



Notice of the Annual Meeting of the Parish Council

Members of the Public and the Press are invited to attend all Council meetings

(Public Bodies (Admission to Meetings) Act 1960)

Date: Monday 17th May 2021
Time: 7.30pm
Location: St Mary's Church Hall, Botus Fleming

To: Chairman & Parish Councillors

Chairman D Edwards
M Ellis, M Fletcher, J Oakes, J Robinson, S White, and D Willey (Vice Chair).

You are hereby summoned to attend the above meeting to consider the items of business.
This is the Annual Meeting of the Parish Council. (LGA 1972 Sch.12 para. 7 (1))

Councillors will be discussing all the items as listed overleaf on the Agenda.

CHRISTOPHER COOK (CILCA)

Christopher Cook
Clerk to the Council
10th May 2021

Under the Openness of Local Government bodies Regulations 2014, any members of the public are allowed to take photographs, film and audio record proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful to let the Clerk know of any plans to film or record so that any necessary arrangements can be made to provide reasonable facilities to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public.

Should you wish to record the meeting, you are asked to act in a reasonable manner and not to disrupt the conduct of meetings by, for example, using intrusive lighting, flash photography, or in asking people to repeat statements for the benefit of the recording. Oral commentary may not be made during the meeting. The Chairman has the power to control public recording, and recording must be clearly visible to anyone at the meeting.

Please be aware that whilst every effort is taken to ensure that members of the public will not be filmed, we cannot guarantee this, especially if you are speaking or taking an active role. Members of the public will be permitted to speak for a period of 3 minutes. Please note that members of the public exercising their right to speak during Public Questions Time may be recorded.

The Parish Council recommend that any questions for Members should be submitted in writing to the Parish Clerk 24 hours before the Meeting and that responses may be put in writing at a later date

Parish Clerk & RFO
24 Rashleigh Avenue - Saltash - Cornwall - PL12 4NS
Tel. 07523 005414
clerk@botusfleming.org.uk

7.30pm – Item 746 below

Questions and comments from members of the public (limited to 15 minutes in total)

This provides an opportunity for members of the public (who are not usually permitted to speak during the meeting except by special invitation of the Chairman) to participate before the start of the meeting by asking questions, raising concerns or making comments on matters affecting Botus Fleming and Hatt. No decision can be taken during this session*, but the Chairman may decide to refer matters raised for further consideration.

* Councils cannot lawfully decide items of business that are not specified in the Summons/Agenda (LGA1972 Sch.12, paras 10(2)(b) and Longfield Parish Council v Wright (1918))

Agenda | 17 May 2021

745/2021 Chair's Welcome & Announcements

Health and Safety housekeeping announcement,
Recording of Meetings – Please notify the Chair if you are intending to record this meeting.

746 Public participation

747 Election of Chairman (LGA 1972 Sect.15 (1))

The Declaration of Acceptance Form to be signed by the Chairman.

748 Election of a Vice Chairman (LGA 1972 Sect.15 (1))

The Declaration of Acceptance Form to be signed by the Vice Chairman.

749 To receive Apologies for Absence and approve the reasons given. (LGA 1972 s85(1))

750 Declarations of interest

Parish Councillors will be asked to make any declarations of interest in respect of items on this Agenda. Items A to C accord with the requirements of the Parish Council's Code of Conduct and Item D accords with the Localism Act 2011 s33(b-e). This does not preclude any later declarations.

A. Pecuniary/Registerable Declarations of Interests – Members must declare an interest, which has been declared on their Register of Financial Interests Form, relevant to this Agenda.

B. Non-registerable Interests – Members must declare non-pecuniary interests at the start of the meeting or whenever the interests become apparent.

C. Declaration of Gifts – Members must declare any gift or hospitality with a value in excess of £50.

D. Dispensations – Members to consider any written requests for dispensations.

751 To approve and sign as a correct record the draft Minutes of the Public Meeting of the Parish Council held on Wednesday 28th April 2021. (LGA 1972 sch.12.para 41(1))

To approve and sign as a correct record the draft Minutes of the Public Meeting of the Parish Council held on Wednesday 24th March 2021. (LGA 1972 sch.12.para 41(1))

752 Matters arising from the Minutes for report purposes only.

753 A Report from Cornwall Councillor Martin Worth

754 Finance

A Accounts for Payment.

Members are asked to note the following items of expenditure for the month of **May 2021**.

Payments Schedule

17 May 2021

Period 2

Date	Payee	Description	BACs ref.	£
17/05/2021	Christopher Cook	Salary	BACS132	239.78
17/05/2021	HMRC	PAYE	BACS133	106.00
17/05/2021	Zurich Insurance	Insurance portfolio premium renewal	BACS134	765.28
17/05/2021	BMS Landscaping	Grass cutting (May)	BACS135	534.00
17/05/2021	Linda Coles	Internal Auditor fee	BACS136	160.00
17/05/2021	Christopher Cook	Additional contractual hours worked	BACS132	184.60
All BACs payment amounts today				£ 1,989.66

B Direct bank Payments & Receipts for information

All bank receipts for this period **£0.00** Total receipts **2021/2022** are **£11,326.20**

Date 17th May 2021

Botus Fleming PC Current Year 2021/2022

Period 2

Receipts & Payments statement as at 17/05/2021
for Cashbook - Current A/c 1 & Business Reserve A/c 2

Bank Statement Account Name(s) Statement Date Amount Balances

Current Account - Lloyds A/c 1	17/05/2021		11,326.20
Business Reserve Account - Lloyds A/c 2	17/05/2021		0.00
Lloyds A/c 2 = Earmarked Funds *			
Total Receipts			11,326.20

Available General Funds from 31st March			14,103.84
Less - Payments made A/c1 - Apr			2,383.23
Add - Receipts during April			11,326.20
Less - Payments made A/c1 - May			1,989.66
Less - Payments made A/c1 - June			0.00
Less - Payments made A/c1 - July			0.00
Less - Payments made A/c1 - August			0.00
Less - Payments made A/c1 - Sept			0.00
Add - Receipts during September			0.00
Less - Payments made A/c1 - Oct			0.00
Less - Payments made A/c1 - NOV			0.00
Less - Payments made A/c1 - Dec			0.00
Less - Payments made A/c1 - Jan			0.00
Less - Payments made A/c1 - Feb			0.00
Less - Payments made A/c1 - Mar			0.00
General Funds as per Bank Statement			21,057.15

Movement on A/c1 May		Receipts		Payments	Movement +/-
Receipts against Payments		11,326.20		4,372.89	6,953.31

1st Precept payment due 7/4/21

£10,000.00

2nd Precept payment due 7/9/21 £10,000.00

07/04/2021 Receipt A/c1		Cornwall Council		Precept April 2021	10,000.00
07/04/2021 Receipt A/c1		Cornwall Council		CTS Grant April 2021	80.39
09/04/2021 Receipt A/c1		HMRC		Vat recovery claim	1,245.81
14/09/2021 Receipt A/c1		Cornwall Council		Precept April 2021	0.00
14/09/2021 Receipt A/c1		Cornwall Council		CTS Grant April 2021	0.00
					11,326.20

17/05/2021 Earmarked Funds receipts *					
Big Event / Christmas Fayre		Account 2		Receipts	0.00
Big Event / Assets		Account 2		Receipts	0.00
Sports & Recreation		Account 2		Receipts	0.00
BOTHER Climate emergency		Account 2		Receipts	0.00
Neighbourhood Development Plan (NDP)		Account 2		Receipts	0.00
RFO 17th May 2021					0.00

C Bank reconciliation and Earmarked Funds (EMF) balances as at the 17th May 2021

Date 17th May 2021

Botus Fleming PC Current Year
2021/2022

Period 2

Bank Reconciliation statement as at 17/05/2021

for Cashbook - Current A/c 1 & Business Reserve A/c 2

Bank Statement Account Name(s)	Statement Date	Amount	Balances
Current Account - Lloyds A/c 1	17/05/2021		21,057.15
Business Reserve Account - Lloyds A/c 2	17/05/2021		16,788.76
A/c 2 = Earmarked Funds *			
Total balance			37,845.91

Unpresented Cheques (Minus)		0.00	0.00
			37,845.91
Receipts not banked / Cleared (Plus)		0.00	0.00
			37,845.91
		Balance per Cash Book is :-	37,845.91
		Difference is :-	0.00
General Funds as per Bank Statement		Available General Funds	21,057.15

17/05/2021 Earmarked Funds *		
Big Event / Christmas Fayre		3,285.52
Big Event / Assets		1,400.00

Sports & Recreation	1,921.64
BOTHER emergency response	8,762.94
Neighbourhood Development Plan (NDP)	1,418.66
	16,788.76
RFO 17th May 2021	

D Monthly budget monitoring balances at the 17th May 2021
Summary Expenditure Account Year ended 31st March 2022
Monthly Budget monitoring

YEAR END 2021-2022
Period 2 - May

Lloyds Current Account A/c 1 - 38772468	Budget 2020 2021 *	Expendit ure 2020 2021	Budget 2021 2022 *	Expendi ture as at 17/5/21	Budget availab le
Expenditure					
Clerk's Salary & Locum expenses	4,000	3,277	3,750	663	3,087
HMRC	700	818	686	166	520
				829	
General & Administration					
Postage & Admin / Office allowance	400	529	350	20	330
Legal & Website	500	654	500	160	340
Legal - Recreation Field	1,500	1,138	50	50	0
Elections & Adverts	0	0	3,000	0	3,000
Training & Expenses & Subscriptions	800	824	800	26	774
				256	
Contracts					
Grasscutting	4,250	2,897	4,250	893	3,357
Dog bin cleansing			700	0	700
Insurance	1,000	709	1,000	710	290
Loan Repayments	2,500	2,757	5,464	0	5,464
Maintenance & Equipment	500	516	500	0	500
				1,603	
Other Payments					
Grants & Donations	650	600	300	0	300
Newsletter printing	1,000	698	400	0	400
Projects & CAT	2,850	0	1,000	1,200	-200
Big Event *	1,400	0	1,000	0	1,000
Neighbourhood Dev. Plan *	250	0	250	0	250
BOTHER	0	0	500	0	500
Vat recoverable amount^					
^see Receipts £1,245.81				1,200	
* includes Projects, Bother & (CAT)					
Total Budget £4,500					
Total Payments	22,300	15,417	24,500	3,888	20,612
Vat amount to date 2021 2022				483	

RFO 17th May 2021

E Public Works Loan Board – Loan Statement 17th May 2021

Loan Payments statement
for Cashbook - Current A/c 1

Bank Statement Account Name(s)	Statement Date	Loan advance	Payments	Balance to pay
	17/05/2021		Principal & Interest	
Current Account - Lloyds A/c 1	24/06/2020			
PWLB Loan advance 24/06/2020*		69,975.00		
Direct Debit payment - 24/12/2020			2,732.22	67,242.78
Total Loan amount outstanding				67,242.78

* PWLB less loan admin fee £25

755 Planning

New Planning Applications – One received

Application link <http://planning.cornwall.gov.uk/online-applications>

Reference: **PA21/03618**

Address: Bicton Farmhouse, road from junction south of west Kingsmill to Hazelmere, Hatt PL12 6NA

Proposal: Replacement conservatory

Applicant: Mr & Mrs Hamish Anderson

Grid ref: 239949 / 62268

Planning Application Decisions – None received

Planning Application – For Information

Planning Application received after the Agenda issue – To be advised

756 Resolutions

1. To receive a Financial Statement for the year ending 31st March 2021

(a) To receive the Internal Auditor's Report and note its contents

(b) To approve the Annual Governance Statement (Section 1)

(c) To approve the Accounting Statement (Section 2)

(d) To set the commencement date for the exercise of Public Rights (documents (b), (c) to be signed 17th May 2021)

(e) Over £100 payments list 2020/2021

2. The General Power of Competence – The report from the Parish Clerk 24th February 2021 refers-

(i) That the Council confirms that it meets the two required criteria for eligibility at the time of this Meeting to exercise the General Power of Competence.

(ii) That the Council resolves to adopt to use the General Power of Competence.

757 Governance

1. Review of Policies & Procedures due May 2021
(Governance list as previously circulated)

2. Model Publications Scheme review 2021

3. Review of the Parish Council's Banking arrangements.

4. Review of the Parish Council's Asset Register.

5. Review of the Parish Council's Insurance Policy.
- 6 To re-appoint the Parish Clerk as the Council's Responsible Financial Officer.
7. To confirm the re-appointment of Mrs Linda Coles as the Parish Council's Internal Auditor.
8. To note completion of Parish Councillors Acceptance of Office forms (LGA 1972 s. 83 (4)) and the Register of Interests forms (Localism Act 2011 ss 26-34) completed 10th May 2021.
9. Councillor's responsibilities schedule.

758 Neighbourhood Development Plan – Cllr Dave Edwards
www.botusflemingandhattndp.com

759 Parish Plan - Cllr Dave Edwards

760 Recreation Field - Cllr Dave Edwards

761 Councillors reports

(i) Asset Audit - Cllr Sally White

(ii) Bio diversity - Cllr Malcolm Fletcher

(iii) Climate Emergency - Cllr Malcolm Fletcher

(Motion deferred from 28th April 2021 item 740 (c) refers)

BFPC urges its MP, Hon. Sheryll Murray, to lend her support to the Bill (Climate & Ecological Emergency Bill) in subsequent readings in parliament and will write to her to this effect.

"Botusfleming Parish Council agrees to send the attached letter to the Hon. Sheryll Murray MP, asking her to lend her support to the Climate and Ecological Emergency Bill on its passage through the House of Commons."

The Hon. Sheryll Murray MP
House of Commons
London
SW1A 0AA

Dear Mrs Murray,

Botus Fleming Parish Council (BFPC) lies within your constituency of South East Cornwall. In 2019 BFPC voted unanimously to declare a Climate Emergency, and to give all possible support to local groups and initiatives seeking to mitigate the Emergency.

Since then, BFPC has planted 150 young trees in the Parish thanks to a successful bid for free trees from The Woodland Trust and donations from residents. We have also adopted Cornwall Council's "Grow not Mow" policy on managing the public grassed areas in the Parish. A group of residents formed BOTHER (Botus Fleming and Hatt Emergency Response) to explore practical ways reduce the area's carbon footprint. With support from BFPC, the group successfully bid for a grant from Cornwall Council to commission a feasibility study by Sustrans for a walk/cycle way from Hatt to Carkeel. The finished study is expected soon.

So, as you can see, our Parish Council takes the Climate Emergency very seriously. To ensure that our local efforts stand the best chance to succeed we believe that they should be supported by regional and national commitments. Cornwall Council has committed to achieving Carbon Net Zero by 2030. This is most encouraging. We feel that the Westminster government should also be

equally ambitious. We are therefore asking you to support the Climate and Ecological Emergency (CEE) Bill which is expected to have its second reading later this year. The Bill has the cross-party support of 110 MP's, and was drawn up using knowledge provided by scientists, academics and lawyers. It will commit us to the emissions reductions necessary to keep global temperature rise below 1.5°C. This is ambitious but necessary if we are to preserve the health and well being of our children. The existing Environment Bill only sets long-term targets of 15 years, with no binding interim targets for improving air and water quality, biodiversity, resource efficiency and waste reduction, and it does not include any greenhouse gas emissions reduction.

This year the eyes of the world will be on the UK as we host the G7 meeting in Cornwall, and COP 26 in Glasgow. Now is the time to show leadership in this field, and to be at the forefront of initiatives that give real meaning to "Global Britain." We would therefore ask you to actively support and promote the CEE Bill, thus demonstrating that you support your constituents in their endeavours in this field.

Yours sincerely,

Cllr David Edwards (Chair)
Cllr David Willey (Vice-Chair)
Cllr Mervyn Ellis
Cllr Malcolm Fletcher
Cllr John Robinson
Cllr Sally White
Cllr Julian Oakes

Christopher Cook – Parish Clerk & Responsible Financial Officer

- | | |
|-----------------------------|--------------------------------|
| (iv) BOTHER | - Cllr Mervyn Ellis |
| (v) Parish Signage | - Cllr Dave Willey |
| (vi) Facebook (HCBB) | - Cllr Malcolm Fletcher |

762 Correspondence

762 (i) response to Mrs Oakes (Item 716 (ii) – 24th March 2021 refers)

Bidwell Cottage

Botusfleming

Saltash

PL12 6NJ

30TH April 2021

Dear Mrs Oakes

Further to your letter to Botus Fleming Parish Council expressing concerns about traffic passing through Botus Fleming, Cllrs Oakes, Fletcher and Robinson recently met with Will Glassup of CORMAC Solutions in the village.

They pointed out residents' views on the dangers caused by the speed and density of vehicles. The main points arising from the discussion were:

- The legal barriers to designating the lane from Botus crossroads to Carkeel a "No Through Road" were insurmountable.

- Mr Glassup will request the installation of traffic speed and density monitoring equipment at several positions in the village in order to have concrete data about the magnitude of the problem. This would enable Cornwall Council to decide whether speed restrictions of 20 or 30 mph were required.
- Mr Glassup agreed that at Botus crossroads signage is not present in any direction and road markings are severely faded. He will report back on this to see if action can be taken to remedy this.
- Mr Glassup will inspect the dangerously shiny, smooth surfacing in the region of Chamomile Cottage to see if this merits a resurface.
- The Community Networks Highways Scheme 4-year funding period has just ended. It remains to be seen if this will be renewed following the imminent County Council Elections. If it is, then the Parish can apply for funding to carry out some of the above measures.
- Mr Glassup did point out that the Highways budget is now considerably less than in previous years. This will necessarily impact on the number of works that can be carried out.

The Parish Council will update residents about any outcomes of these discussions via the monthly Parish Council meetings, minutes of which will be displayed on the noticeboards and the Parish Council website: <https://www.botusfleming.org.uk>

Yours sincerely *Botus Fleming Parish Council*

762 (ii) response to Mrs Owen (Item 716 (iv) – 24th March 2021 refers)

Kornell

Botusfleming

Saltash

PL12 6NJ

30TH April 2021

Dear Mrs Owen

Further to your letter to Botus Fleming Parish Council expressing concerns about traffic passing through Botus Fleming, Cllrs Oakes, Fletcher and Robinson recently met with Will Glassup of CORMAC Solutions in the village.

They pointed out residents' views on the dangers caused by the speed and density of vehicles. The main points arising from the discussion were:

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<https://www.botusfleming.org.uk>

Yours sincerely *Botus Fleming Parish Council*

762 (iii) response to Mr & Mrs Freeman (Item 742 (i) – 28th April 2021 refers)

North Lodge,
Moditonham
Saltash
PL12 6NN

30th April 2021

Dear Mr and Mrs Freeman,

Further to your letter to Botus Fleming Parish Council expressing concerns about traffic passing through Botus Fleming, Cllrs Oakes, Fletcher and Robinson recently met with Will Glassup of CORMAC Solutions in the village.

They pointed out residents' views on the dangers caused by the speed and density of vehicles. The main points arising from the discussion were:

- The legal barriers to designating the lane from Botus crossroads to Carkeel a "No Through Road" were insurmountable.
- Mr Glassup will request the installation of traffic speed and density monitoring equipment at several positions in the village in order to have concrete data about the magnitude of the problem. This would enable Cornwall Council to decide whether speed restrictions of 20 or 30 mph were required.
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The Parish Council will update residents about any outcomes of these discussions via the monthly Parish Council meetings, minutes of which will be displayed on the noticeboards and the Parish Council website:

<https://www.botusfleming.org.uk>

Yours sincerely *Botus Fleming Parish Council*

762 (iv)

Hi Chris

28th April 2021

I promised to write in to the council meeting tonight I'm hoping this can be listened to via your good self. I phoned your number and Left a message. I will probably print this out any way and get it to you if you need it that way.

Over the 43 years I have lived in Moditonham I have become acutely aware of the increase of problems occurring here with regard to the traffic build-up and the careless, not to say dangerous speeding cars we see here on a daily basis.

While my husband was alive his car was ploughed into by a young driver at the lodge turning, she didn't stop, leaving my husband trapped In his car. Eventually He was released by a kindly passer-by.

My own car was written off by a speedster while passing Mr. Henwood's landscape gardening turning. Unfortunately, I now have a long-term injury as a result of the collision. A van has recently been written off in the same place. A land-rover was written off last week at the turning to the lodges. I might mention here that as the lanes are narrow there are frequent arguments from strangers who don't know the road, cannot reverse and seem to have forgotten their Highway Code rules when one has to.

On another occasion a speeding vehicle knocked over the pillar at North Lodge breaking it into three pieces. The repair caused a great deal of inconvenience to all the local road- users.

One rather sad problem has been the amount of roadkill here despite being an A.O.N.B. We've seen the demise of pheasant, rabbits, squirrels, amphibians and even the odd seagull. Sadder still is the loss of pets. North Lodge residents had their cat run over and killed. I have had two of my cats killed by cars on the road by my house. My late neighbour Mrs. Jeffery also lost one of her cats this way.

There is also the problem for horse riders here who have had near misses with traffic, which either speeds or doesn't stop to give the horses priority. Dog walkers & joggers who increasingly use these Cornish since the Covid outbreak are also at risk.

Local drivers know these lanes and drive at appropriate speed. The delivery drivers since the pandemic are mostly ok, some do go too fast. The blue notices stating unsuitability for large vehicles seem to go un-observed however by a recent influx of building lorries traversing to and fro on our back lane to addresses past the quay. The result of this is a wearing out of the road surface, which has given rise to a number of potholes.

There have also been drivers unaware that they would get stuck in mud on The Quay which has necessitated the search for tractors to pull them out.

I can only suggest the possibility of mitigating the difficulties I have pointed out by the addition of notices, which would show horses are ridden here and that speed should be at a certain pace or even restricted access.

Thank you for reading this Email.

Yours Sincerely

Carole Reid

THE PARISH COUNCIL'S REPLY TO THE CORRESPONDENCE

There are a number of issues that the resident has highlighted as problematic. We have discussed these items at length and have attempted to deal with all of them.

The Recreation Field at Hatt has been utilised as such for several years.

There is a parking area that is utilised for football teams and since 2017 the annual Big Event. The resident has expressed the view that these activities constitute a nuisance. He also expressed the view that the car park should be made available to be open during business hours to allow vehicles to park away from Cross Farm. The resident has suggested, "it is surely time for our community to recruit a warden to manage the day to day use of the field".

We have discussed the suggestion and unfortunately can see a number of difficulties with this plan. One of BFPC's main concerns is that we do not have a budget that would pay a warden's salary. BFPC also feels that our parishioners would not support increasing the precept for this expenditure. Moreover, employing a warden would involve the Parish Council in matters pertaining to employment law, Health and Safety legislation and appropriate insurance cover. A small Council such as ours does not have the resources to do this.

The practicalities involved of having a warden in situ would mean at least an 8-hour working day. A further gate would also have to be installed to prevent vehicles from driving into the field. There would also be a problem if vehicles were left after the car park gates were shut. Irate vehicle owners demanding access to the car park outside of business hours would mean having to contact the warden outside working hours. Vehicles left inside the car park overnight would be vulnerable to vandalism, theft, joy riding and arson.

The suggestion that a local dog walker(s) manages the car park is unworkable for the same reasons (other than economic reasons).

The resident complains that vehicles park outside the Recreation Field by the "narrows" in Orchard Villas.

BFPC plan to purchase and erect signage outside the Recreation Field requesting that vehicles do not park there in future. BFPC also intends to speak to one or two drivers who park inappropriately in an attempt to enlist their cooperation.

The resident also complains that vehicles park in the private bays at the entrance to Cross Farm. BFPC are sympathetic to this nuisance, but feel that this is private land and not within BFPC's jurisdiction.

Our suggestion is that residents also erect signs with a warning that if a vehicle is parked on private land without authorisation, then an approved and registered parking management company can be employed that can then issue a Parking Charge Notice, also payable by the vehicle owner.

The resident's final complaint concerns the placement and activities of the football pitch in the Recreation Field. BFPC will arrange a meeting with Saltash United Junior Football Club to discuss the complaint and endeavour to find a solution.

762 (vi)

Dear Mr Cook,

11th April 2021

I was shocked to see published on its web site BFPC's draft response to my representations on the recreation area. This is because of the way it has been drafted in this permanent public record of proceedings. The draft response misrepresents the sense, purpose and balance of my submissions; it wrongly makes them appear personal; and it seem designed to "blacken" my name by selective quotation and speculative inference. This is quite dreadful and surely inappropriate.

Over the past 20 years, until now, I cannot recall ever making any critical representations about football on the recreation area. Neither have I done so about "The Big Event". Moreover, I do not do so now except for the specific point of the new and unneighbourly alteration of the football pitch. The draft response misses my key point on this and does not address it. My concern is not about the recreation area being used for football. It is about a specific, oppressive, and unkind pitch rearrangement that particularly impacts on, and victimises, my new neighbours in Dovecote Barn. BFPC's response gives me the impression that all Councillors probably do not fully appreciate the impact of the pitch change that seems to have taken place when Dovecote Barn was changing hands and was not occupied by the new owners. There is certainly no explanation in the response for the need for this pitch change. The impact does not just occur occasionally on match days. There are frequent informal kick-about naturally attracted by the goal posts as well as informal matches and match practices. These normal activities have not been of concern when the western goal was much further away from the boundary.

The draft response focuses on "nuisance" related to parking near the rec area entrance which, again, misses the point that the so-called "nuisance" is about prejudicing highway safety on this corner by the recreation area entrance. This is a serious point but I take from the response that BFPC does not consider that the degree of prejudice to highway safety justifies making available the parking space in the recreation area except for football matches and other pre-arranged events.

My proposal for a warden again wildly distorts my suggestion which was certainly not the extreme version described in the response but a more flexible and lower key responsibility more suited to the daily requirement.

I note that the football issues raised are to be discussed with Saltash United Junior FC. I welcome that. However, I and my neighbours are requesting an early meeting with BFPC representative Councillors to discuss the issue too as we have many questions to ask about the administration of football here. This is with the aim of enabling football to be played on the recreation area in a more reasonable way than we feel is the case at the moment and as it has been in the past. As far as I am concerned it is nonsense to suggest any other motive.

Golf. After an altercation on the recreation area in March, golf is likely to be discussed by Councillors and is something that directly affects Cross Farmhouse.

On Wednesday 24 March I was surprised and concerned to see someone playing golf in the recreation area as I was driving home. Quite separately I heard of an altercation about two people playing golf [separately I believe] during the "lockdown" when Government guidelines did not permit the playing of golf. I was not involved in the interaction but I spoke with the BFPC Chairman about it because of my unhappy experiences of golf in this field some time ago. The Chairman declared his belief that people should be free to play golf in the recreation area so I feel that I should explain my concern and experience to the full Council.

Until corrected by the BFPC Chairman last week, I understood that golf was at least discouraged and in fact not permitted in the recreation area. I believed the reasons for this to be that:

- the recreation area is not laid out for golf safety.
- Golf is potentially dangerous and anti-social if not organised as it is on a golf course and at a golf club.
- Golf playing/practising deters others from using the recreation area.
- Golf playing/ practising is capable of causing, and has caused, damage to neighbours' property and danger of injury.
- Golf playing in the recreation area is likely to require BFPC to make significant payments for insurance cover.

In the early days of the recreation area one or two golfers started practising their shots. That evolved to driving practice and then to teenagers skylarking with clubs and inexpertly and carelessly swiping balls with gusto. I still have eight golf balls found in our garden from this period one of which broke a large triangle of glass in our conservatory giving us an expensive bill to pay.

We hope that this will not occur again and that golf will not be permitted in the recreation area. BFPC cannot be blind to some potential liability if golf takes place.

Yours sincerely,

Chris Jarvis

REPLY FOR FURTHER COMMENT FROM 11th APRIL 2021

BFPC would never seek to “blacken” anyone’s name, and we strongly reject this assertion. Our reply to your lengthy correspondence did indeed select the most salient points, and replied to them in a neutral tone, highlighting practical implications.

We would ask you, and all residents, to remember that we are unpaid, volunteer servants of the Parish. Many of us have other, pressing matters in our private lives, including full-time employment. We freely and willingly give of our time to Parish Council business, but unreasonable demands cannot be made on us.

During the past four-year term of office, this Council has achieved much of great benefit to the overwhelming majority of the community. This must always be our prime consideration when deciding matters of Parish business. This will inevitably mean that on occasions we will take decisions that will appear to be not in the interests of a small number of residents.

Botus Fleming Parish Council

762 (vii)

Dear Mr Cook,

22nd April 2021

I would be grateful if this representation could be circulated to all Councillors for consideration at the Annual Parish Meeting and taken forward, if appropriate, to the following monthly meeting.

Representations to Botus Fleming Annual Parish Meeting - Hatt Football Pitch

Recently, Hatt football pitch has been changed placing one of the goals very close to the frontage of Dovecote Barn. This has created a new and an extremely unpleasant environment particularly for the occupiers of Dovecote Barn. Dovecote Barn is located very close to the boundary of the recreation area. BFPC considered this situation on the recreation area to be acceptable at its March meeting but I do not believe that Councillors had the full facts before them at that time. I make this submission in support of my [new] neighbours in Dovecote Barn because I feel that the present circumstances that they are being subjected to, and expected to endure, on behalf of our Parish residents are unfair, harsh, unnecessary and inappropriate. Is this the way that the Parish treats its pensioners? I therefore request that Councillors review the positioning of the football pitch, including witnessing the impact on Dovecote Barn, from that property, on request.

In 1998 BFPC engaged a contractor to undertake extensive groundworks to convert the agricultural field into the Hatt recreation area. These works included the provision of a football pitch. This pitch was oriented north/south as shown in the approved planning application. Little or no interest was shown by parishioners to form a football club or for matches to be played. After many years a Saltash club introduced seasonal weekend matches on a mini soccer pitch which continued for several years. This mini pitch was oriented east/west with the western goal well away from the western boundary of the recreation area. I am not aware of any complaints to BFPC about the playing of football matches or informal “kick-about” on the Hatt recreation area until now.

The recent re-introduction of the present bigger pitch seems to have coincided with Dovecote Barn being sold and not occupied full time for a period until the start of the pandemic with its various restrictions on recreation. This might explain the absence of complaint before now.

The occupiers of Dovecote Barn, Mr & Mrs Chapman, can provide details of the impact of football that they have experienced. Games of one kind or another on five days out of six around Easter I believe! I have experienced the impact from their front garden and it is horribly intrusive and extremely disturbing. When I was present an escaped ball needed to be recovered from the farm track. The activity at the western end of the pitch feels like an invasion. The point to bear in mind on this is that the goal close to the house is a target and it is not only used during occasional matches. The goal is also used for practices and attracts informal “kick-about”, always involving shouting; usually by youths and young adults. No-one is criticising normal exuberance. It is the very close proximity of the goal to the house and its front garden that is objected to. This is also normally a relatively quiet rural environment [confirmed in the recent noise survey] so disturbance is magnified.

As far as we can see, some of our parishioners are having their environmental quality “trashed” so that football clubs from outside the Parish can use our recreation area. In order that we can understand that perspective we would be grateful if BFPC could please publish answers to the list of questions attached to this representation. Arrangements for football are not at all clear. On present knowledge I submit that the unsatisfactory football pitch arrangement now provided for Saltash [or other outside] clubs is inappropriate.

I also respectfully submit that the present problem pitch layout is unnecessary because BFPC has already prepared a pitch running north/south that did not cause problems for neighbours. That pitch simply needs to be reinstated. If Saltash or any other teams want to play on our recreation area then surely it is the original layout that should be made available to them.

In order to validate this proposal, on 16 April Bruce Chapman and I measured the present contentious elongated east/west football pitch.

The present [new] pitch length is 75.4m. Its width is 40.4m. There is about 6m of run off at each end; more to each side.

The **Ground Management Association** advises the following:

Age Group	Type of Pitch	Size without run-off		Size including run-off		Goal Post Size
		Length	Width (m)	Length	Width (m)	Height v Width
Mini soccer U7/U8	5 v 5	37	27	43	33	1.83 (6')
Mini soccer U7/U8	7 v 7	55	37	61	43	1.83 (6')
Youth U11/U12	9 v 9	73	46	79	52	2.13 (7')
Youth U13/U14	11 v 11	82	50	88	56	2.13 (7')
Youth U15/U16	11 v 11	91	55	97	61	2.44 (8')
Youth U17/U18	11 v 11	100	64	106	70	2.44 (8')
Over 18 (Senior)	11 v 11	100	64	106	70	2.44 (8')

It is clear from the above that the present pitch does not appear to conform to GMA advice. The nearest it equates to is Youth U11/U12.

If a pitch of the present dimensions [or similar] is necessary then there is ample scope for it to be oriented north/south based upon, or close to, the southernmost touchline and the easternmost goal line of the present [new] pitch.

The photos below illustrate this reorientation.

1. The green post represents the position of the reinstated northern goal line. The present eastern goal location has been shown to attract risk of footballs escaping onto the A388 seriously prejudicing highway safety when casual “kick-about” take place using this goal.

(unsigned correspondence)

762 (viii)

Dear Mr Cook,

23rd April 2021

It occurs to me that seeing the photos I submitted in my email may not be easy because of page breaks [my lack of IT knowledge I am afraid] - apologies.

I therefore attach the annotated photos on separate pages so they may be seen more easily.

Yours sincerely,

Chris Jarvis

762 (ix)

Dear Mr Cook,

25th April 2021

I have just seen the agenda for the BFPC meeting on 28 April.

Why has it not included my response to Minute 716(iii) of the last meeting that was sent to you on 11 April - in good time to be included in the forthcoming meeting? My representations deserve a reply from BFPC.

This omission is very important for continuity of the permanent record as it allows me to correct the record from my viewpoint. It also raised a new topic, namely playing of golf on the recreation area.

I regard the omission of this correspondence to be a very serious matter as it gives every appearance of BFPC deliberately evading criticism [when it has made me out to be a nuisance parishioner in Minute 716(iii)] and hiding behind the lack of effective external scrutiny of its proceedings.

Please rectify this omission without delay.

Yours sincerely,

Chris Jarvis

762 (x)

Dear Mr Cook,

14th April 2021

Thank you very much for your very swift response to my message of the 12th of April and for confirming that the subjects of my previous correspondence i.e. football and golf in the Recreation Field will be discussed at the next meeting.

However, you omitted to say who had written the minutes in reply to Mr Jarvis' letter which was discussed at the last meeting.

Was this written by an individual on behalf of the BFPC and does this reflect the views of all of the members?

The reason I ask is that I would very much like to comment on the tone of the reply in these minutes which I found quite surprising since Mr Jarvis has made some very legitimate points especially on the subject of parking at the entrance to the field which I consider to be dangerous.

I would also like to ask the author(s) to explain on what evidence some of the statements made have been based with regard to the impact of recreational activities on those who live adjacent to

the field e.g. *"Some of the activities will involve a level of noise. BFPC feels that the level and frequency of this is not unreasonable."*

I would like to respond to this and other rather sweeping statements in the minutes on this subject and would like to know who to address my comments to.

Or perhaps you could let me know if this communication and the matters mentioned herein can also be included in the agenda for the next meeting on the 28th of April??

I look forward to your reply.

Yours Sincerely,

Mrs Monica Chapman
Dovecote Barn
Hatt
PL12 6PL

762 (xi)

Dear Mr Cook,

28th April 2021

My e mailed objection to BFPC's response to me in Minute 716(iii) of the draft minutes of the March BFPC meeting seems to have been "lost" in the advertised agenda for the April meeting. It is also not recorded in the web site's received correspondence [together with other submissions that I have made. I therefore forward this e mail in letter form so that it will be properly lodged in the Council's records. I will also do so later for other e mailed representations.

I trust that the objections that I have raised have been circulated to Councillors and will be properly addressed at tonight's [virtual] meeting to correct the gross misrepresentation of my position in this response.

Yours sincerely,

Chris Jarvis

762 (xii)

Dear Mr Cook,

9th May 2021

Minute 742(ii) of the April meeting of BFPC mentioned consultations with Saltash United Juniors FC on "a number of options" for the recreation area that could be concluded at the BFPC meeting on 17 May.

As a matter of fairness, openness, and best practice I request to know what these options are please so that I and my neighbours can respond in timely fashion by way of neighbour consultation on the options before BFPC makes any decisions on them.

Yours sincerely,

Chris Jarvis

762 (xiii)

Resident claims Gross Misconduct by the Clerk dated 9th May 2021 (See Attached)

763 Coronavirus update

Councillors are requested to note that in response to the Coronavirus pandemic, the Ministry for Housing, Communities and Local Government (MHCLG) issued new Statutory Instruments that affected the limited assurance regime process.

SI2020/392 and SI2020/808 gave Local Authorities permission to allow members, the public and press to attend meetings remotely from the 4th April, 2020 in respect to smaller authorities.

The Legislation only permits remote attendance at meetings held before the 7th May, 2021 hence, as no further Legislation has been passed, smaller authorities will not be able to hold virtual meetings after this date.

764 Date of next meeting.

The next Meeting of the Council will be the Public Meeting on Wednesday 23rd June 2021. The Meeting will be held at the St. Marys church hall, Botus Fleming commencing at 7:30pm

765 End of meeting

Cllr Edwards
Chair
Botus Fleming Parish Council

9th May 2021

Dear Cllr Edwards

At the meeting of 28th April I asked why BFPC had not responded to requests from Cornwall Council Planning Department for comments on the five Roodscroft applications and why the Chair had claimed that BFPC had not been consulted. I had notified the Clerk in advance that I would be asking these questions.

The Clerk claimed that the requests were accompanied by a statement from Tim Warne of Cornwall Council Planning Department saying that he was not expecting a response from BFPC. The Clerk agreed to share with me his email exchange with Mr Warne and this he has done.

Here are **the facts**:

- On 1 December 2020, the Clerk received 5 email requests for comments, one for each of the Roodscroft applications, from Mr Warne.
- The Clerk replied to Mr Warne asking him to confirm the request for comments, specifically asking “do you actually require a response from Botus Fleming”? (See attached file clerk.pdf).
- Mr Warne responded: “I just wanted to inform your Parish really as a courtesy – but I would not necessarily expect comments but if you have any they will be considered” (See attached file clerk.pdf).
- The Clerk decided not to put the matter before the BFPC. The Clerk did not discharge his obligation under Standing Order 16,b,xiv meaning that BFPC was unaware of the requests and unable to discharge its duty mandated by the Town and Country Planning Act 1990.
- The claim that BFPC was not consulted on the Roodscroft applications is simply not true. BFPC was invited to comment on 1 December 2020 but the Chair did not know this.
- Because he had not been informed that comments had been requested, the Chair was made to appear to be out of touch.

On the face of it, this appears to be an act of incompetence by the Clerk, the latest in a pattern which also includes the Clerk’s move to affirm eligibility for General Powers of Competence and his chaotic intervention in the arrangements for the public meeting, not to mention his performance at that meeting.

Regrettably, however, I must inform you that there are reasonable grounds to believe that the Clerk has also acted dishonestly. The facts referred to above have been the subject of discussions between concerned residents. During these discussions it emerged that, on 25 January 2021 (i.e., after the Clerk had decided not to put the

matter before BFPC), the Clerk and [redacted] ; had a similar email exchange about Roodscroft. [redacted] ; has shared this exchange with me (attached file clerk2.pdf).

Please compare the contents of the two attached exchanges. So far as I am aware, the Clerk did not share with [redacted] ; his exchange with Mr Warne. Instead, in his email to [redacted] , the Clerk quoted Tim Warne's email selectively, removing key words. The changes to the quote are shown in red text below:

"Tim Warne wrote to me on the 1st December 2020 and I quote '[...] I just wanted to inform your Parish ~~really-as-a merely out of~~ courtesy, but I would not ~~necessarily~~ expect comments from you. ~~but-if-you-have-any-they~~ ~~will-be-considered~~'.

Consequently, these Applications need not be mentioned on the BFPC Agendas. [...] I hope that this clarifies the situation, as BFPC are acting from instructions received from the Planning Department."

Through this selective quoting, the Clerk has materially changed the meaning of Mr Warne's message.

Moreover, it appears that the Clerk may have deliberately misquoted Mr Warne's message in an attempt to justify his actions in failing to put the matter before the BFPC. It is particularly concerning that the Clerk falsely represented to Chris Jarvis that he was quoting Mr Warne's email and his false reference to "instructions received from the Planning Department")

Clearly, this would be an act of gross misconduct in public office and an offence in common law and would make it impossible for the Clerk to continue in post.

Please confirm that the matter will be dealt with under the provisions of BFPC's Disciplinary Procedure 2017. Also, please confirm that, in the event of a finding of dishonesty, that BFPC will review past decisions and actions that may have been influenced by the Clerk's advice or inaction.

Whether the Clerk has acted incompetently or dishonestly, BFPC should also accept that it is culpable in this matter as it has been wilfully blind to concerns raised about the governance oversight on numerous occasions over the past 2-3 years.

Sincerely