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Parish Rooms  
Breage  
HELSTON  
TR13 9PD

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**ORDINARY PARISH COUNCIL MEETING HELD ON 3 FEBRUARY 2009**  
**IN THE PARISH ROOMS BREAGE AT 7.00 P.M.**

Present: Cllr J Keeling (Chairman)  
Cllr T Ackland  
Cllr Mrs P Darby  
Cllr G Higginson  
Cllr B Nicholls  
Cllr M Phillips  
Cllr R Pryor  
Cllr Mrs C Rashleigh  
Cllr Mrs R Wyvern Batt

3 Members of the Public  
Mrs C Macleod (Clerk)

The Chairman welcomed everyone to the meeting.

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Le Boeuf and Cllr Hesketh-Jones who was ill and also from County Councillor Robertson who was on a holiday break. Apologies were also received, via the Chairman, from Cllr Nicholls.

**2. DECLARATION OF INTERESTS**

Cllr Keeling asked the Clerk to make his usual declaration for item 9, Planning, that states, 'As a member of KDC Planning Committee I will not make a final decision on any planning matter until I have heard all the evidence and arguments'.

**3. CONFIRMATION OF MINUTES OF THE ORDINARY PARISH COUNCIL MEETING HELD ON 13 JANUARY 2009**

**It was proposed by Cllr Keeling, seconded by Cllr Pryor and unanimously resolved that, with one amendment, the minutes of the Ordinary Parish Council Meeting held on 13 January 2009 be signed as a true and correct record.** The amendment being: Page 04/09 Item 11, Allotments – remove Clerk of the Council from before Cllr Rashleigh's surname.

**4. POLICE REPORT**

There was no Police Report available.

**5. CHAIRMAN'S ANNOUNCEMENTS**

There were no announcements.

**6. PUBLIC PARTICIPATION**

Public Participation was held from 7.02 to 7.07 p.m.

**7. REPORTS FROM COUNTY AND DISTRICT COUNCILLORS**

District Councillor Keeling expressed concern over the Helford Fishermen versus the Second Hone Owners situation. Cllr Keeling spoke about Unitary matters, about his meeting with Mr Lavery and the hope that Councils will work together during the transition and that Staff will settle in. He spoke briefly on the budget and the possible Council Tax increases.  
Cllr Rashleigh expressed her concern that many of those newly appointed to the Unitary Council do not live in the County.  
Cllr Keeling stated that the important thing was that the newly appointed were the best people for the jobs in question.

**8. REPORTS FROM OUTSIDE BODIES**

Allotments

Cllr Rashleigh asked how many had attended the Allotment meeting. The Chairman replied that the Parish Room had been full.

## 9. PLANNING

### a) APPLICATIONS

PA08/01990/TPO – Mr P Greenough – Bluebell Cottage, Godolphin Cross, HELSTON, Cornwall TR13 9QY

Coppice of one Elm tree

Councillors had no problems with this application. **It was proposed by Cllr Wyvern Batt, seconded by Cllr Ackland and resolved, by 8 votes for and 1 abstention, that this application be supported.**

PA08/02065/F – Trevena Cross Nurseries and Garden Centre – Trevena Cross, Breage, HELSTON, Cornwall

Erection of a wind turbine

Councillors discussed this application and generally felt that, although the turbine will be large and a visual intrusion to some, renewable energy should be supported. However, concern was expressed over the safety of bats in the area. A study in Canada has apparently concluded that very many bats have been killed because the build-up of air pressure around turbines can cause the bats' blood vessels to burst when the bats are in the vicinity of the turbines. It was also noted that the turbine was to be sited at the edge of a field and was felt that it would be better towards the centre as bats quarter the hedges when searching for food. **It was proposed by Cllr Higginson, seconded by Cllr Wyvern Batt and unanimously resolved that the Council support the application in principle but that Kerrier Planning be asked to consider a) a bat survey and b) whether the turbine could be re-sited towards the centre of the field because bats quarter the hedges whilst searching for food.**

PA09/00070/F – Mr K Illes, Tregaron, Pengersick lane, Praa Sands, PENZANCE, Cornwall

Erection of a domestic garage and store

Some Councillors felt that the proposed building would be very large. **It was proposed by Cllr Ackland, seconded by Cllr Higginson and resolved, by 7 votes for and 2 votes against, that this application be supported.**

### b) SECTION 78 APPEAL

PA06/01463/LD – Mr G Fuller – Carnmeal Farm, Breage, HELSTON, Cornwall TR13 9NL

Certificate of Lawfulness for the proposed erection of an outbuilding for purposes incidental to Carnmeal Farmhouse

### c) SECTION 174 APPEAL

EN05/00041 – Mr G Fuller – Carnmeal Farm, Carnmeal, Carleen

Appeal against enforcement notice – erection of a building

The Chairman offered to speak, as District Councillor, with Mr & Mrs Fuller. He would speak with Cllr Darby and arrange for one of them to attend the appeal on 25 February 2009 at 10.00 a.m.

## 10. FINANCE

### a) Heaters Parish Rooms

Carl Whitby was selected by Cllrs Ackland and Higginson to do the work and the heaters were installed on 20 January 2009.

### b) Payments

no.	Name	cheque	Service/item	Net	VAT	Total
103	BT	dd	Telephone	£71.80	£ 10.77	£ 82.57
104	Mr E H Hosking	102544	Bus shelter cleaning Godolphin	£60.00		£60.00
105	RTS (Garden Services) Ltd	102545	Footpaths invoices 13,14,15 12,21,41,43,54,82,63,16,17,37,76, 37,76,53,52,51,45,68,79,5,48,77	£560.04	£ 84.00	£ 644.04
106	Carl Whitby	102546	Heaters Parish Rooms	£980.78	£147.11	£1,127.89
107	Brewers	102547	Stationery	£17.02	£ 2.56	£ 19.58
				<b>£1,689.64</b>	<b>£244.44</b>	<b>£1,934.08</b>
	Mrs C L Macleod	102548	Salary January			
	PO Ltd HMRC	102549	National Insurance	£ 90.75		£ 90.75
	PO Ltd HMRC	102549	PAYE	£ 155.00		£ 155.00
	PO Ltd HMRC	102549	Employer's NI	£ 105.60		£ 105.60
	less adjustment overpay		May - September 5 x 50p	-£ 2.50		-£ 2.50
				<b>£ 348.85</b>		<b>£ 348.85</b>

Mrs C L Macleod	102550	Travel 18.5ml @ 53p	£ 9.80	£ 9.80
		Parking	£ 0.50	£ 0.50
			<b>£ 10.30</b>	<b>£ 10.30</b>
Mrs C L Macleod	102551	Petty Cash reimbursement	<b>£ 61.20</b>	<b>£ 8.22 £69.42</b>
R Treloar	102552	Caretaker Honorarium	<b>£ 25.00</b>	<b>£25.00</b>
			<b>£2,134.99</b>	<b>£252.66 £2,387.65</b>

The payments had been checked by Cllr Nicholls. **It was proposed by Cllr Ackland, seconded by Cllr Wyvern Batt and unanimously resolved that the payments as listed above be passed for payment.**

c) Receipts: Burial fee £68.00; LMP payment £729.01.

d) Bank balances: Current: £5,313.97; Tracker: £12,034.46; Petty Cash £30.58.

The Clerk, giving apologies for further computer problems, reported that she had at last printed out the 6 month financial statement as at 30 September 2008 and that Cllr Hesketh-Jones was auditing this as Financial Councillor.

## 11. FOOTPATHS

Japanese knotweed: A letter had been received from Adam Chell thanking the Clerk for informing him of the Knotweed areas on paths 41 and 46, saying that the areas had been identified and that they were being treated or would be treated next year. A recording sheet was included on which to record any new areas. Cllr Darby expressed dismay as she had thought that footpath had been treated for years. It had certainly been reported in 2004.

Cllr Darby reported that the sign for path 40 had been replaced and the one for path 70 was soon to be replaced.

Cllr Le Boeuf had walked footpaths 41 and 42, as was requested at the last meeting. He had no problem with walking it. The area at the Farm end is not a right of way but the farm owner will consider dedicating it. Cllr Darby had met with the Contractor and thanked him for his work. All paths have now been completed and the final invoices submitted.

## 12. CEMETERY

The Chairman asked that the Cemetery be looked at in regard to using the remainder of the money to be donated by Cllr Greenstreet's sister. The hedge end could perhaps be tidied to ward off would-be fly tippers, and perhaps an extension of the Memorial garden provided. Shrubs had been previously suggested by Cllr Greenstreet as something her sister would like. The Chairman asked if Cllrs Phillips and Higginson would look into this and they agreed to do so.

## 13. HIGHWAYS

Troon Row.

Cllr Rashleigh produced pictures of Troon Row full of huge dips and puddles. Council was unsure as to whether the road is adopted. Cllr Rashleigh was asked to speak with Mrs Hall at number 1, whose relative knows a great deal about the history of the road, in order to perhaps find a way forward and to report back to Council.

There is also a problem with vehicles parking on the grass verge beside number 1 Troon Row. This blocks the pavement and has damaged the drain. Number 1 now gets water up to their front door. It was thought that perhaps a black-and-white post could be put at each end of the verge to prevent vehicles driving on the verge. **It was proposed by Cllr Keeling, seconded by Cllr Rashleigh and unanimously resolved that the Clerk write to Highways detailing the above problems and also the suggestion about the posts and that she should send a copy to County Councillor Robertson.**

## 14. STREETLIGHTING

A quote had been received from SEC for repair work on 8 lanterns and 6 brackets: £4,670.28 + VAT. If the work is authorised to be done at one time there is a discount of £200 available. Cllr Pryor questioned the amount that had been included in the 2009/10 budget for such repairs. The Clerk reported that it is only £4,000. Councillors agreed that the job must be done and **it was proposed by Cllr Pryor, seconded by Cllr Keeling and unanimously resolved that the work be authorised for payment after 1 April 2009 at a cost of £4,470.28.**

**15. PRAA SANDS/GREEN**

- a) An agreement re: the S106 contribution, Praa Sands, had been received from Kerrier. The Clerk summarised the agreement that would authorise the payment of £9,707 to Breage Parish Council's bank account. This is an Amenity Contribution for use at the absolute discretion of the Council, towards the cost of off-site play equipment, open space or other amenity for recreational use provided or maintained by the Council for the area for the benefit of the community in the area of the development site to which the Agreement related – being land at Castle Drive, Praa Sands (“the Development Site”). The agreement needed to be signed by 2 Councillors and returned to Kerrier. **It was proposed by Cllr Ackland, seconded by Cllr Higginson and unanimously resolved that the Developer Contribution Praa Sands S106 Agreement be signed by The Chairman and Vice-Chairman.** The agreement was then signed by the elected Councillors.
- b) It had been reported to the Clerk that the drain in the road that leads on to Praa Green had blocked again. There was a request that the Parish Council assert influence on County so that polluted water was stopped from running onto the Green. The Clerk was asked to write again.
- c) Concern had been expressed that the greenery barrier, in the proposed S106 works would not permit access for people whereas the motorway barrier does.
- d) The large holes in the Green had still not been filled.

**16. QUALITY COUNCIL**

**It was proposed by Cllr Nicholls, seconded by Cllr Keeling and unanimously resolved that Cllr Hesketh-Jones be asked to produce a paper showing the practical effects - advantages and disadvantages - of a Quality Council.**

**17. PARISH ROOMS**

- a) Heaters – As previously stated, the heaters were installed in the Parish Room on 20 January 2009. Some adjustment may be required to the output dials.
- b) Re-pointing of the front internal wall. As heat is escaping through gaps in the stonework, it was agreed that re-pointing of the wall should now be carried out by the Handyman, as previously resolved.
- c) The Clerk had obtained a quote for loft insulation as the electricians who had fitted the heaters had said that the loft needed to be insulated to prevent excessive heat loss. She had been unable to find any grant funding for this. Community Energy Plus advised that Tesco Home Insulation offer the cheapest deals but this appeared to be for domestic properties. It was suggested that Kerrier may have money available. The Chairman will speak to District Councillor Jenkin to see if grants are indeed available.

**18. ELECTORAL REVIEW FOR CORNWALL**

The Clerk had reported that Breage were happy with the draft recommendations as they affected Breage. The Chairman stated that other Parishes were not happy and had objected. An acknowledgement of the Council's views had been received from the Boundary Committee. This part of the review ends on 11 February 2009.

**19. WEBSITE**

The Chairman's blog has been updated. The Chairman requested that Councillors supply any information they wish to have included in the blog, or if they wished, take a turn in producing a blog.

**20. UPDATE OF RISK ASSESSMENT**

The Clerk reported that the Risk Assessment needs to be reviewed and updated. She asked for assistance with this.

**21. RENEWAL OF GRASS CUTTING CONTRACT**

A three-year Grass Cutting Contract for Greens, Playing Field and Cemetery is due for renewal on 1 April 2009. Before then a specification must be provided and a letter requesting tenders must be placed with the local press. The specification, agreement, contract, safety procedures, etc. need updating and amending. **It was proposed by Cllr Keeling, seconded by Cllr Nicholls and unanimously resolved that Cllr Higginson update the grass cutting specification, agreement and contract and safety procedures to enable the Clerk to advertise in the press before 1 April 2009.**

**22. COMMUNITY SAFETY PARTNERSHIP**

Councillors were asked by the Clerk to look at this information. **It was proposed by Cllr Keeling, seconded by Cllr Rasleigh and unanimously resolved that Cllr Higginson read this information.**

**23. LICENSING AND GAMBLING CONSULTATION**

Comments are required by 11 March. This was noted and Councillors were requested to read through the Licensing and Gambling documents and report back with any comments. Full copies of the Licensing Act 2003 Policy and the Gambling Act 2005 Draft statement of principles are on the table in the Parish Room

## 24. REPORT FROM CLERK

- a) On the 2 December 2008 minutes the Clerk had failed to type the resolution to adopt and publish the information Commissioners Office's copy of the publication scheme in regard to Freedom of Information, that should have appeared under her report. She apologised and asked for permission to include it on these minutes. **It was proposed by Cllr Keeling, seconded by Cllr Higginson and unanimously resolved that the Clerk be permitted to include the resolution to adopt and publish the information Commissioners Office's copy of the publication scheme in regard to Freedom of Information, as resolved at the meeting of 2 December 2009:** This information is thus listed: **It was proposed by Cllr Keeling, seconded by Cllr Hesketh-Jones and unanimously resolved, on 2 December 2009, that Breage Parish Council adopt and publish the information Commissioners Office's copy of the publication scheme in regard to Freedom of Information, using the prices as were now being charged for minutes etc.**
- b) The Clerk reported that she had to send off the registration or the new heaters that would give a 2 year manufacturer's guarantee. Council unanimously refused to take extended breakdown insurance.
- c) The Clerk had made contact with the Young Offenders' Team in regard to the painting of the water pump, Breage. She had also been asked if the field benches could be rubbed down and stained and had made enquiries about that.
- d) The Playing Field inspections have been booked for April.
- e) It had been reported to the Clerk that the grass around the bus shelter (west bound side, Germoe Cross Roads needs cutting. It is apparently obstructing the view of drivers joining the A394 from Praa Sands. Also, the grass verge alongside the pavement of the road into Praa Sands alongside the woods behind Pengersick Castle has been reported as needing a cut. The Clerk was asked to inform County.
- f) The Clerk had received a letter about the bus stop at Godolphin, stating that the works are to proceed as detailed at the revised location, near the Godolphin Arms.
- g) A request had been received from North Cornwall District Council – Officers from each authority are compiling information from a range of sources on community facilities. They are asking for completion of profiles for Ashton, Carleen, Breage, Germoe, Godolphin Cross, Praa Sands. These sheets are asking for churches, playing fields, sports facilities, pubs, clubs, etc. to be listed. The Clerk asked if someone would please look at:
1. Access to services not available in the settlement. Where would residents go for weekly shop, financial services, health services
  2. Rank in order the top three issues that the community faces now and is likely to face in the next five years or so.
- There is a guidance sheet. Cllr Keeling took these documents.
- h) The Clerk also requested help with:
1. The Communities and Local Government Real People, real power: Code of recommended practice on local authority publicity consultation. Views have to be sent by 12 March 2009.
  2. The Caradon District Council communication that was on the January list re: Cornwall and the Isles of Scilly Shoreline Plan Review. There is a questionnaire to complete and a Stakeholder Registration form.
- i) Cllr Pryor has agreed to attend the final Kerrier Civic Dinner, representing the Parish Council. **It was proposed by Cllr Keeling, seconded by Cllr Wyvern Batt and unanimously resolved that Breage Parish Council pay for this function as Cllr Pryor would be representing the Council.**

## 25. MEMBERS' REPORTS TO COUNCIL

Cllr Ackland gave Carleen pantomime dates: 18, 19, 20 February at 7.30 p.m. and 21 February at 2.30 p.m. in the Village Hall, Carleen.

Cllr Darby was given permission to put a pantomime poster in the Parish Rooms window.

Cllr Rashleigh provided pictures of the exit from Pellor Fields. The dangerous exit had been reported to County in May 2006. The removal of part of the stone hedge to the right in Pellor Road was agreed at a meeting Cllr Rashleigh had with Paul Wilkinson and County Councillor Robertson in February 2008 but no money has been available to do this. Since Breage House has been established on the left hand side of the exit there are often large vans parked outside of the building blocking the view to the left.

**It was proposed by Cllr Keeling, seconded by Cllr Nicholls and resolved by 8 votes for and 1 abstention that the Clerk write to County asking if it was possible for some layers to be urgently removed from the hedge.**

The Chairman reported that the Allotments group would like to stay in contact and asked that a Councillor be nominated as a representative of the Council. **It was proposed by Cllr Keeling, seconded by Cllr Ackland and unanimously resolved that Cllr Phillips be elected as the Council's Allotments representative.** Cllr Phillips said that he had already managed to speak to Mr Michell and it appeared that 2 plots of land may be available.

**26. CORRESPONDENCE**

CCC – Appointment of Members to the Cornwall Countryside Access Forum  
One Cornwall – Newsletter 16

The Revd Penny Prince – reply re: Godolphin Graveyard. A reply had been received from Vicar Penny Prince re: the clearance of bushes at Godolphin Churchyard. This work would be carried out. Vicar Penny suggested that the school would wish to know if there were any sightings of people suspiciously loitering and asked that the Parishioners who alerted the Council be encouraged to voice their concerns to Godolphin School. Cllr Wyvern Batt agreed to pass on the information to those people who had originally contacted her with their worries.

Dave Newberry – Email re: Welloe Rock. An Email had been received from Mr Newberry. He was concerned to keep reading in the minutes of the Parish Council Meetings about the Welloe Rock. He believes that Council are referring to The Sandbar, the pub on the beach at Praa Sands, that changed its name from the Welloe Rock to The Sandbar about 3 years ago. He asks that the Council be brought up to date regarding this change of name and added that there is an excellent Pub Quiz held there fortnightly, (the next one is Wednesday 28 January 2009 at 8pm), to which any Council Members would be welcome to attend.

CRCC – Cornwall Village of the Year Competition 2009

KDC – Nomination form for Kerrier Sports Awards

Digital UK – details of switchover to ensure those who need help receive it

CALC – 5<sup>th</sup> Annual Conference Saturday 7 February 2009, New County Hall, 10 a.m. – 4 p.m. Councillors were asked to book with the Clerk if they wished to attend.

CALC - 61<sup>st</sup> AGM, New County Hall, 1.45 p.m. Minutes 2008/ Agenda 2009/Constitution and Amendments to Constitution with Clerk – Please request copies

NALC – The Parish Councils (Power to promote Well-being) (Prescribed conditions) Order 2008

Additional

CCC - Public Consultation – Street Collections, response by 29 April 2009

Local Associations Information Services - Local Democracy Economic Development and Construction Bill and Code of Recommended practice on local authority publicity – response by 12 March 2009

One Cornwall – Response to Boundary Committee Proposals deferred until 6 February 2009 10 a.m.

KDC – Invitation to Saturday Art Club Exhibition at Helston Museum Monday 9 – Thursday 19 February from 10 a.m. to 1 p.m.

KDC – Dogs Exclusion Order 01/2007

The Order will remain in force in its present terms for the time being.

Cornwall Council will be looking to introduce replacement Dog Control Orders for the County at the earliest opportunity and you will be asked to submit your comments at that time.

Spinal Injuries Association - The Clerk had been asked by the Spinal Injuries Association to advertise their fund raising idea of holding a Fish and Chip supper in homes, halls or wherever. **It was proposed by Cllr Keeling, seconded by Cllr Ackland and unanimously resolved that the information for the Spinal Injuries Association be entered on the website.**

**27. MATTERS FOR INCLUSION AT FUTURE MEETINGS**

No matters were raised.

**28. DATE AND TIME OF NEXT MEETING – Ordinary Parish Council Meeting on Tuesday 3 March 2009 at 7.00 p.m.**

**There being no further business, the meeting closed at 8.33 p.m.**

# **BREAGE PARISH COUNCIL**

## **MINUTES OF PUBLIC PARTICIPATION DURING THE ORDINARY PARISH COUNCIL MEETING HELD ON TUESDAY 3 FEBRUARY 2009 IN THE PARISH ROOMS BREAGE AT 7.00 P.M.**

At 7.02 p.m. the Chairman invited members of the public to put forward any concerns they had, or issues they wished to make known to the Parish Council, in regard to any items on the agenda.

Mr Fuller of Carnmeal Farm had come because of the appeal against enforcement action that regarding the Farm, in item 9, Planning.

The Chairman, explained that particular reasons must be raised at the appeal hearing. He offered to speak with Mr and Mrs Fuller after the Council meeting, as District Councillor, and to find out exactly what is happening over these matters. The Clerk had previously supplied Mrs Fuller with information about the past history of the case that had been kindly gleaned by Cllr Darby from previous minutes.

Cllr Higginson expressed his disgust that Post Office Ltd, having closed so many local Post Offices, had now declared, just 3 months later, a profit for the first time in 30 years. He asked that a letter be written. This would be raised at the next meeting.

Public participation ended at 7.07 p.m.