

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 26th August 2020

Time: 7.30pm

Location: Virtual Meeting by remote access Google Meet

To : Chairman & Parish Councillors

Chairman D Edwards

M Ellis, M Fletcher, J Oakes, J Robinson, S White, and D Willey (Vice Chair).

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.

Christopher Cook

Christopher Cook
Clerk to the Council
19th August 2020

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 564 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 | 26 August 2020

563/2020 Chair's Welcome & Announcements

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

564 Public participation

565 To receive Apologies for Absence and approve the reasons given.
(LGA 1972 s.85 (1))

566 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.

567 To approve and sign as a correct record the Minutes of the Public Meeting of the Parish Council held on Wednesday 22nd July 2020 (virtual remote meeting).
(LGA 1972 sch.12.para 41(1))

568 Matters arising from the Minutes for report purposes only.

569 A Report from Cornwall Councillor Jesse Foot

570 Finance

A Accounts for Payment.

Members are asked to note the following items of expenditure for the month of **August 2020**.

Date	Payee	Description	BACs ref.	£
26/08/2020	Christopher Cook	Salary	BACS79	233.52
26/08/2020	HMRC	PAYE	BACS80	58.20
26/08/2020	Cornwall Council	Legal service fees	BACS81	11.99
26/08/2020	BMS Landscaping	Grass cutting (August)	BACS82	378.00
26/08/2020	BMS Landscaping	Grass cutting additional (August)	BACS83	270.00
All BACs payment amounts today				£ 951.71

B Direct bank Payments & Receipts for information

All bank receipts for this period **£140.10**. Total receipts 2020/2021 are **£9,886.18**.

Date 26th August 2020

Botus Fleming PC Current Year 2020/2021

Period 5

Bank Receipts statement as at 22/07/2020

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	22/07/2020		9,746.08
Business Reserve Account - Lloyds A/c 2	22/07/2020		140.10
Lloyds A/c 2 = Earmarked Funds *			
Total Receipts			9,886.18

Available General Funds from 31st March			12,548.55
Add - Receipts during April			9,746.08
Less - Payments made A/c1 - April			1,198.52
Less - Payments made A/c1 - May			1,884.38
Less - Payments made A/c1 - June			809.92
Less - Payments made A/c1 - July			1,681.99
General Funds as per Bank Statement			16,719.82

Movement on A/c1 April to July	Receipts	Payments	Movement +/-
Receipts against Payments	9,746.08	5,574.81	4,171.27

1st Precept payment due 7/4/20

£8,080.38

2nd Precept payment due 7/9/20

£8,080.38

07/04/2020 Receipt A/c1	Cornwall Council	Precept April 2020	8,000.00
07/04/2020 Receipt A/c1	Cornwall Council	CTS Grant April 2020	80.38
07/04/2020 Receipt A/c1	HMRC	Vat recovery claim	1,665.70
			9,746.08

22/07/2020 Earmarked Funds receipts *			
Big Event / Christmas Fayre	Account 2	Receipts	0.00
Big Event / Assets	Account 2	Receipts	0.00
Sports & Recreation	Account 2	Receipts	140.10

BOTHER Climate emergency Neighbourhood Development Plan (NDP)	Account 2	Receipts	0.00
	Account 2	Receipts	0.00
			140.10

RFO 26th August 2020

C Bank reconciliation and Earmarked Funds (EMF) balances at 26th August 2020

Date 26th August 2020 Botus Fleming PC Current Year
2020/2021 Period 5

Bank Reconciliation statement as at 22/07/2020
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	22/07/2020		16,719.82
Business Reserve Account - Lloyds A/c 2	22/07/2020		8,225.82
A/c 2 = Earmarked Funds *			
Total balance			24,945.64

Unpresented Cheques (Minus)	0.00	0.00
		24,945.64
Receipts not banked / Cleared (Plus)	0.00	0.00
		24,945.64
	Balance per Cash Book is :-	24,945.64
	Difference is :-	0.00
General Funds as per Bank Statement	Available General Funds	16,719.82

22/07/2020 Earmarked Funds *		
Big Event / Christmas Fayre		3,285.52
Big Event / Assets		1,400.00
Sports & Recreation		1,921.64
BOTHER emergency response Neighbourhood Development Plan (NDP)		200.00
		1,418.66
		8,225.82

RFO 26th August 2020

D Monthly budget monitoring balances at 26th August 2020

Summary Expenditure Account
Year ended 31st March 2021
Monthly Budget monitoring

BOTUS FLEMING PARISH COUNCIL

YEAR END 2020-2021
Period 5 - August

Lloyds Current Account A/c 1 - 38772468	Budget 2019 2020 *	Expenditure 2019 2020	Budget 2020 2021 *	Expenditure as at 26/08/20	Budget available
Expenditure :					
Clerk's Salary & Locum expenses	4,000	3,000	4,000	1,161	2,839

HMRC	0	742	700	290	410
				1,451	
General & Administration :					
Postage & Admin.	400	446	400	111	289
Legal & Website	650	981	500	160	340
Legal - Recreation Field Lease	0	0	1,500	30	1,470
Elections & Adverts	0	0	0	0	0
Training & Expenses & Subscriptions	1,200	1,043	800	651	149
				952	
Contracts :					
Grasscutting	4,250	2,950	4,250	1,715	2,535
Insurance	1,000	837	1,000	709	291
Rent	2,150	2,170	2,500	0	2,500
Maintenance & equipment	200	253	500	516	-16
				2,940	
Other Payments :					
Grants & Donations	650	325	650	600	50
Projects & Newsletter	300	910	1,000	25	975
Big Event *	1,400	1,657	1,400	0	1,400
Neighbourhood Dev. Plan *	250	0	250	0	250
Budget other *	3,100	2,106	2,850	0	2,850
Vat recoverable amount	0	1,665	0	0	0
				625	
* includes Projects, Bother & (CAT)					
Total Budget £4,500					
Total Payments	19,550	19,085	22,300	5,968	16,332
Vat amount to date 2020 2021				558	

RFO 26th August 2020

E Public Works Loan Board - Loan Statement 26th August 2020

Clerk & RFO to update

Date 26th August 2020

Botus Fleming PC Current Year 2020/2021

Period 5

Loan Payments statement
for Cashbook - Current A/c 1

Bank Statement Account Name(s)	Statement Date	Loan advance	Payments Principal & Interest	Balance to pay
Current Account - Lloyds A/c 1 PWLb Loan advance 24/06/2020*	22/07/2020	69,975.00	2,732.22	
Direct Debit payment - Dec 2020				
Total Loan amount outstanding				67,242.78

* PWLB less loan admin fee £25

571 Planning

New Planning Applications – Three received

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

Application : **PA20 / 05288**

Proposal : Conversion of single garage into 2 room accommodation with a front facing window and a side entry door. Conversion of existing dining room into garage. Extension to west elevation raising external roof height by 350mm from 2700mm to 3050mm, and raising internal floor to match the current house floor level.

Location : 18 Stuarts Way Hatt PL12 6PN

Applicant : Mr Marc Solomon

Grid Ref : 239497 / 62090

Application : **PA20 / 05816**

Proposal : A general purpose agricultural building and yard area

Location : Land North East of Notter Mill Country Park Cocks Lake Lane
Notter Cornwall

Applicant : Mr M Peters

Grid Ref : 238688 / 61762

Application : **PA20 / 06369**

Proposal : Retrofit loft extension and the formation of a veranda to an existing two storey farmhouse with variation of condition 2 in respect of decision **PA19/10985** dated 18.03.20

Location : Rumbullion Farm Hatt PI12 6NH

Applicant : V Lintern

Grid Ref : 240294 / 61950

Planning Application Decisions – Two received

Application : **PA20 / 03548**

Proposal : Agricultural Storage Building

Location : Ziggerson Hill Farm Botus Fleming Saltash Cornwall PI12 6NQ

Applicant : Messrs MM and MW Holmes

Grid Ref : 240942 / 61940

Approved with conditions 21st July 2020

Application : **PA20 / 05087**

Proposal : Application for works to Oak tree (T3) subject to TPO. Crown lift to 3m above ground level. Reduce any remaining branches over the garden by 1-2m.

Location : Cherrywood Botus Fleming Saltash Cornwall PI12 6NJ

Applicant : Janet Morgan

Grid Ref : 240441 / 61356

Approved with conditions 4th August 2020

Planning Application – For Information

Planning Application received after the Agenda issue – To be advised

572 Neighbourhood Development Plan – Cllr Dave Edwards (Chairman)
www.botusflemingandhattndp.com

573 Parish Plan - Cllr Dave Edwards (Chairman)

Report deferred until 23rd September 2020

574 Recreation Field - Cllr Dave Edwards (Chairman)

575 Councillors' Reports

A Asset Audit - Cllr Sally White

- B Bio diversity - Cllr Malcolm Fletcher
C Climate change emergency - Cllr Malcolm Fletcher
D Fixed Penalty Notices - Cllr Dave Edwards (Chairman)
576 Councillor vacancy - Cllr Dave Edwards (Chairman)

577 Matters for information purposes only

578 Correspondence

The Clerk to
Botus Fleming Parish Council,
24, Rashleigh Avenue,
Saltash, PL12 4NS,

10 August 2020

[Sent by e mail]

Dear Mr Cook,

(i) Hatt Recreation Field – Drainage System

In my letter of 4 March my wife and I registered our support for the Parish Council's initiative in seeking to secure a permanent recreation area for the Parish. I understand that the purchase is now going ahead so I felt it prudent to ensure that there is no future difficulty over the matter of drainage. As this issue arose some 20 or so years ago, with a very different Council, I will outline the history.

In October 1998 the Parish Council had just taken on the lease of what became the recreation field and rolled it flat. This immediately caused serious flooding and damage to Dovecote Barn and Cross Farmhouse. Silty water cascaded over the frontage of Dovecote Barn just short of entering their front door and flooded their garage and pond before passing into Cross Farmhouse and the orchard. The flood waters passed over and down Cross Farmhouse driveway and upper pond and then into Dovecote Barn's orchard. Cross Farmhouse lower and larger pond was also contaminated by silty water. Silt blocked drains in the main driveway [by Melita] and in Cross Farmhouse driveway. I have photographs of all this.

We informed our insurance company who instructed loss adjusters who, in turn, arranged for a drainage engineer to investigate the problem, make a report and draw up plans for remedial action. The engineer's recommendations included claiming damages from the landowner/Parish Council and for the landowner/Parish Council to install a properly engineered drainage scheme.

Mr and Mrs Frayne and ourselves made representations about the problems during the planning application process, including reporting our drainage engineer's findings, but our proposals and recommendations were not considered by Parish or District Councillors to amount to a cogent objection to the drainage proposals of ploughing furrows to arrest rainwater flow.

Ploughing furrows did not stop the flooding. What it did was to greatly increase the amount of silt in the flood water that then completely blocked all our drains. As a consequence of Caradon DC's failure to properly consider our drainage objection we successfully complained to the Ombudsman. The Ombudsman, in his decision dated 19 March 2003, required Caradon DC to pay us and the owners of Dovecote Barn compensation and:

“to carry out at its own expense the drainage scheme proposed by Mr and Mrs Alpha's [Jarvis] insurance company's consultant and connect it to the drain on Mr and Mrs Alpha's property; if permission to enter the land is refused for the work, then the Council should discuss with me an alternative method of remedying the injustice from the continued flooding at the complainants' properties.”

The drainage design in 2001 was for all the playing field water to drain out under Cross Farmhouse driveway and garden but, in the event [2005?], the playing field run off was piped away to the south of Dovecote Barn with its outfall in Dovecote Barn's orchard approximately opposite the outfall from

Cross Farmhouse main drain. This layout was decided by Caradon DC in consultation with the respective land owners [Shovells and Fraynes] at cost of about £30,000 I believe. We were not involved with this final stage in the process and we were not given any documentation to record the final outcome. However, the Shovells should be able to produce it as it governs the maintenance and use of the playing field and is facilitated by their farm land.

As Jill and I are potentially adversely affected parishioners I do hope that BFPC's forthcoming purchase of the recreation area will be contingent upon an enforceable easement for the drainage scheme and its continuing maintenance in order to protect Cross Farmhouse [and Dovecote Barn].

Councillors are welcome to see photos or other relevant drawings, reports or other documents, or see the land for themselves with the drainage system in place that, from our viewpoint, has prevented flooding damage for the past 15 years.

Yours sincerely,

Chris Jarvis

(ii) Neighbourhood Plan

Dear Parish Councillors

Several years ago the Parish Council held an open meeting for members of the public to ask if they would like a Neighbourhood Development Plan. The answer was a resounding yes. A group was set up to produce one. After a lot of public consultation and many hours of hard work an initial document was sent to the Parish Council where it stalled (and is now probably out of date). This resulted in the original development group dissolving. For many months now this item has been deferred at the monthly meeting.

Reading the letter from Jonathon Luker, Principal Development Officer, in the minutes for July 2020 it appears that without a Neighbourhood Development Plan the Parish is open to having planning permissions passed that members of the community may feel are unsuitable for the parish. The Parish is also unable to claim the higher rate of community levy without a NDP. Such monies would be useful for improving the poor facilities within the Parish.

Please could the Parish Council please inform the parishioners what their timeline is for a Neighbourhood Development Plan and the date which they plan to present it to the public for final consultation.

Thank you

Helena Vallis
West Park
Hatt

579 Clerk's items

Policies for approval:-

- (i) Training & Development Policy
- (ii) Bad Debts & Fraud Policies
- (iii) Contracts Policy & Contract tendering procedure
- (iv) Co-option of Councillors process
- (v) Safeguarding statement
- (vi) Grants & Donations Policy

580 Date of next meeting.

The next Meeting of the Council will be the Public Meeting on Wednesday 23rd September 2020. This Meeting will be held at 7:30pm as a virtual remote access meeting for residents.

The Sub Committee will meet on Wednesday 23rd September 2020 at 6:00pm.

581 End of meeting

