

**MINUTES of the ORDINARY MEETING of
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,
HESSENFORD at 7.30pm on Thursday,
14th January 2010.**

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
Mr T. Pullin, Parish Clerk

1. DECLARATION OF INTEREST IN ITEMS ON THE AGENDA:

The Chairman declared a personal & prejudicial interest in relation to item 7.2.1., Downderry & Seaton WM Club planning application, being the chairman of that organisation. The Vice-Chair also declared a personal & prejudicial interest in relation to item 7.2.1 being a neighbour of the W.M. Club Hall. Cllr. Mrs. G.E. Hartland declared a personal & prejudicial interest in relation to this item, being a committee member of the W.M. Club. 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 12.2.2. (Car park for Hessenford), stating that if a car park was created, there should be parking allocated for local residents who currently had no parking space. A second member of the public asked who would be purchasing the land for the car park and where it would be. The Chairman stated that answers to these questions would be dealt with under the agenda item. There being no further requests to address the Meeting, the Chairman closed the public participation period.

3. APOLOGIES:

Apologies for absence were received from Cllr. S. J. Parry, Cornwall Cllr. R. Pugh and P.C. Libby.

4. MINUTES:

4.1. Minutes of the Ordinary Meeting of 12th November 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.

5. REPORTS ON MATTERS ARISING FROM THE MINUTES:

Cllr. J. P. Candy referred to item 13.2.1. of these minutes, stating that an approved amendment to a motion had not then been voted on as the substantive motion.

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).

ORDINARY MEETING OF 14th January 2010 (Continued)

6.2. COUNCIL MATTERS FOR THE POLICE:

The Chairman stated that there had been a report of a dog attack on a smaller dog at Treieve, Downderry. The Clerk was asked to check if this had been reported to the police.

7. PLANNING:

7.1. PLANNING COMMITTEE

7.1.1. Minutes of the Meeting of 26th November 2009

Cllr. J.C. Candy drew the attention of members to item 11.1. of these minutes and **proposed** that the last two lines of that item be removed; this was **seconded** by Cllr. C.J. Hazel and **agreed** by the Meeting with one abstention

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

7.1.2. Minutes of the Meeting of 17th December 2009

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

7.1.3. Matters arising from the minutes of the Planning Committee

Cllr. J.P. Candy stated that it was regrettable that the Chairman had not noted the point of order made in connection with item 11.1. at the Planning Committee on 26th November 2009. The point of order made, concerned the introduction of a direct negative as an amendment to the original proposal. The Chairman apologised for this, stating that he had not heard the point of order being raised, but did not agree that the amendment had been a direct negative to the substantive motion.

7.2. PLANNING APPLICATIONS:

7.2.1. 09/01924/FUL WMC & Village Hall (Downderry) DOWNDERRY & SEATON WM CLUB, DOWNDERRY

Construction of two-storey extension for use as kitchen with store/meeting room (demolition of existing kitchen/store) and construction of first floor extension on east elevation

The Chairman reiterated his declaration of an interest in this application and requested that, as the Vice-Chair had also declared an interest in this item, that Cllr. D.L.G. Elliott be asked to take the Chair for this item. This was agreed by the Meeting

Cllr. J.C. Candy **proposed support** of this application; this was **seconded** by Cllr. P. McClung and **agreed** unanimously by the Meeting.

Cllr. R.J. Daniel returned to chairing the Meeting.

7.2.2. 09/02020/FUL Treliddon Homes: LAND AT PT OS 8720 TRELIDDON LANE, DOWNDERRY

After discussion the Chairman **proposed objection** to the application on the following grounds:

- 1) Plots 1 & 2, 9 & 10, 11 & 12, 19 & 20, 25 & 26, 27 & 28 are all three bedroom dwellings but have no garages and show parking for only one car. This arrangement is considered inadequate. The Deviock Parish Plan 2007 states that "development proposals with fewer than two parking spaces per residential unit should be recommended for refusal".
- 2) The proposed decking over the stream, adjacent to Treliddon Lane, is considered unsatisfactory. The stream is a natural feature, sustaining wildlife, that would be lost by this proposal. The safety of this concept is also questioned.
- 3) The lack of a Cornish hedge. It is suggested that the hedge could be constructed to the east edge of the stream on top of the gabion baskets
- 4) The proposed boundary fencing being only 1.4m high on Treliddon Lane is considered too low to provide privacy and could lead to individuals vaulting the fence to reach the road / gardens.

ORDINARY MEETING OF 14th January 2010 (Continued)

7.2. PLANNING APPLICATIONS (Continued):

7.2.2. 09/02020/FUL Treliddon Homes: LAND AT PT OS 8720 TRELIDDON LANE, DOWNDERRY (Continued)

5) A condition must be applied to any permission that the boundary hedge / fence onto Treliddon Lane is not to be breached by estate residents and that no gates are to be inserted. The Council is concerned that occupants of the estate houses will wish to access Treliddon Lane via their back gardens and will park cars on Treliddon Lane, which is narrow, and also the only parking available to residents of the lane.

6) The Council wishes to point out the inconsistency of the spelling of names on the plans submitted and is concerned that this could lead to errors in naming if the development proceeds .e.g. There should be only one "L" in Treliddon and two "O"s in Coombe.

The proposal was **seconded** by Cllr. J. P. Candy and **agreed** unanimously by the Meeting.

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:

No Planning Decisions had been received.

9. PLANNING CORRESPONDENCE:

9.1. CORRESPONDENCE RECEIVED BY THE DATE OF THE MEETING

9.1.1. Request for explanations of protracted planning decision making

Email reply from Mr Nigel Doyle (Assistant Head, Planning East) dated 11th January 2010

The Clerk stated that this reply has been previously forwarded to members and that Mrs Angela Thorpe, who had been copied in on this reply, would be making further comment on it.

9.1.2. Instability of ground at Keveral Lane, Seaton.

The Clerk stated that a letter has been sent to Rebecca Dickson (Cornwall Highways) regarding this matter and that she has passed it on to the relevant Planning officer. The Council was now waiting for a reply.

9.3. MATTERS RAISED BY MEMBERS

9.3.1. The Chairman stated that an advertisement in a local paper appeared to be offering the sale of Wentworth, Downderry with detailed planning permission for two dwellings. The Clerk was asked to investigate this matter and determine whether detailed planning permission had been granted.

10. REPORT BY CORNWALL COUNCILLOR:

Cornwall Cllr. Richard Pugh not being present, the Clerk gave a brief outline of information received in a recent e-mail from C.Cllr. Pugh :-

- 1) that the consultation on parking had now closed and that a report would follow
- 2) that Cornwall Council had told BT that it did not wish to see any of the phone boxes removed and that the telephone should be reinstated in the kiosk at Hessenford.
- 3) that the items raised by Cllr. Scott Parry (concerning Seaton Countryside Park) had been addressed.

ORDINARY MEETING OF 14th January 2010 (Continued)**11. FINANCE:****11.1. Income & Expenditure.****11.1.1. INCOME: NOVEMBER & DECEMBER 2009**

Devioc Bounder 2009 Receipts 12 th November 2009	473.35
Devioc Bounder 2009 Receipt 17 th December 2009	20.00
Total £	493.35

11.1.2. EXPENDITURE: NOVEMBER & DECEMBER 2009

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
Devioc Parish Council – Petty Cash	-	50.00	50.00
Cornwall Council (Clerk's salary October 2009)	0.75	1,229.81	1,230.56
Ben Munro (Devioc Bounder 2009 Expenses Reimbursement)	-	281.72	281.72
Hessenford Church Hall (Hire of Hall in 2009)	-	75.00	75.00
Downderry Methodist Church (Hire of Schoolroom in 2009)	-	160.00	160.00
Galvins of Liskeard Ltd (Office Photocopier Toner Cartridge)	15.49	103.28	118.77
Essential Supplies (UK) Ltd (VIP Christmas Tree Lighting)	12.86	85.71	98.57
K. Johnson (PROW & Small Works Invoice 2)	-	150.00	150.00
Hessenford, Seaton & Downderry Wednesday Club (Agreed Grant)	-	200.00	200.00
J. Bird (New Light bulb for Downderry Public Toilets)	-	9.99	9.99
November & December 2009 Cheque Payments C/F	£ 190.74	8,496.13	8,686.87

Standing Order Payments:

MR. J. BIRD – November 2009 Cleansing Contract Payment	-	217.91	217.91
MR. J. BIRD – December 2009 Cleansing Contract Payment	-	217.91	217.91
NOVEMBER & DECEMBER 09 EXPENDITURE TOTALS	£ 190.74	8,931.95	9,122.69

Ratification of this expenditure was **proposed** by Cllr. P. McClung, **seconded** by the Vice Chair and **approved** unanimously by the Meeting.

11.2. BANK STATEMENTS & BANK ACCOUNT / INTEREST MANAGEMENT

Date	Account	Balance £	
30 Dec 09	Barclays Community	1,000.00	
30 Dec 09	Barclays Business Premium	27,131.98	Interest 07/09/09 – 06/12/09: £4.46
4 Dec 09	Barclays Step Saver	5,826.72	Interest to 08/12/09: £1.92
29 Sept 09	Barclays Rocknose BPA	18,958.76	Interest 07/09/09 – 06/12/09: £2.36
29 Sept 09	Barclays Sports & Rec BPA	13,419.21	Interest 07/09/09 – 06/12/09: £1.67
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

11.3. LETTERS OF THANKS

No letters of thanks had been received.

ORDINARY MEETING OF 14th January 2010 (Continued)

11.4. REQUESTS FOR FUNDING

11.4.1. St. Germans and District Twinning Association

The Clerk reminded members that at its last meeting the Council had requested additional information and asked for the item to be brought back to this meeting.

Graham Waite (Chairman of the Twinning Association) has supplied the following additional information:-

- .1) The area identified for the Boule Piste in Seaton Park was just to the rear of the overflow parking. This area was out of the flood area and did not get covered with blown sand; It was also very close to parking for disabled use
- 2) Mr. McLachlan of Cornwall Council was happy with the site "there are already other sporting facilities in place in the area you have identified so I cannot see any objection on those grounds. Provision of a boule piste would encourage greater use of the area".
- 3) The required maintenance would be minimal. The Twinning Assoc. would take on responsibility for this.

The request was for the cost of materials. The Twinning Assoc. would supply the labour

Option 1: Terrain 12m x 4m = £518 + vat

Option 2 (for 4 teams): Terrain 16m x 12m = £1,304 + vat

Option 3: (for 6 teams): Terrain 24m x 12m = £1,820 + vat

After discussion Cllr. J.P. Candy **proposed** that the Council should grant funding for **option 1 (£518.00 + vat)**; this was **seconded** by Cllr. Mrs. A. Robinson and **agreed** by the Meeting.

11.4.2. Kicking Off

The Clerk read out a letter from Adam Sibley, founder of "Kicking Off" who was requesting a grant towards the costs of filming a series of TV episodes based on a Cornish girls youth football team. The cast and crew would consist of young people from Cornwall who would get a chance to work in front of and behind the camera. The series would be dealing with issues affecting young people like bullying, peer pressure, image, love, school, problems at home and many more. The aim was to film these episodes and distribute them free to schools for use in Social Education lessons, also to Youth Clubs and upload to the internet for people to watch them free on-line. Total project cost would be £10,000.

After discussion it was agreed that this request should be brought back to the next meeting, once the credentials of the applicant had been established.

11.5. ACCOUNTS TO BE PAID

11.5. Accounts to be Paid

	<u>VAT £</u>	<u>Nett £</u>	<u>TOTAL £</u>
Cornwall Council – Clerk's Salary Nov. 2009	0.75	1,099.87	1,100.62
Cornwall Council – Clerk's Salary Dec. 2009	0.75	1,099.87	1,100.62
Tim Pullin – Clerk's Mileage Expenses Oct/Nov/Dec 2009 (78 miles @ 60.1p per mile + parking 25p)	-	47.13	47.13
Petty Cash	-	50.00	50.00
Total £	1.50	2,296.87	2,298.37

It was **proposed** by Cllr. J.P. Candy, **seconded** by Cllr. D.L. G. Elliott and **RESOLVED** by the Meeting to ratify the above expenditure.

11.6. FINANCIAL CORRESPONDENCE

None had been received

11.7. FINANCIAL BUSINESS RECEIVED AFTER THE PUBLICATION OF THE AGENDA

None had been received

ORDINARY MEETING OF 14th January 2010 (Continued)

12. HIGHWAY MATTERS:

12.1. LISKEARD/LOOE C.N.A. PANEL – Report on Highways Meeting held on 12th January 2010

The Clerk informed members that this meeting had been postponed until 2nd February 2010, because of bad weather.

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

12.2.1. Hessenford: Church Hill & Other Issues

The Clerk stated that in reply to an email to Mr Paul Allen (Regional Engineer, East Cornwall), Mr Allen had stated that data from the speed monitoring equipment on Church Hill, Hessenford, was not yet available, but had offered the data from 2008 for consideration. In response to whether further action regarding the possible closure of Church Hill to through traffic had been taken, Mr. Allen stated that the request was still on the scheme request list for consideration when funding became available. It was not yet known what funding would be made available for local member schemes, such as this one, in the next financial year. New signs "Unsuitable for Motor Vehicles" had been erected at both ends of Church Hill.

In order for members of the public to speak regarding the issue of traffic at Church Hill, Hessenford, Cllr. J.P. Candy **proposed** that the Council suspend Standing Orders; this was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** unanimously by the Meeting. Discussion took place as to the current position. It was believed that the speed monitoring had not yet occurred. Incidents of speeding on the hill appeared to be less, this probably owing to the recent cold and icy weather.

Cllr. Mrs. M.Y. Byles asked that the issue of installing flashing speed limit signs on the A387 at Hessenford be made an agenda item for the next meeting; this was agreed by members. It was agreed that Standing Orders be re-imposed.

12.2.2. Car park for Hessenford

Cllr. Mrs. M.Y. Byles stated that she wanted this matter to be considered by the Council because she was worried by the increased possibility of road accidents at Hessenford, owing to the extra street parking that would probably occur once the new houses, on the Old Garage site, became occupied. Cllr. Byles wanted to gauge public opinion relating to the desirability of a car park at Hessenford. As the landowners had stated that, once the new housing was completed, they could be approached regarding the development of a car park, it now seemed a sensible time to raise this matter. Cllr. Byles continued that she had not yet looked into the detail of this matter.

After discussion the Chairman **proposed** that Cllr. Byles be asked to investigate this matter further and report back to the Council; this was **seconded** by Cllr. C.J. Hazel and agreed by the Meeting.

12.2.3. Additional Traffic Signage for Narkurs

The Clerk reported that he was still waiting for this work to be carried out, and would be chasing up the officers concerned

12.3. PUBLIC TRANSPORT ISSUES

The Chairman stated that the beach footpath, at the side of Dowderry School was in a poor condition, being very muddy with steep edges. The Clerk was instructed to contact Cornwall Council on this matter.

13. CURRENT / ONGOING BUSINESS:-

13.1. PARISH PROJECTS – THE AXE

13.1.1. Update on tree planting of new woodland area – Cllr. D.L.G. Elliott

Cllr. Elliott informed members that fruit trees were now planted. The Woodland Trust had advised on suitable native species trees for the site and that the Trust would be considering a grant towards the project at its meeting on 18th January 2010. It was agreed that three specimen trees (Plymouth Pear), be purchased and planted, as this was a rare variety that needed to be encouraged. The Chairman stated that he hoped local children could be involved with the tree planting.

ORDINARY MEETING OF 14th January 2010 (Continued)

13.2. RIFLEMAN SAM BASSETT, MEMORIAL BENCH – Update by the Clerk

The Clerk reported that a site meeting at the Seaton Triangle had taken place in December 2009 (Stephen Jones, C.Cllr. R. Pugh, Cllr. R. Daniel, D. McLachlan (Cornwall Council Officer), & the Clerk in attendance).

After discussion it had been agreed that the bench could be installed on the green opposite the Smugglers Pub. Mr. McLachlan stated that Cornwall Council would be responsible for laying the plinth and for routine maintenance work of the bench. Steve Jones was asked to contact Haydon Candy in order to obtain designs for the bench so that the Council could approve them. The Clerk stated that the Council was at present waiting on the plans for this bench.

13.3. OUTDOOR GYM EQUIPMENT - REPORT BY THE CHAIRMAN

The Clerk had previously referred members to the website for Record RSS, a company specialising in this equipment.

The Chairman stated that he would like to know if members supported the installation of such equipment at Seaton Countryside Park. It was suggested that a site meeting with Cornwall Council would be necessary and that the possibility of grant funding be explored. After discussion Cllr. J.P. Candy **proposed** that this matter be investigated further; this was **seconded** by Cllr. Mrs. G.E. Hartland and **agreed** unanimously by the Meeting.

13.4. VACANCY FOR ONE PARISH COUNCILLOR TO REPRESENT HESSENFORD WARD – Update by the Clerk

The Clerk reported that publication of Notice of Election would occur on 21st January 2010, the last date for Nomination Papers would be 29th January 2010 (Noon). If an election was contested, the poll would take place on 25th February 2010 and that only electors registered in Hessenford Ward would be voting.

Cllr. J.P. Candy **proposed** that the Council write to Cornwall Council requesting the de-warding of Deviock Parish; this was **seconded** by Cllr. D.L.G. Elliott and **agreed** by the Meeting.

Cllr. Candy expressed regret that the issue of a burial ground for Deviock Parish was not on the agenda of the meeting. The Chairman stated that he had felt that there should be time to reflect on the presentation given by Dr. Grimes earlier in the evening. The Clerk would be producing a report of that presentation for distribution. (See Appendix B & C)

14. NEW BUSINESS:

14.1. CORNWALL COUNCIL / NALC / CALC, ETC DOCUMENTS

There were no documents to consider.

14.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

None had been received.

14.3. CORRESPONDENCE RECEIVED BY DATE OF MEETING

14.3.1. Dowderry Car Park: E-mail from Mrs Paula West dated 7th January 2010.

The Clerk reported that he had received a copy of an e-mail to C.Cllr. R. Pugh requesting signage at Dowderry car park in order to deter cars leaving via the entrance and directing them to the exit at the top of the car park. After discussion as to the merits of this proposal, it was agreed to note the request from Mrs West.

14.4. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There was no new business to consider.

ORDINARY MEETING OF 14th January 2010 (Continued)**14.5. MATTERS RAISED BY MEMBERS FOR POSSIBLE INCLUSION ON THE NEXT AGENDA**

14.5.1. Cllr. Mrs. M.Y. Byles suggested that there should be toilet facilities in Seaton Countryside Park. Cllr. J.P. Candy stated that £100,000 had been set aside in the capital budget of the former Caradon D.C. for this purpose. The Clerk was requested to speak to C.Cllr. R. Pugh on this matter.

14.5.2. Cllr. J.P. Candy requested that distance markers should be installed in Seaton County Park. The Clerk was requested to speak to C.Cllr. R. Pugh on this matter.

14.5.3. The Chairman stated that he had received reports of rats in the sea wall defences at Dowderry. The Clerk was instructed to contact the Environmental Health Department.

There being no further business, the Chairman closed the meeting at 21.35 hrs

FROM THE PARISH OFFICE



Report for the Parish Meeting DeviocK 14th January 2010

<u>Period of Report</u>	<u>Crimes in Parish</u>	<u>Crimes in Area</u>
10/11/09 – 13/01/10	4	83
01/01/09 – 31/12/09	40	669
01/01/08 – 31/12/08	36	820

Types of Crime Since The Last Meeting

3 x Burglary Non Dwelling (Seaton Café and Briar Cottage, Downderry)
The offender for the above has be arrested and admitted the offences.

1 x Making off without payment (A Taxi Looe Hill, Seaton)

Crime Hot Spots In Parish

There are no specific problem areas at present

Dr John Grimes
Presentation to Deviock Parish
7pm, 14th January 2010 at Hessenford Church Hall

HESSENFORD BURIAL GROUND

Report on the meeting by Tim Pullin (Parish Clerk)

The Chairman of Deviock Parish Council (Cllr. Ron Daniel) welcomed Dr. Grimes and Ms. Liz Wright. The Chairman stated that Dr. Grimes had previously written a letter to Deviock Parish Council expressing his concerns over the development of a burial ground at the proposed Hessenford site and had offered to come and address a meeting to put over his view and answer questions.

(The Chairman stressed that there had been no collusion in this and that both he and Cllr. Elliott (Former Chairman) had never previously met Dr. Grimes).

Dr. Grimes began his presentation by stating that his intention in writing to the Council on this matter had been to establish whether the Council really wanted to progress with the site at Hessenford. He needed to be sure that the Council had all the facts and was in a position to make a well-informed decision, as there could be considerable expenditure involved.

The desktop report on the Hessenford and Narkurs sites had brought together information from various consultees. The Environment Agency had not come down strongly in favour of one or other of the sites in these preliminary investigations. Dr Grimes felt that the Environment Agency might make a stronger pronouncement once further ground investigations had been carried out.

The Hessenford site had both constructional and planning issues to be considered:-

- 1) The site is on a steep slope (perhaps 1:3 in parts). Ground water would tend to flow down the hillside. Ground water would tend to collect in dug graves. Down-slope ground water would carry pollutants; this water would need to be collected and controlled in order to prevent seepage through the bank on the boundary of the neighbouring property. It would be necessary to establish what level of pollutant management was required e.g. land drain, soak-away, filtration treatment unit. Seepage of pollutants from the old graveyard had been drawn to the attention of Dr. Grimes. The path of water from a spring marked further up the hill would need to be established.
- 2) Health & Safety issues:
 - a) Access was a problem because of the steepness of the site. Under the Disability Act, access to new sites must meet a slope requirement of no less than 1:12, which would be difficult to achieve.
 - b) The determination of whether the proposed burial ground was an extension of the old graveyard or a totally new site would be crucial in relation to the issue of allowable access. This was an issue that might prove a sticking point with the Planning Department.
 - c) The use of a mini digger for grave digging would be difficult because of the access. The manual digging of the graves could pose legal problems if they were to be more than 750cm deep. Advice would be required on the stability of the gravesides.

The Narkurs site was, by comparison, relatively flat, and did not pose the same challenges to development as that at Hessenford. Dr. Grimes stated that the Council would need to consider both sites very carefully before reaching a decision on which or neither to develop.

Dr. Grimes then asked for questions on his presentation:-

- i) Q: Why cannot graves be dug by hand at Hessenford, as they have been in the past?
A: The slope of the land on the new site is steeper than that of the old graveyard. In fact the old graveyard is part terraced, with the retaining walls on the path across the centre and the cut and fill at individual graves. A new site would need to comply with stricter planning legislation than that imposed on the old graveyard.
- ii) Q: The field conditions of the proposed site at Hessenford should be similar to that of the old graveyard? Could not the top part of the site be used in order to negate the problems of water seepage?
A: The new site is much steeper. Graves should not be dug from the top of the hill down because of ground water flow and subsidence issues.
- iii) Q: If the new site was developed using the top part and incorporating a retaining wall to separate it from the lower section, would this help to overcome the problems, especially as many people now only wish for cremated remains to be interred?
A: This would help to make the site more feasible but there would still be hoops to jump through.
- iv) Q: Would an attenuation / reed bed be a possible solution for dealing with polluted water?
A: The Hessenford site is not of a large enough scale to make this a feasible option.
- v) Q: The Narkurs site is at the bottom of a field where surface water tends to run down. How could this be overcome?
A: The installation of land drains and soak-aways would control this problem.
- vi) Q: Although it is stated that the site at Hessenford would be difficult to develop, it would still be possible?
A: There is always an engineering solution, but the costs of development need to be considered.
- vii) Q: Why were concerns regarding the dwelling at the eastern, lower end of the Hessenford site, not raised in the original report?
A: The report was a desktop exercise with information gleaned from consultees. The point made concerning the neighbouring properties is simply in order to flag up the possibility of huge unexpected bills that could occur from pollutant management etc.
- viii) Q: At the Narkurs site there is no public transport, it is on open countryside and there is a stream up the field. Ground water would be contaminated and flow down into Narkurs?
A: Unlike the Hessenford site, the ground at Narkurs is not sloping. Water from graves would tend to percolate down vertically and not become part of the field run-off water.
- ix) Q: This can only be established by testing at the site?
A: Although my 40 years of experience tells me that this is the case, testing at the site would provide the definitive answer.

The Chairman asked if Dr. Grimes might be able to provide "ball-park" figures for possible costs of burial ground development at the Hessenford site? Dr. Grimes stated that he would attempt to provide some figures by way of guidance. Speaking as an engineer, Dr. Grimes stated that it would be stupid to develop the Hessenford site if other easier sites were available. Dr. Grimes apologised for having stated that there were no objections to the site at Narkurs. At the time of writing the report he had not been informed of any local opposition. The Council would need to weigh up all the factors before making a decision.

HESSENFORD GRAVEYARD EXTENSION STRIP

Questions submitted to Dr. John Grimes by Parish Councillor Philip McClung, at the request of some local residents, and the answers given, in advance of the presentation to Deviock Parish Council and the public held on 14th January 2010.

In prefixing his answers to the question, as requested, Dr. Grimes made the following statement:
Dr. Grimes would like to clarify the John Grimes Partnership's (JGP) position. Dr. Grimes is concerned from the tone of some of the questions that JGP's intentions have been misconstrued and that the practice is changing their advice. This is not so. Dr. Grimes stands by the advice given in the report (June 2009) and subsequent letter (10th November 2009). The statements made must not be construed as contentious but as assuring that the council's decision is fully informed.

THE QUESTIONS:

1. Was Dr. Grimes involved in the preparation of the report conducted by John Grimes Partnership?
Yes. The report was carried out under Dr. Grimes' direction by competent people

2. Did Dr. Grimes visit either of the sites prior to his company delivering the report in June 2009?
No. Dr. Grimes has a good knowledge of the area and examined photographs and plans of the sites

3. Was anyone else in attendance when Dr. Grimes visited the Hessenford site?
Yes. The main author of the June 2009 report was present.

4. The report was commissioned in February '09 and delivered in June '09. Why did Dr. Grimes subsequently decide to reiterate and strengthen the report's previously-stated caveats about the Hessenford site in his letter to the Parish Council of November 10th '09?

None of the statutory authorities approached particularly objected to either site at the desk-top study / feasibility stage. However, JGP considered it likely that problems would arise on submitting an application for the Hessenford site. Our report highlighted the problems with developing the Hessenford site including:

a: steep slope

b: greater potential for pollutant transport

c: access

d: operational constraints

We were, apparently wrongly, of the opinion that the conclusions in the report would be sufficient to dissuade from proceeding with the Hessenford site. Upon receiving instruction to proceed with an intrusive investigation at the Hessenford site (14th October 2009), JGP wanted to simply ensure that the council decision was fully informed; hence the letter dated 10th November 2009 reiterating our concerns.

5. The letter of Nov. 10th '09 introduced new warnings about the possibility of seepage and instability at the south-eastern end of the Hessenford site, adding that the EA are likely to identify a risk of polluted seepage in that location. This is at odds with the report's conclusion (8.0) "Based on the information gathered for this report, both sites would appear to comply with Environmental Agency best practice ... the overall risk of the proposed sites has been assessed as being low." Why were these issues not flagged up in the report?

The part of the conclusion quoted is read out of context with the rest of the conclusions and recommendations given in our report. Following your quoted statements the report goes on to advise that the sites are significantly different in terms of both physical features and operational factors. The report also advises that the steep topography at Hessenford could increase the potential for contaminant transport; these concerns have been affirmed during telephone conversations with the Environment Agency. The Environment Agency have not flagged a problem with the Hessenford site. However, JGP are concerned that they may raise an objection at a later date. In correspondence received from the Environment Agency dated 29th July 2009, they advise that based on their risk assessment, the Narkurs site may be more acceptable. They advise that further ground investigation is undertaken at whichever site is chosen. Their comments are based on the information available to them and they have not visited either site at this stage.

6. In Dr. Grimes' opinion, if the bottom end of the Hessenford site was left untouched and burials started 20 yards up, would it negate the concerns about seepage and instability stated in his letter? We realise this question falls outside the scope and brief of the report, but in the interests of problem-solving we are interested to hear his personal view.

There are possible engineered solutions to the potential seepage and instability problems at the Hessenford site. However, further investigation, liaison and design work will be necessary. JGP would like to reiterate that we are

not ruling out the Hessenford site; we are merely advising of the substantial additional costs which would be involved in the development and ongoing maintenance of this site in comparison to the Narkurs site.

7. The drawings of the Narkurs site on p.26 of the report show the plot to be significantly smaller than the Location Maps used for site data searches on pp. 65 and onwards. On these, the spring at the end of a nearby watercourse is shown approximately 7 metres outside the south east corner of the proposed burial site. The report says this distance is 40 metres. Assuming the Location Map is correct, would the Narkurs site therefore fail to comply with the EA's 'best practice' operational safeguard regarding the 30-metre minimum distance of burial sites from a watercourse or spring?

The data searches were ordered using the location maps provided by the parish council. The data searches were ordered prior to visiting the sites in order to carry out the necessary background research. Upon visiting the Narkurs site, it was evident that the 0.4ha required for the burial ground was smaller than the area previously outlined for the data searches. This does not affect the suitability of the data received, only the accuracy of the boundary. The parish council advised that the area for the proposed burial ground would extend south eastwards from the northern corner to form a triangular site of the required size. If a 0.4ha burial ground was developed on this part of the field, the southern boundary would lie at least 40m from the spring, thereby complying with Environment Agency best practice.

8. Why does the Hessenford site have to be terraced? The graves in the adjacent church graveyard are not. *The land in the adjacent church graveyard has been shaped / terraced to some extent and a retaining wall (approx. 1.5m high) is present along the southern boundary. The adjacent field where the extension to the burial ground is proposed follows the natural topography and is steeper.*

9. Dr. Grimes' letter states (referring to the Hessenford site): "Machine access for digging graves would be difficult". Were any gravediggers consulted about this? Local gravediggers Hards say they have always dug graves in the adjacent church graveyard by hand.

The orientation of graves is across the slope and the long face would be more prone to instability, particularly on the steeper slope of the adjacent field. JGP consider that hand digging these graves would be a health and safety risk. Although existing practices may, to some extent, be supported under health and safety law, it should be shown that risks on new sites have been appropriately managed.

10. The report recommends the digging of trial pits and / or boreholes to ascertain the depth of solid bedrock and groundwater. Given the right weather conditions, would it not be cheaper and easier to use a swing shovel or wheeled digger rather than a borehole drilling rig?

The farmer was unhappy with heavy machinery crossing his field, particularly during the winter months due to the ground conditions. He was also doubtful that a tractor towing an agricultural bowser full of water (to carry out percolation tests) could safely traverse such a steep slope to reach the site. As advised in our letter of 28th August 2009, depending on the findings of a preliminary trial pitting investigation, boreholes may still be required to obtain the required information. As such JGP felt that, although more costly, a drilling rig would be a safer and easier option given the access restraints at the site.

11. Maps of the Hessenford site show a disused reservoir located approx. 65m to the east, said to be the location of a historic unmarked spring. Why is it necessary (as stated in Dr. Grimes' letter) to ascertain whether groundwater is present in its vicinity, since it lies well beyond the EA's minimum distance? Would the same test apply to the spring at the Narkurs site?

The Environment Agency 'minimum distance to springs' relates to pollution potential and groundwater vulnerability, not stability. Groundwater and steep slopes lead to instability. The groundwater source at the Hessenford site is upslope of the proposed burial ground. Although the source is no longer apparent, we would need to be certain that no upslope groundwater source could adversely affect slope stability at the site.

12. The parish-owned Hessenford site received planning permission (now lapsed) for use as a burial site five years after the implementation of the 1995 Disability Discrimination Act. Can Dr. Grimes point to specific changes in planning (or other) law which would make new planning permission difficult to obtain?

JGP are not experts on the Disability Discrimination Act or planning law. JGP have no details of the planning permission previously obtained for the site and are therefore unable to comment on this matter specifically. Correspondence following our enquiries with the planning department advised that 'consideration should be given to the routing and surfacing of any paths intended for the graveyard extension'. We consider it likely that conditions on a planning approval would enforce this issue. Disabled access requires a 1:12 slope, which would be difficult to achieve at the Hessenford site, should planning specify it.

We would also like to comment on the fact that the report repeated the parish council's advice that "initial tentative enquiries within the parish regarding public opinion on the Narkurs site have received no objections." We accept that this was reported in good faith, but in fact the parish council have never consulted the residents of Narkurs and have received several letters of objection from them. Residents therefore feel that the report unwittingly misrepresented public opinion, and would suggest with due respect that it would have been preferable for it not to comment on this matter without independent verification.