

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

PRESENT: Parish Cllrs. R.J. Daniel, Chair, Downderry Ward
M. E. Temlett, Vice-Chair, Downderry Ward
M. Y. Byles, Hessenford Ward
J.P. Candy, Downderry Ward
D. L. G. Elliott, Downderry Ward
Mrs. G.E. Hartland, Seaton Ward
C. J. Hazel, Seaton Ward
P. McClung, Downderry Ward
A. Robinson, Hessenford Ward
Cornwall Cllr. R. Pugh
Mr T. Pullin, Parish Clerk

1. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA:

Cllr. Mrs A. Robinson declared a personal & prejudicial interest in relation to item 7.2.3., the willow tree, subject to an application for removal, being adjacent to a sewage tank serving Cllr. Robinson's house.

Cllr. J. P. Candy: Item declared a personal & prejudicial interest in relation to the grazing areas of the Axe Field, and a personal interest relating to the new pond and woodland areas of the Axe Field; Cllr. Candy being the tenant farmer of that land.

Cllr. Mrs. M. Y. Byles declared a person interest in relation to item 11.4.1. being the Parish Council representative on the St. Germans and District Twinning Association committee.

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

A member of the public addressed the Council concerning agenda item 7.2.3. (Notification for the removal of one willow tree and trimming of one eucalyptus tree by 15%, within the conservation area), stating the at willow tree was a danger to life and property; that it was overhanging the Copley Arms, Hessenford and that its roots were disturbing a sewage tank that was now leaking.

A member of the public presented information relating to item 11.4.2. (Request for funding towards a Downderry Village Christmas Tree / Festive Evening), stating that the tree would be for the whole local community and that various activities were planned in connection with this. Draft costings for the purchase of lights were submitted. Councillors were informed that the lights could be used, not just for the coming season, but in future years as well. The owner of the Blue Plate restaurant had agreed to the Christmas tree being sited in front of his premises and that electrical power could be accessed from the restaurant.

3. APOLOGIES:

Apologies for absence were received from Cllr. S. J. Parry, Seaton Ward and P.C. Libby. The Chairman informed members that he had received a letter of resignation from Cllr. G. K. Berncastle.

4. MINUTES:

4.1. Minutes of the Ordinary Meeting of 8th October 2009

It was **proposed** by Cllr. Mrs. M. Y. Byles, **seconded** by Cllr. P. McClung and **AGREED** unanimously by the Meeting to accept the minutes, as a correct record, subject to minor amendments.

ORDINARY MEETING OF 12th November 2009 (Continued)

5. REPORTS ON MATTERS ARISING FROM THE MINUTES:

Cllr. J. P. Candy requested from C. Cllr. Pugh if any progress had been made in relation to the parking arrangements at Seaton. Cllr. Candy informed the Council that cranes over-flying the highway now required a permit. C. Cllr. Pugh replied that he would deal with these matters in his report to the Council.

6. POLICE MATTERS:

6.1. POLICE MATTERS FOR THE COUNCIL

There being no representative from the police, the Clerk referred members to the monthly crime report that had been submitted.

(See Appendix A).

6.2. COUNCIL MATTERS FOR THE POLICE:

No matters were raised.

7. PLANNING:

7.1. PLANNING COMMITTEE

7.1.1. Minutes of the Meeting of 22nd October 2009

It was **proposed** by the Cllr. J.P. Candy, **seconded** by Cllr. P. McClung and **AGREED** unanimously by the Meeting to accept the minutes, as a correct record.

7.1.3. Matters arising from the minutes of the Planning Committee

Cllr. Mrs. M.Y. Byles asked if temporary speed monitoring equipment has yet been installed at Church Hill, Hessenford. A local resident informed the Meeting that so far only a post had been installed, the equipment not yet being in place.

7.2. PLANNING APPLICATIONS:

7.2.1. 09/01615/FULR Mr. Scott Parry BON ACCORD, KEVERAL LANE, SEATON

Extension of time for the construction of extension. Application No. 06/01500/FUL dated 27.11.2006

Cllr. D. L. G. Elliott **proposed support** of this application; this was **seconded** by Cllr. Mrs. G. E. Hartland and **agreed** unanimously by the Meeting.

It was noted that, although standing orders stated that applications lodged by a Council member should be subject to a site visit, as this site had already been visited at the time of the initial application, a further visit was not now required.

7.2.2. 09/01664/FULR Mr. David Lea MOUNT HOUSE, MAIN ROAD, DOWNDERRY

Construction of utility room and replace flat roof with pitch roof (Demolition of existing utility room)

Cllr. D. L. G. Elliott **proposed support** of this application; this was **seconded** by Cllr. P. McClung and **agreed** unanimously by the Meeting.

7.2.3. 09/01579/TRECON Angela Thorpe VALLEY COTTAGE, HESSENFORD

Notification for the removal of one Willow tree and trimming of one Eucalyptus tree by 15% within the conservation area

The Chairman **proposed support** of this application, subject to the views of the County Forestry Officer; this was **seconded** by Cllr. Mrs. M. Y. Byles and agreed by the Meeting. (one abstention)

The Clerk was asked to request that this application was dealt with as a matter of urgency, in his return to the planning officer.

ORDINARY MEETING OF 12th November 2009 (Continued)

7.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:

No applications had been received

7.4. PLANNING APPEALS:

No Planning Appeals had been received.

8. PLANNING DECISIONS:

8.1. PERMISSIONS FOR DEVELOPMENT

09/01314/FUL: Mr Martyn Wright THE MAISONETTE, KEVERAL LANE, SEATON

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

Cornwall Council: Permission Granted 20th October 2009

Main conditions:-

- 1) *The year commencement rule*
- 2) *Materials used for the construction of the external wall surfaces to match those used in the existing buildings*
- 3) *Details and sample of proposed roof covering to be submitted and agreed*

9. PLANNING CORRESPONDENCE:

9.1. CORRESPONDENCE RECEIVED BY THE DATE OF THE MEETING

No correspondence had been received

9.2. C.P.R.E. Planning Training Day – Report by the Chairman

The Chairman informed members that the subject of the training day had been how to respond to planning applications effectively, citing examples of successful objections to applications by the C.P.R.E. How objections to planning applications were framed was crucial to their effectiveness. The Council should consider quoting relevant sections of planning legislation and Development / Structure Plans, in its application responses to Cornwall Council.

9.3. MATTERS RAISED BY MEMBERS

The Clerk stated that, in response to a request by Cllr. Mrs. G. E. Hartland, he had contacted Cornwall Council Planning Dept. in order to ascertain the position regarding the replanting of trees at Mt. Brioni, Seaton, that was a condition imposed as part of the planning application consent for the construction of apartments. The Clerk had been informed that because the landscaping scheme submitted by the applicant had only been approved in April 2009, the first planting season had not yet occurred.

10. REPORT BY CORNWALL COUNCILLOR:

Cornwall Cllr. Richard Pugh presented his report and informed members of the following:-

- 1) that the current main issues for Cornwall Council were:-
 - a) The Financial Health Check showed a Council loan of £585 million had resulted in crippling interest payments that was causing the Council to curtail spending on services
 - b) An OFSTED report that had castigated some Council-run services
- 2) A new provision of kerbside recycling had been introduced
- 3) A land-slip on the Seaton Valley Road had occurred
- 4) The Old Schoolhouse, Deviock, planning application: Conditions relating to the separate sale of the Annexe had now been removed and therefore this application would now be approved.
- 5) The Crane at Buttlegate: Cllr Pugh was of the opinion that it was better for local residents that work continue on the site than for the crane to become subject to further restrictions that could hamper development of the site.

ORDINARY MEETING OF 12th November 2009 (Continued)

10. REPORT BY CORNWALL COUNCILLOR (continued):

6) Parking at Seaton: Cllr Pugh stated that a request to synchronise the timing of road parking restrictions with that of charging in the car parks would need to be added to the list of Highways requests and be subject to a traffic order. There was a panel at Cornwall Council currently looking into the issue of parking charges across Cornwall.

7) An investigation into recent late night road works at Brenton Road, Downderry, had revealed that these works had not been authorised and that the Highways Dept. had no knowledge of them. C. Cllr. Pugh was currently pursuing S.W. Water for an apology for the disturbance caused.

11. FINANCE:

11.1. Income & Expenditure.

11.1.1. INCOME: SEPTEMBER & OCTOBER 2009

Cornwall Council – 2009/10 Precept: (second half year payment)	13,098.00
Bank Interest: Barclays up to 7 th September 2009	8.57
“ “ Barclays – Treasury Deposit (Matured 25 th September 2009)	428.10
Total £	13,534.67

1.2. EXPENDITURE : SEPTEMBER & OCTOBER 2009

Cornwall Council – Clerk's Salary August 2009	0.75	995.21	995.96
Cornwall County Training Partnership (Planning Training for the Chairman)	-	25.00	25.00
Cornwall Air Ambulance Trust	-	100.00	100.00
Audit Commission - Fee for external audit for year ending 31 st March 2009	42.75	285.00	327.75
St. Germans Group Parish – Hire of Hall of Pelynt Division Meeting on 16 th Sept. 2009	-	13.30	13.30
Cornwall Council – Cleaning supplies for Downderry Public Toilets	7.76	51.74	59.50
CPRE Cornwall (Planning Workshop for the Chairman 31 st October)	-	25.00	25.00
Clerk's mileage expenses July, August & September 2009 (138 miles @ 60.1p per mile = £82.94 + parking £1.20)	-	84.14	84.14
Quay Lane Surgery (Mary's Monitor Fund Grant)	-	500.00	500.00
St. Germans Group PCC (Office rent for 6 months to 30 th Sept 2009)	-	410.00	410.00
Cornwall Council (Clerk's salary September 2009)	0.75	1,056.92	1,057.67
Royal British Legion Poppy Appeal (2 x wreaths)	-	50.00	50.00
September & October 2009 Cheque Payments C/F £	52.01	3,596.31	3,648.32

Standing Order Payments:

MR. J. BIRD – September 2009 Cleansing Contract Payment	-	217.91	217.91
MR. J. BIRD – October 2009 Cleansing Contract Payment	-	217.91	217.91
SEPTEMBER & OCTOBER 09 EXPENDITURE TOTALS £	52.01	4,032.13	4,084.14

Ratification of this expenditure was **proposed** by Cllr. J.P. Candy, **seconded** by Cllr. D. L. G. Elliott and **approved** unanimously by the Meeting.

11.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT

Date	Account	Balance £	
30 Oct 09	Barclays Community	1,000.00	
30 Oct 09	Barclays Business Premium	36,692.27	
30 Oct 09	Barclays Step Saver	5,826.72	
29 Sept 09	Barclays Rocknose BPA	18,956.40	
29 June 09	Barclays Sports & Rec BPA	13,417.54	
23 July 09	Lloyds TSB Fixed Term Deposit (Re-invested from previous Lloyds TSB Fixed Term Deposit)	60,491.12	Matures on 25 th Jan 2010 Interest at 1.25% = £385.32
09 Oct 09	Barclays Treasury Deposit	62,067.83	Matures on 09 th April 2010 Interest at 1.1% = £340.44

ORDINARY MEETING OF 12th November 2009 (Continued)

11.3. LETTERS OF THANKS

11.3.1. The Chairman read out a letter of thanks from Mrs. Ann Asprey on behalf of the Mary's Monitor Fund.

11.3.2. The Clerk read out a letter of thanks the Cornwall Air Ambulance Trust

11.4. REQUESTS FOR FUNDING

11.4.1. St. Germans and District Twinning Association

The Clerk read out a letter received from the St. Germans and District Twinning Association relating to a request for funding towards the cost of creating a Boule Piste at Seaton Countryside Park. This letter was in response to a request for further information from the Council. Details of the costs of materials required for the construction of three different sizes of terrains were given. The association was to provide the manpower necessary for construction of the piste. Concerns over the large size of the third option were expressed by councillors. Details of where it was proposed to site the piste in Seaton Countryside park were requested. Councillors also wished to know if the Association had consulted with Cornwall Council on this matter. The issue of ongoing maintenance was raised. The Clerk was instructed to request further information from the Association on all these points. It was agreed to put this matter on the agenda for the next meeting.

11.4.2. V.I.P. – Request for funding towards a Downderry Village Christmas Tree / Festive Evening

The Chairman stated that the Downderry & Seaton W.M.C. had provided a Christmas tree for the past 25 years. Because of problems of vandalism this tree was now erected on a wall bracket outside the W.M.C. Cllr. J.P. Candy stated that the W.M.C. tree was no longer a focal point for the village as proposed by the V.I.P. group. The positioning of the proposed tree outside the Blue Plate restaurant would afford it a degree of protection from possible vandalism. This was a sound idea, promoting community cohesion. The Vice-Chair supported the idea but expressed concerns that the erection of the tree on private land outside the restaurant could be construed as a business benefit. Cllr. C. J. Hazel wondered if the Council should provide funding for a Christmas tree in each of the three villages within the Parish? The Chairman stated that the Council had only received a request for this funding from Downderry. It was decided that additional quotations for lighting equipment were required by way of comparison. The Clerk was instructed to investigate the issue of insurance. It was agreed to put this matter on the agenda for the next Planning Committee meeting and to give that Committee delegated authority to make the funding decision on this item.

11.4.3. Hessenford, Seaton & Downderry Wednesday Club – Request for grant towards the costs of meetings

The Clerk read out the letter from Ms. Heather Blacker requesting a grant of £200.00 from the Council. After discussion Cllr. J. P. Candy **proposed** that the Council grant **£200.00**; this was **seconded** by Cllr. P. McClung and **agreed** unanimously by the Meeting.

11.5. ACCOUNTS TO BE PAID

	<u>VAT</u> £	Nett £	<u>TOTAL £</u>
BT Payment Services Ltd (Parish Office telephone & Broadband) Bill No Q022R4	15.68	116.48	132.16
CORMAC – (New traffic signage for Narkurs)	62.35	415.64	477.99
SW Water – Downderry Public Toilets – Invoice Period: 10/07/09 – 26/10/09	-	281.13	281.13
Galvins of Liskeard Ltd. (Office stationery)	2.31	15.37	17.68
Frontline Image Ltd	81.30	542.00	623.30
Roger Prowse (Works at the Axe)	-	4,780.00	4,780.00
Deviocck Parish Council – Petty Cash	-	50.00	50.00
Total £	161.64	6,200.62	6,362.26

It was **proposed** by the Vice-Chair, **seconded** by Cllr. D.L. G. Elliott and **RESOLVED** by the Meeting to ratify the above expenditure.

ORDINARY MEETING OF 12th November 2009 (Continued)

11. FINANCE (Continued):

11.6. FINANCIAL CORRESPONDENCE

None had been received

11.7. FINANCIAL BUSINESS RECEIVED AFTER THE PUBLICATION OF THE AGENDA

None had been received

11.8. FINANCE AND GENERAL PURPOSES COMMITTEE:

11.8.1. To approve the minutes of the Finance and General Purposes Committee meeting of 22nd October 2009

It was **proposed** by the Cllr. D. L. G. Elliott, **seconded** by the Vice-Chair and **AGREED** by the Meeting to accept the minutes, as a correct record.

11.8.2. To consider the Draft Precept 2010/11 recommendation of the Finance and General Purposes Committee. To finalise and approve the Precept for 2010/11

The Clerk referred members to the minutes of the F&GP committee for details of the recommended Precept for 2010/11. As requested, the Clerk had produced figures to show Precept against expenditure for the years 2006 – 2009. After discussion and an unresolved query over the figures presented it was agreed to defer this matter to an E.G.M., to take place after the next Planning Committee meeting.

12. HIGHWAY MATTERS:

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

12.1.1. Hesseford: Church Hill & Other Issues- Traffic Management Update

The Clerk read out a letter from a local resident suggesting that 20 mph signs rather than 30 mph should be erected on Church Hill and the Old Valley Road as 30 mph signs would give out the wrong signal to drivers, who would assume that it was therefore safe to drive a 30 mph.

In relation to the possible installation of interactive, flashing speed limit signs for the A387 at Hesseford, Cllr. Mrs. M. Y. Byles requested information as to what form of public consultation was required and how much this would cost. Cllr. Byles **proposed** that the Clerk be instructed to write on these matters to Ms Rebecca Dickson, Area Manager East, Cornwall Council Highways Dept.; this was **seconded** by Cllr. J.P. Candy and **agreed** unanimously by the Meeting.

12.1.2. Additional Traffic Signage for Narkurs

The Clerk reported that a cheque had been sent to CORMAC for the agreed signs and that installation should take place in the near future.

12.1.3. Road Signs for Parish Lanes

The Chairman stated that he had no further information on this at matter at present but that it should be put on the agenda for the next meeting.

12.1.4. Footpath 2 (Hesseford to the Rookery, Bake), Update by the Clerk

The Clerk read out a letter received from Dave Wood (Countryside Officer, Environment Service, Cornwall Council), dated 22nd October 2009. The letter stated that the issues raised by the Parish Council regarding Footpath 2 (damage to footpath surface caused by horse riding and illegal motor cycle use) were being looked into and that the officer would be inspecting the site on 23rd October 2009. The officer would be reporting back to the Council regarding possible options for restricting unlawful access and would also liase with local landowners.

12.2. PUBLIC TRANSPORT ISSUES

No matters were raised.

ORDINARY MEETING OF 12th November 2009 (Continued)

13. CURRENT / ONGOING BUSINESS:-

13.1. PARISH PROJECTS – THE AXE

13.1.1. To consider funding for tree planting of new woodland and pond areas

Cllr. Elliott informed members that he had received quotations for the planting of 500 young trees (whips) and a dozen fruit trees. Inclusive of providing canes and rabbit guards and costs of planting Cllr. Elliott **proposed** that he be given **delegated authority** for purchasing of the same up to a value of **£1,300.00**; this was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** by the Meeting with one abstention.

Cllr. J.P. Candy stated that the new stiles at the pond area were not fit for purpose and that signs should be affixed to them warning the public not to use them. The Clerk agreed to put this in hand as a matter of urgency.

Cllr. Candy **proposed** that the lower stile at the pond area be replaced by a kissing gate, in order to provide disabled access, and that the other stile be replaced with one of the same design and construction as that at the top of the field, but without a dog gate; this was **seconded** by Cllr. C. J. Hazel and **agreed** unanimously by the Meeting.

13.2. BURIAL GROUND FOR DEVIOCK

13.2.1. Intrusive Investigations by The John Grimes Partnership at St. Annes, Hessenford, Graveyard Extension Strip – Update by the Clerk

The Chairman stated that a letter had just been received from Dr. John Grimes in which he expressed concerns over the proposed site.

The Clerk stated that the intrusive investigations had not yet been carried out because of wet ground conditions. The land owner had refused permission for heavy equipment to be driven over land necessary to access the site.

After discussion Cllr. Candy **proposed** that the Clerk be instructed to write to Dr. Grimes thanking him for his comments and asking him to proceed with the trials as previously requested; this was **seconded** by Cllr. P. McClung. The Chairman **proposed an amendment** that Dr Grimes be to asked to come and address the Council on this matter; this was **seconded** by the Vice-Chair and **agreed** by the Meeting. Cllr. Candy requested that his vote against the amendment be recorded in the minutes.

13.3. PARISH PLAN REVISION – UPDATE BY THE CHAIRMAN

The Chairman reported that Ms Sally Lewis of Cornwall Council would be attending the November meeting of this group in order to give her ideas on how to proceed with the plan revision.

13.4. B. T. – HESSENFORD TELEPHONE KIOSK

To consider a letter received from the St. Austell Brewery, dated 29th October 2009 and to consider if the Council wishes to adopt this kiosk from BT

The Clerk read out the letter that stated the Brewery had agreed to disconnection of the telephone because although it had been out of order for over a year, no member of the public had requested it be repaired. Cllr. Mrs. A. Robinson stated that the telephone was required for reason of emergencies that might occur only infrequently, the mobile phone reception being very poor and the Copley Arms not being open at all times. Cllr. Robinson **proposed** that the Clerk be instructed to write to BT on this matter; this was **seconded** by Cllr. P. McClung and **agreed** by the Meeting. C. Cllr. Pugh stated that the B.T. consultation period would end on 19th December 2009.

13.5. BEECH FIELD, DOWNDERRY – Guidance for the public release of “in camera” minutes

The Clerk reported that he had taken advice on this matter from the Society of Local Council Clerks. All minutes should be in the public domain as soon as possible. Minutes containing confidential matter should be released as soon as the Council thinks it pertinent so to do.

ORDINARY MEETING OF 12th November 2009 (Continued)

13.5. BEECH FIELD, DOWNDERRY – Guidance for the public release of “in camera” minutes (continued)

Cllr. J.P. Candy **proposed** that minutes relating to the 2006 attempted purchase of land by Deviock Parish Council, now be made public; this was **seconded** by Cllr. G. J. Hazel and **agreed** unanimously by the Meeting. The clerk was requested to inform Mr. Adrian Derx that these minutes were now available for inspection.

14. NEW BUSINESS:-

14.1. CORNWALL COUNCIL / NALC / CALC, ETC DOCUMENTS

14.1.1. NALC – Policy Consultation – Freedom to Lead: Developing a New Accountability Framework.

The Clerk drew the attention of members to this consultation, stating that responses were required by 25th November 2009

The Chairman informed members that the CALC was shortly to change the make up of its executive.

14.1.2. Plunkett Foundation – Parish Council Survey 2009

The Clerk drew the attention of members to this on-line consultation

14.1.3. Rural Services Network – Communities Survey for Parish and Town Councils

The Clerk drew the attention of members to this consultation

14.1.4. Cornwall Fire & Rescue Service – Service Plan 2010/13 – Consultation of the Service Planning Process

The Clerk informed members of this consultation.

14.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

The following documents were available for inspection:-

- a) War Memorials Trust Bulletin
- b) Cinnamon Trust – Christmas 2009

14.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING

14.3.1. The Clerk informed members that he had received an e-mail from Cllr. S. J. Parry concerning various issues relating to Seaton Countryside Park. After discussion Cornwall Councillor Richard Pugh agreed to follow up these issues.

14.4. OUTDOOR GYM EQUIPMENT – Report by the Chairman

Because of a shortage of time the Chairman suggested that this item should be brought back to the next meeting. This was agreed by members.

14.5. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There was no new business to consider.

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

14.6.1. The Vice-Chair raised three points:-

- a) that she had been asked about memorial benches by members of the public.
- b) that a request for the Parish Council to support the deposit of historical papers, relating to the Hessenford Institute, with the Truro Records Office, had been made.
- c) that she had received requests relating to the provision of allotments within the Parish.

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



Report for the Parish Meeting Deviocck 12th November 2009

<u>Period of Report</u>	<u>Crimes in Parish</u>	<u>Crimes in Area</u>
08/10/09 – 09/11/09	2	69
01/01/09 – 09/11/09	36	604
01/01/08 – 09/11/08	31	715

Types of Crime Since The Last Meeting

1 x Burglary Dwelling (Brenton Terr Dowederry where domestic appliances were taken)

1 x Unauthorised vehicle taking at Seaton

Crime Hot Spots In Parish

There are no specific problem areas at present
