

**MINUTES of the ORDINARY MEETING of
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,
HESSINFORD at 7.30pm on Thursday,
12th March 2009.**

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

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

1. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA:

Cllr. J. P. Candy declared a possible prejudicial interest in relation to item 12.1.

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

A member of the public addressed the Council in support of a business venture for the rental of sun beds and windbreaks on Seaton beach. The Council was assured that there would be no storage of equipment required and that the operator would ensure that the beach was kept clean.

3. APOLOGIES: Apologies for absence were received from Cllrs. Mrs. M.Y. Byles (another meeting), and Mrs. A. Robinson (family commitments).

4. MINUTES:

4.1. Minutes of the Ordinary Meeting of 12th February 2009

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.

5. REPORTS ON MATTERS ARISING FROM THE MINUTES:

(Item 10.2. 12/03/09) Cllr. J.P. Candy restated his suggestion that the Council should look to invest funds with Tridos Bank or other "ethical" financial institution.

(Item 7.2.3. 13/03/09) Cllr. Candy stated that a meeting had taken place with Mr. Bishop of Kearn Industrial Holdings Ltd. and Caradon Development Control, Enforcement Dept.

6. POLICE MATTERS:

6.1. COUNCIL MATTERS FOR THE POLICE:

No representatives of the Police were in attendance
No matters were raised.

6.2. POLICE MATTERS FOR THE COUNCIL

6.2.1. Police Crime Report

The Clerk circulated copies of the monthly Crime Report (See Appendix A)

ORDINARY MEETING OF 12th March 2009 (Continued)

7. PLANNING:

7.1. Minutes of the Meeting of 26th February 2009

It was **proposed** by Cllr. G. K. Berncastle **seconded** by Cllr. P. McClung and **AGREED** unanimously by the Meeting. There were no matters arising.

7.2. PLANNING APPLICATIONS:

7.2.1. 09/00169/FUL Mr. M. Wright **THE MAISONETTE, KEVERAL LANE, SEATON**

Construction of porch and conservatory (demolition of existing porch). Clad existing felt roof with interlocking slates.

Support for this application was **proposed** by Cllr. S. J. Parry, **seconded** by Cllr. Mrs. G. E. Hartland and **agreed** by the meeting with one abstention.

7.2.2. 09/00357/FUL Mr. Peter Bradley **SUNNY CLIFF, BRENTON ROAD, DOWNDERRY**

Replacement of existing roof and other alterations to dwelling (revised design to application no. 07/00179/FUL dated 19.04.2007)

After discussion **support** for this application was **proposed** by Cllr. Mrs. G.E. Hartland, **seconded** by Cllr. Mrs. M.E. Temlett and **agreed** by the meeting with one abstention.

The Clerk was asked to make mention of problems regarding land drainage and slippage that had occurred at an adjacent property.

7.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:

7.3.1. 09/00060/OUT Mr. J. Manders **Land Pt OS 1503 NARKURS, NEAR TORPOINT**

Outline application for the construction of two affordable dwellings.

The Clerk informed members that this application has been resubmitted only because the applicant completed the wrong form for an outline application. No details of the application have been changed and that the Council had previously supported the application.

Support for this application was **proposed** by The Vice-Chairman, **seconded** by Cllr. P. McClung and **agreed** by the meeting with one abstention.

7.3.2. 09/00370/FUL Mr. Richard James **DEVIACK HOUSE, DEVIACK HILL, DOWNDERRY**

Construction of garage with tool shed and store. Formation of parking bay.

The clerk stated that a previous application 08/01164/FUL had been withdrawn on 26th February 2009.

Support for this application subject to conditions that: 1) the proposed building to be kept only as a garage / store and not used as ancillary accommodation, and 2) the boundary hedge to be kept in place was **proposed** by The Vice-Chairman, **seconded** by Cllr. G. K. Berncastle and **agreed** by the meeting with one abstention.

7.4. PLANNING APPEALS:

7.4.1. Doe Ref: APP/KO805/Q/09/2097414/NWF (Caradon Ref: 08/01275/VS52)

Appeal by M. D. Vaughan: Site at Old School House Annexe, Deviock Hill, Deviock, Torpoint, PL11 3DL

Application to discharge planning obligation pursuant to application 88/01638/F dated 23.03.1990 to allow sale of annexe

The Clerk stated that the Appeal would be dealt with by the written representation method and that representations were to be submitted by 24th March 2009.

ORDINARY MEETING OF 12th March 2009 (Continued)

8. PLANNING DECISIONS:

8.1. PERMISSIONS FOR DEVELOPMENT:

8.1.1. 08/01636/FUL: Mrs Hoyle, 6 WEST END, HESSENFORD

Construction of two storey side extension and single storey rear extension to dwelling and construction of new, detached garage (demolition of existing garage). Alteration of existing vehicular access to highway.

Caradon D.C. Permission Granted 27th February 2009

Main conditions:-

- 1) Three-year commencement rule
- 2) Materials used for the construction of external surfaces shall match those used in the existing building
- 3) Roof covering of the extensions and garage to consist of natural slate

8.1.2. 09/00028/FUL: Mr & Mrs S. Wigginton, SILVER SEAS, TOP ROAD, DOWNDERRY

Construction of garage to replace existing, new entrance porch with balcony over and replace central window with patio doors at first floor level and patio doors with window on ground floor. Raise existing boundary wall.

Caradon D.C. Permission Granted 6th March 2009

Main conditions:-

- 1) Three-year commencement rule
- 2) Materials used for the construction of external surfaces of porch shall match those used in the existing building
- 3) The garage to be used only for the garaging of private motor vehicles and not for any other purpose, including use as ancillary residential accommodation in connection with the main dwelling.

REFUSALS OF PERMISSIONS FOR DEVELOPMENT:

8.2.1. 08/02193/FUL: Mr. & Mrs. K & J Boulting & Mr. & Mrs. P. & L. Morley LAND AT 35-36 BUTTLEGATE, DOWNDERRY

Construction of two detached dwellings and formation of new vehicular/pedestrian access to highway

Caradon D.C. Permission Refused 6th March 2009

Main reason:-

The proposed development, by reason of the excavation works necessary to prepare the site to accommodate two detached dwelling houses and associated access and the resulting change in the existing topography, together with the fragmentation of the vegetated highway boundary which provides an important contribution to the visual amenities of the area, would detract from the character and appearance of the area, and the contribution the site makes to the Area of Great Landscape Value in which the site is situated.

9. PLANNING CORRESPONDENCE:

9.1. Correspondence received by the date of the Meeting

9.1.1. Caradon D.C. - Planning Training for Town and Parish Councillors, 25th and 26th March 2009. The Clerk stated that sessions would commence at 7pm at Luxstowe House, Liskeard.

Three councillors have already expressed an interest in attending the session on 25th March.

Although places had been limited to three members per Council, it might be possible for additional members to attend once overall numbers were known.

9.1.2. Cornwall County Council, Planning and Regeneration – Consultation – Letter dated 5th March 2009. The Clerk read out this letter that informed members of the future intention to supply the Council with planning application plans by electronic means. The clerk was instructed to reply to this letter stating that the Council would find this unacceptable because it did not have equipment to print off received plans at a size greater than A4, a size too small for proper consideration of the drawings. Not all councillors had access to e-mail or the Internet.

9.2. MATTERS RAISED BY MEMBERS

There were no matters raised by members.

ORDINARY MEETING OF 12th March 2009 (Continued)**10. FINANCE:****10.1. Income & Expenditure.****10.1.1. INCOME JANUARY & FEBRUARY 2009**

Barclays Bank – Interest from Treasury Deposit matured on 14 th Jan 2009	200.30
Cornwall County Council –PROW Payment for 2008	372.20
Total £	572.50

10.1.2. EXPENDITURE JANUARY & FEBRUARY 2009

	VAT	Nett	TOTAL
Clerk's Mileage Expenses Oct.-Dec.08 (91 miles @ 58.7p per mile + 50p parking)	-	53.92	53.92
Ruralnet / UK – Cornwall ExtraNet Membership Subscription	7.50	50.00	57.50
Caradon D.C. – Clerk's Salary December 2008	0.75	1,033.61	1,034.36
Downderry Methodist Church – Hire of Hall 2008	-	130.00	130.00
Hessenford Church Hall – Hire of Hall 2008	-	97.50	97.50
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. (DeviocK Bouncer T-Shirts 2 nd 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
January & February 2009 Cheque Payments C/F £	68.18	3,826.96	3,895.14

Standing Order Payments:

MR. J. BIRD – January 2009 Cleansing Contract Payment	-	211.58	211.58
MR. J. BIRD – February 2009 Cleansing Contract Payment	-	211.58	211.58
JANUARY & FEBRUARY 09 EXPENDITURE TOTALS £	68.18	4,250.12	4318.30

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

10.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT

Date	Account	Balance £	
27 Feb. 09	Community	1,000.00	
27 Feb. 09	Business Premium	26,348.20	
30 Dec. 08	Step Saver	5,823.33	Interest for period to 5/12/08: £66.60
30 Dec. 08	Rocknose BPA	18,947.03	Interest for period 8/9/08 - 7/12/08: £76.21
30 Dec. 08	Sports & Rec BPA	13,410.91	Interest for period 8/9/08 - 7/12/08: £53.94
03 Oct. 08	Barclays Treasury Deposit	60,000.00	Matures on 3 rd April 2009 Interest at 5.7% = £1,639.73
20 Jan. 09	Lloyds TSB Fixed Term Deposit (Transfer from Barclays Bank)	60,000.00	Matures on 20 th April 2009 Interest at 2.1% = £310.68

ORDINARY MEETING OF 12th March 2009 (Continued)

10.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT (Continued)

10.2.1. Reinvestment of Barclays Treasury Deposit (£61,639.73) which matures on 3rd April 2009.

The Clerk stated that Barclays was offering a Local Business Fixed Rate Bond No 14. Fixed period of 6 months at 1.5% interest. After discussion it was **proposed** by the Chairman that the Clerk should investigate the possibility of reinvesting with a bank such as Tridos Bank that was generally considered to have ethical principles. If rates of interest on offer by these banks proved to be less than that offered by Barclays Bank, then the Clerk should be instructed to reinvest with Barclays Bank. This was **seconded** by Cllr. C. J. Hazel and **agreed** unanimously by the Meeting.

10.3. LETTERS OF THANKS

The Clerk reported that none had been received.

10.4. REQUESTS FOR FUNDING

10.4.1. Cruse Bereavement Care in Cornwall

The Clerk stated that the Council has supported this charity in May 2008 with a grant of £100.00. After debate Cllr. J.P. Candy **proposed** a grant be made of **£100.00**; this was **seconded** by the Vice-Chairman. An **amendment** to this proposal was made by Cllr. S. J. Parry that the sum granted should be **£70.00**, this was **seconded** by Cllr. Mrs. M. E. Temlett. Both the amendment and the original proposal were **defeated**. Cllr. J.P. Candy then made a new **proposal** that the sum granted should be **£50.00**, this was **seconded** by Cllr. S.J. Parry and **agreed** by the Meeting (4 against).

10.4.2. Shelter Cornwall

The Clerk stated that the Council has supported this charity in March 2008 with a grant of £100.00. After discussion Cllr. J.P. Candy **proposed** a grant be made of **£50.00**; this was **seconded** by the Vice-Chairman. The proposal was **defeated**.

10.4.3. Deviock Parish Projects Group.

The Chairman stated that this group would be involved in revising the Deviock Parish Plan. In order to facilitate this, related costs e.g. hire of hall; copies of the Parish Plan; postage charges, should be met by the Council. The Chairman therefore **proposed** that the Council should agree to fund any reasonable expenditure by the group; this was seconded by Cllr. J.P. Candy and **agreed** unanimously by the Meeting.

10.5. DEVIOCK BOUNDER 2008 ACCOUNTS

The Clerk presented draft accounts, stating that there were still some anomalies with the figures. After discussion the Clerk was instructed to continue his investigations and bring final accounts back to the next meeting.

10.6. CLEANSING CONTRACT 2009/10

To award the contract for the year commencing 1st April 2009

The Vice-Chairman declared a personal interest

The Clerk informed members that the contract related to the cleaning of Donderry toilets, bus shelters at Donderry & Seaton and the Parish office. The current holder of the contract was Mr. John Bird who was happy to continue in 2009/10. The F&GP Committee had recommended an increase of 3% for 2009/10 bringing the total annual contract value to £2,615.00 (£217.92 per month) and that had been approved by the Council.

Cllr. J.P. Candy **proposed** that **Mr. John Bird** be granted the Cleansing Contract for 2009/10; this was **seconded** by Cllr. Mrs. M.E. Temlett and **agreed** by the Meeting with one abstention.

ORDINARY MEETING OF 12th March 2009 (Continued)

10.7. INSURANCE RENEWAL

To consider the renewal schedule supplied by Zurich Municipal for the year commencing 1st April 2009

The Clerk stated that the renewal premium received was for £1,207.87 (inclusive of tax). An alternative quotation from Norwich Union (through brokers Came & Co.), providing better cover, (e.g. £10 million cover on Public Liability instead of £5 million, and cover for volunteers at Parish Council events), was being offered for the total sum of £1,173.00 per annum. For agreeing to a three year contract a discount would be available.

After discussion it was **proposed** by Cllr. Mrs. G.E. Hartland that the Council should enter into a three year contract with Norwich Union, subject to details of policy cancellation terms and conditions being acceptable; this was **seconded** by Cllr. J.P. Candy and **agreed** unanimously by the Meeting.

10.8. ACCOUNTS TO BE PAID

	<u>VAT</u> £	Nett £	<u>TOTAL £</u>
Caradon D.C. – Nut Tree Newsletter, February 09 (50% contribution)	-	114.45	114.45
Liskeard Signs & Trophies (<i>Plaque for new bench at Broads Yard, Downderry</i>)	6.90	46.00	52.90
Total £	6.90	160.45	167.35

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

10.9. FINANCIAL CORRESPONDENCE

There was no correspondence to consider.

10.10. FINANCIAL BUSINESS RECEIVED AFTER THE PUBLICATION OF THE AGENDA

There was no business to consider.

11. HIGHWAY MATTERS:

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

11.1.1. Overgrown vegetation on the highway.

The Clerk reported that further to chasing up the Highways Dept. on this matter, he had today received an e-mail from Rebecca Dickson (Area Highway Manager), stating that she would ask her network steward, Albert Clemmens to chase up on the various overhanging growth matters that had been raised. Further letters could be sent in compliance with our procedure on this issue, culminating in cutting and recharging of costs if necessary, should the relevant landowner continue to take no action.

11.1.2. Hessenford to Seaton Road Closure, April 2009

The Clerk stated that Ian Bounsall (Highway Services, Operations Manager, Cormac) had agreed to all the requests of the Parish Council with regard to the road closure.

Cllr. S.J. Parry asked if the new potholes on the road would be dealt with? The Chairman replied that these would be repaired prior to the road resurfacing.

11.2. PUBLIC TRANSPORT ISSUES

11.2.1. Cllr. J.P. Candy stated that he had attended a recent meeting of the Public Transport Users Group at Torpoint Town Hall. It had been stated at that meeting that a regular five day bus service would be maintained in the area but that First Bus might relinquish the franchise.

ORDINARY MEETING OF 12th March 2009 (Continued)

11.3. PROW & SMALL WORKS CONTRACT 2009

To consider a quotation from Mr. K. Johnston

The Clerk stated that the quotation from Mr. Johnston for 2009/10 was the same as for that of 2008 being £1,150.00 (*PROW £900.00, Small Works £160.00 & St. Nicolas Church Garden £90.00*). The Clerk offered a schedule of required works to members for inspection. The Chairman **proposed** that Mr. K. Johnston be awarded the PROW & Small Works Contract for 2009/10; this was **seconded** by Cllr. Mrs. M.E. Temlett and **agreed** unanimously by the Meeting.

12. CURRENT / ONGOING BUSINESS:-

12.1. PARISH PROJECTS – THE AXE

Cllr. J.P. Candy declared a prejudicial interest in relation to item 12.1, spoke for information, at the request of the Chairman. Cllr. Candy informed the Meeting that the contractor, Mr. Roger Prowse, would be returning from his holiday in the new future and would complete work on fencing, as agreed, before the end of March 2009.

12.2. LOOE AREA PLAN

To consider the calling of a meeting of the parishes around Looe in order to discuss common issues.

The Vice-Chairman informed the Meeting that the Looe Area Plan had not so far really addressed the issues of the surrounding parishes but was mainly concerned with the town. His idea of calling a meeting of parish councils around Looe was in order to provide a forum to discuss common issues and how these could relate to the L.A. P. As the Deviock Parish Projects Group was to meet on 30th April to consider revisions to the Deviock Parish Plan, it would make sense to delay the calling of a parishes meeting to after that event, so that a clearer idea of Deviock's own parish plan priorities would be known.

12.3. BURIAL GROUND FOR DEVIOCK PARISH

Report of Desk Top Survey of three sites

The Chairman reported that consultant had visited all three sites (Hessenford Churchyard, Extension Strip; Joey's Corner, Narkurs & Tanver Yate), being accompanied by the Clerk and himself. The consultant was in the process of liaising with the Highways and Planning Departments before submitting its recommendations to the Parish.

Cllr. G.K. Berncastle stated that a covenant on the land at Tanver Yate, limiting Parish use to that of recreational purposes, been drawn to his attention. The Clerk agreed to investigate the existence of such a covenant in the deeds.

12.4. TELEPHONE KIOSKS, DOWDERRY & NARKURS

The Clerk informed members that a concerted public protest against the closure of the Dowderry telephone kiosk with operational phone, had been successful and that BT had reinstated the telephone in the kiosk.

The kiosk at Narkurs would not have a telephone reinstated and the Parish Council was still in the process of adopting the kiosk in order to adapt it for use as a sheltered notice board. The existing Parish notice board at Narkurs was unusable because of inconsiderate parking of a van in front of it, which made access virtually impossible and prevented anyone from reading the notices. Problems with obtaining the correct power supply certificate to the kiosk was delaying the process of adoption.

12.5. TO ADOPT UPDATED STANDING ORDERS, dated February 2009

The Clerk stated that revised draft Standing Orders had been distributed to members at the previous meeting. There being no requests for amendments, Cllr. J.P. Candy **proposed adoption of the February 2009 Standing Orders**; this was **seconded** by Cllr. Mrs. M.E. Temlett and **agreed** unanimously by the Meeting.

ORDINARY MEETING OF 12th March 2009 (Continued)

12.6. PARISH BEACH CLEAN

12.6.1. The Clerk informed members that in order to enable Downderry School to take part, and allowing for low tide in the afternoon, the date for this event had been set as 31st March 2009 at 2.15 pm. Caradon D.C. would be supplying the necessary equipment.

12.6.2. Seaton Beach Business Venture

Cllr. C. J. Hazel declared a prejudicial interest. The Chairman gave him leave to remain in the Meeting. The Chairman invited a member of the public to address the Meeting on details of a business venture to provide sun beds and wind breaks on Seaton Beach. After discussion, support for a venture of this type (subject to compliance with all relevant legislation), was proposed by Cllr. S.J. Parry; seconded by Cllr. G.K. Berncastle and agreed by the Meeting with three abstentions.

13. NEW BUSINESS:-

13.1. CARADON / NALC / CALC, ETC DOCUMENTS

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

- 13.1.1. One Cornwall - Active Partnering Pilots – Letter from Mr. Martin Eddy, dated 26th February 2009. The Clerk read out the letter that stated that possible active partnering pilots would be considered under the new authority.
- 13.1.2. Cornwall C.C. – Cornwall Countryside Access Strategy – Letter dated 3rd March 2009
- 13.1.3. Devon & Cornwall Police Authority – Invitation to attend a meeting on 18th March 2009 at Torpoint Community School

13.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

The following document was available for inspection:-

- a) Local Council Review – March 2009
- b) Fieldwork, March 2009

13.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING

- 13.3.1. CPRE Cornwall
Notification of AGM 2009 to take place on Saturday, March 28th, 2009 at Hotel Bristol, Newquay.

13.4. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There was none.

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

13.5.1. Cllr. G.K. Berncastle stated that some members of the public were under the impression that there were plans afoot to ban dogs from the local beaches. He knew of no plans for this and did not know where this misinformation was coming from.

13.5.2. Cllr. J.P. Candy informed members that the planning applications for Reef Point, Downderry, would be considered by the Caradon Planning Committee on 18th March 2009.

Cllr. Candy asked that an item to discuss a Tree Preservation Order, in camera, be put on the agenda for the next meeting.

13.5.3. Cllr. S. J. Parry drew the attention of members to problems with the new viewing platform at Seaton Countryside Park. Blocked drains were causing erosion of the ground adjacent to the platform, resulting in a hole developing between the edge of the platform and the bank. The Clerk stated that he had already reported this problem to Caradon D.C. and would chase up the matter.

ORDINARY MEETING OF 12th March 2009 (Continued)**13.5. MATTERS RAISED BY MEMBERS FOR POSSIBLE INCLUSION ON THE NEXT AGENDA (Continued)**

13.5.3. Cllr. Parry also suggested that the Parish Council should use precepted funds to provide more picnic tables at the park.

13.5.4. The Vice-Chairman stated that dog fouling around the Parish was on the increase. The Vice-Chairman also asked members to give thought to possible, suitable sites for additional benches in the Parish. Various requests to install memorial benches at the Dowderry Memorial Gardens had been received, but space there was extremely limited and other sites were needed.

There being no further business, the Chairman closed the meeting at 21.15 hrs

FROM THE PARISH WORKS