

Minutes for the extraordinary MEETING of PORTREATH PARISH COUNCIL held on the Zoom Virtual Meeting Platform on Tuesday 4th May 2021, from 6:30pm



PORTREATH
PARISH COUNCIL

Councillors Chairman Mr. I. Stewart, Mr. C. Matijasevic, Mr. B. Jose, Mr. D. Ilett and Mr. M. Hitchen
Lucy Jose, Clerk to the Council
6 members of the public

8912 Chairman's Welcome

The Chairman welcomed those present to the extraordinary May meeting of the council and explained procedures for the virtual meeting.

8913 To Receive Apologies

The meeting received apologies from Cllr. Kendall and Symonds and noted that CC Duffin was not present.

8914 Declaration of Interests

None

8915 Public Participation Session, when members of the public may raise matters with Councillors

Mr Dave Crabtree introduced himself and read an update on the £4 flood alleviation project for Portreath he had received from the Environment Agency (EA). Mr Crabtree informed the meeting:

- The EA have confirmed that all hydraulic modelling is now complete
- A natural flood management walk over has recently been carried out
- The design process is now due to start
- The council should expect to see the first design drafts in 1 – 2 months
- Works on the project will start in September 2022
- The contractor Kier would be carrying out the works.

8916 To confirm the minutes of meetings held on Monday 12th April 2021

Cllr. Jose proposed that that the minutes for the meeting held on 12th April 2021 be signed as constituting an accurate record of proceedings. This was seconded by Cllr. Ilett, put to the meeting and carried unanimously.

8917 To consider how business will be transacted by this council for the period of time following the expiration of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and the removal of social distancing measures, or when the Government confirm that all adults have been offered the Coronavirus Vaccine, authorise any actions and consider any associated expenditure

The clerk informed the meeting that she had taken advice from Cornwall ALC and explained that CALC advises that

Where Essential Business That Can Only be Carried Out During a Physical Meeting_(e.g., appointing a Chairman, signing the AGAR forms, Co-opting Councillors, awarding contracts) a meeting should take place;

Ensuring social distancing measures are in place

- Councillors and public asked not to attend if they have or suspect they may have COVID 19
- Ensure venue is sanitised prior to use
- One way system for the building where practicable
- All attendees asked to check in with covid app (or recorded if unable to do digitally)
- Provisions of hand sanitiser and masks
- Keep meetings to essential business only
- Meet outside where practicable

Essential/Urgent Council Business Where practicable decisions to be deferred until it is safe to meet physically. Where urgent decision is required, decisions to be made under delegated authority by the Clerk in consultation with the Chairman and Vice Chairman

Where essential business must be transacted, the views of councillors and where relevant the public will be ascertained by email prior to the decisions being made under delegated authority. All decisions made under delegated authority to be ratified at a physical meeting of the council when safe to do so. A record of delegated decisions will be made, and published on the website.

Non- Essential Council Business

To be deferred until it is safe to meet physically.

The meeting agreed that this was sound advice and that it should be followed by this council.

8918 To extend the adopted the scheme of Emergency Delegation to the Clerk, in consultation with the Chairman and Vice Chairman

The Chairman proposed that the scheme of emergency delegation to the Clerk on consultation with the Chairman and Vice Chairman be extended until at least the time where all government social distancing measures are removed and when all of the adult population have been offered their COVID vaccines. This was seconded by Cllr. Jose, put to the meeting and carried unanimously.

8919 Review the document adopted on the 23rd March; amended 4th May 2020 and 5th January 2021 - COVID-19: Portreath Parish Council Plan

Proposed by the Chairman and seconded by Cllr. Hitchen the meeting unanimously resolved to add the recommendations made by the Clerk under item 6 on the agenda to the COVID-19: Portreath Parish Council Plan.

8921 To receive the report of Cornwall Councillor Joyce Duffin, authorise any actions and consider any associated expenditure

None

8922 Planning

(a) To give consideration as consultees to:

- i) Proposed demolition of bungalow and erection of two semi-detached dwellings
Bramble Moor, Sunnyvale Road, Portreath – PA21/01875

The Chairman summarised the proposal and the Clerk displayed plans of the proposed.

The Chairman invited public to address the meeting. A neighbour spoke in objection to the proposal, highlighting the unstable land behind the current dwelling and the proposal for digging down to road level to achieve the design proposed. The neighbour stated that they felt the size and scale of the proposed was unacceptable and highlighted the over shadowing this proposed would cause. The Neighbour highlighted that the proposed would be repositioned on the plot to be closer to the road. The Neighbour commented that they could see the need for modernisation of the dwelling but felt a single bungalow would be better suited to the location.

Councillors debated the proposal at length, commenting that they felt it was overdevelopment of the plot which had already been split to and utilised for another dwelling. Councillors commented that the design was overshadowing, overbearing and overlooking to the neighbouring properties. Councillors noted that planning policy may see the proposed as infill, which they felt may get support from planning officers. Councillors commented that the three-story design was overbearing. Councillors noted public comments on the planning portal regarding the disruption such development would have on the neighbours and commented that a construction and traffic management plan was essential for such development. Councillors referred to the NDP commenting that 2 and three-bedroom developments should be supported.

The Chairman proposed that Members of Portreath Parish Council raise no objections to the application. This was seconded by Cllr Hitchen, put to the meeting and overturned with 3 votes against the proposal.

Cllr. Jose counter proposed that members of Portreath Parish Council object to this proposal due to the overbearing, overshadowing and overlooking nature of the proposal to the neighbouring properties. This was seconded by Cllr. Matijasevic, put to the meeting and carried with three votes in favour and two votes against the proposal.

- (b) To give consideration as consultees to any planning applications received since the preparation of this agenda

Conversion and extension of existing garage to provide residential apartment with variation of conditions 2,4 and 5 of decision PA199/00355 dated 13/08/2019

Rose Villa Farm, The Garage, Penberthy Road, Portreath- PA21/03574

The Chairman summarised the proposal and invited the planning agent to address the meeting. The Planning agent referred to some supporting photograph submitted with the application. The Clerk confirmed that these had not been published on the planning portal. Following short discussion, the council asked the Clerk to contact the relevant planning office and ask for the supporting information to be made publicly available and ask that the consultation be extended to allow time for the public and councillors to see the supporting documents.

- (c) To give consideration to any planning applications referred to the council under the 5-day notice protocol

The meeting noted that application PA20/10946 had been brought to the council under the local council's protocol as the officer is minded to refuse the application.

The Applicant addressed the meeting and asked councillors to push that this application be decided at planning committee. The applicant highlighted the reasoning for the officers recommending refusal being the comments of the WHS officer and commented that the comparison to an application out of this parish was irrelevant as the proposal was so different, the applicant highlighted the recently approved development in the neighbouring property.

Councillors debated the proposal stating their wishes to support the application as ask for the planning committee to decide. Members commented that that would seek the support of the local member in bringing this to committee. Councillors commented that the report from the planning officer was contradictory.

Cllr. Ilett commented that when looking at previous planning applications this council had expressed concern at the possible precedent development of the back gardens of Greenfield Terrace may set and expressed concern for users of the coast-to-coast trail which passed along Sunnyvale Road where the proposed development would take place.

Cllr. Matijasevic proposed that members of this Council respond to the consultation with option three and ask that the application be decided by the planning committee, and ask that the divisional member give their support in bringing the application to the planning committee. This was seconded by Cllr. Jose, put to the meeting and carried. One councillor abstained from the vote.

- (d) To note any planning appeals
None

- (e) To receive the report of planning decisions and correspondence and authorise any actions
The meeting noted that planning applications PA21/00151 and PA21/00265 had been approved.

8923 To receive the following reports, authorise any action and consider associated expenditure

(a) Finance

- i) To receive report on the balance of the bank account
The clerk reported that on the 1st May the balance of the current account stood at £34503.31 and the balance of the Savings Account stood at £30,220.13. The Chairman signed the bank statements.

- ii) To approve the bank reconciliation for the month of April 2021
The Clerk presented the Bank reconciliation for the month of April 2021 to the meeting. This was approved by councillors and signed by The Chairman.
- iii) To receive the Payment Schedule for the period 1st April 2021 – 30th April 2021 and authorise payment of invoices received and payments scheduled for 1st May 2021 – 31st May 2021
The clerk displayed the payment schedule with payments totalling £3818.06 for the period 1st April 2021 – 30th April 2021 and the payments totalling £13824.50 scheduled for 1st May – 31st May 2021. The Chairman proposed that the clerk line up payments as listed in the schedule. This was seconded by Cllr. Ilett, put to the meeting and carried.
- iv) To note any income received
The Clerk reported income of £32992.18 made up of the 1st instalment of the Precept and the first payment of the CTS grant.
- v) Review the budget for the year ending 31st March 2021 and consider implications for the 21/22 budget
- vi) The Clerk presented the budget to the Councillors. The Clerk highlighted a small shortfall in balance brought forward, and commented that this would be rectified by the VAT reclaim once it comes in.

(b) Clerks Report

- i) General Report
 - **CiLCA:** The Clerk Reported good progress in the CiLCA course over the last few weeks and only 1 unit remaining to complete. The Clerk reported that she had drafted an action plan for the council and a publication scheme which should be considered for adoption at a future meeting.
 - **Audit:** The Clerk confirmed that she had been working with the internal auditor and was confident that it would be possible to sign the AGAR forms at the annual meeting in May.
 - **Notice Boards:** The Chairman confirmed that he had received the final quote for the notice boards and that the cost of the boards was £2718.99 +vat. The Chairman stated that posts would also need to be ordered and a contractor to install the boards and move the old boards also needed to be found. The Clerk agreed to continue to liaise with Highways on the relocation of the notice board at the top of Tregea Hill.
 - **Bollards Chynance:** The clerk confirmed that Highways have stated that following contact with legal team they did not believe any properties had right of vehicular access the pedestrianised area and that bollards would remain in place. The Clerk agreed to write to all the residents that had opposed the bollards explaining the situation.
 - **Residential Waste Collection at Cambrose** – The Clerk confirmed that Cornwall Council had agreed to meet to discuss the waste collection at Cambrose and asked councillors who wished to attend the meeting. The Chairman and Cllrs. Hitchen and Jose all showed interest and the Clerk agreed to set a date for the meeting.
 - **Bulb Increase:** The Clerk informed councillor of the unit price increase in electricity from the current supplier at the toilets. The Clerk informed councillors the unit rate currently stood at 13.64p /kwh and the increase unit fee would be 18.52p /kwh. Councillors asked the clerk to look into alternate suppliers. The Chairman proposed that the Clerk switch suppliers if a more competitive tariff could be sourced under delegated authority. This was seconded by Cllr Jose, put to the meeting and carried.
- ii) Parish Council Elections 6th May 2021 (co-option to fill remaining vacancies)
The Clerk confirmed that following the advice of Cornwall Association of Local Councils the co-option process to fill the remaining vacancies must be triggered by the new council when they take their seats. The Clerk agreed to put this on the agenda for the first meeting of the new council.

- iii) Consider venues for physical meetings once social distancing measures are removed
The meeting considered alternate venues for physical meeting as it was felt that the school is not a suitable venue and asked the clerk to make enquiries with the church hall and Millennium Hall for availability.

8924 To note the 1% CPIH increase for the 12 months up to March 2021 relevant to the contracts for:

- Contract for the Grounds Maintenance – Land surrounding the Public Conveniences and Former Public Toilets Block: Portreath
- Contract – Litter Collecting in the Parish of Portreath.
- Contract for the Management of the Portreath Parish Public Toilets

Councillors noted the 1% increase in the contracts and the Clerk confirmed that this increase was included in the budget.

8925 To Consider entering into a Service Level Agreement with Cornwall Council Parking Enforcement to include 2 additional 1-hour visits per week from enforcement officers at a cost of £36 weekdays, £45 on Sundays and £54 on bank holidays, authorise any action and consider associated expenditure

Following debate councillors chose not to enter into a service level agreement for parking enforcement at this stage and to revisit this decision if required later in the tourist season.

8926 To adopt the Grants policy, authorise any action and consider associated expenditure

The Clerk presented the Grants policy to the meeting. The meeting noted the inclusion of an emergency grant and working amendments as highlighted in the previous draft examined on the 22nd March and suggested typing errors in section 2 be corrected.

Cllr. Ilett proposed that Portreath Parish adopts the revised grants policy. This was seconded by The Chairman, put to the meeting and carried unanimously.

8927 To adopt the new Code of Conduct from Cornwall Council, authorise any action and consider associated expenditure

The Clerk informed the meeting that Cornwall Association of Local Council advised that the new Code of Conduct is not adopted at this time and suggested that the current code of conduct is adequate at this time.

The Chairman proposed that Portreath Parish Council continues with its current code of conduct until otherwise advised by Cornwall ALC. This was seconded by Cllr. Jose, put to the meeting and carried unanimously.

8928 Update on projects for the year 20/21 expenditure

a) Former Public Toilets

The Chairman reported that he had met with a local auctioneer to seek advice on the potential sale of the former toilet building. The Chairman informed the meeting that the auctioneers advised a guide price of £65,000.00. The Chairman informed the meeting that there would be some legal work required prior to any sale and that the decision for the future of the building was that of the new council.

b) Public Toilets

The Chairman informed the meeting that there were a number of reactive maintenance incidents that have needed attention including the replacement of the lock on one of the doors, ordering a spare lock to keep in stock and he need to replace the stepper valve in one of the toilet flush systems at a cost of £122 + Vat and postage.

c) Neighbourhood Development Plan Steering Group (NDP SG)

Cllr. Matijasevic informed the meeting that the regulation 16 documents were now with Cornwall council who would shortly be commencing the public consultation on the document. Cllr. Matijasevic confirmed that consultation would run from the 13th May – the 22nd July and details would be advertised by Cornwall Council, as well as in the parish notice boards and on the NDP and parish websites and social media pages.

d) Flood Defence

The Chairman referred to the report given by David Crabtree under item 4 on the agenda (minute ref:8915)

e) General Signage

The Chairman asked the Clerk to remove this from further agendas.

f) Major Meetings

The Chairman reported attending the recent CPIR meeting, stating that there was little to feed back other than the disappointment of the change in the Cornwall Council website. The Chairman encouraged members and the clerk to write to Cornwall Council and complain at the poor upgrade works that have been effected.

g) Mining Trails and Mining Villages Regeneration Group (MVRG)

Cllr. Ilett reported that there had been no response from Gavin Henderson regarding the resident's complaint about the tram at Cambrose. CC Ilett informed the meeting that the bench at Cambrose was in a stat of ill repair and need removing. The Chairmen confirmed that this would be monitored by Cornwall Council and removed by them when the next inspect.

Cllr. Hitchen raised concern for pedestrians travelling between the coats to coast trail and the new Tolgus Trail and offered to replace the dilapidated bench at his own expense. The Clerk agreed to raise these with Cornwall Council.

h) IT Support

None

i) WAAF Site

None

j) Duke of Leeds Land

The meeting concurred that the new council should consider the implications of this being common land.

k) Risk Assessments

None

l) Portreath Climate Action Network (CAN)

None

8929 To receive various items of correspondence, authorise any action and consider associated expenditure

a) Correspondence circulated by email.

There were no requests to follow up any correspondence circulated by email.

b) General correspondence

- Dangerous Parking on Tregea Hill

The Clerk reported correspondence received from a local bus driver highlighting the danger of the parking on double yellow lines at the top of Tregea Hill. The Clerk confirmed that she had responded to the driver and requested that they asked their employer to also write to this council.

c) Correspondence received since the preparation of this agenda

- Gwel an Mor Development –The clerk confirmed that they had received an email expressing concern regarding rumours of potential development. The Clerk confirmed at this stage any news of development was indeed rumours and that the parishioner had been responded to, confirming that any development would be required to go through the full planning process.
- Harbour Masters House – The Clerk informed the meeting that correspondence had been received from neighbours concerned regarding developments at the property. The Clerk informed the meeting that the neighbours had been directed to contact Cornwall Council planning department with their concerns.
- Closure of Disabled toilet – The clerk reported that correspondence had been received regarding the closure of the accessible toilet. The Clerk confirmed that the complainant had been informed that this was for essential, reactive maintenance and that the cubicle would be opened as soon as practicable.



8930 To give consideration to any applications received for grants/donations

None

8931 To agree the date of the next meeting,

- Annual Meeting of the Council Monday 17th May, 6:30pm, St Mary's Church Hall
- Full Council Meeting, 7th June 2021, 6:30pm, St Mary's Church Hall

The Meeting confirmed the date for the annual meeting of the council on the 17th May and the next full council meeting on the 7th June. Councillors noted that these physical meetings would be kept to essential, urgent business only.

8932 To resolve under the 1960 Public Bodies (Admission to Meetings) Act to exclude the press and public due to the confidential nature of the business to be discussed

The Chairman proposed that under the 1960 Public Bodies (Admission to Meetings) Act that the meeting move into closed session and to exclude the press and public due to the confidential nature of the business to be discussed. This was seconded by Cllr. Jose, put to the meeting and carried unanimously.

Cllr Hitchen left the meeting.

8933 To consider the quotations for the 21/22 insurance policy for the council, authorise any action and consider associated expenditure

Cllr. Matijasevic outlined the quotes for the insurance for this council for the year 21/22.

Councillors considered the quotations and the Chairman proposed that the quote from Zurich Insurance be accepted, with the amendments as advised by Cllrs. Matijasevic and Ilett following their review of the cover. This was seconded by Cllr. Ilett, put to the meeting and carried unanimously.

8934 Close of Meeting

The Chairman thanked everyone for their attendance and participation and closed the meeting at 8:52pm.

7th June 2021

Chairman – Cllr. Ian Stewart