

**MINUTES of the ORDINARY MEETING of  
The DEVIOCK PARISH COUNCIL held at The CHURCH HALL,  
HESSENFORD at 7.30pm on Wednesday,  
10<sup>th</sup> JANUARY 2007.**

**PRESENT:** Parish Cllrs. D.L.G. Elliott, Downderry Ward, Chairman  
R.J. Daniel, Downderry Ward, Vice-Chairman  
G.K. Berncastle, Hessenford Ward  
Mrs. M.Y. Byles, Hessenford Ward  
J.P. Candy, Downderry Ward\*  
Mrs. G.E. Hartland, Seaton Ward  
B.E. Johnston, Downderry Ward  
J.E. Langridge, Downderry Ward  
S.J. Parry, Seaton Ward  
Mrs. A. Robinson, Hessenford Ward

\* Also District Councillor, Deviock & Sheviock 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 **C.Cllr. John Ault**

**2. MINUTES:**

**2.1. Minutes of the Ordinary Meeting of 9<sup>th</sup> November 2006**

It was **proposed** by Cllr. Mrs. M.Y. Byles, **seconded** by Cllr. B. E. Johnston and **AGREED** unanimously by the Meeting to accept the minutes as a correct record.

**2.2. "In Camera" Extract of the Minutes of the Ordinary Meeting of 12<sup>th</sup> October 2006**

It was **proposed** by Cllr. B.E. Johnston, **seconded** by Cllr. G.K. Berncastle and **AGREED** unanimously by the Meeting to accept the minutes as a correct record.

**3. REPORTS ON MATTERS ARISING FROM THE MINUTES:**

Item 12.66 Cllr. Mrs. M.Y. Byles stressed the importance to publicise the need for new councillors to stand for election at the forthcoming local elections in May 2007.

## ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)

### 4. PLANNING:

#### 4.1. PLANNING COMMITTEE:

##### 4.1.1. Minutes of the Meeting of 23<sup>rd</sup> November 2006

It was **proposed** by Cllr. Mrs. M.Y. Byles, **seconded** by Cllr. B. E. Johnston and **AGREED** unanimously by the Meeting to accept the minutes as a correct record.

##### 4.1.2. Minutes of the Meeting of 14<sup>th</sup> December 2006

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

#### 4.2. PLANNING APPLICATIONS:

##### 4.2.1. 06/01751/FUL Mr. & Mrs. Hunt GRASSMERE, HESSENFORD

Construction of conservatory to west elevation of dwelling

**Acceptance** of this application was **proposed** by Cllr. Mrs. M.Y. Byles, **seconded** by Cllr. B.K. Berncastle and **agreed** by the Meeting with one abstention.

##### 4.2.2. 06/01747/FULR Mr. B.E. Johnston CAMPS BAY HOUSE, WEST CAMPS BAY, DOWNDERRY

Demolition of existing block built flat roof outbuilding, construction of two storey workshop/studio with slated roof (domestic use only) including retaining wall and external stairs to first floor.

*(Renewal of permission 02/00842/FUL dated 23.09.02)*

Cllr. B. E. Johnston declared an interest and related his reasons for renewal of this application. The Council agreed that although any application made by a Council member was subject to a site visit, in the case of renewals of existing permissions, a site meeting was not necessarily required and that in this instance this requirement should be waived.

**Acceptance** of this application was **proposed** by Cllr. J.E. Langridge, **seconded** by Cllr. Mrs. G.E. Hartland and **agreed** by the Meeting with one abstention.

#### 4.3. PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA:

##### 4.3.1. 06/01729/FUL Mr. & Mrs. Jones ROSE COTTAGE, MAIN ROAD, DOWNDERRY

Removal of condition 2 (used for purposes ancillary to Rose Cottage only) to allow detached dwelling and construction of glazed extension to south elevation

Cllr. J.P. Candy declared an interest.

The Vice Chairman **proposed objection** to this application, stating his reasons as being:-

- 1) The new annexe had not been built in line with the plans previously submitted i.e. the original application had been approved with the proviso that the new annexe would be linked directly to Rose Cottage.
- 2) A reason previously given for the construction of the annexe was to meet family requirements for space; this reason would no longer be valid if the new annexe was to become a detached dwelling.
- 3) The requested detached dwelling would be short of amenity land
- 4) Car parking provision for Rose Cottage would be lost as this would be taken over by the detached dwelling.

This objection was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** by the Meeting with two abstentions.

## ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)

### **4.4. PLANNING APPEALS:**

There were no planning appeals received by the date of the meeting

### **5. PLANNING DECISIONS:**

There were no planning decisions received by the date of the meeting

### **6. PLANNING CORRESPONDENCE:**

6.1. There was no planning correspondence to be considered.

### **6.2. MATTERS RAISED BY MEMBERS**

There were no matters raised by members.

## **7. FINANCE:**

### **7.1. Income & Expenditure.**

#### **7.1.1. INCOME NOVEMBER / DECEMBER 2006:**

HM Revenue & Customs – VAT Repayment for period 22/03/05 – 31/03/06	1,702.48
NALC – Bursary for Clerk Training (WWYC)	131.25
<b>Total £</b>	<b>1,833.73</b>

#### **7.1.2. EXPENDITURE NOVEMBER / DECEMBER 2006:**

<b><u>COUNCIL ADMIN. – Cheque Payments:</u></b>	<b><u>VAT</u></b>	<b><u>Nett</u></b>	<b><u>TOTAL</u></b>
S.W. Water (Downderry Public Conveniences) 14/07/06 – 23/10/06		52.63	52.63
Running Imp Ltd. (Devioc Bounder – Plastic Cups)	3.45	19.70	23.15
Running Imp Ltd. (Devioc Bounder – Polystyrene Cups)	3.97	22.70	26.67
W.H. Bond & Sons Ltd.	18.11	103.50	121.61
K. Johnson (Green Man Tree Services) PROW & Small Works 2006	-	834.00	834.00
Caradon D.C. Nut Tree – October 2006 (50% contribution)	-	114.45	114.45
Caradon D.C. Nut Tree – Rocknose Questionnaire	-	11.23	11.23
Caradon D.C. Nut Tree – November 2006 (50% contribution)	-	114.45	114.45
EDF Energy (Downderry Public Conveniences) 03/08/06 – 26/10/06	0.50	9.92	10.42
St. Nicolas C. of E. VA School (Donation)		100.00	100.00
Downderry Methodist Church – Hire of Hall in 2005		64.00	64.00
Petty Cash		50.00	50.00
Caradon D.C. Clerk's salary October 2006	0.88	801.81	802.69
Caradon D.C. Clerk's salary November 2006	0.88	893.73	894.61
<b>November / December 06 Cheque Payments C/F £</b>	<b>27.79</b>	<b>3,192.12</b>	<b>3,219.91</b>

The Chairman stated that all of the above expenditure had already been approved by the Council.

## ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)

### 7.2. BANK STATEMENTS

Date	Account	Balance £	
29 Dec. 06	Community	1,000.00	
29 Dec. 06	Business Premium	21,137.46	
29 Dec. 06	Step Saver	505.37	Interest earned for period to 1 Dec 06: £146.04 £106,112.21 transferred to Treasury Deposit on 28 Dec. 06 for 3 months
29 Dec. 06	Rocknose BPA	17,951.02	Interest earned for period 4/9/06-3/12/06: £103.18
29 Sept. 06	Sports & Rec BPA	12,705.92	Interest earned for period 4/9/06-3/12/06: £73.03
28 Dec. 06	Treasury Deposit	106,112.21	Transferred from Step Saver A/C on 28 Dec 06 (£105,017.78 + £1,094.43 interest from previous 3 months)

### 7.3. LETTERS OF THANKS

7.3.1. A letter of thanks had been received from Lindsey Fear, Head Teacher of St. Nicolas C of E VA School, Donderry, in response to a donation by the Council of £100.00 towards a holiday for children from families on low income.

### 7.4. REQUESTS FOR FUNDING

7.4.1. A request for funding by the First Air Ambulance Service Trust for its 2007 twentieth anniversary year appeal had been received.

Cllr. B.E. Johnston **proposed** that the Council grant funding of £100.00, this was **seconded** by Cllr. Mrs M.Y. Byles and **agreed** unanimously by the Meeting.

7.4.2. A request for funding by Spectrum, Safecare Appeal had been received.

Cllr. B.E. Johnston **proposed** that the Council grant funding of £50.00, this was **seconded** by Cllr. Mrs M.Y. Byles and **agreed** by the Meeting with one abstention.

7.4.3. A request for funding by YMCA, Torpoint & Rame Community Sports Centre had been received.

Cllr. B.E. Johnston **proposed** that the Council grant funding of £50.00, this was **seconded** by Cllr. J.P. Candy and **agreed** by the Meeting with three abstentions.

## ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)

<b>7.5. ACCOUNTS TO BE PAID</b>	<b><u>VAT</u></b>	<b><u>Nett</u></b>	<b><u>TOTAL</u></b>
Audit Commission – Audit fees 2006	43.75	250.00	293.75
K. Johnson (Green Man Tree Services) PROW £260.00 + St. Nicolas Church Garden £20.00. N.B. work carried forward to 2007 = £100.00	-	280.00	280.00
Caradon D.C. Nut Tree – December 2006 (50% contribution)	-	114.45	114.45
Caradon D.C. Clerk's Salary December 2006	0.88	893.73	894.61
Clerks Mileage Expenses Oct.- Dec. '06 (263 miles @ £52.7p = £138.60 + parking £5.90)	-	144.50	144.50
Downderry Methodist Church – Hire of church room in 2006 (10 meetings @ £8.00 + 2 meetings @ £10.00)	-	100.00	100.00
Hessenford Church Hall – Hire of hall in 2006 (11 meetings @ £7.50)	-	82.50	82.50
<b>Total £</b>	<b>44.63</b>	<b>1,865.18</b>	<b>1,909.81</b>

It was **proposed** by Cllr. B.E. Johnston, **seconded** by Cllr. Mrs. G.E. Hartland and **RESOLVED** by the Meeting to ratify the above expenditure.

## 7.6. FINANCE AND GENERAL PURPOSES COMMITTEE

### 7.6.1. Minutes of the Meeting held on 23<sup>rd</sup> November 2006

It was **proposed** by Cllr. Mrs. M.Y. Byles, **seconded** by Cllr. B. E. Johnston and **AGREED** unanimously by the Meeting to accept the minutes as a correct record.

### 7.6.2. Precept 2007/8

The Council received the recommendation of the F&GP Committee in setting the Precept for 2007/8. A **proposal to accept** the recommendations of the committee was made by Cllr. B.E. Johnston and **seconded** by Cllr. S.J. Parry.

An amendment that funding for both The Axe and Tanver Yate should be increased to £2,000.00 each for 2007/8 was **proposed** by the Vice Chairman and **seconded** by Cllr. J.E. Langridge. The amendment was defeated by (3-7). The original proposal was carried (6-4).

### 7.6.3. Cleansing Contract for 2007/8

The Council received the recommendation of the F&GP Committee that the remuneration for the Cleansing Contract should be set at £2,461,50, including a 5% increase over the current contract. The terms and conditions as this contract were set out as follows:-

1. *Downderry Public Conveniences*
2. *Downderry & Seaton Bus Shelters*
3. *The Parish Office*

*One hour per day (365 days) to Downderry Toilets and the Bus Shelters, plus an additional visit on Saturdays & Sundays between 1<sup>st</sup> April & 30<sup>th</sup> October.*

*Cleaning of the Parish Office, once per week, is also to be included within the contracted hours.*

Acceptance of the above recommendations was **proposed** by the Chairman, **seconded** by Cllr. B. E. Johnston and **AGREED** unanimously by the Meeting.



## ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)

### 10. CURRENT / ONGOING BUSINESS:-

#### 10.1. SEATON WARD COUNCILLOR VACANCY

10.1.1. Because the Local Council elections would be taking place in May 2007, Cllr. Mrs M.Y. Byles suggested that the procedure for co-option of a new councillor should not be instigated at this time as all efforts should be channelled into encouraging candidates to stand for election; this met with agreement by members present.

10.1.2. The Vice Chairman **proposed** that the clerk should contact Caradon D.C. to ascertain the feasibility and time scale required to change the current warding pattern of the Parish (i.e. the three wards of Donderry, Seaton and Hessenford) in order to establish a single ward parish before the Local Council elections in May 2007. The proposal was **seconded** by the Chairman and **agreed** unanimously by the Meeting.

#### 10.2. ST ANNE'S CHURCHYARD, HESSENFORD

The clerk informed the Meeting that a letter had been received from the DCA Coroners Unit, stating that it had received notification from Caradon D.C. that it had no objections to the proposed closure. A copy of a draft advertisement of the closure had been enclosed.

#### 10.3. PARISH INSURANCE COVER FOR LOCAL EVENTS

The clerk informed the Meeting that he had been in touch with AON Insurance in order to determine whether that company would provide insurance for events run by organizations independent of the Council, under an "umbrella" scheme. The company stated that these organizations could not be covered under their standard Parish Council's insurance policy and that they did not insure any event that involved animals e.g. The Donderry Horse Show. The Vice-Chairman suggested that the clerk provide all the information that he had obtained on this matter to Mr Jerry Glynn who may have other avenues to explore.

#### 10.4. SEWAGE DISCHARGE FROM BEACHES AT DONDERRY & SEATON

The clerk reported that he had sent a letter to Mr. Martin Ross, Environmental Planning Manager, SW Water, Exeter, but had not yet had a any reply. Cllr. B.E. Johnston stated that he had also been in touch with SW Water and had discovered that there was a concession in place to allow the discharge of sewage into the sea at times of emergency or prolonged precipitation. Cllr. Johnston continued that there appeared to be two sections of broken pipe in the sewage outlet at Donderry which would cause the effluent to escape nearer to the beach. It was agreed to put this item on the agenda for the next meeting.

#### 10.5. SURFACE WATER AT BAKE LANE

The clerk reported that he had sent an e-mail to Mr Brian Craven of Cornwall C.C. Highways Dept. asking him to take action, and had a reply stating that the Area Supervisor, Sean Moyle, had been informed and would be dealing with this matter.

#### 10.6. DOG CONTROL ON SEATON & DONDERRY BEACHES

The clerk informed the Meeting that he had contacted Jackie Taylor, Animal Welfare Officer at Caradon D.C.; she had promised to add Seaton and Donderry beaches to her patrol list. As there are only two officers to provide cover for the entire district, visits will not be frequent and are likely to be demand led. Incidents should be reported immediately and where there are cases of animals attacking members of the public, details should be given so that prosecution proceeding can be instigated.

## **ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)**

### **10.7. TANVER YATE**

The Chairman reported that he was in receipt of two quotations based on his stage one, ground levelling specification for the site and suggested that these quotations should be considered at the next Planning Committee meeting, by which time the third quotation should have been received. This was agreed by the Meeting.

Cllr. B.E. Johnston suggested that the idea of providing a football pitch at Seaton Country Park should be revisited, as the particular area he favoured was relatively flat and of no apparent special natural interest. Cllr. G.K. Berncastle stated that the focus of a football pitch at the park would lend weight to case for the implementation of other projects in Seaton.

The Vice Chairman stated that the site in question had been considered previously and had been rejected by Caradon D.C. because of the rare species of flora present.

Cllr. J.P. Candy offered to discuss the issue with Mr Brian Runnalls of Caradon D.C. to see if there had been any movement in the position of the Council on this issue, in the light of changing priorities with regard to child fitness and sporting facilities.

### **10.8. PARISH PROJECTS**

It was agreed that Mr. W. Knight should be asked to prepare a report on The Axe, to be presented at the next Planning Committee meeting.

### **10.9. DOWNDERRY HILL**

The Chairman reported that a second meeting with Mr A. Derx was planned to take place at the end of January 2007.

### **10.10 WEST CAMPS BAY FOOTPATH**

The clerk informed the meeting that he was still waiting for a response from St. Germans Parish Council to his letter written, suggesting that a change of ownership to Deviock Parish Council would be sensible. The clerk agreed to chase up this matter.

### **10.11. GOVERNMENT WHITE PAPER – “Strong & Prosperous Communities”**

The clerk gave notice that there would be a meeting held by Caradon D.C. on 11<sup>th</sup> January 2007 to present its draft response to the White Paper. All councillors were invited to attend.

It was agreed that a form from CALC asking whether or not the Parish Council supported its role of engaging in discussions about the White Paper should be completed in the affirmative.

## **11. CURRENT / ONGOING BUSINESS RECEIVED AFTER PUBLICATION OF THE ADENDA:-**

### **11.1. THE NUT TREE MAGAZINE - ATRIBUTION**

The clerk stated that the Vice Chairman had received a letter dated 13<sup>th</sup> December 2006 and that the clerk had received an e-mail from Mrs. Joy Etherington on 8<sup>th</sup> January 2007, both thanking the Council for its support of her view in correcting the attribution of the Nut Tree magazine in the November 2007 issue and asking why this had not continued in the December 2007 issue?

The Vice Chairman, in his position as editor of the magazine, stated that while Deviock Parish Council had agreed to the requested change of this attribution, and had implemented this change in the November issue, St Germans Parish Council had since voted against any such change. As the magazine was a joint venture by the two parishes the editor had decided on a compromise solution by changing the attribution to “Magazine of Deviock & St. Germans Parishes & Councils”.

The clerk agreed to write a letter to Mrs. Etherington, to that effect.

## ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)

### 12. NEW BUSINESS:-

#### 12.1. CARADON / NALC / CALC, ETC DOCUMENTS

12.1.1 Caradon D.C. Environmental Services Unit. Licensing Act 2003. A letter indicating that fee to be waived for application by Parish Councils for premises licences under the Licensing Act 2003, where they relate to community events held in public open spaces and which exclude alcohol and late night refreshment, had been received.

Cllr. J.P. Candy recommended that licences should now be applied for, by interested bodies, to include areas within the Parish where events, coming within the terms of these licences, were likely to take place.

12.1.2. Caradon D.C. 2006 Housing Market & needs Assessment – Summary Report  
This document was available for inspection

12.1.3 Notice of CALC Annual General Meeting & Training Day on Saturday 10<sup>th</sup> February 2007 and nomination forms for Honorary Officers and Representatives to Outside Bodies.  
(Nomination forms to be returned by 1<sup>st</sup> February 2007)

*Agenda for training day includes:-*

- 1) *The launch of the County's Local Election Toolkit*
- 2) *The new Code of Conduct for Members*
- 3) *Being a responsible employer*
- 4) *Parish & Town Council's capacity to engage issues*

The Vice Chairman and the clerk indicated their interest in attending this event. The Chairman **proposed** that the registration fee of £10.00 per delegate should be met from Council funds. The proposal was **seconded** by Cllr. Mrs. M.Y. Byles and **agreed** unanimously by the Meeting. Cllr. J.P. Candy **proposed** that mileage expenses of the clerk for attending this event should be met from Council funds; this was **seconded** by the Chairman and agreed by the Meeting.

12.1.4. Cornwall Sustainable Energy Partnership

The clerk reported that a letter from the Cornwall Sustainable Energy Partnership, dated 23 December 2006, entitled "Heat and power demand in Cornwall", had been received.

The letter asked for an indication as to which businesses or community centres appear to have a high power and heat/refrigeration demand in our Parish?

After discussion it was agreed that the letter should be passed onto the Parish Environmental Group for its consideration.

#### 12.2. NEWSLETTERS / REPORTS / BROCHURES, ETC:

12.2.1. The following publications were available for inspection:-

- a) The Signpost – Dec 2006
- b) Caradon CAB Annual Report 2205/6
- c) SW Regional Assembly RSS (Regional Spatial Strategy) Update (November 2006)
- d) Highways Agency – Menheniot Junction A38 – Proposed Improvement Brochure
- e) Fieldwork – December 2006

#### 12.3. NEW BUSINESS RECEIVED AFTER PUBLICATION OF THE AGENDA:

There had been no new business received after publication of the agenda.

**ORDINARY MEETING OF 10<sup>th</sup> JANUARY 2007 (Continued)**

**12.4. INFORMAL CORRESPONDENCE:**

**12.4.1. Cllr.J P Candy (Dowderry Ward):** Drew the attention of the Council to the Village in Bloom competition.

**12.4.2. Cllr.Mrs.G.E. Hartland (Seaton Ward):** Expressed concern over the poor state of repair of the telephone kiosk at the Seaton Beach Café.

There being no further business, the Chairman closed the meeting at 21.16 hrs

FROM PARISH WEBSITE