LUXULYAN PARISH COUNCIL
Minutes of the Ordinary Meeting at the Luxulyan Memorial Institute, 6.00 pm,
THURSDAY 8 FEBRUARY 2018, adjourned
resumed THURSDAY 22 FEBRUARY 2018

PRESENT:
8 Feb: Cllr Michaela Linfoot (Chair), Cllr Keith Bilston, Cllr Cath Grey, Cllr Sarah Kemp,
Cllr Francis Payne, Cllr Sue Perry, Cllr Justine Rowe, Cllr Bert Rowe.
22 Feb: Cllr Michaela Linfoot (Chair), Cllr Keith Bilston, Cllr Cath Grey, Cllr Bob Hatton,
Cllr Margaret Higman, Cllr Sarah Kemp, Cllr Francis Payne, Cllr Bert Rowe.

ALSO PRESENT:
8 Feb: Clerk to the Parish, Mrs Christine Wilson, Ward Member Cllr Sally-Anne Saunders,
and 3 Members of the Public.
22 Feb: Clerk to the Parish, Mrs Christine Wilson and no Members of the Public.

ABSENT:
8 Feb: Cllr Margaret Higman.
22 Feb: Cllr Justine Rowe, Cllr Sue Perry, Ward Member Cllr Sally-Anne Saunders

Abbreviations: Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall
Council (CC), Footpath (FP), Local Maintenance Partnership (LMP), Community Land Trust (CLT), Friends
of Luxulyan Valley (FOLV), Luxulyan Neighbourhood Plan (LNP). *** indicates the Consultee Comments
submitted to the Planning Authority; the general points are proposed and decided by LPC; formal
submission is delegated to the Clerk.

The meeting began at 6.00 PM and the Chairman welcomed all.

17/218 Apologies

A Apologies, 8 Feb. were received from MH who was not well. Also Bob Hatton because
he took someone to hospital.

B Apologies, 22 Feb. were received from SP because of illness; JR because of work;
Ward Member Cllr Sally-Anne Saunders.

17/219 Declarations of interest or requests for dispensation.

C Item 17/222(b). ML, SK and CG declared an interest because of family connections.

D Item 17/233(d)ii. ML declared an interest because it is her own planning application.
BR, JR and SK declared an interest in the same Item because of family connections.

17/220 Public Session

A A member of the public asked LPC to consult Highways about an almost invisible curb
before the bridge on the way down to Bridges that can catch drivers unawares,
especially in the dark or fog. (See the decision under Item 17/234(a).

The public session was suspended until after 17/222(b).

17/221 Review of action points

17/210 is pending because there has been a confusion at Highways between the
Rosevale village sign (paid for by the funds from the village shop) and a new sign at
Gatty’s to be ordered by LPC.

17/213 has not been completed because the addresses have just been received.

17/222 Meetings and governance
A The council RESOLVED that the minutes, as read, of the meeting held on 11 January, adjourned until and completed on 25th January 2018, were a true and correct record (proposed ML, 2nd CG) and they were duly signed.

ML, SK and CG left the chamber for the duration of the discussion and vote for co-option. KB was voted in as Chairman for this item and also for the next Items relating to planning PA18/00193, item 17/233(d)ii.

B Co-option. The council had received letters from three candidates wishing to be considered for co-option. The letters were distributed to the councillors with the agenda. After a brief discussion the council RESOLVED (proposed KB, 2nd SP) that the vote would be by anonymous ballot and accordingly Bob Hatton was co-opted to the Parish Council. The clerk will contact him and ensure he receives all the necessary information.

ACTION: Clerk

CG returned to the room.
ML and SK remained outside the chamber. BR and JR left the chamber for the renewed public session and planning application PA18/00193 item 17/233(d)ii.
The public session resumed with KB continuing as Chair.

(17/220.B Public Session) The property owner and the architect explained some details about the application PA18/00193 and the councillors were able to ask questions.

The member of the public concerned with Highways left the meeting, and the two members of the public discussing the planning PA18/00193 left the chamber whilst discussion and voting took place (See the decision at Item 17/233(d)ii).
After the vote, ML, SK, BR, and JR returned to the chamber. ML resumed the Chair. The members of the public returned to hear the decision. They thanked the council and left the meeting.

C The clerk suggested that the councillors might like to have a question and answer session with the Clerk at the Institute so that the accounts documents can be explained in detail, especially the monthly reports: Bank Reconciliation, Payments v Budget, and Cash Flow. It was RESOLVED to have the session one hour before the next ordinary meeting: Thursday, 8th March, 5.00 pm.

ACTION: Clerk

D It was RESOLVED that the Clerk would attend a training day in Cemetery Legal Compliance held at St Erme for £145 + VAT (proposed KB, 2nd BR).

E It was RESOLVED that the Clerk would attend the day-long 2018 Regional Training Seminar in Falmouth at £75 + VAT that will include training in General Data Protection Regulation (GDPR) compliance (proposed ML, 2nd KB).

17/223 Finance

A Clerk’s reports Payments against Budget, Cash Flow, and Bank Rec were NOTED and no questions were raised.

B Extra hours for the clerk re Facebook page. It was not known how many extra hours would be involved and no motion was raised to award extra hours now.

C Internal Auditor. The clerk requested 3 quotes from known internal auditors for local councils. Two auditors gave quotes. It was RESOLVED to accept the quote of £125 from Steve Hudson of Hudson Accounting Ltd for this fiscal year 2017-18.

ACTION: Clerk

Minutes of the Ordinary Meeting 8 February 2018
The council AUTHORIZED payments for February 2018 totalling £1,624.76 (proposed ML, 2nd KB). The last column is recoverable VAT.

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<tr>
<th>Supplier/Service</th>
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<td>Public Conveniences, electricity</td>
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17/224 Crime & Prevention. PCSO report

A The PCSO Report for January 2018 was NOTED. INCIDENTS RECORDED: 4 Public safety; 1 Crime recorded; 5 Transport. CRIMES RECORDED: 1 Violence without injury; 2 Violence with injury; 1 Criminal damage.

B ML reported, from the discussion at the Community Network meeting, that residents need to be extra careful about leaving valuables in cars and about making sure the car is locked when parked, even when it is parked at home. It appears there is a spate of break-ins to cars happening in the area.

17/225 Cllr Saunders’ report to the Parish

This report will cover the period between the last Parish Council Meeting on the 12 January 2018, which I attended, up to and including 07 February 2018.

Meetings Attended: - Full Council at County Hall; - Treverbyn Parish Council; - SABEF; - Luxulyan Valley Partnership; - All Member Briefing at County Hall; - Clay Area Network Panel – Cornwall Councillor’s Mtg; - St Blazey, Fowey & Lostwithiel Community Network Panel – Public Mtg at Fowey; - West Carclaze Garden Village Update; - Accountable Care System Inquiry Review at County Hall;
- All Member Briefing at County Hall: the subjects covered were – Transforming Adult Social Care, Preparing for an Emergency *, and Domestic Abuse & Sexual Violence.
- Boundary Review at County Hall: I was able to put the case at the behest of LPC that the CC proposal for the new division boundary should consider the close links that Luxulyan Parish has on the one hand with Lanivery and on the other with Clay Country. As a result the committee has submitted two proposals, one of which addresses those particular concerns and falls in line with LPC’s wishes. Full Council will now consider those as a separate issue when it meets to consider the complete set of proposals for the 87 new divisions at the meeting on the 13th February 2018. Once approved CC’s proposal will be submitted to the Boundary Commission for consideration along with I dare say many others. Submissions to the Boundary Commission can continue to be made until the 19 February and I would advise anyone with strong views on the matter of Cornwall’s divisional boundaries to make their thoughts known to the Boundary Commission direct.
- Extraordinary Health & Adult Social Care Overview & Scrutiny Committee at County Hall: called to discuss the proposal that Cornwall Council and NHS Kernow should instigate an Accountable Care System in order to facilitate further integration of services where the Adult Social Care Services provided by Cornwall Council and the provision of Health Care to the elderly overlap. The Committee voted to recommend to the cabinet that a period of shadow working be commenced and a full business plan be worked up in order to determine the viability and pitfalls of an Accountable Care System going forward.
- All Member Briefing at County Hall: the subjects covered were – Brexit (Shared Prosperity Fund), Alcohol and other Drugs and Section 106 and the Community Infrastructure Levy (CIL) *.
- Cornwall Design Review Panel – West Carclaze Garden Village: detailed proposals for the 1st Phase of the Garden Village at West Carclaze are currently being worked up. Further Public Consultation is due towards the end of March, prior to the developers submitting their Planning Application for the School, Community Centre, 350 Houses etc. In addition I have had several meetings with County Council Officers and others to discuss issues directly relevant to the ward, either effecting residents of Luxulyan Parish or Treverbyn and in some cases both.

I have also met with a number of residents who for various reasons have sought my assistance. Most casework comes via email or a phone call, however sometimes it is necessary or even advantageous to visit with them and I am always happy to do that. Luxulyan Parish Round Up with the Chair. I was able to accompany Cllr Linfoot on a drive round the parish this month with the local area Highway Management Officer. A number of issues regards the local roads were brought to her attention which we will no doubt be following up on in the coming weeks and months.

* Items of Note to follow up with LPC *

* Community Emergency Plans: having heard of the benefits to Cornwall of having well considered Emergency Plans in place in order to deal with any number and variety of emergency situations, and the significant benefit of local information being readily available as an emergency unfolds, I would like to suggest with LPC’s blessing that I request that the CC Emergency Planning Team attend an LPC meeting in order to further explain what a Community Emergency Plan is and how Luxulyan Parish might go about putting one together.

* Community Infrastructure Levy (CIL) This is a new system being brought forward that is intended to ensure the provision of local infrastructure and therefore help to mitigate the effects of development. Not all areas will be subject to CIL, however it is intended that provision be made that all areas of Cornwall should have access to a proportion of the CIL funding. Exactly how that is to be achieved is currently being worked up.

17/226 Neighbourhood Plan steering group report

FP and SP reported that a near-final draft of the Neighbourhood Plan will soon be circulated to the Steering Committee for review and after that process a Final Draft will be available to all the parish for review and comment. It will be posted on the Parish Council’s website on the Luxulyan Neighbourhood Plan page and also sent directly to all those on the mailing list. NB: if you want to be on the mailing list and have not received any communication from the Neighbourhood Plan Steering Group, please email a member of the Steering Group, or the Clerk, with your request.

17/227 Renew tarmac path in Cemetery.

It was RESOLVED (proposed ML, 2nd SK) that the path in the Cemetery needs to be retarmacked and the clerk will get quotes.

ACTION: Clerk

17/228 Checks for contractors

CG explained that, following a checklist on Gov.UK, contractors for the Parish Council do not require a Disclosure and Barring Service (DBS) check; and, therefore, LPC may not require a DBS check of its contractors.

17/229 Planning Working Group

After discussion regarding the pros and cons of a planning committee and a planning working party, it was RESOLVED (proposed ML, 2nd CG) that a Working Party will be formed. SP and FP volunteered, and they were duly appointed. It was NOTED that non-councillors may be members of a Working Party. It was also NOTED for clarification that
a Working Party does not make decisions. It will bring information and perhaps a recommendation to the full council. The Planning Working Party will look at each planning application in detail before the meeting at which the application will be discussed. It is hoped that information from the Working Party will lead to better informed consultee comments from full council.

It was AGREED that the Working Party would draft some simple Terms of Reference regarding its procedures and objectives and would bring these to LPC for approval.

**ACTION: SP and FP**

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### 17/230 Review of Council’s Risk

CG and FP agreed to look at this and bring a document to the Council for its consideration. They will consult with the Clerk as necessary.

**ACTION: CG, FP, Clerk**

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### 17/231 Grant Award

In accordance with its Grant Awarding Policy, and in keeping with one of the Tredinnick & Trenoweth Solar Park Fund’s objectives to 'increase the physical fitness of the residents of the parish', it was RESOLVED (proposed KB, 2nd JR) to award the Ladies Keep Fit and Body Conditioning Class for Over 50s the sum of £200; and as the group does not have a bank account, the sum will be sent to the Luxulyan Village Hall where they hold their scheduled classes.

**ACTION: Clerk**

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### 17/232 Rubbish collection

FP has checked with the team that collects the rubbish from Luxulyan. They confirmed that they collect from the village bus shelter and village toilets every Wednesday, and from the dog waste bin near the Pub every fortnight. They are extremely grateful when FP can put the bags out for them to ‘grab’ because their schedule leaves them almost no time to spare.

The clerk will enquire about a larger bin for the village bus stop because it is often overflowing and also stained and broken. FP reported interest in the possibility of recycling bins in the village, perhaps on the playing field, and the clerk will enquire.

**ACTION: Clerk**

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### 17/233 Planning

#### A Planning issues and correspondence of note.

i. The Planning Index, a document about possible planning training had not been studied by many councillors and was DEFERRED and given to the Planning Working Party for investigation.

ii. **PA18/00310/PREAPP** | Exception notice for works to a tree subject to a tree preservation order, removal of an Elm. | The Vicarage Luxulyan Bodmin PL30 5EE. CLOSED – ADVICE GIVEN.

#### B Enforcements – (see Clerk’s Notes)

#### C Planning decisions (also reported in Clerk’s Notes and on the website).

i. **PA17/10585** | Variation of condition 11 (25-year operational life) of decision **APP/D0840/A/14/22177727 (PA13/03710)** to allow for an additional five years of electricity generation | Land South Of A391 Near Bodwen Access To Higher Menadew Bugle PL26 8R. APPROVED WITH CONDITIONS.
ii. **PA17/11728** | Change of use of a residential garage into a self-contained dwelling house | Dove Cottage Access To El Joyita Lockengate Bugle St Austell PL26 8RU. APPLICATION WITHDRAWN.

**D Applications for consultee comments.**

i. **PA17/11149** | Conversion of existing barn store to form a granny annexe bedroom and en-suite together with oak frame conservatory | 2 Millbridge Cottages Pontsmill Road Pontsmill Par Cornwall PL24 2RR.

The council discussed the application and **RESOLVED** (proposed FP, 2nd SK) to submit the following consultee comments:

*** Luxulyan Parish Council SUPPORTS this application because it is an attractive design, in keeping with the main residence and its environs.

ii. **PA18/00193** | The proposed development is to replace a mobile home with a three bedroom bungalow and detached garage. | Tregonning Farm Luxulyan Bodmin Cornwall PL30 5EQ.

The council discussed the application and **RESOLVED** (proposed KB, 2nd CG) to submit the following consultee comments:

*** Luxulyan Parish Council understands: that the caravan has been in situ for 10 years. The Council decided unanimously that it has NO OBJECTION to this application, but it requests that the case officer take the Draft Neighbourhood Development Plan into consideration with its emphasis on the need for affordable housing in the parish. It also requests the case officer consider whether this development is in the open countryside.

**17/234 Highways & Flooding**

A It was **RESOLVED** to request that Highways look in to the highlighting of the ‘invisible’ curb at the bridge just before Bridges, as reported during the Public Session.

**ACTION: Clerk**

The meeting on 8 February was adjourned at 8.40 pm.

The meeting resumed on 22nd February at 6 pm.

B Verges. The clerk advised that she has requested from Cormac a schedule of the verge maintenance in Luxulyan Parish with a view to requesting an Agency Agreement, so that the Parish Council could receive funds each year from Cormac for taking over the maintenance. When the information arrives, it will be placed on the agenda.

C It was reported and confirmed by a number of councillors that people are using the turning space at St Julitta for parking. Solutions were discussed. The clerk will ask Highways about no parking signage for the turning space and also about removing the grass bank to allow for more parking.

**ACTION: Clerk**

D BR advised that the verge at Treskilling near the water works has sunk and the fence is gone. ML will ring Rachael Tatlow, Highways Area Manager.

**ACTION: ML**

**17/235 Assets – reports and maintenance**

A Cemetery. It was noted that the pile of earth and weeds at the back of the cemetery looks untidy, so this could probably be dealt with at the same time as the tarmacking of the path. It was **RESOLVED** to add this work to the quote for tarmacking and, as the earth at the back is used for grave maintenance, the clerk will first liaise with the
gravedigger and A&A to see what can be done at the back. (proposed ML, 2nd FP).  
**ACTION:** Clerk

| B | Footpaths. ML reported on her visit with Ward Member Cllr Sally-Anne Saunders to Footpath 6. The works by Cornwall Council have not proved a complete solution to the problems there, and now water from the footpath is flowing through a residential property. The Ward Member is investigating this further.  
**ACTION:** Ward Member

| C | Memorial Institute. Bacon butties always on the go on the 1st Saturday of the month.

| D | Playing Field. The toddler footbridge still needs to be pressure washed; however, the operational contractor needs a pressure washer and needs to coordinate with the village hall to get electricity and water. The clerk will give ML the number of the contractor so that they can coordinate with the Village Hall / Playgroup.  
**ACTION:** Clerk

| E | Skate Park. KB advised regarding a different placement for the Skate Park. If the basket swing were moved to a different spot, the Skate Park could be placed where it is now, without interfering with the basketball court. It was AGREED (proposed KB, 2nd BR) to review the possible spots for a Skate Park and get quotes for groundworks. ML and KB will measure the available space and send the measurements to the clerk.  
**ACTION:** KB and ML

| F | Football pitch. KB reported that the football pitch is not regulation size for an adult game. However, full size goal posts are used by youth teams and could be positioned so that the youth teams could use the pitch and the younger teams could also use the pitch with smaller portable goals. Parents of the young children being coached there have had concerns about full size goal posts and have been invited to come to the 8th March meeting to speak in the Public Session. No decision about the goal posts will be made until after the parents and the coaches have had an opportunity to speak with the Parish Council at the March meeting.

| G | Village Toilets.

| i. | Four quotes were requested and two were received to fix the lights that are always on since the lightning strike. The clerk also asked the insurance company about a claim on the insurance and the advice from the broker, Came & Company, was that, considering the payment of the excess, a claim would not be advisable. There was no proposal to make an insurance claim. The council **RESOLVED** (proposed CG, 2nd ML) to accept the quote for £304.80 + VAT to replace the sensors. He has also quoted for a replacement alarm beacon for the wheelchair accessible toilet, but it was confirmed that the alarm can only be turned off inside the locked cupboard. The clerk will request that the electrician investigate how to ensure the alarm can be turned off inside the toilet, and also whether an audible alarm could be supplied.  
**ACTION:** Clerk

| ii. | The clerk reported that she has only two quotes for renewal of the toilets after requesting eight quotes. As the job is well over £3000 in total, three quotes are required. The clerk will send the specification sheet to all councillors who can perhaps find others who would like to quote for the job.  
**ACTION:** Clerk and Councillors

| H | Shed roof. It was agreed that the shed, which had been a bus shelter, might have harmful materials in it, possibly in the ceiling. The council **RESOLVED** (proposed CG, second SK) to have a survey done before repairs are made.  
**ACTION:** Clerk
A1 Tree Surgery will be pruning the trees on the west side of the playing field as was quoted for last summer. The work will be completed before the end of March.

17/236 Parish Matters – reports

A Community Networks: St Blazey; China Clay. ML reported on the recent meeting.

B Luxulyan CLT. The clerk gave FP information from CRHA, the Cornwall Rural Housing Association.

C Luxulyan Parish Community Fund. The clerk has still not received information about the December grants to post on the webpage. FP suggested writing to the President.
ACTION: Clerk

D Luxulyan Valley Partnership. Meeting coming up.

E Street Sweeping / Knotweed. BH reported that there is a field of knotweed behind the railway station. It is a massive amount that is spreading. BH will get the grid reference for the clerk to send to the Ward Member.
ACTION: Clerk

F Village Hall Committee. BR could not attend the last meeting.

G Other matters for report

i. Clerk’s time. It is appropriate to discuss the report of extra hours under Parish Matters because it is a matter of interest to all the parish that the parish council is run properly. February has been a month of unusual activity and extraordinary amounts of time were spent ensuring compliance with standard procedures. When procedures are queried it is usually a simple task for the clerk to explain and refer to the appropriate legislation if needed. However, the clerk’s role does not just involve secretarial work. When the clerk’s advice is not followed, much more time can be spent by the clerk as Proper Officer to ensure the council remains compliant with its duties. This role, ensuring the compliance of the council, is vitally important and is different from the everyday clerking role. To this end the clerk has gained the Certificate in Local Council Administration (CILCA). The clerk handed out her timesheet for the month to that point and answered questions from the councillors about the number of hours over the normal monthly allotment. CG noted that February has been a month of an extraordinary amount of work for the clerk and thought that the extra hours should be paid. It was also noted that, according to the timesheets, the clerk has in recent months continually clocked over the monthly allotment, and these additional hours have not been requested. It was agreed by a show of hands to put February’s extra hours on the next agenda for approval, and it was AGREED (proposed CG, 2nd BR) to urgently grant 9 hours and 55 minutes more in order to complete the month’s tasks, and that this would be confirmed by resolution at the March meeting. The clerk and Proper Officer is happy that any queries about this situation be directed to her.

ii. Staffing Meeting date. Business was paused in order to agree a date between the members of the committee that were present: Thursday, 22nd March at 1 pm in the Institute. Regarding the requested review of the clerk’s job description and pay scale, Sarah Mason of CALC advised the clerk “I need a better steer from your staffing committee on what it wishes to achieve as a result of my work. At the moment there are some conflicting views about my approach which need to be addressed before any further work from my end.” CG advised that she expected to
have a private meeting or telephone conversation with Sarah Mason after the
Staffing Committee met; however, as this could involve additional fees, the Chair
requested that the clerk confirm the procedure with Sarah Mason.

**ACTION:** Clerk

| iii. Clerk’s annual leave. As 31st March is the end of the year for calculating annual
leave, the clerk was worried that instructions from the Staffing Committee regarding
annual leave would be too late and this year’s leave would be lost. As someone who
has previously worked in Human Resources, CG advised that the clerk should add
the holiday hours to her timesheet, above the normal monthly hours and this holiday
could be paid accordingly. The clerk will seek confirmation of this procedure from
ALCC (Association of Local Council Clerks).

**ACTION:** Clerk

### 17/237 Correspondence & Invitations (complete list in Clerk’s Notes)

| A  | The Feed-in-Tariff of £97.61 has been paid for this quarter. As agreed, A&A are due
to wash the solar panels on the toilets with deionised water in March. |
|----|-------------------------------------------------------------------|
| B  | HMRC has sent a statement which is accruing interest. Although the interest is very
   low it was **RESOLVED** (proposed BH, 2nd CG) to add it to the month’s list of payments. |
| C  | A letter was sent by FP to the Returning Officer querying the number of electors that
   requested a by-election for the last vacancy on the parish council. The returning officer
   replied to FP and the clerk that under ten requests had been received. Ten requests
   is the required number. |
| D  | A letter was received and **NOTED** from Mr J Cleare about the history of the living
   churchyard and about the receipts for Granite Towers postage. |
| E  | Rubbish collection. An email from Cornwall Council advised that the bins in the village
   will be emptied twice a week now; that CC no longer installs separate Dog Waste bins
   as this is now considered normal rubbish; that there would be a commercial cost to
   LPC for recycling bins at the Village Hall and that it would be better for individuals to
   recycle individually. |
| F  | Information about the Great British Spring Clean was requested by all councillors.
   **ACTION:** Clerk |

### 17/238 Business for the next meeting

See if the bus shelter rubbish bin needs replacing. Terms of Reference Planning

### 17/239 Dates of next meetings

| A  | Thurs, 8 March, 5 pm. Institute, Session with the Clerk about the accounts documents
   and any procedures you have questions about. |
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<tr>
<td>B</td>
<td>Thurs, 8 March, 6 pm, Luxulyan Memorial Institute, the next ordinary meeting.</td>
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<tr>
<td>C</td>
<td>Staffing Meeting. Thursday, 22 March, 1.00 pm, Luxulyan Memorial Institute.</td>
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<tr>
<td>D</td>
<td>Thurs, 5th April, 7-9 pm, <strong>Being a Good Councillor, Part 1</strong> training from CALC.</td>
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<tr>
<td>E</td>
<td>Thurs, 19th April, 7-9 pm, <strong>Being a Good Councillor, Part 2</strong> training from CALC.</td>
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On 22nd February discussion of all agenda items was completed and the meeting closed
at 8.15 pm. The Chairman thanked everyone for attending.

Mrs C Wilson ~ Parish Clerk ~ 25 Feb 2018

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