



PUBLIC MEETING OF THE PARISH COUNCIL

Wednesday 24th February 2021 – VIRTUAL REMOTE MEETING

Present: Councillor Edwards (Chairman) & Willey (Vice Chairman)

Councillors Ellis, Fletcher, Oakes, Robinson, White.

Also in attendance: Christopher Cook - Parish Clerk & Responsible Financial Officer

Jesse Foot – County Councillor

Members of the public: 2 – Sam Tamlin – County Councillor (Saltash West Ward) & Martin Worth – Cllr & Chairman (Landulph Parish Council)

Members of the public were permitted to speak on each Agenda item for a period of 3 minutes. This meeting was advertised as a Public meeting and as such could be filmed or recorded by broadcasters, the media and members of the public. The public were advised that whilst every effort is taken to ensure that members of the public would not be filmed, it could not be guaranteed.

Minutes 24th February 2021

682/2021 Chair's Welcome & Announcements

Cllr Edwards (Chairman) welcomed residents to the Public Meeting of the Parish Council and delivered Health and Safety housekeeping rules. No members of the public intended recording the Public Meeting. The Chairman explained that the Meeting was being held remotely using Microsoft Teams in which Residents could participate.

683 Public participation

County Cllr Sam Tamlin (Saltash West Ward) and Cllr Martin Worth (Chairman – Landulph Parish Council) both attended the Public Meeting as observers.

Councillors **Resolved** to note. All agreed.

684 To receive Apologies for Absence and approve the reasons given

No apologies.

Councillors **Resolved** to note.

685 Declarations of Interest

Councillors **Resolved** that no Councillors declared pecuniary or non-pecuniary interests.

Councillors **Resolved** that no Councillors were liable for written Dispensations.

Councillors **Resolved** to note that Cllr. Malcolm Fletcher declared the Gift of Nestle Milk Chocolate 2 Finger KitKats (9 pack) from Professional Business Supplies Limited.



All noted and agreed.

686 Minutes of the Public Meeting 27th January 2021

The draft Minutes were a true record of the Meeting held remotely using Microsoft Teams.

Proposed Cllr Robinson, seconded Cllr Fletcher

Councillors **Resolved** to note. All agreed.

687 Matters arising from the draft Minutes for report purposes only.

The Clerk pointed out an amendment to the sub heading at Item 660 which should record the date of the 27th January 2021, and not the 9th December 2020.

Councillors **Resolved** to note the amendment. All agreed.

688 A Report from Cornwall Councillor Jesse Foot

Cllr Foot advised Councillors that at the recent full Cornwall Council meeting the budget for 2021/2022 was considered. In order to produce a balanced budget, the decision was taken to increase the Council Tax rate by 4.99%. The Adult social care budget would account for 3.3% of the overall increase.

Cllr Ellis enquired as to whether Cornwall Council would be boosting the Universal Credit amount and was advised by Cllr Jesse Foot that no information was available. The following link is added to the News panel of the Council's website and provides guidance for residents with the Universal Credit process. <https://www.jobcentrenearme.com/universal-credit/>

Cllr Fletcher enquired as to whether the judicial review of the Planning application granted for the construction of a house on the Rame peninsular had been completed. Cllr Jesse Foot advised that there was no news yet.

Councillors **Resolved** to note. All agreed.

689 Finance

A Accounts for Payment

Cllr Edwards (Chairman) proposed and Cllr Oakes seconded the approval of the Accounts for payment.

Councillors **Resolved** to approve the accounts for payment. All agreed.

B Direct bank Payments & Receipts for information

Bank Receipts were reported as **£0.00** Total receipts 2020/2021 **£26,973.22**

Councillors **Resolved** to note. All agreed.

C Bank reconciliation and Earmarked Funds (EMF)

The General Account balance was reported as **£20,499.02** and the Earmarked Funds as **£16,788.76**.

Councillors **Resolved** to note. All agreed.



D Monthly budget monitoring balances report

Councillors **Resolved** to note the report.

E Public Works Loan Board Statement December 2020

Councillors **Resolved** to note. All agreed.

690 Planning

New Planning Applications – One received

Application : **PA21 / 00460**
Proposal : Proposed single storey rear extension with raised patio
Location : 90 Sunnybanks Hatt PL12 6SA
Applicant : Mr D Kanaki
Grid Ref : 239636 / 61896

Cllr Edwards (Chairman) advised Councillors that a resident had submitted a representation in relation to the above Planning application (received 23rd February 2021). The resident had conversed with the applicant concerning the condition of mutual privacy.

Councillors decided that whilst the information received was helpful, the Parish Council would make their own decision regarding the Planning application based on the information available on the Planning portal alone. Cllr White noted that no public comments had been made on the Planning portal system. Cllr Edwards (Chairman) confirmed that the resident providing representations, and ultimately support for the project at 90 Sunnybanks, should add the comments to the Planning portal.

Councillors considered that the social condition of privacy and living conditions should be taken into account but had no other objections to make.

Proposed Cllr Edwards (Chairman), seconded Cllr Fletcher.

The Parish Council **Resolved** to Support Planning Application PA21/00460

Support – 7 votes

Against – 0 votes

Abstain – 0 votes

Planning Application Decisions – One received

Application : **PA21 / 00046 (see also PA20 / 09647)**
Proposal : Non Material Amendment for new window added to North elevation; main entrance door relocated on West elevation; flat roof to extension amended to pitched roof (Application number PA20/09647 dated 17th December 2020 relates)
Location : 4 Andrews Way Hatt Saltash Cornwall PL12 6PE
Applicant : Mr Adam Coutts
Grid Ref : 239739 / 62045

Planning Application **Approved** 1st February 2021

Councillors **Resolved** to note. All agreed.

Planning Application for Information – None applicable



Councillors **Resolved** to note. All agreed.

Planning Applications received after the Agenda published – None received

Councillors **Resolved** to note. All agreed.

691 Neighbourhood Development Plan (NDP)

www.botusflemingandhattndp.com

Report deferred until 24th March 2021

Cllr Oakes referred to a number of local Plan proposals already submitted, Landrake Parish Council in particular, and noted that the proposed development in this area would increase pressure on the infrastructure.

Cllr Jesse Foot advised Councillors that it was good practice to have an (NDP) plan submitted to Cornwall Council, as the plan would still be considered in relation to new developments, though conceded that several of the local plans were now requiring an update.

Cllr Fletcher questioned whether time could be devoted to revisiting the (NDP) plan and that serious thought should be given to this matter when it was addressed again by Councillors in June/July 2021.

Councillors **Resolved** to note. All agreed.

692 Parish Plan

Report deferred until 24th March 2021

Councillors **Resolved** to note. All agreed.

693 Recreation Field

Motion; Cllr. Edwards proposed that the installation costs for a stock proof fence at the Recreation Field (see condition 4 of memorandum of Sale) be carried out by BMS Landscaping in the sum of £320.00 with expenditure being met from the existing Projects budget. (see Item 671 dated 27th January 2021)

Proposed Cllr Edwards (Chairman), seconded Cllr Oakes. All Councillors agreed.

Cllr Edwards (Chairman) advised Councillors the Council's Solicitors had provided a report on the proposed purchase of the Recreation Field and also the TP1 HM Land Registry form. Whilst the HM Land Registry form will deal with the 'missing particulars' defect, there is still a requirement for the Council to address the existing drainage system and the risk of flood. Enquiries through Insurers and Brokers to arrange Title insurance have been unsuccessful.

The Solicitors have been unable to obtain a response from Cornwall Council in connection with the maintenance of the French drain, and the Contract cannot be signed on hearsay from Cornwall Council

Councillors **Resolved** to note this report and finalise the Motion 24th February 2021. All agreed.



Action: Clerk to contact Cornwall Council requesting an urgent response to Solicitor enquiries.

694 Councillors Reports

A Cllr Sally White - Maintenance

Monthly maintenance audit noted (report as circulated before the Meeting)

Cllr White explained that there was still further evidence of fires being lit at Moditonham Quay and requested that the Parish Council erect a suitable sign to stop this practice.

Cllr Edwards (Chairman) advised that, as a suitable sign to stop parking at the Recreation Field entrance was required and a sign letting parishioners know that dogs were required to have leads whilst being walked on the Recreation Field, then the items would be added to the Agenda 24th March 2021 in order to deal with all signage matters.

Councillors **Resolved** to note the monthly Audit report.

B Cllr Malcolm Fletcher – Bio diversity

Cllr Fletcher enquired as to whether the recent felling of a number of trees, specifically along the Carkeel development transport route were felled due to Ash Dieback or Health & Safety risk issues. Cllr Fletcher also asked Cllr Jesse Foot whether Cormac kept a formal record of private residences where trees had been felled and enquired as to whether there might be added in each letter a request that a tree be planted to replace any trees removed. Cllr Foot confirmed that Cormac do keep formal records and would make the suggestion of planting replacement trees.

The draft Bio diversity Policy discussed at Item 672 (B) 27th January 2021 was presented for adoption as part of the Parish Council's governance policies.

Proposed Cllr. Fletcher, seconded Cllr. Ellis

Councillors **Resolved** to note this report and to adopt the Bio diversity Policy. All agreed.

C Cllr Malcolm Fletcher – Climate Change Emergency

Cllr Fletcher informed Councillors that the recent BOTHER flyer newsletter provided an update on climate change matters in the Community.

Cllr Edwards (Chairman) informed Councillors that one of the main items at the recent Cornwall Network Panel meeting concerned the Gateway group agreeing to hold a Bio diversity and Climate Change workshop on the 16th June 2021. Each Council would send a representative, which could be either a Councillor or member of the working group. Cllrs Fletcher and Ellis agreed to discuss this further and agree on a Parish Council representative.

Cllr Edwards also brought to the attention other items discussed at the Cornwall Gateway meeting:

- Statistics surrounding the number of 2nd homeowners in Cornwall breaking Covid-19 lockdown rules
- Suspension of the speed watch programme during lockdown



- National Census 21st March 2021
- Highways traffic calming programme
- Cormac request to Councils on the work carried out maintaining verges during the Coronavirus Covid-19 pandemic
- One.network – website available to check where roadworks are occurring and their details.

Councillors **Resolved** to note this report. All agreed.

D Cllr John Robinson – Saltash Area Road Safety (SARS)

Both Cllrs Robinson & Fletcher reported that an I.T. hitch prevented the (SARS) meeting going ahead. No report.

Councillors **Resolved** to note this report. All agreed.

E Cllr Mervyn Ellis – BOTHER

Cllr Ellis commented on the success of the recent Survey Monkey as reported at the Public Meeting 27th January 2021, item 672 (C) refers.

Councillors **Resolved** to note this report. All agreed.

F Cllr Malcolm Fletcher – Newsletter

Cllr. Fletcher thanked all Councillors for distributing the Parish Newsletter for February 2021.

Cllr Edwards (Chairman) thanked Cllr Fletcher for preparing and editing and for his work in generating an excellent Newsletter.

The Newsletter is posted to 'Notices' on the Council website at www.botusfleming.org.uk

Councillors **Resolved** to note this report. All agreed.

Cllr. Fletcher left the meeting due to I.T. connection issues

695 Clerk's items –

(a) Clerks' year calendar one day training seminar.

The Clerk provided a schedule of the Regional virtual training seminar agenda for 24th March 2021 and requested attendance. Cost of seminar £45.

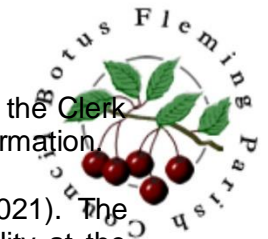
Councillors **Resolved** to support the Clerk's attendance. All agreed.

(b) The General Power of Competence (GPC)

The Clerk had previously circulated details of the (GPC) to all Councillors.

The Clerk pointed out that a Council must decide at a full ordinary meeting (Public Meeting) that it meets the criteria for (GPC) eligibility at that particular point in time, usually following the Clerk gaining the Chartered Institute of Local Council Administration (CiLCA) qualification. The current Parish Clerk qualified 31st October 2020. It is noted that the Parish

Council do not currently meet the 2/3rds elected mandate but must register when the Clerk becomes qualified as a formal part of the (GPC) process in preparation of the reaffirmation.



A Resolution must be written in the Minutes of that meeting (24th February 2021). The Council confirms eligibility by Resolution at full Council and must reaffirm eligibility at the 'relevant annual meeting i.e. the Annual Meeting of the Parish Council (AMPC) that takes place in an Election year. The next relevant meeting for Botus Fleming Parish Council is the 17th May 2021.

It should be noted that at the time of the reaffirmation of the (GPC) at the Annual Meeting of the Parish Council 17th May 2021, Botus Fleming Parish Council will have a full complement of 8 newly elected Councillors. Reaffirmation cannot take place unless the (GPC) has been addressed at a full ordinary meeting.

The Parish Council's status of either 'eligibility' or 'ineligibility' with regards to the (GPC) should be revisited and a new resolution made at every (AMPC) following an ordinary election. Upon referring to archive Minutes from the (AMPC) May 2017, and again in May 2018, the Minutes appear to be silent regarding the reaffirming of the (GPC), therefore it is intended to rectify the position at the 17th May 2021. It is noted that, following the resignation of two Councillors at the same time during 2018, both following one year's service for a elected 4 year period, and the resignation of another Councillor during 2019 due to pressure of work, the 2/3rds mandate became ineligible at this time.

Resolution

'The Parish Council resolves from the 24th February 2021, until the next relevant Annual Meeting of the Parish Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 – The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012, to adopt the General Power of Competence'.
Proposed Cllr. Edwards (Chairman), seconded Cllr. White

Councillors **Resolved** to note this report. All agreed.

Part 2 – Awarding of Contracts

Councillors to Resolve that the Public are excluded from the discussions surrounding the award of the Grass cutting contract for 2021.

The name of the successful contractor and the amount of the contract will be recorded in the Minutes under the Local Government Transparency Code 2015.

696 Public Bodies

The Press and Public were requested to leave the Meeting due to the confidential nature of the following Agenda item.

697 Evaluation and Awarding of the Grass cutting Contract 2021

The Parish Clerk reported that 6 expressions of interest had been received and Tender documents sent out to all Contractors.

The Clerk confirmed that 3 completed Tender quotations were received by the 1st February 2021 timetable deadline and these were circulated to all Councillors in order for them to individually evaluate the Tenders, in accordance with the governance documents which formed the Procurement process for Contracts.



Councillors considered the Social value aspect of each Contract, reviewed all Insurance & Risk Assessments provide, along with evidence of CRB checks and costed out annual Contract prices. Councillors also considered the Clerk's briefing note regarding the procurement process.

The 3 quotations received by the Parish Council are recorded as follows:

- Drgrounds (David Ralph) Tender price £11,039.00
- Parsons Landscapes Ltd (Bob Parsons) Tender price £ 6,632.50
- BMS Landscaping (Nick Brown) Tender price £ 8,090.00

Councillors **Resolved** to award the Grass cutting Contract for the period 1st April, 2021 to 31st March, 2025 to BMS Landscaping Ltd.

Proposed Cllr. Edwards (Chairman), seconded Cllr Willey (Vice Chairman)

Councillors voted to support the Proposal-
Support 6 votes
Reject 0 votes
Abstain 0 votes

Councillors **Resolved** to note this report. All agreed.

Action: The Clerk to draft a Contract for the grass cutting service 2021-2025

Action: The Clerk to send letters to the unsuccessful Tenderers.

Action: The Clerk to send a letter to successful Contractor and to draft contract in accordance with the Tender timetable.

698 Public Bodies

The Press and Public were re-admitted to the meeting.

699 Correspondence

700 Date of next meeting

The next Meeting of the Council will be the Public Meeting on Wednesday 24th March 2021 at 7:30pm. This Meeting will take place by Virtual Remote Microsoft Teams.

The Parish Council would continue to follow any instruction from CALC concerning the Covid-19 situation in connection with forthcoming Public Meetings. The choice to meet face to face was now an option with safety guidelines applying.

Residents would be advised on the 23rd March 2021 or sooner of arrangements for the Public Meeting 24th March 2021.

701 End of meeting 20:55

Signed..... Date.....
(Chairman)

