

## SHEVIOCK PARISH COUNCIL

The minutes of the Parish Council Meeting held on Monday 9th of July 2012 in the Chapel Schoolroom, Crafhole at 7.00 p.m.

**PRESENT:** Councillors C. Kennedy Chairman, M Snowling Vice Chairman, Councillors K Baker, P Harrison, D Mathias and P Nicholas. There were 7 members of the public present plus Cornwall Councillor G. Trubody, SWW representatives Mr Marcus Ward and Mr Gary Mead and the Development Management Group Leader, Planning & Regeneration, Cornwall Council: Mr P Phillips

### **Minutes**

**1.APOLOGIES:** There were apologies from Councillor Medway and the Police

**2.DECLARATIONS OF INTERESTS.** *It was agreed that The Parish Councillors would continue to voluntarily implement the declaration of personal interests following a change in the code of conduct.*

AGENDA ITEMS. Councillors Kennedy, Snowling, Baker and Mathias declared a personal interest in agenda items 21.1, as dog owners and Councillor Snowling declared a personal and non-pecuniary interest in items 6.1 and 21.2. There were no gifts over £25.

**3.POLICE REPORT:** There has been 1 crime since May 14<sup>th</sup> that of criminal damage to a Honda scooter in West lane, Crafhole

**4&5.PUBLIC PARTICIPATION AND RESPONSE:** It was agreed that there would be 3 periods of public participation covering: General; item 6.v and item 7.Councillor Mathias proposed and Councillor Snowling seconded to rescind standing orders and standing orders were rescinded at 7:05 pm

- Mr Skelly reported his concern regarding the amount of advertising at the junction near Tregantle Fort. *It was agreed that this is a matter for Antony parish*
- Mr David Dunn raised his concerns regarding the overgrown parish bench in Sheviock and that green algae had appeared on the bench near the phone kiosk opposite the Finnygook. *This would be covered under agenda item 12.*
- Councillor Harrison noted the formation of the St John's based "Rama against wind farms" website. It was agreed to make renewable energy an agenda item for next time and decide if it was appropriate to invite both Renewable Rame and Rame against wind farms. **Clerk**
- Councillor Mathias reported fly tipping of an orange and black bag on the 2nd lay-by on the A374 between the bottom of Polscoe hill and Polbathic. It was agreed to report it to Environmental Health **Clerk**

It was proposed by Councillor Harrison and seconded by Councillor Snowling to reinstate standing Orders and standing orders were reinstated at 7:14.

### **6.PLANNING.**

#### **i.To receive notices of new planning applications received before the agenda finalised:**

**PA12/05356** 17 Sheviock Lane, Mr R Skelly, single storey rear extension to dwelling. It was proposed by Peter Harrison and seconded by Peter Nicholas and agreed unanimously that: Sheviock Parish Council neither supports nor objects to this application but would like to draw attention to:

- The issue of light as a technical planning matter
- The proximity of proposed development to the boundary and whether it complies to planning law
- The issue of whether or not the increase in size is appropriate in relation to the size of the original dwelling. **Clerk** to submit response to Cornwall council

#### **ii. To receive notices of new planning applications received after the agenda finalised:**

- **PA12/06254** Mr P Stroud, Land adjacent to 5 Whitsand Bay View, Portwrinkle. Demolition of garage/games room & construction of 2 storey house with external works.
- **PA12/06147** Ms N Trout, 10 burns view, Crafhole, Alterations and extension to dwelling, formation of vehicle crossing and footway and associated works.
- **PA12/056276**, Murex Energy LTD, Land at Wilton farm Terulefoot, Saltash, Erection of wind Turbine with maximum tip height of 67m and formation of vehicle track.

The above applications were noted and a special planning meeting will be arranged and publicised for Friday 20<sup>th</sup> of July at 6.30 pm in the Memorial Hall, Crafhole. **Clerk**

#### **iii.To receive the Parish Council's response to Planning applications.**

**PA12/05418** Mr & Mrs Mckenzie, 19 Carew Close, Construction of 2 storey rear and side extension revised design to approved application: Supported by the Parish Council with comment that the neighbours could not be contacted.

**PA12/05013** Change of use from part gallery, part accommodation to holiday accommodation and residential accommodation ancillary to main dwelling | Tredis Barn Sheviock Torpoint Cornwall PL11 3ER: Supported by the Parish Council

**iv.To receive Cornwall Council's response to planning applications: PA12/04005** Mrs Kelly 5 Kimberley Foster Close. Proposed 2 storey extension: Approved with normal conditions

**vi.To receive information from Cornwall Planning Officer regarding the enforcement order following the appeal APP/D0840/C/11/2162296. Mr J Earle, Gook cafe, Portwrinkle Peter Phillips, Development Management Group Leader, Planning & Regeneration.**

Mr Phillips summarised the planning history of the above café concluding with the Inspectors decision and his report. He stated that legal advice from solicitors advised that the Council should not 'decline to determine' a new planning application for the Cafe unless the application appeared the same as the current structure and did not seek to overturn the objections raised by the inspector. Should the Council 'decline to determine' a new application that was not similar and did seek to address the objections the applicant could seek a judicial review. If Cornwall Council does not receive an application by August the 14<sup>th</sup> then the site could be cleared, however if it does receive an application then it would have to decide whether it is expedient to enforce the notice whilst dealing with a current application. The council had not received a new application. Mr Phillips had advised that Mr Earle should seek to talk to the Parish Council if intending to submit a new plan to see if changes could be made that would find favour with local people.

**Public Participation:** Councillor Nicholas proposed, Councillor Harrison seconded and standing orders were rescinded for Public participation at 7:38pm.

Councillor Kennedy stated that nothing said tonight could be taken to predetermine any decision and that all applications are judged on their merits. Councillor Harrison asked if the Council would ask enforcement officers to enforce the notice on the 14<sup>th</sup> of August.

Mr P Phillips responded stating that he will be reminding the enforcement officers on the 13<sup>th</sup> of August but it would be difficult for the council to enforce should a new application be received

Mr Phillips of the Whitsand Bay hotel asked if the general design had been taken into consideration. Mr P Phillips (CC) stated that the building is of a reasonable design

Mr Hardy stated that the inspectorate had listed more than just the decking in the "reasons" for reaching its decision.

Mr Phillips stated that the "reasons", described and explained how the inspectorate had come to reach its decision but the Council had to identify evidence within the report of planning issues and considerations that would "cause harm" i.e. paragraph 11. And although the disabled ramp is unfortunate, disabled access is not a planning consideration so Cornwall Council cannot refuse on this ground.

Mr Hardy asked the time frame for a decision should the applicant submit a new application by the 13<sup>th</sup> of August. Mr Phillips responded stating that each application is judged on its own merits, the Council would aim to achieve a decision within 8 weeks.

Further Concerns were raised regarding the amount of bins on site; the disabled access entering a new build from the rear of the property; the extraction fan from the kitchen being at head height next to the only disabled fire exit. It was asked if the above bins, generator and size of build was considered a good design in an open area of local significance. Mr Phillips pointed to the appeal reasons and said that planning was only enabled to look for evidence of significant harm regarding planning issues and not whether is looked nice he also stated that the bins, disabled access and extractor fans are not grounds for planning consideration but dealt with separately by Building regulations.

Councillor Kennedy asked if Mr Phillips could find out and confirm if "Building regulations" do not get involved until a planning application is approved. **Clerk/MR Phillips.**

Councillors Mathias and Baker raised concerns regarding noise from the generator. Mr P Phillips stated that if residents are bothered by noise/fumes then they could contact Environmental Health who have their own legislation to deal with it.

Councillor Kennedy thanked Mr Phillips for attending, although not everybody in the room was happy with the answers it provided an open debate on a contentious issue. Councillor Kennedy asked if Mr Phillips would be prepared to return if a planning application were received to point out the options available for the Parish Council, without advising which way to go. Mr Phillips agreed to this request if invited.

Standing orders remained rescinded for the next agenda item to allow for questions

**7.SWW UPDATE, CRAFTHOLE SEWAGE ISSUES:** Mr Marcus Ward and Mr Gary Mead of SWW reported that SWW water are liaising with Environmental Health regarding their investigations that confirm that the significant levels of hydrogen sulphate in the sewerage system are caused by the private sewerage pumping station at Tredis view. They have advised West Country Housing who disagree with their findings. SWW are due to take over the pumping station in 2016 however until this time they have no power to act as it is a private pumping station. They will continue with their promise to flush the sewerage systems including that above coombe lane on a regular basis to prevent future blockages/flooding. Highways have accepted responsibility for the depression in

Finnygook Lane. Following open discussion it was agreed to request that Environmental Health advise and enforce Tredis pumping station be pumped more regularly, 4 times per day to prevent gas build up until the problem can be rectified. **Clerk** to copy email to Councillor Trubody and Environmental Health. It was agreed that SWW would CCTV Carew Close and Cross Park when in the area next and inform the Parish Council of the outcome. **Clerk/SWW**. SWW were thanked for their approach and support.

Councillor Snowling proposed, Councillor Nicholas seconded and it was agreed unanimously to reinstate standing orders at 8:25pm

#### **8.MINUTES FROM THE FOLLOWING MEETING TO BE APPROVED AND SIGNED**

- a) Councillor Nicholas proposed, Councillor Snowling seconded and the minutes from Annual General Parish Council meeting May 14th 2012 were signed as a true record by the Chairman.
- b) Councillor Baker proposed, Councillor Snowling seconded and the minutes from Parish Council meeting May 14th 2012 were signed as a true record by the Chairman.

#### **9.TO REPORT MATTERS ARISING FROM THE ABOVE PARISH COUNCIL MEETING**

**MINUTES**, which are not covered by agenda items.

**Damage to Cosy Cottage:** It was agreed to remind Rebecca Dixon of Cornwall Highways for suggestions regarding the issue of the high sided vehicles scraping Cosy Cottage. **Clerk**

**Fireworks:** It was agreed to ask holiday- let owners to place a polite notice in the holiday lets asking holiday makers not to let off fireworks or to advise the Parish Council in advance. **Clerk**

**Damaged bin, Portwrinkle Car Park:** It was agreed to remind Cornwall Council to request repairs to the Bin clerk

**Abandoned oil drum Craffhole** - Clerk to remind Cornwall Council to arrange its removal **Clerk**

**Blue Bucket scheme:** it was agreed to localise the generic risk assessments **Councillor Snowling**

**Emergency Action Plan:** On-going councillors Harrison and Nicholas to add map of marked fire Hydrants. **Councillors Nicholas and Harrison**

**Panic alarm, clerks' office.** It was agreed to make an agenda item for next meeting **Clerk**

**Rubbish collections and recycling:** Most complaints resolved, a few outstanding **Clerk**

**Financial Risk Assessment:** publish document from previous meeting on the website **Clerk**

**Subscription to Parish online mapping.** Outstanding **Clerk**

**10.NEW CIRCULAR FOOTPATH WITHIN PARISH:** It was agreed that Councillor Kennedy would further talks with the CCAF and Mrs Julie Bates to discuss way forward regarding possible funding with local volunteers for the project. **Councillor Kennedy**

**11.DEVOLUTION:** Cornwall Council are awaiting the finalisation of Millbrook's devolution before finalising Portwrinkle's. It was agreed that Councillor Kennedy contact Scott Sharples for a finalisation date as soon as feasible after the 30<sup>th</sup> of July handover to Millbrook and request the replacement of the protective glass for the ticket dispenser, Portwrinkle car park. **Councillor Kennedy**. Councillor Baker asked who maintained the Day Marker for Boats entering Portwrinkle. Councillor Nicholas said he would look into it. **Councillor Nicholas**.

**12.NEIGHBOURHOOD DEVELOPMENT PLAN** Councillors Baker and Medway were unable to attend previous meeting. Councillor Baker to work on tasks for next NDP cluster meeting.

**Councillors Baker/Medway Ongoing**

**13.VIRTUAL PAVEMENT** – The cost per square meter would be £25 to £30 with a minimum charge of £500. It was agreed to leave the questionnaire in the community shop and make an agenda item for September. **Clerk**

**14.VILLAGE OPEN SPACE.** A letter has been sent to Antony Estate including the signatures of over 190 people requesting the lease of the new area for the village open space.

**15.PHONE KIOSK ADOPTION.** It was proposed by Councillor Snowling, seconded by Councillor Mathias and agreed unanimously not to approve all Risk insurance cover for £55. This would be kept under review. **Clerk** to place temporary sign in kiosk noting BT is no longer responsible for it.

**16.FOOTPATH NO. 8:** It was proposed by Councillor Mathias, seconded by Councillor Nicholas and agreed unanimously that the Parish Council objects to the proposed closure of part of the path for the following reasons: It has demonstrable use having reported consistent complaints over the past 4 years. (email trail). The alternative is to follow a narrow lane used by agricultural vehicles around a sharp bend posing major safety issues for pedestrians, children and dogs facing oncoming traffic. It is against the emerging NDP policy which encourages additional footpaths and green lanes and does not encourage the removal of existing footpaths. **Clerk** to issue response.

**17.PARISH ASSETS:** It was proposed by Councillor Nicholas, seconded by Councillor Harrison and agreed unanimously that the parish seats be assessed and repairs undertaken with a limit of £500. **All** to assess seats by Tuesday 24<sup>th</sup> of July. **Clerk** to collate and organise work.

**18.DOG WARDEN REVIEW OF HOURS:** Positive feedback had been received regarding the approach of the new Dog warden. It was agreed to: spread the wardens hours to include early am

and late pm across the month to make them more random; to publicise a breakdown of warnings/ticket issued ; to issue Dog warden with all contact numbers for the councillors and request that his mobile could be passed onto the councillors. To arrange meeting with Dog warden /Councillor Kennedy and Clerk to discuss the above. **Clerk**

**19.MEMORIAL HALL COMMITTEE REPRESENTATIVE.** Councillor Harrison will attend the September the 3<sup>rd</sup> meeting.

**20.A374:** Clerk to submit response supporting the 30mph speed limit reduction through all 3 parishes. Individual councillors to submit their own responses, clerk to email link for website consultation. **Clerk/All.** It was agreed to contact Rebecca Dixon from Highways to: follow up what actions have been agreed following the public meeting in May and arrange a group meeting.

**Councillor Kennedy**

## **21.CORRESPONDENCE.**

The following correspondence was noted 1) CRCC Community Oil Buying scheme email 13<sup>th</sup>June, 2) Letter of Thanks from Jubilee committee.

It was agreed to take the following action on correspondence: 1) Rod Versluys of The Fish Cellars, email 21<sup>st</sup> June re: Gook Cafe and over development. **Clerk** to issue response as agreed: 2) Helen Rodgers 4<sup>th</sup> of June email re: the positioning and state of the kerb in West Lane following incident: Councillor Snowling left the room, It was agreed to email R Dixon of Highways and cc Councillor Trubody and Helen Rodgers, stating that the Parish Council believe that this is a safety issue and if Highways agree could they investigate and carry out appropriate repairs and repainting as a matter of urgency. **Clerk** 3) Cornwall Council Governance Review email 31<sup>st</sup> May: The response was resolved, **Clerk** to submit. 4) Email 26<sup>th</sup> June, Mr Horsfield re: Fence: It was agreed that this is a planning issue and to advise him to approach planning to investigate the issue. **Clerk** 5): Mr M Harris, Email dated 26<sup>th</sup> June re: bollard and Finnygook lane hedgerow. It was agreed to contact Rebecca Dixon to obtain quote for the supply and fitting of two new bollards and chain stretching up to the toilets/calor gas tanks and to verify land ownership with the land registry **Clerk.**

**22.ANNUAL REVIEW OF STANDING ORDERS:** It was proposed by Councillor Nicholas, seconded by Councillor Mathias and agreed unanimously to approve and adopt the minor grammatical changes; to insert the correct figure of 4 councillors required to constitute a quorum rather than 3 and to reduce the figure for issuing tenders from £60,000 to £1,000. **Clerk** to publish updated version on website

**23.CODE OF CONDUCT:** All councillors to complete pecuniary interests by Tuesday 24<sup>th</sup> and return to clerk. Clerk to submit to monitoring officer by 28<sup>th</sup> of July for publishing on Cornwall Council website. **All/ Clerk** Clerk to email form to councillors **Clerk**

**24.UPDATE FROM OTHER GROUPS – Rame Cluster Parish meeting/ Neighbourhood development plan:** Councillor Kennedy updated the council on the infrastructure wish list for the peninsula: a bypass for Antony/Crafthole; traffic control system for Millbrook; one way system for lorries and a system for connecting footpaths and creating green lanes. **Rame peninsula Public transport Users group:** Councillor Harrison reported that the timetables had proved satisfactory at present but the "First" summer timetable ends at the beginning of autumn half term rather than the end. **Renewable Rame:** No update Councillor Kennedy reported that both the **CALC Executive and The Standards Board** were discussing the implications of new code of conduct.

## **25.FINANCE**

- Update regarding transfer to Unity Bank: The clerk reported that it was in transition and awaiting internet set up and finalisation of transfer. The post office deposit system is yet to be set up. **Clerk** to finalise, signatories to follow instructions regarding internet access. **Councillor Snowling, Nicholas and Kennedy**

- To receive details of cheques approved for payment in June:
- Chq.101051{Clerks wage for May , Mrs N Gray at 396.18Clerks expenses for May Mrs N Gray at £35.10 totalling: £431.28
- Chq101052{Footpath cut, may Mr D Leonard at £120 Amenity grass cut Mr D Leonard at £25 totalling: £145

Councillor Mathias proposed, Councillor Snowling seconded and all agreed to approve the payment for the following cheques: the first from Unity bank once transfer complete

- 300001 Mrs. N Gray £383.4 Clerks wage for June
- 300002 Mrs. N Gray £ 5.20 Clerks' expenses for June
- 300003 Mr. N Bridgman £48.57 June wage for dog warden minus tax.
- 300004 Shevioc memorial hall £120 rent for clerk's office for June and July
- 300005 The ICO £35 data protection registration
- 300006 Bt £134.17 Clerks' office phone/internet/ line rental
- 300007 Deltor £82.80 June advert for Dog order

- 300008 Mrs. K Baker (from grant money allocation for village open space) £14.49 prizes for Antony school
- Parish grass cutting process: It was proposed by Councillor Snowling, seconded by Councillor Mathias and agreed unanimously that the footpath warden would advise all parish councillors via email as to when the paths/amenity areas needed cutting and gain permission to call out contractors.
- To receive details of incoming receipts – None

**26.ITEM OF CONFIDENTIALITY TO BE DISCUSSED WHEN MEMBERS OF THE PRESS AND PUBLIC ARE EXCLUDED.** None

**27.ITEMS FOR INCLUSION IN FUTURE MEETINGS: Procedures** re: deputy officers.

**28.DATE OF NEXT MEETING:** September 10<sup>th</sup> 2012

The Chairman, Councillor Kennedy closed the meeting at 10:45pm

**Nancy Gray, Clerk, Clerk's Office, Memorial Hall, CrafholePL11 3DG 01503 232996**

**Parish website – [www.sheviockparish.org.uk](http://www.sheviockparish.org.uk)**