



A- barth Onan Hag Oll! Representing One and All

## **REPORTS FOR OCTOBER 2011 MEETING**

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### **AGENDA ITEM 6.1**

**Clerk's POLICE and NHW REPORT**

**REPORT FOR MEETING TO BE HELD ON**

**18<sup>th</sup> OCTOBER 2011**

**DECISIONS REQUIRED:**

- 1. To note the new arrangements for liaison between the Police and Community Groups.**

**REPORT:**

In the absence of a report from the Police and NHW Liaison Officer, there is a need to report a letter from the Police Authority.

The letter is self-explanatory and is included as Appendix 1 to this report.

**JV Calvert**

**Clerk**

**14<sup>th</sup> October 2011**

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## Appendix 1 to AGENDA ITEM 6.1



### Devon & Cornwall Police Authority

Chief Executive: Sue Howl

Mr J Calvert  
Stithians Parish Council  
18 Edwards Street  
Tuckingmill  
Camborne  
TR14 8PA

5 October 2011

Our ref: 226444

Dear Mr Calvert

#### **Engagement with Devon and Cornwall Police Authority**

You will be aware that over the last twelve months we have been piloting new ways of engaging with communities across Devon, Cornwall and the Isles of Scilly in order to help inform our strategic decision making.

As a result of the pilots the Local Policing and Confidence Committee took the decision to replace the old style Police Authority Liaison Meetings with more proactive engagement activities. Consequently, we are no longer hosting meetings and expecting people to turn up – we will now endeavour to come to you. Therefore if you are a member of a community group that would like an input please contact Jennifer Townsend (01392 25557 [jennifer.townsend@devonandcornwall.pnn.police.uk](mailto:jennifer.townsend@devonandcornwall.pnn.police.uk)). These talks will focus on strategic, overarching policing issues. If you want to raise local concerns this should be done through your local policing team. You can find information about and contact your neighbourhood policing team at <http://neighbourhoodpolicing.devon-cornwall.police.uk> or call the new non-emergency number 101 (available 24hours and a call costs only 15p flat rate).

We also attend a variety of community events and will continue to do so. This summer we have spoken to over 1,200 people at events such as Stithians Show, North Devon Show and Exeter Respect Festival. In addition you can keep informed about the work of Devon and Cornwall Police Authority by subscribing to our free electronic newsletter which is circulated every eight to ten weeks. To join the mailing list email [polauth@devonadncornwall.pnn.police.uk](mailto:polauth@devonadncornwall.pnn.police.uk) with 'subscribe' in the subject box.

I hope that you will continue to engage with Devon and Cornwall Police Authority and will take these opportunities to make your voice heard in discussions about the future of policing in your area.

Yours sincerely,

Joy Norris  
Assistant Chief Executive

Please note our new phone no. is 01392 225555

## **AGENDA ITEM 7.1**



*Devon & Cornwall*

*Constabulary*

STITHIANS COUNCIL MEETING POLICE REPORT

**TUESDAY 18<sup>th</sup> OCTOBER 2011**

Since the last meeting on the 20<sup>th</sup> of September, there have been six crimes recorded as follows;

A Drink Driver was arrested at Longdowns and later charged with the offence.

A gate was sprayed with red paint in Collins Park.

Theft of heating oil in New Road during the morning. Once again residents are requested to review their oil tank security.

A male was assaulted at Longdowns and two males are currently on bail.

A car had a quarterlight window damaged by a stone in Collins Park.

A female was sexually assaulted. A suspect has been named.

I shall be visiting the School on Thursday for my Halloween 'Briefing', and have met a youth worker employed by the Methodist Church who wishes to establish a 'drop-in centre' for the young people of the village.

PCSO Andy Huddleston.

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## **AGENDA ITEMS 11.1 to 11.3**

### **Clerk's Reports for Meeting on 18<sup>th</sup> October 2011**

#### **Summary of Decisions Required (Details in report):**

1. To note the Parish Council's current financial position as detailed in the report.

2. To consider the Draft Budget submitted.
3. To accept the Clerk's apologies for the lack of a report on the matter of the preparation of an Annual Report.

Report:

11.1 Council's Current Financial Position:

Appendices 1, 2 and 3 to this Report show the Council's financial position as at 11<sup>th</sup> October. There are no significant variances at present which have not already been explained to Members.

If Members have any queries on the accounts, I shall, of course, be pleased to address them at the meeting.

**The appendices to this report can be obtained from the Clerk or from the Financial Reports Page of the website.**

11.2 2012/13 Draft Budget:

Appendix 4 to this report is a Draft Budget presented for Members' consideration.

**The appendices to this report can be obtained from the Clerk or from the Financial Reports Page of the website.**

I have received several suggestions for items for inclusion in the budget, all of which would be worthy of inclusion in a better national economic climate but which, if all were included, would result in an increase in the precept of some £7,000.

Having consulted with your Chairman, however, and bearing in mind the fact that Central Government will be imposing a council tax freeze on Principal Authorities, I have suggested a Draft Budget that gives no increase in the precept on the grounds that it would seem reasonable to follow their lead. One must also bear in mind the fact that, although the Localism Bill has not yet been enacted, it will most likely contain legislation whereby an excessive increase in Precept will be subject to a referendum. This is unlikely in the next financial year but it can't be ruled out.

If a "neutral" budget is to be achieved, there can unfortunately be no growth items. Members will note, however, that I anticipate savings in the present financial year of some £3,000 which will boost reserves to a certain extent. Members will note that there is a sum included to go into the Development Fund and the strange amount is because it is used as a "balancing item" to achieve a neutral budget, as was done last year, albeit it is considerably smaller than last year!

Amended items are highlighted and a brief explanation included and I shall enlarge on some of the budget items at your meeting as necessary. If, as in previous years, Members wish to make any changes, they can be incorporated into the Budget and a revised document presented for approval at the November meeting.

11.3 Annual Report & Quality Status:

Unfortunately, because of various other work this month, not least of which was the preparation of the Draft Budget, I have been unable to give this matter my attention. As the matter is not as urgent as others I am dealing with, I trust Members will accept my apologies for the lack of a report.

I have to confess, however, that there will be little to say other than the fact that the Annual Report is presented to the AGM and needs to be a summary of the Council's activities in the previous year.

**JV Calvert,**

**Clerk**

**11<sup>th</sup> October 2011**

## AGENDA ITEM 12.1

<u>Application No. and Applicant(s)</u>	<u>Address</u>	<u>Proposal</u>	<u>Date Received from Cornwall Council</u>	<u>Date Passed to Planning Portfolio Holder</u>	<u>Stithians Parish Council Recommendation</u>	<u>Date Returned to Cornwall Council</u>	<u>Date Decision Notification Received from Cornwall Council</u>	<u>Decision of Cornwall Council</u>	<u>Date of Cornwall Council's Decision</u>
PA11/00732 Mrs V Alloway	Sruthal Farm, Herniss	Retention of Cafeteria Building after 3 years of temporary permission.	04/02/11	07/02/11	Invalid Application – Not considered	Observations submitted 18/02/11			
PA11/02823 Mr & Mrs A Poor	The Paddocks, Penhalvean	Stationing of mobile home & construction of septic tank	20/04/11	20/04/11	NOT SUPPORTED	20/05/11			
PA11/05918 Ms R Johnson	Penhalurick Barton, Penhalvean	Conversion and extension of 2 redundant agricultural buildings to form 2 dwellings including formation of access and parking area and installation of sewage treatment plant	27/07/11	27/07/11	Not Supported	07/09/11			
PA11/05903 Wendron Cricket Club	Wendron Cricket Club <b>WENDRON PC</b>	Erection of Wind Turbine	25/07/11	25/07/11	No Comment	07/09/11			
PA11/06053 Mr B Johns	Adj 7 Roseline Estate <b>WENDRON PC</b>	Erection of Wind Turbine	01/08/11	01/08/11	Not Supported	08/09/11			
PA11/06764 Mrs C Mitchell	Samburu, Foundry	Construction of extension to form self contained annexe accommodation	18/08/11	18/08/11	Support with Conditions	07/09/11	22/09/11	Approved with conditions	22/09/11
PA11/07192 Mr J Ravey	Higher Lezerea Farm Lezerea Porkellis <b>WENDRON PC</b>	Installation of a 50kW wind turbine, access road and ancillary associated development	N/A	12/09/11					

## **AGENDA ITEM 12.3(a)**

**PA11/05918 – Ms R Johnson – Penhalurick Barton. Penhalvean – Amendment - Conversion and extension of 2 redundant agricultural buildings to form 2 dwellings, including formation of access and parking area and installation of sewage treatment plant.**

### **Decision Required:**

To support or oppose.

### **Recommendation:**

Oppose.

### **REPORT:**

Councillor Tisdale and I originally visited the site on 15<sup>th</sup> August and met with the applicant Ms R Johnson. This application has been amended as a result of our opposition to the previous application. We saw no reason to visit the site as a result of the proposed amendment.

Penhalurick Barton is sited some 600m from the main road at Penhalvean and comprises of a stone built farm house, a number of redundant granite agricultural buildings and some steel framed agricultural barns and outhouses. One large steel framed barn is currently being used for an equestrian business. Planning permission has already been granted for 4 holiday units, whilst it is claimed that work regarding drainage has commenced it would appear that no further progress has been made due to lack of finance. This application is for the conversion of a former piggery and a large 2 storey granite agricultural building, both redundant, into 2 residential units of 2/3 bedroom size. Permanent occupation is being sort as this would make them more viable for raising finance or for selling purposes.

The large, substantial, 2 storey granite agricultural barn, was seen to be in generally poor condition, with one section of wall partially collapsed. The building is wedged between 2 steel framed agricultural barns, one of which is less than 1 m from the outer wall and is currently in use for horses and livery. There is currently no upper floor. The building is sited on slopping ground, hence current access to the upper floor is via a side access door circa 1.5m above ground level via a series of granite steps. Being wedged between two other buildings presents a problem for windows; so the proposed design makes much use of the front of the building for windows. In fact the current design shows one window actually opening into the neighbouring barn.

The amendment to the application mainly refers to the second building a former piggery, more recently used as boarding kennels. It is a small (interior dimensions circa 9m x 3m) single storey granite building in fair condition. In order to make the building into a usable size it is proposed to add a timber clad extension

Whilst the site is not visible from the road we raised a number of concerns relating to this application:

- Vehicle access via a long single track lane, with no provision for passing places, given the proposed volume of traffic i.e. The main house, 4 holiday lets, 2 additional residences and the equestrian business.
- The close proximity of a residence to a building containing animals, i.e. less than 1m.
- The over development of the site.
- It is considered that the piggery is too small for use a dwelling given that an extension to more than double its size is needed to make it usable.

In response to our concerns the applicant has:

- agreed to add passing places in the access track
- submitted an amended design for the piggery

However we are still concerned with the following:

- The close proximity of a residence to a building containing animals, i.e. less than 1m.
- The high volume of traffic to and from the site
- The over development of the site.
- It is considered that the piggery is too small for use a dwelling

**Cllr R Nicholls**

**13<sup>th</sup> Oct 2011**

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## **AGENDA ITEM 12.5**

### **Clerk's Report for Meeting to be held on**

**18<sup>th</sup> October 2011**

## **ENFORCEMENT**

### **Decisions Required:**

1. That this report be accepted and its content noted.
2. To take whatever further action Members consider necessary in the light of the content of the report and any other information received.

Report:

Progress, or lack of it, as the case may be, is reported below.

#### *Higher Nanpean Farm (CS/JH/EN08/00069):*

There has been no further progress on this matter other than that Mr Driscoll has contacted Cornwall Council and a site meeting has been arranged for 8<sup>th</sup> November when a full inspection will be carried out.

#### *Kennall Mill (GR/EN10/03560):*

As reported to the September meeting, we are now in the "window of opportunity" for carrying out the work without affecting the bats but there seems little sign of anything happening on site. I sent

an e-mail on 4<sup>th</sup> October advising that we are halfway through the afore-mentioned "window" but have had no response. I sent a reminder on 11<sup>th</sup> October. The Planning Officer's reply on 12<sup>th</sup> stated that he had contacted the owner and was currently awaiting a reply. He has also left messages with the Conservation Team should they have been in contact.

He went on to say that Cornwall Council's only way forward in this case is to serve an Urgent Works Notice, which in this case would be merely securing the building from the elements. Should this not be done the Council can undertake the works in default and put a charge on the property. Should further deterioration be noted a Repairs Notice can be issued. Should this not be complied with, then the only re-course is for the Council to compulsory purchase the building. I am advised that in the current economic climate, the Council does not have the resources in order to follow this course of action and that we should be pursuing the owner for voluntary compliance.

He has said that he will contact me as soon as he has had any replies.

Four Acres, Carn - Mr J Burton (KAS/EN11/00068):

The situation remains as reported to the September meeting.

Hatchintan (KAS/EN11/00670):

I reported to the September meeting that the site had been revisited and a note left on the entrance to the land to which no reply had been forthcoming. I reported that the Case Officer was not concerned that the placement of the caravan would set a precedent as it is not used, only stored on the land. CC would allow a caravan incidentally for the use of the land for horticulture but there is no evidence of this. The Officer had stated that she hoped to have more information for the October meeting and I therefore requested an update on 11<sup>th</sup> October.

Struthal Farm, Longdowns (KAS/EN11/01669):

I reported to your last meeting that the Case Officer was waiting to hear from the owner, and would update me when she had more information. Having heard nothing, I requested an update on 11<sup>th</sup> October.

The following was reported to the September meeting:

*Regarding the operation of the café without planning permission, I have already informed Members that no enforcement action will be taken whilst there is a planning application under consideration. Members are also aware that I have questioned whether it is, in fact, under consideration in view of the fact that it no longer appears on the website and that I have been informed that the application is currently invalid. The Case Officer met the applicant on site back in March and ran through a number of issues that needed to be addressed to enable the application to be progressed. There appears to have been little progress since. I have asked when a planning application is expected. I reported to the June meeting that on 21<sup>st</sup> June a message was left for Mrs Allaway to update the Planning Officer and that if he didn't hear anything "in the next few days" a letter would be sent out advising that the application would be returned. As I reported to your last meeting, I asked for an update on 6<sup>th</sup> July. Having heard nothing further, I requested an update on 7<sup>th</sup> September, to which I have had a response to the effect that the Case Officer is waiting to hear from the owner.*

At the September meeting, Members expressed concern at the length of time the café had been operating without planning permission – it is now some 13 months. I therefore wrote to the Planning Officer on 4<sup>th</sup> October with a reminder on 11<sup>th</sup> asking how long the situation was going to be allowed to continue.

Crane Garage, Longdowns:

This matter is now being dealt with by Andy James/Dave Vincent of Cornwall Council and will be reported as appropriate under the Environment and Highways.

Caravans and Creation of New Access at Tregolls Cottage (KAS/EN11/01538):

The following was reported to the September meeting:

*CC have visited site twice, however on both occasions dogs were loose and the owner was not present. The Case Officer has only observed one caravan that looks as if it could be in use, but she has written to former complainants for confirmation that the caravans are in use they have not replied. She has written to the owner for an appointment and when she has been to site will provide a further update.*

Having heard nothing further, I requested an update on 11<sup>th</sup> October.

Caravans at Calamankey Farm (KAS/EN11/01730):

The owner, Mr Davidson, was present at the September PC meeting and intimated that the site had been visited. Having heard nothing further from CC on the matter, I requested an update on 11<sup>th</sup> October.

Erection of an Extension – Glenwood, New Road (KAS/EN11/02097):

I reported to the September meeting that, whilst visiting Glen Crelow in connection with a planning application, your Chairman and Cllr Nicholls observed a large extension under construction next door at Glenwood. I subsequently reported the matter, which was then registered. Having heard nothing further, I requested an update on 11<sup>th</sup> October.

Erection of Various Buildings – Field adjacent to Stithians Boarding Kennels (LV/EN11/02219):

Having heard nothing further from CC on this matter, I requested an update on 11<sup>th</sup> October.

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Any further information concerning the above received after the publication of this report will be reported verbally to your meeting.

**JV Calvert,**

**Clerk**

**12<sup>th</sup> October 2011**

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## **AGENDA ITEM 12.6**

### **Clerk's Report for Meeting to be held on 18<sup>th</sup> October 2011**

#### **Decision Required:**

That this report be accepted and its content noted.

Report:

#### **12.6 LICENSING:**

Having checked Cornwall Council's website, there are no current applications affecting Stithians.

For Members' information, the link is:

[www.cornwall.gov.uk/default.aspx?page=21173](http://www.cornwall.gov.uk/default.aspx?page=21173)

#### **12.6.1. Stithians Showground:**

Following the September meeting (Minute 10/09/11(2)), I wrote to Yvonne Toms on 4<sup>th</sup> October requesting that the Agricultural Association ensure that Footpath 25 is closed for only the day of the show and to ask them to ensure, by way of a clause in the Hire Agreement, that hirers of the Showground do not interfere with the path without proper authority to do so from Cornwall Council.

I also took the opportunity to ask when we are likely to have sight of the new agreement, pointing out that the matter has been dragging on for an inordinately long time.

I received an automated acknowledgement the same day and still await a full response.

**JV Calvert,**

**Clerk**

**11<sup>th</sup> October 2011**

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## **AGENDA ITEM 12.7**

### **Report for Meeting to be held on**

**18<sup>th</sup> October 2011**

### **PLANNING FORUM – 3<sup>rd</sup> October 2011**

#### **Decision Required:**

That this report be accepted and its content noted.

Report:

The Chairman and Clerk attended a Planning Forum meeting hosted by Cornwall Council in St Austell on Monday 3<sup>rd</sup> October 2011.

The main theme was Localism and Neighbourhood Planning, most of which Members are familiar with.

After a brief introduction by Mark Kaczmarek, Phil Mason, the Head of the Planning Service, spoke briefly about improvements that had happened within the Planning Service since the creation of Cornwall Council. At the outset, he said, some 13% of planning decisions were contrary to the wishes of the local council. Now, since the introduction of the Planning Protocol, that was down to an average of 8% but in some places it was as low as 3% although he didn't elaborate further. He said that PCs should be involved in decision making via Neighbourhood planning and went on to speak about the need to prepare a common planning policy across Cornwall, something that had not existed previously when each of the Districts had its own Local plan. The aim was for consistency and the cabinet would be looking at the basis of a Core Strategy in October.

Cllr Ray Tovey, the Portfolio Holder for Localism and Devolution then spoke of the "exciting times" ahead for Parishes and Cornwall Council, saying that he could see a change in attitude on both sides, something that was long overdue. He said that Cornwall Council now recognises the need to talk to Parishes and he was excited about what can be achieved through the complementary roles of each organisation.

Steve Besford-Foster, Cornwall Council's Localism Manager was next to speak, saying that Localism needs a change of mind-set and mentioning such words as Respect, Trust, Adequate Resources and Integration. Then came the crunch – "the bottom line is that we need to make savings". One has to ask if this is the death knell for finance following function. If it is, then there will be a lot of Parishes refusing to take over services as they would have to raise the precept in order to do something that Cornwall Council should already be doing.

He alluded to the "Open Public Services White Paper which, he said, should be read in conjunction with the Localism Bill and went on to outline how Cornwall Council was "gearing up" for the localism Bill. In this regard he cited the following actions that had recently taken place:

- A Localism Review
- Creation of a Localism and Devolution Portfolio
- Setting up of a Localism Board
- Creation of a Localism Officers' Co-ordinating Group
- Setting up of a Devolution Board

All these things, he said, meant that localism was now becoming an integral part of the Cornwall council way of working.

The star turn was Andy England, Assistant Head of Planning and Regeneration, who's presentation bore considerably more than a passing resemblance to that which he gave to Stithians Parish Council at the July meeting. It is not therefore proposed to elaborate here on his presentation other than to say that Cornwall Council are there to help, be it by the use of a Toolkit (currently in preparation) or by advice from Staff.

In answer to questions, he did clarify that when a Neighbourhood Plan is subjected to a referendum, it has to gain more than 50% of the actual vote on the day and that there is no stipulation as to a minimum level of turnout that is acceptable. He also pointed out that plans should favour development and cannot be used to force an out and out ban on, say, wind turbines.

There were then four extremely short presentations from organisations that can offer community planning support to Local Councils:

1. *Planning Aid England*: An independent charitable organisation operating mainly through RTPI-qualified volunteers under the auspices of the RTPI offering planning advice via a national advice line (15 minutes free – after that wasn't disclosed!) and workshops. No number was offered for the advice line and neither was a web address given. The Clerk does, however, have contact details for Peter Whitehead, the presenter.
2. *Building Community*: Provides free support, inspiration and guidance to quote from their flyer. [www.buildingcommunity.org.uk](http://www.buildingcommunity.org.uk)
3. *Cornwall Rural Community Council*: Tracey Edwards, a person not unfamiliar to Stithians PC, said that she was happy to help with Community Planning on a one to one basis if necessary using her close working relationship with Cornwall Council.
4. *CALC*: Sarah Mason pointed out that there was a big difference between a Neighbourhood Plan and a Parish Plan, although the latter could form a good basis for the former. She alluded to assistance available from NALC and SLCC and drew attention to the recently published booklet by CPRE on "How to Respond to Planning Applications." The Clerk has a copy but downloadable copies can be obtained from [www.planninghelp.org](http://www.planninghelp.org)
- 5.

After a refreshment break, there followed three workshops:

- Neighbourhood Planning – Getting Involved
- Alternatives to Neighbourhood Planning
- Service Feedback

Obviously, two people couldn't attend three workshops so the Chairman attended the second and the Clerk the third.

*Alternatives to Neighbourhood Planning*: This turned out to be a question and answer session mainly for the individual Parish member to find out how it may affect their parish. The same ground was covered four or five times, but with different scenarios. The basic message was that if Parishes were not involved in the Neighbourhood Planning process they would be unable to influence decisions taken within their Parish. For instance, if a developer came along and applied for planning permission for 20 houses on an area of land and the Parish had decided that they either didn't require 20 houses or had earmarked the site for another use, without a neighbourhood plan, it would be extremely difficult to stop such a development other than through possible material planning objections. The advice was that Parishes should be pro-active and decide what they wanted and where and, if possible, seek the assistance of developers to promote their own requirements for retail, industrial or housing needs. All in all, it was not a very enlightening workshop and poorly structured.

*Service Improvement*: This was facilitated by Nicola Stinson, who wanted to hear the good bits first and then the bad. After a struggle to get going, the delegates eventually conceded that there had been an improvement in the relationship between Planning Officers and the parishes although there was still room for improvement in certain cases – there was no consistency across Cornwall. E-planning was a good idea but it fell down when there were large documents that wouldn't download and when there were large plans. She stated that the eventual aim was for all consultation to be electronic but all were of the opinion that this wouldn't work bearing in mind the

previous comments and also the fact that there would always be parishes that wouldn't have or couldn't afford the necessary technology.

Several, your Clerk included, pointed out that there needed to be a standardisation of documents submitted with applications to avoid such things as blueprints or faint documents. Basically, the discussion revolved around the fact that progress had been made but further was needed.

Enforcement was mentioned as a particular area in need of improvement, particularly with the speed with which matters are dealt in certain circumstances. Both of us collared Nicola after the meeting and, not surprisingly, she knew exactly which enforcement matter we wanted to speak about before we opened our mouths!

Also mentioned, quite forcefully in certain instances, was the fact that on several occasions recently the website has been either extremely slow or not accessible at all.

She went away with food for thought!

We then reconvened for a question and answer session on any planning topic and many of the matters raised in the Service Improvement Workshop were raised again.

The questions were mainly concerned with the affect they were having on various developments in individual parishes and not on how the broader issues may affect the Planning process in general.

**Cllr P Tisdale,**

**Chairman**

**JV Calvert,**

**Clerk**

**12<sup>th</sup> October 2011**

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## **AGENDA ITEM 13.1**

### **PROVISION OF ADDITIONAL CEMETERY SPACE**

#### **REPORT FOR MEETING TO BE HELD ON**

**18<sup>th</sup> OCTOBER 2011**

#### **DECISIONS REQUIRED:**

- 1. To note and approve the content of this report.**
- 2. To make appropriate decisions following consideration of the report and any further information presented to the meeting.**

Under Minute 12/09/11 Members approved a layout for the new cemetery based upon access from Hendra Road. New information, however, has recently come to light which may influence Members to reconsider this decision.

Standing Order 33 states:

*A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by special resolution, the written notice whereof bears the names of at least four Members of the Council, or by a resolution in pursuance of the report or recommendation of the appropriate Committee or Portfolio Holder. Such resolution, report or recommendation must be submitted to the Clerk at least five days before the relevant meeting.*

This report is therefore presented by the Portfolio Holder for Footpaths, Highways and Environment in order to comply with the Standing Order.

## **REPORT:**

Further to Minute 12/09/11 approving a layout for the new cemetery based upon access from Hendra Road and agreeing to seek planning consent therefor, it now transpires that it may be possible to access the proposed cemetery from a road presently being constructed by the Cricket Club in order to access their pavilion without traversing the cricket field.

This could possibly be a cheaper option and would mean that the car park would be located as far away as possible from the houses in the old Vicarage and Old Vicarage Close. It would, however, mean completely redesigning the layout of the cemetery but this is not needed in detail in order to submit a planning application and so would not in itself cause a significant delay.

The Clerk has contacted the Cricket Club and they are in agreement in principle with the idea.

The Clerk also contacted James Humphreys on 28<sup>th</sup> September and received the following reply:

*I will discuss this with the Chairman of the Glebe Committee and get back to you as soon as possible but I can certainly see the merits in doing so - it will mean a certain amount of unraveling as far as the terms of the Cricket Club are concerned.*

At the time of writing this report the Clerk was still awaiting a response, having sent a reminder on 7<sup>th</sup> October asking for a response in time for our meeting but I am hopeful that there will be further information available at our meeting so that the matter can be given due consideration.

In the event that the necessary information is not available for the October meeting making a decision on this matter will be deferred until such time as the necessary information is available and the Clerk be tasked to exert his best efforts to obtain the information for the November meeting.

**Cllr James Biscoe**  
**Highways Footpaths and Environment Portfolio**  
11<sup>th</sup> October 2011

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## **AGENDA ITEM 14.1**

### **FOOTPATHS HIGHWAYS AND ENVIRONMENT REPORT OCTOBER 2011 PARISH COUNCIL MEETING**

**DECISIONS REQUIRED:**

**A To note and approve the report.**

**B To task the Clerk and Portfolio Holder with progressing the several issues detailed in the report.**

**REPORT:**

- 1 Cornwall Council and Stithians Parish Council have reached agreement on maintaining the Old Churchyard. Work has started and the condition is greatly improved. The Agreement runs until March 2012, by which time we hope to have terms for a fresh Agreement preferably running for three years for consideration. We have yet to receive the signed copy back from CC but Dave Vincent will chase that with Andy James. Discussed the matter of next year's budget for this with CC on 13<sup>th</sup> October and they will let us know the outcome preferably by February. We will remind them if needs be in February. Invoices for the work to be routed via Dave Vincent.
- 2 The chances of the four road surfacing schemes being done have fallen since a significant sum of budgeted funds has been diverted elsewhere. But CC will check and advise.
- 3 Grit and salt bins: a consultation is due in October on this. However a newsletter from Cornwall Council rather suggests that they have made their mind up as to how to proceed. We await further information from CC subsequent to our meeting on the 13<sup>th</sup> October.
- 4 The scheme to resolve the issues at Tregolls funded from the CC Member's budget has yet to start. Jason Hall Jackson is working on the design.
- 5 Cyclical maintenance in the Parish highways is scheduled for 2<sup>nd</sup> January 2012, 30<sup>th</sup> April 2012, 3<sup>rd</sup> September 2012 and 31<sup>st</sup> December 2012. Each is a two week period when the team works in the parish. SPC need to inform CC of any specific issues in advance of those dates. CC have provided a schedule of the works regularly done and we will try and update where necessary.
- 6 A further stretch of hedge was damaged at Three Turnings reinforcing the need for a "Not Suitable for HGV's" sign at the top of Tregonning Hill, one at Gonorman and one at Higher Trolvis. CC have agreed to seek to provide the necessary signs. Will monitor and chase as necessary.
- 7 Street lighting still suffers from random faults. Why a particular light should suddenly be on for days and nights on end and then go off and another one be on full time remains a mystery. They keep getting reported and fixed but the problem recurs. I note street lights having similar issues all over the parts of Cornwall that I visit.
- 8 The street light at Tretheague has gone awol. Discussed with CC on 13<sup>th</sup> October. The Clerk will dig out the correspondence where it was handed over with some other former parish lights to CC, identify its number and inform CC accordingly so they can resolve the matter.
- 9 Coastline have still not cut the road side of their boundary at Crelow Hill. There have been staff changes there. The new staff seem unaware of the duty of a landowner to maintain both sides of the hedge. The Clerk has assisted their perceptions. If

Coastline do not respond to our requests CC will take appropriate action as a result of discussion on 13<sup>th</sup> October.

- 10 SPC will contact the owners at Brook Villa and El Nido about their overgrown hedge plants. If they do not respond then CC will assist. Clerk will write to the relevant householders.
- 11 The No Through Road and Give Way sign at Bennetts corner has been reinstalled. New 30 limit signs have appeared at Haverigg and Tregonning Hill. The old 30 signs were serviceable but have been replaced none the less. This seemingly is part of CC programmed maintenance. They will look at the South Road 30 signs and make more visible by hedge trimming. CC have taken the sign from Hendra Road which became detached and will have it reinstated.
- 12 CC will set the machinery in motion to adjust the dropped kerb at Village Hall so that it is easier to get wheelchairs onto the pavement to use the disabled access ramp. This is easier and cheaper than going through the whole order business to move the disabled parking bays. Not the ideal solution but workable hopefully.
- 13 The Clerk wrote to Stithians Agricultural Association about their closure of FP 25 for a whole week for the show but has had no reply. Recommend that his reminder be copied to the Chairman and President of the Association as well as Mr Bird at CC.
- 14 The West of England Steam Engine Society closed FP25 where it runs through the showground for three days illegally. The Clerk enquired from Mrs Toms as to whether a closure order had been obtained from CC but has had only a general reply. Propose that CC PRoW manager be asked to contact SAA and WESES about this matter and that the request be copied to Gen Sec Chairman and President of SAA. Will also take this up with Tim Bird at CC.
- 15 The photovoltaic switch on the lights on the toilets still awaits repair. Meanwhile the additional electricity occasions no additional cost as it is unmetered and all are economy bulbs. The Clerk will follow up with the electrician or engage an alternative as this has been an issue now for three months.
- 16 Fingerposts and Milestones: Information on materials was received from CC enabling the revision of the tender document. CC have the tender document and will give their comments and assist with materials as soon as they can.
- 17 CC officers agreed to assist with identifying the landowners involved in FP25 and FP 52 so that they can be contacted. No response as yet but followed up on 13<sup>th</sup> October meeting. If the land is registered they can identify the owners.
- 18 The Clerk will contact Mike Sendall about the highways/planning permission for the new cricket club access and the implications should it be used as an access to the proposed new cemetery.
- 19 FP25, an article has been written for Spotlight. Need to get electronic copies of the map from CC to include as well and out in the next issue.
- 20 FP 52 Mill Lane needs the leat to be repaired as this is damaging the bridleway hence the need to contact the riparian landowners. Cornwall Council have agreed to assist with this and been sent the necessary information so that the landowners can be identified.

- 21 Cornwall Council are keen to get one of their staff trained to do playing field safety inspections and to provide this service to Parish and Town Councils. Will let us know if this will be in time to do our next inspection, due in April 2012 in good time for us to arrange an alternative is necessary. Need to know by February 2012.
- 22 Parish Council will contact the owner of the chip shop about the sign periodically attached to the listed finger post. If no solution CC will assist.
- 23 The sweeper lorry traversed the village in sweep mode once in the month and hopefully will soon be through again. This is likely the former District sweeper which is on a cyclical scheme and CC will advise us of the dates.
- 24 Fly tipping is on the rise. Several instances have been reported to CC to remove. One at Tresevern bridleway Roger Strick dealt with as it was a large pile of broken window glass presumably left over from some building works. Why people go to the trouble of loading such things into a vehicle and dumping them when the dustman would take them away from their doorsteps remains a mystery.
- 25 SWW have done nothing yet about their misleading permissive path signage. The Clerk is asked to follow up the previous enquiry.
- 26 Bridleway 32 where it crosses Polkanuggo farm yard has a gate across it. This is OK, however the barricades set along the bottom of the gate to control their pigs are not. The owners came and moved them when I passed that way recently but obviously they are not there full time. Moving the barricades allows their pigs to run where presumably they are not supposed to run or the owners would not resort to barriers. The Clerk is asked to write to them asking them to ensure free passage for users of this PRow at all times.
- 27 Further spray painting of at least one garden gate has occurred in Collins Parc during the month. Where this affected CC signage we will inform CC and they will attend to it.
- 28 Discussed consolidating the mowing of verges and playing fields with CC so that Parish Council do it all in return for payment. This could assist CC and assist Parish Council if the contractors have sufficient capacity. CC to look into this and come back at our next meeting.
- 29 Next meeting with CC scheduled for 5<sup>th</sup> January 2012 at 1400hrs.
- 30 I assisted the Playing Field Caretaker to examine the two dead trees in the Playing Field. Both had been planted with bent tap roots. The larger one was subject to ring barking by a strimmer which finished it off.
- 31 An article has been written on renewable energy as agreed at the previous meeting and submitted.

Thank you

Cllr James Biscoe

**FOOTPATHS HIGHWAYS AND ENVIRONMENT PORTFOLIO HOLDER**

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## **AGENDA ITEM 14.2**

### **PROVISION OF PUBLIC TOILETS REPORT OCTOBER 2011 PARISH COUNCIL MEETING**

#### **DECISIONS REQUIRED;**

- A To keep the public toilets in Stithians open throughout the year with the opening hours regulated by the Caretaker.**

#### **REPORT;**

- 1 A decision was taken last year to close the public toilets for several months a year in order to save costs. As far as I can ascertain there was no cost saving. We continued paying the lights and rates. We continued water and paying the Caretaker although he did some additional litter picking to make up. When time came to reopen the facility a series of minor works were needed to bring them back into service. I propose therefore that we keep the toilets open throughout. However I suggest that the opening hours be regulated by the Caretaker depending on local conditions particularly as regards closing in the dark evenings and if there is any possibility of damage being incurred.

Thank you

James Biscoe

#### **PORTFOLIO HOLDER FOOTPATHS HIGHWAYS AND ENVIRONMENT**

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## **AGENDA ITEMS 15.1 – 15.2**

### **Clerk's Reports for Meeting to be held on**

**18<sup>th</sup> October 2011**

#### **PLAYING FIELD PORTFOLIO**

##### **Decision Required:**

To note the information provided

Reports:

##### ***15.1 Playing Field Meeting:***

Because he had an emergency dental appointment, there was no meeting with the Playing Field Caretaker this month. The next one will be held on held on 8<sup>th</sup> November.

##### ***15.2 Youth Shelter:***

Nothing further to report

**JV Calvert,**

**Clerk**

**12<sup>th</sup> October 2011**

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## **AGENDA ITEM 16**

**Consultation – Nothing to report.**

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## **AGENDA ITEM 17.2**

**Spotlight on Stithians**

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## **AGENDA ITEM 18.3**

### **MINING VILLAGES REGENERATION GROUP REPORT OCTOBER 2011 PARISH COUNCIL MEETING**

#### **DECISIONS REQUIRED:**

**To note and approve the content of the report**

#### **REPORT:**

- 1 A meeting of MVRG was held at Gwennap on Thursday 6<sup>th</sup> October attended by the Chairman and Cllr Biscoe. The Clerk's apologies, due to a prior family commitment, were accepted.
- 2 Mineral Tramways project was discussed ahead of the meeting scheduled for Mills Hall on 13<sup>th</sup> October. It appears that the trails are being maintained by CC in terms of the arrangements in place.
- 3 Historic Churchyards has its new website almost ready to go live. Once that is available a meeting will be held to decide on future activities and management. Ashley Wood is seeking to find out about Hendra Churchyard to work out whether to allocate a separate web page to it or to include under Stithians. Will enquire about the preference in the light of historic sensibilities and inform Ashley accordingly. The meeting will also consider whether or not to widen the geographical coverage of this scheme to enhance its viability. Devoran (Feock) and Chacewater could readily be included as mining parishes.
- 4 There were no new start up applications.

- 5 Reports were given by Stithians, Lanner, Gwennap, St Day and Carharrack. Arising from those and the discussions associated with them were the following:
  - 5.1 Gwennap continue to get a grant from CC for litter picking every year.
  - 5.2 Cornwall Council are advising the applicants with the scrap yard proposal to withdraw their application.
  - 5.3 A geothermal power station has been given planning approval at United Downs. Care is being taken about the conditions associated with the development. Its development will likely involve fracking. How this will work in granite seemed uncertain.
  - 5.4 Lanner are starting a skateboard project at Strawberry Fields
  - 5.5 There was considerable discussion about local needs housing related to several parishes particularly St Day and Lanner and the numbers of people said by CC to be eligible for that. Numbers are unclear and CC will not divulge details due to data protection constraints although they had previously been more forthcoming.
  - 5.6 Gwennap had tried to contact their contractor for playing field safety inspections but he had not responded.
- 6 It was agreed to ask for the following items to be included on forthcoming CNA meeting agendas:
  - 6.1 National Planning Framework revisions (other parishes seemed largely unaware of this)
  - 6.2 Revision of Planning Local List (Others seemed largely unaware of this also)
  - 6.3 Footpath Maintenance Partnership
  - 6.4 Salt bins
- 7 Next meeting 1<sup>st</sup> December at Lanner Village Hall.

Pete Tisdale  
Chairman

James Biscoe  
Highways Footpaths and Environment Portfolio

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## **AGENDA ITEM 19.1**

### **COMMUNITY NETWORK REPORT OCTOBER 2011 PARISH COUNCIL MEETING**

#### **DECISION REQUIRED:**

**To note and approve the content of the report**

#### **REPORT:**

- 1 A meeting of the CNA was held at Gwennap on Thursday 6<sup>th</sup> October attended by the Chairman and Cllr Biscoe. The Clerk's apologies, due to a prior family commitment, were accepted.
- 2 Mark James reported under matters arising that Cornwall Council are looking to see if Paul Newing can do **playground safety inspections** for Parishes.
- 3 Penny Hodgson represented CC regarding **Definitive Footpaths Map**. She is the Ranger for several parishes not including Stithians. It is clear that other parishes have similar issues regarding the Definitive Map to those which Stithians faces, never updated, anomalies all over and paths not included. It was noted that from 2026 it will not be possible to add new paths. Mike Gibson is still dealing with the definitive map. Tim Bird is the relevant manager. Raised the issue of PRow surfaces, signage and funding of maintenance. Other parishes supported the approach of parishes being given a lump sum according to the length of PRow on the definitive map and being tasked with maintaining their footpaths.
- 4 Deborah Bowden gave a wide reaching review of the **Mining World Heritage Site**. It seems that CLAC has yet to send a representative to join the WHS Board. They might have some funding available for the Mineral Trails enhancement project. There was much emphasis placed on marketing. In response to a question she replied that the WHS has scope for economic development of livelihoods within its boundaries as long as it did not negatively alter the landscape. It seems that the terms of the WHS cover areas which were active between 1700 and 1914.
- 5 **Active Partnering** was next to last on the agenda as the presenters of the previous items wished to leave before the end of the meeting. Mark James approached this largely by reference to the Localism Newsletter of which he distributed copies. There was, as so often before, discussion about the mechanisms to be used for delegation of service delivery and devolution. That another new organisation, the Devolution Management Group, has been set up was noted and reminded some members of Petronius Arbiter for some indefinable reason. What Mark did say was that they are now bluntly able to say that there will be services which CC just will not provide and that if another provider does not step in that these services will not be provided. This took us back to the matter of the resources with which to provide services and whether CC would be devolving these as well. It seems that in some cases they will have no resources to devolve. This then took us to the matter of double taxation where Cornwall Council includes meeting statutory duties in its Council Tax budget and then expects Parishes to precept to deliver the service. This is not news. As far as can be ascertained the route to resolving this on a parish level lies in negotiating agreements with CC on the best terms that can be obtained. It is not the most open or transparent approach but looks like the best way forward. Some networking will assist in information sharing amongst parishes (e.g. at MVRG) to cut the best possible deals. That, of course, begs the question of the function for CNAs but we will let that pass for now.

**6 Items for next meeting:** As agreed at the preceding MVRG meeting it was proposed that the following four items be addressed at CNA as urgently as possible: National Planning Framework, Review of the Local Planning Criteria, Operation of the Footpaths Maintenance Partnership and Salt Bins. Hopefully by 1<sup>st</sup> December we will have had and responded to the promised consultation on Salt Bins.

**Cllr J Biscoe, Environment PFH**  
**Cllr P Tisdale, Chairman**  
**7<sup>th</sup> October 2011**

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## **AGENDA ITEM 20**

### **Clerk's Report for Meeting to be Held on 18<sup>th</sup> October 2011**

Correspondence Received

#### **SUMMARY OF DECISIONS REQUIRED (Details in Report):**

- 1. To decide whether or not to make a donation to the Cornwall County Playing Fields Association.**
- 2. To note the Boundary Commission consultation on new Parliamentary Constituencies and to make any comment deemed appropriate.**
- 3. To decide whether or not to make a donation to Spectrum.**
- 4. To decide whether or not to make a donation towards the cost of replacing the roof at the Village Institute.**
- 5. To consider whether or not to pursue the matter of providing a beacon in connection with the Queen's Diamond Jubilee Celebrations on 4<sup>th</sup> June 2012.**
- 6. To note information provided on the Code of Practice on Data Transparency.**

#### **REPORT:**

Since the last meeting, the following correspondence has been received:

<b>Date</b>	<b>Type</b>	<b>From</b>	<b>Subject</b>	<b>Action Taken/Requested</b>
20 <sup>th</sup> Sept	Letter	CCPFA	Donation	See Section 1 of Report
21 <sup>st</sup> Sept	Letter	Boundary Commission	2013 Review of Parliamentary Constituencies	See Section 2 of Report
21 <sup>st</sup> Sept	E-mail	Cllr Plummer	Village Institute	See Section 3 of Report
26 <sup>th</sup> Sept	Letter	Spectrum	Donation	See Section 4 of Report
30 <sup>th</sup> Sept	Letter	Pageantmaster, Queen's Diamond Jubilee Beacons	Queen's Diamond Jubilee Beacons	See Section 5 of Report
3 <sup>rd</sup> Oct	E-mail	CALC	Code of Practice on Data Transparency	See Section 6 of Report

1. Cornwall County Playing Fields Association, a charitable organisation whose aim is to promote, support and advise on the provision of play and recreation across Cornwall are asking for donations to promote their work. I can find no record of their having requested a donation since January 2009 when a donation of £50 was made. Members are asked to consider this request, bearing in mind the fact that the budget is presently spent.
2. The Boundary Commission have published their initial proposals for new Parliamentary Constituencies and are now consulting upon them until 5<sup>th</sup> December 2011. Details are on their website: [www.independent.gov.uk/boundarycommissionforengland](http://www.independent.gov.uk/boundarycommissionforengland)  
The proposals can be seen at Cornwall Council offices including, of course, Dolcoath Avenue. A series of public meetings is also being held, where views can be made known. Ours will be at the Alverton Manor Hotel, Truro on 10<sup>th</sup> November (11.00 – 20.00) and 11<sup>th</sup> November (09.00 – 17.00).
3. Members are aware of this e-mail as I circulated my response to all Members. Cllr Plummer is proposing to donate £1,000 in 2011/12 and a further £1,000 in 2012/13 from his budget towards a replacement roof for the Institute. He points out that he has used funding already for toilets, windows, rainwater goods, internal decoration and carpets, and states that the roof is the last major item. He asks for an “in principle” decision by the PC to contribute towards the work. I have pointed out that the PC has already donated £500 towards the cost of the windows and that the Donations Budget is very limited. I have also intimated to him that, in my opinion, the PC should hold on to as much money as possible until the costs of the new cemetery are known. Nevertheless, I informed Cllr Plummer that I would raise the matter at this meeting. In my reply to him, I suggested that he attend this meeting. Just why the request has come from Cllr Plummer rather than the Institute leaves me rather puzzled – they approached the PC for a donation towards the windows, why not for the roof?
4. Spectrum is a registered charity based in Penryn with a small special school in Blackwater and 24 homes throughout Cornwall providing residential, respite, domiciliary and educational services to almost 100 children and adults with autistic disorders. Local Authority fees cover the basics but many of their clients are not funded for items such as clothing, outings, transport, recreation and holidays. Spectrum are seeking donations to assist in the provision of these items so that these

vulnerable people can lead a normal and happy lifestyle. Members are asked to consider this request, bearing in mind the fact that the budget is presently spent.

5. To celebrate the Queen's Diamond Jubilee on 4<sup>th</sup> June next year, it is planned to light 2012 beacons, the number obviously relating to the year. Applications have to be submitted by 30<sup>th</sup> April 2012. There are two types of beacon – the traditional bonfire and the church tower variety, which can be purchased for £299 plus VAT plus postage and packing plus two gas cylinders. I would suggest that, as there is no suitable high point within the parish for a bonfire beacon (or is there?), consideration should be given, if Members think it worthy of consideration, to placing a beacon on the church tower. This would obviously involve the PCC. To ensure delivery of a beacon in time for the event, orders must be placed by 12<sup>th</sup> March, which would seem to be at odds with the closing date for applications. What is the point of ordering something before you know whether it can be used? I posed the question on 7<sup>th</sup> October and still await a response. Nevertheless, Members are requested to consider the matter.
6. Attached as Appendix 1 to this report is a copy of a NALC Legal Briefing on the Code of Data Transparency as published last week. Members will be pleased to note that Councils with an income or expenditure budget of less than £200,000 are exempt from the Code. CALC advise, however, that Councils should consider how they would respond to a Freedom of Information Act request for the information as it will not be covered under any exemption. They also advise Councils to check their Publication Scheme to see if it needs any amendments. As far as FoI is concerned, I am happy that we have records of all our expenditure by reference to minutes of meetings which detail every expense. I have also now created a webpage where I display each month's financial position. As for the Publication Scheme, this is due for review in any case, which I shall do in due course.

JV Calvert

Clerk

11<sup>th</sup> October 2011

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## Appendix 1 to AGENDA ITEM 20

# THE CODE OF RECOMMENDED PRACTICE FOR LOCAL AUTHORITIES ON DATA TRANSPARENCY

This Briefing updates NALC Policy Briefings P05-11 in February 2011 and P06-11 in March 2011.

From 28 September 2011, a **new code of recommended practice on data transparency** ('the Code') applies to parish councils with a gross annual income or expenditure (whichever is the higher) of at least £200,000, all principal authorities and other bodies (as defined) such as police, fire and rescue and National Park authorities in England.

Parish councils with a gross annual income or expenditure below £200,000 and parish meetings without separate councils are **not** subject to the Code.

Pursuant to his powers in section 2 of the Local Government, Planning and Land Act 1980 (the 1980 Act), the Secretary of State has issued the Code as recommended practice as to the publication of types of information by certain authorities concerning the discharge of their functions and the steps which they must take to inform the public of the availability of that information.

The Code explains the principles which underpin the need and means for publication of certain data by the authorities which are subject to it.

Paragraph 12 of the Code states:

As a minimum, the data that should be released to the public include:

- Expenditure over £500, (including costs, supplier and transaction information). Any sole trader or body acting in a business capacity in receipt of payments of at least £500 of public money should expect such payments to be transparent.
- Senior employee salaries, names (with the option for individuals to refuse to consent to their names to be published), job descriptions, responsibilities, budgets and numbers of staff. 'Senior employee salaries' is defined as all salaries which are above £58,200 and above (irrespective of post), which is the Senior Civil Service minimum pay band. Budgets should include the overall salary cost of staff reporting to each senior employee.
- An organisational chart of the staff structure of the local authority including salary bands and details of currently vacant posts.
- Councillor allowances and expenses.
- Copies of contracts and tenders to businesses and to the voluntary community and social enterprise sector.
- Grants to the voluntary community and social enterprise sector
- Policies, performance, external audits and key inspections and key indicators on the authorities' fiscal and financial position.
- The location of public land and building assets and key attribute information that is normally recorded on asset registers and
- Data of democratic running of the local authority including the constitution, election results, committee minutes, decision - making processes and records of decisions

Paragraphs 13 - 16 of the Code confirm that authorities should make the above data available electronically and in computer readable formats.

Paragraphs 17 - 19 of the Code confirm data should be published as soon as possible and revisions to data should make clear where and how there has been an amendment to the data.

The Code should be read in full and is available on the Department of Community and Local Government's website using the following weblink.

<http://www.communities.gov.uk/publications/localgovernment/transparencycode>

The Code constitutes a **recommended** practice for the authorities which are subject to it.

The Code does **not** replace or supersede the existing framework for access to information provided by existing legislation such as the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act 1998. The Code is intended to ensure that the authorities which are subject to it meet existing statutory obligations and encourages them to proactively publicise more data to increase their accountability to the public.

Pursuant to section 3 of the 1980 Act, the Secretary of State may however make regulations which require authorities to whom the Code applies to publish the specified information in the manner and form contained in the Code if in his opinion this is necessary to ensure that authorities do so.

**This briefing was issued by Meera Tharmarajah, Solicitor and Head of Legal Services**

## **ADDITION TO AGENDA ITEM 20**

### **Clerk's Additional Report for October 2011**

Correspondence Received between Report & Meeting

#### **SUMMARY OF DECISIONS REQUIRED:**

- 1. To inform the Clerk of the number of Members likely to attend the Church Remembrance Day Service**
- 2. To make a contribution of £50 to the Royal British Legion.**
- 3. To note Cornwall Council's consultation on changes to the Pre-Application Service and to receive a report at the November meeting.**
- 4. To note the closure of Tubbon Hill for patching works between 09.30 and 16.30 from 14<sup>th</sup> to 18<sup>th</sup> November.**
- 5. To note the closure of Trewince, Tregolls & South Road for patching works between 09.30 and 16.30 from 21<sup>st</sup> November to 2<sup>nd</sup> December.**

#### **REPORT:**

The following correspondence has been received since the agenda for the meeting was circulated:

<i>Date Received</i>	<i>Type</i>	<i>From</i>	<i>Subject</i>	<i>Action Taken/Required</i>
13 <sup>th</sup> Oct	<i>Letter</i>	<i>British Legion</i>	<i>Remembrance Services</i>	<i>See Section 1 below</i>
13 <sup>th</sup> Oct	<i>E-mail</i>	<i>Cornwall Council</i>	<i>Changes to Pre-Application Service</i>	<i>See Section 2 below</i>
13 <sup>th</sup> Oct	<i>E-mail</i>	<i>Cornwall Council</i>	<i>Closure of Tubbon Hill</i>	<i>See Section 3 below</i>
13 <sup>th</sup> Oct	<i>E-mail</i>	<i>Cornwall Council</i>	<i>Closure of Trewince, Tregolls &amp; South Road</i>	<i>See Section 4 below</i>

1. I have received a formal invitation for Members to attend the Services of Remembrance. The first is on Thursday 11<sup>th</sup> November commencing at 10.45 at the War Memorial and attendees are requested to be in place 10 minutes earlier. A wreath will be available for laying. The second ceremony is on Sunday 14<sup>th</sup> November at 10.45 in the Church and again attendees are asked to be there 10 minutes before. The British Legion has asked for numbers so I need to know, please, how many Members will be attending. Also, it is usual for the PC to make a contribution of £50 and, although the budget is spent, I recommend that Members approve

this donation, in the knowledge that there will be an underspend on this year's budget as indicated in my Draft Budget report.

2. Cornwall Council are consulting on proposed changes to the pre-application service and have sent the following letter:

*Each year Cornwall Council receives about 4,000 pre-application planning enquiries and officers spend over 27,000 hours processing them.*

*Until now, the level of information submitted as part of the pre-application request has varied together with the level and usefulness of the response.*

*We want to provide a more consistent service with acceptable response times which will require more control over the way we allocate and use our resources.*

*For budgetary reasons we have to move to a scheme that is based on cost recovery, with the user paying for such a discretionary service. The proposed fees have been kept as low as possible.*

*The basic idea of the proposal being put forward is that there are essentially three levels of pre-application advice that can be obtained from the Planning and Regeneration Service.*

- 1. Self-service through publicly available guidance notes for which there would be no fee.*
- 2. Written pre-application advice from an officer that would count as a material planning consideration when determining any subsequent application. The advice given would be conclusive and be dependent upon the level of information submitted with the application form, site visit and subsequent research and meeting (should one be held). To retain control over the speed at which such advice can be given, consultation with other relevant bodies would not be undertaken. A fee to reflect the work undertaken would be payable.*
- 3. Planning Performance Agreements (PPA), where the level and detail of the advice to be obtained can be agreed between the Council and the applicant. PPA's would be useful for those occasions when more certainty is required before submitting the application. They can allow for on-going dialogue or consultations with other bodies with the bespoke fees agreed in advance.*

*Please have a look at the draft guidance note and form available on our website via the following link:*

<http://www.cornwall.gov.uk/Default.aspx?page=22843>

*Let us know your thoughts and highlight the areas for improvement and where revisions need to be made. We would appreciate any comments emailed to [prbusinessimprovement@cornwall.gov.uk](mailto:prbusinessimprovement@cornwall.gov.uk) or sent to the address below by **Friday 25<sup>th</sup> November 2011**.*

Clearly, there is no need to consider a report until the November meeting and your Chairman will be preparing one.

3. I have received notification from Cornwall Council that Tubbon Hill is to be closed between the hours of 09.30 and 16.30 from 14<sup>th</sup> to 18<sup>th</sup> November to enable patching works. The diversionary route is via Tregolls, Rame, A394, Treliiever, Treluswell and Ponsanooth to Pelean Cross.
4. I have received notification from Cornwall Council that the route through Trewince, Tregolls and South Road is to be closed between the hours of 09.30 and 16.30 from 21<sup>st</sup> November to 2<sup>nd</sup> December to enable patching works. The diversionary route is via Tubbon Hill, Pelean Cross, Ponsanooth, A394 and Rame.

JV Calvert

Clerk

18<sup>th</sup> October 2011

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## **AGENDA ITEM 22**

### **Authorisation of Payments – October 2011**

Decision Required:

1. To approve payment of the sums shown in the report totalling £2,797.02 along with any sums in the additional report to be tabled at the meeting.
2. To approve payment of any additional expenditure agreed by resolution during the meeting.

**Report:**

The table below shows, as usual, invoices received since the last meeting as well as the usual monthly and other payments to be made. Figures in parentheses relate to the explanatory notes below the table.

**Invoices received between the date of circulation of this report and the date of the meeting will be reported at the meeting as appropriate in a report tabled at the meeting.**

<i>Type</i>	<i>Date</i>	<i>Payee</i>	<i>For</i>	<i>VAT</i>	<i>Total Amount</i>	<i>See Note</i>
Ch	18/10	Clerk	October Salary		1053.16	(1)
Ch	18/10	Clerk	September Expenses (Appendix 2)		46.02	(2)
Ch	18/10	HMRC	Clerk's Tax & NIC under PAYE (Oct)		507.27	(3)
Ch	18/10	T M Services	Playing Field Caretaker – October		516.67	
Ch	18/10	T M Services	Cemetery Maintenance – October		52.00	
Ch	18/10	T M Services	Lower Churchyard - October		60.00	
Inv	07/10	T M Services	Closed Churchyard Grass Cutting		150.00	(4)

Inv	12/10	<i>T M Services</i>	Closed Churchyard Grass Cutting		150.00	(4)
Inv	10/10	<i>T M Services</i>	Toilet Repairs – Gents’ Urinal		27.00	(5)
Ch	18/10	<i>M White</i>	Toilet Cleaning – October		75.45	
Ch	18/10	<i>M White</i>	Litter Picking – October		123.05	
Inv	04/10	<i>SWW</i>	Toilets – Monthly Invoice		10.00	
Inv	30/09	<i>Office Smart</i>	Storage Boxes for Archiving	4.40	26.40	
TOTALS					<i>£4.40</i>	<i>£2,797.02</i>

**Notes:**

1. This is the Clerk’s gross salary (£1,442.63) less the Income Tax and NI Contributions due from the Clerk under PAYE for the month of October.
2. It should be noted that this figure includes for miscellaneous, telephone and travelling expenses. A detailed breakdown of all expenses is appended to this report (Appendix 1).
3. This is payment to HMRC of the Clerk’s Income Tax and the NICs from both the Clerk and the Parish Council as Employer. The actual amount due from the PC is £117.80, the remainder being the sums deducted from the Clerk’s salary. As Members are aware, payments to HMRC are now made quarterly and this payment will be added to those for November and December and paid in January.
4. As Members are aware, the Agreement with Cornwall Council for this work was agreed, subject to one amendment, at your last meeting under Minute 14/09/11(2). The amendment was agreed and Tyrone Martin has now carried out two cuts of the Closed Churchyard, which are covered by these invoices.
5. Under Minute 15/09/11 I was authorised to negotiate with Tyrone Martin to effect the repair of a damaged pipe in the gents’ urinal of the toilets. This is the invoice for that work.

JV Calvert,

Clerk

11<sup>th</sup> October 2011

**[The Appendix to AGENDA ITEM 22 can be obtained upon application to the Clerk](#)**

**Addition to AGENDA ITEM 22**

**Additional Authorisation of Payments – October 2011**

**Decisions Required:**

**Members are requested to approve the additional payment shown in the table below in the sum of £101.14.**

**Report:**

Since the Agenda was circulated, the following invoices have been received:

<i>Type</i>	<i>Date</i>	<i>Payee</i>	<i>For</i>	<i>VAT</i>	<i>Total Amount</i>	<i>See Note</i>
Invoice	12/10	TM Garden Services	<i>Tennis Court Gate</i>		30.00	(1)
Invoice	12/10	TM Garden Services	<i>Repair Toddler Fence</i>		18.50	(2)
Invoice	12/09	TM Garden Services	<i>Caps to Tower Slide</i>		17.00	(2)
Invoice	30/09	LA Phillips & Son Ltd	<i>Toilet Consumables</i>	5.94	35.64	
<b>Totals</b>				5.94	<b>£101.14</b>	

1. The quotation for this work was accepted under Minute 16/09/11(3) and the work has now been done.
2. This work is mentioned in the Playing Field Caretaker Meeting notes approved at the September PC meeting under Minute 16/09/11(1).

JV Calvert,

Clerk

18<sup>th</sup> October 2011

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