (Mr. Rogers) which had been in situ for over a year, despite personal approached from her and the Chairman. It was proposed by Cllr. Mrs. Pascoe, seconded by Cllr. Paterson and carried that the Clerk write to Mr. Rogers asking for these to be removed in compliance with the Highways Act 1980. Cllr. Mrs. Pascoe also mentioned that the new stile in the corner of the field (FP18) is not on the Definitive Footpath. Cllr. Paterson said he would investigate the procedure in respect of obtaining a Modification Order and report back to Council. Cllr. Paterson said he had written to Mr. Sanders, the Rights of Way contractor, asking him to cut the stile on f/p 5/4 and the surrounding area; footpath 11/1 dilapidated stile in corner of field missed last year; bridleway 15/2 needs a more intense cut on upper section; footpath 15/5 two stiles alongside the hedge at field corners missed last year. He also stated that there is a new stile on FP18 opposite Truthall Manor which will need cutting next year (currently tucked away behind straw bales)

The Clerk was asked not to pay Mr. Sanders account pending the above works being carried out.

13. LOCALISM/CODE OF CONDUCT – Comments re e mail from Helen Crouch dated 26/7 forwarded re Code of Conduct – As these do not need to be submitted until October, Cllrs were asked again to give their comments to the Clerk in time for the September meeting. Cllr. Mrs. Pascoe raised the issue of when a Parish is small, as Sithney is, once Cllrs. have declared an interest and left the meeting, Helston Railway application being the point in case, it

restricts access to important information that the Councillors, who have left may, have on the application and is counterproductive.

14. REPORT OF THE CLERK & CORRESPONDENCE

Rural Services Network News 24/6, 1/7, 8/7, 15/7, 22/7 and 29/7.

Rural Opportunities Bulletin July 2013 Rural Services on line – spotlight on the heart of the village

Rural Services on line rural vulnerability service Broadband July 2013 & Rural Services on line rural vulnerability service Fuel Poverty July 2013

Signpost Cornwall 28/6 and 28/7

Signpost Magazine Summer

Good Councillors guide 4th edition sent to all Councillors via e mail 5/7/2013.

Telephone call from Mrs. Richards re speed and damage to road surface between Sithney turning and Higher Merther Nursery – Cllr Keeling agreed to check if the work had been carried out.

A complaint had been received concerning the removal of a visibility mirror that CC had removed, during hedge cutting, from the end of the lane to Merthyr by the side of the Carleen turning to Helston. CC were contacted and this had been replaced.

Town and Parish Council summit 21/9/2013

South Kerrier Alliance Meeting 22/7/2013

Emergency Planning – Cornwall Councillor John Keeling said that Germoe and Breage had agreed to formulate an Emergency Plan; he asked if Sithney wished to and asked if they could appoint a representative. Cllr. Bickford-Smith said he had some expertise to offer and it was agreed he would represent the PC.

Report from Clerk on Quarterly Audit and Annual Risk Assessment carried out on 18/7/2013: –

- The auditing Councillors had found no problems with the Clerks records. The Annual Risk Assessment raised several issues. The overgrowth around the telephone boxes had been cut back by Cllr. Bickford-Smith. Having inspected the area around the notice boards it was felt that Sithney, Trannack, Coverack Bridges and Lowertown all had sufficient space for a trough of plants. Cllr. Paterson agreed to get some prices.
- The bottom of the door on the Lowertown Box was tatty, but opened adequately. The Telephone Box at Releath was in the process of being painted.
- The Millennium Maps are still slowly selling.
- It was felt that the issue of a crash barrier on the hairpin bend at Lowertown Bridge (SW661.298) should be raised again. The Clerk was asked to contact CC again, thanking them for the reflective posts but saying they would be no use in icy conditions.
- Some members of the Auditing Councillors felt the Bus Shelter at Crowntown should be painted. The Clerk sounded a note of caution stating that in her previous Parish this had resulted in graffiti, when for 40 years the shelter had never been damaged. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Betteridge and carried on a 3 in favour vote not to paint the shelter.
- Community Network Meetings possible meeting – The Clerk and Chairman had been invited to attend a meeting with Breage and Germoe
- An invoice had been received from CC for fees in connection with the recent uncontested election. Advice had been sought from CALC. A breakdown of the charge had been obtained. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Morgans and carried on a 4 to 1 vote (AP) that this be paid.

Cllr. Bickford-Smith left the meeting at 9.30p.m.

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

15. FINANCE

a) To consider the following accounts for payment:

	£
Mrs. Pauline Williams, Clerk £538.33	
Salary	433.64
Mileage	17.50
Office Allowance	20.00
Computer Depreciation	10.00
Telephone Calls	3.65
Petty Cash	<u>53.54</u>
Cornwall Council - Recharge uncontested election charges	241.89
Chynhale Chapel – Grant towards churchyard maintenance	177.00

b) To consider the following applications for donations – Chynhale Chapel. Minute 19b 4/6/2013 agreed 5% increase. The Clerk stated that as this was not a registered closed churchyard S137 powers should be used to make the payment. It was resolved that in pursuance of the power conferred by Section 137 of the Local Government Act 1972, and being in the opinion that the expenditure satisfies the requirements of that section, and is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure this Council it was proposer by Cllr. Elliott, seconded by Cllr. Pascoe and carried unanimously that £177 be paid.

The Chairman stated that Cllr. Bickford-Smith had set up a points system for both churchyards in respect of all aspects of its business, upon which future grants would be made, he asked if Cllr. Elliott as auditing Councillor would carry this out, say once every five years (Cllr. Bickford-Smith would be unable to do this as he has a declared interest in Chynhale Chapel). Cllr. Elliott agreed.

16. Permission sought to hire hall cost approx £20 for meeting concerning Helston Railway Planning Application – It was proposed by Cllr. Elliott, seconded by Cllr. Betteridge and carried unanimously that permission be granted to spend up to £20. This will be met from the room hire budget.

17. Consideration of payment of mileage claims to Parish Councillors – see minute 10 of June meeting. It was felt that mileage and parking when Councillors are out of the Parish on PC business would seem appropriate. Cllrs. Elliott and Betteridge agreed to draw up a framework for consideration at the next meeting.

18. Clerks Pay Award – Exclusion of press and public under SO 7 “That in view of the confidential nature of the business about to be transacted, it is advisable that in the public interest that the public and press be temporarily excluded and they are instructed to withdraw”. See separate minute as confidential business.

19. Provision of flower tubs around the Parish – see minute 10 of June meeting. It was agreed that Cllr Paterson and Cllr. Betteridge would form a working party to investigate.

20. Provision of bench in Lowertown – Mr. Armstrong had sought permission to site a bench next to the telephone box in Lowertown in memory of his father who had lived at ‘Lowena’. He had stated a preference for a 5ft heavy weight oak bench, details of which had been circulated. Permission had been obtained from CC subject to the grass and bench being maintained, (Lowertown Community Group had agreed to maintain grass and owner had agreed to have bench maintained). A specification for the base had been supplied by CC. It was proposed by Cllr. Betteridge, seconded by Cllr. Elliott and carried unanimously that Mr. Armstrong be advised that the PC accept the bench.

21. Devolution Neighbourhood Plan – The Chairman stated that a letter had been received from CC concerning the next course on Neighbourhood Plans. The nearest one is in the Camborne Council Offices on 2nd October between 6 and 9 pm. Cllr. Mrs. Pascoe to attend the Camborne course and the Chairman and Cllr. Elliott to attend the course at Truro between 1 & 6pm

The idea raised at the Annual Risk Assessment tour in respect of grass cutting was handed over to the Chairman to investigate devolution and report back with a proposal.

22. Parish Website – Cllr. Betteridge said that he had looked at a number of other Council sites hosted by a company in Scotland called <http://www.parish-council.com>. They have a free site which has advertising banners over which we have no control (not recommended), or for £25 per year there is an advert free site (strongly recommended) or you can pay £25 per year for a site where we have the option to have your own advertising for which we can charge the advertisers and offset the cost to the council (interesting for the future but not recommended at the start). It was proposed by Cllr. Betteridge, seconded by Cllr. Elliott, and carried unanimously that permission is given to a cost of £25 per annum and to begin to set up an advert free site on Parish-Council .com.

23. Discussion of proposed ‘Sithney Parish Council’ nameplate to be added to PC notice boards - The Clerk queried why Sithney Parish Council notice boards had no sign on them identifying them. Cllr. Paterson had obtained a sample so that Council could consider if they wished to proceed. Cllr. Mrs. Pascoe asked if a wooden sign would be more appropriate with the board being wood in a rural area. It was felt the maintenance costs would be too high. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Morgans that all five boards should have names on them. Cllr. Paterson and Cllr. Mrs. Pascoe agreed to come up with ideas for the next meeting. Three quotes would be obtained. The Clerk stated that these could be paid for from reserves from the Community Projects allocation.

24. Update on proposed affordable housing in Crowntown – Cllr. Pascoe said the revised layout had been discussed. There are 10 open market properties and 9 local needs. There will be two 1 bedroom flats. It had been decided that instead of a footpath at the rear, this area of land would be incorporated into the gardens of the properties. It was agreed that the rear access marked with an arrow should be made wide enough for vehicular access to the remainder of the field in case a village hall is constructed in the future, however for the moment it was felt that as the halls at Nancegollan, Chynhale and the schools were underused and as there is no funding available this would be put on hold. The next public consultation will be held on 11th September at Sithney School between 3-8p.m. Will Morris is booking the school (Cllr. Pascoe to check this has been done) and Andy Lopes is arranging for posters to advertise the event. Cllr. Mrs. Pascoe to e mail details to the Chairman and a separate sheet to be added to the newsletter advertising the event.

25. TIME AND DATE OF NEXT MEETING- Tuesday 3rd September, 2013 at Trannack School.

25/13
CONFIDENTIAL

18. Clerks Pay Award – Exclusion of press and public under SO 7 “That in view of the confidential nature of the business about to be transacted, it is advisable that in the public interest that the public and press be temporarily excluded and they are instructed to withdraw”. NB This pay award is backdated to 1/4/2013.

The Clerk is on SCP24. 40 hours per month @ £10.841 per hour = £433.64. Revised pay award would be 40 hours per month @ £10.949 per hour = £437.96. This represents an increase of £4.32 per month viz £51.84 p.a. making a revised salary figure from 1.4.2013 of £5,255.52 p.a. The budget figure for 2013/14 is £5,200. This increase would result in an overspend of £55.52 which equates to just over 1% increase. It was proposed by Cllr. Betteridge, seconded by Cllr. Elliott and carried unanimously that this increase be paid.