

**Minutes of the Meeting of St Mawgan-in-Pydar Parish Council held in the Mawgan Porth Village Hall
on Wednesday the 9th day of December 2015 at 7.30pm**

Present: Cllrs R Cawley (Vice Chairman), W H J Corbett, K Atkinson, B Cawley, S Gardner, G Jennings, S Jones, M Raby,

In Attendance: Mr Paul Roberts (Locum Parish Clerk), CC Cllr Fitter, 2 members of the public and PCSO Anita Parry.

The Vice Chairman opened the meeting and requested that all present stand for a minute's silence in memory of the late Jack Trevenna, a former Chairman of the Parish Council, Headmaster of the Village School and valued member of the community.

- 421/2015 Apologies – Cllrs E McKenzie (Chairman), S Tavener, S Jennings and Miss Donna James (Parish Clerk)
- 422/2015 Police Report – PCSO Parry advised 5 reported crimes in the last month, 4 more than reported in the same period last year; theft of motor vehicle, theft from a hotel, incident at the Airport, one actual bodily harm and one common assault (both resulting from a domestic dispute)
- 423/2015 Members Interests
- a Declarations of interests
- Cllr R Cawley NRI items 16,17 & 20. Cllr M Raby NRI item 11. Cllr K Atkinson DPI item 7(a)(i)
- b There were no requests for dispensations for DPI's.
- c No written statements received.
- 424/2015 Public participation
- None
- 425/2015 Minutes of the meeting – 11th November 2015
- Cllr Corbett advised members that the phrase in brackets 'at no cost to the council' at the end of 414/2015 should be deleted as it was not known that this would be the case when the proposal was discussed.
- Proposed by Cllr W H J Corbett, seconded by Cllr K Atkinson and Resolved to accept the Minutes of the meeting, with the correction, as a true record of the meeting and they were signed by the Chairman.
- Cllrs S Gardner abstained from voting.
- 426/2015 Clerk's Report - The report had been circulated prior to the meeting.
- Cllr Gardner updated the council on CC enforcement issues that have now been closed.
- 427/2015 Planning
- a Planning – New applications – to discuss and decide on response to Cornwall Council
- i PA15/10775 – Works to Leylandii, Eucalyptus and felling of Macrocarpa tree – Langweath House Lanvean - Professor K Atkinson.
- The PC is advised that the Tree Officer has inspected the relevant trees and is raising no objection to the works. The application will be decided by the case officer under delegated authority and it is not necessary for comments to be submitted. Proposed Cllr W H J Corbett seconded Cllr G Jennings and Resolved to note the application and not respond. Resolved nem.con.

Cllr K Atkinson left the chamber for this item

- ii Any other planning applications received from Cornwall Council by the time of the meeting:

PA15/10895 – Removal of condition 6 of PA12/02093 to allow the development of 8 dwellings at the site with no restriction on the type of occupation – The Riviera Lodge Inn, Mawgan Porth Trine Developments Ltd.

The PC felt that it needed to consult the case officer in relation to the removal of a condition previously considered necessary by the LPA. In addition the accompanying justification statement suggested that a S106 agreement would be offered to provide affordable housing, but no details of this were supplied. In order to consider these matters and to allow time for feedback from parishioners Proposed Cllr W H J Corbett, seconded Cllr B Cawley and Resolved to defer the application and seek an extension of time for comment. Cllr S Gardner abstained from voting

- b Advices and decisions by Cornwall Council:

PA15/10158 – The Shed St Mawgan – Change of use from agricultural land to residential curtilage and construction of detached boiler room /machinery/log store – Mr Andrew Williams.

The PC had deferred consideration of this application at the last meeting pending receipt of additional information from the case officer. Although his response did not entirely address the question the PC had raised – Proposed Cllr W H J Corbett, seconded Cllr K Atkinson and Resolved that the PC would not comment further. Cllr S Gardner abstained from voting.

PA15/02549 – Dulce Domum - Resubmission for the erection of a separate dwelling in the side/rear garden.

This application was refused by CC Planning Committee and has gone to appeal. In cases where the PC has raised objections, it is normal practice to make a submission to the Planning Inspectorate. Proposed Cllr W H J Corbett, seconded Cllr K Atkinson and Resolved that the PC restates the original objections and gives supporting reasons for refusal to the Planning Inspectorate through normal channels. Cllr S Gardner abstained from voting and raised a point of order stating that this resolution was made contrary to the PC's Standing Order 11b.

PA15/07497 – New dwelling within the garden of existing house Westward, Trenance – Mr & Mrs J Brown

At its October meeting the PC had resolved to object to this application. In November the case officer indicated he wished to approve the application, and had sent a 5 day protocol letter to the PC, which was forwarded to the PC's Planning Group two days later. As the Planning Group believed that the application was clearly contrary to policies of the statutory Development Plan, it followed that the Group's view was that the application should be refused rather than be sent to the CC Planning Committee with a recommendation for approval. The PC Planning Group, therefore, decided to inform the case officer that it was taking the matter up with the Head of Planning at CC, while providing both of them with a detailed explanation of its reasons for taking this action. The case officer did not respond further to the PC but arranged for planning permission to be granted on 4 December 2015.

During the discussion that took place on the legitimacy of the Planning Group's actions. it was Resolved to suspend Standing Orders to allow Cllr J Fitter (CC) to explain to members why he was not able to request that this application be determined by the Cornwall Council Planning Committee

- c To discuss planning enforcement issues – to refer any new issues and updates
The Clerk tabled a letter from CC Planning Enforcement with reference to EN15/02378 – Stationing of a caravan for residential use, land north of Little Lanherne Farm TR8 4HH, stating that the matter had been allocated to a Development Officer for investigation.

428/2015

Working groups:a Beach and environment

- i Working Group report
None

b Amenities

- i Working Group report
None

c Transport and Rights of Way

- i Working Group report
Cllr M Raby gave the Clerk details of a damaged road sign. Clerk will report precise location to CC Highways.

429/2015

To receive reports from meetings - None

430/2015

To note and discuss if appropriate the correspondence received since the last meeting and any associated actions and expenditure – None

431/2015

To consider applications for burial memorials: the Clerk tabled a request for a new grey granite memorial with inscription for the late Maurice Raby. Proposed Cllr R Cawley, seconded Cllr G Jennings to accept the application. Resolved nem.con.

Cllr M Raby left the chamber for this item.

432/2015

To agree signing of the S106 Kernow Solar park agreement. Proposed Cllr K Atkinson, seconded Cllr S Jones that the agreement is signed. Resolved nem.con.

433/2015

To consider and agree options for damaged bench at Carloggas and any associated actions and expenditure. The Clerk tabled a letter from CC regarding the damage to slats on the bench next to the Bus Shelter at Carloggas. It was Resolved that a cost be obtained to effect repairs and that the item is deferred to next meeting.

434/2015

Clerk vacancy:

- a Advertisement: Proposed Cllr S Gardner, seconded Cllr K Atkinson that an Advertisement is placed in the Cornish Guardian and on the Society of Local Council Clerks web site and as widely as possible in the local community. Resolved nem.con. It was agreed that CALC should also be informed of the vacancy.
- b Composition of the Staff Panel – Following discussion on the composition of the panel during which Cllr S Gardner volunteered to be a member, it was proposed Cllr W H J Corbett, seconded Cllr M Raby that the composition of the panel is the Chairman, the Vice Chairman and past Chairman Cllr K Atkinson. This was Resolved; voting in favour. Cllrs R Cawley, B Cawley, G Jennings, W H J Corbett, S Jones and M Raby., Cllr K Atkinson abstained and Cllr S Gardner voted against.

- c Contract review: Cllr S Gardner requested that consideration is given to inserting a clause in the contract requiring the Clerk to be available to receive communications etc. at fixed times. Cllr G Jennings requested a review of termination of contract conditions and leave arrangements.

435/2015

Defibrillator(s)

- a To receive an update and costings from Cllr M Raby: Cllr M Raby reported that the unit cost would be £354 per year plus VAT and maintenance.
- b To consider funding for the annual monitoring/maintenance of up to 2 defibrillators in the parish and agree any actions and expenditure:

Cllr M Raby advised that the Falcon Inn and the Merrymoor have been fundraising for these items. It was suggested that further support for funds should be sought from community organisations and that the PC will monitor progress.

436/2015

Parish Council Maintenance Contract – to consider and decide upon the tenders. received for the contract, and agree any associated actions and expenditure:

Exempt Business: Due to the confidential nature of the business about to be transacted, publicity would be prejudicial to the public interest and the press and public will be excluded from the next part of the meeting and they are instructed to withdraw - in accordance with the Public Bodies(Admissions to Meetings) Act 1960 (as amended).

All members of the public had already left the meeting

Cllr R Cawley left the chamber for the next two items (agenda items 16 and 17).

It was Resolved that Cllr K Atkinson takes the Chair.

The Chairman advised members that 7 invitations to tender had been requested. But only two replies (tender A and Tender B) had been received by the closing date of 12 noon on Friday 4 December 2015. There were no late entries. The tenders were opened by the Chairman and after lengthy discussion regarding the provision and service offered by each contractor, proposed Cllr S Gardner, seconded Cllr S Jones that council accepts Tender A, the higher priced contract, on the grounds that it includes consumables and that it states that the contractor is registered under the Safe Contractor Scheme and holds a Chapter 8 Road Safety Certificate. Additionally, it would allow the council to consider reducing assets by disposing of the mower and lower running costs.

Voting - In favour Cllrs S Gardner and S Jones. Against, Cllrs W H J Corbett, B Cawley and M Raby. Abstentions, Cllrs G Jennings and K Atkinson. The Proposal was not carried.

Proposed Cllr W H J Corbett, seconded Cllr B Cawley that the council accepts Tender B and that such certificates deemed necessary for the work involved are produced.

Proposed Cllr S Gardner, seconded by Cllr K Atkinson, an amendment to the proposal adding " that meets the insurance requirements of the PC" after the words, 'are produced'. The amendment was carried. Votes in favour, Cllrs K Atkinson, W H J Corbett, S Jones, B Cawley, M Raby and G Jennings. Cllr S Gardner abstained.

Proposed Cllr W H J Corbett, seconded Cllr B Cawley and Resolved that the council accepts Tender B, and that such certificates deemed necessary for the work involved are produced that meets the insurance requirements of the PC. Voting in favour, Cllrs K Atkinson, W H J Corbett, S Jones, B Cawley, M Raby and G Jennings. Cllr S Gardner abstained.

At this juncture it was Resolved to extend the meeting by thirty minutes.

437/2015

Footpaths maintenance contract:

- a To consider and agree the provision of footpaths maintenance in the parish – after a lengthy discussion it was proposed Cllr W H J Corbett seconded Cllr S Jones that the contract is kept in house and put out to tender. The proposal was carried, Voting in favour, Cllrs K Atkinson, W H J Corbett, S Jones, B Cawley, M Raby and G Jennings. Voting against, Cllr S Gardner.
- b To consider and agree the details of a contract (if applicable) and any associated actions and expenditure: Proposed Cllr S Gardner that in the first 12 month contract the PC seek to set a fixed sum and a contractor to work within that sum over the year to ascertain the footpaths that need cutting in our parish. This Proposal was did not receive a seconder as required by Standing Orders.

Cllr R Cawley returned to the Chamber to take the Chair.

At this juncture it was Resolved to extend the meeting by a further thirty minutes in order to complete the remaining urgent business.

438/2015

To approve the expenditure budget and agree the precept for 2016/17: Cllr S Jones advised the Locum Clerk that she had not received any paperwork for this item or an agenda for this meeting. The Locum Clerk apologised for this oversight.

The working group report on the budget for 2016/17, drawn up by Cllrs E McKenzie, K Atkinson and W H J Corbett, had been circulated prior to the meeting. Cllr S Gardner had also circulated to members his suggested revised budget and precept figure.

Cllr K Atkinson explained the rationale behind the budget proposals which set the precept at £40,000 and also the role of Mr B White (independent accountant), in reviewing the figures.

Proposed Cllr W H J Corbett, seconded Cllr S Jones and Resolved that the council accept the receipts and payments figures in the budget as presented. Cllr S Gardner voted against the Proposal.

Members gave consideration to Cllr S Gardner's suggested budget which indicated a small percentage increase in the precept in keeping with that imposed on County Councils. Proposed Cllr S Gardner that the council set a precept of £35,700. This Proposal was not seconded, therefore it was not put to the vote.

After further discussion, Proposed Cllr W H J Corbett, seconded Cllr K Atkinson and Resolved that a reduced precept of £37,000 is set. Voting in favour Cllrs K Atkinson, W H J Corbett, S Jones, B Cawley, M Raby and G Jennings. Voting against, Cllr S Gardner.

Cllr R Cawley left the chamber for the next item (agenda item 20)

It was Resolved that Cllr K Atkinson takes the Chair

439/2015

Accounts

Proposed by Cllr M Raby, seconded by Cllr S Jones and Resolved by the council that accounts totalling £2058.11 and listed below, are approved for payment and duly signed after the meeting. Cllr S Gardner abstained from voting.

D James	Salary & Exp November	£ 589.31
HMRC	PAYE Tax & NI	£ 121.20
Bubb Maintenance	Maintenance November	£ 804.00
A Prowse	Toilet cleaning November	£ 216.75
Vodafone	Mobile telephone bill	£ 17.85
Reef Water Solutions	Legionella testing/service November	£ 35.00
St Mawgan Hall	September & November Hall Hire	£ 42.00
Local World Ltd	Tender Advert	£ 132.00
Mrs Young – Jamieson	Playing field rent 2015	£100.00
Total		£ 2058.11

Cllr R Cawley returned to the room and resumed Chairmanship of the meeting

440/2015 Notice of items for the next meeting
 Carloggas bench quotation for repair
 Footpath maintenance
 Honorarium payment to Locum clerk

The meeting closed at 10.35pm

Date of next meeting – 13th January 2016 at St Mawgan Community Hall at 7.30pm

Signed as a true record of the meeting

Chairman.....

13th January 2016