

## MEETING NO. 1063

### Minutes of the FEOCK PARISH COUNCIL MEETING held on Tuesday 4<sup>th</sup> March 2014 at Feock Parish Council Offices, Devoran at 7.15pm.

#### Members Present:

WARDS	CARNON DOWNS	DEVORAN	FEOCK
	C Kemp	C Carter	C Johnson
	B Richards	B Shankland	T Smithies
	M Kemp (Chair)	D Kiernander	R Andrew (Vice Chair)
	J Langdon		C Blake

**In Attendance:** Debra Roberts, Parish Clerk & Responsible Finance Officer  
1 member of the public  
Cornwall Councillor S Chamberlain

#### CHAIRMAN: Councillor M Kemp

#### 1. INTRODUCTION

The Chairman welcomed everyone to the meeting.

#### 2. APOLOGIES

Apologies had been received from Cllr Lis West and Cllr Phil Allen (joined the meeting later in the evening).

#### 3. MINUTES OF PREVIOUS MEETING – 4<sup>TH</sup> FEBRUARY 2014

**Cllr Johnson proposed that the minutes of the council meeting held on 4<sup>th</sup> February 2014, as circulated by the Clerk, be confirmed as a true record, and signed by the Chairman. This was seconded by Cllr Richards and was carried by the meeting.**

#### 4. DECLARATIONS OF INTEREST

Cllr Andrew made the following declaration of interest statement.

“I (Cllr Andrew) declare an interest in planning matters related either directly or in proximity to my land and property in Feock. For the public record, I am an employee of Cornwall Council working on the Localism Agenda. I have been advised by the Monitoring Officer that as a Parish Councillor I have no personal interest in the Neighbourhood Planning Agenda and related issues. However, if during the course of discussions issues are discussed of which I have a personal involvement it may be appropriate to leave the meeting and take no further part in the debate and for it to be recorded in the minutes”

Cllr Richards declared an interest in Item 22 – Correspondence Received from Former Councillor and would leave the meeting when this item was being discussed.

Cllr Shankland declared an interest in Item 12 Property Working Party (specifically the Feock Reading Room property) and would leave the meeting when this item was being discussed (Cllr Shankland was slightly late to the meeting and declared his interest when he attended which was prior to Item 12 on the agenda).

#### 5. PUBLIC PARTICIPATION

There was one member of the public present and they did not have any questions or wish to speak at the meeting.

#### 6. MATTERS ARISING FROM PREVIOUS MINUTES

##### Defective lamp post no. A420 on Belmont Terrace

The Clerk confirmed that Cornwall Council had now repaired this.

### **Methodist Chapel Parking**

Cllr Johnson had spoken to the Chapel and they were considering ways of raising additional money and were pleased that the Council had contacted them regarding the parking suggestion.

### **Small Grants Scheme**

The Clerk reported that Devoran Pre-School and the Carnon Downs branch of the Old Cornwall Society had applied for small grants, the Clerk has written to them explaining the new Participatory Budgeting Scheme which would be in place later in the Summer and that she would contact them again to invite them to attend the launch meeting.

### **Ownership of Four Turnings land**

Councillor Johnson reported that this land was owned by Cornwall Council and the equipment that had been stored there belonged to Highways and had now been removed. Cllr Johnson would check the copse behind as there had been reports of rubbish accumulating there, if work was needed Cllr Johnson would contact the Clerk for her to report this.

### **Overgrown hedges on Mount Agar Road/Smithy Lane**

The Clerk confirmed she had issued a notice on behalf of Cornwall Council to the owners of the properties whose hedges were obscuring the 'road hump' signs.

### **Councillors Personal Liability Insurance**

The Clerk confirmed that all councillors were covered by insurance for any decisions they make whilst performing Council duties.

### **Survey of assets**

Cllr Richards advised that although we maintain the land at Tank Hill in Devoran, we do not actually own it. The Risk Assessments had been circulated, together with the list of who would monitor each asset, if anyone had any queries on the Risk Assessments they should raise these with Cllr Allen and these would then be discussed at the property working group.

### **100 year Commemoration of outbreak of WW1**

Cllr C Kemp advised that Devoran Community Association were not presently planning an event. Cllr Richards was getting a price from a stone mason to add the two missing names from the Devoran Church war memorial and Devoran Church to get permission to add these.

### **ACTION: Cllr Richards to contact Stone Mason**

## **7. MATTERS FOR REPORT FROM OUTSIDE BODIES**

Cllr C Kemp and Nick Johnson (representing Cllr Johnson) attended the Anniversary Event at the Methodist Chapel at the weekend, this was very pleasant and well attended, Elaine Fletcher thanked the Parish Council for their support at the event.

## **8. CURRENT REPORTS**

### **Cornwall Council**

Cllr Chamberlain reported that at the Council meeting on 25<sup>th</sup> February the full council had agreed to a 1.97% rise in Council Tax. Cllr Chamberlain had not supported this as he felt that that it was not right that front line services were being cut when the Council were spending £15M on new office accommodation in Bodmin. There had also been little movement in the restructure of management which would result in some savings. Cllr Chamberlain sits on the Cornwall Housing Board who were trying to double the number of Council houses being built. It was noted that the cost of damage caused by the recent storms was estimated to be in the region of £21.4M.

### **Devon and Cornwall Police**

PCSO Tom Care was unable to attend the meeting and had provided the Clerk with his full report (attached at Appendix 1). The Clerk read out the report, there had been 2 reported crimes in February and 30 calls resulting in police logs.

## 9. FINANCIAL SUMMARY & ACCOUNTS FOR PAYMENT

The Accounts for payment for February were presented to the Chairman for authorisation and signature.

The Clerk gave the following financial summary for the month of January

Total outgoings	£8892.02
Total income	£2262 agency agreement from CC (A39 grass cutting, weed killing 2013/14) and late payment of Market Hall hire

We are due £2864 under the Local Maintenance Partnership for 2013/14 footpath maintenance which we have invoiced Cornwall Council for.

Current account bank balance and bank reconciliation +£23,371.87

The Clerk reported that a request for financial assistance had also been received today from the Fal River Festival and the Clerk would contact them regarding the Participatory Budgeting Scheme.

### **ACTION: Clerk to contact Fal River Festival**

#### **Profit & Loss report to date**

Shows to date for the year for current account:-

Income	£125,165
Expenditure	£113,798
Balance	+11,367 until end of March 2014

## 10. LOCAL WARD REPORTS

### **Feock – Cllr Johnson**

There were lots of fallen branches due to the storms, with some damage at Trelissick and Loe Beach. Cllr Andrew had cleared branches from the main road and attempted to clear the drains north of Ferris Garage. There were still problems with flooding at Come to Good and some bad pot holes on the right hand side of the road towards Ferris Garage. Cllr Chamberlain advised that this road resurfacing should be completed by the end of the year.

Feock Hall Action Group had visited Crofthandy Village Hall, this was a popular venue and lettings were mostly from outside the village. Costings for the refurbishment of the existing Church Hall were being prepared.

Cllrs Johnson, Allen and Richards had met with a representative of Cornwall Council Transport Section regarding the Corlink service and community bus service.

### **Devoran – Cllr Carter**

A resident has raised a concern about the development of one of the business units on Greenbank Road and about very large lorries parking on Greenbank Road overnight. The Assistant Clerk was currently looking into this and would contact Planning Enforcement about this. There had been trees down on footpaths adjacent to the Tram Road.

On Quay Road there were concerns about the height of the new house beside the Quay. The Assistant Clerk would report this to Planning Enforcement so that this could be checked to ensure it was being built in accordance with the plans, but this could take up to 13 weeks. Cllr Richards said that concerns were expressed at the time but these were not taken up by the Planning Officer. The Assistant Clerk to provide the file to Cllr Richards.

**ACTION: Assistant Clerk to obtain file**

The Planning Committee to consider whether a policy should be adopted regarding the height of developments, and if this could be included in a policy from the Neighbourhood Plan. Also the issue regarding expanding properties to the breadth of the plot to be considered.

The dog bin on Devoran Quay was in need of more regular emptying.

**ACTION: Clerk to contact Cornwall Council regarding emptying of dog waste bin**

**Carnon Downs – Cllr M Kemp**

At the bottom of Old Carnon Hill an entranceway has been made into a field, this has been reported to Cornwall Council as new entranceways onto a highway require planning permission and it appeared that this did not have permission. Work has now started on replacing the annexe at Carnon Downs Village Hall.

**11. REPORT ON PLANNING COMMITTEE MEETING**

Cllr Richards gave a report on the latest Planning Meeting. The report is attached at Appendix 2.

Alan Rowe, the Tree Officer was attending the next Planning Committee Meeting on Monday 17<sup>th</sup> March. Cllr Chamberlain said he would also like to attend. The six monthly review of the Planning Committee was now due, it was working well but it had been noted that there had been comments that it would be better to have two Councillors from each Ward at the meeting, so 'stand in' Councillors needed to be identified. It was agreed to add this item to the April Parish Council meeting. Cllr Richards was pleased with the administration of the planning system by the Assistant Clerk and she was currently reviewing the filing system, retention of records and identifying useful reports that could be produced from the data kept on applications when they were received.

**ACTION: Clerk to add item 'Additional Planning Committee members' to April meeting agenda**

**Cllr Andrew proposed that Feock Parish Council write to Andy England (Assistant Head of Planning at Cornwall Council) to thank him for his assistance over the last few years as he was leaving Cornwall for a new position. This was seconded by Cllr Smithies.**

**12. PROPERTY WORKING PARTY**

Cllr Richards reported that all the Risk Assessments had been completed by Cllr Allen and sent out by the Clerk to those Councillors responsible. A letter was being sent out on behalf of Cornwall Council to residents in Carnon Downs who lived adjacent to Foopath 23 as there had been issues with fly-tipping on this path. If anyone sees any fly-tipping they should report this to the Clerk who would report this to Cornwall Council.

**Feock Reading Room**

Cllr Shankland left the meeting as he had previously declared an interest in this item.

Cllr Richards had circulate an email to the members of the Property Group and the Feock ward Councillors. Cllr Richards suggested that a public meeting is held to discuss the Reading Room and the views of the parish residents on what should happen with it, and to request expressions of interest.

**Cllr Richards proposed that a public meeting be held at 7pm on Monday 24<sup>th</sup> March in St Feock Church Hall. This was seconded by Cllr Kiernander.**

It was agreed this would be advertised by a Press Release in the West Briton and notices in the Parish Council noticeboards and on telegraph posts.

**ACTION: Clerk to arrange advertisement**

The Chairman said that at the AGM the Property Working Group should be absorbed into the Finance & General Purposes Working Group and this be made a formal Sub Committee.

Cllr Shankland returned to the meeting.

### **13. FINANCE & GENERAL PURPOSES WORKING GROUP**

The Clerk circulated the budget for 2014/15 for approval. The Chairman ran through the budget details. It was agreed that we should look to secure grant funding for projects. There was a budget set aside for enhancement projects and this could be for budgets that come out of the Neighbourhood Plan, to cover services no longer able to be provided by Cornwall Council, Traffic Regulation Order costs etc. The Chairman commented that from April we would have a balance sheet, profit and loss reports and budget v actuals report at each meeting. It was noted that the Chairman would not be claiming the Chairman's Allowance for 2014/15.

Cllr Allen joined the meeting at 8.45pm.

**Cllr Smithies proposed the budget be approved. This was seconded by Cllr Kiernander, a vote was held with the majority approving the budget.**

The approved the budget would be displayed on the website.

**ACTION: Clerk to add to website**

The Clerk has obtained a quotation from a new insurance company which is significantly cheaper than we are currently paying and will give us better cover, this will come into effect from 1<sup>st</sup> June 2014. The Clerk to ensure that all our assets are covered under this new insurance policy. The issue regarding the Point Quay Association insurance was discussed and the Clerk would clarify the exact requirements with the insurance company, as well as the need for the Parish Council to be represented on Point Quay Association.

**ACTION: Clerk to seek clarification from insurance company and write to Point Quay Association with exact criteria for insurance purposes**

**Cllr Richards proposed that Cllrs Gordon and Kiernander be our representatives on Point Quay Association, this was seconded by Cllr M Kemp.**

Cllr Langdon asked if members were covered by libel and slander by our insurance.

**ACTION: Clerk to check insurance policy for libel and slander cover**

The Clerk advised that tenders for 2014/15 contracts had been issued with a deadline of Friday 14<sup>th</sup> March. The contracts were only for one year at present as we were unsure of the outcome of the Our Place funding bid which would provide a lengthsman service if successful.

### **14. SUSTAINABLE TRANSPORT WORKING GROUP**

Cllr Andrew reported that the group had been busy scoping all the transport related schemes/concepts of which there were over 100. These ranged from traffic calming, speeding, parking issues, footpath maintenance, footpath maps etc. A summary of the projects would be present to the AGM in May.

### **15. NEIGHBOURHOOD PLAN**

Cllr Richards advised that the project was going well, but unfortunately was taking longer than hoped as the original timescale was far too short. Lots of work had been done by the Steering Group and Focus Group members. A meeting was being held on Thursday to update the Focus Group members with the results of the Community Questionnaire and the work that had been done so far. An Update Meeting for all residents was being held on Saturday 5<sup>th</sup> April in Carnon Downs Village Hall, and the Public Exhibitions were being held at the

end of June/beginning of July in all 4 villages. We needed to extend the contract with Co-Design for another 5 months until the end of September 2014 when the Draft Plan would be ready to present to Feock Parish Council prior to going to Cornwall Council for inspection.

**Cllr Richards proposed that the Clerk take a more active role in the project and the contract with Co-Design Place be extended by 5 months on the current conditions until the end of September 2014. This was seconded by Cllr Blake.**

Cllr Shankland felt it was important that the consultant had clear instruction on the work that needed to be produced.

#### **16. OUR PLACE FUNDING**

Cllr Andrew advised that the Our Place Funding bid had been submitted by the Clerk last Thursday, the project was in 3 parts, the first to get the Lengthsman project up and running, the second to work with neighbouring parishes and the third to move to a more formal contract. Cllr Allen commented that he felt that it was important that any work done for the Parish Council is done efficiently and is good value for money.

#### **17. JOINT WORKING WITH KEA PARISH COUNCIL**

The Clerk had circulated an email from Kea Parish Council confirming that they would like to work more closely with our parish in the future, it was hoped that we could also work with Mylor and Perranwell as well.

#### **18. MEMBERSHIP OF CORNWALL BRANCH OF THE CAMPAIGN TO PROTECT RURAL ENGLAND**

The Clerk had circulated an invitation to join this organisation. It was agreed by those present that we were always able to access most of the benefits of joining (planning guidance etc.) and therefore agreed not to join this organisation.

#### **19. RESPONSES TO CONSULTATION DOCUMENTS**

Cllr Johnson had responded to the Mobile Services (Cornwall Council) consultation. This issue was also being discussed at the next Community Network Area meeting which herself and the Clerk would be attending. It was agreed to put hard copies of the consultation response form in the Bookswap area.

**ACTION: Clerk to arrange consultation response forms**

There were no comments to be made on the Affordable Housing SPD or Local Audit and Accountability Act.

**UNDER THE S100A LOCAL GOVERNMENT ACT 1972 (as amended) MEMBERS OF THE PUBLIC LEFT THE MEETING.**

#### **20. REPORT ON THE AUDIT FOR 2012 - 2013**

The Final audit report received from Grant Thornton, their comments were as follows:-

##### **“Late approval of accounts**

The Accounts and Audit (England) Regulations 2011 require that local councils approve Section 1 of the Annual Return by 30<sup>th</sup> June 2013 following the year ended 31 March 2013.

Feock Parish Council notified us in advance that due to exceptional circumstances it would not be able to comply with this requirement. The Annual Return was approved on 8 July 2014.

**Other matters not affecting our opinion which we wish to draw to the attention of Feock Parish Council for the year ended 31 March 2013**

##### **Section 2 – Annual Governance Statement**

Section 2 has not been dated by the Clerk. The council must ensure that the entire annual return has been completed before sending it to be externally audited.

### **Internal Auditor Engagement Letter**

The council should ensure that it obtains a letter of engagement from the Internal Auditor in the future. This letter should state his/her independence and outline the tasks he/she will undertake. The internal auditor should not be requested to undertake tasks that may compromise his/her independence.

### **Devoran Recreation Ground**

The council is the sole managing trustee of the Devoran Recreation Ground (the Trust). No annual returns have been filed with the Charity Commission for a number of years. The former clerk has explained that the trust had no income and that the council made payments for the proper maintenance of the recreation ground. The council, in making payments on behalf of the Trust, is effectively making grants to the Trust. In these circumstances the income and expenditure of the Trust will equal each other and this income and expenditure should be recorded on the Trusts Annual Return and filed with the Charity Commission.

### **PWLB balance**

The council has a loan with the Public Works Loan Board. The amount outstanding at 31 March 2013, included in Box 10, of the Annual Return has been calculated by accruing interest of £2,240 up to 31 March 2013. The interest was not due until 28 May 2013 and in our view it should not have been included in the outstanding balance at 31 March 2013.

### **Declaration of interest**

During 2012/13 the council awarded a contract to a councillor to act as the project manager for the refurbishment of the Market Hall. The County Standards Committee investigated claims that the councillor had not made proper declarations of interest, and that interests had not been properly registered.

The County Standards Committee found that a breach of the Code of Conduct had been made and issued an Assessment Decision Notice on 10 June 2013. The Committee imposed a sanction of a public censure and recommended that should the councillor return to public office, they should attend training on the Code of Conduct.

The council issued a public censure and the councillor has not returned to office to date.

As this matter has been appropriately addressed through the County Standards Committee, there is no further action that, as external auditor, we consider necessary. “

There being no further business the meeting closed at 10.45pm.

**DATE OF NEXT MEETING: Monday 7<sup>th</sup> April 2014, Market Hall, Devoran at 7.15pm**

There were 2 reported crimes within the Parish for February 2014;

1. GT/14/246 – Between 18:00 hours on Saturday 1st Feb & 07:00 hours on Sunday 2nd Feb a kayak like the one in the photograph below was stolen from behind the wooden gates next to the entrance to Devoran quay. The kayak was not secured in any way and a second kayak was left behind. This crime is undetected at this time.



2. GT/14/286 – the front number plate of a vehicle was reported stolen from a vehicle parked in Trevallion Park at some point between the 1st and 7th February. The number plate is R423XOE and if any finds it on their travels please take it to Truro police station or contact 101.

During February we received 30 calls resulting in police logs being created. I do not feel the need to highlight any of the calls as none of them seem to relate to ongoing issues in the wider parish area, however for your information, on Friday 24th February we received a call from a concerned member of the public. They had spotted a male asleep under a blanket near to Higher Devoran farm, my colleague attended and spoke with a male who calls himself “Buzz”. This male I can best describe as looking like your traditional tramp and he was absolutely fine when my colleague spoke with him. If you see this Welsh gentlemen around, we are aware of him and he is not someone who usually causes any problems to the communities he visits.



**Planning determinations for the following applications had been made since the last meeting on 27<sup>th</sup> January 2014**

576 Killiganoon Manor, Carnon Downs PA13/09781 – Consent granted  
590 Grosse Point, Mount George Road, Feock PA13/10961 – Conditional approval  
593 Landfall, Churchtown, Feock PA13/11633 – Conditional approval  
594 47 Knights Meadow, Carnon Downs PA14/00099 – Conditional approval  
596 Riverbank, Restronguet Point, Feock PA14/00207 - Conditional approval  
602 Trevannick, 9 Wellington Plantation, Penelewey, Feock PA14/00356 – Consent granted  
600 Appensleigh, Feock PA14/00366 - Conditional approval  
599 3 Greenbank Terrace, Devoran PA13/11653 – Conditional approval  
595 Creek Waters, Restronguet Point, Feock PA14/00221 – Conditional approval  
568 Higher Carnon Barn, Carnon Downs PA13/08967 - Withdrawn

**The following applications were considered and responses were agreed as follows.**

607 Ponsmain Cottage, West Pill Road, Feock TR3 6SD PA14/00792 - this new application was identical to the previous one and it was therefore agreed that the comment be “Feock Parish Council still maintains its agreement with the Case Officer’s decision dated 19 June 2012 that the proposed building by reason of its design, scale and resultant massing and proximity to the main dwelling, would result in an unduly large outbuilding that would appear dominant and cramped in relation to the associated dwelling and would be harmful to the distinctive character and appearance of the Area of Outstanding Natural Beauty.”

609 Chycoose Barn, Chycoose, Devoran TR3 6NU PA14/01069 - the application should be refused with the comment to the Case Officer being “Feock Parish Council can see no justifiable reason for these trees to be removed, they do not appear to be diseased or damaged in any way and form an important visual amenity. A precedent has been set by the decision on PA13/04900.”

610 St Feock Church, Feock, TR3 6SD PA14/01075 – “Feock Parish Council agrees with the Tree Officer that the tree should be felled and a suitable replacement planted”.

611 Shalimar, Trevilla Road, Feock TR3 6QW PA14/01068 - “Feock Parish Council can see no reason why the tree should be felled and are in agreement with the Tree Officer’s comments.”

612 16 Chycoose Parc, Point, Devoran TR3 6NT PA14/01073 - “Feock Parish Council agree with the Tree Officer’s comments that provided the work does not go beyond the pollarding described we have no objection”.

613 Nancassick Cottage, King Harry Road, Feock TR3 6QN PA14/01074 – “Feock Parish Council are in agreement with the Tree Officer’s comments.”

614 The Owls House, Pill Lane, Feock TR3 6SE PA14/00771 – “Feock Parish Council are in agreement with the Tree Officer’s comments.”

615 Cross Park, Churchtown, Feock TR3 6SA PA13/10302 – “Feock Parish Council would like to thank the Tree Officer for his very detailed response to this application and agree that the work should be strictly restricted to the Tree Officer’s recommendations.”

616 8 Dozmere Close, Feock TR3 6RL PA14/01443 - “Provided that the Tree Officer concurs with the opinion of the applicant we are agreeable to the removal of the limb.”

617 Kessenians, 12 La Vague, Feock TR3 6RQ PA14/01187 – “Feock Parish Council can see no material planning considerations which would cause this application to be refused.”

618 Treliever Farm, Bissoe Road, Carnon Downs TR3 6LQ PA14/01403 - “Feock Parish Council can no material planning considerations that should cause the application to be refused.”

**PLANNING APPEALS AND ENFORCEMENTS**

There were no planning appeals to be considered and no updates available on any enforcement issues.