

# BREAGE PARISH COUNCIL

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Parish Rooms  
Breage  
Helston  
TR13 9PD

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## **ANNUAL PARISH COUNCIL MEETING TO BE HELD IN THE PARISH ROOMS BREAGE AFTER THE ANNUAL PARISH MEETING ON TUESDAY 3 MAY 2016**

To: Members of the public and press,

Your attendance is requested at the above Meeting. Planning Applications are in the Parish Rooms for your inspection. Applications received after the posting of this notice will be examined and commented on by Council Members. Members of the public should contact the Parish Clerk on 01326 574781 or email [breageparishcouncil@btconnect.com](mailto:breageparishcouncil@btconnect.com) before noon on the Friday before the meeting for information on applications received.

**X** Carol Macleod

Carol Macleod  
Clerk/RFO to Breage Parish Council

### AGENDA

1. **FIRE EVACUATION PROCEDURE**
2. **APOLOGIES FOR ABSENCE**
  - a) To receive apologies for absence
3. **ELECTION OF CHAIRMAN FOR THE YEAR 2016/2017**
4. **TO RECEIVE CHAIRMAN'S DECLARATION OF OFFICE**
5. **ELECTION OF VICE-CHAIRMAN FOR THE YEAR 2016/2017**
6. **TO RECEIVE NOMINATIONS OF COUNCILLORS TO BE PART OF PARISH COUNCIL WORKING GROUPS/TEAMS/SUB-COMMITTEES AND/OR OUTSIDE ORGANISATIONS**

Accounts Team: 3 Members  
It should be noted that both the Chairman and Vice-Chairman will be additional Members of this Team and the Praa Sands Toilets sub-committee. They may also attend any of the Group/Team meetings.

Affordable Housing: 3 Members  
Breage Playing Field Committee Representative: 1 Member  
Carleen Village Hall Committee Representative: 1 Member  
Cemetery: 1 Member  
Footpaths: 2 Members  
Health and Safety/Risk Assessment/ Fire: 1 Member, 1 Deputy  
Parish Employment Working Group: Chairman and 1 Member  
Praa Sands: 2 Members  
Streetlights: 2 Members  
Sub-committee Praa Sands Toilets: 3 Members
7. **UPDATING OF COUNCILLORS' FINANCIAL AND OTHER INTERESTS**

Councillors must check their original register of interests and sign form RI/1, indicating if there are any amendments thereon. Councillors may amend their current forms and sign the alteration or if they prefer, complete a new form. This should be done before the meeting, if possible, or immediately on arrival to ensure that voting during the meeting is legal.
8. **DECLARATION OF INTERESTS**
  - 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)
  - c) To take consideration of written requests for dispensations
  - d) Members to give consideration as to whether their Register of Interest forms are fully up to date
9. **CONFIRMATION OF MINUTES OF THE ORDINARY PARISH COUNCIL MEETING held on 5 April 2016**
10. **POLICE REPORT**
  - a) To receive and discuss any police report received and other police matters

## 11. PUBLIC PARTICIPATION

- 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
- A question asked by a member of the public during this public participation session shall not require a response or debate
- 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
- A record of the public participation session shall be included on a separate page in the minutes of the meeting

## 12. REPORT FROM CORNWALL COUNCILLOR

## 13. PLANNING

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

PA16/02258 - Mr Lee Bell – Greenbury, Greenbury Lane, Rosudgeon, PENZANCE, Cornwall

First floor extension to provide additional domestic facilities including shower room

PA16/02996 - Mr P Rogers - Pengelly Farms Ltd., Pengelly Barton, Pengelly Cross, Breage, HELSTON, Cornwall TR13 9RG

Non-material amendment to main digester and digestate store tank layout and repositioning of separator in respect of decision notice PA14/06519

Comments had to be in by 2 May 2016

**To resolve to confirm that 9 Councillors voted to support the application.** 2 Councillors did not respond, and RWB had a disclosable pecuniary interest in that the applicant is her step-son

PA16/01002 - Miss Christine Jilbert - Castle Gate (re-Granary), Pengersick Lane, Praa Sands, PENZANCE

Listed building consent to replace existing boiler with new electric boiler and associated works. Removal of external bunded oil tank

PA16/02726 - Miss Christine Jilbert - Castle Gate, Pengersick Farm, Pengersick Lane, Praa Sands, PENZANCE

Listed building consent application for pointing exterior walls

PA16/02944 - Miss S Hickson – Lilliput Cottage, Carnmeal, Breage, HELSTON

Construction of a single storey utility extension

PA16/03095 - Mr And Mrs J And W Taylor - Cross Barn, Herland Road, Godolphin Cross, HELSTON TR13 9RD

Replacement entrance porch to dwelling

PA16/02987 - Mr D Bell - Gwynsow Cref, Trewithick Road, Breage, HELSTON TR13 9PZ

Construction of a garage

PA16/03109 - Mr M Finch – Bondi, Castle Drive, Praa Sands, PENZANCE

Alterations and extension to existing private detached dwellinghouse

PA16/03446 - Mr Roger Thorpe - Penhale Paddock, Main Road, Ashton, HELSTON TR13 9SD

Proposed new Agricultural Storage unit

PA16/03529 - Mr Christopher Garner - Tan Y Bryn, Prospect Row, Ashton, HELSTON

Loft conversion to bungalow to create two further bedrooms and additional bathroom with a dormer roof

### b) TO CONSIDER ADDITIONAL PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA UP TO 12 NOON ON FRIDAY 29 APRIL 2016

### c) TO RECEIVE NOTICE OF GRANTS OF CONDITIONAL PLANNING PERMISSION FROM CORNWALL COUNCIL

**07.04.2016 PA16/01958 APPROVED**

**Applicant:** Mr And Mrs M Guinn

**Location:** Breakers Penwerris Rise Praa Sands Cornwall TR20 9TD

**Proposal:** Front extension to bungalow, decking and balcony style rooflights.

**07.04.2016 PA16/02036 APPROVED**

**Applicant:** Mr J Dawson

**Location:** Chytodden Bungalow Chytodden Terrace Carleen Breage TR13 9QT

**Proposal:** Enlargement of front right dormer window and installation of patio doors in former window opening

**18.04.2016 PA16/01658 APPROVED**

**Applicant:** Mr And Mrs P Greenough

**Location:** Land Adj To Bluebell Cottage Bluebell Cottage Godolphin Cross Helston Cornwall

**Proposal:** Outline planning permission with some matters reserved: Construction of two storey dwelling, access, septic tank.

**18.04.2016 PA16/01843 Granted (CAADs and LUs only)**

**Applicant:** Mr Matt Gordon

**Location:** Praa Sands Hotel (former) Chy An Dour Road Praa Sands Penzance Cornwall

**Proposal:** Certificate of lawfulness existing use: Confirmation of commencement of works in relation to planning permission PA13/01946 dated 30.04.2013

**21.04.2016 PA16/01913 APPROVED**

**Applicant:** National Trust

**Location:** Godolphin House Godolphin Estate Godolphin Cross Helston Cornwall

**Proposal:** Proposed installation of welcome hut for temporary period of 5 years

### d) TO CONFIRM PARISH COUNCIL'S DECISION

PA16/01901 – Mr & Mrs D Blowers – The Godolphin Arms, Godolphin Cross, HELSTON, Cornwall TR13 9QY

Erection of two private domestic dwelling houses

**After last month's meeting the following was received from the Planning Officer:**

I write in connection to the above application to which Breage Parish Council objected on 06 April 2016 for the following reasons;

*Overdevelopment. The application is referring to 'a former public house' but as there has been no 'change of use' application it surely remains a public house.*

*The proposed development will create a lack of viability of the pub. The rights of way of 2 neighbours, whose soakaways flow under the car park, have not been considered, preventing necessary access for septic tank emptying, etc. The ownership of the driveway to Forth Veau has not been established.*

The proposed development would retain a proportion of the rear car park for use with the public house. In addition to this the area to the rear of the outbuilding and to the front of the public house would be retained to serve this property. It is not uncommon for development within public house car parks to occur and the public house continue to operate. For example the Cornish Arms at Frogpool has previously had development to a significant proportion of its car park and still operates. On balance, given the proportion of the existing car park the proposed dwellings would utilise it is considered that the application would not undermine the potential viability of the public house or preclude it from re-opening. It is considered that the proposed design is reflective of traditional building styles and would not represent an overdevelopment of the site.

Any right to maintain or empty any associated infrastructure within the application site that serves neighbouring properties would remain. Any planning permission granted would not remove this right. The applicant has served Certificate A indicating that they own the entire application site area and no evidence has been provided that conflicts with this. In any event the ownership of the site is a separate matter from the planning application which deals solely with the use of the land. It would not be a matter to refuse planning permission.

Having assessed the application against relevant planning considerations I would advise that the recommendation for this application would be for approval subject to conditions.

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 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 (29 April 2016), a delegated decision will be issued in accordance with my recommendation.

The Clerk contacted Councillors and 2 chose option 1. To agree with the Officer's recommendation and 8 chose option 3. To maintain Council's objection to the proposal against the officer's recommendation and to request committee consideration by the planning committee (which the officer will then discuss with the Divisional Member who may or may not agree with Council's view). The Officer was informed of this decision.

**To resolve to confirm that BPC voted by 8 votes to 2 to To maintain Council's objection to the proposal against the officer's recommendation and to request committee consideration by the planning committee (which the officer will then discuss with the Divisional Member who may or may not agree with Council's view). The Officer was informed of this decision.**

**e) RECEIPT OF PLANNING APPLICATIONS**

- i) Is the 3 weeks response time now a policy of Cornwall Council?
- ii) Should the date that CC receives the application be put clearly on the e-mail alongside the date we are required to respond?
- iii) Is this a consequence of Paperless Planning?

**14. FINANCE**

**a) Budget 2015/2016**

- i) **To resolve to permit the virement of the £1,500 unused balance in Clerk's absence box to Salaries -£1,533.17 due to increases that came into being during the year Financial regs. 4.2**
- ii) **To resolve to permit the virement of the unused balance of £1,040.54 from the Cemetery box to Parish Rooms Maintenance/Repairs/Renewals/Electrics -£1,049.47 due primarily to new printer and computer Financial regs. 4.2**

**b) To review Financial Regulations and make any necessary resolution**

**c) To review Financial Risk Assessment and make any necessary resolution**

- i) Note A (v) Streetlighting repairs/Cemetery maintenance and work done by Handyman should be checked (This is not, at present, checked)

**d) To review Asset Register and make any necessary resolution**

**e) To receive Internal Auditor's Report 2015/2016**

**f) To hold a review into the effectiveness of the Internal Audit and make any necessary resolution**

The Role of the Internal Auditor as given by CALC should be noted:

They should be Independent and have no connection with the Council or Members

They should check Systems and Controls/Financial decision making/Lawfulness of decisions/VAT/PAYE/Management of Risk/Effectiveness of internal systems of control

**g) To complete and to resolve to acknowledge completion of and to give approval for submission of Section 1 Annual Governance Statement 2015/16, items 1-9 to the External Auditor - Chairman and Clerk to sign**

**h) To resolve to give approval for submission of Section 2 accounting Statements to the External Auditor – Chairman to sign**

**i) To note that the dates for publication for the 2015/2016 Annual Return will be 3 June 2016 to 14 July 2016**

**j) To resolve to approve May payments**

(i) Items 4-16 and 23-26 27 are normal payments

(ii) Item 17 must be resolved thus: In pursuance of the power conferred by Local Government Act 1972 Section 145 and being of the opinion that the expenditure satisfies the requirements of this section the Council approves the following payments: item 17

(iii) Items 18 must be resolved thus: In pursuance of the power conferred by Local Government Act Miscellaneous Provisions 1972 Section 19 and being of the opinion that the expenditure satisfies the requirements of this section the Council approves the following payment: item 18

(iv) Items 19-22 must be resolved thus: In pursuance of the power conferred by Section 137 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 following payments: items 19-22

no.	Name	cheque	Service/item	Net	VAT	Total
4	Stephen Babbage	103658	Handyman's duties	<b>£527.87</b>		<b>£527.87</b>
9	CALC	103662	Annual Membership subscription	<b>£711.61</b>	<b>£91.84</b>	<b>£803.45</b>
10	BT	dd	Telephone	<b>£21.81</b>	<b>£4.36</b>	<b>£26.17</b>
11	Martin Luck Group Ltd	103663	inks/Stationery	<b>£128.34</b>	<b>£25.67</b>	<b>£154.01</b>
12	Open Spaces Society	103664	Annual subscription	<b>£45.00</b>		<b>£45.00</b>
13	Playsafety Limited	103665	Play equipment inspection	<b>£192.50</b>	<b>£38.50</b>	<b>£231.00</b>
14	BT	dd	Mobile	<b>£17.50</b>	<b>£3.50</b>	<b>£21.00</b>
15	SW Water	103666	Water Praa Sands Toilets	<b>£2.32</b>		<b>£2.32</b>
16	DGL Gallie	103667	Internal Audit 2015-2016	<b>£150.00</b>		<b>£150.00</b>
17	Breage and District		Section 145 The Local Government			
	Silver Band	103668	Act 1972 Towards running costs	<b>£800.00</b>		<b>£800.00</b>
18	PSDCC		Section 19 The Local Government			
			(Miscellaneous Provisions) Act 1976			
		103669	Towards roofing	<b>£500.00</b>		<b>£500.00</b>
19	Victim Support Cornwall		Section 137 The Local Government Act 1972			
			Towards help in Court for victims, family			
		103670	and friends from Breage Parish	<b>£50.00</b>		<b>£50.00</b>
20	Cornwall Air Ambulance		Section 137 The Local Government Act 1972			
		103671	Towards assistance for Parishioners in need	<b>£250.00</b>		<b>£250.00</b>

21	CAB Penzance		Section 137 The Local Government Act 1972 Towards assistance for Breage Parishioners			
		103672	who need help	£50.00		£50.00
	CRUSE Bereavement Care		Section 137 The Local Government Act 1972			
22		103673	To help in supporting bereaved Breage Parishioners	£50.00		£50.00
23	R Sanders	103674	2 cuts Cemetery/B&G greens/2 cuts Field	£330.00	£66.00	£396.00
24	R Sanders	103675	SWCP first cut	£552.95	£110.59	£663.54
				£4379.90	£340.46	£4720.36
5	Mrs C L Macleod	103659	Salary April			
6	Post Office Ltd HMR & C		PAYE Employer's NI	£298.80 £166.93		£298.80 £166.93
		103660	Pension April Clerk Pension April Employer	£465.73 £55.99 £41.99		£465.73 £55.99 £41.99
8	NEST	dd		£97.98		£97.98
25	Mrs C L Macleod		Travel 52.5 mls @53p parking	£27.83 £3.00		£27.83 £3.00
		103676		£30.83		£30.83
7	Mrs S Orpin	103661	Cleaner salary April	£14.40		£14.40
				£4988.84	£340.46	£5329.30

k) To resolve to authorise bank signatories for the coming year

l) To resolve to approve BACS/CHAPS payments as and when necessary – to be confirmed by 2 Members of the Accounts Team

m) To acknowledge Receipts

£38,661.26: Precept £25,500 plus £11,750 Praa Sands Toilets; Council Tax Support grant: £1,411.26;

VAT reimbursement 2015/16: £4,103.01; Cemetery fees: £132 for 2015/16; Admin: £9 for 2015/16; Ashton Comm. Ass. Legal fees: £95.34 for 2015/16;

Cemetery fees: £440

n) Clerk to provide Bank balances

#### 15. FOOTPATHS

- 65
- 20

#### 16. CEMETERY

Interment Selina Jayne Pilgrim 18 April 2016, Section 1 Row 20, Grave 364

#### 17. HIGHWAYS

- Water Lane, Trescowe  
An offer was made, by Tfl Training and a CIC called The Pegasus Award, to help reroute the water flow using low-tech equipment. This has been passed on to Cllr Keeling The area in question is private road, therefore permission from Highways is not needed. Tfl training has been advised to contact the owners as their permission is needed
- Porthleven Masked Ball 2016 -JPS Event Consultancy Ltd have requested to close the following road(s) to carry out works to their apparatus  
Road Traffic Regulation Act 1984 S.14: Temporary Prohibition of Traffic - Timing: 20th May 2016 to 22nd May 2016 (24 hours weekends included)  
Respond with any feedback within fourteen days

#### 18. STREETLIGHTING

#### 19. SAFETY CHECKS

- To review safety checks to the play area, Breage Playing Field and make any necessary resolution
- To review safety checks Street furniture and make any necessary

#### 20. STANDING ORDERS

To review Standing Orders and make any necessary resolutions

#### 21. ANNUAL REPORT

- To approve Annual Report for circulation

#### 22. PRAA SANDS

a) TOILETS

i) Report from the Working Group

After the toilet working group's meeting on 28 April 2016, the annual report, sub-committee proposals and budget considerations have been received:  
Annual Report for Praa Sands Public Conveniences 2016 - March-April 2016

1. The keys to the Praa Sands toilets were officially handed over to BPC the last week of March 2016

2. All agreed defects to the toilets and building were repaired by CC before handover. New showers were installed and a new concrete floor laid to direct water away from the building.

3. Before handover the holding tank was emptied, the toilets cleaned and the meters were read.

4. The signs were changed to BPC.
5. A press release was made and a photographer present at handover.
6. BPC were publicised taking on the toilets in the Cornishman, West Briton and on Radio Cornwall.
7. Minor repairs have been made in the first month - cistern/handle - at no cost
8. The toilet working group has had two meetings in the first month to make proposals to become a sub-committee of BPC.
9. The charity is currently on hold until the sub-committee formalised.

**ii) Sub-Committee Proposals**

1. Meet once a month the week before BPC monthly meeting
2. Meet with BPC 4 times a year.
3. Consists of a chair, secretary, responsible financial officer + 3 members
4. Responsible for assisting BPC clerk to write and receive tenders
5. Have designated budget for one year
6. Have delegated authorisation to spend up to £250 on one single invoice for maintenance and repairs.

**To discuss the above and make any necessary resolutions**

**iii) Budget information required for sub-committee**

1. Opening meter readings
2. Jones' agreement for tank emptying. Who authorised him to do what and at what cost?
3. Invoices for first month's cleaning/tank emptying etc.
4. Any info regarding tender process - what we have to include/exclude in a tender and how it must be advertised.

**To discuss and make any necessary resolutions**

- ii) Electrical Report received
- iii) SW Water has acknowledged BPC as a customer
- iv) Showers – some concerns have arisen

**b) PRAA GREEN**

- (i) **To resolve to have the large holes on the Green, near the two granite benches and near the house Sandpiper, filled**
- (ii) Complaints received re. Green

**23. CARLEEN**

- a) **To consider Parishioner's request for some form of Play Equipment beside the Village Hall**

**24. HELSTON & SOUTH KERRIER COMMUNITY NETWORK PANEL**

- a) To receive Cllr Caddick's report on the meeting of 2 March 2016  
Draft notes have been received
- b) Local Devolution Fund Helston and the Lizard Community Network Area  
Proposals by 7 September 2016

**25. REQUEST FOR LETTER OF SUPPORT DAMIEN CAREME – MAYOR OF DUNKIRK**

In his efforts regarding a new refugee site at Dunkirk

**26. GYPSY AND TRAVELLING COMMUNITIES SITE ALLOCATIONS**

Cornwall Council wants to understand interested parties' views before preparing the Gypsy and Travelling Communities Site Allocations DPD. CC will subsequently consult on the draft DPD prior to its submission to the Secretary of State.

All comments should be returned to the Council by **5pm on Monday 6<sup>th</sup> June 2016**

**27. MEMBERS' REPORTS TO THE COUNCIL AND REPORTS FROM OUTSIDE BODIES**

Breage Playing Field – RoSPA report:

- i) Basketball Post: STILL no notice on– DO NOT CLIMB ON THE FRAMEWORK OR NETS  
DO NOT HANG ON THE RING  
DO NOT WEAR RINGS OR JEWELLERY AS THESE CAN GET CAUGHT AND CAUSE INJURY
- ii) Multiplay Junior: Rotting
- iii) Multiplay Toddler: Rotting
- iv) Rocker – Beams: Corrosion – repair
- v) Rocker – Chicken: Corrosion – repair
- vi) Rocker Seasaw Sealions – mobile: Corrosion – repair / Surfacing grass: Worn ground areas – make good
- vii) Slide Tower/Castle: Timber not in good condition – Monitor supports ground level
- viii) Swing mixed – 2 bay Junior 2 Toddler seat: Chain connectors notched – Replace chain connectors

**28. REPORT FROM CLERK**

**29. CORRESPONDENCE**

Rsn – Rural Opportunities Bulletin

CALC – Training

CC – Communities and Devolution – Newsletter April 2016

Rsn – weekly news 11 April 2016

CC – Communities and Devolution – Update on Public Toilets

PCDT – Youth Work

MEP – Press Release

CALC – April newsletter

Rsn – weekly news 18 April 2016

CC – Neighbourhood Planning Workshops

CAONB – Annual Conference, 7 May 2016

Rsn – Rural Housing Spotlight

CC – Communities and Devolution Libraries and One-stop Shops

CRCC – Helston carers' Forum 12 May 2016

Rsn – weekly news 25 April 2016

Rsn – Rural Vulnerability Fuel Poverty April 2016

CPS – April bulletin

**To note any correspondence received since the agenda was published**

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

**31. DATE AND TIME OF NEXT MEETING - Tuesday 7 June 2016 at 7.00 p.m.**

**32. 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

**33. HANDYMAN'S REVIEW AND HOURLY RATE UPDATE**

- a) To review past year
- b) To consider hourly rate update and make any necessary resolution

**34. CLEANER'S REVIEW AND SALARY UPDATE**

- a) To review probationary period
- b) To resolve to award and sign annual contract from 1 February 2016 to 31 January 2017
- c) To review hourly rate and make any necessary resolution

**35. BUS SHELTER CLEANING REVIEW AND FEE UPDATE**

- a) To review past year
- b) To review fee and make any necessary resolution

**36. CLERK**

- a) To discuss Clerk's appraisal and make any necessary resolution
- b) To discuss Clerk's contract and resolve to make any necessary amendments
- c) To discuss Clerk's Spinal Point and Annual pay increase and make any necessary resolution