

## **SHEVIOCK PARISH COUNCIL**

The minutes of the meeting held on Monday 12th October 2009 in the Chapel Schoolroom, Craffhole at 7.00pm.

**PRESENT.** Councillors CK Kennedy Chairman, JM Snowling Vice Chairman, Councillors Mrs. D Mathias, Mrs E Heapy, P Nicholas, C Wallin P Harrison and the Clerk DMG Dunn. Mr. G Trubody Cornwall Councillor, Mr. P Cressy (Antony Estate), Mrs. Checkie Taylor, Senior Animal Welfare Officer CC. Jason Drew Environmental Protection Officer CC. PC Pat Libby Police There were also 12 members of the public present.

### **PUBLIC PARTICIPATION.**

**The Dog Ban.** Several members of the public expressed their views over this item ranging from keeping the ban to lifting the ban. Also mentioned was visitor's dogs on beach during seasonal ban, local dog owners obeying the law and being penalised, dogs should not be on beaches during the ban when children are on the beach, compromise and have one beach for dogs and the other beach with a ban, the ban was imposed after a democratic referendum and photographs of dog signs at Kennack Sands.

Additional mention was the fact that the ban is not enforced.

**Asbestos in quarry near Craffhole Reservoir.** A question was asked, when the asbestos is to be removed or the quarry fenced off as promised a year ago?

### **1. APOLOGIES.**

There were no apologies.

### **2. DECLARATIONS OF INTEREST.**

There were declarations of personal interest from the Chairman, Vice Chairman and Councillors Mathias, Heapy and Wallin on agenda items 8. The Dog Ban. There were no declarations of gifts over £25.

The Chairman stated that if anyone thought he had a prejudicial interest in the dog ban item he would willingly leave the room. No one mentioned that the Chairman had a prejudicial interest

### **3. POLICE REPORT.**

PC Pat Libby reported that there had been no crimes reported in the parish during the past month.

### **8. DOG BAN AT PORTWRINKLE.**

The Chairman decided to bring this item forward due to the interest shown from the members of the public.

CC G Trubody informed the meeting that he had discussed with Mr. Smith from Portwrinkle the dog ban and it was mentioned that dogs were seen on the beaches during the seasonal ban and nothing was being done to enforce the law.

Mrs C Taylor added that it is an emotional subject and she would take notes and report back to Cornwall Council for discussion. All Dog Control orders are being looked at throughout Cornwall.

Mr. Drew also mentioned that Cornwall Council will be in discussion with land owners at the same time.

Mrs C Taylor further added that the Legal Department will invite Parish Councils to make representations and the Parish Councils will be supported.

Mr. P Cressy stated that Antony Estate will support the Parish Council in whatever they wished to do.

CC Trubody asked if the current ban is enforceable.

Mrs. Taylor replied that she can ask the dog owners to leave the beach, take their details and start the enforcement procedure. She also added that she covers a wide area of South East Cornwall and deals with all aspects of animal health. However she has and still will visit Portwrinkle.

PC P Libby stated that the police only act as professional witnesses and report their findings to Cornwall Council who in turn will deal with the matter. The neighbourhood team could be in the area at the time of an offence but patrolling the beach is low on the list.

The Chairman added that he thought there were three options.

1 Think of having a full time warden, this would double the precept.

2 Stay where we are at the moment, with the ban not working.

3 Do we look at innovative ideas in twelve months time?

Councillor Harrison asked if CC could impose a ban on the beaches without PC consent. Mr Drew replied yes Councillor Harrison wondered how long the review would take on Dog Control Orders.

Councillor Nicholas added that the ban was arrived at by referendum and it was similar to traffic speeding in as such if persons break the speed limit do we do away with the speed limit.

If a review is to take place then a referendum should be carried out and it is no good trying to make a ban on one beach only because there is no means of separation. There have been cases of dogs on beaches scaring children. Mrs C Taylor mentioned that dog owners must control dogs but it is difficult to define what control means and there will always be irresponsible dog owners.

Mr. Drew added that after 7.00pm there will be no dog wardens around.

Councillor Heapy mentioned that she was originally involved in the democratic decision to impose the ban and she is sick and tired of her grandchildren being on the beach with dogs around especially on a hot day and added that a compromise would be for children to be on the Finnygook beach and dogs on the Harbour beach.

Councillor Snowling thought that dogs should not mix on the beach with children and there are a lot of irresponsible dog owners who do not pick up their dogs mess. There are plenty of lanes and fields around for dogs to be taken during the ban. He added that if there is to be a change there should be a referendum.

Councillor Wallin stated that we have what we have got by a referendum and the ban was legally brought in. If we decide on some sort of trial would it be legal and if we change our minds after the trial can we revert to the original.

Mrs C Taylor offered to investigate this and report back.

Mr J Drew added that a trial needs a Dog Control order and we could not go back to original.

Councillor Mathias said that there are two things to consider, the residents and the visitors. Now quarantines have been lifted dogs can be brought in from abroad. We need to look at fulfilling the requirements of residents and visitors by having one beach open and the other closed to dogs. She was astounded to hear of the cost if the Parish Council patrolled the beaches. Also having to travel to other beaches increases the carbon footprint.

The Chairman summarised by asking CC Trubody and Mrs C Taylor to see if a one year trial is feasible and any legal implications that might arise and would appreciate an answer for the meeting on 9<sup>th</sup> November, in order for an article to be put in the parish magazine.

**CC TRUBODY/MRS C TAYLOR**

#### **4. RESPONSE TO PUBLIC PARTICIPATION.**

**Asbestos in quarry.** The Chairman asked the Clerk to contact Cornwall Council and ask them to discuss with Antony estate the time table for removal or fencing the quarry. **CLERK**

#### **5. PLANNING.**

**09/01394/FULL. East car park, Finnygook lane, Portwrinkle. Construction of new cafe/kiosk (demolition of existing).**

Councillor Mathias informed the meeting that the new cafe would be open from 8am to 8pm seven days a week including bank holidays.

The owners of Seaview Cottage expressed their concern of the size, noise, privacy and view being affected and passed around photographs of the possible view from their property.

Mr. J Earle stated that the cafe would provide a disabled toilet.

Mr. Phillips added that the cafe could not be seen from the hotel, the existing hut is good at the moment and the new cafe is not what is required when people are sat on the hotel lawns.

Councillor Nicholas mentioned Mr D Moore the Conservation officer should be asked for advice. He also mentioned the stability of the cliff.

Councillor Heapy was glad to see the proposed cafe would have disabled access.

Councillor Wallin also supported the disabled toilet facility.

It was proposed by Councillor Snowling and seconded by Councillor Nicholas to support the application and add on the form about the disabled toilet facility. Carried.

**CLERK**

**Proposed affordable housing at Millbrook.** The Chairman informed the meeting that there is a proposal to build 20 affordable houses at Millbrook. There is to be a public exhibition at Millbrook on Friday 16<sup>th</sup> October and asked Councillor Nicholas to attend and write to Cornwall Council expressing our concerns over the Transport Impact Study. **COUNCILLOR NICHOLAS**

**Recycling facility at Torpoint.** The Clerk was asked to write a letter of support. **CLERK**

**Questionnaire.** The Clerk was asked to reply to the questionnaire on Planning Regeneration. **CLERK**

#### **6. MINUTES OF MEETING HELD ON 14<sup>th</sup> September 2009.**

Councillor Mathias wished the minutes to be changed as follows.

Page 2. **Golf Course.** After, She is expecting an apology from Mr. Phillips. Add. **The allegation was refuted by Councillor Mathias.**

Page 2. **Rock Cottage.** Councillor Nicholas added that if we do not know enough information we should make a decision. **Changed to.** Councillor Nicholas added that if we do not know enough information we should **not** make a decision.

The minutes were then proposed by Councillor Snowling and seconded by Councillor Mathias. Carried. The minutes were signed by the Chairman.

#### **7. MATTERS ARISING FROM THE MINUTES.**

**Flower beds and building material at Portwrinkle.** The Chairman offered to chase this up. **CHAIRMAN**  
**Portwrinkle residents.** The Chairman has still to place an article in the Parish Magazine informing the residents that he will be the representative for Portwrinkle. **CHAIRMAN**  
**Planning training.** Councillor Nicholas to give a presentation at the November meeting. **COUNCILLOR NICHOLAS**

**A374.** The Chairman to draft a letter in reply to Lynne Mockaran. **CHAIRMAN**

**Meeting with MoD.** All to provide possible dates at the November meeting. **ALL**

**CD ROM of Tithe map.** It was proposed by Councillor Nicholas and seconded by Councillor Heapy to purchase the CD Rom at a cost of £18.00. Carried. **CLERK**

#### **9. BT TELEPHONE KIOSKS.**

Councillor Nicholas had spoken with Mr. D Moore and the kiosk at Sheviock is a Grade II listed building and therefore cannot be removed. The Clerk was asked to write to BT. **CLERK**

#### **10. QUALITY STATUS.**

The Chairman mentioned the following items.

1. Review of the Parish Plan for essential planning, information to come from Cornwall Council now. The original was sent to Caradon and should be reviewed every three years. The Chairman asked the following to review the plan by January 2010. **COUNCILLORS WALLIN/NICHOLAS/HEAPY**
2. Keep character of Parish and do not want infill. Co-ordinate with Rame Parishes
3. Define a statement of training. Prepare a schedule. **COUNCILLOR NICHOLAS/CHAIRMAN**
4. Continue with surgeries. Prepare a list for next year. **CHAIRMAN**
5. Have tables at Christmas Fair. Liaise with Parish Hall committee. **COUNCILLOR SNOWLING**

#### **11. CORRESPONDENCE.**

**Item 78. Seat at pumping station.** Reply to Mr. Harris that seat will be situated near rear wall to west of pumping station. **CLERK**

**Item 79. Sewage problems old part of Crafhole.** Clerk to write to SWW. **CLERK**

#### **12. MARINE AND COASTAL ACCESS BILL.**

**Item 47.** Councillor Nicholas was asked to respond before the next meeting. **COUNCILLOR NICHOLAS**

#### **13. WEIGHT RESTRICTIONS ON THE TORPOINT FERRY.**

There is to be a restriction of vehicles over 18 Tonnes from using the ferries and entering Torpoint. This means that heavy vehicles will use Sheviock and Crafhole. CC Trubody was asked to take our concerns to the meeting and ask for a full traffic survey to be carried out. **CC TRUBODY**

#### **14. FINANCE.**

The Clerk informed the meeting that the latest figures for Clerk's pay rises had been published backdated to 1<sup>st</sup> April 2009 and gave the Chairman the figures for the increments.

The Clerk declared a personal interest and offered to leave the room during the discussion.

During his absence it was proposed by Councillor Nicholas and seconded by Councillor Wallin to increase the Clerk's salary by one increment backdated to 1<sup>st</sup> April 2009. Carried.

The following cheques were proposed by Councillor Wallin and seconded by Councillor Heapy. Carried.

Cheque No 100813 £444.15 DMG Dunn Clerk's salary for September 2009  
Cheque No 100814 £43.47 DMG Dunn Clerk's expenses for September 2009  
Cheque No 100815 £60.00 Memorial Hall rent for Clerk's office October 2009  
Cheque No 100816 £210.32 Viking Direct paper and ink cartridges  
Cheque No 100817 £96.16 P Nicholas mileage for attending planning courses  
Cheque No 100818 £200.00 K Johnson cutting footpaths  
Cheque No 100819 £48.00 K Johnson cutting grass verges

Cheque No 100820 £64.51 DMG Dunn back pay of salary rise to 1<sup>st</sup> April 2009

Cheque No 100821 £18.00 Cornwall Council CD Rom of Tithes map.

**Precept.** The Clerk informed the meeting that the Precept for 2010/2011 will be discussed at the next meeting.

**Grass verges and footpath cutting.** The Clerk was asked to make any appropriate claims. **CLERK**

#### **15. CLERKS APPOINTMENT.**

The Chairman informed the meeting that the new Clerk would have a probationary period of six months. A vacancy notice and draft contract will be prepared.

The Clerk to contact CALC for the appropriate forms.

**CLERK**

#### **16. ITEMS FOR INCLUSION IN FUTURE MEETINGS.**

None mentioned at this point.

#### **17. ITEM OF CONFIDENTIALITY TO BE DISCUSSED WHEN MEMBERS OF THE PRESS AND PUBLIC ARE EXCLUDED.**

It was proposed by Councillor Wallin and seconded by Councillor Nicholas that a resolution be passed under the Public Bodies (Admission to Meetings) Act 1960 Section 1, extended by the Local Government Act 1972 section 100 that the following item is confidential. The Chairman to give an update on the advice from Cornwall Council on ownership of a parcel of land within the parish.

#### **21. DATE OF THE NEXT MEETING.**

The meeting was fixed for 9<sup>th</sup> November 2009.

The Chairman closed the meeting at 10.15 p.m.

**DMG Dunn  
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