



## **PUBLIC MEETING OF THE PARISH COUNCIL**

**Wednesday 27<sup>th</sup> November 2019**

**Present:** Councillor Ellis (Chair)

Councillors Edwards (Vice Chair) Fletcher, Oakes, Robinson, Smith, White & Willey

**Apologies for absence:** None

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

**Members of the public:** 10

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 27<sup>th</sup> November 2019**

#### **380/2019 Chair's Welcome & Announcements**

Cllr Ellis (Chair) 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.

#### **381 Chairman's Statement**

Cllr Ellis (Chair) delivered his Resignation letter dated 27<sup>th</sup> November 2019, stating that for personal reasons he wished to relinquish the position of Chairman but still wished to carry on with his Councillor involvement with Parish Council issues.

The Resignation letter can be viewed under 'Other' on the Parish Council website page which reflects Reports and Notices etc. at [www.botusfleming.org.uk](http://www.botusfleming.org.uk)

#### **382 Election of Chair & Vice Chair**

The Clerk took nominations for the position of Chair for the period 27<sup>th</sup> November 2019 to 27<sup>th</sup> May 2020.

Cllr Edwards (Vice Chair) was Proposed by Cllr Smith, and seconded by Cllr Fletcher.



There being no other nominations Councillors voted Cllr Edwards as Chair for the period stipulated above.

Councillors **Resolved** to elect Cllr Edwards as Chair. All agreed.

Councillor Edwards completed and signed the **Declaration of Acceptance of Office**.

The Clerk took nominations for the position of Vice Chair for the period 27th November 2019 to 27th May 2020.

Cllr Willey was Proposed by Cllr Smith, and seconded by Cllr Edwards (Chair).

There being no other nominations, Councillors voted Cllr Willey as Vice Chair for the period stipulated above.

Councillors **Resolved** to elect Cllr Willey as Vice Chair. All agreed.

Councillor Willey completed and signed the **Declaration of Acceptance of Office**.

### **383 Public participation**

#### Planning Application PA19/01685

Mrs Ann Williams addressed the Council in connection with Planning Application PA19/01685 Land at Orchard Meadow. The resident from Carlton Villas had attended the site Meeting on 11<sup>th</sup> November 2019, and mindful of the Planning hearing decision on 15<sup>th</sup> November 2019 (see Item 391), stated that she would be writing to the Chief Executive of Cornwall Council and also the Head of Housing giving them due notice that the matter may be referred to the Government Ombudsman as many residents were most unhappy with the decision to Approve the Application. Mrs Williams specifically thanked the Parish Councillors and also the County Councillor for the work that they had put in by challenging the Planning Officer decision and for providing representation both at the Site Meeting and the Committee Hearing. Cllr Edwards (Chair) confirmed that the Parish Council would provide further support to the residents of Carlton Villas should it be required.

#### Landulph Under Fives Pre School Committee

Cllr Edwards (Chair) advised Councillors that he had attended the Landulph Parish Council Public Meeting on the 25<sup>th</sup> November 2019.

Cllr Edwards (Chair) began by asking how much Landulph Under Fives were asking for?

Ms Hughes told councillors that they were looking for £2,200 in order to pay that month's wages.



Cllr Edwards advised Ms Hughes that Landulph Under Fives had told Landulph PC in a letter in October 2019 that they had “a shortfall of £1,600. Fundraising is underway, with a target of £2,000, but at present circa £1,200 had been raised”.

Cllr Edwards told Ms Hughes that Landulph PC had granted the preschool a donation of £3,000 two days previously (Monday 25<sup>th</sup> November 2019). This was minus approximately £700 that had already been paid to them from the PC’s Youth Account. Did this amount not negate the request for £2,200?

Ms Hughes was unaware of the details.

Cllr Edwards enquired that if Landulph Under Fives owed Landulph Village Hall £1,700 in rent arrears, why were they not being asked to waive the debt, as both were Charities and the Pre School was offering a service to the Community.

Cllr Edwards also enquired as to whether Landulph Under Fives was viable. Apparently Landulph PC had donated £1,500 under Section 137 to Landulph Under Fives on 31<sup>st</sup> January 2018. On checking the Pre-school’s financial review to the Charities Commission in August 2018 it was quoted as “continues to be a viable going concern, although is still dependant on fund-raising and grants. There are no debts and sufficient reserves are in place to avoid a cash-flow issue during the subsequent year”. Cllr Edwards felt that this was not the case and Landulph Under Fives also needed 15 children to break even. They were currently well below that figure.

Cllr Fletcher stated that Botus Fleming Parish Council were not unsympathetic to the grant request but would require more substantive information before the matter could be considered further.

Cllr Edwards confirmed this stance, and reiterated that their duty to their Parishioners was to exercise proper due diligence. It was suggested that someone from Landulph Under Fives who understood all of their finances should attend and brief the Parish Council at the next Public Meeting 11th December 2019.

This was very much the feeling of all the Botus Fleming Parish Councillors.

County Councillor Foot confirmed that Cornwall Council were not able to offer a Community Grant as the Under 5s scheme did not meet the funding criteria.

County Councillor Foot confirmed that Cornwall Council were not able to offer a Community Grant as the Under 5s scheme did not meet the funding criteria.

See also Item 395 (I)

**384 To receive Apologies for Absence and approve the reasons given**

No apologies.



### 385            **Declarations of Interest**

None declared.

Councillors **Resolved** that no Councillors were liable for Dispensations.  
All noted and agreed.

### 386            **Minutes of the Public Meeting 23<sup>rd</sup> October 2019**

The Minutes were a true record of the Meeting. Proposed Cllr Robinson, seconded Cllr Willey (Vice Chair).

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

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

No matters arising. Cllr Fletcher at this point thanked Cllr Ellis for the work he had carried out as the Parish Council Chairman, and was pleased to hear that Cllr Ellis would continue as Councillor and devote time towards Parish issues. Cllr Fletcher also remarked that it was noted that the current Parish Clerk made himself available to deal with Parish issues on a daily basis, and that this was appreciated.

### 388            **Correspondence**

Councillor Edwards (Chair) stated that there were six items of correspondence as listed on the Agenda.

(a) Letter of congratulations to Parish Councillors. Councillors **Resolved** to note.

(b) Letter of thanks to the Parish Council. Councillors **Resolved** to note.

(c) Request for 'call-in' on Planning Application PA19 / 01247 (Proposed new Hotel at Cardinals Hatt). This Proposal was discussed by the County Councillor Jesse Foot with the Planning Officer and the delegated decision to refuse was noted and that there would be no further Proposal to bring the Application to Committee.

See also Item 391

Councillors **Resolved** to note this **Action**.

(d) This matter was discussed under Item 383 and Item 395 (I)

(e) The Freedom of Information (F.O.I.) Act request had been considered by all Parish and Town Councils as they had all been recipients of the same email and had been addressed by the Society of Local Council Clerks (SLCC) and CALC. The Climate Change Correspondence chiefly related to Bodies wherein Cornwall Council may have responded and NOT Parish or Town Councils in the main.

Following further correspondence from the (F.O.I.) requester it was stated:-



*“So, apologies for taking up your time, but I hope you will have something of an idea of why I felt I had to do it. I also wish to say that I do not wish to pursue my FOI request any further.”*

This matter is therefore concluded.

Councillors **Resolved** to note this **Action**.

(f) Request for Parishioner consultation on the purchase and type of Playground equipment.

#### PLAYGROUND EQUIPMENT RESPONSE

(f) There was general discussion with regards to this piece of correspondence. Councillors felt that the resident should be made aware that the planned purchase of the playground equipment to be sited on the recreation field was in the main to be financed by independent donations.

Cllr Edwards (Chair) thanked Cllr White for the very kind and generous offer of £1,500 towards the purchase of the equipment. Councillors also thanked the Events Team for their hard work and support in raising money to be utilised for the proposed purchase. Councillors recognised that the various items of equipment listed in the correspondence would be a very welcome addition to the Parish, but were mindful of the huge costs involved.

At this stage Councillors wanted to install playground equipment for the benefit of children living in and those visiting relatives and friends in the community. Councillors were also mindful of the age range that would use the equipment and were aiming at the toddler to teenager age group. The current equipment was woefully inadequate and Councillors wanted to further the project as soon as possible. The “wish list” of other equipment could be considered in the future should further funds become available.

Councillors also recognised that there would be a myriad of ideas and opinions within the community for various equipment, but felt that there would be general support for the current project and that the residents would be supportive that the Parish Council were attempting to make a practical improvement. Councillors recognised that they would be unable to satisfy 100% of parishioners, but were working towards agreement and support from the majority.

Councillors also welcomed the resident’s views and invited them, should they feel inclined to do so, to engage in a consultation with Parishioners and to organise a vote for the installation of future equipment.

This Item is addressed further under Item 395 (E)

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



### 389            **A Report from Cornwall Councillor Jesse Foot**

Cornwall Cllr. Foot advised Councillors that at the recent Cornwall full Council meeting, support was given to approve funding towards the intended Space Port.

As part of the Boundary Review process accompanied with the reduction in the number of County Ward Councillors from May 2021, further discussions were taking place with Town & Parish Councils. Botus Fleming Parish Council would still exist in it's current format and operate as a Parish Council.

Cornwall Cllr Foot had attended a recent Safe A38 meeting to address the rail bridge at Trerulefoot roundabout and the risk that the low bridge presented for high sided vehicles. New road signage was required warning of the bridge ahead. Ultimately, Highways England were responsible for the road improvements.

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

### 390            **Finance**

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

Cllr Ellis proposed, Cllr White seconded approval of the Accounts for payment.

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

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

Bank Receipts were reported as £190.00. Total receipts 2019/2020 £17,259.92

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

#### **C            Bank reconciliation and Earmarked Funds (EMF)**

The General Account balance was reported as £18,915.92 and the Earmarked Funds as £5,635.72.

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

#### **D            Monthly budget monitoring balances report**

Councillors **Resolved** to note the report.

#### **E            Budget & Precept 2020 / 2021 (Section 101 (6) of the 1972 Act)**

The Clerk circulated the Annual Budget & Precept briefing note in respect to 2020 / 2021.

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

## 391 Planning



### New Planning Applications – One received

Application Number : PA19 / 09910  
Proposal : Extension of boot room to rear of property  
Location : Pheasants Cry Botus Fleming Saltash Cornwall  
Applicant : Mr and Mrs Vincent  
Grid Ref : 240964 /61631

Parish Councillors considered that the development was of modest proportions, and noted that neither the Area of Natural Beauty association (AONB), or residents had made any comments over the proposed development.

Botus Fleming Parish Council agreed to support Planning Application PA19 / 09910 Proposed Cllr Edwards (Chair), seconded Cllr Willey (Vice Chair).

Councillors **Resolved** to support the Planning Application. All agreed.

### Planning Application Decisions – One Approved

Application Number : PA19 / 01685  
Proposal : Outline application for the construction of 4 detached dwellings with all matters reserved except access and layout.  
Location : Land at Orchard Meadow Hatt PL12 6PL  
Applicant : Messers C and G Wood and Speed Project Management SW Ltd

This Planning Application Decision, confirmed on 15<sup>th</sup> November 2019, was considered by the Chief Planning Officer at the Meeting on 11<sup>th</sup> November 2019.

See also Item 383

Councillors **Resolved** to note.

### Planning Application Hearing 11<sup>th</sup> November 2019 – For Information

Application Number : PA19 / 01685  
Proposal : Outline application for the construction of 4 detached dwellings with all matters reserved except access and layout.  
Location : Land at Orchard Meadow Hatt PL12 6PL  
Applicant : Messers C and G Wood and Speed Project Management SW Ltd

See also Item 383

Application Number : PA19 / 01247  
Proposal : Outline planning permission with some matters reserved for the construction of a hotel comprising 56 hotel rooms and leisure facilities including associated parking with

appearance and landscaping reserved.  
Location : The Cardinals Hatt Saltash Cornwall  
Applicant : Mr Venables



See also Item 388 (C) above and a request for call-in to be considered by the Parish Council and County Councillor. County Cllr Foot advised Councillors that he had advised the Planning Committee that the Application was not suitable for call-in. Cllr Edwards (Chair) reaffirmed the position. The Clerk advised that the developer had been informed of the situation and that they should contact Cornwall Planning Officer direct to further their request.

Councillors **Resolved** to note.

### **Planning Applications received after the Agenda published – None received**

#### **392 Neighbourhood Development Plan (NDP)** [www.botusflemingandhattndp.com](http://www.botusflemingandhattndp.com)

Cllr Edwards (Chair) informed Councillors that the (NDP) programme would not be reviewed further until early 2020.

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

#### **393 Parish Plan**

Cllr Ellis confirmed to Councillors that the Parish Plan, although a living document requiring updating in the future, would not be reviewed until early 2020 when time would be devoted to this matter. See also Item 392 to be read in conjunction.

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

#### **394 Recreation Field**

Cllr Edwards (Chair) advised Councillors that the landowner Mr D Shovell was willing to meet both himself and Cllr Willey (Vice Chair) on the 11<sup>th</sup> December 2019, to continue with the positive talks regarding the Parish Council's long term options for use of the field. The landowners are willing to extend the Lease for a further year from August 2020 should this be needed to conclude an agreement.

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

#### **395 Councillors Reports**

##### **A Cllr Sally White - Maintenance**

Monthly maintenance audit noted (report previously published)

Cllr White informed Councillors that the repair to the Bench had been completed. Cllr White had noticed that fire lighting had recently taken place at Moditonham Quay and that there had been superficial scorching to some of the stone surround as a result. This would be monitored, and Cllrs Willey (Vice Chair) and Oakes agreed to keep a check on the area.





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

## **B Cllr Malcolm Fletcher & Cllr Dave Willey (Vice Chair) – Bio diversity**

Cllr Fletcher advised Councillors that certain aspects of the Bio diversity report were included under the wider aspect of Climate Change at Item 395 (F) but made mention of the 'local picture' concerning hedgerows, grass verges and the need for tree planting. Cllr Fletcher reaffirmed that Cormac had been directed by Cornwall Council (CC) to only cut grassed verges and roundabouts for safety reasons. This would usually amount to no more than a 1 metre cut along the edge. Cutting would not be carried out for aesthetic reasons. This was underpinned by CC's Climate Emergency Plan.

### (a) Flowers in Bloom

Cllr Fletcher confirmed that the planting schedule would take place as planned during the early part of 2020. A tree planting plan would be submitted to Cormac for approval.

### (b) Roundabout Landscaping & Design

Cllr Willey (Vice Chair) confirmed that the Landscaping and Design project would be something he would wish to drive forward for the Parish and that the first step would be to seek sponsorship for the roundabout and to place suitable signage that Botus Fleming Parish Council were promoting and maintaining the roundabout. Cllr Fletcher offered to contact Paul Allen at Cormac, as he would advise on the signage allowable.

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

**Action** Cllr Fletcher to contact Cormac.

## **C Cllr Dave Edwards (Chair) – Big Event**

<https://www.veday75.org>

(a) Cllr Edwards (Chair) passed the update to Mrs S Edwards Chair of the Big Event. She advised that all Plans were on schedule and that there was nothing further to report on at the moment.

(b) Cllr Edwards (Chair) passed the update on the Christmas Fayre to Mrs S Edwards who advised of proceeds of £400 which would be deposited to the Ear Marked funds (EMF)

Rental sums of £190 and £110 had been realised as income for the Ear Marked funds (EMF) following the renting out of the Parish Big Event marquee to other organisations.

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

## **D Cllr Dave Edwards (Chair) – Newsletter 2020**



Cllr Edwards (Chair) advised Councillors that the next Newsletter was planned for March or April 2020 as this Edition would advertise the forthcoming VE Day Event in May 2020. This would save on the expenditure towards separate flyers being printed.

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

### **E Cllr Dave Edwards (Chair) – Playground Equipment**

Councillors agreed that market research and parishioner involvement was a good idea. However, it was considered too early to consider exact solutions as to precise playground equipment until the following points had been addressed :-

- Appropriate levels of funding.
- With no design scheme for a community hall in place, any equipment installed would have to be easily removable.
- A staged approach catering for the needs of children and young people initially.
- Once a budget was in place, consultation with residents in a more meaningful manner about a range of options could take place.

See also Item 383 (f)

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

### **F Cllr Malcolm Fletcher – Climate Emergency (BOTHER)**

Cllr Fletcher updated Councillors as to the broad background to the Climate Emergency emphasising that the Parish Council must work within Cornwall Council guidelines, whilst attempting to mitigate the Climate Change risk by taking local initiatives (see Item 395 (B) (a)).

The **BOTHER** (**B**otusfleming and **H**att **E**nvironmental **R**esponse) group Meeting notes dated 20<sup>th</sup> November 2019 were circulated to Councillors for information prior to the Public Meeting. Cllr Fletcher regretted that (BOTHER) was struggling for membership and wished to use the Parish Notice boards as a means to recruitment. It was also requested whether the Hatt Chat & Botus Banter (HCBB) Facebook page could be afforded a separate strand for the Climate Change group using the Facebook logo for safety and security purposes. Councillors thought that it was unlikely that (BOTHER) could have a separate strand within (HCBB). The Group would contact (HCBB) administrators to seek the safest way to post.

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

### **G Cllr Malcolm Fletcher – Localism Summit 2019**

Cllr Fletcher stated that he had intended to attend the Localism Summit Meeting in Wadebridge on 6<sup>th</sup> November 2019, but was unable to attend.



The Parish Clerk had circulated the Localism Summit presentations to all Councillors, subject matter included :-

Strengthening Communities and Partnerships in Cornwall  
Climate Change declaration and an Action Plan  
Developing the Localism Vision

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

#### **H Cllr Dave Edwards (Chair) – Mobile Speed Activation scheme (MSA)**

Cllr Edwards (Chair) advised Councillors that the consultation on the (MSA) takes place during February 2020, and that construction would commence in September 2020. The estimated revised cost of the (MSA) installation would be approximately £20,000.

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

#### **I Cllr Dave Edwards (Chair) – Landulph under '5s' scheme**

Cllr Edwards (Chair) informed Councillors that he had attended the Landulph Parish Council Public Meeting on the 25<sup>th</sup> November 2019, when Councillors discussed the under 5s scheme.

See Item 383. Councillors concluded that for the purposes of due diligence more factual information concerning the ' under 5s scheme ' should be provided from a financial and sustainability aspect. A financial representative Landulph Under Fives Committee would attend the next Public Meeting 11<sup>th</sup> December 2019 to present a business case.

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

#### **396 Matters for information purposes only**

None.

#### **397 Date of next meeting**

The next Meeting of the Council will be the Public Meeting on Wednesday 11<sup>th</sup> December 2019 at 7:30pm in St.Mary's church hall.

#### **398 Closed Session**

Cllr Edwards (Chair) announced the Closed Session.

Pursuant to Section1(2) of the Public Bodies (Admission to Meetings) Act 1960 Councillors **Resolved** to move to a Closed Session, and all noted and agreed.

Cllr Edwards (Chair) advised Public and Press that they should be excluded from the Session, although Minutes would be taken for inspection,

Councillors considered the requirement to form a Sub-Committee with a view to:-



(a) Review of the Parish Council Vexatious Complaints Policy

(b) Review of a Vexatious and Persistent Complainant case

The following Councillors were elected to form the Sub-Committee and to meet on 9<sup>th</sup> December 2019 at 7.00pm at 15 Stuart's Way Hatt.

Cllr Willey (Vice Chair) proposed that with Cllrs Oakes & Smith they all represented Councillors co-opted to the Parish Council since the early part of 2019, and that they would have no pre conceived ideas as to the nature of the Complainant Case.

The Parish Clerk would take the minutes of the Sub Committee and Cllr Willey (Vice Chair) would Chair the meeting with a view to bringing a proposal to Full Council on the 11<sup>th</sup> December 2019.

Councillors **Resolved** to note the formation of a Sub Committee. All agreed.

**399**            **End of meeting 22:00**