

# Botus Fleming Parish Council

www.botusfleming.org.uk



## Notice of the Public 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: Wednesday 25<sup>th</sup> January 2023

Time: 7.30pm

Location: St Marys Church Hall, Botus Fleming

### To: Chairman & Parish Councillors

Chairman D Edwards

Councillors. M Ellis, M Fletcher, J Oakes, J Robinson, M Solomon, S White, & D Willey (Vice Chairman).

You are hereby summoned to attend the above meeting to consider the items of business.

(LGA 1972 sch.12 para.10(2))

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

**Please do not attend if you are Covid-positive, have symptoms, or are self-isolating**

Christopher Cook  
Clerk to the Council

9<sup>th</sup> January 2023

*Christopher Cook (CILCA)*

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 & Responsible Financial Officer**  
**24 Rashleigh Avenue - Saltash - Cornwall - PL12 4NS**  
**Tel. 07523 005414**  
**clerk@botusfleming.org.uk**

**7.30pm – Item 1097 below** (Public Bodies (Admission to Meetings) Act 1960 s.1 extended by LG Act 1972 s.100)

**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. Items of a sensitive nature are not discussed in public and the Council passes a resolution under the above Act

\* 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) 88Ch.119

## Agenda | 25 January 2023

### **1096/2023 Chair's Welcome & Announcements**

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

### **1097 Public participation**

### **1098 Presentation by BOTHER – Walk/Cycle route**

### **1099 To receive Apologies for Absence and approve the reasons given.**

(LGA 1972 s.85 (1))

### **1100 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.

### **1101 To approve and sign as a correct record the draft Minutes of the Public Meeting of the Parish Council held on Wednesday 7<sup>th</sup> December 2022 and the Extraordinary Public Meeting held on Tuesday 10<sup>th</sup> January 2023.**

(LGA 1972 sch.12.para 41(1))

### **1102 Matters arising from the Minutes for report purposes only.**

### **1103 A Report from Cornwall Councillor Martin Worth**

### **1104 Finance**

#### **A Accounts for Payment.**

Members are asked to note the following items of expenditure for the month of **January 2023**.

Date	Payee	Description	BACs ref.	£
25/01/2023	Christopher Cook	Salary	BACS260	269.62
25/01/2023	HMRC	PAYE	BACS261	67.60
25/01/2023	Hines Marquees	Marquee deposit fee <b>A/c2 EMF</b>	BACS262	258.30
25/01/2023	Christopher Cook	Mailbird I.T. licence	BACS263	34.80
25/01/2023	Public Works Loan Board	Loan instalment payment	DD	2,732.22
25/01/2023	Tindle Newspapers	Advert Grass cutting Tender	BACS264	312.00
		<b>A/c 1 = £3,416.24</b>		
		<b>A/c 2 = £ 258.30</b>		
<b>All BACs payment amounts today</b>				<b>£ 3,674.54</b>

**B Direct bank Receipts & Payments for information**

All bank receipts for this period **£0.00**. Total receipts Account1 2022/2023 are **£23,119.07**.  
 All bank receipts for this period **£0.00**. Total receipts Account2 2022/2023 are **£5,744.45**.

Date 25th January 2023

Botus Fleming PC Current Year 2022/2023 Period 10  
 Receipts & Payments statement as at 25/01/2023  
 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	25/01/2023		23,119.07
Business Reserve Account - Lloyds A/c 2	25/01/2023		5,744.45
Lloyds A/c 2 = Earmarked Funds *			
<b>Total Receipts</b>			<b>28,863.52</b>

Available General Funds from 31st March			12,438.86
Less - Payments made A/c1 - Apr			1,484.30
Add - Receipts during April			13,085.52
Less - Payments made A/c1 - May			2,596.96
Less - Transfer A/c1 to A/c2			1,435.71
Less - Payments made A/c1 - June			1,547.89
Less - Payments made A/c1 - June - Loan			2,732.22
Less - Payments made A/c1 - July			771.22
Less - Payments made A/c1 - August			1,053.22
Less - Payments made A/c1 - Sept			1,458.26
Add - Receipts during September			10,033.55
Less - Payments made A/c1 - Oct			581.70
Less - Payments made A/c1 - Nov			2,957.16
Less - Payments made A/c1 - Dec			597.22
Less - Payments made A/c1 - Dec - Loan			2,732.22
Less - Payments made A/c1 - Jan			684.02
Less - Payments made A/c1 - Feb			0.00
Less - Payments made A/c1 - Mar			0.00
<b>General Funds as per Bank Statement</b>			<b>14,925.83</b>

Movement on A/c1 January	Receipts	Payments	Movement +/-
Receipts against Payments	23,119.07	20,632.10	2,486.97

Precept payment due 7/4/22 £10,000.00

Precept payment due 7/9/22 £10,000.00

07/04/2022 Receipt A/c1	Cornwall Council	Precept April 2022	10,000.00
07/04/2022 Receipt A/c1	Cornwall Council	CTS Grant April 2022	33.56
09/04/2022 Receipt A/c1	HMRC	Vat recovery claim	3,051.96
14/09/2022 Receipt A/c1	Cornwall Council	Precept Sept 2022	10,000.00
14/09/2022 Receipt A/c1	Cornwall Council	CTS Grant Sept 2022	33.55
			<b>23,119.07</b>

<b>25/01/2023 Earmarked Funds receipts *</b>			
Big Event / Christmas Fayre	Account 2	Receipts	4,258.74
Big Event / Assets	Account 2	Receipts	0.00
Playground equipment fund	Account 2	Receipts	0.00
Sports & Recreation Field	Account 2	Receipts	50.00
BOTHER Climate emergency	Account 2	Receipts	1,435.71
Neighbourhood Development Plan (NDP)	Account 2	Receipts	0.00
			<b>5,744.45</b>

<b>25/01/2023 Earmarked Funds payments</b>			
Big Event / Christmas Fayre	Account 2	Payments	3,118.84
Big Event / Assets	Account 2	Payments	737.40
Playground equipment fund	Account 2	Payments	25,422.00
Sports & Recreation Field	Account 2	Payments	510.00
BOTHER Climate emergency response	Account 2	Payments	1,476.17
Neighbourhood Development Plan (NDP)	Account 2	Payments	0.00
RFO 25th January 2023			<b>31,264.41</b>

### C Bank reconciliation and Earmarked Funds (EMF) balances at 25<sup>th</sup> January 2023

Date 25th January 2023

Botus Fleming PC Current Year 2022/2023

Period 10

Bank Reconciliation statement as at 25/01/2023

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

Bank Statement Account Name(s)	Statement Date	Amount	Balances
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Current Account - Lloyds A/c 1	25/01/2023		14,925.83
Business Reserve Account - Lloyds A/c 2 A/c 2 = Earmarked Funds *	25/01/2023		11,502.13
<b>Total balance</b>			<b>26,427.96</b>

<b>Unpresented Cheques (Minus)</b>		<b>0.00</b>	<b>0.00</b>
			<b>26,427.96</b>
<b>Receipts not banked / Cleared (Plus)</b>		<b>0.00</b>	<b>0.00</b>
			<b>26,427.96</b>
	<b>Balance per Cash Book is :-</b>		<b>26,427.96</b>
	<b>Difference is :-</b>		<b>0.00</b>
<b>General Funds as per Bank Statement</b>	<b>Available General Funds</b>		<b>14,925.83</b>

<b>25/01/2023 Earmarked Funds *</b>		
Big Event / Christmas Fayre		4,641.59
Big Event / Assets		173.60
Playground equipment fund		161.38
Sports & Recreation Field		1,998.67

BOTHER climate emergency response		108.23
Local Elections Fund 2025		3,000.00
Neighbourhood Development Plan (NDP)		1,418.66
RFO 25th January 2023		11,502.13

#### D Monthly budget monitoring balances at 25<sup>th</sup> January 2023

Summary Expenditure Account      Year ended 31st March 2023      Monthly Budget monitoring

YEAR END 2022-2023

Period 10 - January

Lloyds Current Account A/c 1 - 38772468	Budget 2021 2022 *	Expenditure 2021 2022	Budget 2022 2023 *	Expenditure as at 25/01/23	Budget available
<b>Expenditure</b>					
Clerk's Salary & Locum expenses	3,750	3,298	3,735	3,064	671
HMRC	686	810	700	763	-63
		4,108		3,827	
<b>General &amp; Administration</b>					
Postage & Admin Office allowance	350	328	350	242	108
Legal & Website fees	500	585	500	842	-342
Legal - Recreation Field	50	90	100	0	100
Elections & Adverts (see EMF A/c2)	3,000	255	0	260	-260
Training Expenses Subscriptions	800	637	800	497	303
		1,895		1,841	
<b>Contracts</b>					
Grass cutting	4,250	3,414	4,250	2,700	1,550
Dog bin cleansing	700	480	500	728	-228
Insurance	1,000	710	1,150	790	360
Loan Repayments	5,464	5,464	5,465	5,465	0
Maintenance & Equipment	500	495	2,500	2,244	256
		10,563		11,927	
<b>Other Payments</b>					
Grants & Donations	300	0	300	600	-300
Newsletter printing	400	523	400	0	400
Projects & CAT (incl.S.137)	1,000	1,200	2,500	75	2,425
Big Event *	1,000	0	1,000	0	1,000
Neighbourhood Dev. Plan *	250	0	250	0	250
BOTHER	500	0	500	0	500
Vat recoverable amount^					
^see Receipts £3,051.96		1,723		675	
* includes Projects, Bother & (CAT)					
Total Budget £4,250					
Total Payments	24,500	18,289	25,000	18,270	6,730
Vat to date 2022 2023 A/cs 1 & 2				5,370	

RFO 25th January 2023

## E Public Works Loan Board – Loan Statement 25<sup>th</sup> January 2023

Date 25th January 2023

Botus Fleming PC Current Year 2022/2023

Period 10

### Loan Payments statement for Cashbook - Current A/c 1

Bank Statement Account Name(s)	Statement Date	Loan advance	Payments	Balance to pay
	25/01/2023		Principal & Interest	
<b>Current Account - Lloyds A/c 1</b>	24/06/2020			
PWLB Loan advance 24/06/2020*		70,000.00		
Direct Debit payment - 24/12/2020			2,732.22	67,267.78
Interest 2019/2020			735.00	68,002.78
Direct Debit payment - 24/06/2021			2,732.22	65,270.56
Interest 2020/2021			714.03	65,984.59
Direct Debit payment - 24/12/2021			2,732.22	63,252.37
Interest 2020/2021			692.84	63,945.21
Direct Debit payment - 24/06/2022			2,732.22	61,212.99
Interest 2021/2022			671.42	61,884.41
Direct Debit payment - 24/12/2022			2,732.22	59,152.19
Interest 2021/2022			649.79	59,801.98
<b>Total Loan amount outstanding</b>				<b>59,801.98</b>

### 1105 Planning

#### New Planning Applications – one received

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

Reference: PA22 / 11197

Proposal: Conversion of garage and store to extra living accommodation for the bungalow installing pitched roof this area and demolishing adjacent timber agricultural sheds and construction of one detached fodder and implement store

Location: Philchris Vollards Lane Hatt Saltash

Applicant: Mrs Maisie Brown

Grid ref: 238764 / 61962

#### Planning Application Decisions – None received

#### Planning Application – For information – One received

Reference: PA22 / 10205

Proposal: Submission of details to discharge condition no.4 in relation To decision notice PA21/12138 dated 26/05/2022

Location: Pineapple Farm, Moditonham, Botus Fleming, Saltash PL12 6NN

Applicant: Michael Tapley

S52/S106 and discharge of condition apps.

Planning Application received after Agenda has been issued – To be advised

### 1106 Neighbourhood Development Plan & Parish Plan – Cllr Marc Solomon

[www.botusflemingandhattndp.com](http://www.botusflemingandhattndp.com)

### 1107 Recreation Field - Cllr Dave Willey (Vice Chairman)

## 1108 Councillor Reports (Report A previously circulated)

- A Asset Audit - Cllr Sally White
- B Climate & Ecological emergency - Cllr Malcolm Fletcher
- C BOTHER - Cllr Mervyn Ellis
- D Defibrillators - Cllr Malcolm Fletcher
- E Concessionary Bus rides - Cllr Dave Willey (Vice Chairman)

## 1109 Clerk's items [www.botusfleming.org.uk](http://www.botusfleming.org.uk)

### (i) Grass cutting contract Tender 2023 progress report

## 1110 Correspondence

With reference to meeting PA22-29400. [\(refers to PA22/10400\)](#)

We DMY Ltd would like address points listed below.

- 1) Removal of planning notice attached to the gate we did not remove this it is in our interest for it to have been there.
- 2) Regarding local resident, there is no traffic from our company passing this residence. We are only open on sociable hours and didn't start trading till end of October 2022, which the weather has been quite bleak and damp.
- 3) As for materials supplied, we also stock agricultural materials for local farmers who do use us.
- 4) As for lorries waiting outside gate, you must be referring to previous business (KELTEK) , we can show you footage of entrance of any period you wish to view since we have been here.
- 5) Ref. Photo relating to vehicle parking spaces, again this is incorrect as was KELTEK. All aerial photos in this report are of previous tenant KELTEK.
- 6) Regarding the pollution of land, there is no difference between a tractor or fork lift and agricultural deliveries.
- 7) All human waste is disposed of by a registered cornish portaloos company and all general and recyclable waste is removed by Suez.
- 8) DMY Ltd has been trading since March 2022, it is a LOCAL business and members of the company have been in the construction trade for over 30 years in Cornwall.
- 9) We the owners of DMY Ltd reside at Notter Bridge and are looking to buy back into the village where we lived for many years. Plymouth address is purely business address.
- 10) As to DBS Mr Yearley and Mr Duncan were both directors of that company which was created in August 2020 at Landrake. Mr Duncan owned Dunchaul Ltd which went into liquidation in December 2021 causing him to resign from DBS therefore we was renting his yard for the building supplies. Mr Duncan illegally evicted us off his premises causing us to open DMY Ltd to which he has and never has had anything to do with.
- 11) For you to comment on when DMY opened and Mr Yearley resigning you must have seen it on companies house, therefore to say there is no trace of DMY on companies house is another FALSE comment on your behalf, as with your following statement regarding Dunchaul Ltd being connected to DMY Ltd which we feel you are deliberately implying false statements to try and tarnish our business and reputation, which we feel could be a legal matter to which we are going to pursue against the parish council for damages to our company and personal reputation.
- 12) As again relating to lorries unloading building materials early in the morning till late in the day is AGAIN A FALSE statement as said before we have 24-hour surveillance to prove this.
- 13) Advertising sign (dangerous to motorists) does this also apply to the Parish council signs?
- 14) As for security (cctv and flood light) this also helps stop travellers settling on stagnant land as they did on Hatt recreation ground, therefore being beneficial to the village. My husband was on the original recreational ground committee where there was no playground and it was him that supplied the football goals, we also have and still do sponsor for the last 25+ years a youth football team that uses Hatt, we also sponsor the fire cadets.

In the October meeting which my husband attended, he explained the situation and offered for anyone to come to Hatt yard and ask any questions they needed too of concern, no person took the offer, so in our opinion the meeting on Tuesdsy 10th January was voted on FALSE EVIDENCE by Parish council and should therefore be Void.

We are well aware of a personal grievance against our landlord Mr Deacon of Hatt yard by certain Parish council members.

We feel you are using us as a scape goat as the yard has been used for similar businesses for many, many years.

I would like to finish by saying We want a Public Published apology and retraction of your false statements by the Parish council.

Kind Regards

Donna Yearley

Director DMY Ltd

(grammar amended).

**1111 Date of next meeting.**

The next Meeting of the Council will be the **Public Meeting** on Wednesday 22<sup>nd</sup> February 2023 at 7.30pm at the St.Mary's Church Hall (covid safe).

**1112 End of meeting**