

## **Minutes of the Annual Meeting of St Erth Parish Council held on Tuesday 15 May 2018 in The Vestry Rooms, Fore Street, St Erth, commencing at 7.12pm**

**Councillors present:** K.J. Buzza, Mrs. W.M. Chappell, M.J. Hanley, (Chairman), Ms. J. Kersey, P. Rodda, A. Spencer-Smith and E.T. Taylor (Vice-Chairman)

**Others present:** five members of the community, CC Lionel Pascoe, Vanessa Luckwell (Community Network Manager CC) and Peter Rylett (Clerk to the Council)

**Apologies for absence:** Councillor E. B. Jenkin

### **4/18-19 Appointment of Chairman**

Councillor Buzza had been proposed and seconded and there being no other nominations, the Council

**RESOLVED UNANIMOUSLY** - that Councillor K. J. Buzza be appointed Chairman of St Erth Parish Council for 2018-19.

Councillor Buzza read out the Declaration of Acceptance of Office and signed it, agreeing to observe the Code of Conduct in the performance of his functions in that Office. The Clerk to the Council signed as witness.

Councillor Buzza thanked his proposer and seconder and the Council for appointing him as its Chairman. He said that being Chairman was an honour and that he felt privileged to be able to continue to serve the Council and the community in this new role.

### **5/18-19 Appointment of Vice-Chairman**

The Chairman requested nominations for Vice-Chairman and Councillor Hanley was proposed and seconded. There being no other nominations, the Council

**RESOLVED UNANIMOUSLY** - that Councillor M. J. Hanley be appointed Vice-Chairman of St Erth Parish Council for 2018-19.

Councillor Hanley read out the Declaration of Acceptance of Office and signed it, agreeing to observe the Code of Conduct in the performance of his functions in that Office. The Clerk to the Council signed as witness.

The Vice-Chairman thanked the Council for appointing him to this position and said that he looked forward to supporting the Chairman, working alongside fellow Councillors and serving the community.

The Council recorded its thanks to Councillor Hanley for all of the work he had undertaken during his term of Office as Chairman.

### **6/18-19 Cheque signatories**

The Chairman informed the Council that in order to maintain a separation of duties, he would not become a cheque signatory and it was agreed that this function would be undertaken by the existing signatories.

## 7/18-19 Declarations of interest

Councillor Taylor declared a non-pecuniary interest in planning application PA18/03608: Removal of condition 2 (holiday lets not to be used during months of December and January) in respect of W1/88/P/0591 to allow all year holiday occupancy: 9 Trevithick Court, Tolroy Manor Holiday Park.

## 8/18-19 Minutes of the ordinary meeting of the Council held on 3 April 2018

The Clerk stated that:

1. Councillor Spencer-Smith had not been present and had submitted apologies;
2. he had agreed to a request from Councillor Ms. Kersey to add words to minute 185/17-18 Improving drainage meeting with 3MS Construction on 21 March, so that the text would now read:

“The Council noted the report of the Clerk on this matter concerning rectification of continued flooding to the public footpath following associated works and asked the Clerk to inform the neighbour of the attempts to improve the situation.”; and

3. minute number 177/17-81 should read 177/17-18.

The Clerk then updated the Council on the current situation with regard to the planning applications considered at the meeting on 3 April as follows:

PA17/11439: Listed building consent for internal and external alterations to Farmhouse including installation of rooflights, construction of storm porch, re-roofing single storey lean-to together with regularisation of works carried out to roof and external walls prior to listing. Refurbishment and extension of former goat house to form residential annex for use ancillary to main dwelling. Refurbishment of former cow house to form workspace. Construction of external paved areas: 9 Porthcollum Lane - *approved by CC.*

PA17/11438: Change of use of former agricultural land to the north of the farmhouse, including the former cow house, to residential curtilage. Internal and external alterations to Farmhouse including installation of rooflights, construction of storm porch and re-roofing single storey lean-to together with regularisation of works carried out to roof and external walls prior to listing. Refurbishment and extension of former goat house to form residential annex for use ancillary to main dwelling. Refurbishment of former cow house to form workspace. Construction of external paved areas: 9 Porthcollum Lane - *approved by CC.*

PA18/02134: T1 Birch (Fell) and T2 Ash (Reduce from 15m to 12m): Lanuthnoe Cottage, 25 Church Street - *approved by CC.*

PA18/02245: Non-material amendment to alter drainage arrangements in respect of decision notice PA11/09753: Land Adjacent to St Erth Railway Station - *approved by CC.*

PA18/01077: Use of 12A St Erth Hill as a separate property with reinstatement of boundary with 13 St Erth Hill: Construction of new entrance and driveway: Steppy Downs House, 13 St Erth Hill - *approved by CC.*

PA18/02522: Extension to rear of garage: 41 School Lane - *approved by CC.*

PA17/11072: Continued use, consolidation of existing permissions and proposed year-round use of land as Holiday Park: River Valley Caravan Park, Relubbus - *awaiting determination by CC.*

**RESOLVED** - that subject to the changes advised by the Clerk, the Chairman signs, as a true and correct record, the minutes of the ordinary meeting of the Council held on 3 April, 2018.

#### [9/18-19 Minutes of the meeting of the Governance Committee held on 17 April 2018](#)

The Chairman of the Committee presented these minutes and the Council

**RESOLVED** - that the minutes of the meeting of the Governance Committee, held on 17 April, 2018 be approved and the recommendations contained therein be adopted.

#### [10/18-19 Appointment of existing committees and proposed new committees etc.](#)

The Council considered the report of the Clerk and

**RESOLVED** - that the following committees be appointed/re-appointed:

- **Open Spaces Committee:** Councillors Buzza, Jenkin, Rodda, Taylor and one vacancy. (The Chairman of the St Erth Residents Association is co-opted in an advisory capacity).
- **Charges Committee:** Chairman and Vice-Chairman of the Council, Councillors Mrs. Chappell and two vacancies.
- **Governance Committee:** Councillors Buzza, Mrs. Chappell, Spencer-Smith, Taylor and one vacancy.
- **Highway Improvements Working Group:** Councillors Buzza, Hanley and Ms. Kersey.
- **General Data Protection Regulations Working Group:** the Clerk and Councillors Buzza, Spencer-Smith and Taylor.
- **Vestry Rooms Working Group:** the Clerk and Councillors Mrs. Chappell, Hanley and Rodda.

#### [11/18-19 Constitutions and Terms of Reference of committees etc.](#)

The Council considered the report of the Clerk and

**RESOLVED** - that the Constitution of the General Data Protection Regulations Working Group be amended to increase the membership from two to three Councillors and subject to that amendment, the Constitutions and Terms of Reference of the committees etc. listed above, be approved and adopted.

#### [12/18-19 Review of representation on external bodies and arrangements for reporting back](#)

The Council received and noted the report of the Clerk on external bodies as follows:

- a) **Hayle and St Ives Community Network Panel** - open to any Councillor to attend.
- b) **The Committee of Management of the Hayle Day Care Centre Trust** - Councillor Mrs. Chappell.

- c) **Penwith Access and Rights of Way Forum** - open to any Councillor to attend.
- d) **South West Water Odour Liaison Group** - Councillors Hanley and Taylor.
- e) **A30 Action Group/MP's Group** - open to any Councillor to attend.
- f) **SUEZ Liaison Group** - Councillor Hanley and the Clerk.
- g) **St Aubyn Estates Liaison Group** - Councillor Hanley and the Clerk.
- h) **Police Liaison Group** - Councillor Taylor.

### **13/18-19 Reviews required by Standing Orders**

The Council considered its Standing Orders and the list of items which Standing Order 5j required it to review on an annual basis.

Following consideration, the Council

**RESOLVED** - that the Governance Committee be requested to undertake the review of the matters listed below and report back to the Council during 2018-19:

1. standing orders and financial regulations;
2. arrangements, including any charters and agency agreements, with other local authorities and contributions made to expenditure incurred by other local authorities;
3. (in an election year), to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
4. inventory of land and assets including buildings and office equipment;
5. confirmation of arrangements for insurance cover in respect of all insured risks;
6. the council's and/or staff subscriptions to other bodies;
7. the council's complaints procedure;
8. the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998
9. the council's policy for dealing with the press/media.

### **14/18-19 Dates of Council Meetings**

**RESOLVED** - that ordinary meetings of the Parish Council be held on the following dates during the 2018-19 Municipal Year:

**2018:** 5 June, 3 July, 7 August, 4 September, 2 October, 6 November and 4 December; and

**2019:** \*8 January, 5 February, 5 March, 2 April and \*14 May.

(\*8 January rather than 1 January to avoid the Bank Holiday and to be clear of the Christmas and New Year period; and \*14 May rather than 7 May to be clear of any election period).

### **15/18-19 Planning and Listed Building applications**

The Council consider the following applications:

- a) PA18/02665: Single-storey rear extension to replace conservatory and raised patio to rear: 3 School Lane.

**RESOLVED** - that this application be supported.

b) PA18/03608: Removal of condition 2 (holiday lets not to be used during months of December and January) in respect of W1/88/P/0591 to allow all year holiday occupancy: 9 Trevithick Court, Tolroy Manor Holiday Park.

**RESOLVED** - that this application be supported.

c) PA18/03781: Proposed two classroom extensions and associated stores: St Erth Community Primary School, School Lane.

**RESOLVED** - that this application be supported.

d) PA18/03398: Variation of Condition 6 on Decision Notice PA11/09753 for the construction of a public transport interchange incorporating three car parks and a new traffic signal controlled junction with the A30; namely to alter and extend working hours for the South Car Park section of the site to 0700 - 2100 Monday - Friday and 0700 - 1900 on Saturdays: St Erth Station.

(Currently: 0800 - 1800 Monday to Friday; and 0800 -1300 on Saturdays); and

e) PA18/03397: Variation of Condition 6 on Decision Notice PA11/09753 for the construction of a public transport interchange incorporating three car parks and a new traffic signal controlled junction with the A30; namely to alter and extend working hours for the North Car Park section of the site to 0700 - 2100 Monday - Friday and 0700 - 1900 on Saturdays: St Erth Station.

(Currently: 0800 - 1800 Monday to Friday; and 0800 -1300 on Saturdays).

**RESOLVED** - that St Erth Parish Council objects strongly to these applications because the extended working hours applied for:

1. are being worked already and so this breach of planning control should be the subject of enforcement action (and the Parish Council will be making such a complaint);
2. are considered unneighbourly because if approved, will prevent the owners/occupiers of neighbouring properties from having the quiet and peaceful enjoyment of their homes, especially during the summer months;
3. will create an increase in construction traffic movements in that area in addition to the general increase in summer time traffic, especially during the school summer holidays, and when there is greater use of the recycling centre.

St Erth Parish Council, therefore, requests that this application be refused and that work continues during the hours previously permitted but that if the Case Officer is minded to approve this application under delegated powers, then it be referred to Committee for determination.

### **16/18-19 Approval of the Annual Governance Statement 2017-18**

The Council considered the report of the Clerk/Responsible Financial Officer, the report of the Internal Auditor and the comments received from the External Auditor last year regarding: a) the period allowed for the exercise of public rights; and b) the terminology used in the Internal Auditor's report.

**RESOLVED** - that the reports and responses be noted and the Annual Governance Statement be approved.

### **17/18-19 Approval of the Accounting Statements 2017-18**

The Council considered the Accounting Statements and

**RESOLVED** - that the Accounting Statements 2017-18 be approved.

**18/18-19 Reports from Councillors/Clerk on meetings of outside bodies held since the previous meeting of the Council**

- Police Liaison Group on 24 April - Councillor Taylor reported that he had not been invited to the first meeting of the Group due to a Police administrative oversight but he had attended the second meeting on 24 April with Councillor Mrs. Chappell. There had been no agenda and the meeting had not been particularly engaging. Whilst the meeting received talks on: locations of defibrillators; Neighbourhood Watch; and CCTV, there hadn't been an opportunity for the attendees to raise matters of concern or interest to them and so Councillor Taylor questioned the overall value of the Liaison Group. He would, however, attend the next meeting and report back to the Council in due course.

In view of this report, the Council requested the Clerk to write to Inspector Clarke suggesting ways to make the meetings more relevant to those outside the Police.

- Meeting at St Erth Station on 4 May - Councillor Hanley highlighted the main points of concern set out in his report, namely: repeated planning contraventions; the forthcoming meeting of the Community Network Panel which would receive a report and an opportunity for questions on the Hub project (at which Councillor Hanley would repeat his and the Council's concerns; and that it was now time to involve Derek Thomas MP with the outstanding matters of concern in view of how long it takes to resolve issues.

**19/18-19 Neighbourhood Plan (NP) and Referendum**

The Council received and noted the report of the Clerk.

**20/18-19 Receipts and Payments for April, 2018**

The Council considered this report and

**RESOLVED** - that the payments due be authorised.

The following had been received

Precept	£27,072.50
Council Tax Support	£1,186.82
Grant	£1,070.00
Cemetery fees	
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TOTAL	£29,329.32

The following had been paid by Direct Debit or Standing Order

Utility Warehouse	£21.41	Electricity - Vestry Rooms
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Chris Bray	£856.80	Grass cutting - parks, churchyard and cemeteries
SeaDog IT	£18.95	Website hosting fee
Google	£23.76	Gmail account
South West Water	£22.50	Water - Public Conveniences
British Gas	£23.00	Electricity - Public Conveniences
NEST pension scheme	£101.82	Employer contribution of £56.57 and employee contribution of £45.25
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TOTAL	£1,068.24	

The following payments were due as at 30 April 2018

P Rylett	£1,520.00	Clerk's salary (net pay - see <b>Note 1</b> below)
P Rylett	£377.47	Clerk's expenses (see <b>Note 2</b> below)
HMRC	£484.76	PAYE and NI
Cormac Solutions Ltd.	£	Cleaning - Public Conveniences April - awaited
CALC	£439.87	Annual membership
SLCC	£185.00	Annual membership
Cornwall Council	£336.00	Business Rates - Public Conveniences
David Gallie	£80.00	Internal audit fee
SeaDog IT	£240.00	Graphic design for referendum logo and licence and installation of website boombar notification
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TOTAL	£3,663.10	

**Note 1** The gross pay was £1,885.55 which included: the national pay award from 1 April 2018; £324.00 for Neighbourhood Planning work undertaken in April; and a refund of £1.13 for the Clerk's overpayment of his pension contributions in 2017-18. The net pay of £1,520.00 was the amount payable following deductions of tax and national insurance and with a deduction from the net pay of the employee's contribution to the NEST pension scheme of £45.25 as shown above.

**Note 2** The sum of £377.47 was comprised of:

Home Office Payment	£18.00	
Reimbursement of:		
Telephone calls	£0	
Postage/stamps	£229.00	
Consumables	£72.57	Ring binders, envelopes, copier paper and ink
Office equipment	£0	

Expenses	£4.50	Car Park Ticket for meeting with MP
Mileage	£53.40	Camborne on 16/4 for meeting with Planners, Threemilestone on 17/4 for meeting with WWA and Marazion on 20/4 for meeting with MP

**21/18-19 Exclusion of the Press and Public**

**RESOLVED** - that in accordance with S.1 (2) of the Public Bodies (Admission to Meetings) Act, 1960, the Press and Public be excluded from the meeting during the consideration of the following business owing to the confidential nature of that business.

**22/18-19 Pension arrangements**

The Clerk left the meeting while the Council considered this report which was presented by Councillor Buzza.

**RESOLVED** - that the employer contribution be increased by 1% for 2018-19.

The Chairman closed the meeting at 9.10pm

Signed by  
Chairman.....

Date.....  
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