

# LANTEGLOS-BY-FOWEY PARISH COUNCIL

## MINUTES OF THE COUNCIL MEETING

### HELD IN THE WI HALL, POLRUAN

**MONDAY, 28<sup>th</sup> OCTOBER 2013 @ 7.00 pm**

Present: Cllr. Moore (Chairman)                      Cllr. Adams                                      Cllr. Doe  
 Cllr. Fisher    Cllr. Francis                                      Cllr. Jolliff  
 Cllr. Kelly    Cllr. Pickering                                      Cllr. Wakeham

In attendance: Mrs Thompson (Locum Clerk)              County Cllr. Hannaford

Minute	AGENDA ITEMS	Action
	<p><u>Chairman's Welcome and Public Forum</u> – Members of the public were reminded that recording, broadcasting or transmitting the proceedings by any means is not permitted, so mobile phones, I-pads and tablets should be turned off. Prior to the commencement of the meeting a period was allowed for members of the public to ask questions or comment on matters on the Agenda. Also to receive reports from the Police and Cornwall Councillor.</p> <p>a. Ms Sue Walters of Situ8 addressed Members regarding agenda item 97a/2013. She provided documentation and a photograph to support the owner's claim that the land had been used as a garden for over 10 years. A number of local residents had written in support of the application. She asked Members to support the scheme. Mr Morley Tubb, who was present, said he could personally confirm the use of the land as a garden.</p> <p>b. <i>Police</i> – PCSO David Evans was not present.</p> <p>c. <i>County Councillor</i> – Cllr. Hannaford spoke to her written report (copy on file). She then addressed a number of local issues:</p> <p>i. <i>Treetops, Pont, Langeglos</i> – she had reported the unfinished retaining wall, with the dangerous spikes protruding from it, to Highways asking them to view the site from a safety perspective and to Planning Enforcement asking them to look into this untidy site.</p> <p>ii. <i>Land at Brendon</i> – Minute 73b/2013 refers. A copy of the deeds is now available. Cllr. Hannaford said the PC had permitted development rights to carry out some works, which could include parking. She advised Members to complete a copy of CC's 'Do I need Planning permission?' form. A request to Streetworks for a dropped kerb would be needed.</p> <p>iii. <i>Drains and Water Run-off</i> – Minute 80a/2013 refers. Mr Rob Constance is willing to attend a meeting with Members to address their concerns regarding the combined sewage / surface water issues, and she is trying to get to SW Water to attend at the same time.</p> <p>iv. <i>Residents Parking Permit Scheme</i> – Cllr. Hannaford explained what would be involved in introducing such a scheme at a cost of £3,000-£4,000, plus signage and road markings, which would cost a further £1,500. Residents would be charged £60 p.a. for a space, which is not guaranteed. She suggested that an informal consultation with all local residents was desirable before proceeding further.</p> <p>v. <i>Community Grants</i> – she has £3,100 available for local causes, up to a couple of hundred pounds per grant. Members to spread the word.</p>	All Members
	<p><u>Feedback from the September Meeting</u> –</p> <p>a. <i>Letter of Complaint</i> – in the Public Session of the September meeting, a letter of complaint was handed to the Chairman. Advice on the contents were sought from Cornwall Association of Local Councils and, as the complaint referred to a non-Council related matter, it was deemed inappropriate to comment further. No further action.</p>	

94/2013	<p><u>Members' Declarations:</u></p> <p>a. <i>Pecuniary/Registerable Declarations of Interests</i> – none.</p> <p>b. <i>Non-Pecuniary/Disclosable Interests</i> – Cllr. Adams in 100a/2013 and 104d[i]/2013 and Cllr. Francis in 104d[ii]/2013.</p> <p>c. <i>Declaration of Gifts</i> – Members were reminded they must not accept any gifts or hospitality that they are offered or receive in connection with their official duties as a member that could be seen by the public as likely to influence their judgement in these matters.</p> <p>d. <i>Dispensations</i> – no written requests for dispensations had been received.</p>	
95/2013	<u>Apologies for Absence</u> – Cllrs. Trueman (ill health) and Wilde (leave)	
96/2013	<p><u>Minutes of Meetings</u> –</p> <p>a. <i>Full Council Meeting</i> – 30<sup>th</sup> September 2013, <b>AGREED</b> as a true record.</p> <p>b. <i>Extraordinary Meeting of the Full Council</i> – 18<sup>th</sup> October 2013, <b>AGREED</b> as a true record.</p> <p>c. <i>Planning Committee Meeting</i> – 18<sup>th</sup> October 2013, <b>AGREED</b> as a true record.</p>	
97/2013	<p><u>Planning Committee</u> – Members considered the recommendations of the Planning Committee meeting held on 18<sup>th</sup> October 2013, in respect of:</p> <p>a. <i>PA13/08936, Hall Walk Cottage, Bodinnick</i> – certificate of lawfulness for the continued use of land as residential garden. Additional evidence was provided showing this piece of land had been in continuous use as a garden for a period of time in excess of 10 years. It was <b>RESOLVED</b> to support this application. Cllr. Francis abstained.</p> <p>b. <i>PA13/08017, Old School House, 11 Old Road, Bodinnick</i> – notification for consent to reduce Sweet Chestnut by 3m, Lime by 3m, remove Elm within a group of 4 and Elm within a group of 3 within a conservation area. It was <b>RESOLVED</b> to support this application.</p>	<p>Locum Clerk</p> <p>Locum Clerk</p>
98/2013	<p><u>Planning Applications Approved by Cornwall Council</u> – information only.</p> <p>a. <i>PA13/06954, Tonkins Quay House, Lanteglos</i> – roof extension incorporating a dormer window and to extend the balcony over an existing flat roof.</p>	
99/2013	<p><u>Other Planning Matters</u> –</p> <p>a. <i>Treetops, Pont, Lanteglos</i> – Members supported Cllr. Hannaford taking this to Highways.</p> <p>b. <i>Enforcement Cases Closed by CC</i> –</p> <p>i. <i>EN13/01117, Land Adjacent to Polruan Holiday Centre, Townshend</i> – Change of use of land to builder's yard. Reason for closure: immune from enforcement action. Cllr. Trueman had been in touch with the National Trust and it was <b>AGREED</b> to wait until he could pick this up again. A meeting with all interested parties to then be considered.</p> <p>ii. <i>EN13/02151, 62 Greenbank, Polruan</i> – construction of fence in excess of 1m at the front of the property. Reason for closure: breach resolved.</p> <p>c. <i>New Enforcement Cases Reported to CC</i> –</p> <p>i. <i>EN13/02386, Methodist Chapel, 51 West Street, Polruan</i> – alleged breach of planning control.</p>	Cllr. Trueman
100/2013	<p><u>Environmental / Amenity Matters</u> –</p> <p>a. <i>Lanteglos-by-Fowey War Memorials Working Party</i> – Minute 75c2013 refers. Feedback is awaited from the War Commission, regarding a grant application to carry out a condition survey. It was <b>RESOLVED</b> that the</p>	

	<p>Parish Council formally becomes custodians of the war memorial in line with our powers under the Public Health Act 1936, s.125.</p> <p>There is a second war memorial on National Trust land at Hall Walk, which bears an inscription that says it was donated by the Shakerley family. Cllr. Fisher said that CC clean this memorial, believing it is the main war memorial. The Locum Clerk to clarify the situation.</p> <p>b. <i>Polruan Play Area</i> – Minute 75e/2013 refers. Mr Colin Wilson of the Town Trust had emailed to invite Parish Councillors to attend one of the Trust’s meetings to discuss the way forward. It was <b>RESOLVED</b> Cllrs. Fisher and Francis will attend their next meeting on Friday, 8<sup>th</sup> November at 7.00pm. Mr Wilson offered to take the Notes of the discussion.</p> <p>c. <i>Land at Brendon</i> – Minute 73b/2013 refers. Covered by County Cllr. Hannaford’s report. It was <b>RESOLVED</b> to complete the ‘Do I need planning permission?’ form. Cllr. Francis to action.</p> <p>d. <i>Polruan WCs</i> – Ms Fran Garton said the keysafe had not been installed. The installation of a urinal to St Saviour’s WCs had been completed, but the installation of the hand-dryer is outstanding. Minute 83b refers.</p>	<p>Locum Clerk</p> <p>Cllrs. Fisher / Francis</p> <p>Cllr. Francis</p> <p>Cllr. Wilde</p>
101/2013	<p><u>Highways Matters</u> –</p> <p>a. <i>Drains and Water Run-off</i> – Minute 80a/2013 refers. Covered by County Cllr. Hannaford’s report. It was <b>RESOLVED</b> that Cllr. Fisher will compile a list of the drains requiring attention in the village. Cllr. Adams said the drain at Essa always blocks when there is heavy rain. The Locum Clerk to report this to Highways, together with Cllr. Fisher’s report.</p> <p>The Chairman thanked Cllr. Fisher, who had walked around the village and cleared leaves away from gullies and cleared the drains at Essa, in readiness for the coming storm.</p> <p>If the report to Highways does not bring results, consideration to be given to gathering volunteers together to carry out the work.</p> <p>b. <i>Residents’ Parking Permit Scheme</i> – covered by Cllr. Hannaford’s report.</p> <p>c. <i>Weather Plan</i> – it was believed that the parish had such a plan, but it cannot be located. It was <b>RESOLVED</b> the Locum Clerk should write to Mr Tubb, Clerk of St Veep Parish Council to arrange a meeting with neighbouring parishes, who already have such a Plan.</p> <p>d. <i>Fore Street Resurfacing</i> – Mr Robert Hancock, Cormac had advised that resurfacing works from The Quay to St Saviour’s Hill junction, continuing as patching works to Ferris Way, will commence on Tuesday, 21<sup>st</sup> January 2014, and take 4 days. They intend to operate in two 3 hour shifts, commencing at 0900hrs to 1200hrs and 1300hrs to 1600hrs. It is hoped that businesses and residents can plan journeys and deliveries around these shift periods, as machinery cannot be moved from the highway, once a shift commences. Full details previously emailed. Cllr. Pickering said the dates would cause problems for local organisations. The Locum Clerk to forward details to the <i>Parish News</i>.</p> <p>The Locum Clerk to write to Highways and request a deep pothole outside No.36 Fore Street should be repaired in the interim.</p>	<p>Cllr. Fisher</p> <p>Locum Clerk</p> <p>Locum Clerk</p> <p>Locum Clerk</p> <p>Locum Clerk</p>
102/2013	<p><u>Defibrillator</u> – Minute 46d/2013 refers. Report previously circulated via email by Cllr. Jolliff. She said prices vary considerably, but are in the region of £2,000, which includes training. Grants may be available, but local fundraising should prove quicker. The Fire and Rescue Service are willing to place this on their station. Efforts for the Brigade to act as ‘first responder’ had not come to fruition. Cllr. Doe queried why this was coming to the PC, she felt an alternative organisation should deal with it. Given the location of the village / parish, this would be a very useful piece of equipment. Members were supportive of the purchase of a defibrillator, but not in this financial year. It was <b>RESOLVED</b> to refer this to the F&amp;GP. It was further <b>RESOLVED</b> to write to the Fire Service and ask if they could provide a first responder.</p>	<p>Locum Clerk</p> <p>Locum Clerk</p>

	Cllr. Kelly left the meeting at this point.	
103/2013	<p><u>Administrative Matters</u> –</p> <p>a. <i>Parish Council Website</i> – Minute 76a/2013 refers. Cllr. Doe explained there was no anomaly between Minute 29a/2013 and 76a/2013 – the money will cover the cost of a community website diary, as part of the general cost of running the website.</p> <p>b. <i>Polruan Website</i> – Minute 76b/2013 refers. Details of the PC are still on this website. A further letter will be sent to the website provider. It was thought that no action should be taken, regarding removing the Parish Plan from the website.</p> <p>c. <i>Citizen’s Advice Bureau</i> – Minute 79f/2013 refers. Deferred from the September meeting. Members had been overtaken by events, in that Mr Stephen Foster, CC had emailed with plans for Mr John Ede of the Citizen’s Advice Bureau to run a debt seminar for Cornwall Councillors and Town and Parish Councillors / Clerks. The Locum Clerk to advise Mr Foster of Members’ interest in attending such an event.</p> <p>d. <i>Council Meeting Venues</i> – Cllr. Wakeham withdrew his proposal to alternate the venue for Council meetings between Whitecross and Polruan.</p> <p>e. <i>Postal Redirection Service</i> – it was <b>RESOLVED</b> to apply to Royal Mail for all letters, etc. sent to Mr Charman’s home address, but addressed to Lanteglos PC, to be redirected to the Chairman.</p>	<p>Cllrs. Doe / Moore</p> <p>Locum Clerk</p> <p>Locum Clerk</p>
104/2013	<p><u>Financial Matters</u> –</p> <p>a. <i>Accounts for Payment</i> – it was <b>RESOLVED</b> to move payments of the accounts to the closed session.</p> <p>b. <i>Budget Monitor</i> – a copy was circulated with the agenda. It was <b>RESOLVED</b> to move to the closed session.</p> <p>c. <i>2012/13 External Audit Report</i> – a revised ‘intermediate’ report on the accounts had been received from the External Auditors, highlighting areas of concern. The issues raised indicate weaknesses in relation to the controls operated by the Parish Council, but which do not impact upon the audit opinion already given. A specific review of the newly introduced internal controls will be made. Grant Thornton recommends that the control deficiencies are discussed with the Internal Auditor. The Clerk reported that Mr Brian White had since resigned from this position. It was <b>RESOLVED</b> Cllr. Doe will contact Mr White.</p> <p>d. <i>Grant Applications</i> – Members considered:</p> <p>i. <i>Lanteglos by Fowey PCC</i> – Minute 77a/2013 refers. The Chairman gave a dispensation to Cllr. Adams, who is a Member of the Church Guild. It was <b>RESOLVED</b> to make a grant of £1,750 towards the upkeep of the parish burial ground to the PCC. This sum to be earmarked for this purpose, and released on presentation of invoices for grass cutting.</p> <p>ii. <i>Lanteglos Age Concern</i> – Cllrs. Francis and Pickering declared an interest and were given a dispensation. It was <b>RESOLVED</b> to make a grant of £200 towards the cost of a Christmas lunch, free to anyone over 60 years and a £5 gift voucher (redeemable within the parish at local businesses) to anyone over 70. Cllr. Fisher voted against.</p> <p>e. <i>Clerks &amp; Councils Direct</i> – Minute 78g/2013 refers. Cllr. Doe pointed out that if the Clerk’s membership of SLCC is not renewed, then this saving could pay for the Clerks &amp; Councils Direct publication. Members <b>RESOLVED</b> to purchase individual subscriptions for all Members at a cost of £12 each. Cllr. Adams voted against.</p>	<p>Cllr. Doe</p> <p>Locum Clerk</p> <p>Locum Clerk</p> <p>Locum Clerk</p>
105/2013	<u>Correspondence / Documents Received</u> – not covered elsewhere on the agenda:	

	<p>a. <i>Looe Neighbourhood Plan</i> – Cllr. Bryan, Looe’s Mayor, had invited the Chairman to meet with him to discuss their Plan, which could impact on this parish. A presentation to the Council will follow. A copy of the Parish Plan to be made available at the meeting. Members <b>AGREED</b> to support Cllr. Moore’s attendance.</p>	Cllr. Moore
106/2013	<p><u>Diary Dates</u> –</p> <p>a. <i>Full Council Meeting</i> – 25<sup>th</sup> November 2013, in the WI Hall, Polruan.</p> <p>b. <i>Finance &amp; General Purposes Committee Meeting</i> – 11<sup>th</sup> November 2013.</p>	
107/2013	<p><u>Information Only / Future Agenda Items</u> –</p> <p>a. <i>Good Councillor’s Guide</i> – a copy was provided to each new Member.</p> <p>b. <i>PA13/09309, Landing Place and Premises, The Quay, Polruan</i> – proposed observation deck to first floor office. The Locum Clerk reported she had received this application and had requested an extension of time to respond to it. Members <b>AGREED</b> to hold a Planning Committee meeting on 11<sup>th</sup> November 2013, 6.30pm, followed by the F&amp;GP Committee at 7pm. The plans were given to Cllr. Francis.</p>	Locum Clerk
108/2013	<p><u>Public Participation</u> – the meeting was adjourned to enable members of the public to make any comments or ask questions on matters affecting the parish and its residents.</p> <p>a. Cllr. Hannaford said it would appear that the developers had not yet submitted certain reports which are conditions of the planning permission. Until these are discharged no work should be started.</p> <p>She has a meeting with the Chief Fire Officer scheduled and will speak to him about the question of first responder. Minute 102/2013 refers.</p> <p>b. Mr Tubb queried the decision to spend £120 p.a. on the <i>Clerk’s and Councils Direct</i> and pointed out the free copy could be circulated to all Members.</p> <p>He asked if all the payments needed to be dealt with in closed session. A list of payments was then read to the meeting.</p> <p>c. Mrs Welch asked if a salt bins could be placed at the top of Greenbank. Two bins had been purchased earlier in the year and put into use. Cllr. Adams or Fisher will speak to Mr Sandy, who is thought to hold a spare.</p> <p>d. Mr Hill complained about the assertion regarding Hillcrest which appeared in the September Minutes. The Minutes had been signed. No further action.</p>	Cllrs. Adams / Fisher
109/2013	<p><u>Closed Session</u> – in view of the confidential nature of the business about to be transacted, concerning staffing issues. It was <b>RESOLVED</b> that it is advisable in the public interest that the press and public be excluded and they were instructed to withdraw.</p>	
110/2013	<p><u>Clerk’s Grievance</u> – Minute 94/2013 refers. It was unanimously <b>RESOLVED</b> to hear Mr Charman’s appeals against the outcome of the Grievance and Disciplinary hearings. It was unanimously <b>RESOLVED</b> that Cllrs. Moore and Francis be given the authority to appoint five independent Councillors and Cllr. Jolliff to hear the appeals. It was unanimously <b>RESOLVED</b> that the panels’ decisions would be binding on the Council in accordance with these resolutions.</p> <p>In the circumstances, there was doubt as to when the 12 weeks pay in lieu of notice (PILON) and holiday leave could be paid as there was a possibility the appeals could be upheld. Cllr. Francis to seek legal advice as to when this payment should be made and about the setting of dates for the evidence to be properly presented and for the appeal hearings themselves. Cllr. Doe referred to the Budget Monitor and reassured Members there are sufficient reserves to cover the known costs.</p>	Cllr. Francis

	Cllr. Moore advised Members that a resident sought Members permission to plant <i>Hydrangeas</i> as a hedge on his property, which borders the Blockhouse footpath. This land does not belong to the PC, but Members had no objection.	Cllr. Moore																																																														
111/2013	<u>Clerk's Disciplinary</u> – Minute 85/2013 refers. Covered by 110/2013 above.																																																															
104a/2013	<p>Agenda item 104a/2013 was taken at this point.</p> <p><i>Accounts for Payment</i> – Members considered the Locum Clerk's confidential report, in respect of Mr Charman's final salary payment. It was <b>RESOLVED</b> to adopt Option 2, subject to the legal advice obtained by Cllr. Francis.</p> <p>Cheque 1059 was cancelled, as the expense is covered by Direct Debit. Cheques 1052 and 1053 to be signed when the results of Cllr. Francis's enquiries of Legal Services and the amount due are known.</p> <table border="1"> <thead> <tr> <th>Cheque Number / Item</th> <th>Price</th> <th>VAT</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>1051: M.J. Cottrell - repairs to public WC</td> <td>45.00</td> <td></td> <td>45.00</td> </tr> <tr> <td>1052: CANCELLED - spoiled</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1053: CANCELLED - spoiled</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1054: Mrs Thompson - salary</td> <td>384.00</td> <td></td> <td>384.00</td> </tr> <tr> <td>1055: Mrs Thompson - expenses</td> <td>112.53</td> <td></td> <td>112.53</td> </tr> <tr> <td>1056: Polruan WI - hall hire</td> <td>96.00</td> <td></td> <td>96.00</td> </tr> <tr> <td>1057: Mr B.S. Tippett - PROWs</td> <td>2,790.00</td> <td></td> <td>2,790.00</td> </tr> <tr> <td>1058: SSE Contracting - annual maintenance of public lighting</td> <td>165.24</td> <td>33.05</td> <td>198.29</td> </tr> <tr> <td>1059: CANCELLED – paid via direct debit</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1060: Ms F. Garton - WC cleaning</td> <td>1,200.00</td> <td></td> <td>1,200.00</td> </tr> <tr> <td>1061: Mr. M.J. Cottrell - urinal installation</td> <td>350.00</td> <td></td> <td>350.00</td> </tr> <tr> <td>1062: Lanteglos by Fowey PCC - grass cutting</td> <td>1,068.00</td> <td></td> <td>1,068.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="border-top: 1px solid black;"><b>6,243.82</b></td> </tr> </tbody> </table> <p>Bank reconciliation successfully completed, up to and including statement No: 3/2013</p> <table border="1"> <tbody> <tr> <td>Bank balance - current account, as at date of schedule</td> <td>32,639.87</td> </tr> <tr> <td>Bank balance - deposit account, as at date of schedule</td> <td>16,442.82</td> </tr> <tr> <td></td> <td style="border-top: 1px solid black;"><b>49,082.69</b></td> </tr> </tbody> </table>	Cheque Number / Item	Price	VAT	Total	1051: M.J. Cottrell - repairs to public WC	45.00		45.00	1052: CANCELLED - spoiled				1053: CANCELLED - spoiled				1054: Mrs Thompson - salary	384.00		384.00	1055: Mrs Thompson - expenses	112.53		112.53	1056: Polruan WI - hall hire	96.00		96.00	1057: Mr B.S. Tippett - PROWs	2,790.00		2,790.00	1058: SSE Contracting - annual maintenance of public lighting	165.24	33.05	198.29	1059: CANCELLED – paid via direct debit				1060: Ms F. Garton - WC cleaning	1,200.00		1,200.00	1061: Mr. M.J. Cottrell - urinal installation	350.00		350.00	1062: Lanteglos by Fowey PCC - grass cutting	1,068.00		1,068.00				<b>6,243.82</b>	Bank balance - current account, as at date of schedule	32,639.87	Bank balance - deposit account, as at date of schedule	16,442.82		<b>49,082.69</b>	<p>Cllr. Francis</p> <p>Locum Clerk</p>
Cheque Number / Item	Price	VAT	Total																																																													
1051: M.J. Cottrell - repairs to public WC	45.00		45.00																																																													
1052: CANCELLED - spoiled																																																																
1053: CANCELLED - spoiled																																																																
1054: Mrs Thompson - salary	384.00		384.00																																																													
1055: Mrs Thompson - expenses	112.53		112.53																																																													
1056: Polruan WI - hall hire	96.00		96.00																																																													
1057: Mr B.S. Tippett - PROWs	2,790.00		2,790.00																																																													
1058: SSE Contracting - annual maintenance of public lighting	165.24	33.05	198.29																																																													
1059: CANCELLED – paid via direct debit																																																																
1060: Ms F. Garton - WC cleaning	1,200.00		1,200.00																																																													
1061: Mr. M.J. Cottrell - urinal installation	350.00		350.00																																																													
1062: Lanteglos by Fowey PCC - grass cutting	1,068.00		1,068.00																																																													
			<b>6,243.82</b>																																																													
Bank balance - current account, as at date of schedule	32,639.87																																																															
Bank balance - deposit account, as at date of schedule	16,442.82																																																															
	<b>49,082.69</b>																																																															
112/2013	<u>Breach of Contract Claim</u> – Minute 86/2013 refers. No word had been heard from Cllr. Fisher's solicitors.																																																															
113/2013	<u>Meeting Closed</u> – 22.10.																																																															

Signature: ..... (Cllr. Moore)  
Parish Council Chairman

Date: 25<sup>th</sup> November 2013