

LUXULYAN PARISH COUNCIL
DRAFT Minutes of the meeting held in the Luxulyan Memorial Institute at 7.00 pm on
THURSDAY 10 APRIL 2014

PRESENT: Cllr C Austin (Chair), Cllr G Haywood, Cllr D Olford, Cllr B Fahey, Cllr R Keam, Cllr C Eich. Clerk to the Parish: Mrs C Wilson.
ALSO PRESENT: Mr J Cleare and Mr J Satterthwaite.
ABSENT: Cllr J Fisher, Cllr M Linfoot.

The meeting began at 7.05 pm and the Chairman welcomed all.

- 13/203 **Apologies for absence.** Apologies from JF due to illness.
- 13/204 **Declarations of interest.**
- a) Declarations re agenda items. None.
 - b) Requests for dispensation. None.
- 13/205 **Public Session.** The Chairman welcomed the two members of the public. Mr Satterthwaite introduced himself and explained that he is studying politics. It was decided to move Mr Cleare's agenda item, 213a, forward. Go to that Item for the decision.
- 13/206 **Meetings.**
- a) The minutes of the Parish Council's ordinary meeting of 13 March 2014 were approved as read and duly signed by the Chairman. Prop. Cllr Haywood; 2nd Cllr Keam.
 - b) The Chairman signed the 3 copies of the Notice and Agenda for the 8 May Parish Meeting (the annual meeting of the electors) to be held at 6.30 pm in the Institute. After a statutory 2 minute break, during which the Council will serve tea and coffee to those present, the Annual Meeting of the Parish Council (AGM) will commence.
- 13/207 **Playing Field inspection rota.** The Clerk received last month's reports and the inspectors of the play equipment for the next 4 weeks will be: RK, DO, CE, CA.
- 13/208 **PCSO report.** The Council was concerned to see 2 assaults on the Crime Report for March, though no details are given. The Chairman confirmed that each Report is, and has been for some time, a report of crime within the Parish border. (Report attached.)
- 13/209 **Cllr Rix's report to the Parish.** None.
- 13/210 **Task & Finish Group report.** It will be a goal of this Council to change the CC Protocol for Local Councils. It is unreasonable and undemocratic to allow an unelected Officer to decide controversial issues. Also, the 5 working day window to "resolve the issues and provide a final response" is often too short, especially if a meeting needs to be called for a decision to be made. If the Parish Council does not reply rapidly and emphatically – no matter how emphatic the original consultee comment was – the Protocol allows local opinion to be quashed by an unelected officer. When a Parish Council and a case officer disagree, the application becomes by definition controversial and the onus should be on the Planning Authority to ensure that local opinion continues to hold weight. Allowing any one person, especially an unelected person, to make a controversial decision throws Localism out the window.
- 13/211 **Planning.**
- a) Reports on planning decisions. (See Clerk's Notes 10-4-14; also reported on LPC website).
 - b) Planning correspondence. The Clerk will request an update from M Wright

concerning the enforcement case at CL 626 re the widening of the access road; and write to Natural England for an update about the clearance of the common land.

c) **Applications.**

- i. **PA14/02429.** Highway Garage Tywardreath Highway Par Cornwall PL24 2RN. Construction of MOT and service bay - Mr David Retallick - (Case Officer - M Sleeman).

*** LPC has no objection; however this is not in our parish so the Clerk will point this out to the Case Officer to make sure the application is sent to the correct parish.

- ii. **PA14/02959** | Moorland View Conce Moor Bugle St Austell Cornwall PL26 8RT | Siting of 2 mobile homes under gypsy status for brother and children. Mrs Christine Roberts | Case Officer - Tracy Young.

*** Unable to make a decision because of maps are not suited to purpose and no site plan. The Clerk will ask the Case Officer for more information and will call a Planning meeting for 24th April.

13/212 **Maintenance of Cemetery & Open Spaces.**

- a) Cemetery policy review will be on the agenda for June. The Clerk will investigate current practices and report.

13/213 **Parish Matters.**

- a) Granite Towers. After discussing the increased postage rate it was decided to continue sending the magazine to everyone on the mailing list except those who had specifically requested that it not to be sent to them (18 so far). The Council reaffirmed its promise to pay the postage for those outside the volunteer distribution routes. Copies of GT are available at the Luxulyan Post Office. The GT committee will continue to try to reduce the mailing list. Mr Cleare thanked the Council and left the room.
- b) Footpaths.
 - i. Report that fallen trees and flooding was resolved quickly on Saints' Way.
 - ii. Treverbyn Parish Council is pursuing public right of way around Treskillig Lakes after the paths have been blocked by the new owners of the lakes. Forms available at the Luxulyan Post Office need to be filled out by people who have used the paths for 20 years or more. The Clerk will write to Treverbyn to express our wholehearted support.
- c) Beswetherick street lights. Now that the developer has finally been located and the Council is pursuing enforcement, the Luxulyan CLT is in conversation with Cornwall CLT in conjunction with CC. Progress is slowly being made.
- d) Nails protruding from fence have been removed.
- e) Salt bins have all been delivered and are in the right places.
- f) Luxulyan Memorial Institute. Seed and Plant Swaps have started.
- g) School Management Committee. Our Cllr Eich is now Chairman of Governors. Ofsted visited. The new teacher starts in the new term.
- h) Village Hall Committee. No report.
- i) Village Rubbish bins. Nothing to report.
- j) Luxulyan Toilets, update from Clerk. No report from the solicitor re 'definition of a Specific Event'. No reply from British Gas re our electrical bill, though the Clerk recently wrote to enquire and sent the details of the solar panels. The Clerk will write again with a copy to customer relations. The Clerk will pass on the compliments from walkers about the toilets to the cleaner. The signs for opening hours and to show the location of the disabled toilet will be ordered.

- k) Luxulyan Valley Partnership. HLF bid will go to committee in June. CC will match fund to around £250K. The leat path is being eroded by dogs climbing out of the leat. Though the abstraction licence has been granted, but is still conditional on installing a fish pass.
- l) Flooding.
 - i. Luxulyan Sandbags Scheme. Waiting for availability of the keys to put the bins together for the sand.
 - ii. Rosemelling update. Environment Agency 0800 807060: they respond better from this number. They will be making a farm visit and report back to LPC. The Clerk will email M Wherry of CC to ask about jetting the drains.
- m) Minorca Lane Project. No report.
- n) Good Citizens' Award 1998-2007. Clerk read out past Awards.
- o) No Lorry Sign. The signs were chosen. They will be put on the asset register so our insurance will cover them.
- p) Feast Week committee requested a smaller amount and this was discussed, but no one moved to do so.

13/214 **Finance.**

- a) Audit and Accountability Training: CALC Tuesday, April 29th, 2014. Cllr Olford will let the Clerk know if he can make that date. The Clerk will also attend.
- b) The Annual Report was presented by the RFO (Clerk) and reviewed in detail by the Finance Working Party at 6pm before this meeting. The Finance WP
 - i. The Accounting Statements (Section 1 – Annual Return) were approved unanimously and signed by the Chairman. Proposed CE, 2nd DO.
 - ii. The Annual Governance Statement (Section 2 – Annual Return) was agreed unanimously and signed by the Chairman. Proposed CA; 2nd DO.
- c) Update of signatories. The Clerk now has all signatures on the form and will take it to the bank. Each new signatory will present their own section to Lloyd's Bank.
- d) Internal Auditor for 2013-14 Year End accounts. Considering 2 candidates, it was decided to appoint Lyn Thomas of Luxulyan to be the internal auditor, and capped the fee at £75 maximum. The Clerk will write to see if this is acceptable. If not, the appointment will go to the second candidate. Proposed DO; 2nd BF.
- e) Payments authorised. Proposed RK, 2nd DO. Cleaner's salary, Public Conveniences. £196.00. HMRC. £49.00. Clerk's salary & expenses, £422.34. Donation for Fruit Trees (Item 13/118b), £139.05, to reimburse N Legard. CALC annual membership subscription £373.30. Eurooffice, laser toner, £52.78. CC grit bins, £777.48. Extra postage for GT, £38.50. Total: £2,048.45.

13/215 **Correspondence & Invitations.** (See Clerk's Notes 10-4-14)

13/216 **Business for the next meeting.**

- a) Engraving of Granite Slab.
- b) Review of Cemetery fees for June.
- c) Luxulyan's Good Citizen Award for July.

13/217 Dates of next meetings: Planning April 24th 2014, 7pm Luxulyan Memorial Institute.

AGM 6.30 pm 8th May 2014: The Parish Meeting, the Annual Meeting of the Parish Council, and the Ordinary Meeting of the Parish Council at the Luxulyan Mem. Institute.

The Chairman thanked everyone for coming and closed the meeting at 9.45 pm.
Mrs C Wilson ~ Parish Clerk ~ 14 April 2014