

SITHNEY PARISH COUNCIL

Chairman: Ian Paterson

Clerk to the Council
Mrs. Pauline Williams
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Helston TR13

27/14

MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT SITHNEY SCHOOL ON TUESDAY 7TH OCTOBER 2014 AT 7.30PM

Present:-

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

Cllr. P. Elliott Cllr. M. Morgans

Cllr. Mrs. A. Pascoe Cllr. Ms E. Williams

Parish Clerk Mrs. Pauline Williams, and 2 members of the public,

1. APOLOGIES FOR ABSENCE – were received from Cornwall Councillor John Keeling, Cllr. P. Martin (other meeting) and PCSO Paul Whitford.

2. ACCEPTANCE OF MINUTES - The Minutes of the Parish Council Meeting held on 2nd September, 2014 were proposed by Cllr. Morgans, seconded by Cllr. Mrs. 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 item 21 website and item 23 Affordable Housing and Cllr. Mrs. Pascoe declared a non registerable interest in item 15b) Application for financial assistance Sithney and Lowertown over 60's club as a committee member.

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

5. MATTERS ARISING FROM PREVIOUS MINUTES

Update Wheal Bramble – Nothing to report.

Footpath 230/6/1 Mellangoose to Newham Barton and Farm -.The Clerk said that Hamish Gordon had advised that he was still awaiting confirmation of funding from CC.

Footpath 230/9/2 – Works have commenced.

Footpath 30/1 –Hamish Gordon had met with the landowner of the section behind the Mill. Whilst he has received the go ahead from his insurers he is having problems with the loss adjuster, who it appears has now agreed the claim, but written confirmation is awaited. The bottom section that runs past the yurt camp site has erosion to the surface as a result of the floods last year. Signs have been put warning of the danger until funds are available to repair the surface of the path.

Replacement of missing/defective footpath signs - The Clerk, had, as instructed, put these works forward to the Helston and Lizard Works Scheme and is awaiting a response.

Overhanging bough Front Lodge to Mellangoose – Councillor Bickford-Smith had copied a reply from Mr. Harvey, agent for Trevarno House in which he sought confirmation of which boughs needed attention, as there had been a lot of work carried out in 2013 and all the storm damaged trees had been attended to. Cllr. Bickford-Smith said he felt he must now distance himself from this matter, but had organised some photographs to be taken of the boughs, which are all Laurel, which prove they are too low. Cllr. Bickford-Smith said that a lorry had been forced to turn around recently as they could not get under the trees. The Clerk was asked to send the photographs to Highways and ask them to deal with the matter.

Light Bulb Lowertown Library Box – This had no yet been done.

Helston Railway Signs junction Trevarno Turn from Chynhale to B3303 – Nothing further had been heard from Cornwall Councillor John Keeling.

Enforcement Retail Unit Electrical Kitchen, Trannack Mills, Coverack Bridges EN14/01721 – The Clerk had completed and sent off the request for enforcement action, which had been acknowledged on behalf of CC by Zoe Ford, CC had confirmed that a site visit had taken place.

Enforcement four self contained Log cabins Lowena Barn, Lowertown Helston EN14/01725 – A visit is awaited.

Radar report on speed and usage B3303 Crowtown. The Clerk had completed and sent off the request for enforcement action, which had been acknowledged by CC.

6. PUBLIC PARTICIPATION – Mr. Mickler stated that the signs were still in position advertising Electrical Kitchen and as far as he was aware there had been no relaxation of the 'non retail' clause of the planning permission.

7 POLICE REPORT –PCSO Paul Whitford sent his apologies. He stated in his report that there had been one crime reported in September, that of Criminal Damage to Property under £5,000 at Trenear. Restorative justice was used. He stated that a new PCSO Ashley Fuller had been appointed who will covers Porthleven and Helston North. He will still cover Sithney. Whilst he will still attend meetings as duties allow, written reports may become a thing of the past. He asked that residents and Councillors visit the Police.uk website where information is logged concerning crimes, current policies and there are a lot of statistics.

8. CHAIRMAN'S COMMENTS – Cllr. Paterson said he had attended the recent planning conference on 30th September. Cornwall has the largest number of planning applications in the UK at 13,000 per annum, but the number of planning officers was being reduced. He said that attendees were told that it was hoped to stop sending papers copies of planning applications to Parish Council's soon so as to save money. This would mean that Parishes would need to have internet access at their meetings to display plans to the public. He had attended four workshops on introduction to planning, material planning considerations, Affordable Housing and Enforcement. He stated that the content was excellent but officers had insufficient time to present their subjects.

9. COUNCILLORS' QUESTIONS AND COMMENTS – As part of an information bulletin received by the PC on 19/9, CC were asking Councils with old cast iron signposts and granite milestones to get in touch with the Cornwall Milestone representative who may have volunteers who are able to clean and repaint these free of charge. The details were passed to

Cllr. Ms Williams for action. Once repainted it will be up to local volunteers to keep them free from being overgrown and keep them clean.

Cllr. Bickford-Smith said he would like to see a combined Parish, Church and School newsletter covering all aspects of Parish life. The Clerk stated that she was still trying to get confirmation about funding of such newsletters. Cllr. Paterson said that he did not have the time to compile the newsletter alone and be Chairman. Cllr. Elliott agreed to help. Another problem is delivery; Cllr. Paterson agreed to investigate other means of delivery like Docmail. The Clerk was asked to add Parish Newsletter to the next Council agenda.

10. CORNWALL COUNCILLOR'S COMMENTS – Cornwall Councillor John Keeling's report had been circulated and in his absence taken as read. He had reported that there is a consultation evening on the Budget on 28th October at Helston. He stated that savings of £196 million need to be made over the next 4 years and the consultation evening will indicate how it is proposed to make these savings. Cornwall Council is proposing to put up for devolution services totalling £34 million to Parish Councils, community and voluntary groups.

Councillor Keeling said it is being put to full Council that where a planning applications impact on more than one Council the neighbouring Council's will be able to make representations at the Planning Committee (major applications are already covered by this). The three minute rule will still be enforced. He stated that he had given the last of his community chest money to the 1st Sithney Green Brownies and Senior section. Councillor Keeling stated that he is meeting with a Highway Steward in Lowertown to discuss the dangers of large articulated lorries using the road network causing damage to property and to discuss the problems re the Helston Railway signs at Trevarno Turn.

11. PLANNING – Planning Applications To consider recommendations to planning applications received: --

PA14/08603 Higher Trannack Farm, Trannack. Two storey extension provide 2 beds, bathroom & terrace with balcony. Single storey sun room extension to the adjoining dwelling.

PAP supported this application as they felt it was well presented and would have little impact on surrounding properties.

PA14/08899 Delanance, Nancegollan. TR13 0AP Proposed conservatory.

PAP supported this application.

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

Approved

PA14/02887 Merther Farm, Merther Lane, Sithney. Construction of affordable dwelling

PA14/06934 2 Merthyr Vean. Sithney TR13 0AE. Change of use of agricultural land to domestic curtilage and provision of tarmac area to provide turning and parking space to be joined to existing tarmac area.

Agricultural Applications - PC not consultee. PA14/07648 General purpose agricultural building for hay/straw storage and some machinery. Pengoon Vean, Hayle road, Nancegollan. – Prior Approval not required.

Enforcement

Alleged creation of a new access and the construction of foundations for a new building at land adjacent to Boscadjack House, Coverack Bridges, Helston EN14/01354 – The new access works do not require planning permission, but the new building will need permission and Niamh Ashworth has stated that she will be monitoring the site pending a full planning application.

Refusals

PA14/07087 Crowntown Car Sales, Crowntown Filling Station, Crowntown. TR13 0AD Proposed demolition of existing garage and construction of two houses and one garage. Matt Doble CC Planning had contacted the PC stating that he was recommending refusal on the grounds of the bulk and scale of the proposed development, that it is in front of the building line and they have not offered any financial contribution towards Affordable Housing. (Where two or more properties are constructed this is mandatory). He asked if the PC would support this. The Clerk had contacted 3 members of PAP and the Chairman of the PC, who agreed with these grounds, which were very similar to the concerns raised at the September PC meeting.

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 written representations appeal is being heard in respect of Helston Railway. All representations have to be made by 2nd October.

Other Planning Matters

W2/PA94/00643F Trevarno, Helston. Continued use of former dwellings as offices, living accommodation and research and development of products or processes, use of former stores and garage for incidental light industrial purposes and road improvements. – Disposal of Article 36(13)

12. PUBLIC RIGHTS OF WAY – Terri Winchester, Cormac, had confirmed that LMP grants would continue, but there was no confirmation as to the sum involved.

The final invoice for clearing the rights of way had been received. It was proposed by Cllr. Mrs. Pascoe seconded by Cllr. Morgans and carried that this be paid.

The Clerk sought authority to claim the remainder of the LMP grant in the sum of £936.38. It was proposed by Cllr. Mrs. Pascoe seconded by Cllr. Morgans and carried unanimously that the Clerk submits the claim.

FP14 – Cllr. Mrs. Pascoe and Ms Williams are to meet with the land owner to try and resolve the line of the path (avoiding the boggy area). Hamish Gordon said he was in negotiations with the land owner concerning various obstructions to the path that he wanted removed.

BW29/1 – Mr. Sanders had asked the Clerk to contact CC again concerning this partially blocked path which had been reported to CC last year. Hamish Gordon said he had met with the landowner who has agreed to remove the side and overhead growth but not the up growth which is CC responsibility. CC had confirmed that they would place it on the list to be cleared in the next financial year as all funds had been used for this year. The Chairman had asked the Clerk to

obtain a quote from Mr. Sanders, in case the PC wished to fund this work. The quote was in the sum of £125. Mr. Sanders had spoken with the landowner, and is optimistic that he will carry out his part of the work at the same time. It was proposed by Cllr. Mrs. Pascoe, seconded by Cllr. Elliott and carried that this quote be accepted.

FP230/18/2 – It is understood that Dan Senior had asked the landowner (Mr. Jacka) to reinstate the footpath which goes diagonally across his field on potatoes. It was felt that as a path had been provided around the edge of the field this was satisfactory.

13. LOCALISM/CODE OF CONDUCT/NEIGHBOURHOOD DEVELOPMENT PLAN – The Clerk had attended a training course on 8th September. A copy of the notes had been circulated to all Councillors. Information Bulletin 18/9/2014

14. REPORT OF THE CLERK & CORRESPONDENCE

CALC The Week 29/8/2014 including LTN01, 05, 66 and L02-14. Plus guidelines for broadcasting/recording of meetings
Rural Services Network – Spotlight on older people in rural areas 27/8, Rural Opportunities Bulletin September, Rural Transport September, weekly news 1/9, 8/9, 15/9, 22/9,

Safer Cornwall Newsletter 28/8,

Signpost 28/8,

Meet the funders for small community groups

Housing in Cornwall CPRE – report

Cornwall Local Plan – strategic policies consultation period 4/9 – 16/10/2014

CC Your budget – invitation to meeting to discuss the budget 28/10 at 6pm Andrew Hall, Church Street, Helston. Nominations for Vice-Chairman or membership of the panel sought. None were put forward

Information re Precept 2015/16

Community Assist – free help and support for charities and voluntary groups.

Letter of thanks from Danielle and Tom Raffield re Nanskerris.

Note of thanks from 1st Sithney Green Senior Section Girl guides.

An e mail had been received, and forwarded to all Councillors from Vodafone asking if any Parish Councils were interested in applying for 3G mobile coverage in their area. Whilst this had been received after the issue of the agenda the close of date for applications is 14/10/2014. Council expressed no interest.

An e mail had been received from Rob Andrew (circulated to all Councillors on 12/9) bringing to the PC attention that Devon and Cornwall Police and Crime Panel have called for evidence as part of a scrutiny review in relation to the 'Police and Crime Commissioner's joint announcement with the Chief Constable in respect of Devon and Cornwall Police Public Contact Strategy – Station Enquiry Rationalisation'. Comments are required by 17th October. Council expressed no interest.

The Clerk had received a proposed road closure notice for the road from Releath to Crelly, Trenear from 3rd to 7th November 0730-1800hours for drainage works. Cllr. Paterson will round robin this to persons subscribing to the e mail service for SPN.

15. FINANCE

a) To consider the following accounts for payment:-

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

	£
Mrs. Pauline Williams- Clerk	583.43
Mr. R. Sanders – LMP contract and additional works	1,557.24

b) Consider the following applications for donations – Sithney and Lowertown over 60's club. Cllr. Mrs. Pascoe left the meeting having previously declared an interest as a committee member.

After discussion it was agreed that the Clerk write to the applicant seeking confirmation that they have insurance in place, that risk assessments have taken place and asking for a set of authorised accounts to be received so that the application can be considered at the next meeting. Cllr. Mrs. Pascoe returned to the meeting.

c) Financial Reports by Clerk

Financial report – The Clerk reported that she had invoices to pay totalling £2,140.67 as reported at item 15a

The balance at the end of September on the Current Account was £27,691.48 (£7,963.50 Precept + CTSG £496.77 received and unrepresented cheques totalling £245) and on the Business Saver £13,546.08 interest of £1.82 received). These are considered adequate to undertake the work of the Parish Council. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Elliott and agreed that the report be accepted.

Bank Statements - The Clerk asked Council if they would consider granting authority for her to become an authorised signatory with powers limited to viewing the bank statements on line and transferring monies between accounts (which would increase interest on the business saver account). This would be most helpful as the monthly and quarterly reports need to be written to go out with the agendas and the bank statement is not always received in time. Consequently the Clerk is reliant on communicating with the business banker to confirm balances, however she is only part time and this is causing problems. The PC authorised signatories felt that this facility should be limited to the Clerk. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Pascoe and carried unanimously.

Approval of Monthly Report. The accounts to end of September had been circulated but they do not include the payments drawn on 7th October. It was proposed by Cllr. Bickford-Smith seconded by Cllr. Elliott and carried that these represent a true account of the Parish Council finances and they were signed by the Chairman.

Approval of Quarterly Report - Councillors had received a copy of the quarterly report. It was proposed by Cllr. Elliott seconded by Cllr. Morgans and carried that these represent a true account of the Parish Council finances and they were signed by the Chairman.

Monthly Risk Assessment – The lock on the notice board at Lowertown had still not been replaced. The Bus Shelter at Lower Town requires the interior walls cleaned. There has been no further news in regard to the painting of the fascias and windows. The light in the telephone box at Lowertown has not been replaced. It was proposed by Cllr. Elliott, seconded by Cllr. Martin and carried unanimously that this report be accepted.

16. Three year budget forecast – A copy of the proposed forecast had been forwarded to all Councillors for discussion. Cllr. Elliott said there had been a preliminary meeting between the Clerk, Chairman and two auditing Councillors (PE & PB-S) where they had discussed finances and in particular the large balances held in reserves. He reported that the group suggested that the Precept was reduced by £2,000 each year for the next three years in order to reduce reserves. However, this may be amended in the event that it was decided to formulate a Parish Plan, due to the high cost of this. It was proposed by Cllr. Bickford-Smith, seconded by Cllr. Morgans and carried that these figures were as accurate as this type of forecast could be.

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

18. Flooding – Concerns were expressed about the fact that a large pond is being created at the bottom of the field near (Parc-An-Lower, Lower Prospidnick OSGR SW647310) where the Cornish hedge had given way during the floods. This is where a meeting had been held between Andrew George MP, Tom Marks Cormac Solutions etc. Cllr. Bickford-Smith reiterated his previous thoughts that only legal action would resolve the flooding issues as a result of farming practices. The Clerk was asked to contact CC Highways and the Environment Agency and ask them to look at the work being undertaken.

19. Amendment to Standing Orders – Directive from CALC. Amendments required to Standing Orders. Standing Order 44d)

Add Non Registerable Interest after Disclosable Pecuniary to read:-

44d) Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disc losable pecuniary interest or non register able interest. He may return to the meeting after it has considered the matter in which he had the interest.

Standing Order no 17

17. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent to be deleted and replaced with

17) Filming and recording meetings

a) Whilst a meeting of the Council, its committees or sub committees is open to the public, any person, if present, may:

- i) film, photograph or make an audio recording of a meeting;
- ii) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
- iii) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

b) Oral reporting, commentary or broadcasting is not permitted during any part of a meeting of the council, its committees and sub committees.

c) An individual must be present and able to use their equipment in order to film, photograph or audio record a meeting. There will be no opportunity to report on any part of the meeting where the council has resolved to exclude the press and public.

d) Disruptive behaviour

i) No filming, photographing or audio recording of a meeting should be carried out in such a way as to disrupt the proceedings of the meeting.

ii) If person(s) disregard the request of the chairman of the meeting to moderate or improve their behaviour, any Councillor or the chairman of the meeting may move that the person be instructed to cease filming, photographing or audio recording. The motion, if seconded, shall be put to the vote without discussion.

iii) If a resolution under standing order 31 d ii) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

e) Members of the Council recording meetings are reminded of their obligations under the Council's Code of Conduct in respect of confidential matters.

It was proposed by Cllr. Elliott seconded by Cllr. Mrs. Pascoe and carried that these amendments be made to Standing Orders.

20. School Governors Report –Cllr. Bickford-Smith stated that he had attended two Governors meeting in the last week, one of which was prior to this meeting. The School had agreed to take over maintenance of the parking spaces provided for them within the affordable Housing Scheme. The additional housing would increase the number of children in the area and currently there were no spaces at Sithney School. He suggested that a new pre-school building in the field would ease the problem and that he would be willing to grant a lease for this. The facility would be open for use of the Parish Council and public outside school hours. He asked Council if they would be willing to support this venture. Council said they would. Cllr. Bickford-Smith said the school were in the process of looking for grants to build the facility.

Cllr. Mrs. Pascoe said that the lottery application made by Trannack School had been returned as CC applied on their behalf; the application has now been submitted in the name of the Governors.

Councillor Bickford-Smith left the meeting due to declared interests.

21. Website – As Cllr. Bickford-Smith was no longer at the meeting it was agreed to defer this item until November.

Item 22 being confidential is excluded from the minutes and shown on page 32/14. The Clerk left the meeting.

23. Affordable Housing – An e mail had been received from Andrew Wiles asking who is to take responsibility for the car parking spaces on the site. Trand had agreed to make up the car parking spaces to adoptable standard. An e mail had been received from the Governors of Sithney School stating that they would maintain the parking spaces specifically provided for the school. Trand have made an offer of £1,000 towards the cost of the maintenance of the amenity space. It was proposed by Cllr. Elliott, seconded by Cllr. Mrs. Pascoe and carried that the PC accept the offer of Sithney School to maintain the school parking spaces and that they accept the £1,000 offered by Trand.

24. Time and date of next meeting - Tuesday 4th November 2014 at Trannack School.

CONFIDENTIAL

22. Clerks Annual Review - 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”