



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

### **Wednesday 22<sup>nd</sup> July 2020 – VIRTUAL REMOTE MEETING**

**Present:** Councillor Edwards (Chair)

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

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

### **Members of the public: 0**

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 22<sup>nd</sup> July 2020**

#### **544/2020 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. The Chairman explained that the Meeting was being held remotely using Microsoft Team in which Residents could participate.

#### **545 Public participation**

No public participation.

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

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

Cllr Ellis (I.T. connection problem)

#### **547 Declarations of Interest**

None declared.

Councillors **Resolved** that no Councillors were liable for Dispensations.

All noted and agreed.



## **548 Minutes of the Public Meeting 24<sup>th</sup> June 2020**

The Minutes were a true record of the Meeting held remotely using Microsoft Teams.

Proposed Cllr Willey (Vice Chair) seconded Cllr Robinson.

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

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

No matters arising.

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

Cornwall Cllr Jesse Foot advised Councillors that under the Business & Planning Act 2020 (assent 22 July 2020). A new Law, the Pavement Licence, will allow for food and drink to be consumed outside at premises on the highways for a temporary period.

The Cabinet at Cornwall Council responsible for agreeing Licences will consider applications on the 1<sup>st</sup> August 2020. Prior to this, a webinar will be held 27<sup>th</sup> July 2020 for anyone interested in understanding the new rules of the Pavement License and the conditions applying to the license..

Cllr Jesse Foot confirmed that Leisure centres would be allowed to open shortly under the new Covid-19 rules applying. Face masks will soon be obligatory but it is understood that the Police would not be enforcing this matter with the Public.

Cllr Fletcher enquired as to who was the Cornwall Councillor charged with the portfolio for Climate Change and was advised by Cllr Jesse Foot that this was County Cllr. Edwina Hannaford.

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

## **551 Finance**

### **A Accounts for Payment**

Cllr Fletcher 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 **£0.00**. Total receipts 2020/2021 **£9,746.08**

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



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

The General Account balance was reported as **£18,401.81** and the Earmarked Funds as **£8,085.72**.

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

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

Councillors **Resolved** to note the report.

## **E Public Works Loan Board Statement July 2020**

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

## **552 Planning**

### **New Planning Applications – One received**

#### **Application: PA20 / 05087**

Location: Cherrywood Botus Fleming Saltash Cornwall PL12 6NJ  
Proposal: Application for works to Oak tree (T3) subject to TPO.  
Crown lift to 3m above ground level at tree level.  
Reduce any remaining branches over the garden by 1-2m  
Applicant: Janet Morgan  
Grid Ref; 240441 / 61356

Cllr Fletcher drew attention to the Forestry & Tree Officer's report, specifically in relation to work required to the crown of the tree and the shortening of selected branches:-

- that the crown can be lifted to 3m above ground level from the base of the tree. Any pruning of branches to do this should be limited to those of 60 mm diameter or less. No shortening of branches overhanging the garden, as this would further add to the imbalance of the tree. (Shortening the branches overhanging the garden is proposed by the applicant, but has no mention in the Forestry & Tree Officer's report.)

Councillors generally felt that the recommendations as made by the Forestry & Tree Officer should be followed, and that the Parish Council would support the Application.

Proposed, Cllr Fletcher, seconded Cllr Oakes. All agreed.

Councillors voted in favour to support the recommendations being made by the Forestry & Tree Officer, adhering to the conditions as mentioned above and to support the Planning Application.

#### **VOTE :-**

**In favour = 6**

**Against = 0**



**Abstentions = 0**

**Councillors Resolved to support Planning Application PA20 / 05087 with conditions applying**

**Planning Application Decisions – None applicable**

Councillors **Resolved** to note.

**Planning Application for Information – None applicable**

Councillors **Resolved** to note.

**Planning Applications received after the Agenda published – One received 22<sup>nd</sup> July 2020**

Dear Mr Cook

**Re: PA19/05565 – Heckberry Barn, Vollarads Lane, Hatt**

Thank you for your response to this proposal.

In this case, officers' are minded to recommend that this application is approved. Following concerns over the scale of the earlier proposal and to address the comments raised by the affordable housing team, the scale of this development has been reduced to 8 dwellings comprising of 4 affordable rent, 2 bed bungalows and 4 open market dwellings. The proposed development represents an appropriate exception site development on the edge of a village which would accord with policy 9 of the Cornwall Local Plan. This small scale proposal for 8 dwellings which is supported by the affordable housing team is a suitable housing development for the village. The Council's Highway Officer has raised no objections to the development, subject to conditions. Furthermore at present there is no Neighbour Development Plan for the village.

I would respectfully request that your Council consider the following options as set out within the Protocol for Local Councils:

1. Agree with my recommendation
2. Agree to disagree
3. Having made strong planning reasons to maintain your original position on the proposal against my recommendation, it is requested that the application is determined by the Planning Committee\*

Please tell me which option you wish to choose within 5 working days from the date of this communication. It may not always be appropriate to take an application to Committee if the planning position is so clear-cut that it would not be right to make a different decision to the one being recommended. In these rare circumstances we will consult the Divisional Member and explain our reasoning when making the planning decision.

If I do not hear from you within 5 working days, a delegated decision will be issued in accordance with my recommendation.

If our recommendation changes for any reason we will notify you so that you may reconsider your own position.



\* Due to the current pandemic situation, we are not able to operate planning committees in person and a new protocol is in place to deal with the applications that require planning committee involvement. Please see our [Covid-19 impact on planning processes FAQs](#) for more information.

Kind regards

Jonathan

**Jonathan Luker | Principal Development Officer (Area Team 7)**

The Parish Council's full response under the 5 day protocol decision can be viewed on the Council website under 'Reports' at [www.botusfleming.org.uk](http://www.botusfleming.org.uk)

Councillors agreed to vote on option 3 and to refer the Application to the Planning Committee.

Proposed Cllr Edwards (Chairman), seconded Cllr Willey (Vice Chairman)

**VOTE;-**

**In favour of option 1 = 0**

**In favour of option 2 = 0**

**In favour of option 3 = 6**

**Abstentions = 0**

**Action:** Cllr Edwards (Chairman) to submit another report addressing this Planning Application before the matter is referred to the Planning Committee.

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

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

Report deferred until 26<sup>th</sup> August 2020.

Councillors **Resolved** to note.

**554 Parish Plan**

Report deferred until 26<sup>th</sup> August 2020.

Councillors **Resolved** to note.

**555 Recreation Field**

Cllr Edwards (Chairman) advised Councillors that the Solicitor acting for Mr Shovell had drafted the Memorandum of Sale and that a few minor amendments were required to the document before the Council's Solicitors could complete the sale.

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



## 556 Councillors Reports

### A Cllr Sally White - Maintenance

Monthly maintenance audit noted (report previously published)

Cllr White confirmed that there was nothing to add to this month's audit report.

Cllr Oakes remarked that he had noticed a crack in the south of the quay wall. Cllr White advised that there had been no further movement in the crack but the situation would be monitored

**Action:** Councillors to monitor the quay.

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

### B Cllr Malcolm Fletcher – Bio diversity

Cllr Fletcher updated Councillors in respect to Bio diversity issues in the Parish, reporting that the newly planted trees were progressing well. Brambles had been cleared and invasive weeds had been kept at bay where this work was necessary.

Cllr Fletcher advised that he had investigated the use of mulch mats which would be placed around the trees in order to retain moisture. The Community Action Team could assist in the mulching exercise.

**Allotments** - Cllr Fletcher referred to the proposed letter to residents concerning access to plots of land that could be made available for allotments. Councillors agreed in general that this matter was worth exploring further.

The Legislation regarding the Allotments Act was explained in the Minutes 24<sup>th</sup> June 2020 Item 537 (B)

**Action:** Cllr Fletcher to investigate whether local landowners could donate or provide land at a peppercorn rent and finalise a letter to residents.

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

### C Cllr Malcolm Fletcher – Climate Emergency (BOTHER)

Cllr Fletcher advised Councillors of the BOTHER Meeting which took place 21<sup>st</sup> July 2020 and of the presentation given by Mr Ray Holland (Yealm Energy) and his experience of setting up a Community Benefit Society to invest in and share the benefits of renewable energy.

The main points that emerged from the meeting were:

- Ray and a number of like-minded residents in the Yealm estuary area (Yealmpton, Newton and Noss, Brixton, Wembury and Holbeton) began by setting up a Community Benefit Society called Yealm Community Energy.



CBS's are owned and controlled democratically by a number of stake holders, and operate primarily for the benefit of a wider stakeholder group. (see: <https://www.uk.coop/developing-co-ops/model-governing-documents/community-benefit-society>).

- Advice and support was gained from CORE (Community Owned Renewable Energy Association) in Penryn.
- Having decided on renewable energy as the focus for the CBS, they decided on solar as the preferred source. (At that time it was thought that there would be too much opposition to wind energy.)
- A grant was obtained from Devon County Council for a study of the area. Jacques Berniac of Communities for Renewables was the consultant.
- Rather than build their own solar farm, Yealm Community energy decided to invest in solar farms that were already in the area or were planned for construction. In 2018 they purchased their first solar farm at Newton Downs, and in 2020 they purchased a second in farm in Creacombe.
- Shares in YE are available to buy (minimum investment?) for a minimum of 5 years. Current rate of return is 5%. They will be bought back after 15 years.
- Landowners typically receive £1000 per acre p.a. rent
- Profits are made available for community projects. One of YE's solar farms provided £20,000 last year for community projects.
- The board of directors of YE are volunteers: they are all retired professionals. They have recently appointed a salaried part-time administrator.
- Ray suggested that the grant currently available from Cornwall Council could be used to pay a consultant to provide a report on likely renewable energy projects/models in our area.
- HV informed the meeting that South Hill parish had a wind turbine owned by the community.

The next meeting would be the 6th August 2020 with the venue to be confirmed.

The full transcript of the BOTHER report can be viewed under 'Reports' at [www.botusfleming.org.uk](http://www.botusfleming.org.uk)

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

#### **D Cllr Dave Edwards (Chairman) – Cornwall Network Panel (CNP)**

Cllr Edwards (Chairman) confirmed that there was no update since the last report on 24<sup>th</sup> June 2020 – Item 537 (D)

#### **557 Councillor vacancy – Cllr Dave Edwards (Chairman)**

Cllr Edwards (Chairman) suggested that the advertising and recruitment of a Councillor to fill the vacancy should be given further consideration, and the matter deferred until 26<sup>th</sup> August 2020.

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



## 558 Matters for information purposes only

No matters arising.

## 559 Clerk's Items

The Parish Council were requested to review and approve the following policies:-

- (i) Equality Policy & Lone working Policy
- (ii) Scheme of Delegation

Councillors **Resolved** to approve the Equality Policy, Lone working Policy & Scheme of Delegation.

Proposed Cllr Fletcher, seconded Cllr Willey (Vice Chairman). All agreed

Councillors to note 'Contract' amendments as previously circulated to:-

- (i) Standing Orders 19 a (v), 19c & 19f
- (ii) Financial Regulations 105 b, f & h

Councillors **Resolved** to note.

## 560 Correspondence

Cllr Edwards (Chair) referred to an email from Mr Walsh in connection with the Plane tree situated at the centre of the crossroads in Botus Fleming.

Cllr Fletcher advised that Cormac Highways had been contacted in July last year regarding the condition of the Plane tree. The Tree Officer had inspected and reported that, while having sustained some considerable damage in the past, it was healthy and did not require any immediate attention. However, it was likely that it would require further attention at some future date. The Parish Council will monitor the situation.

The Parish Clerk had responded accordingly to Mr Walsh.

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

Correspondence was received 22<sup>nd</sup> July 2020 as follows:-

Good Afternoon,

I thought I should make the Parish Council aware that there is a significant amount of Ragwort growing in the dog walking field ( both in the field and hedges) and a smaller quantity in the hedges of the playing field.

As the fields are in close proximity of farmland I believe it is a requirement to control it due to its toxicity. I therefore thought I should make you aware of its presence.





Thank you

Amanda Loveridge

Cllr Fletcher advised that the ragwort would have to be removed and disposed of in the correct fashion.

Cllr Edwards (Chairman) confirmed that the matter would be addressed with the Council's contractor BMS Landscaping.

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

#### **561 Date of next meeting**

**The next Meeting of the Council will be the Public Meeting on Wednesday 26<sup>th</sup> August 2020 at 7:30pm.**

**Cllr Edwards (Chairman) pointed out that the Parish Council would follow any instruction from CALC concerning the Covid-19 situation in connection with forthcoming Public Meetings.**

**Residents would be advised on the 25<sup>th</sup> August 2020 or sooner of arrangements for the Public Meeting 26<sup>th</sup> August 2020.**

**562 End of meeting 21:05**