

# SITHNEY PARISH COUNCIL

Chairman: Ian Paterson

Clerk to the Council  
Mrs. Pauline Williams  
01209 831229

Briar Cottage,  
Burras, Wendron  
Helston TR13 0HU

32/14

## MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT TRANNACK SCHOOL ON TUESDAY 4<sup>TH</sup> NOVEMBER 2014 AT 7.30PM

Present:-

**Cllr. P. Bickford-Smith Vice-Chairman**

**Cllr. P. Elliott**

**Cllr. P. Martin**

**Cllr. Mrs. A. Pascoe**

**Cllr. Ms E. Williams**

**Cornwall Councillor John Keeling, Parish Clerk Mrs. Pauline Williams, Hamish Gordon, Countryside Officer (Development) Cormac Solutions, and 1 member of the public,**

**1. APOLOGIES FOR ABSENCE** – were received from Cllr. I Paterson – Chairman – family matters.

**2. ACCEPTANCE OF MINUTES** - The Minutes of the Parish Council Meeting held on 7<sup>th</sup> October, 2014 were proposed by Cllr. Mrs. Pascoe, seconded by Cllr. Ms Williams and unanimously agreed as a correct record and were signed by the Chairman.

**3. DECLARATIONS OF INTEREST FOR ITEMS ON THIS AGENDA** – Cllr. Mrs. Pascoe declared a non registerable interest in item 15b). See page 39 Disclosure of Interests book

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

**5. MATTERS ARISING FROM PREVIOUS MINUTES**

### Appeals

**Update Wheal Bramble** – Nothing to report.

**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** – Nothing to report

**Overhanging bough Front Lodge to Mellangoose** – Cllr. Bickford-Smith had kindly met with Claire Banks, Cormac Solutions to view the overhanging Laurels. He had past on details of the agent and Claire Banks said a formal notice will be issued to get the boughs cut.

**Light Bulb Lowertown Library Box** – This had not yet been done.

**Helston Railway Signs junction Trevarno Turn from Chynhale to B3303** – Cornwall Councillor John Keeling had met with Claire Banks and it had been agreed that the signage was acceptable in terms of road safety. Cllr. Bickford-Smith said he felt this made a mockery of a previous scheme when the road was widened to create a visibility splay on road safety grounds, which was now being obscured to the North and South by the sign. Cornwall Councillor John Keeling said he would look at the sign again and report back.

**Enforcement Retail Unit Electrical Kitchen, Trannack Mills, Coverack Bridges EN14/01721** –CC Zoe Ford, had confirmed that a site visit had taken place, however, despite the Clerks best efforts she could not find out what, if any action is to be taken. Cornwall Councillor John Keeling said he would speak to Niamh Ashworth and report back to the PC.

**Enforcement four self contained Log cabins Lowena Barn, Lowertown Helston EN14/01725** – A letter had been received from Niamh Ashworth, Development Officer, CC. She stated that she could see no evidence that the units were being rented out for holiday accommodation, but as ancillary to the main dwelling house. The log cabins are deemed permitted development, and her visit to site confirmed that they were in accordance with this.

**Cast Iron Signposts and granite milestones** – Cllr. Ms Williams stated that she had read the paperwork but had not as yet taken any action.

It was proposed by Cllr. Mrs. Pascoe, seconded by Cllr. Ms Williams and carried unanimously that all items in respect of Rights of Way be brought forward under SO42(iii) in order that Hamish Gordon could advise the PC.

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

**Footpath 230/9/2** – Works have commenced. An e mail of complaint had been received from the owner of Chynance concerning the use of herbicide to kill weeds on the path. The householder having previously maintained the path on organic principles. He stated that the spray had also affected the Cornish Hedge and his fruit garden and is considering legal action. Cllr. Mrs. Pascoe said that the spraying had been carried out to define the line of the granite stone on either side of the path to avoid injury to persons using the path. Hamish Gordon said he had seen the e mail conversation but could not comment on work not carried out by CC. It was proposed by Cllr. Martin, seconded by Cllr. Mrs. Pascoe that the PC does not approach its insurers at this time, but that Cllr. Paterson is asked to visit the owner and apologise on behalf of the Council.

**Footpath 30/1** –Hamish Gordon said that works had commenced. The bank is being excavated and the stone exposed which will be broken up and removed. The bank will be rebuilt at the back of the house. The owner of Lower Trannack Mill Mr. Scott Hesketh, had spoken to the Clerk and said that if the PC could supply the hardcore he would repair the path FOC from the viaduct upwards. (S43, 50 of Highways Act 1980 gives authority to repair paths) Hamish Gordon said that unfortunately his revenue budget ran out in August and he could not repair the area where the path had eroded. He said that the path behind the house had sunk and fills with rubbish from the wood behind. He said

there needed to be some drainage solution to stop it flooding. He anticipated it would take 20 – 30 tons of hardcore to level the section Mr. Hesketh was talking about. It was agreed that Cllr. Mrs. Pascoe would visit Mr. Hesketh to ascertain the extent of the work envisaged and the cost and would report back to the December meeting.

**Replacement of missing/defective footpath signs** - The Clerk, had been advised that due to Chapter 8 regulations the scheme could not be included.

#### **PUBLIC RIGHTS OF WAY (item 12)**

The Clerk stated that Hamish Gordon had asked if there was any scrub clearance or fencing that was required that could be put forward under the Helston and Lizard Works scheme. Cllr. Mrs. Pascoe said there was a stretch of path, around 50 metres, that was overgrown at Wheal Christopher (BW/FP14/4/5) and asked if this could be put forward under the Helston and Lizard Works Scheme. Hamish Gordon said he would speak to Bev. Wilson, but asked that the landowner be advised. Cllr. Mrs. Pascoe agreed to do this prior to any works being carried out.

**BW/FP14/4/5** – Cllr. Mrs. Pascoe and Ms Williams had walked the path (blocked as above). Cllr. Mrs Pascoe stated that the middle section of the path was a footpath, whilst there was Bridleway either side and she had been unable to walk the path for over 30 years. The stile had gone and the path was only accessible from the end opposite Wheal Christopher. Hamish Gordon said that it is possible that this was a mapping error in which case a pro active resolution could be made accepting the error and it could be rectified. Another course of action would be to approach the landowner asking if he would dedicate the path and it could be upgraded to a Bridleway, or it could be upgraded if there was evidence the path had been used for 20 years in its entirety (which it has not). Cllr. Mrs. Pascoe agreed to speak with the landowner and report back to Council in December.

Hamish Gordon said he was in negotiations with the land owner concerning various obstructions to the path that he wanted removed.

**FP14/1** – A quantity of earth had been deposited on the path obliterating the path between OSGRSW6442 3125 and SW6437 3139, resulting in path users having to surmount an earth bank in order to follow the line of the path. A new hardcore track appears to be under construction. The track runs from the farmyard being used by Helston Railway into adjacent fields. Hamish Gordon said he had photographed the blockage and contacted Mr. Glasper, the agent and told him to remove the earth and reinstate the path.

**BW29/1** – Mr. Sanders and Hamish Gordon, Cormac, are starting work clearing the path next week. Cllr. Mrs. Pascoe said that she had stopped using this path when the landowner had put in a series of gates and steps on the Bridleway. Cllr. Mrs. Pascoe asked if stile replacement was the landowner's responsibility, Hamish Gordon said they were providing the stiles are authorised structures on the definitive map and structure plan. In certain instances they are now required to be replaced with kissing gates.

Cllr. Bickford-Smith and the Clerk thanked Hamish Gordon for all his help and he left the meeting.

**6. PUBLIC PARTICIPATION** – Nothing.

**7 POLICE REPORT** – PCSO Paul Whitford sent his apologies. He reported no crimes during October and no problems reported during Halloween. He wanted to remind residents to check over their vehicles ready for the winter, tyres, lights etc. and confirmed the usual checks would be carried out in the lead up to Christmas.

**8. CHAIRMAN'S COMMENTS** – Cllr. Bickford-Smith said that Chynhale Chapel was closing for good on Easter Day. Its future is uncertain.

**9. COUNCILLORS' QUESTIONS AND COMMENTS** – Cllr. Paterson had asked that the public be made aware of the proposals made by CC to make various alterations to the speed limits along the length of the B3303 between the junction with the B3302 in the South near Sithney School and to the North at its junction with the A3044 Camborne. This will include a 20mph zone outside Sithney School with traffic calming. 30 mph amendments or additions at Crowtown and Nancegollan and Praze-an-Beeble. 40mph amendments or additions between Crowtown and Nancegollan and also between Praze-an-Beeble and Trenowth. He wanted residents reminded that they should respond to the consultation. There was a general acceptance of the proposals, but Cllr. Martin felt that if they were not policed, they would be ineffective.

Cllr. Paterson wished the PC to be alerted to a new field entrance opposite Trevarno, Top Lodge, he had asked Cornwall Councillor John Keeling for advice. Cllr. Bickford-Smith said there used to be a gate in the hedge, but was uncertain without looking if this was in the same place. Cornwall Councillor John Keeling had sought advice and will report back.

Cllr. Elliott told the Council that he would be moving back to Worcestershire and until the house is sold would continue his duties with the Council. Cllr. Bickford-Smith said he would be sorry to lose Cllr. Elliott and thanked him for all the work he had carried out on behalf of the Council.

**10. CORNWALL COUNCILLOR'S COMMENTS** – Cornwall Councillor John Keeling reported that Newquay Airport now has a 4 year contract with Flybe to fly to Gatwick, funded by the Government. The CC budget is proposed to rise by 1.97%, this is just below the Government cap; the amount will be fixed on 25<sup>th</sup> October. Thanks to management of vacancies there will be 280 redundancies instead of the predicted number. CC John Keeling reported he was in conversation with George Eustice MP in respect of flooding from field run off. Soil protection is to be addressed in the revision of the Common Agricultural Policy. He stated he was also trying to find a solution to blocked gullies and other flooding issues. Cornwall Councillor John Keeling said he would meet with Cllr. Bickford-Smith shortly to update him on progress. He had attended a meeting of Sithney Community Group and mentioned fund raising for defibrillators.

#### **11. PLANNING - Approved**

PA14/06504 Chyvadna House, Crowtown. Change of use of agricultural land to domestic curtilage

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.

PA14/08899 Delanance, Nancegollan. TR13 OAP Proposed conservatory

**Agricultural Applications**

**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.

**12. PUBLIC RIGHTS OF WAY** –see pages 32/14 and 33/14

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

**14. REPORT OF THE CLERK & CORRESPONDENCE**

CC – Information Bulletin re use of red diesel

CALC The Week 10/10 including Local Government Pay 2014 and transparency code update

Notes from CC Planning Conference – e mailed to all Councillors

Peninsula Community Health Annual Review April 2013 to March 2014

CPRE Housing in Cornwall Part two

Rural Services Networks – rural news 29/9, 7/10, 13/19, 20/9, 27/9. Rural Opportunities Bulletin October, Rural Housing Spotlight October, Rural Vulnerability Fuel Poverty October.

CC chart showing how they spend money.

Cornwall AONB Autumn newsletter

Request for volunteers for mobility aid delivery

CAB Performance and impact report 2013/14

Vital Venues Newsletter October 2014

Temporary Road Closure Releath to Crelly from 3<sup>rd</sup> to 7<sup>th</sup> November 0730 to 1800 hours in order to carry out drainage improvement works.

CC Environmental health department are hoping to speak to the owner of the abandoned car at the Church Car Park. However, it has been made clear that the vehicle is in good order, (not abandoned as defined in the act) locked, secure and not causing an obstruction so there is little they can do.

The festival of Remembrance will be held at Sithney Church at 6.00pm on 9<sup>th</sup> November. Unfortunately due to problems with the floor of the Church only one member of the Parish Council can attend. Cllr. Bickford-Smith agreed to attend to represent the PC and Chynhale Chapel.

It was resolved, that in pursuance of the power conferred by Section 137 of the Local Government Act 1972, and being in the opinion of the Council 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 that the grant be made. It was proposed by Cllr. Elliott, seconded by Cllr. Mrs. Pascoe and carried that a donation of £100 be made to the Royal British Legion Poppy Appeal as it is the centenary year.

**15. FINANCE****a) To consider the following accounts for payment:-**

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

Mrs. Pauline Williams- Clerk

£  
576.83

**b) Consider the following applications for donations** – Sithney and Lowertown over 60's club. Cllr. Mrs. Pascoe declared a non registerable interest as a member of the committee and left the room at 8.31. The Clerk reported that Thelma Bedells had advised her that the school carried insurance for the Christmas lunch and the Coach Company for the annual outing. The Clerk said she felt that this was not adequate. Cllr. Elliott stated that as long as the club were willing to sign the disclaimer on the application form, the PC should be absolved of any responsibility. The accounts are due to be presented at the next meeting. Cllr. Mrs. Pascoe returned at 8.34.

**c) Financial Reports by Clerk –****Financial report.**

The Clerk reported that she had invoices to pay totalling £576.83 as reported at item 15a. The balance at the end of October on the Current Account was £25,335.81 and on the Business Saver £13,546.08. These are considered adequate to undertake the work of the Parish Council. It was proposed by Cllr. Elliott, seconded by Cllr. Ms Williams and agreed that the report be accepted. The Clerk had received all the paperwork and was now able to access the bank statements as agreed at the last meeting. She asked Council for authority to transfer £20,000 from the current account to the business saver account in order to get more interest. It was proposed by Cllr. Elliott seconded by Cllr. Ms Williams that the Clerk is given authority to carry out the transfer.

**Approval of Monthly Report.** The accounts to end of October had been circulated but they do not include the payments drawn on 4<sup>th</sup> November. It was proposed by Cllr Elliott seconded by Cllr. Martin 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 painting of the fascias and windows of Crowntown Bus Shelter is to be undertaken under the Helston and Lizard Works Scheme. The Clerk asked if Council would like the interior re painted as well as it is tatty. The Clerk was asked to put the internal redecoration forward for inclusion in the scheme. The light in the telephone box at Lowertown has not been replaced. It was proposed by Cllr. Elliott, seconded by Cllr. Mrs. Pascoe and carried unanimously that this report be accepted.

**Virement** – The Clerk stated that it was necessary to vire £10 from Clerks expenses to the training budget. It was proposed by Cllr. Elliott seconded by Cllr. Mrs. Pascoe and carried unanimously that this be done.

**16. Three year budget forecast** – Deferred

**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 nominations received. Cllr. Ms Williams agreed to put an advert in the newsletter for Crowan to see if anyone was interested.

**18. Flooding –** The problem at the bottom of the field near Parc-An-Lower, Lower Prospidnick (OSGR SW647310) where the Cornish hedge had given way during the floods had been referred to Tom Marks of Cormac Solutions and Martin Clemo. Cornwall Councillor John Keeling agreed to speak to Andy Stevenson at Cormac and report back. Cllr. Mrs. Pascoe said she had noted that there was going to be resurfacing at Coverack Bridges. She said around 10 years ago, contractors working for BT dug up the road and damaged the granite channel that took the water from the Mill Leat, since then the road has flooded. The Clerk was asked to contact Cormac and ask for this to be repaired prior to the resurfacing.

**19. Parish Newsletter –** The Clerk reported that Cllr. Paterson had contacted Docmail. A price of £165 had been quoted, for printing, enveloping and posting 4 sheets of A4 newsletter to all properties in the Parish. A further cost of £20 would be incurred to purchase a data document to be used for addressing the newsletters payable to CC. Cllr. Mrs. Pascoe said she thought Councillors should continue to deliver these by hand (failing this the newsletter could be put on the website) and that residents would not like to think the money from their Council Tax was being wasted. Cllr. Elliott stated that Councillors delivering documents on behalf of the PC would not be insured under the PC policy in case of accident and the website had not been updated since Cllr. Betteridge left.

**20. Consideration of purchase of PC computer –** Deferred as Cllr. Paterson was not at the meeting.

**21. School Governors Report –** Cllr. Pascoe reported that following youngsters misbehaving in the Trannack School Playground the gate had been padlocked. She stated that HMI were pleased with how things were going since the last OFSTED Inspection.

**22. Website –** Cllr. Bickford-Smith declared an interest. He was asked to provide costings for updating the PC website for the next PC meeting. It was agreed to consider merging the Parish Newsletter and Website agenda item in future.

**23. Affordable Housing –** Nothing to report.

**24. TIME AND DATE OF NEXT MEETING -** Tuesday 2<sup>nd</sup> December 2014 at Sithney School.