

# SITHNEY PARISH COUNCIL

Chairman: Ian Paterson

Clerk to the Council  
Mrs Jodie Ellis  
07855774357

Trannack Farm,  
St Erth, Hayle  
TR27 6ET

1/15

## MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT SITHNEY SCHOOL ON TUESDAY 7<sup>TH</sup> APRIL, 2015 at 7.30PM

### Present:-

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

Cllr. P. Martin

Cllr. Mrs. A. Pascoe

Cllr. C. Perrin

Cornwall Cllr. J Keeling (7.50pm)

Parish Clerk Mrs. Jodie Ellis and 8 members of the public.

**1. APOLOGIES FOR ABSENCE** – Were received from Cllr. Elliott, Cllr. Morgans and Cllr. Ms Williams.

**2. ACCEPTANCE OF MINUTES** - The Minutes of the Parish Council Meeting held on 3<sup>rd</sup> March, 2015 were proposed by Cllr. Mrs Pascoe and seconded by Cllr. Perrin 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 item 23 Website / communications, item 20 Affordable Housing and item 11 Helston Railway.

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

### **5. MATTERS ARISING FROM PREVIOUS MINUTES**

#### Appeals

**APP/D0840/A/14/2224296(PA14/00748) Extension of existing railway with platforms and car park. Construction of temporary platform, change of use of two barns to storage and light maintenance and provision of premises for Organic Trevarno.** – A New Planning Application has been received from Cornwall Council. The application was received too late for the April Agenda.

**Footpath 230/30/1** – The Clerk has been advised by Hamish Gordon (Cormac) that new official notices have been replaced and are now on sight advising of the ongoing works.

### **6. PUBLIC PARTICIPATION -**

Adrian Curtis – Expressed concerns that there was yet another application in from Helston Railway, despite having been through the planning / appeals process before. The train track passes along the bottom of local resident's gardens creating noise and a lack of privacy for those affected. It was advised that if a new planning application had not been submitted then enforcement would probably have to take action against the temporary platform and car park.

Cllr. Martin advised it was best not to discuss further until the actual plans are in and available to see.

John Head - Queried how long it would be until enforcement forced the building at Wheal Bramble to be removed. The enforcement notice was served on the 19.02.14 giving 12 months, this has now passed. Was the 12 month period frozen whilst the appeal was in. Cllr. Mrs. Pascoe advised she thought that the 12 month period restarted once the enforcement notice was upheld. It was requested that the Clerk speak to enforcement at Cornwall Council for clarification.

Alex McDonald – Spoke regarding his concerns about the planning application at Pear Tree Game Farm, for which he has submitted an online objection. Had he been advised initially of the plans by Mr Thurley and given the opportunity to have his questions answered it may have improved the situation. Mr McDonald advised that if Mr Thurley was planning on building a 2/3 bedroom game cottage in keeping with the surroundings he would not be so against the plans, as he is with the design of a building that resembles a 'ski lodge'. There has been an issue with Mr McDonald's property (Trannack cottage) regarding subsidence that Mr Thurley has fixed. It was pointed out that the planning application is a housing development not an agricultural development.

Mr Thurley – Advised that the subsidence at Mr McDonald's property was due to the fact that the retaining wall was never rebuilt when Trannack Cottage was rebuilt. Mr Thurley rebuilt the retaining wall on his side but he advised that the retaining wall on Mr McDonald's side needs to also be rebuilt to avoid the subsidence happening again.

**7 POLICE REPORT** – During the month of March 2015, there were 2 crimes reported to Police.

1 Count of Burglary (non-dwelling). Crime has been investigated as far as possible. No Suspects identified.

1 Count of theft from motor vehicle. Diesel stolen from a tractor. Crime investigated as far as possible. No suspects identified.

Police Update - PCSO's Liam Brannigan and Ashley Fuller are now covering Porthleven and Helston North and will be assisted in the meantime by PC Anne Butcher who is currently the Neighbourhood beat manager for Helston town and the Lizard.

**8. CHAIRMAN'S COMMENTS** – Cllr. Paterson advised that he had received a call from Mrs Watson who lives in Sithney Churchtown, regarding her summerhouse that she believed to be collapsing due to sewerage works ongoing in the area. Cllr. Paterson visited the resident to advise that they would need the view of a structural engineer regarding the summerhouse. It was noted that Aqua Rod were carrying out some fairly major drainage works on behalf of Coastline Housing in the area. These works had not been notified to the Parish Council in advance. It was requested that the Clerk contact Coastline Housing.

**9. COUNCILLORS' QUESTIONS AND COMMENTS -**

Cllr. Bickford-Smith expressed his disappointment that only himself from the parish council attended the final service at Chynhale Chapel on Sunday along with 107 other people. The litter situation around the Prospidnick / Chynhale area was increasing again, in particular where daffodil workers have been.

Cornwall Council is surveying all the d-classified roads in the area by way of an employee walking all the roads and taking pictures on an iPad. The CC Employee advised he was unsure as to why it is being carried out as no money is going to be spent on improving these roads.

The situation with the traffic lights on the A394 at Sithney Common Hill has got worse, Cllr. Bickford-Smith has spoken to highways on numerous occasions to advise of the situation and suggested that a maximum of 15 cars at a time through each set of lights to improve the congestion issues. If Emergency Vehicles had to get through, the situation would be chaotic.

Cllr. Martin – Advised he had queried the Traffic Light situation on the A394 with Highways and had been advised that due to the size of the works required Highways have had to negotiate with the landowner to acquire some of the field. Work is due to commence 27<sup>th</sup> April 2015 for around 4-5 Months. It was also advised that there needs to be signs in place to advise who to contact in the event of Signal failure and to advertise in local press and on radio about the ongoing situation. Cllr. Keeling also advised that he will chase up the situation with Highways.

Cllr. Mrs Pascoe – advised that the 'Bends' sign OS Grid Ref SW 653 313, just east of High Park has corroded and broken off and needs replacing. Clerk will chase Highways for this.

**10. CORNWALL COUNCILLOR'S COMMENTS** - Cllr. Keeling has advised -The main topic at County Hall is the "Case for Cornwall" which calls on the Leaders of national political parties in England to give their support for greater powers and freedoms to be devolved down to Cornwall following the general election. Cllr. Keeling has been part of the cross-party group working up the case, which follows on from the Scottish Referendum last September and has now become a burning issue topic across English counties. The powers, freedoms and flexibilities we are requesting are all realistic and will enable us to deliver a better service to our communities and create a more flexible and sustainable Cornwall. The aim and ambition is to achieve "Double Devolution" so that the Council's partners, including our town and parish colleagues and our partners in the voluntary sector, benefit from the transfer of power from London to Cornwall. A full and comprehensive list of proposals should be available for public comment very soon and on [www.cornwall.gov.uk/standup](http://www.cornwall.gov.uk/standup).

Another important group Cllr. Keeling is part of is the Local Action Group, made up of people from the local community, the local public and private sector, which has successfully secured £7.3m to support growth at local level across the four identified areas of Cornwall. This is European money and the West Cornwall Local Action Group will have a budget of some £1,591,00. This summer communities can apply to their Local Action Group for funding for projects that create jobs, help businesses grow and benefit rural communities. More details will be advised closer to the time to make businesses aware of the potential opportunities.

Cllr. Keeling has also attended other meetings including full planning (Camborne), Learning Disabilities Partnership Board and select committee meeting to receive reports on domestic homicide, crime partnership and public transport.

**11. PLANNING****Planning Applications**

**PA15/01220** – Pear Tree Game Farm, Trannack, Helston – Continued use of land in association with game bird rearing business, erection of a permanent dwelling for the applicant in connection with the business,

erection of a replacement stable building and alterations to an existing agricultural building. The council felt that game rearing was a seasonal occupation and that it wasn't necessary for anyone to live on site to look after stock. It was also felt that it was a green field site which should perhaps not be developed. There were no supporting statements or viable business report or financial statement. Therefore the application was not supported.

**PA15/02307** – Pednavounder Farm, B3302 Between Sithney School and Sithney Common, Sithney – Change of use and conversion of Traditional Farm Buildings to create 2 Residential Dwellings. The council would support this application but have grave concerns about the access / egress to the site as it was on the peak of a rise of a fairly fast piece of highway. It would be the recommendation of the PC that there should be a continuous white line to prevent overtaking either side of the access.

**PA15/02494** – Helston Railway Preservation Society – Extension to Railway with platforms and car park, construction of temporary platform, change of use of 2 barns to storage and light maintenance and provision of premises for Organic Trevarno. The Clerk reported that this application had been received on 2<sup>nd</sup> April and was therefore too late for the Agenda, so has contacted planning to ask for an extended deadline in which to review this application.

It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Mrs Pascoe and carried unanimously that the views on the above discussed planning applications were reported back to Cornwall Council Planning Department.

**Enforcement** - APP/D0840/C/14/2215280 and 2215281 Wheal Bramble, Prospidnick, Helston, TR13 0RY – appeal dismissed and the enforcement notice is upheld.

**Refusal** - PA14/10382 - Boscadjack House, Coverack Bridges – Application has been refused.

Cllr. Keeling expressed his disappointment at this outcome for the landowner and hoped to visit him soon to discuss.

## 12. PUBLIC RIGHTS OF WAY –

**Sithney 19 – Public Footpath at Higher Trannack Farm**, Cormac have advised a countryside officer re-inspected the site on 4<sup>th</sup> March and confirmed that the footpath obstruction had been removed and the authorised route was again fully accessible. Cllr. Mrs Pascoe agreed that this was correct.

**Footpath 14** – Cllr. Bickford-Smith has spoken to the landowner who agreed that the stile should be rebuilt in its original material. Cllr. Bickford-Smith advised he will speak to the landowner again for an update.

**Sithney Footpath 8** – Potatoes are currently being planted and therefore the footpath that normally runs across the field is being diverted around the edge. Cllr. Paterson advised that in some areas the headland was not large enough to walk on or too rough. Cllr. Bickford-Smith advised he would contact the landowner to discuss and resolve.

**Footpath 9/2** - Discussions took place regarding whose responsibility it is for the safety of users using a footpath. Cllr. Mrs Pascoe advised that she believed it to be the landowner's responsibility for the safety of users using a footpath across his/ her land.

**13. REGENERATION** – Cllr. Ms Williams was absent so no update.

**14. LOCALISM/CODE OF CONDUCT/NEIGHBOURHOOD DEVELOPMENT PLAN** – Nothing to report

## 15. REPORT OF THE CLERK & CORRESPONDENCE

Rural Services Network – weekly news 02/03, 09/03, 16/03, 23/03.

Rural Transport March 2015.

Rural Opportunities Bulletin March 2015.

Community Energy – Summary of Cornwall Council's emerging Planning Policy & Guidance.

Cornwall for Change – Update March 2015.

National Plant Monitoring Scheme – Monitoring our wild flowers.

Audit Date 1<sup>st</sup> June 2015.

Expression of thanks received from Sithney Christmas Lights Committee for Donation.

## 16. FINANCE

**a) To consider the following accounts for payment:** - Approval of schedule of payments.

It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Perrin and carried unanimously that the following accounts be paid as per the schedule of payments: -

Trannack School	- Room Hire	£ 55.00
Mrs Jodie Ellis – Clerk	(Salary & Expenses)	679.34
Cornwall Association of Local Councils (CALC)	- Membership	<u>268.22</u>
		<u>1002.56</u>

## Financial Reports by Clerk

### b.) Financial report.

The Clerk reported that she had invoices to pay totalling £1002.56 as reported at item 16a.

The balance at the end of March on the Current Account was £2449.75 and on the Business Saver £33,552.50. These are considered adequate to undertake the work of the Parish Council. It was proposed by Cllr. Bickford-Smith, and seconded by Cllr. Perrin and agreed that the report be accepted. All in favour.

**Approval of Monthly & Quarterly Report.** The accounts to end of March had been circulated but they do not include the payments drawn on 7<sup>th</sup> April. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Martin and carried unanimously that these represent a true account of the Parish Council finances and they were signed by the Chairman.

**Monthly Risk Assessment** – The Clerk reported no issues this month. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Martin and carried unanimously that this report be accepted.

**c.) 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. Mrs. Pascoe, seconded by Cllr. Perrin and carried unanimously that David Gallie continue as the PC auditor.

**16d) Venue for August Meeting as Sithney School is unavailable** – It was discussed that we could attend Trannack School for three months in a row for July, August and September. However Cllr. Bickford-Smith advised he has a school governors meeting next week at Sithney so will raise the issue and report back.

**16e) Consider Application for Donation from Cornwall Air Ambulance** – Clerk has written to Cornwall Air Ambulance to request a copy of their latest accounts, in order to consider their application in May.

**17. Co-Option of new Parish Councillors:** -. There is still one vacancy on the Parish Council. Cllr. Paterson advised that this could increase in the near future so all Cllrs need to encourage local people to join if possible.

**18. Flooding** – Cllr. Keeling is attending a select committee meeting at CC and will report back if necessary.

**19. School Governors Report** – Cllr. Bickford-Smith expressed disappointment in the number of replies the school received regarding the federation process, apart from his own response only Cllr. Paterson completed one from the parish council.

Cllr. Mrs. Pascoe advised that Trannack School had been successful in receiving £10,000 in lottery funding for improvement to the school garden in particular the pond and poly tunnels to allow the children to grow their own things. The parents are driving this forward.

**20. Affordable Housing** – Update from Robin Falle - Currently, the s106 agreement is in the process of being drafted by Cornwall Council's legal department following agreement of the terms of the agreement between the developer, landowner and Cornwall Council's Housing Enabler, Will Morris. One issue has arisen relating to the drainage strategy which the engineers are just dealing with at the moment but it is hoped that this will be resolved by the time the s106 agreement is ready for signing. We are now working on the development agreement between Coastline and Kier Living who will be taking the role of contractor for the scheme and again, it is hoped that this will be completed shortly. The intention is that the development commences as soon as practically possible after the issue of the planning certificate following the signing of the s106 agreement.

**21. TIME AND DATE OF NEXT MEETING** – Tuesday 5<sup>th</sup> May at Trannack School.

**Confidential –**

It was proposed by Cllr. Mrs Pascoe, and seconded by Cllr. Martin that the press and public withdraw.

**22. Clerks Contract and LGPS** - 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".

Cllr. Paterson advised that the council had received a letter regarding a new legislation that comes into effect from February 2017 requiring the PC to contribute into a pension scheme for all its employees. The Local Government Pension scheme that is delivered by Cornwall Council and other local parish councils is at an employer contribution rate of 20.5%. It was discussed and agreed that there was no reason to delay the Clerk in joining the LGPS with immediate effect. It was proposed by Cllr. Perrin and seconded by Cllr. Bickford-Smith. All in favour.

**23. Communications - Parish Newsletter/Website – Review of New Parish Website options** - 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".

Cllr. Bickford-Smith left the room whilst discussions took place.

Cllr. Paterson advised that there were three options regarding a Sithney Parish council website.

- 1.) Continue with current provider at a cost of £25.00 per year, which ensures the website is free of advertisements.
- 2.) Move to internet provider e-mango at a cost of £300 initial set up and design and £480 annual charge for hosting and back-up.
- 3.) Move to Cllr Bickford-Smith's arm's length IT company at a cost of £175 for set up and design and an annual fee of £60.

All three options were discussed, and it was felt that given the council's current needs the existing website was adequate, and therefore there was no need to change providers.

It was proposed by Cllr. Perrin, and seconded by Cllr. Mrs Pascoe. All in favour.