

**MINUTES of the ORDINARY MEETING of
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,
HESSENFORD at 7.30pm on Thursday,
8th January 2009.**

PRESENT: Parish Cllrs. D. L. G. Elliott, Chairman, Downderry Ward
R.J. Daniel, Downderry Ward, Vice-Chairman, Downderry Ward
G.K. Berncastle, Hessenford Ward
Mrs. M.Y. Byles, Hessenford Ward
J.P. Candy, Downderry Ward* (from 19.34 hrs)
Mrs. G.E. Hartland, Seaton Ward
C. J. Hazel, Seaton Ward
Mrs M. E. Temlett, Downderry Ward
* Also District Councillor, Deviock & Sheviok Ward
Mr T. Pullin, Parish Clerk

PUBLIC PARTICIPATION PERIOD:

A member of the public addressed the Meeting, giving his reasons to support application 08/02193/FUL, Land at 35-36 Buttlegate, Downderry.
There being no further requests to address the Meeting, the Chairman closed the public participation period.

1. APOLOGIES: Apologies for absence were received from Cllrs. S. J. Parry (illness), and Mrs. A. Robinson.

2. DECLARARION OF INTEREST IN ITEMS ON THE AGENDA:

The Chairman declared a personal interest in relation to item 6.2.1.
Cllr. J. P. Candy declared a possible prejudicial interest in relation to item 11.1. (The Axe).

3. MINUTES:

3.1. Minutes of the Ordinary Meeting of 13th November 2008

It was **proposed** by Cllr. Mrs. M. Y. Byles **seconded** by Cllr. G. K. Berncastle and **AGREED** unanimously by the Meeting, with one abstention, to accept the minutes, as a correct record, subject to minor amendments.

3.2. Minutes of the Extraordinary Meeting of 11th December 2008

It was **proposed** by Cllr. G. K. Berncastle, **seconded** by Cllr. J. P. Candy and **AGREED** unanimously by the Meeting, to accept the minutes, as a correct record, subject to minor amendments.

4. REPORTS ON MATTERS ARISING FROM THE MINUTES:

Cllr. J. P. Candy reported that Caradon D.C. had been in correspondence with B.T. over the conduct of the consultation regarding the removal of telephone kiosks in the area. B.T. had responded by stating that the consultation period was now closed.

Cllr. G.K. Berncastle stated that the issue was really one of why Caradon D.C. had not informed Parish Councils of the initial consultation? Cllr. Candy agreed to look into this matter.

5. POLICE MATTERS:

5.1. COUNCIL MATTERS FOR THE POLICE:

P.C.S.O. John Riggall was in attendance

Cllr. J.P. Candy stated that programmes provided to engage young people with the police in a positive way were to be encouraged, citing one such programme based on rugby matches.

ORDINARY MEETING OF 8th January 2009 (Continued)

5.1. COUNCIL MATTERS FOR THE POLICE (Continued):

P.C.S.O. Riggall stated that he was involved in a "TROPHY" project that involved young people through fishing outings and that although some of the children had been referred for this project it was open for all young people who wished to participate.

5.1.1. Speed Watch. The Chairman reported that the Parish Council was on course to supply four volunteers for this initiative. P.C.S.O. Riggall stated that this initiative was ongoing and that a date for training had not yet been decided.

5.2. POLICE MATTERS FOR THE COUNCIL

5.2.1. Police Crime Report

P.C.S.O. Riggall presented the monthly Crime Report (See Appendix A)

6. PLANNING:

6.1. Minutes of the Meeting of 27th November 2008

It was **proposed** by Cllr. Mrs. M.Y. Byles **seconded** by Cllr. G.K. Berncastle and **AGREED** unanimously by the Meeting, to accept the minutes as a correct record. There were no matters arising.

6.2. PLANNING APPLICATIONS:

6.2.1. 08/02193/FUL Mr. & Mrs. K. & J. Boulting & Mr. & Mrs. P. & L. Morley LAND AT 35-36 BUTTLEGATE, DOWNDERRY

Construction of two dwellings and formation of new vehicular/pedestrian access to highway
The Chairman declared a personal interest and handed over chairmanship of this item to the Vice-Chairman.

The Vice-Chairman circulated members with a letter on the matter of highway safety, that had been supplied by the applicant. The Vice-Chairman read out two letters of objection that had been received. After discussion the Vice-Chairman proposed that the Council should object to this application on the grounds of:-

- a) Highway safety: Poor access onto the main road at a narrow stretch of the road.
 - b) The proposed development is inappropriate to the existing street scene, as there is presently only a bank with native vegetation on that side of the road and no development from the junction of Trewall Lane along to Buttlegate. The proposed scheme would constitute overdevelopment.
 - c) The proposed development is in an Area of Great Landscape Value.
 - d) Probable road closure / disruption during the construction process.
- this was **seconded** by Cllr. Mrs. G.E. Hartland and **agreed** by the Meeting with one against and two abstentions.

6.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA: No additional applications had been received.

6.4. PLANNING APPEALS: There were no planning appeals to consider.

7. PLANNING DECISIONS:

7.1. PERMISSIONS FOR DEVELOPMENT:

7.1.1. 08/01425/FUL: Miss Bridget Daniel, 16 COOMBE PARK, DOWNDERRY

Construction of first floor extension to provide bedrooms & lounge and construction of new ground floor entrance

Caradon D.C. Permission Granted 19th November 2008

Main conditions:-

- 1) Three-year commencement rule
- 2) Materials used for the construction of external surfaces shall match those used in the existing building

ORDINARY MEETING OF 8th January 2009 (Continued)**7. PLANNING DECISIONS:****7.1. PERMISSIONS FOR DEVELOPMENT (Continued):****7.1.2. 08/01368/FUL: Mr. & Mrs. G. Wallace, MARA BRAE, BEACH HILL, DOWNDERRY**

Construction of dwelling and provision of parking (revised design to glazing on south elevation of application no. 07/01712/FUL

Caradon D.C. Permission Granted 25th November 2008

Main conditions:-

As previous permission

7.2. REFUSALS OF PERMISSIONS FOR DEVELOPMENT:**7.2.1. 08/01220/FUL: Mr. David Dempsey THE BARN, CAIR FARM, DEVIOCK**

Change of use of holiday letting unit to residential dwelling for temporary period of two years

Caradon D.C. Permission Refused 2nd December 2008

Main reason:-

The proposed development would represent a new residential unit of accommodation in the open countryside whereby no functional need or justification has been provided, nor has compelling evidence been provided to prove that every reasonable attempt has been made to continue to secure a suitable re-use of the building for economic development purposes. The proposed use of the former agricultural barn is therefore considered to represent undesirable, unsustainable, sporadic residential development beyond and defined Development Limit. The proposal is therefore contrary to Adopted Policies HO7 and HO8 of the Caradon Local Plan First Alteration 2007, Saved Policies 1,2,10 & 26 of the Cornwall Structure Plan 2004, Planning Policy Statement 1 "Delivering Sustainable Development" and Planning Policy 7 "Sustainable Development in Rural Areas".

8. PLANNING CORRESPONDENCE:**8.1. Correspondence received by the date of the Meeting**

No correspondence had been received.

8.2. MATTERS RAISED BY MEMBERS

There were no matters raised by members.

9. FINANCE:**9.1. Income & Expenditure.****9.1.1. INCOME OCTOBER/ NOVEMBER / DECEMBER 2008**

Deviock Bounder (October 2008) Receipts		419.00
Caradon D.C. Community Improvement Fund Grant (50% payment of £1,690.0 total)		845.00
Downderry & Seaton W1 Forwarded donation towards new seat for Broads Yard, Downderry		100.00
	Total £	1,364.00

9.1.2. EXPENDITURE OCTOBER / NOVEMBER / DECEMBER 2008:

Caradon D.C. Clerk's Salary – September 2008	0.88	1,074.11	1,074.99
Clerk's Mileage Expenses July / Aug. / Sept. 2008 (63 miles @ 58.7p per mile)	-	36.98	36.98
Samaritans of Plymouth, East Cornwall & South West Devon	-	50.00	50.00
Caradon Area Community Fund	-	50.00	50.00
St Nicolas Church, Downderry. Parish Office Rent (26 weeks @ £15.00 per week up to 30 th September 2008)	-	390.00	390.00
Audit Commission (Audit fee 2008)	49.88	285.00	334.88
Frontline Image Ltd (Bounder T Shirts)	66.84	381.92	448.76
Running Imp (Bounder Medals)	14.22	81.25	95.47

ORDINARY MEETING OF 8th January 2009 (Continued)

9.1.2. EXPENDITURE OCTOBER / NOVEMBER / DECEMBER 2008 (continued):

Glastonbury Engineering – Replacement tap for Downderry P.C.	-	40.00	40.00
S.P. Jaycock – Repainting door & repairs to roof of Downderry P.C.	-	105.00	105.00
BT – Office Telephone & Broadband (Bill no Q0189Y)	17.38	103.79	121.17
Caradon D.C. Clerk's Salary – October 2008	0.88	1,033.61	1,034.49
SW Water – Downderry P.C. (Period 23/7/08 – 23/10/08)	-	205.30	205.30
Galvins of Liskeard Ltd – Office stationery	0.81	4.65	5.46
Caradon D.C. Nut Tree Newsletter, October 08 (50% contribution)	-	114.45	114.45
Caradon D.C. Nut Tree Newsletter, November 08 (50% contribution)	-	114.45	114.45
Caradon D.C. Clerk's Salary – November 2008	0.75	1,033.61	1,034.36
K. Johnson – PROW and Small Works 2008	-	1,100.00	1,100.00
R.B.L. Poppy Appeal	-	50.00	50.00
EDF Energy – Downderry P.C. (Period 29/7/08-28/10/08)	0.66	13.17	13.83
Christmas Support Grant to local families through St. Nicolas School	-	54.00	54.00
Marmax Products Ltd – WI Seat for Broads Yard, Downderry	53.03	303.00	356.03
October/ November/ December 2008 Cheque Payments C/F £	205.33	6,624.29	6,829.62

Standing Order Payments:

MR. J. BIRD – October 2008 Cleansing Contract Payment	-	211.58	211.58
MR. J. BIRD – November 2008 Cleansing Contract Payment	-	211.58	211.58
MR. J. BIRD – December 2008 Cleansing Contract Payment	-	211.58	211.58
OCTOBER / NOVEMBER / DECEMBER 08 EXPENDITURE TOTALS £		7,259.03	7,464.36

Ratification of this expenditure was **proposed** by Cllr. J. P. Candy, **seconded** by Cllr. Mrs. M. E. Temlett and **approved** unanimously by the Meeting.

The Clerk was asked to investigate the legality of including in the Standing Orders a clause stating that the Chairman be given power to offer hardship grants to individuals in special circumstances.

9.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT

Date	Account	Balance £	
28 Nov. 08	Community	1,000.00	
28 Nov. 08	Business Premium	31,490.46	
30 Oct. 08	Step Saver	5,756.73	
29 Sept. 08	Rocknose BPA	18,870.82	
29 Sept. 08	Sports & Rec BPA	13,356.97	
03 Oct. 08	Barclays Treasury Deposit	60,000.00	Matures on 3 rd April 2009 Interest at 5.7% = £1,639.73
14 Nov. 08	Barclays Treasury Deposit	60,000.00	Matures on 14 th Jan. 2009 Interest at 1.9975% = £200.30

9.3. LETTERS OF THANKS

9.3.1. St Nicolas C of E VA School – Letter dated 5th January 2009

9.3.2. The Chairman stated that he had been asked to write a letter of support to Colin Breed M.P. for a local resident with three children, who had recently arrived from Zimbabwe, had no means of support and was unable to claim any U.K. benefits.

Cllr. J. P. Candy **proposed** that the Chairman be authorised to send a letter of support, this was **seconded** by the Vice-Chairman and agreed unanimously by the Meeting.

9.4. REQUESTS FOR FUNDING

9.4.1. Cornwall Blind Association – Letter dated 25th November 2008

After discussion the Vice-Chairman **proposed** a grant be made of **£50.00**; this was **seconded** by Cllr. Mrs. M. Y. Byles and **agreed** unanimously by the Meeting.

It was also agreed that the Council should adopt a policy with regard to its annual charitable giving. The Clerk was instructed to produce a list of charitable donations given in the 2007/8 accounting period, so that an informed decision on future giving could be arrived at.

9.5. ACCOUNTS TO BE PAID

	<u>VAT</u> £	Nett £	<u>TOTAL £</u>
Clerk's Mileage Expenses Oct. / Nov. / Dec. 2008 (91 miles @ 58.7p per mile) = £53.42 + car parking 50p		53.92	53.92
Total £		53.92	53.92

It was **proposed** by the Chairman, **seconded** by Cllr. J.P. Candy and **RESOLVED** by the Meeting to ratify the above expenditure.

9.6. FINANCIAL CORRESPONDENCE

There was no correspondence to consider.

9.7. FINANCE AND GENERAL PURPOSES COMMITTEE

There were no matters to report from this committee.

9.8. FINANCIAL BUSINESS RECEIVED AFTER THE PUBLICATION OF THE AGENDA

There was no business to consider.

10. HIGHWAY MATTERS:

10.1. TRAFFIC & PARKING ISSUES: DOWDERRY, SEATON & HESSENFORD

10.1.1. Cllr. G. K. Berncastle asked if action had been taken by the Highways Dept. to serve notice on local landowners to clear away vegetation that was overhanging Brenton and Main Road, Dowderry? The Chairman stated that letters had been sent out.

10.1.2. Cllr. Mrs. M.Y. Byles asked for an update on action being taken regarding Church Hill, Hessenford with reference to speeding traffic? The Chairman stated that further action would only be taken by Cornwall County Highways Dept. if further evidence for changes was supplied, including a statement in the Deviock Parish Plan. The Clerk agreed to check whether a copy of the Parish Plan had been sent to Mr. Steve Ewing at the Highways Dept. The need to update the Parish Plan, to include new issues, was discussed. The suggestion that the Deviock Parish Projects Group should be asked to initiate this received support from Councillors.

10.2. PUBLIC TRANSPORT ISSUES

No recent information about the future of local bus services had been received.

ORDINARY MEETING OF 8th January 2009 (Continued)

11. CURRENT / ONGOING BUSINESS:-

11.1. PARISH PROJECTS

Cllr. J.P. Candy declared a prejudicial interest in relation to item 11.1.1., spoke for information, at the request of the Chairman and then left the Meeting.

11.1.1. The Clerk reported that having successfully gained grant funding from the Caradon Community Improvement Fund for the Axe Pond Project, the Council now needed to action works for completion by 31st March 2009. The Chairman stated that a quotation for the work, previously received, came in under £4,000.00. The Chairman **proposed** that the Council approve spending on this project for **up to £4,000.00** so that work could commence; this was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** by the Meeting with one abstention. Cllr. J.P. Candy rejoined the Meeting.

11.2. VACANCY FOR ONE COUNCILLOR REPRESENTING DOWDERRY WARD

The Clerk reported that this vacancy had been advertised in compliance with the statutory requirements. Any petitions calling for an election were to be submitted by 23rd January 2009.

11.3. "ONE CORNWALL"

11.3.1. Submission to the Boundary Committee regarding the inclusion of Deviock Parish in the proposed Pelynt Ward

The Clerk referred members to a previously circulated letter from the Council to the Boundary Committee for England, dated 5th January 2009. The letter reiterated the Council's request to remain in the proposed Pelynt Ward as the best option being offered, in light of recent submissions by Lanteglos Parish Council that it should be included in the Pelynt Ward and that Deviock should be removed from it.

The Vice-Chairman gave a briefing on the draft proposals for county warding by the Boundary Committee as published in December 2008.

11.3.2. One Cornwall Planning Procedure – Notification of meeting

The Clerk notified members of a meeting to take place with the One Cornwall Planning Executive to discuss the future of planning procedures in the Caradon district, to be held at Millennium House, Pensilva, on Monday 26th January 2009 2pm – 5 pm

The Chairman and Vice-Chairman agreed to attend this meeting. The Vice-Chairman stated that there was concern that councillors would have less control over planning decisions in their own wards under the new Authority.

11.4. BURIAL GROUND FOR DEVIOCK PARISH

11.4.1. Update by the Chairman and consideration of letter received from Mr. Dudley T. Parry.

The Chairman reported that he had been in discussions with Mr Jerry Masters, Head of Operations and Technical Services, Caradon D.C., regarding the three sites under consideration. Contractors had been approached in order to obtain quotations for a feasibility survey at each of the sites. The Chairman suggested that once a decision on the best site had been made that the Council should employ architects employed by Caradon D.C. to draw up plans because of their in-house expertise in this field.

Cllr. G.K. Berncastle expressed support for the view that only the St. Annes, Hessenford, Graveyard Extension Strip site should be considered. Cllr. J.P. Candy stated that it would be a useful to have survey information on the other sites by way of a comparison. The Chairman offered to write a response, on behalf of the Council, to the recent letter received from Mr. Dudley T. Parry; this offer was supported by the members.

ORDINARY MEETING OF 8th January 2009 (Continued)

11.5. FREEDOM OF INFORMATION

Parish Council Publication Scheme and Standing Orders

The Clerk informed members that he was in the process of updating the Council's Publication Scheme and Standing Orders in line with current legislation and amendments approved by the Council.

11.6. PARISH MARQUEE – Request that the Council purchases a new marquee

The Clerk reported that he had been approached by a local resident who had asked if it would be possible for the Council to purchase a new marquee?
After discussion it was agreed that the Deviock Parish Projects Group should be approached to see if it would consult with local organisations in order to gauge the strength of support for such a purchase.

12. NEW BUSINESS:-

12.1. CARADON / NALC / CALC, ETC DOCUMENTS

12.1.1. Caradon D.C. – Cornwall and the Isles of Scilly Shoreline Management Plan Review Stakeholder Questionnaire

The Vice-Chairman agreed to respond to this questionnaire

12.1.2. Communities and Local Government Dept. – Code of Recommended Practice on Local Authority Publicity – A Consultation.

The Clerk drew the attention of members to this consultation.

12.1.3. Devon & Cornwall Police Authority

a) Appointment of Independent Members to the Police Authority – Request for applicants

b) Appointment of Independent Custody Visitors – Request for applicants

The Clerk drew the attention of members to these requests for applicants.

12.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

The following documents were available for inspection:-

1) Cornwall Blind Association – Annual Review 2007/8

2) Fieldwork, December 2008

3) Local Government Review 2009

12.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING

There was none.

12.4. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There was none.

12.5. MATTERS RAISED BY MEMBERS FOR POSSIBLE INCLUSION ON THE NEXT AGENDA

12.5.1. Cllr. J.P. Candy suggested that the Council minutes should contain “action references” in order to remind members who had agreed to take action with regard to particular agenda items.

12.5.2. Cllr. Mrs. G.E. Hartland informed the Meeting that she understood a planning condition relating to development at Jasmin, Hessenford Road, Seaton, had not been complied with. The condition was that a tree, removed at the time of construction works, should be replaced.

The Clerk agreed to inform Caradon Development Control Dept. of this matter.

ORDINARY MEETING OF 8th January 2009 (Continued)

12.5. MATTERS RAISED BY MEMBERS FOR POSSIBLE INCLUSION ON THE NEXT AGENDA (Continued)

12.5.3. The Vice-Chairman raised two matters:-

- a) that a consultation document relating to the Localism Charter had been given to him too late and that he had therefore had no time to respond before the closing date.
- b) That the Cornish Times had requested that it receive a copy of the Nut Tree Newsletter.

There being no further business, the Chairman closed the meeting at 21.25 hrs

FROM THE PARISH WEBSITE



Report for the Parish Meeting DeviocK 8th January 2009

<u>Period of Report</u>	<u>Crimes in Parish</u>	<u>Crimes in Area</u>
09/12/08 – 05/01/09	3	35
01/01/08 – 31/12/08	33	807
01/01/07 – 31/12/07	41	864

Types of Crime Since The Last Meeting

- 1 x Burglary Dwelling, (Outbuilding in Looe Hill nothing stolen)
- 1 x Criminal Damage (Smugglers Inn)
- 1 x Assault (Smugglers Inn)

Crime Hot Spots In Parish

There are no problem areas at present
