



PUBLIC MEETING OF THE PARISH COUNCIL

Wednesday 11th December 2019

Present: Councillor Edwards (Chair)

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

Apologies for absence: None

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

Members of the public: 8

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 11th December 2019

400/2019 Chair's Welcome & Announcements

Cllr Edwards (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.

401 Public participation

Mr Tim Bell, Financial representative from Landulph Under 5s Committee (LU5C) introduced himself to the Parish Councillors.

Cllr Edwards (Chair) provided Mr Bell with a synopsis of the previous discussion regarding the (LU5C) S.137 grant request (see Item 383, 27th November 2019), reiterating that under, due diligence, the Parish Council were responsible for expenditure on behalf of the residents.

Mr Bell confirmed that a grant award of approximately £3,000 in total had been awarded by Landulph Parish Council and that the (LU5C) were addressing the option of the amelioration in the level of rent payable to the Landulph Memorial Hall Committee.



Cllr Edwards (Chair) questioned Mr Bell concerning the (LU5C) Accounts for the periods January 2018 and August 2018 noting that (LU5C) reported no debts applicable at the time. Mr Bell confirmed that the major financial exposure to the

(LU5C) were salary and annual leave costs, and that the Under 5s Scheme was a seasonal operation dependent on the number of children attending. Mr Bell confirmed that having secured a grant from Landulph Parish Council, and with other fund raising projects in mind, the Under 5s Scheme remained a viable option until September 2020.

Cllrs Willey (Vice Chair) & Smith concluded that perhaps the Under 5s Scheme could be utilised during the August period rather than to simply pay annual leave costs.

Mr Bell stated that the (LU5C) lacked skills in marketing, brochure production and grant application knowledge. Cllr Edwards (Chair), on behalf of the Parish Council, offered to give assistance with these disciplines.

Cllrs Edwards (Chair) & White both mentioned that the Parish Council had agreed the level of Precept for 2020/2021 and that no provision had been made for additional grant awards or sums from reserves, primarily, as the Council were aware that the Council budget would be subject to additional Legal services costs and that consideration of replacing the existing playground equipment at the Recreation Field were priority issues.

Cllrs Fletcher & Smith both reiterated points made at the Public Meeting 27th November 2019 in that Botus Fleming Parish Council were not unsympathetic to the grant request being made by the (LU5C), and acknowledged that a local service was being provided, and that the Council should keep a watchful eye over the Under 5s Scheme in order to address their needs again at a later date.

Cllr Edwards (Chair) stated that, as Landulph Parish Council had made a grant payment to the (LU5C) continuing to keep it a viable concern, Botus Fleming Parish Council would not offer a grant payment on this occasion, but would review the situation again in 12 months time.

Cllr Edwards (Chair) proposed, Cllr Smith seconded.

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

402 To receive Apologies for Absence and approve the reasons given

County Councillor Jesse Foot (report submitted to the Chairman)

403 Declarations of Interest

None declared.

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



404 Minutes of the Public Meeting 27th November 2019

The Minutes were a true record of the Meeting. Proposed Cllr Fletcher seconded Cllr White.

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

405 Matters arising from the Minutes for report purposes only.

None

406 Correspondence

Landulph Under 5s Committee – see also Item 401 and Item 413 (G)

407 A Report from Cornwall Councillor Jesse Foot

Cllr Dave Edwards (Chair) delivered a report from County Cllr Jesse Foot.

At the Extraordinary Full Council meeting at Cornwall Council members voted on recommendations for the Community Governance Review of Parishes in Cornwall. There are no planned changes to Botus Fleming Parish or any others in the division.

A new Section 151 Finance Officer has been appointed at Cornwall Council.

Cllr Foot has received details regarding the school transport policy indicating that there could be some good news for those children attending Landulph School from the Hatt area. Any changes to the transport facility would be implemented at the beginning of the school year in 2020.

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

408 Finance

A Accounts for Payment

Cllr Ellis proposed, Cllr Oakes 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 £510.00. Total receipts 2019/2020 £17,769.92

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

C Bank reconciliation and Earmarked Funds (EMF)



The General Account balance was reported as £18,118.93 and the Earmarked Funds as £6,145.72.

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

D Monthly budget monitoring balances report

Councillors **Resolved** to note the report.

409 Planning

New Planning Applications – None received

Councillors **Resolved** to note.

Planning Application Decisions – None Approved

Councillors **Resolved** to note.

Planning Application for Information – None applicable

Councillors **Resolved** to note.

Planning Applications received after the Agenda published – One received

Application PA19/10392
Proposal Variation of condition 2 of decision PA17/08205 dated 31st October 2017. Construction of Replacement Dwelling (Revised Proposal following Permission Ref.PA13/08240)
Location Crooked Lodge Botus Fleming Saltash Cornwall
Applicant Mr & Mrs S Thompson
Grid Ref 240960 / 62036

Councillors were mindful that an earlier Application during 2017 had been supported by the Parish Council.

Cllr Edwards (Chair) pointed out that Natural England had commented in respect to the conditions to be adhered to in connection with the 2017 Planning Application, but had made no further comments reference the current Application. No public comments had been received. Cllrs Fletcher & Oakes noted that the roof level to the proposed dwelling had increased but not to the detriment of other residents being overlooked.

Cllr Edwards (Chair) proposed, Cllr Fletcher seconded that the revised proposal be supported.

Councillors **Resolved** to support Planning Application PA19/10392. All agreed.

410 Neighbourhood Development Plan (NDP) www.botusflemingandhattndp.com

Report deferred until early 2020.



Councillors **Resolved** to note.

411 Parish Plan

Report deferred until early 2020.

Councillors **Resolved** to note.

412 Recreation Field

Cllr Edwards (Chair) advised Councillors that he had met with the landowner Mr D Shovell, and consequently had received a letter from Kivells outlining the landowner's wishes in respect to the future of the farm and the Recreation Field.

Botus Fleming Parish Council would consider the proposals further by engaging with Cornwall Council Legal services with a view to activating the Service Level Agreement (SLA) put in place 3rd April 2019 for the purpose of furthering negotiations in respect to the Recreation field.

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

Action – The Parish Clerk to contact Cornwall Council Legal Services.

413 Councillors Reports

A Cllr Sally White - Maintenance

Monthly maintenance audit noted (report previously published)

Cllr Fletcher mentioned that one of the old style green dog bins was not in good order. Cllr Willey (Vice Chair) agreed to investigate the possibility of Cornwall Council replacing the bin in question.

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

Action – Cllr Willey (Vice Chair) to contact Cornwall Council waste services.

B Cllr Malcolm Fletcher – Bio diversity

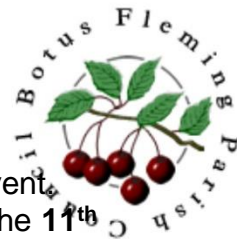
Cllr Fletcher advised Councillors that he and Cllrs Edwards (Chair) & Willey (Vice Chair) would be meeting to agree the tree planting programme from the A388 roundabout and edging heading towards the Cardinals.

A working party involving the Community Action Team (CAT) would be formed in the New Year to progress the planting programme.

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

C Cllr Dave Edwards (Chair) – Big Event

<https://www.veday75.org>



Cllr Edwards (Chair) passed the update to Mrs S Edwards Chair of the Big Event. Mrs Edwards advised that the next Meeting of Big Event Group would be on the **11th January 2020**.

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

D Cllr Malcolm Fletcher – Climate Emergency (BOTHER)

Cllr Fletcher passed the update to Mrs S Edwards who had been present at the last **BOTHER** (Botus Fleming and Hatt Environmental Response) Group Meeting on the 8th December 2019.

Councillors were advised that 5 residents attended the last Meeting. Progress has so far been slow due to few residents willing to join. It was reported that 3 people had now applied to switch to Bulb Energy as their supplier. This would realise £150 towards (BOTHER) funds.

Mrs Edwards suggested that the forthcoming Big Event would be a suitable stage to promote the (BOTHER) Group with a view to recruitment in the village.

Cllr Fletcher reported that having a Smart meter was one of the easiest ways to save money and help with the Climate Emergency.

Cllr Fletcher believed that the village were doing all that they could do realistically in connection with the Climate Change programme at the moment.

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

E Cllr John Robinson – Road Safety Forum

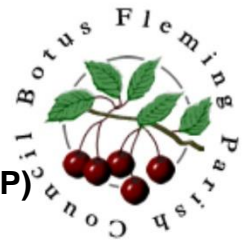
Cllr Robinson advised Councillors that, subject to funding and stage 2 of the A38 improvements, the safety investment strategy would develop during April 2020.

Cllr Robinson had contacted Mr Paul Allen (CORMAC) Head of Highways, in connection with the street furniture at the Hatt roundabout, and had been advised by CORMAC that they considered the furniture to still be serviceable.

Mrs Becky Escott was asked if she could post this information onto the Hatt Chat & Botus Banter Facebook group. Mrs Escott resolved to post the information.

Cllr Robinson advised Councillors of the new dashboard cam scheme called 'OP SNAP'. This enabled members of the public to report traffic violations, supported by dash cam evidence. To date there has been two successful prosecutions based on dangerous overtaking manoeuvres. Members of the public can use the following link www.DC.POLICEUK/OPSNAP

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



F Cllr Dave Edwards (Chair) – Cornwall Gateway Network Panel (CNP)

Councillor Edwards (Chair) advised that with the impending speed reduction project (see Item 395 (H), 27th November 2019), an under spend of approximately £5,000 would be realised, and also reported that the CNP review for 2020 would realise an estimate of £80,000 towards further projects. Cllr Edwards (Chair) suggested that Cllr White's idea that a new application for signage along the A388 as a welcome sign to advise motorists that they are entering a 30mph zone, could be a good way to reduce the speed of traffic further. Cllr White resolved to research the matter.

Cllr Edwards (Chair) mentioned that consultations signs would be placed on lampposts in Vollarads Lane, Hatt, in connection with the design of the speed reduction system. However it was noted by a number of Councillors that the Parish Council were not informed beforehand of the consultation period and that Mr Paul Allen (CORMAC) should be contacted in order to clarify lines of communication.

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

Action – The Parish Clerk to contact Paul Allen (CORMAC).

G Cllr Dave Edwards (Chair) – Landulph under '5s' scheme

See also Item 401 and Item 406 above.

414 Sub Committee 'Complaints Review' – Cllr Dave Willey (Vice Chair)

Cllr Willey (Chair) advised Full Council that the Sub Committee had thoroughly reviewed the Vexatious Complaints Policy and the particular Complainant's case as per Minute 16 paragraphs 1 & 2 and would bring two Proposals, for consideration, to the Public Meeting 11th December 2019.

415 Minutes of the Sub Committee Meeting 9th December 2019

The Minutes were a true record of the Meeting. Proposed Cllr Willey (Chair Sub Committee) seconded Cllr Oakes.

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

416 Matters arising from the Minutes for report purposes only.

Cllr Willey (Chair of Sub Committee) brought the following Proposals to Full Council, as proposed by Cllr Oakes and seconded by Cllr Smith.

Proposal for Full Council: that Item 6.3 should be added to the Vexatious correspondence and complaints policy to read:

“ that Full Council should have the option of referring a Complainant's case to the Standards Committee Cornwall Council, should criteria within the Policy wording be met ”



Councillors voted as follows:-

Support the Proposal	8
Decline to support	0
Abstentions	0

Councillors **Resolved** to support the Proposal.

Action - The Clerk to update the Vexatious correspondence and complaints policy (adopted 23rd May 2018)

Proposal for Full Council: that the Complainant case as mentioned in Item 16 paragraph 1, of the Sub Committee Meeting 9th December 2019 be referred to the Standards Committee Cornwall Council.

Councillors voted as follows:-

Support the Proposal	8
Decline to support	0
Abstentions	0

Councillors **Resolved** to support the Proposal.

Action - The Parish Clerk to refer the Complainant's Case (period November 2018 to October 2019) and the Botus Fleming Parish Council response (dated the 24th October 2019) to the Standards Committee Cornwall Council after consideration of the following options.

Option 1 – Corporate Governance would be contacted initially and that after consideration of the Parish Council's vexatious and persistent complaint policy would send a pre-warning letter to the individual and, for future reference, a single point of contact (SPOC) would be created for communication purposes. Should the complainant not modify their behaviour then a covering report and supporting documents would be sent by the Parish Council to Corporate Governance who would in turn review the case and report their findings to the Standards Committee.

The work carried out by Corporate Governance would be at a cost to the Parish Council (£98 per hour) and fees would have to be met from the reserves. Residents may question why such expenditure and Parish resources should be directed towards dealing with one individual member of the Parish. With the Corporate Governance route there would be no requirement to keep the complainant anonymous within the system as any subject access request or Freedom of Information (FOI) request would likely be exempt as it would be covered as legal advice.

Option 2 – As Botus Fleming Parish Council are not legally bound to deal with Cornwall Council Corporate Governance or the Standards & Ethics Committee, the Parish Council could choose to write to the complainant and inform them that they have been made a Vexatious & Persistent Complainant. A single point of contact (SPOC) would be nominated were there any further correspondence. The Vexatious & Persistent Complainant would be subject to review after a set time period.



The (SPOC) for the Parish Council will be the Parish Clerk at clerk@botusfleming.org.uk

Conclusion – Option 2 route is more efficient, less expensive and less bureaucratic, and favourable to Botus Fleming Parish Council.

417 Matters for information purposes only

None.

418 Date of next meeting

The next Meeting of the Council will be the Public Meeting on Wednesday 22nd January 2020 at 7:30pm in St.Mary's church hall.

419 End of meeting 21:00