

LUXULYAN PARISH COUNCIL

DRAFT Minutes of the Ordinary Meeting at the Luxulyan Memorial Institute, 6.00 pm,

THURSDAY 8 MARCH 2018

PRESENT:

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston, Cllr Bob Hatton, Cllr Margaret Higman, Cllr Francis Payne, Cllr Sue Perry, Cllr Justine Rowe.

ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson, Ward Member Cllr Sally-Anne Saunders, and 1 Member of the Public.

ABSENT:

Cllr Bert Rowe, Cllr Cath Grey and Cllr Sarah Kemp.

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.

An informal session was held by the clerk at 5 pm about the Council's financial documents and was attended by ML, KB, BH and JR. FP arrived at 5.30 pm. At 6.00 pm the Chair welcomed all to the ordinary meeting.

17/240 Apologies

Apologies were received from BR, CG, and SK.

17/241 Declarations of interest or requests for dispensation.

None.

17/242 Public Session

The coach for the children's football club attended and requested that the full-size football goal posts be erected at the beginning of May, after the last matches of the season. The clerk read out the emails she had received from concerned parents that were concerned they were not compatible with children's football. The coach confirmed that, if the goal posts were put up after the last matches this year, the pitch markings next year could be adjusted to ensure that there are no health and safety issues for the children. The children's team will be able to use the new goal posts when they are older.

The member of the public left the chamber.

17/243 Review of action points

The clerk reviewed the action points and explained the progress of those that were not yet completed. There were no further questions.

17/244 Meetings and governance

A Minutes. The clerk read a proposal from CG regarding a change to the draft minutes. The proposal was considered and discussed, but the proposal was not seconded. The council **RESOLVED** that the minutes, as read, of the meeting held on 8 February 2018, adjourned because of the hour to resume on 22 February 2018, were a true and correct record (proposed KB, 2nd JR) and they were duly signed.

B The council reviewed the draft minutes of the Parish Meeting on 16 February 2018. There were no suggested changes to the draft minutes. The minutes will be agreed at the next Parish Meeting. The clerk advised that a member of the public said they were

unable to hear very well at the back of the room. Modified seating arrangements, or other technical help, will be considered when meeting in the Village Hall. The clerk will enquire whether a hearing loop is available there.

ACTION: Clerk

C It was **RESOLVED** (proposed ML, 2nd KB) that Standing Order 3(a) will now read: Luxulyan Parish Council shall meet on the second Thursday of each month at 6.00 pm, unless otherwise decided.

D It was **RESOLVED** to approve the Terms of Reference for the Planning Working Party, as read (proposed SP, 2nd ML).

E The council discussed the draft Terms of Reference for the Staffing Committee. It was **RESOLVED** (proposed FP, 2nd SP) that 3.1 shall read: "The Committee will meet once per year in September, and as and when necessary. Meetings will be in private rather than in public due to the confidential nature of business." It was **RESOLVED** (proposed ML, 2nd KB) that 6.6 shall read: "The Committee will advise full Council on issues of staff pay and conditions." It was **RESOLVED** to approve the Terms of Reference for the Staffing Committee with the changes to 3.1 and 6.6 (proposed ML, 2nd BH).

F The reasons for closing a meeting to the public and press were discussed. It was agreed that the January agenda did not readily show that closure of the meeting was a decision of the council. The council must resolve to close the meeting to the public and press and this should be reflected in the agenda.

G The discussion and approval of a Social Media Policy for the council was **DEFERRED** because the council needed further time to look at it. SP strongly encouraged the councillors to read the Advice Note from SLCC about Social Media sent to everyone by the clerk.

H Posting Notices. The clerk was advised by a member of the public that the notice for the parish meeting had not been posted. FP sent a letter to the council explaining that he had overlooked this notice. The council accepted his apology, thanked him for his dedication to the parish, and requested that he continue to post on the notice board in the village and at Lockengate as had been decided in October. FP agreed to do so.

I The Risk Assessment review is not yet ready, and this was **DEFERRED**.

J The council **RESOLVED** (proposed ML, 2nd SP) to request two topics for the training CALC will deliver in April: 1) Legal Framework & Standing Orders, and 2) Roles & Responsibilities.

K A councillor queried why a member of the public received the Agendas and Minutes directly from the clerk. The clerk explained that, apart from parish councillors, she also sends these documents to the PCSO, the Ward Member, the MP's office, and other statutory bodies. Some members of the public had requested this too and the clerk was happy to comply, especially because it is one simple way the clerk can help make the decision-making process of parish council as transparent as possible. If any member of the public would like to be added to the mailing list, they are very welcome to request the Agendas & Minutes by email. Please note that the email addresses on this mailing list are visible to everyone receiving the email.

L A councillor requested to "pre-vote" on an agenda item as they would not be at the meeting. The clerk requested advice on this, and it was explained by CALC and SLCC that no councillor may pre-vote as this amounts to predetermination, and that according to the Local Government Act 1972, only councillors present at the meeting may vote; neither could participation in the meeting be realised by video link.

17/245 Finance

- A Clerk's reports *Payments against Budget, Cash Flow, and Bank Rec* were **NOTED**.
- B It was **RESOLVED** to approve 37 more hours for the clerk in the month of February as was discussed at the meeting on 22 February (proposed JR, 2nd KB).
- C It was **RESOLVED** to approve 80 hours of holiday pay in lieu of leave for the clerk (proposed BH, 2nd MH) as discussed at the meeting on 22 February. The Association of Local Council Clerks confirmed this is possible. It was noted that the clerk has never requested leave. The requested timesheets average over 60 hours per month, and that, as the clerk is the only employee, there is no one to take on her duties if she were to take holiday. It is yet to be decided which calculation of holiday hours is due to the clerk; however, as all calculations are between 80-90 hours, any excess hours from the 2017-18 period will be added to the 2018-19 allocation.
- D The council **AUTHORISED** payments for March 2018 totalling £3,364.11 (proposed KB, 2nd FP). The last column is recoverable VAT. The payment for Luxulyan Neighbourhood Plan printing for £100.00 is an estimate and the council agreed that any payment around £100 was acceptable, as the printing was absolutely necessary.
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|-----------------------|----------|------------------------------------|--------|---|----------|-------|----------|
| Mrs C Wilson *1812 | 8 Mar 18 | Clerk's salary and expenses | faster | £ | 1,300.52 | | 4.98 |
| HMRC - PAYE | 8 Mar 18 | Clerk's HMRC | faster | £ | 159.52 | | |
| XLN Business Services | 8 Mar 18 | LNP Broadband Mar18 | DD | £ | 25.08 | | |
| Andy Inglefield | 8 Mar 18 | Playground inspections - 4 weeks | faster | £ | 46.00 | | |
| British Gas | 8 Mar 18 | Public Conveniences, electricity | DD | £ | 16.09 | | 0.76 |
| Cormac Cleaning | 8 Mar 18 | Pub.Con., cleaning Jan18 | faster | £ | 342.77 | | 57.13 |
| SLCC-training | 8 Mar 18 | Cemetery Legal Compliance training | faster | £ | 174.00 | | 29.00 |
| SLCC-training | 8 Mar 18 | 2018 Regional Seminar, incl. GDPR | faster | £ | 90.00 | | 15.00 |
| Bricknells | 8 Mar 18 | Office supplies | faster | £ | 13.13 | | 2.19 |
| Paul Roberts | 8 Mar 18 | Travel mileage, locum clerk | faster | £ | 27.00 | | |
| LNP, Tony Lee | 8 Mar 18 | LNP Draft of Neighbourhood Plan | faster | £ | 1,050.00 | | |
| LNP, Cornwall Council | 8 Mar 18 | LNP, printing | faster | £ | 100.00 | | |
| LNP, R Stephenson | 8 Mar 18 | LNP, questionnaire prize | faster | £ | 20.00 | | |
| | | | | | | March | |
| | | | | | | | 3,364.11 |
- E The council's digital files and their backups are on memory sticks. It was **RESOLVED** (proposed KB, 2nd FP) that it is important to have a fireproof box for the backups, along with room for a few important documents, such as deeds. The clerk had three quotes for boxes, but only one had room for documents.
ACTION: Clerk

17/246 Crime & Prevention. PCSO report

The PCSO Report for February 2018 was NOTED. INCIDENTS RECORDED: 2 Crime recorded; 5 Public Safety; 5 Transport. CRIMES RECORDED: 1 Violence without injury; 1 Criminal damage; 1 Public Order Offences; 1 Other offences.

17/247 Cllr Saunders' report to the Parish

This report will cover the period between the last Parish Council Meeting on the 8 February 2018, which I attended, up to and including 07 March 2018.

Meetings Attended

- Treverbyn Parish Council Planning Meeting
- China Clay Community Network Panel – Public Meeting at St Stephen's Social Club. Attendees had the opportunity to hear from and put questions to Alison Hernandez the Police and Crime Commissioner. There was also an update on the A30 Link Road project, which received the promise of Government Funding late last year. The route is currently being finalized and a full planning application will be forthcoming later this year.

<ul style="list-style-type: none"> • Full Council Extraordinary Meeting – Budget Debate. Cornwall Councillors have voted this year to put the County Council precept up in April by 3.99%. That includes a 2% rise in the adult social care precept. A Conservative Group amendment to the budget which would have limited the overall rise to 2.99% was unsuccessful.
<ul style="list-style-type: none"> • Health & Adult Social Care Overview & Scrutiny Committee.
<ul style="list-style-type: none"> • Luxulyan Parish Public Meeting at the Community Hall. I was pleased to attend and honoured to have been asked to present the Good Citizen’s Awards” to this year’s winners. Following those presentations the meeting went on to hear many interesting ideas from residents from across the Parish, regards possible ways in which the funding from the Bodwen Solar Farm might be spent.
<ul style="list-style-type: none"> • Luxulyan Parish Council Working Group. Lanivet Cut Through - The group were following up on concerns that were raised by residents, regards the problems they encounter because of poor visibility and the speed at which vehicles pass through this area.
<ul style="list-style-type: none"> • Full Council meeting at County Hall.
<ul style="list-style-type: none"> • All Member Briefing at County Hall. The subjects covered were – Making Integration Happen & The Impact of Universal Credit / Welfare Reform on Social Housing.
<ul style="list-style-type: none"> • Shaping Our Future – Co-Production Event at St Austell Print.
<ul style="list-style-type: none"> • Networking Event at Treverbyn Community Hall – What’s On In Your Community.
<ul style="list-style-type: none"> • Community Speed Watch Briefing at St Austell OSS.
<ul style="list-style-type: none"> • Treverbyn Parish Council - Full Council Mtg.
<ul style="list-style-type: none"> • Appeals Committee – County Hall.
<ul style="list-style-type: none"> • A30 Link Road – Bugle, Stenalees, Carthew Complimentary Measures. The Link Road Project allows for the provision of certain complimentary measures along the old A392 route with a view to mitigate against any ill effects that the new road might have and to encourage drivers to switch to using the new road. This was the first opportunity I have had to start discussing in detail what these measures might look like and the precise locations where they might be implemented. I have made a point of requesting that there should be proper signage on the A30 prior to Innes Downs turnoff and also on the A389 at Lanivet advising drivers of the new route so that drivers destined for St Austell and the Eden Project will be encouraged to take the new road, with a view to alleviating the problems Luxulyan Parish is currently facing regards visitors following their Sat Nav’s and as a consequence finding themselves driving along the narrow lanes between Lockengate and Luxulyan which has been causing some difficulties locally in recent times. The old A391 will be downgraded to a B road and will likely be re-engineered in some way at the Inns Downs exit to reflect that change in status, hopefully further discouraging it’s continued use by anything other than local traffic.
<p>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.</p>
<p>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.</p>
<p>Luxulyan Parish Round Up with the Chair. Cllr. Linfoot and I have not had the opportunity to make one of our tours of the parish over this last month. However she has</p>

accompanied me to a couple of the meetings listed above. Namely, the China Clay Community Network Panel and the recent briefing on Community Speed Watch.

Items of Note to follow up with LPC

- Community Emergency Plans. Following my brief report at last months LPC Meeting, I have put in a request to the CC Emergency Planning Team that they organize with the Clerk, a date to attend a future Parish Council Meeting in order to explain in more detail just what exactly is entailed with a Community Emergency Plan.

- Minorca Lane. Fly Tipping & Litter – I have reported 3 cases of fly tipped rubbish and I have requested a thorough litter pick of the entire length of the lane which is in a deplorable state at present. Highways – The fabric of the lane itself is being damaged in a couple of places where running water is gouging away the edges of the road. There has also been a rather persistent flood across the road at one point which has made traversing the lane on foot rather difficult. These issues have all been reported to Highways and I am awaiting their response.

17/248 Neighbourhood Plan steering group report

The clerk advised that the Draft Luxulyan Neighbourhood Development Plan is available on the website and in paper copies at the Luxulyan Memorial Institute. All parishioners are encouraged to comment and send their comments to the clerk via post or email by 3rd April. Robin Stephenson will attend the LPC meeting next month to report on progress.

ACTION: Clerk

17/249 Installation of Goal Posts

As was advised during the Public Session, it was **RESOLVED** to install the goal posts after this season's matches are finished, that is, after 1st May 2018 (proposed ML, 2nd SP). KB will coordinate the installation with A&A.

ACTION: KB

17/250 New Skate Park proposals

KB and BR measured an area next to the basketball court. In order to have a skate park and preserve the basketball court, the basket swing could be moved, and perhaps the fence; certainly the gate would need to move. This would make another area the size of the basketball court available for the skate park. It was thought that skate park providers said that the size of the basketball court was the minimum practical size for a skate park, that is, 16.5m x 13m. The clerk will get quotes for a concrete base in these dimensions at the playing field.

ACTION: Clerk

17/251 Local Maintenance Partnership (LMP)

It was **RESOLVED** to accept the LMP from Cornwall Council, which has happily increased this year, and to continue the contract with A&A (proposed ML, 2nd FP). It was **NOTED** that Cornwall Council maintains the Saints' Way.

ACTION: Clerk

17/252 Streetlights

Ref Item 17/213D. This item was **DEFERRED** because the clerk received information that the lights are not affected by bushes, but this is to be confirmed.

17/253 Planning

A Planning correspondence.

- i. Tregarrick Farm proposal. Mr Anthony de Havilland of The Planning & Land Partnership wrote to say that he has flood risk information concerning the proposed housing development. He will present this to the council at a future meeting. The Clerk will request this information be sent well before the meeting so that parishioners and the LNP can study it before he comes.

ACTION: Clerk

B Planning decisions (also reported in *Clerk's Notes* and on the website).

- i. **PA17/06519** | Change of use of land to 3 no. Traveller pitch with associated works including, 3 no. mobile homes, 3 no. touring caravans, 3 no. dayrooms and hardstanding | Carne Cottages Carne Cross St Blazey Cornwall PL24 2SX. The case officer advised that he was minded to approve this because an alternative entrance to the Highway has been submitted. After discussion with Cllr Saunders, she didn't think the LPC's objection would stand at committee, so she took the pragmatic view and didn't call it to committee. LPC agreed with her approach.

C Enforcements – reports on progress (see also *Clerk's Notes*)

- i. **EN17/01260** | Alleged breach of condition no 2 of planning appeal APP/Q0830/A/06/2012361 (C2/04/00338) | Middle Gillies Conce Bugle Cornwall PL26 8RT. Decision: Breach confirmed. Decision Reason: Planning Application requested. Close Reason: Application Received.
- ii. EN18/00198 had an incorrect address and the enforcement has been moved to: **EN18/00381** | Alleged Construction of a Dwelling. | Little Gillies Conce Bugle St Austell Cornwall PL26 8RT.

D Applications for consultee comments.

- i. **PA18/01427** | Variation of condition 2 (restricting number of caravans on site to 6 of which no more than 3 shall be static caravans) in respect of decision notice 04/00338 appeal APP/Q0830/A/06/2012361 to allow up to 8 caravans of which no more than 6 shall be a static caravan or mobile home | Middle Gillies, Conce Moor Bugle St. Austell PL26 8RT
The council considered the new development, particularly its visual impact, and **RESOLVED** (proposed ML, 2nd SP) to submit the following consultee comments:
*** Luxulyan Parish Council has NO OBJECTION to this application.
- ii. **PA18/00004/NDP** Plan proposal submitted for Lanlivery Neighbourhood Development Plan. Determination Deadline: Wed 18 Apr 2018.
This application had just arrived, and the council **DEFERRED** it until the next meeting because of the complexity of the issues.

17/254 Highways & Flooding

- A Traffic near Penmount. JR reported on the meeting of the working party (JR, BR, BH, MH and Cllr Saunders, plus two residents) on 19 February. They monitored the road and access points for half an hour. A number of suggestions to help calm the traffic there were put forward. The clerk will write to Highways and copy in Cllr Saunders requesting they monitor the volume of the traffic and the average speed and take this into consideration because of the limited visibility.
- ACTION: Clerk**

B	ML reported on a Police initiated Community Speedwatch Scheme and Cllr Saunders will send the information by email for distribution to those interested. The scheme requires fairly expensive equipment, which could be shared by multiple communities and also requires the cooperation and commitment of a number of people from each community. ACTION: Cllr Saunder & Clerk
C	Highways advised that it hopes to have a scheme at Treskilling to retain the road being eaten away by the river within 3 months.
D	Highways advised that a works package will be put in place for a hazard marker at the bridge.
E	Highways explained why their vehicles were parked for so long at Bridges after cleaning a drain. They were waiting for further instructions from a supervisor who was delayed. However, this poor use of assets is being addressed by Highways.
F	FP reported that Cormac rodded the old Victorian drain across the road from the Cemetery; however, this did not help. They promised to return and dig it out.

17/255 Assets – reports and maintenance

A	Cemetery. The clerk needs to meet with the gravedigger and A&A to discuss how to tidy up the far end of the cemetery. ACTION: Clerk
B	Footpaths. FP13 – the closure of the boardwalk for repairs has been extended.
C	Luxulyan Memorial Institute. First Saturday of the month bacon butties are on offer. Other fundraising ideas are always welcome.
D	Playing Field. The pruning of the trees on the western edge (Item 16/251H) has been completed and a nearby resident wrote to thank the council. The resident also mentioned that a fence there had blown down recently. It was RESOLVED (proposed ML, 2 nd KB) that A&A repair it. ACTION: Clerk
E	Village Toilets. The lights have not been fixed yet. The clerk will contact the electrician. ACTION: Clerk
F	Rubbish bin. The twice weekly pick-ups are working well. FP will continue to monitor the bins to see if they need replacing.
G	Weed Control. The contractor who didn't do a great job in October wrote to say he has taken on board the problems from last October and is prepared to do a better job this year. The council agreed that the clerk could request a quote from him again. ACTION: Clerk

17/256 Parish Matters – reports

A	Community Networks: St Blazey; China Clay. ML and Cllr Saunders reported on the last meeting and the proposed 'Blue Light' teams that would include a paramedic and a policeman and that they are working to get all the emergency services to work together.
B	Luxulyan CLT. Nothing to report.
C	Luxulyan Parish Community Fund. No information on the December grants has been received by the clerk.

D Luxulyan Valley Partnership. Nothing to report.

E Knotweed. This should be appearing in April at the latest. The playing field has a big clump at the emergency gate.

F Village Hall Committee. Nothing to report.
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17/257 Correspondence & Invitations (complete list in *Clerk's Notes*)

A Roche Angling Club has advised that the Environment Agency reports blue-green algae in Treskilling Pit pool. It could also appear in Small Pool nearby. It is not good for animals, so dogs should be kept from swimming in the pools. The Club will place temporary warning signs on all the gates. They expect the algae will disappear without the need for chemical treatment.
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17/258 Business for the next meeting

Notice boards, repair or replacement.

17/259 Dates of next meetings

A Staffing Meeting, 22 March, 1.00 pm, Luxulyan Memorial Institute.

B Planning if needed 22 March 2018, 6.00 pm, Luxulyan Memorial Institute.

C Audit Panel, 12 April 2018, 5.00 pm, Luxulyan Memorial Institute.

D Ordinary Meeting 12 April 2018, 6.00 pm, Luxulyan Memorial Institute.

E Thurs, 5th April, 7-9 pm, Being a Good Councillor, Part 1 training from CALC.

F Thurs, 26th April, 7-9 pm, Being a Good Councillor, Part 2 training from CALC.
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The Chairman thanked everyone and the meeting closed at 8:35 pm.

Mrs C Wilson ~ Parish Clerk ~ 21 March 2018