
**MINUTES OF THE ORDINARY PARISH COUNCIL MEETING HELD IN THE PARISH ROOMS
BREAGE ON TUESDAY 6 OCTOBER 2015 AT 7.00 P.M.**

Present: Cllr Mrs R Wyvern Batt (Chairman)
Cllr A Best
Cllr Mrs T Board
Cllr S Caddick
Cllr P Greenough
Cllr G Higginson
Cllr K La Borde
Cllr Ms C Rashleigh

3 Members of the Public

The Chairman welcomed everyone and wished them a Good Evening.

1. FIRE EVACUATION PROCEDURE

This was read out by the Clerk.

2. APOLOGIES FOR ABSENCE

Apologies had been received from HB who was on holiday; TC who was also on holiday; PD who had a friend visiting and TA for medical reasons. An apology had been received from Cllr Keeling as he was attending the Sithney PC meeting.

3. DECLARATIONS OF INTEREST

a) 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.

b) To note declarations of interest in accordance with LGA 2000 - Members and officers to declare non-registerable interests or disclosable pecuniary interests (including details thereof) in respect of any items on this agenda and unless you have the benefit of a current and relevant dispensation in relation to these items you must:

(i) not participate, or participate further, in any discussions of these items at the meeting;

(ii) not participate in any vote, or further vote, taken on these items at the meeting; and

(iii) remove yourself from the meeting while any discussion or vote takes place on these items, to the extent that you are required to absent yourself in accordance with the Council's Standing Orders or other procedural rules.

Where a Member has a non-registerable interest in an item that does not benefit from a valid dispensation and that interest only arises from the Member's participation in or Membership of a body whose objects or purposes are charitable, philanthropic or otherwise for the benefit of the community the Member may, (with the permission of the Chairman of the meeting or until such time as the Chairman directs the Member to stop) address the meeting to provide such information as they reasonably consider might inform the debate and decision to be made before complying with b).

There were none.

c) To take consideration of written requests for dispensations

There were none.

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

Nothing was declared.

4. TO CONFIRM THE MINUTES OF THE ORDINARY PARISH COUNCIL MEETING 8 SEPTEMBER 2015

The Chairman led Members through each page of the minutes asking for accuracy corrections.

No corrections were needed. It was proposed by TB, seconded by SC and unanimously resolved that the minutes of the Ordinary Parish Council Meeting 8 September 2015 be signed as a true and correct record.

5. POLICE REPORT

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

No report had been received. It was suggested that the matter of not receiving a report be left until the November meeting. If no report was received then a letter may be needed.

6. CHAIRMAN'S ANNOUNCEMENTS

The Chairman apologised for not being able to attend the meeting on 28th September.

7. PUBLIC PARTICIPATION

a) Each member of the public is entitled to speak once only in respect of business itemised on the agenda or in respect of something they wish to bring to the Parish Council's attention for inclusion on a future agenda and may speak for a period of time which is at the Chairman's discretion

b) A question asked by a member of the public during this public participation session shall not require a response or debate

c) The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for oral response or to the Clerk for a written or oral response

d) A record of the public participation session shall be included on a separate page in the minutes of the meeting

Public Participation was held here from 7.05 to 7.15 p.m.

8. REPORT FROM CORNWALL COUNCILLOR

As Cllr Keeling was not present the Clerk read out his report:

'Though there were a number of meetings throughout the month, including full council (where I questioned once more the provision of toilets in Cornwall), the matters debated and discussed were mainly treasury management and procurement. There was the matter of fitting sprinklers in new housing development and that was debated during a recent scrutiny committee. Progressing them to be fitted as a matter of course would need a change in legislation and this possibility is being sought.

'At a recent meeting of the West Cornwall Local Action Group (WCLAG) meeting held at Penzance, Karen La Borde was accepted onto the group in the capacity of private business category. I mentioned Karen's recent co-option onto Breage Parish Council, which helped to reinforce the appointment. Grant funding for projects may be applied for and potential applicants are helped, by the group, to signpost them to enable compliance with relevant documentation. Eligibility and approval/rejection of projects will be decided by the WCLAG. More information in the emerging website www.localactioncornwall.info.

'The paperless planning issue is causing a stir amongst some parish councils, particular the smaller ones. I will take this up with Edwina Hannaford (Portfolio Holder) on behalf of my parishes, if necessary, once the collective views of all three parish councils in my division are known.

Traffic matters and problems outside Sithney School are causing some distress due to the new traffic calming measures. Helena Ludlow from Highways will be visiting the site this coming week. I have asked her to pop into the school during her inspection trip.

'Finally, I thought to include a snippet from Germoe Parish Council's meeting last Thursday in the wake of discussions around the Praa Sands Toilets by Breage Parish Council for general information at this time.

Further, I am more than willing to help see the problem of toilet provision brought to a satisfactory, if not convenient conclusion in due course along with advice and help from the Community Link Officer (Maxine Hardy).'

CORNWALL COUNCILLOR'S COMMENTS to Germoe Parish Council 1st October 2015

Cllr Keeling reported that

- *there is now a strong possibility that Breage Parish Council will take on responsibility for the Praa Sands public conveniences, though no decision has been taken to date.*
- *this may be done through a Community Interest Company, in which case Germoe Parish Council, as a near neighbour, might like to consider becoming a stakeholder.*

It was not understood why Cllr Keeling did not already know the Parish Council's views on paperless planning.

9. PLANNING

a) TO CONSIDER PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL

PA15/07817 – Ms J Lawrence – Gullys End, Rinsey Croft, Ashton, HELSTON

Erection of a Replacement Dwelling and a Detached Garage

GH had tried to phone the Planning Officer as he was concerned about the size of the development compared to what is now there. Other Councillors felt that although it is large it fits well in the very large plot. **It was proposed by AB, seconded by PG and unanimously resolved that the application be supported.**

PA15/07861 (OUTLINE) – Mr And Mrs D Reeves -Land Adj. To Number 10 The Links, Pengersick Lane, Praa Sands, PENZANCE, Cornwall TR20 9RD

Outline Planning permission with all matters reserved: Proposed bungalow with integral garage

TB – there was an outline application before. The drain and soakaway are not shown on it. The land is made up and this would be an additional amount to the sewage works. Would it work satisfactorily? The neighbours had expressed concerns. GH 1.10m is considerably higher and would make the building very much out of line. The efficiency of the soakaway was questioned. SC questioned what is underneath and felt there was insufficient information. KLB asked spoke about the height issue. Overlooking; not aesthetically pleasing; wrong size and shape; height jars the landscape; not harmonious with the surrounding buildings; bedrooms on first floor. SC It changes the character of the development with the infilling.; infringing on other people; dimensions changing. **It was proposed by AB, seconded by PG and resolved with 1 abstention that the application be objected to the application the increased height deemed to be a paramount issue but the position was not objected to.**

PA15/08723 – Mr Tom Wass – Pengersick Farm, Pengersick Lane, Praa Sands, PENZANCE, Cornwall TR20 9SJ

Please see attached schedule (CA – Pengersick Farm – 17.09.2015 – S) for operations to 19 trees and groups

TB I requested KDC the Conservation Area with detail 1988 – this approved 1989. Then the garden was a field – I have a photograph. 2003 the field laid to garden: lawns, flower bed, a pond, ornamental trees. The western side trees more mature – seen from the road. 2015 The garden boundaries east, west and south – trees and shrubs now packed close together, jostling for space, the view lost. If nothing is done it will be a wood. The detailed schedule of proposed works will benefit the amenity of the garden. TB also raised the matter of the incorrect labelling on the interactive plan stating that Ordnance Survey needs to be alerted. This will be put on the November agenda. **It was proposed by GH, seconded by RWB and resolved with 1 abstention that the application be supported.**

PA15/08750 – Mr S Harper – Lamorna, Treweloe Road, Praa Sands, PENZANCE TR20 9ST

Proposed Extension to create single storey Annex

Whilst there were no problems with the proposed extension, the quality of the diagrams and drawings were criticised and it was felt that more care should be taken. **It was proposed by GH, seconded by AB and unanimously resolved that the application be supported and reference be made to the poor quality of the drawings.** The Clerk was contacted as the agent had been distressed as it could be read as the architect's drawings were being criticized. The Clerk provided a rewritten text: **The Parish Council complained about the poor quality of the drawings on Cornwall Council's part. The on-line drawings have to be considerably expanded on tablets and/or mobiles and this application was apparently not at all clear. It was stated that this happens time and time again and makes it very difficult to make a decision. It was felt that more care should be taken especially as the planning applications will soon be paperless. Also, the proposed drawing was missing from the paper application received by the Parish Council.**

PA15/08015 – Mr Daniel Hurter Beco Limited – Elysian Fields, Main Road, Ashton, HELSTON, Cornwall

Installation of solar panels – 4kWp ground mount system

It was proposed by GH, seconded by AB and unanimously resolved that the application be supported.

b) TO CONSIDER PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA UP TO 12 NOON ON 2 OCTOBER 2015

There were none.

c) TO RECEIVE ADVICE FROM CORNWALL COUNCIL OF CONDITIONAL PLANNING PERMISSION

PA15/05882 – Mr Robert Shelly – Tilly Whim, Poldown, Breage, HELSTON, Cornwall

Repair and maintenance to an existing outbuilding including the installation of windows and a door

PA15/07091 – Mrs Laura Blair – Little Carsluick, Carsluick, Godolphin Cross, HELSTON, Cornwall TR13 9RJ

Conversion of outbuilding to ancillary accommodation

PA15/07896 – Mr & Mrs R Beard – Connings Farm, Helston Road, Germoe Cross Roads, PENZANCE, Cornwall TR20 9RA

Two-storey extension to provide a self-contained annexe for a family member

d) TO RECEIVE ADVICE FROM CORNWALL COUNCIL OF THE WITHDRAWAL OF PLANNING APPLICATION

PA15/07174 – Miss Lisa Woolley – Glastyr, 2 Pengersick Parc, Praa Sands, Cornwall TR20 9SS

Felling of a tree (T1 – species unknown)

e) **PAPERLESS PLANNING APPLICATIONS**

(i) An e-mail has been received from Cornwall Council offering £700 to facilitate the move to paperless planning applications

To make a decision on whether or not to accept the £700 from Cornwall Council

After discussion it was proposed by PG that a letter be written to thank CC for the offer of £700 and that the PC would let them know in January when a final decision had been made. There was no seconder.

It was proposed by KLB, seconded by GH and resolved by 5 votes to 3 that the £700 be accepted.

(ii) **To inform Cornwall Council whether the Parish Council's move to paperless planning applications will be 4 January 2016 or 1 April 2016. If no response is received the Parish Council will be moved to paperless from 4 January 2016**

It was proposed by GH, seconded by TB and resolved by 5 votes to 3 that the 1 April date be given as it is further away and it would be done automatically on 4 January if no reply was given.

A Councillor felt that it was gutless to accept the money above the principle.

(iii) **To advise CC if anyone will attend the workshop giving a technical overview of the equipment required/walk through of website/downloading of documents Penzance (Penwith College) Thursday 26 November 2015**

No-one wished to attend.

(iv) **Survey to complete by Friday 16 October**

KLB asked if the plans could still be printed. They can but the PC only has an A4 printer. They could be projected from the laptop for people who cannot access them on-line. The Clerk will e-mail the survey to Councillors again to see if there are any replies.

f) **TO CONFIRM PARISH COUNCIL'S DECISIONS**

(i) PA15/06744 – Mr And Mrs Bows – Trenwheal House, Trenwheal, Leedstown, HAYLE

Removal of section 106 agreement attached to decision notice W2/90/00107/F

At the August meeting the Parish Council voted to object to the above application. The following was received from the Planning Officer:

I refer to the above application on which I have received the following comments from Breage Parish Council:

Object.

The s106 condition was imposed in 1992 and clearly states that the barn shall be used and/or occupied in connection with the existing house and shall at NO TIME be sold or any interest disposed of separately therefrom. This is felt to be a very sound planning principle given the close proximity of the barn to Trenwheal House. Nothing has changed to alter this requirement apart from the wishes of the applicant. The barn and dwelling house are isolated and not in a correct place for a holiday let or other. The very reason is that the barn is so close to the house and not separate. It was felt that it would be better to put in a planning application showing how the barn is to be converted and the s106 removal request should come with that.

The site comprises an existing stone built barn that was granted planning permission for conversion to annexe accommodation. The building is of a size and construction that this would typically be a building that would be suitable for conversion and would be supported had it come in now as it would accord with paragraph 55 of the National Planning Policy Framework 2012. The plot has its own separate area for garden and parking and there is enough separation that the unit is considered acceptable for a separate dwelling. Restricting the occupation of the property by section 106 is no longer considered best practice and would not be carried out now.

The description of the original permission describes the development as "the conversion of existing barn to form an annexe", thereby the development is still restricted by reason of the description of the proposal, therefore in my view the applicant would still need to submit an application to change the building to a separate dwelling through another planning application. This is not a reason to refuse or delay this application as the two matters can be considered separately.

Therefore it is my view that the section 106 agreement be discharged and the application approved.

In accordance with the Protocol for Local Councils, you now have three options:

1. *Agree with my recommendation.*
2. *Agree to disagree.*
3. *Maintain your objection to/support for the proposal against my recommendation and request committee consideration by the planning committee (which I will then discuss with the Divisional Member who may or may not agree with your view).*

Please tell me which option you wish to choose within 5 working days from the date of this communication. If option 3 is selected, please note that the Protocol explains the importance of a representative from your council attending and speaking at the planning committee meeting so the committee can fully understand your council's reasons for proposing a decision which is contrary to that of the case officer.

If I do not hear from you within 5 working days, a delegated decision will be issued in accordance with my recommendation.

Parish Councillors voted as follows:

Option 1 - 1 vote

Option 2 - 3 votes

Option 3 – 6 votes

Maintain the objection to object to the proposal against the officer's recommendation

The Officer was advised of this.

To resolve to confirm that the majority of Parish Councillors voted for Option 3.

It was proposed by PG, seconded by RWR and resolved with 1 abstention that it should be confirmed that the majority of Parish Councillors voted for Option 3 regarding PA15/06744.

(ii) PA15/04268 – Miss Joelle Matifas – Pellor House, Pellor Road, Breage, HELSTON, Cornwall TR13 9QL

Listed Building consent for the installation of 16 units of solar panels on rear facing roof

At the August meeting the Parish Council voted to object to this application.

The following was received from the Planning Officer:

Thank you for Breage Parish Council's comments with regard to the above application which were as follows:

Comments:

This is a Listed Building and the back of the house is not any less Listed than the front. The Parish council therefore objects to the application and feels that solar panels would be an abuse to the building.

I appreciate your comments which will be included in my report.

However, in this instance I feel that it is appropriate to recommend approval of the application.

The reasons why I am recommending approval are:

I have visited the application site, and looked at the proposed scheme overall. I do not consider that adding solar panels to the dwelling house would necessarily detract from the character and importance of the listed building. (Subject to conditions)

The benefits of this development outweighs any risk or harm upon the listed building.

You mention that the use of Solar panels would create harm to the building. We have negotiated with the applicant to use fixings that are not harmful to the listed building. The panels could be removed at any time with no evidence of the siting of Solar panels.

Historic England's Microgeneration in the Historic Environment advises that proposals for microgeneration equipment attached listed buildings or will generally be acceptable if all of the following criteria are met:

1. ***The change will not result in loss of special interest.***
2. ***The visual impact of the equipment is minor or can be accommodated without loss of special interest.***
3. ***In fixing the equipment to the building there is no damage to significant historic fabric and installation is reversible without significant long-term impact on historic fabric.***
4. ***The cabling, pipework, fuse boxes or other related equipment can be accommodated without loss of, or damage to, significant historic fabric.***

5. That as part of the justification, the applicant can demonstrate that other energy-saving measures or other locations with less impact on the historic fabric and the special interest have been considered and are not viable.

6. The applicant can demonstrate that the proposal has net environmental benefit.

7. The local authority imposes a condition requiring removal of the equipment, including cabling and boxes, and making good of the historic fabric as soon as it falls out of use.

The Conservation Officer has offered the following recommendations

- **Full details of the attached of the solar panels to the roof, including detailed drawings Evidence of consideration that other less intrusive options are not possible/viable.**
- **Details of the wiring and other services, ducting etc for the proposed solar panels, and how this is going to impact on the internal fabric of the listed building.**
- **Details of the siting of the control box, its location, design and the impact on the listed building.**

The applicant has provided the information listed above and satisfied the concerns of the Conservation officer.

I can understand the view of the Parish Council with a view of protecting buildings of historical importance however on this occasion it is felt that the proposals are acceptable.

The National Planning Policy Framework stresses the importance of having a planning system that is genuinely plan-led. Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at paragraph 14 of the National Planning Policy Framework. Where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development

Under these circumstances, please can you confirm that on this occasion that we can agree to disagree? If I do not hear from you within 5 days, I will assume that this is the case.

The Parish Council voted by 8 votes to 2 NOT to agree to disagree with 1 Councillor fully supporting the Planning Officer.

The Planning Officer was advised of this decision.

To resolve to confirm that the Parish Council voted NOT to agree to disagree with the Officer regarding this application

It was proposed by PG, seconded by TB and resolved with 1 abstention to confirm that the Parish Council voted NOT to agree to disagree with the Officer regarding PA15/04268.

(iii)PA15/06233 – Mr Patrick Gadsby – Elmfield, Main Road, Ashton, HELSTON, Cornwall TR13 9ST

Conversion of barn to holiday let

At the September meeting the Parish Council voted in support of this application providing an s106 was attached.

The following was received from the Planning Officer:

With respect to the above application Breage Parish Council expressed support subject to a S106 being placed on the property so that it is attached to the house rather than being a separate dwelling.

In this instance I consider that a S106 would not be necessary or meet the criteria of paragraph 204 of the National Planning Policy Framework which gives guidance as to the circumstances S106 obligations should be used. However it is considered that a condition restricting the unit to holiday occupancy would be appropriate in this instance due to the dwelling being absent of facilities such as private amenity space. Other conditions would be recommended to control matters such as parking.

The application is therefore recommended for approval without the inclusion of a S106. In accordance with the Protocol for Local Councils, you now have three options:

1. Agree with my recommendation.
2. Agree to disagree.
3. Maintain your support for the proposal only subject to a S106 against my recommendation and request committee consideration by the planning committee (which I will then discuss with the Divisional Member who may or may not agree with your view).

Please tell me which option you wish to choose within 5 working days from the date of this communication. If option 3 is selected, please note that the Protocol explains the importance of a representative from your council attending and speaking at the planning committee meeting so the committee can fully understand your council's reasons for proposing a decision which is contrary to that of the case officer.

If I do not hear from you within 5 working days (25 September 2015), a delegated decision will be issued in accordance with my recommendation.

The Parish Council voted as follows:

Option 1 – 3 votes

Option 2 – 4 votes

Option 3 - No votes

Therefore 3 voted to agree with the Officer's decision and 4 to agree to disagree thereby giving the Officer delegated power.

The Officer was informed of the decision.

To resolve to confirm that 3 voted to agree with the Officer's decision and 4 to agree to disagree thus giving the Officer delegated power regarding this application

It was proposed by PG, seconded by GH and resolved with 1 abstention to confirm that 3 voted to agree with the Officer's decision and 4 to agree to disagree thus giving the Officer delegated power regarding PA15/06233.

10. FINANCE

a) Please inform the Clerk of any items you wish to be added to the Precept/Budget

b) Any grant requests were due by 5 October 2015

c) **To resolve approval of Regulations 6.6 use of a variable DD for payments to British Gas for electricity supply to Parish Rooms**

It was proposed by PG, seconded by AB and unanimously resolved to approve Regulations 6.6 use of a variable DD for payments to British Gas for electricity supply to Parish Rooms.

d) **To approve annual grant, (Parish Councils Act 1957 Ch42 Part 1 s2), of £50 towards maintenance of the Breage Village Clock, item 109 and to resolve as follows: that in pursuance of the power conferred by section 2 of the Parish Councils Act 1957 and being of the opinion that the expenditure satisfies the requirements of this section and is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure, the Council approves the £50 grant payment towards maintenance for the Breage Parish Clock**

It was proposed by AB, seconded by PG and unanimously resolved that in pursuance of the power conferred by section 2 of the Parish Councils Act 1957 and being of the opinion that the expenditure satisfies the requirements of this section and is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure, the Council approves the £50 grant payment towards maintenance for the Breage Parish Clock

e) **To approve an s137 grant of £90 for purchase of wreaths and LGA 1972, item no. 110 s145 grant of £40 towards band payment for Remembrance Day service item no. 111 and to resolve as follows: that in pursuance of the power conferred by sections 137 and 145 of the Local Government Act 1972 and being of the opinion that the expenditure satisfies the requirements of this section and is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure, the Council approves the payment for wreaths and band costs for Remembrance Day**

It was proposed by AB, seconded by GH and unanimously resolved that in pursuance of the power conferred by sections 137 and 145 of the Local Government Act 1972 and being of the opinion that the expenditure satisfies the requirements of this section and is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure, the Council approves the payment for wreaths and band costs for Remembrance Day.

f) To resolve to approve remaining October payments

no.	Name	cheque	Service/item	Net	VAT	Total
109	PCC of Breage	103585	Part 1 s2 Parish Councils Act 1957 Ch42 Grant towards maintenance of the Village clock	£50.00		£50.00
110	The Royal British Legion	103586	s137 The LGA 1972 grant towards poppy wreaths	£90.00		£90.00
111	Breage Band		s1145 The LGA 1972 towards Band at			
		103595	Remembrance Service Breage	£50.00		£50.00
112	Cornwall Council	103589	Attendance fee Planning Conference	£10.00		£10.00
113	Cormac Solutions Limited	103588	Installation of post for bin Praa Sands bus stop	£86.11	£17.22	£103.33
114	BT	dd	Telephone	£21.02	£4.20	£25.22
115	e-on	dd	Electricity streetlights August	£262.25	£52.45	£314.70
116	Cornwall Council	103590	Legal fees Ashton Amenity Area August to be reimbursed by Trustees	£48.62	£9.72	£58.34
117	BT	dd	Mobile	£17.50	£3.50	£21.00
118	R Sanders	103591	2 cuts Cemetery/B&G greens/BreageField	£315.00	£63.00	£378.00
		103594		£15.00	£3.00	£18.00
				£965.50	£153.09	£1,118.59
106	Mrs C L Macleod	103583	Salary September			
107	PO Ltd (HMR&C)		PAYE	£266.80		£266.80
107	PO Ltd (HMR&C)		Employer's NI	£141.84		£141.84
		103584		£408.64		£408.64
108	NEST		September Clerk's Pension employer	£48.71		£48.71
			September Clerk's Pension Clerk	£36.54		£36.54
		dd		£85.25		£85.25
119	Mrs C L Macleod		Travel 18.5 mls @53p	£9.80		£9.80
			Parking	£0.60		£0.60
		103592		£10.40		£10.40
120	Mrs C L Macleod	103594	Petty cash reimbursement	£132.03	£10.02	£142.05
				£1,601.82	£163.11	£1,764.93

GH confirmed that he had checked the payments. The Clerk added that the total for 111 should be £50 and thus this item and the totals were amended as above. She also explained that as two of the cheque signatories were unavailable the cheques would not be able to be signed as two signatures are needed. She asked if BACS payments could be made for those accounts for which she had the details. She asked that CR be in attendance to ensure that all was done correctly as this would be done over the telephone. **It was proposed by AB, seconded by GH and unanimously resolved that the payments as listed above be passed for payment. It was proposed by GH, seconded by AB and unanimously resolved that the Clerk pay by BACS, in the presence of Cllr Rashleigh, the payments for which she has account details.**

g) To acknowledge receipts

Precept: £24,500; C/Tax Grant: £1,809.39; Interest: £4.48; Admin: £10; Cemetery Fees: £100

These were acknowledged.

h) Clerk to provide Bank balances

As at 30 September 2015: Current Account reconciled: given as £5,150.71 - should read £4,947.44 (*amended as there were a further 2 unrepresented payments); Tracker: £47,157.37; Petty cash £7.95; Total including Petty cash reimbursement: given as £52,458.08 – should read £52,254.81*.

11. FOOTPATHS

CR Trewithick Road, Breage – a footpath to the right next to the Sunday School has had weedkiller put all over it. This would not be CC but probably the owners. PD had reported the matter.

The Clerk read out a reply from the Countryside Officer to PD's query about a bull in a field by a footpath regarding a Parishioner's query about there having been warning signs at the entrance to the farmer's field saying "Bull in Field" since July.

'Yes the landowner can place the notice as described – as long as it doesn't use words such as 'warning'. The landowner has a duty of care to ensure safe passage over his land when the public are using a PRoW and as such he is best placed to know his livestock. I did meet with the landowner a few months back and discussed his liability and he is aware of the above and also the laws surrounding which bulls are and are not allowed.'

The Clerk reported that there is a broken waymarker post at the beginning on the footpath 14, Ashton Field. She has reported this and it has been put on the list.

12. HIGHWAYS

TB The shute memorial at Shute Hill: the stones are falling away at the bottom. This will be put on November's agenda.

KLB asked about the potholes on Byway 47 – the Clerk to supply details of who to contact.

13. STREET LIGHTING

The Clerk reported that after working correctly for a couple of days the light on Ashton Snooker Club is now, once more, on all the time.

14. CEMETERY AND CLOSED GRAVEYARDS

a) Interment of ashes 24 September 2015 – Mrs Dale CR 31

15. PRAA SANDS

a) TOILETS

i) To receive report on the meeting held with Cornwall Cllr Joyce Duffin, Portfolio Holder for Housing and Environment and Jon James, Natural Environment Manager CC and the second meeting with representatives of the Businesses and the Public Praa Sands

PG reported that Cllr Duffin, Jon James and Maxine Hardy – Community Link Officer (Helston and South Kerrier) had attended the meeting. The Vice Chairman had taken the Chair as the Chairman had been unable to attend. The meeting followed an agenda:

1. Fire Evacuation Procedure. (Clerk)
2. Apologies. (Clerk)
3. Welcome and Introductions. (Chair)
4. A brief history and events leading to the current position. (JD/JJ)
5. Current avenues being explored for solutions. (JD/JJ).
6. Models of Parish Councils managing Public Conveniences. (JD/JJ)
7. Financial/Management assistance to Breage Parish Council should it adopt the toilets. (JD/JJ)
8. Input from Cornwall Councillor for Breage, Crowan and Germoe. (JK)
9. Questions from absent Councillors.
10. Possible solutions arising.
11. Meeting Closed.

There had been much discussion and the Clerk was thanked for putting in a long day and supplying an organised and comprehensive report. It was proposed by PG, seconded by AB and unanimously resolved that the report be received.

ii) To discuss the above and any possible solutions and to make any relevant solutions

The solutions that had been offered at the meeting:

1. Precept be raised and given to Cornwall Council to get on with it
2. Precept be raised and the toilet management put out to tender i.e. with Cormac
3. An arrangement be made with local businesses re. Cleaning/unlocking, etc.
4. Community Investment Company

The fact that the tank seemed to be filling during the times when the toilets were closed was raised. It was asked if the tank is sealed. **It was proposed by RWB, seconded by GH and unanimously resolved that Mr Coward be asked to speak about this matter.** Mr Coward said that the tank is sealed and locked but the water from the toilet roof goes into it. Mr Coward was asked about the lock and he said that the Contractors have the key but sometimes another firm that did not have a key was sent to empty the tank and they just cut the lock and get another one.

It was bemoaned that there will be not extended funding from CC for the toilets in 2016/17 and asked if the grants for 2016/17 would be cut if the PC had to pay for the toilets. It was felt that the PC should not take on the Admin or employ someone to do it from the PC office as the facilities are not conducive. PG reassured that if the toilets were added to the PC's Precept this would not affect anything else in the budget. It was asked how it would be managed if the costs increased in the future. PG A Precept figure of £25,000 would go a long way in covering the £23,000 costs that had been quoted, which did not include admin costs. As years went by and depending on the organisation, things should get easier moneywise.

Defect repairs would be carried out by CC to bring the toilets to a good state of repair. This would not bring the toilets up to 21st Century standards so how would the place be brought up to scratch in the first place? KLB spoke about a Community Investment Company. Costs could be offset by advertising, local business aid, grants and many more options. She gave examples of places that had used this system. AB felt that this would be a fruitless effort and asked what a CIC could offer. He felt that only half the money should be given as a start to see how well the toilets would be run. PG It appeared that the only way for the toilets to stay open is for the PC to put up the Precept. It may not be liked. AB As the PC is representing the whole Community it appears that only the businesses will benefit. The PC could raise the finance but the organisation would need to go to Cormac or another contractor or be supervised by a CIC or the PC. But it will be expertise that the PC does not necessarily have. AB felt it bad that there would be a £15 a year Council Tax increase for each home in the Parish. It was stated that the Parishioners would be informed. KLB noted that Parishioners don't all use the Cemetery but they still pay for it in their Council Tax. Praa Sands is a magnet for tourists and the businesses realise the implications. A CIC would give the opportunity to help to businesses and people who could help with the management side. A Councillor gave explanation as to why to pay for the toilets on his Council Tax bill grates for them. Blaming CC will not stop the problem. It was felt that CC has backed the PC into a corner and not taken responsibility. KLB felt that the toilets cannot close and that to establish a CIC would give scope for taking on other projects. The Council Tax amount for the current BPC £49,000 Precept is £41.34. The average for the whole of Cornwall is £86.16. Gwithian, a similar sized Parish, Precept's £69,000: £64.70. Business rates were queried. Some felt that the Leasehold with the option to buy would be the best thing with a six month rolling contract and an option to pull out. PG The Parish Council would not consider extra work for the Clerk and telephone calls, daily running etc. would have to be the responsibility of the Contractor or CIC. **It was proposed by PG, seconded by GH and resolved by 4 votes to 3 with 1 abstention that BPC moves forward towards the adoption of the toilets at Praa Sands using any mechanism.** There was no commitment to finance at this stage. This will be discussed by the Accounts Team and brought to the Precept Meeting. Discussion carried on re. the solutions at ii) and a further solution was added by one Councillor – to close the toilets.

iii) To nominate and to resolve to elect 2 Councillors to liaise with any group set up by the local businesses and public - and possibly (subject to Council) be part of any Community Investment Committee that may be set up

Cllrs Trevor Coleman and Karen La Borde have volunteered for nomination

GH also expressed interest. **It was proposed by AB, seconded by PG and unanimously resolved that TC, KLB and GH be elected to liaise with any group set up by the local businesses and public - and possibly (subject to Council) be part of any Community Investment Committee that may be set up**

b) To resolve to authorise additional attention to the Basketball Court area

It was proposed by GH, seconded by SC and unanimously resolved that the Basketball court be cut back by the Contractor.

c) To resolve to authorise the filling in of the two large hold near the benches on Praa Green

It was proposed by GH, seconded by SC and unanimously resolved that the Handyman be requested to fill the two large holes by the granite benches on Praa Green.

d) To further discuss the ramp and access as requested by SC (Cllrs had been requested to look for themselves)

SC explained that it was not the ramp that he wished to be discussed there was therefore only a short discussion. It was noted that there are loose stones and seaweed on the ramp and this is an impediment to people wishing to go forward from the bottom of the ramp. One comment was that the solution may be to come inland.

e) To resolve to authorise a letter to be written to the person placing garden rubbish on Praa Green

It was proposed by TB that a letter be sent to the person placing garden rubbish on Praa Green. There was no seconder.

As there was no proof as to who is doing this it was felt that an individual letter could not be sent **however, it was proposed by GH that letters be sent to all home owners along that part to say that it has been brought to the PC's attention that garden waste is being dropped onto Praa Green. Would whoever is responsible please stop. There was no seconder.**

16. ASHTON AMENITY AREA

a) Update

The Clerk read out the latest e-mail received from the Trustees' solicitor on 18 September:

'As yet I am not sure that the Trustees have undertaken such a valuation. I have of course sent to the trustees copies of the guidance notes to trustees which sets out the need for valuation before a disposal together with other requirements. I now await further instruction.'

Jonathan Sleeman notes: *'From what Mark Buswell says I think it unlikely that we will hear anything quickly so I have diary dated to contact Mark again for an update in one month. If I hear anything in the meantime I will of course let you know.'*

b) To resolve that relevant contact be made with the Contractor regarding the Grass Cutting Contract for the Ashton Amenity Area as this was to have started as soon after 1 April as possible

It was agreed that a letter be sent to the Contractor to say that the PC is sorry that it is unable to sign a contract as the purchase of the Amenity Field is still awaited.

17. REMEMBRANCE DAY ARRANGEMENTS

a) To appoint Councillors to lay the Parish Council wreaths at Breage and Godolphin War Memorials on Remembrance Sunday, 8 November 2015

It was proposed by CR, seconded by TB and unanimously resolved that the Chairman lay the Remembrance Day wreath at Breage War Memorial on Remembrance Sunday.

RWB asked if anyone would like to accompany her but there were no volunteers.

It was proposed by AB, seconded by GH and unanimously resolved that the Vice-Chairman lay the Remembrance Day wreath at Godolphin War Memorial on Remembrance Sunday.

18. CRIMINAL CHECKS

To resolve whether or not Criminal Checks should be undertaken for Breage Parish Councillors

This was felt to be unnecessary. **It was proposed by AB, seconded by PG and unanimously resolved that Criminal Checks should not be undertaken for Breage Parish Councillors.**

19. REPORT FROM CLERK

- a) Lay by opposite Vicarage Row, Breage – There is a problem concerning knotweed and the Contractor had asked to speak to someone from the PC before starting the work. PG had met with him. The Clerk asked PG to report: The area is quite badly infected and looks as though the lay-by area has been cut in the past with the knotweed present and it has consequently spread. The Contractor has offered to treat this at no further cost and will also cut the grass around the bus shelter, where there is no infestation, if the PC so wishes, again at no cost. This will be done twice a year. **It was proposed by PG, seconded by TB and resolved with 1 against that the Contractor be asked to carry out this work.**
- b) BT have contacted again about the Broadband and given the Clerk a number to ring. She said that she would need to have a few hours to spare to give it a try. BT is still saying that the fibre optic should be okay. They were horrified about the treatment received.
- c) Rubbish/Recycling comments – The Clerk asked if Councillors had any to make. They did not.
- d) SLCC – Is looking for a new CEO.
- e) Pots and tubs recycling – Although being advised that this would be in the Breage Parish the Clerk has received no confirmation.

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

SC Could the maps issue raised by the member of the public and TB be taken up with CC? It will be on the next agenda.

CR Breage Field hedge has not been cut. The Clerk advised that the Contractor had spoken with Jane Ratcliffe. CR complained about the pavement round Breage Green.

Carleen Village Hall

PG There will be a soup and pudding lunch on 16th September and the Craft Fair on 17th. There is a play on Saturday – 'Pals'.

RWB Could Carleen bus shelter be painted? This will be on the November agenda.

21. CORRESPONDENCE

Rsn – Weekly news 7 September 2015

MEP – September 2015 Video Blog

FiT – Update

Rsn – Weekly news 15 September 2015

Cornwall Fire and Rescue – Service Plan 2016/19 Consultation

Rsn – Rural Transport September 2015

Rsn – Weekly news 21 September 2015

Rsn – Weekly news 28 September 2015

Vital Venues – News

CC – Communities and Devolution – Update September 2015

Rsn – Rural Economy Spotlight

To note any correspondence received since the agenda was published

22. TO RECEIVE ADVANCE NOTICE OF ITEMS FOR NEXT AGENDA

Pengersick Conservation Area mapping; Carleen bus shelter painting.

23. TO CONFIRM THE DATE AND TIME OF NEXT MEETINGS

ACCOUNTS TEAM MEETING – RE BUDGET/PRECEPT THURSDAY 15 OCTOBER 2015; ORDINARY PARISH COUNCIL MEETING TUESDAY 3 NOVEMBER 2015; MEETING TO SET THE PRECEPT/BUDGET THURSDAY 19 NOVEMBER 2015 ALL IN THE PARISH ROOMS AT 7.00 P.M.

These were confirmed.

24. EXCLUSION OF PRESS AND PUBLIC

To resolve that members of the Press and Public be excluded from the meeting on the grounds that the agenda items below be discussed, due to the likely disclosure of exempt information as defined in Part 1, schedule 12A of the Local Government Act 1972

It was proposed by RWB, seconded by SC and unanimously resolved that that members of the Press and Public be excluded from the meeting on the grounds that the agenda items below be discussed, due to the likely disclosure of exempt information as defined in Part 1, schedule 12A of the Local Government Act 1972

Members of the Public left.

25. CARETAKER

To discuss the present situation and make any necessary resolutions

A letter to be written re. contract. Outstanding holiday entitlement to be determined and paid.

26. BREAGE ALLOTMENT GROUP

To discuss matters raised and make any necessary resolutions

After discussion re. the demise of the Allotment Group it was **proposed by AB, seconded by PG and resolved by 4 votes to 3 with 1 abstention that the Parish Council, as the responsible body, agrees that Breage Allotment Group be dissolved, the equipment sold and the remaining funds returned to the Parish Council and ring fenced for use re. Ashton Amenity Area.**

There being no further business, the meeting closed at 10.26 p.m.

BREAGE PARISH COUNCIL
MINUTES OF PUBLIC PARTICIPATION HELD DURING THE ORDINARY PARISH COUNCIL MEETING
IN THE PARISH ROOMS BREAGE ON TUESDAY 6 OCTOBER 2015

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.

A Parishioner objected to the outline planning application PA15/07861 (OUTLINE) as a neighbour. This is the second outline planning application and on the whole the first was acceptable and the neighbour did not object. However, this time there is a major soakaway on the property and the layout is unknown. Piling will be necessary and the position of the bungalow has been moved from the previous position. The ridge height has been raised and would be completely out of keeping with the 1998 planning restrictions for the cohesive development of the Links. A bungalow in the corner of the garden would have blended in but this proposal would stick out like a sore thumb. There are lots of underground issues. The outline says the garage is integral but it is not – it is free standing. It is also now a 2 storey dwelling as there are rooms in the roof. The before and after drawings, the shaded area is 30 degrees out of line. It was felt to be a development too far.

Mr Hodgetts from Pengersick Historic & Education Trust spoke about application PA15/08723. There was no objection to the tree work but concern was expressed regarding the plans and inaccuracies regarding Pengersick Castle that are shown as remains in a field on the other side of Pengersick Farm. The castle is actually labelled as the Shippon. The Castle is of national importance and Mr Hodgetts felt it should be given significance. He reported to Ordnance Survey and was told to go to CC. CC told him to go to OS. He had come to the PC to try and get the map as accurate as possible. The Castle is a Grade 1 listed building. The AONB information is under review. The last statement said that the Castle was used by Barbary Pirates – which is untrue. Mr Hodgetts is concerned that various applications around the Castle have used the inaccurate map.

Public participation ended at