

BREAGE PARISH COUNCIL

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104/12
Parish Rooms
Breage
Helston
TR13 9PD

MINUTES ORDINARY PARISH COUNCIL MEETING HELD IN THE PARISH ROOMS BREAGE ON TUESDAY 6 NOVEMBER 2012 AT 7.00 P.M.

Present: Cllr J Keeling (Chairman)
Cllr Mrs J Anthony
Cllr A J Best
Cllr Mrs T Board
**Cllr H Bradford
* Cllr S Caddick
Cllr Mrs P Darby
Cllr Ms C Rashleigh
Cllr Mrs R Wyvern Batt

Mrs C Macleod (Clerk)

5 Members of the Public

The Chairman wished everyone a good evening and welcomed them.

1. FIRE EVACUATION PROCEDURE

The Clerk read out the Fire Evacuation Procedure

2. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Ackland – Pantomime time again, Cllr Coleman who was working away and the Police.

3. DECLARATIONS OF INTEREST

To note declarations of interest in accordance with LGA 2000 - Members and officers to declare disclosable pecuniary interests and non-pecuniary interests (including details thereof)

Cllr Mrs T Board's permanent declaration of interest in accordance with LGA 2000: My beneficial interest in Breage Parish Council owned land registered V.G.621 Praa Green, is that my adjoining property has gate access.

a) in respect of any items on this agenda

There were none

b) in respect of gifts of a value of more than £25

There were none.

c) Members to give consideration as to whether their Register of Interest forms are fully up to date

Members are asked to note that if they own homes in the Parish, these should be listed on the forms, and to give consideration as to whether their Register of Interest forms are fully up to date.

4. TO CONFIRM THE MINUTES OF THE ORDINARY PARISH COUNCIL MEETING ON 2 OCTOBER 2012

It was proposed by Cllr Keeling, seconded by Cllr Wyvern Batt and unanimously resolved that the minutes of the Parish Council Meeting on 2 October 2012, with one amendment be signed as a true and correct record. The amendment was page 103/12, line 8 was a copper mine and loam underneath Sea Acres.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman expressed sadness at Vicar Penny's retirement and said that her farewell services and parties had been great and that she had received a splendid send off. She is moving to Carbis Bay but would be attending and helping out at the Breage Remembrance Day Service.

6. POLICE REPORT

a) To receive and discuss any police report received and other police matters

The Clerk read out the following report from PCSO Sadler:

'Please accept my apologies for not being able to attend your meeting.

'There have been four crimes reported to the Police in the month of October.

'This compares to five reported at the same time last year.

'There has been a Burglary and a case of False Representation/Fraud in the village of Ashton.

'In Breage there has been a Theft and a case of an Assault.

'All the above are still under investigation.

'I am pleased to report that we had no reports of any incidents over the Halloween period. If there is anything that needs to be brought to my attention please ask the Clerk for my contact details.

'Please do not hesitate to get in touch if you see anything suspicious in your Parish.'

7. PUBLIC PARTICIPATION

Members of the public may raise subjects they wish to bring to the attention of the Parish Council. Listeners should note that decisions cannot be made on items not on the agenda.

Public Participation was held here from 7.05 to 7.11 p.m.

8. TO CONSIDER CO-OPTION OF A NEW MEMBER OF THE PARISH COUNCIL

Vacancies exist to replace Mrs Ann Greenstreet and Mr Pete Shrimpton. Vacancies were advertised with a closing date of 31 August 2012

a) Application received from Mr Howard Bradford

The Chairman welcomed Mr Bradford and said that Councillors had received his letter of application and asked if he would tell the meeting a little about himself.

Mr Bradford said that he has known the area for 70 years as he started coming on holidays then to Breage, Praa and Porthleven, and has always loved it. He retired to Ashton 15 years ago having been a Registered and Chartered Architect for 30 years. He is very interested in countryside issues and country life and the protection of these. He has very strong opinions but is open minded when Government private initiatives benefit the Countryside but is not when they don't – and he is the same with Planning. He is here 90% of the year but does spend some time in Spain. He likes to know what is going on and feels that some of his ideas would prove positive and constructive for the Parish.

*Cllr Caddick arrived.

Cllr Keeling praised Breage Parish Council and said that he also serves Crowan and Germoe but their Parish Council meetings are never as well attended as Breage's. He asked if anyone had questions for Mr Bradford.

Cllr Wyvern Batt asked if Mr Bradford had children. Mr Bradford replied that he has a partner but no children.

It was proposed by Cllr Rashleigh, seconded by Cllr Keeling and unanimously resolved that Mr Bradford be co-opted as Breage Parish Councillors.

Cllr Bradford was congratulated on his co-option.

b) If a co-option takes place, a Declaration of Acceptance of Office is to be read out and signed

Cllr Bradford completed his Declarations of Acceptance of Office, read it out to the meeting and signed it. The Clerk countersigned the declaration. The Clerk supplied advised Cllr Bradford that she would supply him with the relevant paperwork and a key to the Parish Rooms after the meeting.

**Cllr Bradford was invited to join the other Councillors but was asked not to vote on any Planning Applications discussed at this meeting.

9. REPORT FROM CORNWALL COUNCILLOR

Cllr Keeling's report had been previously circulated and he was able to just make comment and receive questions.

'The month was rather surreal with dramatic changes to the makeup of the cabinet following the ousting of the Leader of the Council and the voting in of the former deputy leader of the council. The resignation of 4 cabinet members, 2 conservatives and 2 independents, echoed a sense of frustration with regard to the political situation; and with only 6 months of the present council to run before election of a new council. Nevertheless, the cabinet is now up to full strength and the important business of setting a balanced budget in the New Year underway.

'Also up for debate was the council's proposed partnership with other public and private sector partners. Rather than kick the project into the long grass, as was muted by Radio Cornwall, the full council moved that a full report be brought back in December for a full council decision. Given there is only one bidder now, BT, a full examination of the benefits and risks can be undertaken without the cloak of confidentiality that was present during the competitive dialogue phase of the bid. I was in Birmingham City Council last Thursday with fellow councillors discussing the issues and matters arising from BCC experience with the private sector.

'Increases in the basic Cornwall Councillors remuneration put forward by an Independent Panel, was debated and eventually a decision to accept last year's increase of £2,400 on the present allowance figure as opposed to the proposed £4,100 was reached. This is of course an increase for the new council in 2013 and not for the present incumbents. It was recognised that there were a number of councillors whose financial situation placed them in a disadvantaged position compared to those with independent means. Further, there was general agreement that the council needs to attract a cross-section of society and a big stumbling block for a lot of people is the financial practicalities of taking a career break; or other commitments that preclude them spending time on council business. Nevertheless, I am not convinced that full-time councillors are part of the answer because I believe that elected members should not only represent the electorate; but be representative of them. I worked as a postmaster when I was a district councillor and paid people to fill in for me when I was away on council business which was paid for from a very small allowance; but I could just about afford this. My situation is different now and I feel that the present

remuneration is more than adequate given that I have other financial means; and if re-elected next year will pledge to give any increase in my present basic allowance to good causes in my division for at least the first year.

'The governance review panel's final deliberations were presented to full council and a recommendation that models of governance, including a hybrid cabinet/leader and committee system, are fully worked up to enable the council to make an informed decision on the final model of political management for the council from May 2013. It is worth noting that an Independent Panel of: Bishop of Truro, Tim Thornton, Deputy CEO of Cornwall College, Debbie Wilshire and Martin Parker, vice chairman of Cornwall Council's Standards Committee and Audit Commission worked tirelessly and voluntarily for a number of months. Together they presented an excellent report and recommended that the council does not adopt a committee system but seeks to work with its many partners and stakeholders to address their concerns by exploring the scope and implementing significant improvements to the leader and cabinet model. This is based on their overall conclusion that a committee model would not, by itself, alleviate the concerns of those opposed to the cabinet model. I am minded to believe that it is the organisational culture, the role of individuals; and the values and behaviours demonstrated within a structure that are essential to the good governance of Cornwall Council and central to the success of any model; and I have to say I have seen very little of these values lately. Of course the view of the 123 when they meet in December may not reflect these sentiments; but no matter what governance model is chosen the council must make it work for the benefit of the people of Cornwall.

'Local matters.

'Visited CORMAC last week to discuss local highway matters:

Stretch of overgrown pathway from western end of Ashton to the Miss Jury's House.

Cllr Keeling has asked that the path be looked for under the grass.

Signage on the road in Ashton.'

Cllr Keeling expressed concern over the erosion of the dunes at Praa Sands to the east of the Lifeguards' hut where people are using the dunes as a short cut. Mr Coward had offered financial help towards fencing at the bottom of the dunes.

Cllr Anthony said that she was unhappy about the strong leader model re: Governance Review. Cllr Keeling said that it should be known by the end of December where things stand.

Regarding new councillors – it was felt to be alarming what new councillors needed to know. There are flyers listing introduction seminars.

10. PLANNING

Cllr Keeling's statement: 'As a member of the Planning West Committee I will not vote on Planning Applications and will not make a final decision on any planning matter until I have heard all the evidence and arguments'.

a) **TO CONSIDER PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL**

PA12/08737 – MR Enterprises Ltd – Land at Higher Row, Higher Row, Ashton, Cornwall

Construction of 2 dwellings and garages, formation of access and septic tank drainage (amended design) – Time extension granted

Cllr Rashleigh asked if this is a green field site. The Chairman said that it is definitely within the village envelope.

It was proposed by Cllr Best, seconded by Cllr Wyvern Batt and resolved by voting Councillors, with one against, that the application be supported.

PA12/08841 – Mr & Mrs J Hill – Lesceave Cliff Place, Sea Meads, Praa Sands, PENZANCE

Formation of arboretum/greenhouse – Time extension granted

It was proposed by Cllr Board, seconded by Cllr Best and unanimously resolved by voting Councillors that the application be supported.

PA12/07624 – Mr Brian Booker – 3 Fore Street, Ashton, HELSTON TR13 9RN

Conversion of front garden into a lawful parking and turnaround facility – Time extension granted

A neighbour had spoken about this in Public Participation and had expressed concern about headlights pointing into their windows and noise being made whilst cars are rotating on the turntable.

Cllr Anthony said that the proposal covers seven vehicles which she felt could not be right. The area is tiny and she felt that the turntable would affect the visual amenity of the village. It would also be too near the pedestrian refuge to make exiting from the property safe and would set a precedent for other properties along the road. The Highways' condition seemed to pronounce that the turntable would always be operable. A previous appeal, not for Ashton, quoted 'as long as operable'. Cllr Anthony was totally opposed to the application.

Cllr Board was concerned about the small size of the area for the turntable and felt there would only be room for one vehicle. It was felt that two medium-sized vehicles would have insufficient space for turning without the vehicles coming into contact with the surroundings.

Cllr Best did not support the application as it would mean more entrances/exits onto the A394. He also felt the proposed turntable would be far too near to the pedestrian refuge.

The exit/entrance of number 3 would be extremely close to the refuge. Driving out from Penzance to Ashton there would be little room for manoeuvre. The other cottages in the terrace do not have exit/entrance onto the A394.

It was felt that the appeal obligations would not apply to this application as the two appeals were against applications in other cases, in other areas.

It was proposed by Cllr Anthony, seconded by Cllr Rashleigh and unanimously resolved by voting Councillors that the application be objected to for the reasons given by Council and Parishioners.

PA12/08877 – Mr David Ellsmore – Barn B, Higher Trescowe, Germoe, PENZANCE TR20 9RT

Conversion and extension to barn to form dwelling (amended design) – Time extension granted

Cllr Rashleigh expressed concern that the owl and bat survey was completed in March when the bats are not about. There are barn owls there. She asked what happens if the application is passed – does someone go out and check that the boxes have been installed? Perhaps the Clerk could be e-mailed to say when it has been done. It was asked if the recommendation that traditional bitumen roofing felt be used within the roof void, (for darkness), could be applied as a condition.

It was proposed by Cllr Wyvern Batt, seconded by Cllr Best and unanimously resolved by voting Councillors that the application be supported with a condition that traditional bitumen roofing felt be used within the roof void, (for darkness) and that the Clerk be informed when the bat and owl boxes have been installed.

PA12/09077 – Mr & Mrs M Cox – Higher Redallon, Pengwedna, Nancegollan, HELSTON TR13 0AZ

Erection of a replacement dwelling and outbuilding including septic tank and access

Cllr Wyvern Batt explained that instead of the original lean-to, a bathroom, bedroom/shower room would now be round the back still in the curtilage of the building. Cllr Anthony expressed concern that Environmental Protection had not supplied a questionnaire.

It was proposed by Cllr Best, seconded by Cllr Board and resolved by voting Councillors with one against that the application be supported.

PA10/03122 (amended) - Mr G Anstee - Engine House Cottage, Poldown, Breage, Helston, Cornwall TR13 9N

Conversion of engine house to form one holiday unit, formation of associated access and installation of septic tank - Time extension granted

Comment was made that it was as though there had never been a meeting to discuss this application as previously the Parish Council had requested that the outcome of the application be determined by Planning Committee.

A copy of a letter to Cornwall Council had been received listing Neighbours objections:

'When I accessed the Councils website to view newly submitted documentation and plans, I was looking for new submissions from May onwards, this year. Indeed, the plans you forwarded, drawings ONA3 (also titled EH/GRAD/01) and EH/ACC/01 were both prepared on 30.06.2012. Can you therefore explain why the Council's website states that they were received and placed on the website on 09.02.2012 ? (i.e. 4 Months before they were even drawn!).

'The information on your website is totally misleading and makes the whole neighbour re-notification a farce. My neighbour would also be unaware of the existence of these drawings because he too would be looking for "recent" submissions and I am sure we are not alone. The neighbour re-consultation invites comments on amended proposals, but these proposals are almost impossible to find, due to the councils administrative errors.

'In my view the website should be correctly updated in chronological order and the present neighbour consultation stopped and reissued, with an explanation of what has occurred. You may wish to seek the views of your legal section as to your next move, but at present I would suggest that you lay yourself open to a proven charge of maladministration.

'In regard to the plans you have forwarded, I again consider these to be totally unsatisfactory; both inaccurate and lacking in information.

'The drawing EH/ACC/01 showing the access gradient, purports to show an overall rise of 2.8m between the FPL of the existing lane and what I assume to be the present gravelled area adjoining the engine house. I would suggest that an on-site inspection would reveal the height difference between the lane and the ground floor base of the engine house to be in the order of 20m+. Although I am clearly unable to check this at present, this plan appears to be completely inaccurate.

'None of the documents that you have forwarded address the concerns raised in my previous email. Please can you confirm the following:

'1) The nature of the construction of the proposed new road and its surfacing? I can find no mention of this on any submitted plans or documents. Such information is vitally important to determine the nature and amount of surface water run-off and whether the roadway can cope with the volume of traffic (including access by emergency vehicles, as stated by the applicant) without breaking up.

'2) The culvert detail, Drg EH/CD/01, is in my view totally inadequate. It appears to show a typical (french drain) solution, which is not one which would be suitable in intercepting fast flowing water, running off a 45m long, steeply sloping driveway. In my view, any such pipe should be at least 300m - 400m in diameter, situated just below the surface level and fed by a metal channel or grid across the path. In my opinion the solution proposed is not up to the job.

'3) Can you please advise, in view of no apparent information, where the surface water captured by the culvert pipe would be discharged to? Are there any proposals to build soakaways adjoining the line of the new roadway? If not, will the surface water run onto adjoining land? Does the applicant have any legal rights to discharge water onto land not in his ownership?

'4) Please can you advise me who you intend to consult regarding the drainage proposals submitted, to obtain proper technical expertise as to their effectiveness and to avoid the possibility of future flooding of my and my neighbours property, for which I will hold the council accountable.

'I am sure you will understand my frustration and anger at the shoddy way that this, and the previous applications have been handled by your Council since 2009.'

It was proposed by Cllr Anthony, seconded by Cllr Board and unanimously resolved by voting Councillors that Breage Parish Council request that the outcome of this and application PA10/03123 be determined by the Planning Committee in due course, thus enabling neighbouring Parishioners to voice their concerns.

PA10/03123 (amended) - Mr G Anstee - Engine House Cottage, Poldown, Breage, Helston, Cornwall TR13 9N

Listed Building Consent for alterations to building – Time extension granted

See PA10/03122(amended) above.

PA12/09282 – Mr Guy Alexander – Chytarow, Germoe, PENZANCE TR20 9RW

Erection of garage

Comment was made that the garage looks more like a ranch house and was felt to be over large for a garage.

It was proposed by Cllr Wyvern Batt, seconded by Cllr Board and unanimously resolved by voting Councillors that the application be supported in principle but that concern be expressed by Breage Parish Council about the oversize of the garage.

PA12/09777 – Mr & Mrs V Connolly – Ash Cottage, Trenwheal, Leedstown, HAYLE TR27 6BP

Erection of two-storey extension and conservatory to rear

Cllr Wyvern Batt advised that neighbours were happy with this. **It was proposed by Cllr Best, seconded by Cllr Wyvern Batt and unanimously resolved by voting Councillors that the application be supported.**

b) TO CONSIDER PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA UP TO 12 NOON ON 2 NOVEMBER 2012

There were none.

c) TO RECEIVE ADVICE OF CONDITIONAL PLANNING PERMISSION FROM CORNWALL COUNCIL**PA12/08252 – Mr & Mrs T Oliver – Lowenna, Wheal Vor, Breage, HELSTON**

Formation of a detached garage

PA12/07010 - The Swallowcourt Group - Breage House, Breage, HELSTON, Cornwall

Conversion and extension of outbuilding into habitable use

PA12/08500 – Mr & Mrs Mimms – Andelain, Forth Vean, Godolphin Cross, HELSTON

Construction of a front porch extension

PA12/08459 – Ms K Finch – Silverleat, Praa Sands, PENZANCE TR20 9TL

Proposed conservatory extension to an existing domestic dwelling

d) TO RECEIVE NOTICE OF DISCHARGE OF CONDITIONS**PA11/10225 – Mr A Michaelis – Little Cottage, Sea Meads, Praa Sands, PENZANCE, Cornwall**

Submission of details to discharge Conditions 2, 3, 4, 5, 6, 7 and 8 in respect of decision notice PA11/00839

Not all conditions agreed

Cllr Board asked who supervises the site. This was one of the oldest surviving cottages. The area is now cluttered outside with materials and vehicles. A garage has been built and this has taken away parking spaces whilst building continues. The septic tank is for three other houses too and so was a big hole with lots of digging – the commotion being so severe as to shake the land. The land is holding water between the dwelling and the wall by Seameads Estate Road. Cllr Anthony added that Steve Schotel had made a point that the Coastal Protection Officer should be consulted. Cllr Caddick said that the neighbours' screening had gone.

e) Friendly Link Officer contact details: Cath Bray, 01209 614295, catherine.bray@cornwall.gov.uk

f) Cllr Anthony asked about the new build next to Waltham House - if the planting had been added to the next application as requested by the Parish Council. Cllr Keeling said that this had not been done.

11. FINANCE**a) To approve and sign the 6 monthly Financial Statement**

Cllr Anthony confirmed that she had checked the 6 monthly Financial statement. **It was proposed by Cllr Caddick, seconded by Cllr Best and unanimously resolved that the 6 monthly Financial Statement be approved and signed.** The Chairman signed the 6 monthly Financial Statement.

b) To resolve to approve November payments

no.	Name	cheque	Service/item	Net	VAT	Total
67	SSE Contracting	103134	Routine maintenance Streetlights 6 months	£302.02	£60.40	£362.42
68	e-on	dd	Electricity Streetlights Sept	£224.75	£44.95	£269.70
69	D J L Gallie	103135	Internal Audit	£150.00		£150.00
70	R W Beard	103136	2 cuts B&G greens/cemetery/field	£388.00		£388.00
71	BT	dd	Telephone	£79.72	£15.94	£95.66
72	T F Laity	103137	Germoe Crossroads bus shelter graffiti removal Sign PS/Holes on Green/Notice board	£30.00		£30.00
73	Stephen Babbage	103138	Carleen/ Godolphin water shute	£330.00		£330.00
74	Trelawney Security Systems	103139	Service Fire Alarm	£75.00	£15.00	£90.00
				£1,579.49	£136.29	£1,715.78
	Mrs C L Macleod	103132	Salary October			
	PO Ltd (HMR&C)	103133	PAYE	£239.20		£239.20
	PO Ltd (HMR&C)	103133	Employer's NI	£101.26		£101.26
				£340.46		£340.46

109/12					
Mrs C L Macleod	103140	Travel 18.5 mls @53p		£9.80	£9.80
Mrs C L Macleod	103141	Petty cash reimbursement Oct		£8.30	£8.30
D R Treloar	103142	Caretaker honorarium		£29.60	£29.60
				£1,967.65	£136.29
					£2,103.94

Cllr Anthony confirmed that she had checked the payments. **It was proposed by Cllr Anthony, seconded by Cllr Keeling and unanimously resolved that the payments as listed above be passed for payment.**

c) To acknowledge receipts

Admin: £12.20; VAT: £828.33

d) Clerk to provide Bank balances

As at 31 October 2012: Current reconciled: £7,294.41; Tracker: £34,913.60; Petty cash: £91.70; Total including petty cash reimbursement £41,547.09

12. FOOTPATHS

a) Still no LMP payment received

b) Cllr Darby reported that:

(i) There is a tree on footpath 16

(ii) The nettles have been cut down on path 64

(iii) Colin Bayes has filled the holes in the first part of Troon Row. It was proposed by Cllr Keeling, seconded by Cllr Darby and unanimously resolved that a vote of thanks be expressed to Colin Bayes for getting this work done.

The Clerk added that the Parishioner who had originally written about the state of the path had phoned in expressing thanks and saying that what has been done is 'brilliant'. She has thanked CC and Cormac and asked the Clerk to pass on the residents' thanks to the Parish Council saying that it has made such a difference.

13. HIGHWAYS

a) Cllr Keeling reported that some patching had been done in Ashton.

b) Cllr Best expressed concern over the fact that ditches need ploughing. The water running from these onto the roads digs the potholes up. 20 years ago the roads were far better but now the budget is being cut – why? It would surely help if the ditches were cleared – even a little. Cllr Keeling said that there is no budget. Cllr Anthony said that when drains are to be cleaned workers come but do not carry properly carry out the work.

c) Cllr Rashleigh reported that at the end of the last bungalow in Trewithick Road, Breage the drain is blocked and is causing a mini-flood.

d) Cllr Darby asked if there was any news about the T-junction sign. Cllr Keeling said that he would chase it up.

e) Cllr Board said that the overgrown foliage outside at the end of Pengersick Lane, Praa Sands below the Post Office needs to be cut back. Cllr Keeling will check this out as it will have to be cut back before yellow lines can be put in.

14. STREET LIGHTING

a) The following works to be carried out:

064BA 084BA 071BA - Lantern and bracket for each

096BA – Support and bracket

Total cost £4,000 + vat

This was noted.

b) Great Western Power – Stakeholder workshop with luncheon – Future investment plans

13 November 2012, registration from 9.30 a.m., workshops 10 a.m. – 1 p.m. and 2-3 p. m. Exeter Rugby Club

c) It was reported that a light at Carleen cross roads is not working.

15. CEMETERY/CLOSED GRAVEYARD

a) An interment took place on 23 October 2012

b) There will be an interment of the ashes of Joan and Jack Keverne on 9 November 2012 at 2.30 p.m.

16. PRAA SANDS

a) Pyjama Fun Run Blue Peter Appeal for Children in Need 11.00 a.m. 3 November 2012 – meet by the slipway £2 entry fee

The Clerk reported that £70.50 was raised. She was asked to write a well-done letter to young Louis who had arranged this. She said that she had already e-mailed him and said, 'Well done.'

b) Praa Green donated granite bench – top has come loose. Handyman has glued it. **Permission to contact installer should this be necessary**

It was proposed by Cllr Keeling, seconded by Cllr Anthony and unanimously resolved that the Clerk be granted permission to contact installer of the granite bench, Praa Green, should this be necessary

c) Letter from Parishioner re: Change in parking Restrictions

Concerned that no information is available on what action is being taken. Cllr Keeling had replied to this.

- d) **Request for a 'Pull-in only' sign for Greenways Byway 47**
It was proposed by Cllr Board, seconded by Cllr Keeling and unanimously resolved that a sign be purchased and erected at the pull-in Greenways, Byway 47 reading: 'Passing only, no parking'.
- e) Request for a rubbish/dog bin by large stone at entry to the Common as people are coming from the beach and leaving rubbish/dog toilet – also being thrown into neighbouring property's hedge
 Cllr Rashleigh asked about the additional rubbish bin requested for Breage Field.
 The Clerk was asked to look into the possibility of obtaining these bins.
- f) Complaint re. Speeding into Praa Sands
 People from Trewartha Road having difficulty getting into Pengersick Lane – visibility to right not good
 This was noted.
- g) **First Bus Service – request for a letter to be written**
 re. Lateness/non-existence of the 2ACllr Board spoke about the terrible bus service at Praa sands. The buses are persistently late, sometimes over 20 minutes and one day there was no bus all morning. 5 minutes late can be coped with but not 20 minutes. The driver has to do everything and cannot fulfil all the services required on the 2A in the time allocated. **It was proposed by Cllr Board, seconded by Cllr Keeling and unanimously resolved that an e-mail be sent to Nick Truscott, Transport Manager, Cornwall Council about the irregular bus service at Praa Sands.**

17. GODOLPHIN

- a) Further dumping at Forth Veau
 This has been reported.
- b) Slurry still escaping from Crevet's Farm
 This has been reported and the Clerk has received a reply from the Environment Officer:
'Thank you for your report. I visited the farm last week but the farmer was out. I did however deliver a letter containing information on a DEFRA led advisory scheme hoping the farmer will take this up. I have asked that he contact me to arrange a visit and will follow this up next week if I hear nothing from him by then.'
- c) Shute cleared by Handyman

18. HELSTON AND LIZARD COMMUNITY NETWORK PANEL

Report on meeting 31 October 2012

Cllr Keeling had attended this meeting. The agenda:

1. Welcome and apologies
2. Helston Town Framework/ Core Strategy – Chloe Pitt/ Matthew Brown
3. General Update from Cornwall Councillors
4. Topic for next meeting
5. Any other business
6. Date, time and venue of next meeting

Cllr Keeling said that much of the interest was focussed on Helston and he read out the framework details that listed the importance of Culdrose as an employer and tourism in the town. Cllr Rashleigh spoke about her experience of the Cattle Market Community Centre saying that her group had had to pay £267 plus £96 for a cleaner when the venue was hired. As her group is a Charity she felt that it was an extremely high fee to pay and the group has looked elsewhere for its next event.

19. COMMUNITY RIGHT TO BID

Groups that can nominate an asset:

Parish Councils: This may be for an asset in its own area, or in the neighbouring parish council.

Neighbouring Parish Councils: If the parish council borders an unparished area, then they may nominate an asset within that neighbouring local authority.

Unincorporated groups: Nominations can be accepted from any unincorporated group with membership of at least 21 local people who appear on the electoral roll within the local authority, or a neighbouring local authority. This will for instance enable nomination by a local group formed to try to save an asset, but which has not yet reached the stage of acquiring a formal charitable or corporate structure.

Neighbourhood forums: The procedure for becoming a neighbourhood forum is set out in section 61F of the Town and Country Planning Act 1990, added by the Localism Act 2011. There can only be one neighbourhood forum for an area. Existing community groups, civic societies and others can put themselves forward to be a 'neighbourhood forum'. Prospective neighbourhood forums need to ensure they meet the conditions for designation set out in the legislation, for example a forum should have an open membership policy and seek to draw its membership from across the neighbourhood area and from different sections of the local community.

Community interest groups (includes Parish Councils) with a local connection: These must have one or more of the following structures:

- a) A charity
- b) A community interest company
- d) An industrial and provident society that is non- profit distributing (these groups will be renamed as community benefit societies by the Co-operative and Community Benefit Societies and Credit Unions Act 2010 when it comes into force

Groups with legal status that can express an intention to bid:

- A charity
- A community interest company
- A company limited by guarantee that is non profit distributing
- A company limited by guarantee that is non profit distributing

Cllr Anthony provided more information for the Clerk to circulate to Members – see item 20.

Cllr Keeling spoke about the possibility of safeguarding Ashton field.

Cllr Anthony asked that councillors read through the information supplied, look at these three questions and come back to the next meeting with comments and questions:

1. Are there any assets we think we should list?
2. Are there any groups that we think don't know about this and should?
3. Is there any need for us to publicize this?

20. REPORTS ON MEETINGS/TRAINING SESSIONS ATTENDED

Cllrs Anthony and Keeling had attended the Town and Parish Council Summit on 3 November 2012

Cllr Anthony had provided the following report:

This was a very worthwhile event and provided updates on CIL, Licensing, New Community Rights, Changes to the Financial regime affecting Cornish Local Councils, the new Code of Conduct and Planning. On the workshops I chose the Right to Bid workshop and John Keeling chose the Right to Challenge workshop.

Key updates:

Community Infrastructure Levy

The CIL is still not finalized – the Government is still moving the goal posts, but the timetable at the moment is:

Preliminary Draft Charging Schedule consultation - January 2013

Draft Charging Schedule consultation – Summer 2013

CIL examination and decision – Autumn 2013

Ongoing during this process are decisions on what infrastructure should CIL money be spent on and the height of the 'meaningful' proportion – **things that I feel we should have a view on as a Parish Council and should feed back to Cornwall Council.**

Finance

Business Rates

These will not now go to Local Councils, as announced by the Government – we will now only receive 50% of the growth element!

Council Tax Support

This now becomes the responsibility of Cornwall Council.

Cornwall Council must have a local scheme approved by 31 January 2013, but because of no final decision by the Government this is making it very difficult for Cornwall Council to get the scheme together in time.

The actual Government funding cut is 12.5% (nearly £6m). The preferred option to recover the funding gap requires a reduction in entitlement to 70% plus other changes.

Current proposals being considered by the Cabinet and Cornwall Council are:

- Second home discount (currently 100%) to cease
- Empty property discount under 6 months (currently 100%) – discount for one month then 0%
- Empty property being refurbished (currently 100%) – discount of 50% for up to one month then 0%
- Properties empty for over two years – Empty house premium to be introduced i.e. 150% Council Tax charged, but there will be a 'for sale' exemption
- Resident can now veto excessive Council Tax rises
- 2013/2014 Council Tax limited to 2% increase and an increase above that will trigger a referendum for residents to veto or approve the rise

Workshops:

Community Right to Bid – Cllr Anthony

- The aim of Community Right to Bid is to help communities faced with losing local amenities and buildings which are important to them, by providing the opportunity to identify and 'list' assets.
- Right to Bid is not a right to buy – it simply gives community groups a period of time to prepare a proposal and raise funds required to put in a bid. The sale takes place under normal market conditions and the owner is under no obligation to sell to the group.
- The CRTB allows suitably constituted community groups to nominate land or buildings in either public or private ownership which can demonstrate 'community value' to be listed, so that should they come up for sale the community group gets the opportunity to bid to buy.
- If an asset is listed the following applies:
 - It remains on the list for 5 years and is notified to the Land registry as a registered restriction in the Land Registry for the land (and a local land Charge).

- Before a listed asset can be sold the owner must notify Cornwall Council.
- There is then a 6 week interim moratorium during which the asset cannot be sold.
- Cornwall Council notifies the local nominators and local community groups may then register an interest in making a bid.
- If an interest to bid is registered there is a moratorium of 6 months during which the asset cannot be sold.
- The community group can then prepare and submit a bid to purchase the asset.
- There are some exclusions and rights of review of listing decisions for both the land owner and nominators.
- Where an asset does not currently demonstrate 'community value' it may still be nominated where it is possible to demonstrate that the asset's main use did further the social wellbeing or cultural, recreational or sporting interests **in the recent past** and where it is realistic to think that it will do so again in **the next 5 years**.

Community Right to Challenge – Cllr Keeling

If you think that you can do better than Cornwall Council you can make a challenge. It is best to talk to Cornwall Council if you wish to do this and then there is a process to follow.

Cllr Keeling spoke said that a message of austerity was being imposed by Central Government.

Cllr Anthony did not want to see s106 payments spent on maintenance by Cornwall Council and asked what was meant by 'a meaningful proportion of the levy'.

Both Councillors agreed that the meeting was very interesting and everything was useful and had been well put together. They had been very well looked after and felt that John Pollard and the officers had done a good job.

21. CODE OF CONDUCT UPDATE

A final update to the Code of Conduct had been received and circulated.

a) The appropriate paragraph and choice of values to be decided re. 2.6

It was proposed by Cllr Anthony, seconded by Cllr Board and unanimously resolved that Breage Parish Council choose option 2.6 as follows:

You must not accept any gifts or hospitality that you are offered or receive in connection with your official duties as a member ii) that could be seen by the public as likely to influence your judgement in these matters.

b) Guide to awarding dispensations Non disclosable or Non registerable to be considered

The Parish Council can either delegate to the parish clerk the authority to grant dispensations or reserve such decisions for the full parish council.

In either case, the decision must be based on one or more of the following criteria :

- a. so many members of the decision-making body have Non Disclosable or Non Registerable Pecuniary Interests that it would impede the transaction of the business (ie. the meeting would be inquorate); or
- b. the authority considers that the dispensation is in the interests of persons living in the authority's area; or
- c. it is otherwise appropriate to grant a dispensation.

The parish clerk or parish council should formally notify the Councillor and the Monitoring Officer of its decision and reasons in writing at the earliest opportunity and in any event within 5 working days of the decision. A copy of any dispensation should be held with the Member's Register of Interests.

It was proposed by Cllr Board, seconded by Cllr Rashleigh and unanimously resolved that the granting of dispensations Non disclosable or Non registerable be reserved for the full Parish Council.

c) Adoption of amended Code

It was proposed by Cllr Keeling, seconded by Cllr Board and unanimously resolved that the amended Code of Conduct be adopted by Breage Parish Council. The Chairman signed the Code of Conduct. The Clerk to amend and re-issue copies of the Code of Conduct.

22. REPORT FROM CLERK

a) The Clerk asked if she may open an account with Eurooffice – they often have very good offers on inks. The Clerk has bought from them in the past as they can be much cheaper than Viking. She would rather not keep paying the invoices herself and claiming back as they are usually for £200 +.

It was proposed by Cllr Keeling, seconded by Cllr Caddick and unanimously resolved that the Clerk open an Account with Eurooffice in the name of Breage Parish Council.

b) A routine inspection of the Fire Alarm was held on 24th October.

c) CCPA is looking for a Treasurer and Committee Members – applications by 13 November.

d) The poppy wreaths have arrived and the Clerk asked that the Councillors who are laying them on Remembrance Sunday please take them.

e) The Clerk asked if the Council wished for her to advertise in the press to co-opt a Parish Councillor.

It was proposed by Cllr Keeling, seconded by Cllr Anthony and unanimously resolved that the Clerk advertise in the press to co-opt a Parish Councillor.

- f) The wall bordering the footway, St Breaca Close, Sethnoe Way has bits falling out and brambles growing from it. The Clerk has contacted Coastline but they say they are not responsible. Cornwall Council has informed the Clerk that the residents themselves are now responsible for the wall. It was agreed that the Clerk contact Cornwall Council and ask them to inform the residents that they are responsible for the upkeep of the wall.
- h) Germoe Crossroads bus shelter had to have graffiti removed.
- i) Comments are invited re. CC's Gambling Act 2005 – draft revised – by 21 December 2012
- j) Came Insurance – references should be held for Parish Councillors and Clerks and RFOs if they are not Clerks, who have access to the Parish Council Accounts. Came has now negotiated with Aviva and it has been agreed that if the Parish Clerk or RFO was in the role when their policy came into force with Came & Company a reference is not required. If a new Clerk/RFO is appointed a reference should be obtained and held on file.
- k) Cryptocard token received and registered.

23. MEMBERS' REPORTS TO THE COUNCIL AND REPORTS FROM OUTSIDE BODIES

Breage Field inspection

The inspection report had been received and circulated. There were three matters that had been noted:

1. Excessive puddles around the football net, far end.
2. Swing seats perished.
3. Climbing frame – surface rust and missing bolt.

These matters have been reported to the Secretary.

Cllr Caddick reported that at the Parish Council's car park by the Basketball Court, Praa Sands the Pampas Grass is encroaching. Cllr Keeling will look into this.

Carleen Village Hall

Cllr Darby reported that there will be a soup and pudding meal on Friday 16 November, 12noon to 2 p.m. and a Quiz Night on 17 November.

Cllr Darby reported that the next PAROW (Penwith Access and Rights of Way), meeting will be on 21 November.

Cllr Rashleigh wished that the MP be contacted with regard to speaking against the Growth and Infrastructure Bill.

Breage Field

The knotweed has not been treated in the field and Cllr Rashleigh asked that Mr Beard be reminded. The Clerk said that she had already done so.

There are 100 shrubs and trees to put in. These were delivered yesterday. The Clerk reported that the Royal Oak sapling had also been received and passed on to the Secretary.

Cllr Bradford asked about Tregonning Close and Cllr Keeling advised that Cornwall Council is trying to adopt it.

Cllr Best reported that there is a great deal of mud on the road from Polladras towards Carleen. This was reported to Cornwall Council by Parishioners and apparently someone came but only put up 2 notices to say that the road is slippery. There has been no attempt to actually clean up the road. He also reported that the surface of the road leading to Lower Polladras is apparently breaking up quite badly. The Clerk was asked to advise Neighbourhood Services of these matters.

Cllr Anthony said that she had written to Andrew Long but had still received no reply. She is still pursuing the Haulfryn generator matter with the Ombudsman. The Ashton Motel is on the market again. Cllr Anthony said that no enforcement order had been registered.

Cllr Keeling advised that Mr Fletcher, the owner was very difficult to contact. Cllr Keeling expressed gratitude to Cllr Coleman and his crew for removing the large sign at the Motel ensuring that there is now no more fly posting. Cllr Keeling has been raising question about the Motel every month but Lee Viner is no longer answering his phone. An e-mail from Cllr Coleman had been forwarded.

Cllr Anthony asked why the enforcement had never been registered. Cllr Keeling suggested that Cllr Anthony to do it herself.

Cllr Board reported that the elderly at Pengersick Lane bus stop were anxious for the bus shelter to be installed. Cllr Keeling said that the seat needed to be removed as the money must be spent before April. The pot holes at the Basketball area have still not been repaired. The Clerk reminded Council that this is the Parish Council's responsibility.

24. CORRESPONDENCE

October Half Term – Holiday Activities

rsnonline – Rural Opportunities Bulletin October 2012

rsnonline – newsletter 8 October 2012

CC – Leader's message 8 October 2012

Penwith Landscape Partnership – Community Consultation Penzance St John's Hall, 7 November 2012, 6-8 p.m.

CC – Local Planning Forum invitation

AONB –SW Coast Path’s 40th Anniversary celebration starts at Poole 3 April 2013
 CC – Comments re. CC Gambling Act 2005 draft by 21 December 2012
 Cornwall Waste Forum – News of further action
 rsnonline – newsletter 15 October 2012
 SLCC – Nominations for candidates for the post of Chief Executive of the SLCC
 rsnonline - Conference Challenging Times 26 November 2012, Nottingham Forest Football Club
 Cornwall County Playing Fields Association – New Treasurer/Committee Members wanted – by 13 November 2012
 Cornwall County Playing Fields Association – AGM 20 November 2012, 6.30 p.m., St Erme Sports and Community Centre
 FiT – newsletter
 Miracle Design and Play – Seminar on Developing A Play Area, Goonhavern Village Hall, 9.30 a.m., 16 November 2012, free refreshments and lunch
 Rsnonline – newsletter 22 October 2012
 CC – Cornwall conversations cancelled
 Praa Sands at the slipway – Pyjama Fun Run – Blue Peter Appeal, Saturday 3 November 2012, 11.00 a.m., £2 per entry to the Blue Peter Appeal
 MEP – newsletter October 2012-10-25
 The Open Spaces Society – Growth and Infrastructure Bill second reading – write to MP
 NHS Cornwall and Isles of Scilly –Promoting Health Information Line
 CALC – The Week 28
 rsnonline – newsletter 29 October 2012
 Clerk and Councils Direct – November
 rsnonline – Rural Opportunities Bulletin November
 Open Spaces Society – Growth and Infrastructure Bill update
To note any correspondence received since the agenda was published
 Open Spaces – Magazine Volume 30 No 5 Autumn 2012
 South West Coast Path – Great South West Walk
 Rsnonline – newsletter 5 November 2012
 Cornwall Interlink – Funding event Tuesday 20 November 2012, Old Cattle Market, Helston, 9.30 a.m. to 1 p.m. followed by lunch and one-to-one surgeries
 Community Energy Plus – Solar Communities programme

25. TO RECEIVE ADVANCE NOTICE OF ITEMS FOR NEXT AGENDA

Community Right to Bid

26. TO CONFIRM THE DATE AND TIME OF NEXT MEETINGS

PARISH COUNCIL MEETING TO SET THE PRECEPT/BUDGET 2013/2014 Tuesday 20 November 2012; ORDINARY PARISH COUNCIL MEETING Tuesday 4 December 2012 – both at 7.00 p.m. in the PARISH ROOMS

These were confirmed.

There being no further business the meeting closed at 9.43 p.m.

BREAGE PARISH COUNCIL

MINUTES OF PUBLIC PARTICIPATION DURING THE ORDINARY PARISH COUNCIL MEETING HELD ON TUESDAY 6 NOVEMBER 2012 IN THE PARISH ROOMS BREAGE AT 7.00 P.M.

At 7.05 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 Spall spoke in objection to item 10a) Planning, reference PA12/07624, neighbouring his property. He felt that the turntable would not be large enough for two vehicles as they would have insufficient space for turning without the vehicles coming into contact with the surroundings and the property was too close to the pedestrian refuge to allow safe manoeuvring of vehicles. He also expressed concern about headlights pointing in his windows and noise being made whilst cars are rotating on the turntable.

Mr Rayment spoke about Road Safety:

1. His neighbours were nearly 'clobbered' at the bottom of Trewartha Road, Praa Sands. To get out of the road onto Pengersick Lane one has to open the window and listen as visibility is very limited. He recommended rumble strips and slow signs as vehicles rush up the hill.
2. At the bottom of Pengersick Lane to Castle Drive vehicles travel so fast. Coming from R and J's car park people speed out over the white line.

Cllr Keeling invited Mr Rayment to meet with him to discuss his concerns.

3. Mr Rayment provided some notices about a Refresher Course by Cornwall Advanced Motorists at £20.

Cllr Anthony supported what Mr Rayment said adding that this could be part of the discussion – Rural Toolkits and the initiative to bring in 20 m.p.h. limits.

Public participation ended at 7.11 p.m.