



DRAFT MINUTES OF A MEETING OF MAWNAN PARISH COUNCIL HELD ON THURSDAY, 19th JUNE 2008 IN THE MEMORIAL HALL

PRESENT : Cllr Gartside (Chairman), Cllrs Barlow, Dearnley, Gibbons, Gilmore, Mrs Lawry, Mrs Loomes and Sadler.

415/05 TO ACCEPT APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllr Odell, PC Cormack and PCSO Huddleston.

416/05 DECLARATIONS OF INTEREST

a) In Items on the Agenda

Cllr Barlow declared a prejudicial interest in item 422/05 (c) (ii), the Homefield Planning Application. Cllr Sadler declared a personal, but not prejudicial, interest in item 419 (d), Chy-an-Scol.

b) Of gifts of a value of more than £25

There were no declarations of gifts of a value of more than £25.

417/05 TO CONFIRM MINUTES OF PREVIOUS MEETINGS

a) Meeting of Parish Council, 15th May 2008

It was proposed by Cllr Barlow, seconded by Cllr Mrs Lawry and

RESOLVED that the Minutes of the Parish Council Meeting held on 15th May 2008 be approved as a true record and be duly signed.

b) Meeting of Planning Committee, 19th May 2008

It was proposed by Cllr Dearnley, seconded by Cllr Gilmore and

RESOLVED that the Minutes of the Planning Committee Meeting held on 19th May 2008 be approved as a true record and be duly signed.

418/05 TO REPORT MATTERS ARISING FROM THE MINUTES NOT ON THE AGENDA

a) Overgrown Verges

This problem had still not been attended to by County Highways. The Clerk stated that he had made a number of telephone calls concerning this matter, and had also emailed County Highways, with no response. He promised to continue pressing for the verges to be cut, and intended writing to the Divisional Surveyor, with a copy to C Cllr Hatton.

b) Planning Application in respect of Sunrise, Trelawney Close

Cllr Gilmore stated that he had attended the Kerrier DC Planning Committee Meeting, and presented the Parish Council's observations. However, some information on the volume of the replacement dwelling had been presented to the committee at a very late stage, so a decision on the application had been deferred.

419/05 AGENDA ITEMS

a) Question & Answer Session with Julia Goldsworthy MP

Members of the Parish Council put various questions to Ms Goldsworthy, after which Standing Orders were suspended to allow members of the public to do the same. Topics discussed ranged from the future Unitary Authority and the recent Sustainable Communities Bill to Post Office closures

The Chairman thanked Ms Goldsworthy for attending the meeting, and also for the frankness of her responses.

b) To consider the council's preference for the date of the next Parish Council elections

The Clerk stated that the Cornwall Structural Change (Unitary) Order included the provision for the next Parish & Town Council elections in May 2013, which would mean that members would serve a 6-year term of office, from May 2007, rather than the usual 4-year term.

A consultation document had been received from the "One Cornwall" team, asking for views on other options :-

- Option 1 May 2009 In line with likely Unitary elections, if no European elections (2 elections on one day, so a potential cost saving)
- Option 2 May 2009 Standalone Parish Council elections (with Unitary elections possibly postponed until June 2009, to coincide with possible European elections)
- Option 3 June 2009 In line with Unitary elections and the possible European elections (minimum election costs – 3 elections on one day)
- Option 4 May 2013 As already outlined in the Cornwall Structural Change Order

In discussion, members understood the possible cost savings in options 1 and 3, but considered that aligning Parish Council elections with Unitary and possibly also European elections might make it more difficult to retain existing members, and attract additional candidates. However, as existing members, councillors already expected to be serving 6-year terms through to 2013.

Following discussion, it was proposed by Cllr Sadler, seconded by Cllr Barlow and

RESOLVED that Mawnan Parish Council's preferred date for the next Parish Council election was Option 1 (May 2009, in line with Unitary elections).

The Clerk was asked to communicate this preference to the One Cornwall team.

c) To consider recommendations of Office & Finance Group meeting of 6th June 2008

The Clerk was asked to run through the recommendations.

(i) Report of the Internal Auditor following the 2007/08 Year-End

Recommendations were as follows :-

- Signing of cheque counterfoils – It is not a requirement of the LGA (1972) that 2 members countersign the cheque stubs, merely that cheques have 2 signatories. However, the council's Financial Regulations state that the stubs should be

initialled by the councillors who sign the cheques. Either the Financial Regulations or working practices need to be changed.

- Insurance / Fixed Asset value discrepancies
 - Public Toilets & Bus Shelter – Insured values already updated.
 - Millennium Cross – Insured Value has been index linked – Update Fixed Assets Value.
 - Laptop (now defunct) – Being replaced by another PC – Change both values to £400.
 - Office furniture – Reduce Asset value to £400.
- Authorisation of Clerk’s Expenses – These must be signed off, as with other invoices.
- Expenditure on “No Ball Games Sign” – In the absence of a more specific budget heading, allocation to the Admin heading was appropriate.
- Page Headings on Income & Expenditure spreadsheet – These have already been added.

It was proposed by Cllr Dearnley, seconded by Cllr Gibbons and

RESOLVED that the council’s Asset and Insurance valuations be updated to include the recommended changes.

(ii) Update to the council’s Code of Conduct, Standing Orders & Standard Agenda

Following the Code of Conduct training session, given by Kerrier DC’s Head of Legal Services, changes were recommended in respect of paragraph 12(2) of the new Code of Conduct :-

- Standard Agenda
 - Move “Public Comment on Items on the Agenda” to become Item 1 of the agenda proper, and renumber all other items.
- Standing Orders
 - Paragraph 33(c) – Replace the last sentence with “If a member reasonably believes that another member is acting in breach of the Code of Conduct, then that member ought to consider whether to report the breach to the Standards & Ethics Committee of the District Council”.
 - Paragraph 60 – Replace this with “If a member who has declared a personal interest also considers the interest to be prejudicial, he or she must withdraw from the room or chamber during consideration of the item to which the interest relates, save that if the member properly wishes to make representations under paragraph 12(2) of the Code of Conduct, then he or she may do so before departing the room or chamber”.
 - Paragraph 71 – Replace with “At all meetings of the Council the Chairman may, at his or her discretion, suspend Standing Orders to allow any members of the public present to address the meeting in relation to the specific item of business being transacted at that point, after which Standing Orders must be reinstated”

The Clerk explained that this would allow a member, should he or she declare a prejudicial interest in an item on the agenda, to state that he or she wished to make a statement on that matter, when that agenda item was reached, after which he or she would have to leave the room.

It was proposed by Cllr Dearnley, seconded by Cllr Gibbons and

RESOLVED that the council adopt a local Code of Conduct including paragraph 12(2) of the revised Model Code of Conduct.

It was further proposed by Cllr Dearnley, seconded by Cllr Gibbons and

RESOLVED that the council's Standard Agenda and Standing Orders be updated to include this, and the other recommended changes.

(iii) Update to the council's Complaints Procedure

It was recommended to replace the final paragraph, above the address of the Standards Board for England, with the following :-

"If a member of the public feels that the above procedures are inappropriate, he or she may submit a complaint against member/members of the Council to the Standards & Ethics Committee of the District Council. After this, in the event that he or she still considers the procedures are inappropriate, he or she may submit their complaint to the Standards Board for England, at the following address :-

Standards Board for England
4th Floor
Griffin House
40 Lever Street
Manchester
M1 1BB

Telephone : 0800 107 2001
Email : referrals@standardsboard.gov.uk
Website : www.standardsboard.gov.uk

It was proposed by Cllr Dearnley, seconded by Cllr Gibbons and

RESOLVED that the council's Complaints Procedure be updated to include the recommended change.

(iv) Update to the council's Risk Assessment

The following changes were recommended :-

- Insurance – The Clerk was asked to check whether the council's insurance cover extended to possible graffiti on the Millennium Cross.
- First Aid Box / Accident Book – These do exist – Remove “?” signs.
- Personal Accident / Assault – Remove “?” signs in Measures Taken column.
- Risk Assessment – Public Toilets – Clerk to chase up Kerrier DC, and also check requirement for Slippery Floors & Hot Water warning signs.
- Playground Equipment – Remove “?” signs in Measures Taken column.

It was proposed by Cllr Dearnley, seconded by Cllr Gibbons and

RESOLVED that the council's Risk Assessment be updated to include the recommended changes.

The Clerk agreed to distribute updated copies of the relevant documents to all members.

d) To consider suggestions from the Public Meeting with respect to Chy-An-Scol

Having declared an interest in this matter, Cllr Sadler took no part in the discussion. The council noted that, at the Public Meeting, it had been considered that the next step should be the appointment of trustees, of whom two should be members of the council, two from the Anvil Trust, and two members of the public. The Chairman stated that he was willing to be a trustee, as was Cllr Gilmore.

It was proposed by Cllr Dearnley, seconded by Cllr Mrs Lawry and

RESOLVED that Cllrs Gartside and Gilmore should be nominated as Parish Council trustees.

e) To invite Portfolio Holders to put forward future projects

The Chairman stated that this matter was tabled to assist with early consideration of possible content of the 2009/10 Budget.

It was agreed that Allotments be included as a future budget heading. Concern was also expressed about the time it is taking to spend the monies already precepted for both the graveyard extension and the speed visor, although it was recognised that the pace of the spending was being determined by the National Trust and County Highways respectively.

f) To consider a request for wheelchair access to Public Rights of Way

The Clerk stated that he had received a letter requesting that certain Public Rights of Way be changed to allow access via a motorised buggy. No funding was available from the County Council, but it might be possible that grants might be obtained to part-fund some changes. Following a lengthy discussion, it was considered that, as this matter had been requested by just a single individual, the likely cost to the Parish Council was not justifiable.

g) To consider a request from CALC for an additional £50 voluntary contribution

At the CALC AGM it had been agreed that Parish and Town Councils should be asked for an additional voluntary contribution of £50, as well as the normal subscription fees. Members did not feel that this was justified.

It was proposed by Cllr Gartside, seconded by Cllr Gilmore and

RESOLVED that Mawnan Parish Council should not pay the additional £50 voluntary subscription.

h) To consider content of Quarterly Web Newsletter, July 2008

As a Quality Council, the council produced quarterly reports, the one in April being the printed Annual Report, and the others published on the website. The Clerk had circulated a list of headings in advance of the meeting, and asked if members wished to add any other items.

It was agreed that the following should be included :-

- Allotments update (parking may be an issue)
- Speed Visor update
- Anvil Trust – Change in occupancy of one of the units
- Anvil Trust – Chy-An-Scol possibilities
- New Footpaths Guide – Available early July
- Graveyard CPO update
- Mobile Skate Park at Carwinion Playing Field in August

- Grant for Chairs to Memorial Hall Committee
- Fun Run 2008 – 5th October
- Unitary Update (if anything further to say)
- Falmouth Town Council’s Community Plan

420/05 CORRESPONDENCE

The Clerk reported on correspondence received, a schedule of which is attached to the minutes as a record.

421/05 REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

a) County Council

C Cllr Hatton reported on the following matters :-

- Unitary authority / Boundary Committee – The initial request for 130 Members had not been accepted, with a further 6 weeks of consultation underway. The original timetable was under threat, with progress on Community Network Areas and One Stop Shops also behind schedule.
- County Highways – Members were reminded that private signs advertising events would be removed if considered to be causing a traffic hazard, although C Cllr Hatton would probably be warned before this occurred.
- Mawnan Parish Council’s contribution to the VMS (Variable Message Sign = Speed Visor) for Grove Hill would no longer be required, as County Highways’ latest speed assessment in Budock Water suggested that its request for a VMS was not justified. A further speed assessment in Mawnan was scheduled for October.
- Civil Parking enforcement – 10 county enforcement officers had been appointed across the districts.

He also reported on two Kerrier DC planning matters :-

- Sunrise, Trelawney Close – The Parish Council would have the opportunity for further comment.
- Coomb Pines appeal – This is against the conditions imposed by the planning authority.

b) District Council

Cllr Sadler stated that he had nothing further to add to C Cllr Hatton’s points.

422/05 PLANNING APPLICATIONS

a) To Note Planning Decisions received from the Planning Authority

The Clerk reported on decisions received, details of which are attached to the minutes as a record.

b) To Note Planning Enforcement Complaints received by the Planning Authority

The Clerk reported on decisions received, details of which are attached to the minutes as a record.

c) To Consider Planning Applications Received From the District Authority

i) PA08/00145/F –Mrs A Matthews, Higher Tregarne, Mawnan Smith – Conversion of four barns to form residential accommodation, and ancillary storage units

A site visit had taken place, as per Standing Orders.

OBSERVATIONS : The location of the premises meant that there was no impact on adjacent properties and, therefore, the council had no objections in principle. However, the District Council must consider the fundamental issue of use, in that the Local Plan and other policies stated that other economic uses (including holiday accommodation) and affordable housing should be considered as a higher priority than full residential use.

ii) PA08/00671/F – Mr & Mrs Faiers, Homefield, Budock Vean Lane, Mawnan Smith – Erection of extensions to dwelling

OBSERVATIONS : The council had no objections to this proposal, but requested that the planning authority ensure that all of the conditions applied to the previous successful application should be carried through.

iii) PA08/00763/F – Mr & Mrs A Grimmer, 17 Castle View Park, Mawnan Smith – Erection of a conservatory extension to dwelling

OBSERVATIONS : No objections.

iv) PA08/00778/F – Mr & Mrs Roebuck, Rosedek, Carlidnack Road, Mawnan Smith – Erection of extensions to dwelling, and conversion of garage to form living accommodation

OBSERVATIONS : No objections.

v) PA08/00814/F – Mr D Hall, 24 Castle View Park, Mawnan Smith – Erection of a porch extension to dwelling, and erection of a domestic garage

OBSERVATIONS : No objections.

vi) PA08/00826/F – Mr M Newey, Penvale, Carlidnack Road, Mawnan Smith – Demolition of existing dwelling, chalet and garage, and erection of dwelling and integral garage

OBSERVATIONS : This was a large site with two semi-derelict properties standing on it. The existing buildings were nearer to adjacent properties than the proposed new dwelling. The council had no objections to the proposal.

However, there was a break in the pavement outside the site. The council suggested that, should the application be approved, the planning authority might consider imposing a condition to ask the applicant to complete the missing stretch of pavement outside the property, as a “planning gain” clause.

vii) PA08/00840/F – Mr & Mrs Long, Plas Maen, West Bay, Maenporth, Falmouth – Erection of an extension to dwelling

OBSERVATIONS : No objections.

423/05 FINANCE AND PAYMENT OF ACCOUNTS

a) Payment of Accounts

It was proposed by Cllr Mrs Lawry seconded by Cllr Sadler and

RESOLVED that accounts totalling **£3,190.97** be approved for payment and duly signed. A schedule of these is attached to the minutes as a record.

424/05 REPORTS FROM COMMITTEES AND REPRESENTATIVES

a) Unitary Working Group

The Chairman reported that correspondence had been received asking for the council's view on the proposed number of Members, with reasons, of the Unitary Authority. An email had been received from CALC, as stakeholder for Town and Parish Councils, giving its views.

It was proposed by Cllr Mrs Lawry, seconded by Cllr Dearnley and

RESOLVED that the council should endorse the 130-member council, as proposed by the One Cornwall Implementation Executive, for the reasons detailed in the CALC letter and that the Unitary Working Group should write to the Boundary Committee to that effect.

b) Helford River Association

An email had been received from the HRA, concerning the continuing lack of enforcement action at Anna Maria Creek, and asking that the Parish Council countersign a letter to Kerrier DC Planning Enforcement.

It was proposed by Cllr Gilmore, seconded by Cllr Barlow and

RESOLVED that the Clerk should countersign the letter on behalf of the council, after its final wording had been checked in by the Chairman and Clerk.

As a member of Kerrier DC, Cllr Sadler took no part in the debate, and did not vote on this item.

c) Falmouth Community Plan

Cllr Gibbons reported that he had attended a further meeting, and that Mawnan Parish Council had been offered a full voting place on the group developing the plan. It was agreed that Cllr Gibbons should attend the next meeting on behalf of the council.

d) Footpaths

Cllr Mrs Loomes reported on the following :-

- There were still no signs on Mawnan Footpath 3 and the connecting Budock Footpath 21, behind Penwarne. The Clerk was asked to raise the issue with Cornwall CC.
- Problems had again been reported of slurry on the footpaths at Meudon Farm. The Clerk was asked to raise this issue with County Farms.
- A report had been received that two footpaths at Maenporth had not been cut. On investigation, these were not normal Public Rights of Way, but in 2007 had been maintained by the council's contractor on behalf of County Farms. The Clerk was also asked to raise this with County Farms.

425/05 DATE AND TIME OF NEXT MEETING

The next meeting of Mawnan Parish Council would be held on Thursday, 17th July 2008, commencing at 7.30pm, in the Memorial Hall.

COMMENTS FROM THE PUBLIC

There were no comments from members of the public.

Signed : 17th July 2008
Chairman