

# LANIVET PARISH COUNCIL

## MINUTES OF THE PARISH COUNCIL MEETING

### HELD IN THE PARISH HALL, LANIVET

ON THURSDAY, 16<sup>TH</sup> FEBRUARY 2017 AT 7.15PM

Present: Cllr. S. Walker (Chairman)  
Cllr. D. Carter  
Cllr. T. Hancock  
Cwll. Cllr. C. Batters

Mrs. J. Burdon (Parish Clerk)  
Cllr. A. Harris  
Cllr. C. Vercoe  
1 Member of Public

Cllr. Miss P. Bolton (Vice-Chairman)  
Cllr. A. Barnaby  
Cllr. Mrs. J. Stickland

Minute	AGENDA ITEMS	Action
22/17	<b>Public Forum:-</b> Mr. Clive Bishop attended the meeting to observe this evening.	
23/17	<p><b>Members Declaration of Interest and Dispensation Requests:</b> - Councillors D. Carter, A. Harris and S. Walker declared a non-registerable interest under Paragraph 3.5A in the Lanivet Sport &amp; Recreation Trust.</p> <p>Councillor S. Walker declared a non-registerable interest under Paragraph 3.5A in the Village Newsletter.</p> <p>Councillor S. Walker declared a non-registerable interest in the decision for the grasscutting tenders on the agenda this evening.</p> <p>Councillor S. Walker declared a non-registerable interest in Planning Application No. PA17/00350 for Ian Lancaster.</p>	
24/17	<b>Apologies:-</b> Councillors Mrs. K. Walker, D. Batten, Mrs. J. Dent, Mrs. W. Grose.	
25/17	<b>Minutes of the Monthly Meeting held on Thursday 19<sup>th</sup> January 2017:-</b> The Minutes of the Monthly Parish Meeting held on Thursday the 19 <sup>th</sup> January 2017 were confirmed as a true and accurate record and duly signed by the Chairman (Proposed: Councillor Miss P. Bolton; Seconded: Councillor A. Harris)	
26/17	<p><b>Matters Arising from the Monthly Meeting held on Thursday 19<sup>th</sup> January 2017:-</b></p> <p><b>Page 1 Min.1/17 Co-option of Parish Councillor:-</b> Clerk reported forms had duly been signed by Councillor D. Batten and details had been sent to Cornwall Council.</p> <p><b>Page 2 Min.152/16 Trees on Triangle in Lanivet:-</b> Clerk reported she had put the Chairman in contact with the County Tree Officer to arrange a meeting on site. Chairman reported he attended a site meeting and was advised that the ends of the branches need cutting back and he was happy for Councillors to do themselves, mainly the sections that overhanging the footpath. He looked at a tree in the hedge of the Charity Ground and advised it is chopped off as well. It could be actioned under emergency powers but he needs to be informed of this when the work is carried out. There is also one opposite the Church Hall. Chairman suggested Clerk to inform County Tree Officer of the whole lot of trees to be cut <b>Action:</b> Clerk to email County Tree Officer to confirm works will be carried out as agreed at Site Meeting with Chairman.</p> <p><b>Page 3 Min.216/16 Clerks Contingency Plan:-</b> Clerk reported this is on-going as she was still in liaison with other Parish Clerks to finalise any paperwork <b>Action:</b> Clerk to action.</p>	<p>Clerk</p> <p>Clerk</p>

**Page 3 Min.217/16 Invoice for Bodmin Town Council:-** Clerk reported an email had been received from Anne Banks, Responsible Finance Officer of Bodmin Town Council as follows - I can confirm that Bodmin Town Council has received the funds from Cornwall Council on 22<sup>nd</sup> December 2016. As Stephen Facer mentioned below the next step in the process is for Bodmin Town Council to write to each Council setting out the criteria and any documentation required from an audit perspective to enable the release of the grant to each Parish. The Town Clerk is not currently in the office. However, I will look into this and take this matter to the next Finance, Staffing and Performance Management meeting which is on 16<sup>th</sup> February 2017 for Councils approval. Following which I will write to all concerned. If you have any further questions, then please do not hesitate to contact me **Action:** Keep Pending and Clerk to follow up and to let the Chairman know as soon as we hear.

Clerk

**Page 3 Min.217/16 Grant for Church for Water Connection:-** Clerk reported she had spoken with Val Moore and explained what was required and to leave with them to make an application if they so wished and what they would be expected to submit.

**Page 4 Min.270/16 Metal Telephone Cable located by the Village Green Stream:-** Clerk reported this has been reported to BT under Call Reference ww0fkr95 and they had been on-site today.

**Page 4 Min.6/17 Muddy Roads:-** Clerk reported details had been sent by Cornwall Councillor C. Batters and the Chairman and a response had since been received from Paul Allen of Cormac as follows – I refer to recent and on-going correspondence from your Parish Council, especially your Chairman S. Walker, with Cornwall Councillor C. Batters and my Highway Manager Rachael Tatlow regarding excessive mud on the highway. I also note that Cornwall Council's Legal Officer has been involved as well. It may be of reassurance to you that Cornwall Council is taking this matter seriously and that considerable officer time is being spent in trying to deal with the matter. I understand that the Legal Officer explained to Councillor S. Walker and Cornwall Councillor C. Batters that to take such matters down a formal route requires specific photographic evidence to be gathered showing the actual offence taking place on the public highway. With sufficient evidence it may be possible that legal action can be taken under the Highways Act. We have been looking for a test case which can be used as a template for all similar 'excessive mud on road' situations. I will be meeting with our Legal Officer soon to discuss how we build up a portfolio of evidence to prepare a robust investigation and potential prosecution. As you can appreciate my small team of staff cannot always get out in sufficient time to photograph offences taking place and we therefore rely on the photographic evidence from others showing the details and registration of vehicles causing the offence, the date and time of the offence being committed and the specific location on the highway in relation to identifiable features. I am also aware that the Police have powers to deal with these issues and a few years ago they actually prosecuted a farmer in the Mevagissey area for similar offences in which the Cormac staff assisted by providing evidence. I will therefore be contacting the local Police and hopefully such a joined up approach can be considered again with this specific case. In the meantime, I have written again to the farmer involved reminding him of his responsibilities to keep the roads safe for all users and that if he does not do so then the Council have powers to serve notice on him and to carry out mud clearance and seek recompense from him for such work. I hope that this reassures you that the matter is being taken seriously and that appropriate staff resources are continuing to work on the issue. If you feel that a further meeting is required, then please contact me? **Action:** Clerk to forward a copy of this to Cornwall Councillor C. Batters.

Clerk

**Page 4 Min.6/17 Community Chest Grant:-** Clerk reported the grant had now been received as noted under finance below.

	<p><b>Page 6 Min.12/17 Tour of Britain Proposal - Hastener:-</b> Email received from Dave Potter as follows - Many thanks for your reply and the support of Lanivet Parish Council. I intend to discuss the collective view with Cornwall Council on 30<sup>th</sup> January 2017 and will keep Town and Parish Councils updated on progress. Once again, many thanks and please feel free to contact me if, in the meantime, you have any questions.</p> <p><b>Page 9 Min.269/16(22) Resignation of Councillor A. Steele:-</b> Councillor D. Batten sent a message advising he purchased 6 "Camel Valley" Wine Glasses and 9 assorted bottles of wine for Alex Steele, which had been passed to Councillor Miss P. Bolton, Vice-Chair. Councillor Miss P. Bolton reported she had the glasses and wine and would discuss later.</p>	
27/17	<p><b>Monthly Report from Cornwall Councillor Chris Batters: -</b> Cornwall Councillor C. Batters reported as follows: -</p> <ul style="list-style-type: none"> <li>• Muddy Roads – At the last meeting he suggested the Parish Council send a letter and he re-thought and spoke to the Chairman and he believed a very strong letter should be sent to Cornwall Council about this and he drafted a letter along with the Chairman of the Parish Council who signed and sent on behalf of the Parish Council. All points were pushed in a sensible and strong way. Brief details of the letter sent were read out. Several responses were received from various Officers, along with Kate Kennally, Chief Executive Officer. This seems to have got things moving and correspondence had also recently been received from Simon Mansell, Legal Officer regarding the liability issue of the landowner causing the problems.</li> <li>• Signpost at Tremore Cross was reported last month and a response was received from Cormac advising they would be investigating.</li> <li>• Dip in the road at Lakeview – Cormac will be investigation but he has not heard back to date.</li> <li>• Micro Library – he spoke to Geoff Brown who advised it would be possible for Lanivet to have its own library; an application would need to be put forward.</li> </ul> <p>Chairman thanked Cornwall Councillor C. Batters for his report this evening and for attending the meeting.</p>	
28/17	<p><b>Highway Issues/Footpath Issues/Cornish Language Fellowship – Damaged Signs in the Parish: -</b></p> <p><b>Highway Issues:-</b></p> <p>Chairman advised he had reported all the drains were blocked at Lamorick Corner and later in the day he also reported the drains by the Car Park and Old Post Office and he was pleased to say that most were done yesterday, so thanks go to Rachael Tatlow and her team at Cormac.</p> <p>Cornwall Councillor C. Batters reported that Withiel Parish Council are greatly concerned about a new cycle trail surrounding Bodmin, possibly around Grogely, however, he has followed up and it is Cardinham. He believes Cardinham's next Parish Council Meeting will have a considerable amount of public in attendance.</p> <p>Councillor reported the branch coming out of Lamorick was dangerous. Chairman advised this had already been actioned today.</p> <p>Councillor A. Barnaby reported that up by the tip by the Saints Way there is 7 bags of rubbish and an old mattress <b>Action:</b> Clerk to follow up, copying in Cornwall Councillor C. Batters.</p> <p><b>Footpaths:- None.</b></p> <p><b>Damaged Signs in the Parish:-</b> None.</p> <p>Cornwall Councillor C. Batters left the meeting at 7.44pm.</p>	Clerk

29/17	<p><b>Planning Applications/Results/Correspondence received: -</b></p> <p>Councillor S. Walker declared a non-registerable interest in respect of the following planning application and duly left the room:-  <b>PA17/00350 – Ian Lancaster</b> – Application for a non-material amendment in respect of application PA16/006831 for: Addition of a window to the rear of the property on the first floor, Land East of Treclarren, Old Coach Road, Lanivet – <b>Support</b> (Proposed: Councillor A. Harris; Seconded: Councillor A. Barnaby)  Councillor S. Walker returned to the meeting room.</p> <p><b>PA17/00795 – St. Austell Brewery Co. Ltd</b> – Alterations and extension to existing public house, Lanivet Inn, Truro Road, Lanivet – <b>Support</b> (Proposed: Councillor D. Carter; Seconded: Councillor A. Barnaby)</p> <p><b>PA16/11953 – Mrs. Susan Collinge</b> – Application for removal of Condition 2 of Consent E1/2007/02335 – Occupancy restriction, Stephen Gelly, Bodmin – <b>Support</b> (Proposed: Councillor Miss P. Bolton; Seconded: Councillor C. Vercoe)</p> <p><b>PA17/01194 – Mr. Zak Hill</b> – Works to various trees covered by a Tree Preservation Order, Land at Pencarrow, Washaway, Bodmin – <b>Parish Council to go along with the County Tree Officer’s decision/comments</b> (Proposed: Councillor Miss P. Bolton; Seconded: Councillor A. Harris)</p> <p><b>Planning Results Received:-</b></p> <p><b>PA16/03628/PREA– Mr. Roy Redbourne</b> – Pre-application advice for residential development, Land North of Pine Lodge, Truro Road, Lanivet – <b>Closed – Advice Given</b></p> <p><b>PA17/00157 – Mr. B. Danneau</b> – Single storey extensions including rooflights, Penvivian Bungalow, Lanivet – <b>Approved</b></p> <p><b>Planning Correspondence:-</b> Email received from Julie Mitchell of Cornwall Council in respect of Planning Application No. PA17/00350 as listed above - Further to my email yesterday, I have spoken to the applicant for the above application and advised that the inclusion of a window on the rear elevation would not be a non-material amendment. He has requested that the plans are revised to include the window on the side elevation (south) as this faces towards the road. I have agreed to substitute the revised plan on the current file and my colleague re-consulted you with the revised description and plan yesterday. The expiry date for this is 13<sup>th</sup> February (14 days) as it is a non-material amendment and we only have 28 days to determine this type of application. I would be grateful if you could consider this at the meeting scheduled to be held on Thursday 16<sup>th</sup> February 2017 and let me have the Parish Council's comments on Friday the 17<sup>th</sup> February 2017.</p>	<p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>Clerk</b></p>																												
30/17	<p><b>Accounts &amp; Any Applications for Grants &amp; Donations (Including Appointment of new Internal Auditor): -</b> The Council approved payment of the following accounts for February (Proposed: Councillor A. Harris; Seconded: Councillor A. Barnaby): -</p> <table border="1" data-bbox="225 1742 1321 2116"> <tr> <td>Lloyds Bank</td> <td>£6.50</td> <td>Bank Service Charge</td> </tr> <tr> <td>Mrs. J. Burdon Clerk’s Salary Gross</td> <td>£393.75</td> <td rowspan="6">Bank Transfer 74</td> </tr> <tr> <td>Minus Income Tax</td> <td>£74.60</td> </tr> <tr> <td>Minus Employee Pension Contribution</td> <td><u>£21.65</u></td> </tr> <tr> <td>Nett Pay for February</td> <td>£297.50</td> </tr> <tr> <td>Office Contribution/Phone Expenses</td> <td>£35.00</td> </tr> <tr> <td>Expenses for February</td> <td><u>£37.42</u></td> </tr> <tr> <td>Total</td> <td><u>£369.92</u></td> <td></td> </tr> <tr> <td>CC Pension Scheme</td> <td>£95.28</td> <td>Bank Transfer 74</td> </tr> <tr> <td>Inland Revenue</td> <td>£74.60</td> <td>Bank Transfer 75</td> </tr> <tr> <td>British Gas</td> <td>£17.71</td> <td>Bank Transfer 76</td> </tr> </table>	Lloyds Bank	£6.50	Bank Service Charge	Mrs. J. Burdon Clerk’s Salary Gross	£393.75	Bank Transfer 74	Minus Income Tax	£74.60	Minus Employee Pension Contribution	<u>£21.65</u>	Nett Pay for February	£297.50	Office Contribution/Phone Expenses	£35.00	Expenses for February	<u>£37.42</u>	Total	<u>£369.92</u>		CC Pension Scheme	£95.28	Bank Transfer 74	Inland Revenue	£74.60	Bank Transfer 75	British Gas	£17.71	Bank Transfer 76	<p><b>Clerk</b></p>
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	Max Simpson	£75.00	000028	
	<b>Receipt:</b> Cornwall Council	£350.00	Community Grant	
	<b>Including Appointment of new Internal Auditor:-</b> Clerk reported she had obtained quotes as follows – Hudson Accounting Limited = £225.00; Paul Roberts = £70.00 and Aalgaard Renshaw Business Solutions = £225.00 plus vat. It was resolved to appoint Paul Roberts for this financial year (Proposed: Councillor A. Harris; Seconded: Councillor Mrs. J. Stickland) <b>Action:</b> Clerk to action.			<b>Clerk</b>
	Councillor S. Walker declared a non-registerable interest in respect of the Grasscutting Contract as per below:-			
31/17	<b>Update on Tenders for Grasscutting Contract for the next three-year period, commencing 2017:-</b> It was resolved to appoint The Lawn Ranger for Areas 1, 2, 3 and 4, although with regards to Area 3 he was asked to reduce down the cost and was happy to do so and we would expect to pay £230 per cut and not £300 and Briallen for Areas 5 and 6 and with regards to Area 6 we would take into consideration the fact about the work they suggest in this area and would be happy to liaise and meet with them on site to take forward (Proposed: Councillor Miss P. Bolton; Seconded: Councillor C. Vercoe) <b>Action:</b> Clerk to confirm			<b>Clerk</b>
32/17	<b>Defibrillator Programme for Newsletters etc:-</b> It was resolved to include on the next agenda and Cornwall Councillor C. Batters had left the meeting <b>Action:</b> Clerk to email Cornwall Councillor C. Batters for further information and to ask if there was someone from Cardinham that may wish to come along to our next meeting to explain the programme.			<b>Clerk</b>
33/17	<b>Area Network and Rural Parishes Meeting:-</b> Councillor S. Walker reported there is not a lot to update. It is now down to Bodmin Town Council. He has put in a complaint to Sarah Simms of Cornwall Council about the length of time they are taking to pay out the funds but there is nothing that can be done about this.			
34/17	<b>Lanivet Village Green/Play Equipment/Car Park (Including Claim for Alleged Accident and Damage caused by Pothole in the Village Car Park):-</b>  <b>Lanivet Car Park:-</b> Claim for Alleged Accident and Damage caused by Pothole in the Village Car Park – Letter received from Mrs. D. S. Garfield explaining damage caused at the said incident. It was resolved that Councillor Miss P. Bolton takes to her Solicitor and reports back following this to the Clerk, Chairman and Parish Councillors (Proposed: Councillor A. Barnaby; Seconded: Councillor D. Carter) <b>Action:</b> Next Agenda and Clerk to respond advising we are taking legal advice. Chairman reported that Henry Cooper as looked at the pothole today but he is not sure what he has done as yet.  <b>Lanivet Village Green:-</b> Councillor D. Carter reported he missed the last meeting to view the play equipment. Rospa are attending to carry out their annual site meeting in April, if a meeting is required with them there is an additional £42.00 to be paid. It was agreed to hold a site meeting on the Village Green on Friday 24 <sup>th</sup> February 2017 at 10.00am with Councillors and not to have a site meeting with Rospa.  Clerk reported following the site meeting with Kier the Chairman had confirmed that along with Councillors Miss P. Bolton, A. Harris and D. Batten they met Tony Ford from Kier and agreed what they would do with regard to the Village Green, a written undertaking should be received from them that they will make good any damage that they do. He advised that all Councillors in attendance were quite happy with what they proposed. They will be going in past the school with toilets, etc., as part of their proposals, this would be during Easter holidays. Clerk advised no written undertaking had been received to date. It was resolved to Clerk emails Tony Ford to follow up <b>Action:</b> Clerk to action.			<b>Cllr. Miss P. Bolton/Clerk</b>
35/17	<b>Camel Trail:-</b> Councillor Miss P. Bolton reported there has been a lot of work being carried out recently.			
36/17	<b>Cemetery Matters (Including any applications for memorials, inscriptions):-</b> Chairman reported he is meeting a lady in the Cemetery regarding the purchase of a plot.			

37/17	<p><b>Lanivet Parish Sport &amp; Recreation Trust:-</b> Councillors D. Carter, S. Walker and A. Harris declared a non-registerable interested and reported under Paragraph 3.5A:-</p> <p>Councillor D. Carter reported they have £853,000 to spend and the paperwork is taking some time. The money is available but paperwork needs to be put in place. The application for the pitch lighting will be submitted next week. There are a few small applications that they are still awaiting funding from.</p>	
38/17	<p><b>Public Conveniences Update:-</b> Email received from Roger Keast of Cormac as follows – I will take your advice on this if challenged and accept that Tupe will not apply. Our last day of attendance will be on the 19th February 2017 in line with your letter giving us one month's notice dated 19th January 2017. It is regretful that you have had to come to this decision but I do understand your reasons and can only apologise for our failure to supply you with the service required.</p> <p>Clerk reported she has not received the invoice with reductions for days not attended to date but would follow up if necessary when received.</p> <p>Chairman reported along with Councillors T. Hancock and D. Carter they had met with Alison Hawken and discussed the cleaning and opening/closing arrangements. She seemed very professional. He had spoken with Jonathan Stickland recently and they have made him redundant. Toilets would be opened between 6.00am to 7.30am. They would be cleaned last thing at night and then closed up; in the summer months this would be about 7.30pm.</p> <p>Councillor D. Carter reported not all of the Cormac Cleaners were bad, the lady he saw today was doing a brilliant job.</p>	
39/17	<p><b>Newsletter Reports/Parish Council Website:-</b> Chairman reported the Editor had advised it is coming up time to request a grant to support the newsletter. It was resolved to include on the next agenda <b>Action:</b> Next Agenda.</p>	Clerk
40/17	<p><b>Correspondence:-</b></p> <ol style="list-style-type: none"> <li>1. Cornish Buildings Group – Conference on Wednesday 8<sup>th</sup> February 2017 at Carnon Downs Hall, 7.00pm</li> <li>2. Cornwall Council – Bodmin Community Network Panel Meeting to be held on Wednesday the 12<sup>th</sup> July 2017.</li> <li>3. Cornwall Council – Bag your books before the Bodmin Library move</li> <li>4. Cornwall Council – Communities &amp; Devolution Newsletter – Planning Issue</li> <li>5. Cornwall Council – Notice of Intention from Licencing – Regarding the Re-adoption of Legislation</li> <li>6. Cornwall Council – Neighbourhood Planning Update</li> <li>7. Cornwall Council – Town &amp; Parish Council Elections – 4<sup>th</sup> May 2017</li> <li>8. Civic Voice – Free War Memorials Workshop in Truro on the 8<sup>th</sup> March 2017</li> <li>9. Cornwall Council – Communities &amp; Devolution Newsletter – Message from Cornwall Councillor Geoff Brown, Gas Safe, The Active Ageing Fund, The Environmental Growth Challenge Event</li> <li>10. Cornwall Rural Community Flood Forum – Launch of Important Report on SuDS</li> <li>11. Cornwall Council – Press Release re: Severe Weather</li> <li>12. Cornwall Council – Cyberattack on Tiverton Town Council</li> <li>13. Cornwall Council – AONB Annual Conference to be held on Saturday the 20<sup>th</sup> May 2017 from 9.30am to 4.30pm at Goonhilly Earth Station</li> <li>14. Cornwall Council – Communities &amp; Devolution Newsletter – Your Hedgehogs Need You</li> <li>15. National Farmers Union – Better Farming &amp; Better Planning</li> <li>16. Cornwall Rural Community Council – Cornwall Community Flood Forum Supports the Launch of an Important Report on SuDS</li> <li>17. Cornwall Council – The Environmental Growth Challenge 2017</li> <li>18. Rospa – Playsafety Outdoor Routine Playground Inspection Training Course</li> <li>19. Cornwall Council – Communities &amp; Devolution Newsletter – Additional Road Safety and Drainage Schemes – February 2017</li> </ol>	

<p><b>41/17</b></p>	<p><b>Urgent Parish Matters:-</b> Councillor Miss P. Bolton reported on the leaving gift for Alex Steele which she has at home and she suggested a date to pass to him and arrange a date. It was suggested Councillors all donate £10.00 each. It was resolved to invite Mr. Alex Steele to our next Parish Council Meeting, to attend at 8.30pm <b>Action:</b> Chairman to speak with Alex Steele to invite him along.</p>	<p><b>Chairman</b></p>
<p><b>42/17</b></p>	<p><b>Date of Next Meeting:-</b> Thursday the 16<sup>th</sup> March 2017 in the Parish Hall, Lanivet at 7.15pm. There being no further business to discuss the meeting closed at 8.27pm.</p>	

Signature: .....

Chairman

Date: 16<sup>th</sup> March 2017