

SITHNEY PARISH COUNCIL

Chairman: Ian Paterson

Clerk to the Council
Mrs. Pauline Williams
01209 831229

Briar Cottage,
Burras, Wendron
Helston TR13 0HU

1/14

MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT SITHNEY SCHOOL ON TUESDAY 1st APRIL 2014 AT 7.30PM

Present:-

Cllr. I Paterson – Chairman **Cllr. P. Bickford-Smith – Vice Chairman**
Cllr. P. Elliott **Cllr. P. Martin**
Cllr. M. Morgans **Cllr. Mrs. Pascoe**
Cllr. Ms E. Williams

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

- 1. APOLOGIES FOR ABSENCE** – were received from Cllr. B. Deacon – illness and PCSO Paul Whitford.
- 2. ACCEPTANCE OF MINUTES** - The Minutes of the Parish Council Meeting held on 4th March were proposed by Cllr. Martin, 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**

Councillor Morgans declared a disclosable financial interest in Wheal Bramble and Helston Railway.

Councillor Bickford-Smith declared a disclosable financial interest in Affordable Housing and Helston Railway

Councillor Martin reported to Council that having had legal advice from CC, his status as a landlord was not declarable against the Affordable Housing Scheme.

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

5. MATTERS ARISING FROM PREVIOUS MINUTES

Lane Chynhale to Crowtown – The fallen tree had been removed. Claire Banks has inspected the path and will arrange for works to commence in the near future.

Update Wheal Bramble – Mandy Smith had advised the Clerk that the Enforcement Notice had been appealed.

Little Bosoha, Trenear OS ref SW664318 (EN13/01347) – Mr. Tapsell had advised the Clerk that CC had received details of the structures form, dimensions and the basis of its occupancy. These details are being set against National legislation and Local Policy.

The current context being presented by the owners is that the unit is ancillary accommodation set in an existing domestic context, where there is dependency on the primary dwelling unit on site. Mr. Tapsell said he was considering this occupancy basis and the scale and construction of the unit to see if it benefits from being permitted.

EN13/01276 Alleged stationing of a caravan on land for residential use. Land adjacent to Higher Roseawen, Sithney Green, Sithney TR13 0RT – David Tapsell said he was carrying out a Land Registry Search to find the name and contact location for the owner, he stated that whilst the file indicates this may have been pursued in the past he could not find any result of the search. Once this information is available he will write to the owner spelling out the planning requirements/issues.

Footpath 230/5/4 - Hamish Gordon is to meet Mr. Glasper this week.

Footpath 230/6/1 Mellangoose to Newham Barton and Farm - Hamish Gordon is awaiting authority that funding has been secured to have the surface repaired. The meeting is being held this week.

Footpath 230/9/2 – Hamish Gordon said now that the weather has improved he will contact Mr. Glasper for an update and timescales for reinstatement.

Footpath 30/1 – Hamish Gordon said the majority of this route is available, however the householder is still awaiting authorisation from his Insurers before he can proceed.

Flooding at Prospidnick/Chynhale/Penpraze – The Clerk had received a telephone call from the Environment Agency saying that they were going to visit the sites of the flooding, and would be back in contact with the PC in due course. It is understood that there have been meetings with landowners, but the PC have not been invited. A site meeting is being held with Andrew George MP at The Old Piggery on 15th April at 10.30 p.m. The PC confirmed they were content for the press to attend this meeting in the hope that it would raise the profile of the problem.

Brambles from Coverack Bridges going towards Trannack – CC had cut these back. Councillor Mrs. Pascoe said that whilst the Council thanked CC for cutting back the brambles, she felt that cutting them free of charge (when the PC had been chasing the owners since late 2011), instead of forcing owners to do so, sent a mixed message to those householders who regularly maintain their hedges, and that the owners of the above fields may in future cease any future cutting. It was agreed to pass this comment on to CC.

6. PUBLIC PARTICIPATION – None

7 POLICE REPORT – PCSO Paul Whitford sent his apologies for non attendance. His report stated that there had been no crimes reported in March.

8. CHAIRMAN'S COMMENTS – None

9. COUNCILLORS' QUESTIONS AND COMMENTS – Councillor Mrs. Pascoe said that Mr. Howard James had complained about the potholes at Gwavas and had asked for a grit bin on the hill from Lowertown up to B3297. It was agreed that the Clerk ask CC to mend the potholes and pass the request for the grit bin to Cornwall Councillor Loveday Jenkin as it was Wendron Parish Council Area.

Emergency Planning- No report.

10. CORNWALL COUNCILLOR'S COMMENTS – Cornwall Councillor John Keeling said that a precise of his report would be contained in these minutes in future with a full report appearing on his website. He stated that a meeting is being held with Andrew George to raise the matter at minister level of flooding in the Parish caused by run off from

Farmers' fields. He said that at County Hall he was in discussions on how to reduce the disparity between central government funding for rural councils and urban. In general there is a 50% difference in some cases and there is a need to move towards fairer funding altogether. There are regular meetings with the leader and Chief Executive Officer on how to take the council forward in the face of further reductions in public sector spending. Evidence that Welfare Reform is impacting on certain services areas more than others and in particular and increase in arrears due to the so called "Bedroom Tax".

Cornwall Councillor John Keeling raised concerns again about allocation of properties under affordable housing schemes. It was agreed to raise the issue with Coastline, the partners in the Crowtown Scheme who are attending the next PC meeting.

With regard to the meeting with MP Andrew George it was agreed that Cllrs. Bickford-Smith and Morgans meet with Cornwall Councillor John Keeling prior to the meeting. It was agreed that Cllrs. Bickford-Smith and Morgans put together a package of all the information and photographs on flooding in the Parish to present to Mr. George.

11. PLANNING

Planning Applications To consider planning applications received: --.

PA14/01754 Nanskerris, Trevarno, Sithney, Helston. Proposed extension and associated works.

Two members of PAP had visited the site and met the owners in January. They viewed the property which was very small and inadequate for a family of 4. The bathroom and WC were located separately from the dwelling and necessitated going outside in to the elements if the facilities were to be used. This property was built in a different era and was not suitable for a family in the 21st Century.

The essence of the development was to retain the existing charm of the 19th Century property and to join it by a glass corridor to the existing bathroom and the proposed two storey development. The panel considered the design to be sympathetic and unobtrusive to the surrounding area. The visual impact from the road was minimal and there was some existing screening which would grow up within a few years. The buildings were eco friendly and turf roofed with a low profile.

The PC supported the application, but did have concerns about potential problems with ground water levels with the deep excavations proposed.

It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Mrs. Pascoe and carried that these decisions be endorsed by the Parish Council and transmitted to CC as the PC comments.

OTHER PLANNING MATTERS – Cllr. Cllr. Bickford-Smith left the meeting at 8.12 having previously declared a disclosable financial interest. Cllr. Morgans having previously declared a disclosable financial interest. remained at the meeting but took no part in the discussion or decision.

PA14/00748 Helston Railway and Organic Trevarno, Prospidnick, Sithney TR13 0RY. Extension to existing railway and platforms and car park. Construction of temporary platform, change of used of two barns to storage and light maintenance. Provision of premises for Organic Trevarno. – The Parish Council had been sent further information in respect of this application which was considered at the March meeting. However, Council felt they could not verify the information being supplied by the applicants and therefore did not make any further comments. Cornwall Councillor John Keeling advised that a site meeting may be held prior to CC making any decision, but that it would be wise for a Parish Councillor to attend the Area Planning Meeting to put the PC point of view. It was agreed that the Clerk advise Cllr. Mrs. Pascoe as soon as the agenda is received.

Cllr. Bickford-Smith returned to the meeting at 8.25.

Enforcement

EN13/02212 Pengoan Farm. – Mandy Smith, CC, had advised the Clerk that a CLUED has now been received and is awaiting registration.

Town and Country Planning Act 1980 Section 174 Appeal by Wheal Bramble against Enforcement Notice.

Cllr. Morgans having previously declared a disclosable financial interest took no part in the discussion or decision but remained in the room.

Cllr. Mrs. Pascoe said that the shed was supposed to only be in situ whilst the renovations were carried out. However, no time limitation had been put on this and work had been ongoing since 2008 and there was real concern that the works would not get completed and or the shed would remain as a separate structure.

Cornwall Councillor John Keeling said he would speak to Peter Blackshaw about the case meanwhile the Clerk was asked to put forward the PC views.

'The Parish Council had asked Cornwall Council to take action when a timber structure was erected at the above site, ostensibly for the owners to live in whilst they renovated the main house. Initially Mandy Smith, Planning Investigation Office, Cornwall Council, felt that the structure would require Planning Permission, however after a letter from the owners and having taken legal advice conceded that it constituted permitted development under Schedule 2 Part 4 Class A of the T&C Planning (General Permitted Development) Order 2008 and therefore did not require permission.

The owners of Wheal Bramble had confirmed to Cornwall Council that they would remove the structure upon completion of the renovation works which was granted permission in 2008 (PA08/01104/F - condition A.2 (a) of Part 4 Class A. However, no time limit was put on for completion of the renovation works, and thus removal of the structure.

The Parish Council feel that now 6 years after the initial permission was granted, that a completion date should be issued and the structure removed. They are concerned that this wooden structure could eventually lead to an application for planning permission for it to be retained.'

12. PUBLIC RIGHTS OF WAY – A date for replacement of the missing signs is awaited.

Councillor Paterson said that he had seen a member of the Rights of Way staff walking footpaths to check their safety due to injury claims.

Two quotes had been returned for the LMP contract. Grounds Maintenance South West in the sum of £2,197.99 and R. Sanders in the sum of £1,582.02. It was proposed by Cllr. Martin, seconded by Cllr. Pascoe and carried that Mr. Sanders quote be accepted.

13. LOCALISM/CODE OF CONDUCT/NEIGHBOURHOOD DEVELOPMENT PLAN – A meeting is being held with Maxine Hardy on 23rd April at 6pm at the One Stop Shop in Helston to discuss Neighbourhood Plans.

14. REPORT OF THE CLERK & CORRESPONDENCE

Rural Services Network – Rural News 24/2, 3/3, 10/3, 17/3

Rural Services Network – Spotlight on the heart of the village, Rural Opportunities bulletin 5/3, Fuel Poverty March 2014, Rural Transport March 2014.

Safer Cornwall newsletter 28/2

CC West sub-area Planning Committee 10/3

Help for homeowners and businesses affected by storm and flood damage and Flood Recovery Co-ordination Group 3/3/14, update on co-ordination group 12/3. Support for fishing businesses affected by flood and storm damage.

CC Localism Information Bulletin 6/3

Home Office Consultation on fees under Licensing Act 2003 link: www.gov.uk/government/consultations/locally-set-licensing-fees. Closing date for responses 10th April.

Confirmation from CC that library and one stop shop opening hours are to be reduced.

South West Water 2015-2020 Business plan.

Cornwall Local Plan – Strategic Policies – Proposed submission document closing date 28th April.

Thanks for donations from Victim Support, Cornwall Air Ambulance, Sithney Lights Committee and Cruse Bereavement Care

Date of Annual Audit confirmed by Grant Thornton as 2/6/2014

A training course is being held on the new Finance regulations on 29th April at Trispen. The cost is £30 per delegate plus VAT. The Clerk said she wished to attend, Cllr Bickford-Smith said he would also attend. It was proposed by Cllr. Mrs. Pascoe, seconded by Cllr. Elliott and carried unanimously that the fee and associated mileage be paid.

The Clerk reported that when she carried out her monthly risk assessment the following issues came to her attention. As the PC has no odd job man she asked Council whom to approach to get these problems remedied. The Notice Board at Sithney has some large 'cow parsley' type plants obscuring it and growing into the case, the notice board at Lowertown the lock is playing up again – sticking. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Morgans and carried that Mr. Sanders be asked to carry out the work. Councillor Bickford-Smith kindly agreed to attend to the bus shelter at Crowntown which needs a litter pick, sweeping and a bramble which is growing from the hedge behind it, now growing along the inside of the roof removed.

A complaint had been received about a blocked drain on the left hand side of the road near the Grove restaurant and also at the T junction near to the old shop on the B3302. The Clerk was authorised to pass these to CC, and was asked to include the drain opposite the school at Chynhale.

15. FINANCE

a) To consider the following accounts for payment:

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

Mrs Pauline Williams, Clerk £ 526.41	Salary	437.96
	Mileage	16.00
	Office Allowance	20.00
	Computer Depreciation	15.00
	Telephone Calls	3.15
	BT1571 service Jan-March	5.25
	Petty Cash	49.05

b) To consider the following applications for donations - None

16. Affordable Housing

Councillor Bickford-Smith having preciously declared a disclosable financial interest in Affordable Housing left the meeting at 8.49 returning at 8.51 after the item was completed

Lucy Jenkin advised the Clerk that the Planners had asked for a few changes on the elevations and highways a slightly wider road. These are being amended on the plans which it is hoped to submit later this week. A copy of the plans will be sent to the PC.

17. Co-Option of new Parish Councillor: - to receive Declaration of Acceptance of Office and set a date to receive Declaration of Interests Form. – No applications had been received.

18. Approval of Auditor and fees the Clerk reported that David Gallie had confirmed no increase in his fee of £75. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Elliott and carried unanimously that David Gallie continue as the PC auditor.

19. Draft transparency code for Parish Councils- response by 9th May. – The Parish Council are being consulted on the fact that under the new legislation Parish Councils with a turnover under £25K will not require routine external audit, but be subject to new transparency requirements. The PC were asked to respond to six questions.

Question 1: The government proposes that the Code will be mandatory for parish councils with an annual turnover not exceeding £25,000. Do you agree? Yes

Question 2: The government proposes that parish meetings will be exempt from complying with the Code. Do you agree? Yes

Question 3: Should there be a threshold above which individual items of expenditure must be published? If yes what should this threshold be (e.g. £50, £100)? Yes £100.

Question 4: What exemptions – if any – would need to be made to information published to explain negative responses to the internal controls objectives (e.g. information relating to a current fraud case)? None

Question 5: The government proposes to require electronic publication. Do you agree? Yes

Question 6: How much additional staff time and cost will be involved for authorities in publishing the required data online. The Parish Clerk said she did not have the knowledge to use websites, but she would willingly copy data to be put on it at no cost to the Council. The Chairman said he would undertake to publish the information.

20. Draft Financial regulations, guidance on removal of two signatures on cheques and accounting for council tax support grant in final accounts and electronic payments for HMRC. – The Parish Council were asked for their views on replacing the two signature rule with electronic payments and on line banking. The Clerk said she felt such changes could be very risky in respect of fraud. The Council agreed that the current system worked well for this Council and did not seek change.

The PC were advised that in future the Council Tax Support grant must be included in Box 2 not 3 on the Annual Return. This was noted.

Electronic Payments to HMRC – The Clerk said that she had always paid via cheque on payments book at the bank when she banked her personal cheque. Indeed CALC had sent an e mail confirming that HMRC have agreed that electronic payments are only compulsory for over 250 employees. The Clerk said she could see no reason to change this. Agreed.

21. TIME AND DATE OF NEXT MEETING - Tuesday 6th May, 2014