

Botus Fleming Parish Council

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Wednesday 23rd January 2019

Present: Councillor Ellis (Chair)

Councillors Edwards (V/Chair), Fletcher Malcolm and White

Apologies for absence : Councillor Robinson

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

Members of the public: 7

The Public meeting started at 7:30pm and closed at 9:35pm

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 | 23rd January 2019

202/2019 Chair's Welcome & Housekeeping

Cllr. Mervyn Ellis (Chair) welcomed Councillors and residents to the public meeting. The Chair made a statement in response to a resident's enquiry. The statement can be found under Item 209 Correspondence.

203 Commendation Award Certificates

Cllr Edwards (V/Chair) explained that the Parish Council awarded annually Commendation certificates to members in the Community who had given of their time to support Council activities and the Big Event. Unfortunately recipients of the Awards were unable to attend the Public meeting and Certificates would now be presented at the next Big Event planning meeting.

204 Public participation

No public participation took place.

205 Apologies

Councillor Robinson (illness)

206 Declarations of Interest

None declared. Councillors **Resolved** that no Councillors were liable for Dispensations. All Councillors noted and agreed.

207 Minutes of the Public meeting

It was resolved to confirm the minutes of the public meeting held on 12th December 2018 were a true and accurate record, Proposed Cllr Malcolm, Seconded Cllr White. All agreed.



208 Matters arising from the minutes

Councillors considered that there were no matters arising from the minutes 12th December 2018, other than Item 186. Cllr Fletcher reflected on the presentation of the Big Event reconciliation and the term EMF to be referred to as Earmarked Funds for clarity. A request was made to complete Minutes within a 10 day timeframe. Councillors duly noted these points. All agreed.

209 Correspondence

Cllr Ellis (Chair) made the following Statement as referred to under Item 202/2019
STATEMENT TO THE PARISH COUNCIL REGARDING PERCEIVED MALPRACTICES.

Planning matters outside of committee.

It is alleged that the Clerk was acting beyond his jurisdiction by referring to a planning matter as trivial and therefore uncontentious.

The council has had a look at how we deal with planning matters and it was decided at an operations meeting, which is solely held once a month to discuss our internal workings and conduct, that in future all applications for planning will be sent to us to look at individually and make our own decision in isolation and only discuss at a properly convened PC meeting.

I contacted CALC and they had no opinion on whether a clerk had powers discretionary or otherwise. The clerk is allowed to advise on planning matters. I can safely say that the resident raising the issue need have no further concerns on this matter.

The same resident raised concerns about the financial report of the HYSA funds and those funds had been hypothecated. The anomaly was pointed out to the clerk but the resident is dismayed that a correction to December's minutes did not occur. This was a fund of monies that were held in an illegal account from an illegal committee. It should never have been set up but as it was up and running from 2003 from the previous council prior to the 2017 election it was continued unwittingly. However the position now is to have that money available to spend after the next PC meeting.

The 3rd complaint centres around planning application PA18/11050. The Clerk will enlighten us on that point.

210 Report Cornwall Councillor, Cllr Jesse Foot

Cllr. Foot informed Councillors that Cornwall Council considered motions for climate change and emergency procedures. Central Government funds were required in order to give the powers to achieve these incentives. The planned 2021 Census currently contained no 'Cornish' tick box.

211 Finance

A Accounts for Payment

It was **Resolved** to approve the payments schedule. Proposed Cllr Malcolm, seconded Cllr Ellis (Chair). All agreed



B Bank receipts for information
Bank receipts were noted.

C Bank reconciliation

At the close of Business on 23rd January 2019, the Parish Council held £23,554.45 in it's combined accounts with Lloyds. Earmarked fund amounts and reserves were identified as £4,585.24. The Sports & Recreation Earmarked funds stood at £1,999.54. Councillors **Resolved** to note the amounts.

212 Planning Matters

A To agree the Parish Council's response to Cornwall Council consultations on new planning applications received for the current Agenda.

Botus Fleming Parish Council were invited by Landulph Parish Council to comment on the Pre Application advice for the following.

Application PA18 / 02997 / PREAPP
Proposal Landfill site to accept inert waste
Location Land West of Kingsmill Park Landulph Saltash Cornwall PL12 6NB

Councillors agreed to support the three areas of concern as already raised by Landulph Parish Council and noted the Public Protection Contaminated Land Planning Consultations. In addition to the concerns of potential increase in lorry traffic at Ellbridge junction and the A388, and changes or diversions to water streams across the site which was prone to flooding, the site was in the proximity to the Botus Fleming boundary.

Cllr Fletcher pointed out that the PreApp plans submitted were poor and difficult to read. Cllr Malcolm stated that under 'transportation' the suggested landfill site was positioned along the proximity of a regular local School bus route, and added that under 'environmental' details were required as to whether a hard surface would be laid which may contribute towards flooding issues.

Action, A PreApp response to be lodged by the Clerk. All agreed.

B Planning application received after Agenda published – for information only

C Planning applications decided by Cornwall Council - one Approved

Application PA18 / 11050
Applicant Mr & Mrs Davey
Proposal Conversion of outbuilding to annex and new link to main house
Location Orchard House Hatt Saltash Cornwall
Grid reference 239894 / 62940

Cllrs noted the Decision – Approved with conditions following submission of revised Plans.

D Applications closed – none received



213 Neighbourhood Development Plan (NDP)

www.botusflemingandhattndp.com

Cllr Fletcher updated Councillors on the (NDP) stating primarily that the Strategic Environmental Assessment (SEA) report was outstanding and dependant upon the Recreation Field developments. The (NDP) was on hold and the Steering Group would require direction from the Parish Council, deferred until 27th February 2019. It was **Resolved** to note the NDP situation. Proposed Cllr Fletcher, seconded Cllr Malcolm. All agreed.

214 Neighbourhood Development Plan (NDP) Landulph Parish Council – PA19/00002/NDP

Botus Fleming Parish Council were invited to comment on the Landulph PC (NDP) proposed Plan under the (NDP) Regulation 16 consultation with the neighbouring Council forming part of the statutory process under Regulation 19.

Councillors considered the Landulph PC (NDP) proposed Plan and noted that no large scale Housing developments were mentioned in the Plan and there would likely be no impact on the A388 access road.

Action The Parish Clerk to lodge the Botus Fleming response. Proposed Cllr Malcolm, seconded Cllr Ellis (Chair). All agreed

215 Recreation Field

Cllr Malcolm commenced with an update as to current informal negotiations between the Parish Council, Landowner and Tenant and commented on issues raised during three previous meetings.

Cllr Fletcher proposed that with continued transparency and engagement with the local Community and (NDP) Steering group that the Public present at the Public meeting 23rd January 2019, numbering just 7, be invited to comment on the Recreation Field situation. Cllr Ellis (Chair) agreed to this proposal and all Councillors agreed.

Comments received during Public Participation at Item 215 included :-

Extending the current Lease to 99 years

Addressing the Asset of Community Value

Addressing the Public Green Space of the 'Meadow' mentioned in the (NDP) Plan

Possible purchase of the Recreation Field land

Entering into a Service Level Agreement (SLA) with Cornwall Council Legal Services

Consideration of Financial issues attaching to the above points and the impact on Parish Council budgets/reserves.

The following **Proposals** were made by Councillors :-

1. That Cllr Malcolm be given a mandate to continue with the next planned meeting with the Landowner and Tenant.

Proposed Cllr Edwards (V/Chair), seconded Cllr White. All agreed.

Cllr Malcolm proposed that Cllr Edwards (V/Chair) also attend the next meeting as a Deputy to deal with Parish Council negotiations.

Proposed Cllr Malcolm, seconded Cllr Fletcher. All agreed.



2. That Botus Fleming Parish Council enter into an (SLA) firstly to establish a Legal working framework with a fee structure in order to work with Cornwall Council, and secondly to seek advice over a number of issues surrounding the Recreation Field and Lease renewal.

Proposal that the Parish Council enter into an (SLA) and to receive details of the fees structure.

Proposed Cllr Fletcher, seconded Cllr Malcolm. All agreed.

Proposal that the Parish Council seek advice from Cornwall Council Legal Services in connection with Recreation Field advice and prepare a Briefing Document.

The above proposals would see Cllr Edwards (V/Chair) as the Parish Council representative and Cllr Fletcher as the (NDP) Steering Group representative with the (SLA) monitored by the Parish Council

Proposed Cllr Malcolm, seconded Cllr White. All agreed.

Proposal that all Parish Council communications under the (SLA) should be sent to the (NDP) Steering Group in future.

Proposed Cllr Fletcher, seconded Cllr Ellis (Chair). All agreed.

These actions were **Resolved** by all Councillors.

216 Councillors Reports

A Cllr Sally White - maintenance

Monthly maintenance audit noted (report previously published)

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

B Cllr Dave Edwards (V/Chair) – Dog Bins

Cllr Edwards (V/Chair) advised Councillors that two Dog Bins had been ordered from Glasdon at a total inclusive sum of £987.57 and this would include the cost of a ground lock system for each litter bin. One bin would be situated at the crossroads in Botus Fleming by the yellow grit bin and the other in the Recreation Field by the entrance gate. There would also be an additional cost incurred by the Parish Council of £108 representing the cleansing contract with Biffa. The current Budget (Dog Bins) would provide for £500 and the balance of the costs would be met from Reserves. Councillors **Resolved** to note this report. All agreed.

No Item 216 (C)

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

The Parish Clerk delivered the (SARS) report on behalf of Cllr Robinson. Cllr Robinson attended the (SARS) meeting held 7th January 2019. Saltash Police had been advised of parking issues in the Town and would be taking action. The Petition 233970 (A38 dualling) had now received 500 signatures and had been advertised on BBC Radio Cornwall. The issues surrounding carkeel roundabout were still under review. Councillors **Resolved** to note this report.

E Cllr Malcolm Fletcher – Biodiversity

Cllr Fletcher as the nominated Tree Warden advised Councillors of a suitable tree planting scheme in the area and distinguished between private and public owned land and added that the Recreation Field could benefit from tree planting.

Cllr Fletcher explained the Environmental Growth project for rural Parishes, adding that the Pilot Scheme was only for Council controlled land and therefore would be limited in scope for Botus Fleming Parish Council.



Councillors **Resolved** to note this report.

F Cllr Dave Edwards (V/Chair) – Big Event preparations
Cllr Edwards (V/Chair) advised Councillors that the next meeting was planned for 27th January 2019 and that it was pleasing to see that the number of volunteers offering to help with the Big Event was growing in numbers. Commendation Awards would be presented at the Big Event meeting.
Councillors **Resolved** to note this report.

217 Chair's Agenda Items

A Container for Council equipment
Cllr. Ellis (Chair) proposed that the Mr. Dave Willey source and cost a suitable Container. The estimated cost for a container may be in the £1,500 bracket and would need to be considered further before a decision was made. The container unit would be used for the purposes as previously described under Item 198 (A).
Councillors **Resolved** to note this action. Proposed Cllr. Edwards (V/Chair), seconded Cllr. Ellis (Chair). All agreed.

B Charity Status
Report deferred until 27th February 2019.
Councillors **Resolved** to note.

218 Clerk's Agenda Items

A Parish Pound
Item deferred until 27th February 2019.

B Community Governance Review
The Parish Clerk explained that Cornwall Council had invited Councils to partake in a Review chiefly centred round the Boundary and Ward issues. Councillors considered that the review was not necessary for Botus Fleming.
Councillors **Resolved** to note this report.

C Projector
The Parish Clerk suggested that the Council invest in a projector, and possibly a screen, with a view to obtaining the items in time for the April 2019 meeting. Cllr Edwards (V/Chair) agreed to obtain costs for this equipment.
Councillors **Resolved** to note this action. Proposed Cllr Edwards (V/Chair), seconded Cllr Malcolm. All agreed.

D Co-option of Councillors
The Parish Clerk suggested a re advertisement to fill the vacancy and to post a Notice of Casual Vacancy for a 14 day period commencing 28th January 2019 with a view to holding Interviews shortly after 11th February 2019.
Councillors **Resolved** to note this action. All agreed.

219 Chair's Urgent Business

Cllr Ellis (Chair) moved the Co-option of a Councillor process to receive an Application. Press and Public were excluded from the Co-option meeting. The Clerk explained the Interview and Voting process, though there was only one candidate applying for Co-option.



Following due process Mr Dave Willey was co-opted as a Councillor effective from 23rd January 2019 and was provided with a Register of Interests form to complete along with the following Botus Fleming Parish Council Documents (BFPC) and other Guidance :-

Standing Orders (BFPC)
Financial Regulations (BFPC)
Code of Conduct practice & Principles of Public Life
Schedule of Meetings
Budget sheets
What is a Parish Council (CALC)
What is a Parish Councillor (CALC)
Roles & Responsibilities (BFPC)
Good Councillor guide

Councillors **Resolved** to note the appointment of Cllr Dave Willey. All agreed.

220 Date of next meeting

The next Public Meeting of the Council will be on Wednesday 27th February 2019 at 7:30pm in St.Mary's church hall.

221 End of meeting 21:35