

**MINUTES of the ORDINARY MEETING of
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,
HESSENFORD at 7.30pm on Thursday,
10th January 2008.**

PRESENT: Parish Cllrs. R.J. Daniel, Dowderry Ward, Vice-Chairman
G.K. Berncastle, Hessenford Ward
Mrs. M.Y. Byles, Hessenford Ward
J.P. Candy, Dowderry Ward*
M.J. Crutchley, Dowderry Ward
Mrs. G.E. Hartland, Seaton Ward
S.J. Parry, Seaton Ward
Mrs. A. Robinson, Hessenford 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:

There being no members of the public present, the Vice-Chairman closed the public participation period.

1. APOLOGIES had been received from the Chairman, Cllr. D.L.G. Elliott, because of family illness. It was agreed that the Vice-Chairman should chair the Meeting.

2. MINUTES:

2.1. Minutes of the Ordinary Meeting of 8th November 2008

Subject to minor amendment It was **proposed** by, Cllr. Ms. E. R. Saville, **seconded** by Cllr. Mrs. M.Y. Byles and **AGREED** by the Meeting, to accept the minutes as a correct record.

3. REPORTS ON MATTERS ARISING FROM THE MINUTES:

Item 8.4. Cllr. J.P. Candy informed the Meeting that he had not yet arranged a meeting with the County Council to consider whether an official change to the route of Footpath One was feasible.

4. PLANNING:

4.1. Minutes of the Meeting of 13th December 2007

It was **proposed** by, Cllr. Mrs. G.E. Hartland, **seconded** by Cllr. Ms. E.R. Saville 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. 07/01684/FUL Mr & Mrs Stander THE COTTAGE, CAIR FARM, DEVIOCK

Construction of single storey extension to north-east elevation and construction of porch to north-west elevation.

After discussion the Vice-Chairman **proposed** that a site meeting should take place before the Council made a decision on this application and this was **seconded** by Cllr. Mrs. G.E. Hartland.

ORDINARY MEETING OF 10th January 2008 (Continued)

4.2. PLANNING APPLICATIONS (Continued):

4.2.1. 07/01684/FUL Mr & Mrs Stander THE COTTAGE, CAIR FARM, DEVIOCK (Continued)

Cllr. S. J. Parry **proposed** an amendment being that there should not be a site meeting and that the Council should support the application; the amendment was **seconded** by Cllr. G.K. Berncastle. The **amendment was defeated** and the vote on the **initial proposal was carried**.

4.2.2. 07/01738/FUL Nicola Barry

SEATON BEACH CAFÉ, LOOE HILL, SEATON

Enclosure of existing open air seating area to provide conservatory / sun-room.

Cllr. G.K. Berncastle **proposed support** for this application, this was **seconded** by Cllr. Ms. E. R. Saville and **agreed** by the Meeting with one abstention.

4.2.3. 07/01669/FUL Mr Michael Kodicek

THE CRAG, LOOE HILL, SEATON

Construction of garage and formation of parking bay (additional plans for consideration)

Cllr. G.K. Berncastle **proposed support** for this application; this was **seconded** by Cllr. Ms. E. R. Saville and **agreed** by the Meeting with one abstention.

4.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:

4.3.1. 07/01802/FUL Ms S. V. Martin

LANTHORN HOUSE, BRENTON ROAD, DOWNDERRY

Construction of extensions and internal alterations to dwelling. Rebuilding of garage and formation of deck area and patio area.

In order to allow more time for consultation of the plans the Vice-chairman **proposed** that consideration of this application be deferred until the next Planning Committee meeting on 24th January 2008; this was **seconded** by Cllr. Mrs. A. Robinson and agreed unanimously by the Meeting.

4.4. PLANNING APPEALS:

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

5. PLANNING DECISIONS:

5.1. 07/01377/FUL Mr & Mrs Rees

BLUE HAVEN, LOOE HILL, SEATON

Reconstruction of existing single storey extension and formation of dormer and balcony.

Caradon D.C. Permission granted 9th November 2007

Main Conditions:-

- 1) *Materials used for the construction of the external surfaces shall match those used in the existing building*
- 2) *An obscured glass privacy screen to be provided to east side of balcony enclosure.*

ORDINARY MEETING OF 10th January 2008 (Continued)

6. PLANNING CORRESPONDENCE:

6.1. Correspondence received by the date of the Meeting

6.1.1. The Clerk informed the Meeting that he had received a letter from Caradon D.C. Development Control stating that a new service giving access to aerial photography of application sites was now available via e-mail. Councillors suggested that a request should be made for aerial views of Langthorn House, Dowlerry, and The Cottage, Cair Farm, Deviock. The Clerk agreed to test out the new service.

6.2. MATTERS RAISED BY MEMBERS

6.2.1. Cllr. Ms E.R. Saville asked if there was more information available relating to the land clearance that had taken place behind Keveral Gardens?

Cllr. J.P. Candy informed the Meeting on a number of issues that he had spoken about to officers at Caradon D.C. :-

- 1) Morweth Court had been built in accordance with the permitted plans
- 2) A temporary Tree Preservation Order for a period of six months had been imposed on woodland to the south side of Keveral Gardens.
- 3) According to the developer, land clearance to the north west of Keveral Gardens had been carried out in order to conduct a topographical survey of the site. Cllr. Candy had suggested that Caradon Planning Enforcement Dept. take action by issuing a Temporary Stop Order. Planning permission for 6-8 houses had been granted.

7. FINANCE:

7.1. Income & Expenditure.

7.1.1. INCOME NOVEMBER / DECEMBER 2007

Deviock Bounder / Fun Run entrants fees <i>(after some expenses paid)</i>	294.50
Bank Interest	446.66
Total £	741.16

7.1.2. EXPENDITURE NOVEMBER / DECEMBER 2007:

<u>COUNCIL ADMIN. – Cheque Payments:</u>	<u>VAT</u>	<u>Nett</u>	<u>TOTAL</u>
Caradon D. C. Nut Tree Newsletter – Nov '07 50% Contribution	-	114.45	114.45
EDF Energy (Dowlerry Public Conveniences) Invoice 24/10/07 Period of supply 28/07/07 – 21/10/07	0.50	9.98	10.48
S.W. Water (Dowlerry 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
Victim Support Cornwall – Donation	-	50.00	50.00
Caradon D.C. Clerk's Salary – October 2007	0.88	969.99	970.87
Caradon D.C. Clerk's Salary – November 2007 <i>(including Nationally agreed pay increase, backed dated to April 2007)</i>	0.88	1,166.06	1,166.94
Team Surveys Limited – Rocknose Topographical survey	170.63	975.00	1,145.63
Ocean First (Bounder T Shirts)	71.75	410	481.75
Marc Lintern (Bounder expenses refund)	-	30.00	30.00
David Marshall <i>(Compensation for loss of camping table stolen at the Bounder Event)</i>	-	24.99	24.99
Audit Commission – (2006/7 Annual Return Audit Fee)	49.88	285.00	334.88
November / December 2007 Cheque Payments C/F £	294.52	5,344.29	5,638.81

ORDINARY MEETING OF 10th January 2008 (Continued)

7.1.2. EXPENDITURE NOVEMBER / DECEMBER 2007 (Continued):

Standing Order Payments:

MR. J. BIRD – November 2007 Cleansing Contract Payment	-	205.41	205.41
MR. J. BIRD – December 2007 Cleansing Contract Payment	-	205.41	205.41

NOVEMBER / DECEMBER 07 EXPENDITURE TOTALS	£	294.52	5,755.11	6,049.63
--	----------	---------------	-----------------	-----------------

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

7.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT

Date	Account	Balance £	
28 Dec. 07	Community	1,000.00	
28 Dec. 07	Business Premium	32,901.47	Interest earned gross for period 3 Sept. – 2 Dec. '07 £146.95
28 Dec .07	Step Saver	560.21	Interest earned for period to 30 Nov. 07: £45.93 £109,902.19 transferred to 3 month Treasury Deposit on 2 Oct. 07
28 Dec .07	Rocknose BPA	18,488.57	Interest earned for period 3/09/07-2/12/07: £148.60
28 Dec. 07	Sports & Rec BPA	13,086.24	Interest earned for period 3/09/07-2/12/07: £105.18
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)

7.2.1. To consider the re-investment of Council funds

The Clerk stated that a Barclays Bank Treasury Deposit had matured on 2nd January 2008 releasing £111,339.89 back into the Step Saver Account. As at 9th January 2008 the Barclays Treasury Deposit interest rates are: 4.69% for 3 months or 4.75% for 6 months.

After discussion Cllr. J. P. Candy **proposed** that an investigation as to the best rates available in the market place should be made and that the Council should grant permission for a decision on the re-investment of Council funds to be made at the next meeting of the Planning Committee. This proposal was **seconded** by Cllr. Mrs. M. Y. Byles and agreed unanimously by the Meeting.

7.3. ANNUAL RETURN 2006/7

The Clerk reported that the Audit Commission had officially signed off the 2006/7 Annual Return.

7.4. LETTERS OF THANKS

No letters of thanks had been received.

7.5. REQUESTS FOR FUNDING

7.5.1. Caradon Citizens Advice Bureau, Saltash

Cllr. Mrs. M.Y. Byles declared a personal interest

Cllr. J.P. Candy **proposed** that the Council donate the sum of **£100.00** to the Caradon C.A.B., this was **seconded** by Cllr. Ms. E. R. Saville and **agreed** by the Meeting.

ORDINARY MEETING OF 10th January 2008 (Continued)

7.6. ACCOUNTS TO BE PAID

	<u>VAT</u>	<u>Nett</u>	<u>TOTAL</u>
Caradon D. C. – Cleansing supplies for the Public Conveniences	8.06	46.04	54.10
Premier Ruralnet Subscription (Oct.'07 – Oct.'08) inc. E-mail access	8.75	50.00	58.75
Caradon D.C. Clerk's Salary – December 2007	0.88	994.91	995.79
Clerk's Mileage Expenses (Oct. – Dec.'07: 70 miles @ 55.8p per mile)	-	39.06	39.06
Petty Cash	-	50.00	50.00
Downderry Methodist Church – Charges for hire of Schoolroom in 2007	-	120.00	120.00
Hessenford Church Hall – Charges for hire of Hall in 2007	-	75.00	75.00
Total £	17.69	1,375.01	1,392.70

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

7.7. COUNCILLOR'S ALLOWANCES – To establish a payment time frame

The Clerk reminded the Council that at the meeting held on 13th September 2007 it was agreed that the annual attendance allowance to members should be issued upon individual request. It was now necessary to agree a time frame for payments. The Clerk suggested the following arrangements:-

- 1) That the period for annual payment is deemed to commence from the date of the Annual Meeting of the Council (i.e. 10th May 2007 for this year)
- 2) That elected or co-opted council members who will not have been in office for the entire year be able to claim a portion of the attendance allowance based on the number of months they have been members.
- 3) That co-opted members to committees are barred from claiming attendance allowance by law.

The current rates of annual allowance being £166.00 per member. (Chairman's allowance £249.00)

The Clerk also reminded members that travelling allowances and subsistence allowances are available to members on "approved duties", subject to rates laid down by the Secretary of State and subject to the production of receipts.

Cllr. J.P. Candy **proposed** acceptance of the three clauses suggested by the Clerk plus a fourth clause, being that payments of allowances should be made quarterly in arrears. This proposal was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** unanimously by the Meeting.

7.8. FINANCIAL BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA

7.8.1. CiLCA Residential Course – Tiverton (1st & 2nd March 2008). Request to attend by the Clerk. The Clerk stated that the course was designed to help clerks prepare a draft portfolio for final submission to obtain the CiLCA qualification. This qualification is required of the clerk if Deviock is to apply for Quality Status. The Course fee is subsidised by Cornwall C.C. Training Partnership (Total cost £275.00). Deviock P.C. would need to contribute £100.00 plus expenses to Tiverton and back. Cllr. Mrs. M.Y. Byles **proposed** that the Council contribute the **£100.00** required; this was **seconded** by Cllr. Mrs. A. Robinson and agreed **unanimously** by the Meeting.

ORDINARY MEETING OF 10th January 2008 (Continued)

8. HIGHWAY MATTERS:

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

8.1.1. Terrieve, Downderry, Parking,

The Clerk read out a letter dated 19th December 2007, received from Mr. Brian Craven, Highways Dept. Cornwall C.C. Mr. Craven was investigating the suggestion for allowing parking on the footway, stating that there were currently no such schemes in East Cornwall. Mr. Craven was also making enquiries as to the status of the wall and fence on the roadside at Morweth Court, Downderry.

8.1.2. Temporary Road closures

The Clerk drew the attention of members to two temporary road closures that would be taking place in February 2008 at Bake Lane, Hessenford and Looe Hill, Seaton.

Cllr. Ms. E.R. Saville suggested that the Clerk contact local Bus Company to notify it of the Looe Hill, road closure.

8.1.3. Highway Structures Assessment and Strengthening Programme: Consultation

A request for details of local road bridges, retaining walls etc. that it is felt require strengthening. The Vice-Chairman suggested that this matter be brought back to the next Planning Committee, in order to give members time to identify local weak structures for submission. This was agreed by the Meeting.

8.2. DOWNDERRY SEA WALL DEFENCES – NEW STEPS: To agree a suitable date for a site meeting.

The Clerk informed the Meeting that Mr. Jerry Masters, Head of Operations and Technical Services, Caradon D.C., had asked that the Council give him a list of possible dates for a site meeting.

Cllr. J.P. Candy stated that officers from Caradon D.C. had already visited the site to make an initial assessment and that it would serve little purpose to arrange another site meeting at this time. Cllr. Candy had been given a ballpark costing of £40,000.00 to construct a set of steps at the east end of the sea defences. Members considered that other structural work in order to provide a firm footing for the steps would involve further substantial costs.

Cllr. Candy agreed to investigate the possibility of funding from Caradon D.C. and asked that this matter should be included on the agenda for the next Council meeting.

9. POLICE MATTERS:

9.1. COUNCIL MATTERS FOR THE POLICE:

9.1.1. PC Patrick Libby of Torpoint Police was not in attendance.

9.1.2. Cllr. Mrs. M.E. Temlett had not yet been able to make contact with PC Libby regarding her recent appointment as Parish Liaison Officer.

9.1.3. Cllr. G.K. Berncastle stated that he had encountered difficulties when attempting to report a recent crime incident in Downderry.

9.2. POLICE MATTERS FOR THE COUNCIL

9.2.1. Police Report. The Clerk referred members to the monthly Police Crime Report.
(See Appendix A)

ORDINARY MEETING OF 10th January 2008 (Continued)

10. CURRENT / ONGOING BUSINESS:-

10.1. PARISH PROJECTS

10.1.1. THE AXE.

Cllr. J.P. Candy stated that the BIG Scheme grant application for a wildlife conservation pond in the Axe had been submitted by Mr. Bill Knight.

10.1.2. FOOTBALL PITCH – SEATON COUNTRYSIDE PARK

Cllr. J.P. Candy informed the Meeting that officers of Caradon District Council were struggling over the requirement by the Environment Agency to provide a flood assessment of the proposed site for the football pitch. The cost of carrying out this assessment would be approximately £8,000.00 and no funding had been allocated for this. The alternative site, further up the valley, was now looking more possible as the cost of relocating the electric supply pylon was only likely to cost £13,000.00 and the relocation of the SW water manhole was a feasible option.

10.2. PARISH MULTIPLE EVENT INSURANCE

The Clerk reported that he had now received completed application forms from the Dowderry W.M.C., but had not received any response from “Jazz in the Park” event organisers. The W.I. had declined to take part as their own organisations cover was adequate to their needs. The Clerk stated that once he had received more completed application forms he would be in a position to contact the Insurance Company in order to set up the policy.

10.3. BEACH CLEAN UP

It was agreed that a pre-Easter Beach Clean Up should take place on Saturday 8th March 2008

10.5. PARISH PLAN

The Vice-Chairman reported on the meeting that had taken place on 9th January 2008. Ms. Sarah Arden, a temporary Parish Plan project manager at Cornwall C.C., who had been given the task of taking the Deviock Parish Plan further, had addressed the meeting with the intension of guiding contributors in the process of providing data suitable to be used as Supplementary Planning Guidelines. Volunteers were being asked to meet in small groups to look at specific aspects of the Plan and to provide brief notes on their assigned topics that would then be collated and edited by Sarah Arden before consideration at the next meeting to take place on Wednesday 6th February 2008.

10.6. LOCAL TRANSPORT ISSUES

Cllr. Ms. E.R. Saville reported that Millbrook P.C. had not yet informed her of the date for the next joint Parish Transport Meeting, and that she would chase this up. Cllr. Saville also stated that she would be investigating the regulations relating to the new bus passes.

Cllr. J.P. Candy stated that the new Cornish bus passes would be usable at all times. A proposal by Cornwall C.C. for electronic swipe cards, to help eliminate fraud, were being considered.

10.7. BURIAL GROUND FOR DEVIOCK PARISH

To consider a request from Hessenford with Dowderry Parochial Church Council that the Parish Council take on the responsibility for finding a suitable site for a burial ground.

Cllr. Mrs. M.Y. Byles declared a personal interest.

The Vice-Chairman stated that no suitable site had yet been identified. Some local residents had suggested Tanver Yate.

ORDINARY MEETING OF 10th January 2008 (Continued)

11. NEW BUSINESS:-

11.1. CARADON / NALC / CALC, ETC DOCUMENTS

11.1.1. To consider a response to sections 2 & 3 of the "One Cornwall" Parish and Town Council Survey

The Clerk referred members to a draft response that he had prepared. Cllr. Ms. E.R. Saville stated that she did not feel able to complete sections 2 & 3 of the survey because of a lack of detailed information about how the new unitary authority would operate. Cllr. Saville suggested that a meeting of the Council with a representative of One Cornwall would be very useful. Councillors concurred with Cllr. Saville's sentiments and the Clerk was asked to set up a meeting.

11.1.2. Caradon D.C. Request to erect a memorial bench (Mr. C. E. Upton), on the sea defences at Seaton.

The Council supported this request and Cllr. Candy asked the Clerk to note his support as District Ward member.

11.1.3. Caradon D.C. New Unitary Council for Cornwall. Notification of meetings to discuss arrangements for the future (5.45pm on 21st & 28th January 2008)

The Clerk, the Vice Chairman, Cllr. Ms. E.R. Saville and the Clerk expressed an interest in attending.

11.1.4. CALC – Notification of AGM and request for nominations for honorary posts

The Clerk reported that the AGM on 9th February 2008 is run in conjunction with the 4th Annual Conference of CALC, the fee for Council delegates is £10.00 each and that the Vice Chairman and the Clerk wish to attend.

The Clerk reminded members that Cllr. R.J. Daniel was currently:-

Vice President of CALC
CALC delegate to NALC
CALC representative on Waste Issues
Delegate to ACNB Steering Group

Completed nomination papers had to be received by 5th February 2008

The Vice-Chairman asked if any members wished to stand for election? There being no other candidates, Cllr. J.P. Candy **proposed** Cllr. R.J. Daniel as the Council's nominated candidate for the four posts that he currently held. Cllr. Mrs. G.E. Hartland **seconded** the proposal and this was **agreed** unanimously.

Cllr. Mrs M. Y. Byles **proposed** that the Council pay the attendance fee for the Vice Chairman and Clerk, being a total sum of £20.00. This proposal was **seconded** by Cllr. J. P. Candy and **agreed** unanimously by the Meeting

11.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

The following publications were available for inspection:-

- a) Local Council Review (LCR), January 2008
- b) Campaign to Protect Rural England, Cornwall Branch – Newsletter 1, December 2007
- c) Fieldwork – December 2007

ORDINARY MEETING OF 10th January 2008 (Continued)**11.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING****11.3.1. Caradon D.C. Legal & Member Services**

Letter from Denise Holwill (Principal Member Services Officer) dated 5th December 2007
The Cornwall (Structural Change) Order 2008

The Clerk reported that the main points of the order were:-

- a) Elections to the new council will be held in 2009
- b) Elections to town/parish councils in Caradon will take place in 2013
- c) The Implementation Executive shall consist of 12 members from the County Council and 2 from each District Council
- d) The Joint Implementation Team shall consist of all 7 Chief Executives
- e) Joint scrutiny arrangements will be set up to scrutinise the decisions of the Implementation Executive

11.3.2. Caradon D.C. Licensing Services

Changes to Licensing Laws for Private Hire Vehicles and Drivers

The Clerk drew the attention of members to the Letter received 17th December 2007.

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. Mrs. M. Y. Byles (Hessenford Ward) : Expressed concern that Parish Council elections would not be taking place until 2013.

11.5.2. Cllr. G.K. Berncastle (Hessenford Ward): Urged the Clerk to report the vandalism of one of the Parish notice boards to the police.
Cllr Berncastle stated that he was in possession of some old street lamps from Hessenford and suggested that they could be reinstated at a suitable site in the village.

There being no further business, the Vice Chairman closed the meeting at 22.15 hrs