

**MINUTES OF THE MEETING HELD ON MONDAY 10<sup>th</sup> SEPTEMBER 2012 AT PORT ISAAC PRIMARY SCHOOL, PORT ISAAC AT 7:30PM**

**PRESENT** Mr M Bell, Mr M Coles, Mr E Fletcher, Mr R Harris, Mr R Manders, Mr D Philp, Mrs J Townsend, Mr W Dawe Miss Anne Hallet, Mr D Phelps, Miss N Williams

**APOLOGIES FOR ABSENCE**

**68DECLARATIONS OF INTEREST**

**69. APPROVAL OF MINUTES**

**To approve the minutes as a correct record of the meeting held on Monday 13<sup>th</sup> August 2012  
Neighbourhood plan working group not sub committee.**

**Item 55 was corrected to state Mrs J Townsend**

**Item 62 Neighbourhood Plan Sub Committee was amended to state Working Party.**

**Item 64 was amended to include the following statement by Mr D Philp**

Mr Philp felt that the Code of Conduct needed to be followed and no individual councillor has the authority to take pre-emptive action of this nature, he felt that the item should have been put on the agenda for the next meeting where the whole council could have been consulted following legal and insurance advice. In this instance several councillors do not agree on the action which has been taken and have not had the opportunity to air their views to the full council. Mr Philp felt that when Parish Councillors were sending e-mails outside of a meeting then they should state 'that it is their view and not necessarily the view of the Parish Council'.

**Item 64 was also amended to take out the following**

Mr Philp agreed to put Mr Woods in contact with the Land owners.

It was proposed by Mrs J Townsend and seconded by Mr R Manders that the Minutes were approved and signed.

**70. MATTERS ARISING**

**Item 51 (from July Meeting) Mr Philp asked for an update. The Clerk informed the council that she would write to Mrs Miller and request a meeting with the Chair and Mr Coles.**

**Item 53 Mr Philp was concerned that incorrect action had been taken and that Mr Dyer had been told that he had voted against him being awarded the contract, which was untrue.**

**71. PUBLIC DISCUSSION**

**Mr Philp declared an interest in application PA12/06925 and left the room.**

**Rob Grieves and Mr Martin Black from the Bazley Partnership present the Plans for the Homer Park application PA12/06925**

**Mrs B Bell informed the council that she would be standing again at the next election.**

**Mr John Brown asked the Parish Council to write an open letter in trio to residents asking for hedges and bushes to be trimmed back. Mr Brown also felt that the Parish Council needed to arrange for Little Hill to be trimmed back.**

**72. FINANCE**

a) It was resolved that the financial statement be approved and cheques for payment were signed

**b) It was proposed by Mr R Harris** in respect of Financial Regulations amended January 2004 adopted by the Council at the meeting held on March 12th 2012. It is recommended in accordance with paragraph 11.1 (c) that, following advice from the Cornwall Council's procurement team, and as it will be a condition set out in the Cornwall Council Loan Guarantee Agreement, the Parish Council be permitted to award a negotiated contract to Cornwall Council / CORMAC without competition for the construction of the Trewetha Lane car park subject to the construction rates being equivalent to or less than those tendered by CORMAC to Cornwall Council and the Parish Council's independent Chartered Quantity Surveyor certifying that the agreed contract sum represents 'best value'. **This was seconded by Mr D Phelps and carried nem.con. Mr Fletcher asked for clarification that we had adopted the 2004 version and not the 2003 version which he thought we had adopted. The Clerk informed Mr Fletcher that we had adopted the 2004 Financial Regulations and 2003 Standing Orders.**

**C) The Clerk informed the Council that the 2011/12 Annual Audit was now complete.**

**D) It was proposed by Mr M Coles that the following Financial Regulations are recommended for approval by the Council at its October 2012 meeting, and subsequent adoption.**

St Endellion Parish Council adopts all the Financial Regulations contained in the booklet "MODEL 2 (England) FINANCIAL REGULATIONS dated January 2004", as published by the National Association of Local Councils, with the following amendments:-

Financial Regulation 3.4: Insert '£200' within the brackets

Financial Regulation 5.3: Delete [, and countersigned by the Clerk].

Financial Regulation 6.5: The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of £50 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above.

Financial Regulation 11.1 (b): Insert '£8,000' within the brackets

Financial Regulation 11.1 (g): Insert '£8,000' within the brackets

Financial Regulation 11.1 (i): When it is to enter into a contract less than £8,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.

Financial Regulation 13: Not applicable

Financial Regulation 16: Not applicable.

The supplementary regulations for larger council (Financial Regulations 1.X to 1.XX) shall not apply.

**This was seconded by Mr R Manders and carried nem.con**

**E) It was proposed by Mr M Coles that** The following Standing Orders are recommended for approval by the Council at its October 2012 meeting, and subsequent adoption.

St Endellion Parish Council adopts all the Model Standing Orders contained in the booklet "**PART TWO Model Standing Orders for Local Council Revised first edition published in 2010**", as published by the National Association of Local Councils, with the following amendments:-

Standing Order 1 e: The period of time, which is at the Chairman's discretion, shall not exceed twenty minutes

Standing Order 1 f: Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than five minutes.

Standing Order 1 j: A person shall raise his hand when requesting to speak and be permitted to be seated when speaking.

Standing Order 1 z: Meetings shall not exceed a period of three hours.

Standing Order 2 e: This standing order is for councils in Wales only, and shall not apply.

Standing Order 3 b i: **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**

Standing Order 3 b iii: Insert 'seven' within the brackets

Standing Order 3 b xiii: Arrange for legal deeds to be signed by 2 councillors and witnessed

Standing Order 3 b xvi: Deleted. The following inserted: 1) All Planning applications received from the planning authority will be considered at the next available meeting of the council.

2) Where the Planning Authority exercises its protocol and offers the council a further opportunity to comment within a 5 day period, the Clerk to the Council is delegated responsibility to respond after consultation with and Chairman and Vice Chairman.

Standing Order 4 a: Insert 'seven' within the brackets

Standing Order 4 c: Insert 'six' within the brackets

Standing Order 5 a xvi: To authorize legal deeds to be signed by 2 councillors and witnessed

Standing Order 5 a xvii: Insert '£250' within the brackets

Standing Order 6 m: Insert 'five' within the brackets

Standing Order 7: Only the section entitled "Code of Conduct (England)" shall apply

Standing Order 8 a: Insert 'one' within the brackets

Standing Order 11 a: Insert 'four' within the brackets

Standing Order 14 b: **In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

Standing Order 15 a iv: Insert 'seven' within the brackets

Standing Order 17 d: If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within three days of having been requested by to do so by four councillors, those four councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by four councillors.

Standing Order 24 a: Delete [Wales: and employees]

Standing Order 26 a: If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

Standing Order 26 b to e: Not applicable (Council to consider drawing up a policy on grievances from staff)

Standing Order 26 j: Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the Clerk and the Chairman of the Council

Standing Order 27 b: Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Council. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above

Standing Order 29 a and b: Delete [In Wales: County Borough and County Council] in both sections a and b.

Standing Order 30 a v: procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £8,000.

Standing Order 30 b: Amend £60,000 within the square brackets to £8,000

Standing Order 31 a: On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the monitoring officer at Cornwall Council.

Standing Order 31 b: Where the notification relates to a complaint **about** the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

Standing Order 31 d to e: Replace “( ) Committee” with “Council”

Standing Order 31 f: Replace “( ) Committee” with “Chairman of the Council”

Standing Order 32 b: Insert ‘four’ within the brackets

This was seconded by Mr R Manders and carried nem.con

### **73. PLANNING APPLICATIONS AND NOTICES**

**PA12/05907** Conversion of public house and residential accommodation into 2 semi detached dwellings. (Revised design to application no PA11/06891 dated 25/11/11. Mr Nigel Andrews, The Crows Nest, 4 The Terrace, Port Isaac.

**Mr Philp declared an interest and left the room.**

It was proposed by Mr D Phelps that the Parish Council supports this application. This was seconded by Miss A Hallet and carried nem.con

**PA12/06925** Revised dwelling design and position for the replacement dwelling permitted under reference E1/2009/01820, includes replacement boiler and pool houses and swimming pool, plus new garage/stores on footprint of original dwelling to be demolished. Mr K Schilling, Homer park Farm, Homer Park, Port Isaac, Cornwall. **Mr Philp declared an interest and left the room.**

It was proposed by Mr W Dawe that the Parish Council supports this application. This was seconded by Miss A Hallet and carried nem.con

Approvals & Refusals

**PA12/05981** Demolition of existing dwelling and erection of replacement dwelling, together with the retention of land forming additional residential curtilage

**Applicant:** Mr and Mrs M Parnall

**Location:** Treswarrow Cottage Trelights Port Isaac PL29 3TW  
Cornwall Council approved this application.

### **74. CORNWALL COUNCILLORS REPORT**

**Cllr B Gisbourne informed the council that there had been two Cornwall Council meetings during August.**

**The first was to discuss the Incinerator at St Dennis. Cornwall Council have agreed to carry out another consultation in 6 months time, however Cllr Gisbourne felt that they would not go back on the decision to put the incinerator in St Dennis now, as it would cost too much, they would have to pay SITA £90 million pounds in compensation.**

**Cllr Gisbourne also informed the council that a meeting was held and web cast regarding Shared Services, however they did not get given all the figures so a decision could not be made.**

**Mr Harris asked Cllr Gisbourne if they were likely to return to the Committee style system or stick with the cabinet system at Cornwall Council.**

**Cllr Gisbourne informed Mr Harris that the system would be the same at least until the elections in May.**

### **75. CHAIRMANS REPORT**

**Mr Harris informed the council that PC M Taylor had sent his apologies and the crime figures for the month of August 2012 were a total of 2 crimes for the month 1 Burglary and 1 Criminal damage. This is just one more crime than recorded for the same period last year.**

**Mr Harris also reported that the Horse Chestnut Tree in Trelights maybe dying, the clerk had spoken to Simon Proctor a Forestry Officer at Cornwall Council and they are no longer able to give us pre application advice, however he agreed to take a look at the tree whilst in the area. The clerk has asked Chris Willet a Tree Surgeon to look at the tree and quote for work in the meantime.**

### **76. COMMITTEE REPORT**

**Car Park**

**Mr Bell informed the council that he would be withdrawing his Car Park proposal as he would be putting that to the Procurement Team at Cornwall Council to handle.**

**Mr Bell also informed the council that he was looking into the Chairman’s suggestion that the Parish Councils car park is run as a manned car park instead of a ‘Pay and Display’ car park and the Co-Op have agreed in principle that the banking could be done through them.**

**Footpaths**

**Mr Manders reported that the Footpaths have all now been cut and checked.**

**Grass cutting**

**Mr Fletcher informed the Council that Dave Barnes had cut the grass today and he would check it tomorrow. An item to be put on the next agenda to confirm the decision to have 6 cuts per year.**

### **77. CAR PARK**

**Proposal from Mr M Bell that the Parish Council approves the appointment of PDP Green as Supervising Engineer and Ed Crossley as Quantity Surveyor for the construction phase of the car park. Mr Bell withdrew this proposal.**

## **78. NEIGHBOURHOOD PLAN**

It was proposed by Mr R Manders that St Endellion Parish Council produces a Neighbourhood Plan. This was seconded by Miss N Williams and carried nem.con.

The Parish Council agreed to hold interim full council meetings to discuss the Plan starting in October.

Cllr B Gisbourne informed the Council that St Minver High and Low lands were holding a public meeting on the 19<sup>th</sup> September at Rock Institute. He invited the Parish Council to attend.

## **79. PLAYINGFIELD**

a) Proposal from Mr R Harris that the Parish Council replace the Seesaw that has been removed. Mr Harris withdrew this proposal Clerk to obtain 3 quotes for the next meeting.

## **80. YELLOW LINES HILLSONS CLOSE**

It was proposed by Mr R Harris that the Parish Council supports the Doctors Surgery in the aim of obtaining Yellow Lines at Hillson's Close. This was seconded by Mrs J Townsend.

Mrs Townsend felt that if the council was going to the expense of a traffic order then the Yellow Lines at the school lay-by needed to be included.

Mr Fletcher informed the council that he had spoken to the Practice manager, and had a letter from the surgery, raising concerns about the car park only having space for 135 cars. The letter also stated that they only wanted yellow lines during working hours. Mr Fletcher suggested that Mr M Coles looked into all the areas in Port Isaac that needed Yellow Lines.

Mr M Bell suggested that Mr R Manders should look into the all the Yellow lines needed and draw up a report for the next meeting as the Highways co-ordinator.

Mr R Manders agreed that he would draw up a list of all the yellow lines needed for the next meeting if everyone could give him their comments.

Mr Harris asked Cllr B Gisbourne if he had any money in his pot for the Traffic Order for the Yellow Lines.

Mr Gisbourne informed the Council that he had £10,000 side aside for a footpath project but if that did not go ahead he would be able to help.

Mr Harris proposed amended that the proposal to state that Mr R Manders carries out a survey of all the yellow lines required in Port Isaac and reports back to the Parish Council at the next meeting.

This was seconded by Miss N Williams and carried nem.con.

## **81. COUNCIL HOUSE**

It was proposed by Mr W Dawe that the Parish Council discusses the Sale of Council Houses. This was seconded by Mr M Bell. Mr Dawe informed the council that he had concerns about the national plans to sell off Council Houses as holiday homes, and felt that affordable housing needed to be kept in Port Isaac.

Mr Dawe amended his proposal to state that there should be an emphasis on the need for Affordable Housing in the Local Plan.

This was seconded by Miss N Williams and carried nem.con.

## **82. LEAT/CULVERTS**

Mr W Dawe raised concerns regarding the leat and culverts in Port Isaac. Cornwall Council B Gisbourne agreed to ask Cornwall Council to clean out the Culvert on Church Hill.

## **83. PENTUS WALL**

It was proposed by Miss N Williams that the Parish Council writes to the owners of the Pentus Wall regarding the state of the wall. This was seconded by Miss A Hallet. Miss Williams informed the council that she was very concerned about the condition of the Pentus wall and that it could fall down, she thought it was owned by St Austell Brewery, Jim May, Charlie Rowe and Callum Grenlagh but was unsure.

Mr Bell informed the council that he remembered reading in old Cornwall County Council minutes from the 1930's about the wall and ownership of it. It was agreed that Mr Bell would research the ownership of the wall further and report back at the next meeting.

## **84 WEEKLY PLANNING LIST**

Proposal from Miss N Williams that the Weekly Planning List (St Endellion Applications only) is posted on the Parish Council notice boards. Miss Williams withdrew this proposal as Mr Fletcher felt there was not enough space on the notice board. However it was agreed that a notice giving details of the online planning register would be put on the Parish Council notice boards.

## **85. CLERK'S CORRESPONDENCE**

a) Register of Members Interest

b) Proposed procedure of Devolution and Asset Transfer for Local Council

c) Consultation Charging framework for Traffic Management at Community and other events

d) Protocol for Members and Local Councils

## **DATE OF NEXT MEETING**

Monday 8<sup>th</sup> October 2011 at Trelights

The meeting closed at 9.43pm