

**MINUTES of the ORDINARY MEETING of
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,
HESSFENFORD at 7.30pm on Thursday,
12th July 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
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, Downderry Ward
Mr T. Pullin, Parish Clerk

PUBLIC PARTICIPATION PERIOD:

There being no members of the public present the Chairman waived the public participation period.

1. APOLOGIES were received from **Cllr. J. P. Candy** who was attending another meeting and **Mr. S. J. Parry** for his probable late arrival due to work commitments.

2. DECLARATIONS OF ACCEPTANCE OF OFFICE:

The Chairman welcomed new members, Ms. Eileen R. Saville & Mrs. Marion E. Temlett who then made their declarations of acceptance of office, which were duly witnessed by the Clerk.

3. MINUTES:

3.1. Minutes of the Ordinary Meeting of 7th June 2007

It was **proposed** by, Cllr. Mrs. M. Y. Byles, **seconded** by Cllr. Mrs. G. E. Hartland and **AGREED** by the Meeting with three abstentions, to accept the minutes as a correct record.

3.2. Minutes of the Extraordinary Meeting of 6th July 2007

It was **proposed** by, Cllr. Mrs. G. E. Hartland, **seconded** by Cllr. Mrs. A. Robinson and **AGREED** by the Meeting with two abstentions, to accept the minutes as a correct record.

4. REPORTS ON MATTERS ARISING FROM THE MINUTES:

There were no matters arising from the minutes.

5. PLANNING:

5.1. PLANNING COMMITTEE

5.1.1. Minutes of Planning Committee Meeting on 7th June 2007

It was **proposed** by, Cllr. Mrs. G. E. Hartland, **seconded** by Cllr. M. J. Crutchley and **AGREED** by the Meeting with three abstentions, to accept the minutes as a correct record.

ORDINARY MEETING OF 12th July 2007 (Continued)

5.2. PLANNING APPLICATIONS:

5.2.1. 07/00911/FUL Mr. P. Downham and Mrs. D. Fowler **CLAREMONT HOUSE, CHURCH HILL, HESSENFORD**

Construction of first floor extension over existing garage.

A site meeting attended by Councillors had taken place at 19.00 hrs, prior to the Council Meeting.

After discussion a recommendation for **refusal** of this application based on the following concerns: -

- 1) that plans appear to show building on land to the north side of the property that is subject to a right of access to the Old Reading Room,
 - 2) lack of amenity space,
 - 3) Increased building mass detrimental to the street scene,
- was **proposed** by the Vice-Chairman, **seconded** by the Chairman and **agreed** by the Meeting with two abstentions.

5.2.2. 07/00827/FUL Mr. And Mrs R. Stamp **MOUNT BRIONI HOLIDAY APARTMENTS, LOOE HILL, SEATON**

Demolition of 11 existing holiday apartments and replace with 11 new holiday apartments and parking area.

In order to provide more time to study the detail of this application, it was **proposed** by the Vice-Chairman, **seconded** by Cllr. G.K. Berncastle and **agreed** unanimously by the Meeting, that consideration of this application be deferred until the Planning Committee meeting on 26th July 2007.

5.2. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There were no applications received after publication of the agenda

5.3. PLANNING APPEALS:

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

6. PLANNING DECISIONS:

6.1.1 07/00385/FUL Mr. & Mrs. R. Lake **LAND REAR OF THE COTTAGE, MAIN ROAD, DOWNDERRY**

Construction of dwelling to include new vehicular/pedestrian access to highway (revised design to application 06/00571/FUL dated 18.12.2006).

Caradon D.C. Permission granted 7th June 2007

Main Conditions:-

- 1) Screen walling, hedging or fencing to be provided on the boundaries of the site
- 2) All electricity & telephone cables to be laid underground
- 3) Landscaping scheme required & landscaping to be carried out during the next planting season

7. PLANNING CORRESPONDENCE:

7.1. There was no planning correspondence to be considered.

Mr. S. J. Parry joined the Meeting at 20.20 hrs, apologised for his late arrival and then made his declaration of acceptance of office, which was duly witnessed by the Clerk.

ORDINARY MEETING OF 12th July 2007 (Continued)**7.2. MATTERS RAISED BY MEMBERS**

Cllr. G.K. Berncastle drew the attention of the Council to a possible breach of planning conditions concerning the Treliddon Lane Estate development. Cllr. Berncastle recalled that one of the conditions of development was that there should be a Cornish hedge planted at the road side, to screen the development; there being no such hedge in existence, he assumed that this condition had been breached. A row of trees that had been planted on top of gabion baskets in minimal soil, some years before had now died.

The Chairman requested that the Clerk write to the Enforcement Section, Development and Building Control, Caradon D.C., regarding this matter.

8. FINANCE:

8.1. Income & Expenditure.

8.1.1. INCOME MAY/JUNE 2007

Nil	0.00
Total £	0.00

8.1.2. EXPENDITURE MAY/JUNE 2007:

<u>COUNCIL ADMIN. – Cheque Payments:</u>	<u>VAT</u>	<u>Nett</u>	<u>TOTAL</u>
SW Water Invoice dated 25/04/07 (Period 19/01/07 – 25/04/07)	-	68.53	68.53
Caradon D.C. Clerk's salary April 2007	0.88	934.48	935.36
Caradon D.C. Toilet rolls for Downderry P.C.	3.85	22.00	25.85
Galvins of Liskeard – Sharp AL-1457D Toner Cartridge	18.36	104.93	123.29
SLCC Annual Subscription 2007	-	95.00	95.00
Jack Lawrence General Ins. Services (Jazz in the Park Event)	-	300.00	300.00
EDF Energy Invoice dated 22/05/07 (Period 27/01/07-03/05/07)	0.71	14.24	14.95
Caradon D.C. Clerk's salary May 2007	0.88	934.48	935.36
Petty Cash	-	50.00	50.00
May / June 2007 Cheque Payments C/F £	24.68	2,523.66	2,548.34

Standing Order Payments:

MR. J. BIRD – May 2007 Cleansing Contract Payment	-	205.41	205.41
MR. J. BIRD – June 2007 Cleansing Contract Payment	-	205.41	205.41

MAY / JUNE EXPENDITURE TOTALS £	40.37	2,934.48	2,959.16
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It was **proposed** by the Chairman, **seconded** by Cllr. Mrs. M.Y. Byles and **RESOLVED** to ratify the above expenditure.

ORDINARY MEETING OF 12th July 2007 (Continued)**8.2. BANK STATEMENTS**

Date	Account	Balance £	
29 June 07	Community	1,000.00	
29 June 07	Business Premium	23,089.31	
29 June 07	Step Saver	511.07	Interest earned for period to 1 June 07: £2.84 £107,263.45 transferred to Treasury Deposit on 28 Mar. 07 for 6 months (4.88%)
29 June 07	Rocknose BPA	18,196.40	Interest earned for period 5/03/07-3/06/07: £126.98
29 June 07	Sports & Rec BPA	12,879.61	Interest earned for period 5/03/07-3/06/07: £89.88
28 Mar. 07	Treasury Deposit	107,263.45	Transferred from Step Saver A/C on 28 Mar. 07 (£106,112.21 + £1,151.24 interest from previous 3 months)

8.3. LETTERS OF THANKS

No letters of thanks had been received.

8.4. REQUESTS FOR FUNDING

No requests for funding had been received.

8.5. ACCOUNTS TO BE PAID

	<u>VAT</u>	<u>Nett</u>	<u>TOTAL</u>
Samaritans – Plymouth, East Cornwall & S.W. Devon	-	50.00	50.00
Caradon D. C. - Nut Tree Newsletter – June '07	-	114.45	114.45
Caradon D.C. – Cleaning supplies	20.18	115.32	135.50
Caradon D.C. – Uncontested Election Charge – Hossenford Ward	-	134.30	134.30
Caradon D.C. – Uncontested Election Charge – Seaton Ward	-	134.30	134.30
Caradon D.C. – Uncontested Election Charge – Dowerry Ward	-	155.30	155.30
Campaign to Protect Rural England – 2007/8 Subscription	-	27.00	27.00
Caradon D.C. Clerk's salary May 2007	0.88	934.48	935.36
Clerks Mileage Expenses April – June 2007-07-11 (148 miles @ 52.7p = £78.00 + parking £2.00)	-	80.00	80.00
Caradon D. C. - Nut Tree Newsletter – July '07	-	114.45	114.45
Total £	21.06	1,859.60	1,880.66

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

ORDINARY MEETING OF 12th July 2007 (Continued)

8.6. VAT REFUND CLAIM (For Year Ending March 31st 2007)

8.6.1. The Clerk informed the Meeting that he had submitted a VAT refund claim of £800.07 in respect of the year ending March 31st 2007.

8.7. FINANCIAL BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA

8.7.1. Public Liability Insurance for Mr. John Bird, holder of the Council's Cleansing Contract
The Vice-Chairman declared an interest

The Clerk stated that Mr. Bird had now submitted quotations for public liability insurance, to cover him while carrying out his duties under the Parish Council Cleansing Contract. The Clerk reminded councillors that the Council had previously resolved to fund the cost of this insurance.

The Clerk informed the Meeting that he had been advised by Mr. Brian Runnalls of Caradon District Council that cover was normally agreed at a maximum of £5,000,000.00. Mr. Bird had received a quotation for £5,000,000.00 cover, for a period of one year, from AXA Insurance for a premium of £132.30. The Clerk advised the Council that this was the lowest figure of the quotations received.

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

9. HIGHWAY MATTERS:

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

9.1.1. Road Closure Notification – The Clerk reported that he had received notification of a road closure to from the junction east of Coombe Farm to the junction north east of Wilton Cottage, Widegates; this closure to take place from 30th July 2007 for 10 days.

9.1.2. Cornwall C.C. Highways Dept. Letter from Mr, Brian Craven dated 12th July 2007

The Clerk stated that he had eventually received a reply to his various letters and e-mails chasing progress on the implementation of agreed measures, further to the traffic site meeting that had taken place last summer.

Mr. Brian Craven's letter gave information on two of the issues that had been raised:-

- 1) Cliff Cottage / Beach Hill: The request for yellow lines at that site and elsewhere in the Parish remained on the list for consideration by Mr. J. Ault CC.
- 2) 20mph Speed Limit – Dowderry School: The provision of 20mph speed limits outside all primary schools is still the an aspiration of Cornwall County Council but, because of funding difficulties the programme is currently stopped. Dowderry School is not therefore in this years programme.

Councillors were not aware that the County Councillor had a budget for funding highway improvements, or that the requested yellow lines would or should be taken from this budget. Cllr. Mrs. M.Y. Byles suggested that the funding should come from a different budget, if Mr. J. Ault's own budget was very limited.

The Clerk agreed to contact Mr. J. Ault about this matter

With regard to the 20mph speed limit at Dowderry School, the Clerk agreed to contact the Head Teacher, Mrs Lindsey Fear, who, he was informed, was in the process of conducting a school traffic survey, that could add weight to the Council's request for the speed limit to be imposed.

ORDINARY MEETING OF 12th July 2007 (Continued)

10. POLICE MATTERS:

10.1. COUNCIL MATTERS FOR THE POLICE:

Cllr. G.K. Berncastle drew the attention of the Council to the problems caused by dogs that were not properly controlled, and related various incidents that had occurred on Donderry and Seaton beaches as examples of this. The number of dogs on these beaches had increased because of the banning of dogs from other local beaches. The Chairman stated that enforcement of dog control was difficult as there were only two Dog Wardens to cover the entire Caradon District.

10.2. POLICE MATTERS FOR THE COUNCIL

Apologies had been received from P.C. Libby of Torpoint Police. Councillors were directed to the written crime report that he had submitted (see Appendix A).

11. CURRENT / ONGOING BUSINESS:-

11.1. PARISH PROJECTS

11.1.1. THE AXE. The Chairman reported that three quotations had now been received for the work put out to tender. The Chairman stated that he wished to ask the Council for delegated authority to allow Mr. Bill Knight and himself to apply for grant funding in connection with The Axe Project; a **proposal** to this effect was made by the Vice-Chairman, **seconded** by Cllr. Mrs. G.E. Hartland and **agreed** unanimously by the Meeting.

11.1.2. ROCKNOSE – TOPOGRAPHICAL SURVEY

The Chairman stated that now funding for the topographical survey had been agreed by the Council, this was now in the hands of Mr. Bill Knight to organise.

11.1.2. TANVER YATE

The Chairman suggested that until a decision had been made on whether a football pitch could be accommodated at Seaton, development of the Tanver Yate site was being put on hold. The Chairman continued that he felt a time limit should be put on investigations at Seaton as they could drag on indefinitely.

Mr. S.J. Parry joined the Meeting at 20.30 hrs.

11.2. FOOTBALL PITCH – SEATON COUNTRYSIDE PARK

The Vice-Chairman suggested that the Chairman should speak to Mr. Steve Blatchford of Caradon District Council, in order to determine if any progress had been made with the Environmental Agency regarding its position on the suitability of Seaton Countryside Park to accommodate a football pitch, and to bring his findings back to the next Planning Committee meeting on 27th July 2007. The Chairman agreed to do this.

11.3. ST ANNE'S CHURCHYARD EXTENSION STRIP, HESSENFORD

The Chairman declared an interest.

The Vice-Chairman stated that, as previously agreed by the Council, he had arranged a meeting with Mr. & Mrs Davey, (the former landowner of the extension strip). This meeting had been amicable and any misunderstandings over the future sale of the land had been cleared up.

Cllr. M. J. Crutchley had not been in attendance at this meeting.

It was agreed to leave the matter in abeyance for six months and possibly review the situation in January 2008.

ORDINARY MEETING OF 12th July 2007 (Continued)

11.4. APPLICATION FOR LOCAL AREA EVENT LICENCING TO CARADON D.C.

Cllr. J.P. Candy not being available to provide an update, this matter was deferred until the next meeting.

11.5. PARISH SPECIAL EVENTS INSURANCE

The Clerk stated that he would be organising a meeting of interested parties after the summer break.

11.6. DEVIOCK BOUNDER

The Clerk reported that he had recently approached Cllr. S.J. Parry about taking over the organisation of this event. Cllr. Parry stated that he was unsure whether he could commit the necessary time required, but would be willing to help.

The Clerk stated that Mr. David Marshall had told him that a licence for the Bounder, from the Athletic Association, would be needed in the near future and that the Association should be informed if the event was not going to take place.

The Vice-Chairman agreed to approach Mr. Marc Lintern, a regular runner, to determine if he would be willing to organise the event.

11.7. PARISH PLAN

The Vice-Chairman announced that the Parish Plan had now been finalised and that the Chairman who was producing CD copies had checked it. The number of printed copies required had yet to be determined. The Clerk was asked to find out how many "official" copies are required by Caradon D.C. and other interested bodies. The Clerk reported that he had recently received a request for a copy of the Parish Plan from Cornwall C.C.

The Vice-Chairman stated that the Parish Plan would be published on the Parish Website, once Caradon D.C. had approved it.

12. NEW BUSINESS:-

12.1. CARADON / NALC / CALC, ETC DOCUMENTS

12.1.1. Caradon Legal Services – Revised Code of Conduct – Training Sessions

The Clerk drew the attention of Councillors to a series of training sessions to be held at Luxstowe House, Liskeard, and gave out details of the dates and times of these sessions.

12.1.2. Caradon Legal Services – Standards Committee – Appointment of a Sub-Committee

The Clerk reported notification from Caradon D.C. of the appointment of a new Standards Sub-Committee that would deal with both District and Parish business.

12.1.3. Cornwall County Council – Unitary Bid Update Document

The Clerk stated that he had recently received a Unitary Bid Update Document from Cornwall C.C. This document was currently with the Chairman.

12.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

The following publications were available for inspection:-

- 1) LCR July 2007
- 2) Countryside Voice – Summer 2007 Issue

ORDINARY MEETING OF 12th July 2007 (Continued)

12.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING

12.3.1. Millbrook Parish Council – Joint Meeting planned for September 2007 (Transport & affordable housing issues).

The clerk was requested to reply to Millbrook P.C. expressing the interest of Deviock P.C. in such a meeting.

12.3.2. Downderry Boat Owner's Association – Official Association formed on 14th June 2007

12.3.3. Looe MCTI – Looe Area Community Action Plan – 30th June 2007

12.3.4. St Stephen-in-Brannel Parish Council – Affordable Housing Presentation in Truro on 16th July 2007 at 7pm

12.3.5. Mrs. Joy Etherington – Letter dated 27th June 2007

Communication between Deviock Parish Council and Parishioners.

The Chairman read out the letter. Having debated the issue of Parish communications and arrived at a policy regarding e-mail at a previous meeting, councillors agreed to note the points raised in this letter, but not to discuss it further at this time.

12.4. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

12.4.1. The Chairman suggested that the Council should write to Mr. Adrian Derx (the owner of land at Downderry Hill), in order to make him aware of the continuing desire of the Council to purchase land there and to ask to be kept informed of any future sale of land that might be considered. Councillors approved this suggestion and the Clerk was asked to send a letter to this effect.

12.4.2. The Clerk had been informed that a tree had blown down across a public footpath at Trelowia. It was suggested that this tree was probably on Duchy land. The Clerk was asked to investigate the situation and request removal of the tree.

12.5. INFORMAL CORRESPONDENCE:

12.5.1. Cllr. G. K. Berncastle (Seaton Ward) : requested that the Councillor contact list on the Parish Website be updated. The Clerk agreed to action this.

12.6.2. Cllr. S. J. Parry (Seaton Ward): asked who was responsible for maintenance of the footpath from Keval Mill to Keval Lane. The Chairman stated that this was the responsibility of Caradon D. C. Cllr. Parry agreed to contact Mr. Don Price at Caradon D.C. about the matter. Cllr. Parry informed councillors that he had seen illegal nets being used in the river Seaton. The clerk was asked to contact the Environmental Agency on this matter

12.6.3. Cllr. R.J. Daniel (Downderry Ward): raised three items: -

1) Under the new legislation that has now come into effect, "No smoking" signs are required at the Downderry public conveniences. The Clerk agreed to implement this.

2) That a letter be sent from the Parish Council to Sue Walters, Head of Development and Building Control, Caradon D.C. decrying the use of delegated authority to individual planning officers, when the Parish Council had objected to a planning application, and that these contested applications should go automatically to the Caradon Planning Committee for decision. This was agreed by councillors and the Clerk requested to write on their behalf.

3) That all comments during Parish Council Meetings should be directed through the Chair.

There being no further business, the Chairman closed the meeting at 21.30 hrs