

**MINUTES of the ORDINARY MEETING of
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,
HESSINFORD at 7.30pm on Thursday,
8th November 2007.**

PRESENT: Parish Cllrs. D.L.G. Elliott, Downderry Ward, Chairman
R.J. Daniel, Downderry Ward, Vice-Chairman
G.K. Berncastle, Hesseford Ward
Mrs. M.Y. Byles, Hesseford Ward
J.P. Candy, Downderry Ward*
M.J. Crutchley, Downderry Ward
Mrs. G.E. Hartland, Seaton Ward
S.J. Parry, Seaton Ward
Mrs. A. Robinson, Hesseford Ward
Ms. E.R. Saville, Seaton Ward
Mrs. M. E. Temlett

* Also District Councillor, Deviock & Sheviock Ward
Mr T. Pullin, Parish Clerk

PUBLIC PARTICIPATION PERIOD:

A member of the public addressed the Council about the planning application 07/01488/FUL Land at 35 Buttlegate, Downderry (Item 4.2.1. on the agenda), urging the Council to object to the application on the following grounds:-

- 1) The proposed access is onto a narrow part Main Road, being only 12 feet wide and is blind in both directions.
- 2) The proposed parking area is too small in which to turn a car. Visiting vehicles may park in West Camps Bay which already gets congested.
- 3) The proposed extension of the pavement is on the wrong side of the road and will cause pedestrians to cross twice in the space of a relatively short distance.
- 4) Problems of obstruction caused by delivery vehicles to the new property
- 5) Problems of obstruction caused during the construction process

There being no other matters raised by the public, the Chairman closed the public participation period.

1. APOLOGIES There were no apologies received.

The Vice Chairman informed the Council of the death of Cllr. Peter Ridd of St. Germans Parish Council. The Chairman stated that he would send a letter of condolence.

2. MINUTES:

2.1. Minutes of the Ordinary Meeting of 11th October 2007

Subject to minor amendment It was **proposed** by, Cllr. Mrs. M.Y. Byles, **seconded** by Cllr. G.K. Berncastle and **AGREED** by the Meeting, to accept the minutes as a correct record.

3. REPORTS ON MATTERS ARISING FROM THE MINUTES:

There were no matters arising from the minutes.

ORDINARY MEETING OF 8th November 2007 (Continued)

The Chairman suggested that item 9 (Police Matters) should be dealt with as the next agenda item, in order not to delay unnecessarily the police representatives attending the Meeting; this was agreed by the Meeting.

9. POLICE MATTERS:

9.1. COUNCIL MATTERS FOR THE POLICE:

PC Patrick Libby of Torpoint Police was in attendance.

Cllr. G.K. Berncastle stated that boat engines had been stolen from boats parked on Downderry beach and that this crime appeared to be on the increase. P.C. Libby was not aware of the problem and added that the police could only take action if crimes were reported.

9.2. POLICE MATTERS FOR THE COUNCIL

9.2.1. Police Report.

PC Libby presented a Deviock Parish crime report for the period 9th October 2007 to 7th November 2007. (See Appendix A) PC Libby stated that Deviock continued to be a relatively safe area.

9.2.2. P.A.C.T.

PC Libby outlined the details of the scheme stating that it was a Government driven initiative to empower communities and to increase engagement between different bodies / organisations, in order to achieve a joined up provision of services for the community.

As part of the scheme a Parish Council Partnership Liaison Officer representative should be appointed as a point of contact for local issues. The representative should not be the clerk but one of the Councillors.

P.C. Libby informed the Council that as from April 2008 the Police would no longer be responsible for enforcing parking policy and that this role would be transferred to the District Council.

Cllr. Candy informed the Meeting that County funds had been identified for traffic calming measures and the implementation of a 20 mph speed limit on the road at Downderry School. Parking restrictions on the road at the Downderry Methodist Chapel had also been allocated funding.

4. PLANNING:

4.1. Minutes of the Meeting of 25th October 2007

It was **proposed** by, Cllr. Mrs. A. Robinson, **seconded** by Cllr. Mrs. G.E. Hartland and **AGREED** by the Meeting, to accept the minutes as a correct record. There were no matters arising.

4.2. PLANNING APPLICATIONS:

4.2.1. 07/01488/FUL Mr. F. K. Boulting LAND AT 35 BUTTLEGATE, DOWNDERRY

Construction of detached dwelling and new vehicular/pedestrian access to highway

After discussion a recommendation of **refusal** of this application was **proposed** by the

Vice-Chairman, **seconded** by Cllr. M.J. Crutchley and **agreed** by the Meeting with two abstentions, for the following reasons:-

- 1) Highway safety / poor access onto the Main Road at a narrow stretch of the road close to a junction.
- 2) Proposed turning area is considered too small.
- 3) Problems of parking for deliveries.
- 4) Problems of probable road closure / disruption during the construction process.

ORDINARY MEETING OF 8th November 2007 (Continued)

4.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There were no applications received after publication of the agenda

4.4. PLANNING APPEALS:

No planning appeals had been received by the date of the meeting.

5. PLANNING DECISIONS:

No planning decisions had been received by the date of the meeting.

6. PLANNING CORRESPONDENCE:

6.1. There was no planning correspondence to be considered.

6.2. MATTERS RAISED BY MEMBERS

Cllr. Ms. E. R. Saville reported that there had been major ground clearance carried out on land above Keval Gardens, Seaton and asked if planning permission for development had been granted for the site? The Vice-Chairman stated that an appeal to determine whether development permission granted in the 1960's was still in force, had been allowed and continued that the area had been devastated by the recent works. Cllr. Candy stated that Caradon Development & Building Control Enforcement had visited the site and were considering whether a demand for reinstatement was a viable option.

On a different matter Cllr. Candy informed the Meeting, after clarifying the facts with Caradon Development & Building Control, that no planning permission was required for the changing of the colour of roof tiles, unless the property was in a conservation area.

7. FINANCE:

7.1. Income & Expenditure.

7.1.1. INCOME SEPTEMBER / OCTOBER 2007

Caradon D.C. – PRECEPT 07/08 (Second Half Year Payment – BACS 20/09/07)	13,698.00
Mr. J. Bird – Reimbursement of over payment of Insurance premium	22.05
Bank Interest	2,973.48
Total £	16,693.53

ORDINARY MEETING OF 8th November 2007 (Continued)**7.1.2. EXPENDITURE SEPTEMBER / OCTOBER 2007:**

<u>COUNCIL ADMIN. – Cheque Payments:</u>	<u>VAT</u>	<u>Nett</u>	<u>TOTAL</u>
Caradon D. C. - Nut Tree Newsletter – Sept '07 50% Contribution		114.45	114.45
Caradon D.C. Clerk's salary August 2007	0.88	970.01	970.89
Petty Cash	-	50.00	50.00
S.W. Regional SLCC Conference - Payment for attendance by Clerk	7.00	40.00	47.00
R.A. Elliott Electrical Contractor (<i>Replacement of broken back box in disabled loo and faulty sensor in the gents loo at Downderry P.C.</i>)	29.93	171.00	200.93
Tim Pullin (<i>Reimbursement for the purchase of replacement light bulbs and starters for Downderry P.C.</i>)	-	29.50	29.50
S.P. Jaycock - Repairs to slate roof of Downderry public conveniences	-	34.00	34.00
J. Bird – To replacing cistern down pipe seal at Downderry public conveniences	-	15.00	15.00
St. Nicolas Church – Parish Office Rent (26 weeks to 30/09/07)	-	390.00	390.00
Timothy Pullin – Reimbursement for purchase of garden plants for The garden at Downderry public conveniences		41.90	41.90
Clerk's mileage expenses for July, August & September '07 195 miles @ 55.8p per mile = £108.81 + Parking fees £1.00	-	109.81	109.81
Chairman's Expenses Claim	-	60.99	60.99
Caradon D.C. Adoption of the Revised Code of Conduct Contribution Towards Joint Public Notice	-	20.78	20.78
Caradon D.C. Clerk's Salary – September 2007	0.88	969.99	970.87
Caradon D.C. Nut Tree News Letter – Oct.'07 50% Contribution	-	114.45	114.45
Royal British Legion Poppy Appeal (<i>2 x Chaplets @ £15.00</i>)	-	30.00	30.00
Running Imp Ltd. <i>Deviock Bounder, Medals</i>	11.20	64.00	75.20
B.T. Call charges 25/07-18/10/07 + Broadband charge Oct-Dec '07	16.74	100.11	116.85
September / October 2007 Cheque Payments C/F £	66.63	3,325.99	3,392.62

Standing Order Payments:

MR. J. BIRD – September 2007 Cleansing Contract Payment	-	205.41	205.41
MR. J. BIRD – October 2007 Cleansing Contract Payment	-	205.41	205.41
SEPTEMBER / OCTOBER EXPENDITURE TOTALS £	66.63	3,736.81	3,803.44

It was **proposed** by Cllr. J. P. Candy, **seconded** by Cllr. Mrs. A. Robinson and **RESOLVED** to ratify the above expenditure.

ORDINARY MEETING OF 8th November 2007 (Continued)

7.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT

Date	Account	Balance £	
30 Oct. 07	Community	1,000.00	
30 Oct. 07	Business Premium	36,452.62	Interest earned gross for period 4 June - 2 Sept '07 £86.33
28 Sept .07	Step Saver	514.28	Interest earned for period to 31 Aug 07: £3.21 £109,902.19 transferred to 3 month Treasury Deposit on 2 Oct. 07
28 Sept .07	Rocknose BPA	18,339.97	Interest earned for period 4/06/07-2/09/07: £143.57
28 Sept. 07	Sports & Rec BPA	12,981.24	Interest earned for period 4/06/07-2/09/07: £101.63
02 Oct. 07	Treasury Deposit	109,902.19	Transferred from Step Saver A/C on 2 Oct. 07 for 3 month period at 5.19% per annum (£1,437.70)

The Chairman stated that he had not yet had an opportunity to discuss best interest rates with Clare Glynn, Director of Financial Services, Caradon D.C.

7.3. ANNUAL RETURN 2006/7

The Clerk reported that all queries raised by the Audit Commission relating to the 2006/7 Annual Return had been answered. The Commission had stated that a review of the accounts would be made on the 5th November 2007.

7.4. LETTERS OF THANKS

No letters of thanks had been received.

7.5. REQUESTS FOR FUNDING

No requests for funding had been received.

7.6. ACCOUNTS TO BE PAID

	VAT	Nett	TOTAL
Caradon D. C. - Nut Tree Newsletter – Nov. '07 (50% contribution)	-	114.45	114.45
EDF Energy (Downderry Public Conveniences) Invoice 24/10/07 Period of supply 28/07/07 – 21/10/07	0.50	9.98	10.48
S.W. Water (Downderry Public Conveniences) Invoice 26/10/07 Period of supply 21/07/07 – 26/10/07	-	78.82	78.82
K. Johnson (Oak Johnson) - PROW & Small Works 2007	-	1,230.00	1,230.00
Total £	0-50	1,433.25	1,433.75

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

7.7. FINANCE AND GENERAL PURPOSES COMMITTEE

7.7.1. Minutes of the meeting of 25th & 30th October 2007

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.

ORDINARY MEETING OF 8th November 2007 (Continued)

7.8. PRECEPT 2008/9

The Clerk informed the Meeting that he had been advised by Sarah Mason of C.A.L.C. that monies accrued in ring-fenced accounts could be transferred and that there would need to be a resolution to close defunct project accounts and transfer to other existing or new project accounts as required.

Sarah Mason had suggested that two new project accounts should be set up:-

- 1) Parish Plan Development Projects A/C
- 2) Unitary Authority Devolved Services A/C

If monies from defunct project accounts were not transferred then their value would need to be deducted from the Precept amount requested. Although it is easy to reduce the required precept amount by this method it is much harder to increase it in future years.

After discussion it was **proposed** by Cllr. Mrs. M. Y. Byles that the recommendation of the F&GP Committee for the 2008/9 Precept of £28,047.00 be ratified by the Council; subject to an additional £240.00 for possible path clearance of Footpath One; this was **seconded** by the Cllr. Mrs G.E. Hartland and **agreed** unanimously by the Meeting.

See Appendix B for 2008/9 Precept Details

7.9. FINANCIAL BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA

There was no business to be considered.

8. HIGHWAY MATTERS:

8.1. TRAFFIC & PARKING ISSUES: Downderry, Seaton & Hessenford

8.1.1. Seasonal Visitor Parking, Keveral Lane / Hessenford Road Junction, Seaton.

The Clerk read out a letter dated 1st November 2007, received from Mr. Brian Craven, Highways Dept. Cornwall C.C., in response to an e-mail from the Clerk requesting an update on a variety of current traffic and parking issues. The letter proposed that a seasonal restriction should be imposed at the Keveral Lane junction, and this was agreed by the Meeting.

8.1.2. The Clerk notified the Council of a site meeting with Mr. Brian Craven, Highways Dept. Cornwall C.C. and PC Patrick Libby of Torpoint Police, to consider options for pavement parking at Trierieve, Downderry to be held on 5th December 2007 at 10 am.

8.2. LOCAL MAINTENANCE PARTNERSHIP

8.2.1. The Clerk advised the Meeting that, having chased up Cornwall C.C. on the issue of Footpath 6, he had now been informed that new funding for the upgrading of this path had been made available.

8.2.2. The Clerk informed the Meeting of the notification of the appointment of Mr. Tom Fletcher as the new Principal Access and Development Officer for Cornwall C.C.

8.3. DOWNDERRY SEA DEFENCES – WALKWAY STEPS

The Vice-Chairman stated that one of the recommendations of the Parish Plan was that a flight of steps from the east end of the sea wall should be constructed in an east/west direction in order to enable use of the walkway at high tide (except extreme high tides).

Cllr. J.P. Candy suggested that the Clerk should contact Mr. Gerry Masters of Caradon Operations and Technical Services Dept., in order to take this matter further, and this was agreed by the Meeting.

ORDINARY MEETING OF 8th November 2007 (Continued)

8.4. FOOTPATH ONE *(This item was taken immediately before item 7.8)*

The Council considered a quotation for the paring back of sections of Footpath One, being the sum of £240.00 for a one off clearance. The Vice-Chairman stated that an amendment to the route of this footpath had been agreed some years ago but that implementation had never been completed. After discussion about the best correct route of this path, Cllr. J.P. Candy offered to speak to the County Council on the issue to determine whether an official change in the route could be made. Cllr. Candy **proposed** that £100.00 be allowed in the Precept for possible clearance work and this was **seconded** by Cllr. S.J. Parry. An **amendment** to allow the sum of £240.00 was made by Cllr. Ms. E.R. Saville and **seconded** by the Vice-Chairman. A vote was taken and the amendment was carried. The Chairman suggested that no work on Footpath One should be started until the County Council and the Tenant Farmer had been consulted about the possible change of route.

8.5. PROW AND SMALL WORKS 2008/9

The Council considered a quotation from K. Johnston for the 2008/9 PROW & Small Works Contract. The quotations were deemed to be in line with previous costings and being satisfied with the work of this contractor over the past year Cllr. Mrs. M.Y. Byles **proposed** acceptance of K. Johnston as the approved contractor for 2008/9; this was **seconded** by Cllr. G. K. Berncastle and **agreed** unanimously by the Meeting.

10. CURRENT / ONGOING BUSINESS:-

10.1. PARISH PROJECTS

10.1.1. THE AXE.

10.1.1. BIG Scheme grant application for wildlife conservation pond in the Axe
Cllr. J.P. Candy declared a prejudicial interest but was asked by the Chairman to update the Council of recent developments. Cllr. Candy stated that he had looked at the site for the pond and had taken measurement. Bill Knight had visited the site and had made a sketch of what they agreed was the best proposal. 140 metres of stock proof fencing on the boundary with Beach Field would be required. Cllr. Candy had organised to obtain two quotations for the work. The Vice-Chairman stated that the Wildlife Trust held a map showing species recorded at the Axe. The Axe was classified as being "improved grassland" rather than virgin grassland. This may have a bearing on how the site is rated in terms of a preserved environment and its biodiversity. The pond would help to increase the biodiversity and changes could be measured against the existing species map. The construction of the pond needed to be considered and the movement of cattle controlled.

10.1.2. ROCKNOSE

The Chairman stated that he was waiting for the Rocknose topographical survey to be completed.

10.1.3. FOOTBALL PITCH – SEATON COUNTRYSIDE PARK

Cllr. J.P. Candy informed the Meeting that on 23rd October 2007 the Environment Agency had contacted Mr. Rob Steed of Caradon District Council, stating that it would require a flood risk assessment, before the Agency could give its decision on the suitability of the site as a football pitch. The cost of a flood risk assessment would be approximately £8,000.00. Caradon D.C. had no money allocated for this survey and funding would only become available if officers made a recommendation for the work to be carried out.

Cllr. S.J. Parry wondered how many people would actually use the proposed football pitch and suggested that flooding problems may occur in the future because of possible climate change influences.

ORDINARY MEETING OF 8th November 2007 (Continued)

10.1.4. TANVER YATE

The Chairman stated that no progress would be made with regard to the Tanver Yate proposals until it was known if the proposed football pitch at Seaton was a feasible project or not.

10.2. PARISH MULTIPLE EVENT INSURANCE

The Vice-Chairman informed the Meeting that at the public meeting held on 18th October 2007 the organisations represented had supported the scheme and asked that it be carried forward. It had been noted that the Council would subsidize the scheme, however the details of this had not yet been worked out. The Chairman asked the Clerk to contact the Insurance Company in order to progress the matter.

10.3. APPOINTMENT OF PARISH LIAISON OFFICER

After discussion Cllr. M.E. Temlett stated that she was prepared to accept this appointment. The Vice-Chairman proposed that Cllr. M.E. Temlett be appointed as Parish Liaison Officer, this was seconded by Cllr. Mrs. G.E. Hartland and agreed unanimously by the Meeting. Cllr. Temlett agreed that her contact details could be given to Torpoint Police.

10.4. BEACH CLEAN UP

The clerk reported that although numbers attending were low, it had been a successful event. Caradon D.C. had been active in their support and the donation of pasties by Ginsters had been a bonus. The Chairman stated that he would write a letter of thanks to Ginsters. The Vice-Chairman stated that the Downderry & Seaton Residents Association was in support of this event and there was general agreement that the event should be repeated before Easter 2008.

10.5. PARISH PLAN

The Clerk reported that he had sent two copies of the plan to SWAN (who had provided initial funding), and had also sent a letter of thanks to Teresa King (the Vice-Chairman's daughter) who had helped with the final formatting of the document. The Vice-Chairman advised members that the Parish Plan could be used to provide supplementary local planning guidance, once adopted. Out of 20 parish plans only eight had so far been submitted to scrutiny by District Council. Cllr. J.P. Candy stated that the Caradon Local Economy Panel was hoping to provide funding for the work involved in the adoption of planning guidance from parish plans, but that the quality of the plans submitted was variable.

10.6. LOCAL TRANSPORT ISSUES

The Clerk reported that, in the absence of Cllr. Ms. E.R. Saville, he had received and distributed winter timetables to the local shops, and that 50 additional copies had just been received for distribution. Cllr. Saville thanked the Clerk for his help.

The Vice-Chairman advised members that a new leaflet / timetable, produced by the St. Germans Rail Users Group, would be distributed with the next issue of The Nut Tree.

11. NEW BUSINESS:-

11.1. CARADON / NALC / CALC, ETC DOCUMENTS

11.1.1. "One Cornwall" Parish and Town Council Survey

It was agreed that responses to this survey should be discussed at the next Planning Committee meeting.

ORDINARY MEETING OF 8th November 2007 (Continued)

11.1. CARADON / NALC / CALC, ETC DOCUMENTS (continued)

11.1.2. Cornwall C.C. Planning, Transportation & Estates

Adoption of the Cornwall Statement of Community Involvement for the Development Control Service and the Minerals and Waste Development Framework. Letter dated 29th Oct. 07

The Clerk advised members that the Statement sets out how the County Council will involve the community in the process of determining planning applications and in preparing Minerals and Waste Development Documents.

11.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

The following publications were available for inspection:-

- a) Local Council Review (LCR), November 2007
- b) S.W. Water Policy Document

11.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING

11.3.1. The Clerk drew the attention of members to a letter from Caradon D.C. Road and Home Safety Working Party, Special Meeting, requesting that those interested were invited to attend. It was suggested that the Clerk should make St. Nicolas School, Downderry aware of this event, which he agreed to do.

11.4. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There had been no new business received after publication of the agenda.

11.5. INFORMAL CORRESPONDENCE:

11.5.1. Cllr. J P. Candy (Downderry Ward) : informed the Meeting that the possibility of merging the three wards of Deviock Parish may be most likely when the Boundary Commission carries out its review for the new Unitary Authority.

Cllr. Candy suggested that organisers of the Deviock Bounder write to Caradon D.C. in good time before next years event in order to obtain a parking dispensation at the Seaton car park for the day of the event.

Cllr. Candy informed members that the District Council had allocated funding for the refurbishment of the public conveniences at Seaton.

11.5.2. Cllr. S.J Parry (Seaton Ward): drew the attention of the Council to the lack of flags on the flagpoles at Seaton Country Park and to the fact that information boards had been vandalised and needed re-varnishing. Cllr. Parry also suggested that a board walk and or viewing platform be constructed at the third pond up the Seaton valley. The Clerk agreed to contact Don Price and Al Collin at Caradon D.C. to discuss these issues.

11.5.3. Cllr. R.J. Daniel (Downderry Ward): raised two issues:-

- 1) A request that the amenity land for sale off Keval Gardens be made an agenda item at the next Planning Committee meeting.
- 2) That it be recorded in the minutes that he was surprised by County Councillor John Ault being so delicate that he was upset by a degree of sarcasm and that it was up to C.Cllr. Ault to state his position himself and not the place of Cllr. Candy to speak on his behalf.

There being no further business, the Chairman closed the meeting at 21.55 hrs