

**MINUTES of the ORDINARY MEETING of  
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,  
HESSENFORD at 7.30pm on Thursday,  
9<sup>th</sup> April 2009.**

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

P.C.S.O. John Riggall  
Mr T. Pullin, Parish Clerk

**1. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA:**

Cllr. G. K. Berncastle declared a prejudicial interest in relation to item 7.2.1.

**2. 10 MINUTE PUBLIC PARTICIPATION PERIOD for public comment on the items below:**

There being no members of the public wishing to address the Meeting the Chairman closed the public participation period.

**3. APOLOGIES:** Apologies for absence were received from Cllrs. J.P. Candy (another meeting) and Mrs. A. Robinson (family commitments).

**4. MINUTES:**

**4.1. Minutes of the Ordinary Meeting of 12<sup>th</sup> March 2009**

It was **proposed** by Cllr. G. K. Berncastle **seconded** by Cllr. Ms. M.E. Temlett and **AGREED** by the Meeting to accept the minutes, as a correct record. (one abstention)

**5. REPORTS ON MATTERS ARISING FROM THE MINUTES:**

There were none.

**6. POLICE MATTERS:**

**6.1. COUNCIL MATTERS FOR THE POLICE:**

The Chairman asked if the "credit-crunch" had resulted in any increase in local crime?

P.C.S.O. John Riggall stated that there had not been any increase in the number of burglaries in the area. Cllr. S.J. Parry informed the Meeting that the police had responded too slowly to a recent incident involving a possible stolen motor scooter in Seaton Countryside Park and asked P.C.S.O. Riggall if there was any quicker way of contacting the local force than by the advertised methods? P.C.S.O. Riggall stated that calls to the Torpoint Station could often not be dealt with because the officers were normally all out on patrol.

Cllr. Ms. M.E. Temlett drew that attention of members to a Police Workshop on "Doorstep Problems" to be held at Bodmin on 30<sup>th</sup> April 2009.

## **ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)**

### **6.2. POLICE MATTERS FOR THE COUNCIL**

#### **6.2.1. Police Crime Report**

P.C. S. O. Riggall circulated copies of the monthly Crime Report (See Appendix A), stating that there was no pattern to crime in the area. A PACT Engagement event would be taking place at the Downderry W. M.C. on 17<sup>th</sup> April 2009.

### **7. PLANNING:**

#### **7.1. Minutes of the Meeting of 26<sup>th</sup> March 2009**

It was **proposed** by Cllr. Mrs. G.E. Hartland, **seconded** by Cllr. Mrs. M.Y. Byles and **AGREED** unanimously by the Meeting. There were no matters arising.

#### **7.2. PLANNING APPLICATIONS:**

##### **7.2.1. 09/00248/FUL**      **Mr. & Mrs. Berncastle** **THE OLD SHOP, HESSENFORD**

Conversion of dwelling to provide two cottage style dwellings

Cllr. G.K. Berncastle declared a prejudicial interest and left the meeting.

The Clerk stated that the application had been deferred from the previous Planning Committee meeting in order for a site meeting to take place. After discussion **support** for this application, subject to a request that a minimum of one and one half parking spaces per dwelling be required and that the issue of sewage disposal be addressed, if possible, was **proposed** by Cllr. S. J. Parry, **seconded** by Cllr. C. J. Hazel and **agreed** unanimously by the meeting.

##### **7.2.2. 09/00506/FUL**      **Ms S.V. Martin** **LANTHORNE HOUSE, BRENTON ROAD, DOWNDERRY**

Construction of extensions and internal alterations to dwelling, rebuilding of garage and formation of decked area and patio with installation of solar panels.

**Revised design to application no. 08/01306/FUL approved 24.10.2008 to provide zinc coated sheeting roof.**

The Clerk reminded members that this application was a revision to an application already granted and that work had already commenced on the property.

Cllr. S. J. Parry **proposed support** for the application, subject to an investigation of possible sun glare from the roof and also the use of zinc as a suitable roofing material for coastal locations; this was **seconded** by Cllr. G.K. Berncastle and **agreed** unanimously by the Meeting.

#### **7.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:**

##### **7.3.1. 09/00326/FUL**      **Mr. Bassett** **THE BARN, ST. ANNES FARM, HESSENFORD**

Variation of condition 2 (timber windows and doors) of planning application 01/01517/FUL dated 10.04.2002 to allow use of wood effect upvc windows

The Chairman suggested that as this application had not been advertised on the agenda, it should be deferred for consideration at the next Planning Committee meeting, in order to give more time for public comment; this was agreed unanimously by the Meeting.

#### **7.4. PLANNING APPEALS:**

##### **7.4.1. Doe Ref: APP/KO805/A/09/2100395/WF (Caradon Ref: 08/02193/FUL)**

**Appeal by K & J Boulting and P & L Morley: Site at Gardens of 35/36 Buttlegate, Downderry**

Application for the construction of two detached dwellings and formation of new vehicular / pedestrian access to highway.

The Clerk stated that this appeal would be dealt with by the written representation method and that representations were to be submitted within 6 weeks from 23<sup>rd</sup> March 2009.

## **ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)**

### **8. PLANNING DECISIONS:**

#### **8.1. PERMISSIONS FOR DEVELOPMENT:**

##### **8.1.1. 08/02271/FUL: Mr. D. Flood, PLOT 2 REEF POINT, EAST CAMPS BAY, DOWNDERRY**

Construction of one dwelling

**Caradon D.C. Permission Granted 19<sup>th</sup> March 2009**

#### **Main conditions:-**

- 1) Three-year commencement rule
- 2) Samples of materials to be used for the construction of external surfaces of the dwelling to be submitted and approved
- 3) Intrusive site investigations to be carried out to determine the stability of the overall site. A report of the investigations and including full engineering details for necessary retaining works to the site and the cliff, in order to ensure the stability of the site, to be submitted to and agreed by the Local Planning Authority.
- 4) No occupation of the development to take place until works for sewage disposal/drainage have been provided on the site.
- 5) Details of a scheme for the provision and implementation of surface water run-off limitation to be submitted and approved.
- 6) Detailed landscaping scheme to be submitted and approved.
- 7) Planting, seeding or turfing to be carried out in the first season following occupation.
- 8) Garage to be used only for the garaging of private motor vehicles
- 9) All electricity and telephone cables to be laid underground.
- 10) No vehicular access for construction materials to the site from East Camps Bay Road
- 11) Any access gates to be fitted to the site entrance at East Camps Bay Road to be hung so as to open inwards only
- 12) Existing hedge on north boundary of the site to be retained in full.

#### **8.2. REFUSALS OF PERMISSIONS FOR DEVELOPMENT:**

##### **8.2.1. 08/02270/FUL: Mr. S. Flood, PLOT 1 REEF POINT, EAST CAMPS BAY, DOWNDERRY**

Construction of one dwelling

**Caradon D.C. Permission Refused 19<sup>th</sup> March 2009**

#### **Main reasons for refusal:-**

- 1) The proposed house, by reason of its size, siting and design, represents a dominant and unsympathetic form of development which would be detrimental to the character and appearance of the immediate street scene and the AGLV.
- 2) Close proximity to the neighbouring residential property to the west would have an overbearing and un-neighbourly impact on that property.

##### **8.2.2. 09/00070/FUL: Mr. Gary Wilks, ROCKROSE, BRENTON ROAD, DOWNDERRY**

Retention of replacement means of enclosure to front of dwelling comprising rendered walls and piers together with timber infill panels

**Caradon D.C. Permission Refused 17<sup>th</sup> March 2009**

#### **Main reason for refusal:-**

The means of enclosure to the front of the dwelling, by reason of its scale, siting, design, appearance and materials is considered to form an incongruous and discordant feature within the street scene, which will result in a dominating and visually unattractive form of development.

### **9. PLANNING CORRESPONDENCE:**

#### **9.1. Correspondence received by the date of the Meeting**

None had been received.

#### **9.2. MATTERS RAISED BY MEMBERS**

There were no matters raised by members.

**ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)****10. FINANCE:****10.1. Income & Expenditure.****10.1.1. INCOME FEBRUARY & MARCH 2009**

Barclays Bank – Interest		16.31
Cornwall County Council –PROW Payment for 2008		372.20
Devioc Bounder 2008 Sponsorship		300.00
	<b>Total £</b>	<b>688.51</b>

**10.1.2. EXPENDITURE FEBRUARY & MARCH 2009**

S.W. Water – Downderry Public Toilets (Period 24/10/08-20/01/09)	-	225.98	225.98
Caradon D.C. – Cleaning supplies for Downderry Public Toilets	4.55	30.31	34.86
B.T. – Parish Office telephone & broadband (Bill No. Q019DQ)	13.58	100.03	113.61
Caradon D.C. – Nut Tree Newsletter, December 08 (50% contribution)	-	114.45	114.45
Caradon D.C. – Nut Tree Newsletter, January 09 (50% contribution)	-	114.45	114.45
Caradon D.C. – Clerk's Salary January 2009 (including back dated interim increase from April 2008 as agreed by NALC)	0.75	1,274.12	1,274.87
Petty Cash	-	50.00	50.00
Galvins of Liskeard (Toner Cartridge, copier paper & date stamp)	21.02	140.12	161.14
Caradon D.C. – Uncontested Election Fee (Downderry Ward)	-	266.79	266.79
Frontline Image Ltd. (Devioc Bounder T-Shirts 2 <sup>nd</sup> Invoice)	19.12	127.46	146.58
EDF Energy – Downderry Public Toilets (Period of Supply 29/10/08 – 29/01/09)	0.91	18.22	19.13
Caradon D.C. – Nut Tree Newsletter, February 09 (50% contribution)	-	114.45	114.45
Liskeard Signs & Trophies (Plaque for bench in Broads Yard, Downderry)	6.90	46.00	52.90
Cornwall Blind Association – Grant	-	50.00	50.00
Caradon C.A.B. – Grant	-	200.00	200.00
C.A.L.C. – Annual Membership Subscription 2009/10	24.55	339.75	364.30
Caradon D.C. – Nut Tree Newsletter, March 09 (50% contribution)	-	114.45	114.45
<b>February &amp; March 2009 Cheque Payments C/F £</b>	<b>91.38</b>	<b>3,326.58</b>	<b>3,417.96</b>

**Standing Order Payments:**

MR. J. BIRD – February 2009 Cleansing Contract Payment	-	211.58	211.58
MR. J. BIRD – March 2009 Cleansing Contract Payment	-	211.58	211.58
<b>FEBRUARY &amp; MARCH 09 EXPENDITURE TOTALS £</b>	<b>91.38</b>	<b>3,749.74</b>	<b>3,841.12</b>

Ratification of this expenditure was **proposed** by Cllr. Mrs. M.Y. Byles, **seconded** by Cllr. Mrs. G. E. Hartland and **approved** unanimously by the Meeting.

**10.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT**

Date	Account	Balance £	
30 Mar. 09	Community	1,000.00	
30 Mar. 09	Business Premium	25,697.60	Interest for period 8/12/08 - 1/3/09: £7.52
30 Mar. 09	Step Saver	5,824.67	Interest for period to 27/2/09: £1.34
30 Mar. 09	Rocknose BPA	18,951.39	Interest for period 8/12/08 - 1/3/09: £4.36
30 Mar. 09	Sports & Rec BPA	13,414.00	Interest for period 8/12/08 - 1/3/09: £3.09
09 April 09	Barclays Treasury Deposit	61,639.73	Matures on 25 <sup>th</sup> Sept. 2009 Interest at 1.5% = £428.10
20 Jan. 09	Lloyds TSB Fixed Term Deposit (Transfer from Barclays Bank)	60,000.00	Matures on 20 <sup>th</sup> April 2009 Interest at 2.1% = £310.68

The Clerk stated that he had reinvested £61,639.73 (being the recently matured Barclays Treasury Deposit) in a Local Business Fixed Rate Bond No 14., with a fixed period of 6 months at 1.5% interest, as the "ethical" banks suggested were offering a much lower rate of return. The Clerk advised members that he would be continuing to source ethical investments and would inform the Council of possibilities for its consideration.

## ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)

### 10.3. LETTERS OF THANKS

10.3.1. **Caradon C.A.B.** Letter dated 20<sup>th</sup> March 2009

10.3.2. **Cornwall Blind Association.** Letter dated 24<sup>th</sup> March 2009

### 10.4. REQUESTS FOR FUNDING

#### 10.4.1. St. Nicolas School, Downderry

The Clerk read out a letter from the Head Teacher, Mrs Lindsey Fear, which requested funding for school trips. After discussion the Chairman agreed to contact Mrs. Fear in order to obtain more information.

Cllr. Mrs. M.Y. Byles **proposed** that the Deviock P.C. Planning Committee should be granted delegated authority to make a decision on this request for fund, at its next meeting; this was **seconded** by the Cllr. Mrs. G.E. Hartland and **agreed** unanimously by the Meeting.

#### 10.4.2. Community Health Around Torpoint

The Clerk read out a letter dated 4<sup>th</sup> March 2009 requesting a grant towards publication costs of the CHAT directory. After discussion on the limited distribution of this publication within Deviock Parish it was decided not to offer funding on this occasion.

#### 10.4.3. Request by the Clerk for funding to attend the S.L.C.C. Regional Conference

Cllr. P. McClung **proposed** that the Council should grant funding to cover the delegate fee (£49.00 + VAT); this was **seconded** by Cllr. Mrs. G.E. Hartland and **agreed** unanimously by the Meeting.

### 10.5. DEVIOCK BOUNDER 2008 ACCOUNTS

The Clerk presented Deviock Bounder 2008 accounts (Appendix B), stating that the event had broken even with a small profit of £53.35

### 10.6. INSURANCE RENEWAL

The Clerk stated that, after establishing that the penalty for breaking a three-year contract with Norwich Union (through brokers Came & Co.) would be only the loss of the 5% discount, he had entered into a three-year term contract with that insurer, commencing on 1<sup>st</sup> April 2009.

### 10.7. ATTENDANCE ALLOWANCE

The Clerk reminded members that the deadline for claims of Attendance Allowance for the 2008/9 Council year was the AGM in May 2009. The Clerk circulated a list for members to indicate their request for claims.

### 10.8. ACCOUNTS TO BE PAID

	<u>VAT</u> <u>£</u>	Nett £	<u>TOTAL £</u>
Cornwall Council – Clerk's Salary, February 2009	0.75	1,059.90	1,060.65
Cornwall Council – Clerk's Salary, March 2009	0.75	1,059.90	1,060.65
Cruse Bereavement Care in Cornwall - Grant	-	50.00	50.00
Came & Company (Norwich Union, Parish Council Insurance Premium 2009/10)	-	1,114.35	1,114.35
St. Germans Group PCC – Office Rent (October 2008 – March 2009)	-	390.00	390.00
Roger Prowse (The Axe Pond Project)	-	3,700.00	3,700.00
Timothy Pullin - Clerk's Mileage Expenses January - March 2009 (288 miles @ 58.7p per mile + £2.80 parking)	-	171.86	171.86
Petty Cash	-	50.00	50.00
Galvins of Liskeard Ltd. – Photocopier Replacement Drum Cartridge	9.99	66.59	76.58
<b>Total £</b>	<b>11.49</b>	<b>7,662.60</b>	<b>7,674.09</b>

## **ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)**

### **10.8. ACCOUNTS TO BE PAID (Continued)**

It was **proposed** by Cllr. Ms. M.Y. Temlett **seconded** by Cllr. G.K. Berncastle and **RESOLVED** by the Meeting to ratify the above expenditure.

The Clerk was asked to obtain comparative quotations when ordering larger items of stationery.

### **10.9. FINANCIAL CORRESPONDENCE**

#### **10.9.1. Notice of the Annual Audit for the Year Ending 31 March 2009**

The Clerk reported that the audit should be completed and returned to the Audit Commission by 22<sup>nd</sup> May 2009 and that the public announcement date of the audit is 9<sup>th</sup> April 2009 with public inspection from 23<sup>rd</sup> April 2009

### **10.10. FINANCIAL BUSINESS RECEIVED AFTER THE PUBLICATION OF THE AGENDA**

The Clerk reported that the tenant of the Axe Field was two years in arrears with the rent and that by July 2009 would owe £600.00 to the Parish Council. The Clerk was advised to write to Cllr. Candy requesting immediate payment.

## **11. HIGHWAY MATTERS:**

### **11.1. TRAFFIC & PARKING ISSUES: DOWDERRY, SEATON & HESSENFORD**

#### **11.1.1. Overgrown vegetation on the highway.**

The Clerk reported that he had been informed by Rebecca Dickson (Area Highway Manager), that reminder letters had been sent out to local landowners who had not yet complied with an earlier request to deal with overhanging vegetation. If no action was taken in response to the reminder letters then the Council would arrange to carry out the necessary work and the cost would be invoiced to the landowners involved.

#### **11.1.2. Buttlegate – problem of access to and from a resident's garage**

The Clerk stated that Cllr. P. McClung had been asked to address this problem by a lady resident of Buttlegate, DOWDERRY. After discussion it was agreed that the Council could do little to help. If the contact details of the owners of the vehicles, that it was alleged were causing an obstruction, could be obtained, then the Clerk would write requesting that they give consideration to local residents when parking.

### **11.2. PUBLIC TRANSPORT ISSUES**

No issues were raised.

## **12. CURRENT / ONGOING BUSINESS:-**

### **12.1. PARISH PROJECTS – THE AXE**

The Clerk reported that fencing work at the Axe was near completion and that payment to Mr. Prowse (the contractor) would be held until the work was completed to the satisfaction of the Council. Cllr. J. P. Candy had asked the Clerk to put forward his suggestion that the installation of a stile close to the gate onto Trierieve Lane would enable public access to the field. After discussion it was decided that more information from Cllr. Candy would be required before any decision could be made.

### **12.2. DEVIOCK PARISH PROJECTS GROUP**

The Clerk informed the members that an open meeting of this group would take place on 30<sup>th</sup> April 2009 at the Methodist Chapel Schoolroom. The purpose of the meeting would be to commence work on an update of the Deviock Parish Plan.

## **ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)**

### **12.3. BURIAL GROUND FOR DEVIOCK PARISH**

#### **Report of Desk Top Survey of three sites**

The Chairman reported that a restrictive covenant on the Tanver Yate site had been brought to light. The covenant would preclude the land from use as a burial ground and therefore he had instructed the consultants to stop any further work relating to that site. The desk top survey of the other two sites was still in progress. Enquiries to Cornwall County Highways Dept. had not yet been answered.

### **12.4. PARISH BEACH CLEAN**

The Clerk reported that this had been a very worthwhile event with approximately 50 pupils from St. Nicolas School, Downderry taking part plus some members of the public. The weekday afternoon time of this event, chosen so that the school could be involved, had probably prevented some local residents from taking part. Over 20 bags of rubbish had been collected in a relatively short space of time. The Clerk had been asked to visit the school to talk to pupils about the event and about the Parish Council.

## **13. NEW BUSINESS:-**

### **13.1. CORNWALL COUNCIL / NALC / CALC, ETC DOCUMENTS**

The Clerk drew the attention of members to the following documents and events:-

13.1.1. Legal & Democratic Services, Cornwall Council – Letter dated 31<sup>st</sup> March 2009

13.1.2. Information Commissioner's Office – Freedom of Information Act 2000 – Tick-tock DVD

### **13.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:**

The following documents were available for inspection:-

a) Cornwall Council – Town and Parish Council Newsletter, April 2009

b) Cornwall Council - Out and About – April 2009 to March 2010

c) Countryside Voice – Spring 2009

### **13.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING**

None had been received.

### **13.4. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:**

#### **13.4.1. Parish Marquee**

Cllr. G.K. Berncastle stated that St. Nicolas School, Downderry had offered to provide storage and possible management of a Parish marquee. Cllr. Berncastle suggested that the Deviock Parish Projects Group should be made aware of this fact when it carried out its investigation of the local need and management feasibility, before recommending whether the Parish Council should purchase a new marquee.

### **13.5. TO DEBATE THE FOLLOWING RESOLUTION:**

**“That in view of the confidential nature of the business about to be transacted it is advisable, in the public interest, that the public be excluded and that they be instructed to withdraw”**

The Chairman stated that Cllr. J.P. Candy had asked for item 13.6. to be put on the agenda. As Cllr. Candy was not in attendance the Council did not have the information required to make any decision and therefore items 13.5. and 13.6. could not be considered.

### **13.6. TO DECIDE THE COUNCIL'S POSITION IN RELATION TO A SPECIFIC T.P.O.**

Refer to item 13.5.

**ORDINARY MEETING OF 9<sup>th</sup> April 2009 (Continued)**

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

13.7.1. Cllr. Mrs. M.Y. Byles **proposed** that thanks from the Council to Cllr. R. J. & Mrs J. Daniel for their work in publishing the Nut Tree Newsletter, for now 24 years, should be recorded in the minutes; this was **seconded** by the Chairman and **agreed** by the Meeting.

There being no further business, the Chairman closed the meeting at 21.14 hrs

FROM THE PARISH WEBSITE