

Minutes from the Annual MEETING of PORTREATH PARISH COUNCIL, held on the Zoom Virtual Meeting Platform on Monday 6th July 2020, 6:30pm



Present: Councillors Mr. C. Matijasevic, Mr. I. Stewart, Mr. B. Jose, Mr. D. Ilett, Mr. S Kendall (from point indicated)
Cornwall Councillor Joyce Duffin, Lucy Jose - Clerk to the Council
11 members of the public

This meeting was held virtually in accordance with *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020*.

8616 To receive nominations for and appoint Chairman for the year 2020/21

Thanking members and the Clerk for their support during his time as chairman the outgoing Chairman invited nominations for the position of Chairman for the year 20/21. Cllr Ilett nominated and proposed that members vote Cllr. Stewart as Chairman for the year 2020/21. Members voted unanimously that Cllr. Stewart be installed as chairman for the year 20/21.

8626 Signature of Declaration of Office Register by newly appointed Chairman

Cllr. Stewart signed the Declaration of Acceptance of Office Register, witnessed by councillors and the Clerk & Proper Officer Lucy Jose.

8623 To receive nominations for and appoint Vice Chairman for the year 2020/21

The Chairman invited nominations for Vice Chairman, Cllr. Jose proposed that Cllr. Matijasevic be nominated for this role. This nomination was seconded by Cllr. Ilett, put to the meeting and carried unanimously.

8684 Chairman's Welcome

The Chairman welcomed councillors and public to the meeting, explaining the format of the meeting and when parishioners would be invited to address councillors.

8685 To receive apologies

Apologies were recorded from Cllrs Hitchen and Symonds.

8686 To Receive Declarations of Interest

Cllr Jose declared an interest in planning application PA20/03744, the Clerk also declared an interest in this planning application. The chairman explained to the meeting that on this occasion with the meeting being virtual and the Clerk being required for the running of the meeting, and as the Clerk would not be joining in any discussion or voting on the outcome she would remain in the meeting during discussion.

8687 To confirm the minutes of meetings held on Monday 1st and Monday 15th June 2020

Cllr. Matijasevic proposed that that the minutes for the meeting held on 1st June 2020 be signed as constituting an accurate record of proceedings. This was seconded by Cllr. Jose, put to the meeting and carried.

Cllr. Ilett proposed that that the minutes for the meeting held on 15th June 2020 be signed as constituting an accurate record of proceedings. This was seconded by Cllr. Matijasevic, put to the meeting and carried.

8688 Public Participation Session, when members of the public may raise matters with Councillors None

8689 Review of standing orders and financial regulations;

Members noted that the Standing Orders had been reviewed and new standing orders adopted on the 13th May 2019 and that the Financial Regulations had been reviewed and updated on the 2nd December 2019. The Chairman proposed that no further action was needed at present on these documents, this was seconded by Cllr. Matijasevic, put to the meeting and carried.

8690 Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.

The Clerk summarised the council's contracts, arrangements and suppliers.

Confirming that contracts existed with:

E Sampson	Litter Picking
K Richards Landscaping	Grounds Maintenance (toilets)
M Southerden	Management of Public Toilets
Wallgate	Service Contract for hand wash units in toilets
SSE Contracting	Streetlighting maintenance

Arrangements are currently in place with:

Diane Green	Payroll Support
S Hudson Accounting	Auditor
PKF LittleJohn	Auditor
Vision ITC	Website Hosting, Data Back Up IT Support
ICO	Registration as Data Controller

Regular suppliers included:

BULB	Electricity; Toilets paid by Direct Debit
South West Water Business	Water & Sewerage; Billed quarterly, paid by BACS
EDF	Electricity; Streetlighting, billed quarterly paid by BACS
NEST	Pensions; Monthly Direct Debit

8691 Review of representation on or work with external bodies and arrangements for reporting back;

Following short discussion, it was agreed that councillors would continue to represent the Council as in the year 2019/20

CPIR Community Network: Cllr Stewart & Cllr. Matijasevic

Police Liaison: Doris Butler (on behalf of Portreath Parish Council)

North Kerrier Reference Group: Doris Butler (on behalf of Portreath Parish Council)

Mining Villages Regeneration Group: Cllr Ilett & Cllr. Stewart

Mining Trails Group: Cllr Ilett

NDP SG: Cllr. Matijasevic and Cllr. Ilett

Portreath CAN: Cllr Symonds

Cllr. Kendall joined the meeting at 18:49

8692 Review of inventory of land and other assets including buildings and office equipment;

Cllr. Ilett summarised the asset register for 20/21, commenting there was no change from the previous year.

The Chairman enquired if the Grit bins should be included on the register. CC Duffin agreed to confirm ownership of the grit bins as this remained a grey area. Cllr. Ilett commented that these would be a liability rather than an asset.

8693 Confirmation of arrangements for insurance cover in respect of all insurable risks;

The Clerk confirmed that insurance cover was in place for all insurable risks with Zurich Insurers, and confirmed the renewal date as the 1st June 2020, however recommended a review of supplier be diarised for March 2021

8694 Review of the Council's and/or staff subscriptions to other bodies;

The Clerk confirmed that the council had renewed the annual memberships to Cornwall Association of Local Council's and the National Association of Local Councils. The Clerk also confirmed membership of the Society of Local Council Clerks, commenting that this new subscription had proved invaluable during the COVID 19 pandemic.

8695 Review of the Council's complaints procedure;

Members noted that this procedure needed review, councillors concurred that this should be looked at when the next model document is published.

The Clerk commented that as part of the training she was currently undertaking many of the policies and documents for the council would be reviewed over the next year.

8696 Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);

The meeting noted that the current policies were out of date and required updating and implementing during this year.

8697 Review of the Council's policy for dealing with the press/media;

The meeting noted that the policy should be reviewed and implemented during this year.

The Chairman commented that any contact from the media or press should be referred to the Clerk for response and that Councillors should not respond to the press or media on behalf of the Council.

8698 Review of the Council's employment policies and procedures;

Councillors noted that there was currently only one employee of the council and that the employment policies and procedures need to be reviewed and implemented during this year.

8699 Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972.

The Clerk explained what spending under S137 meant and summarised the spending for the year 19/20 and the year 20/21 to date, commenting that the S137 Budget for 19/20 was £1500 and that £2534 had been spent in total including donations to the community, remembrance Day expenditure the Commemorative Plaque on the sea wall and VE Day Coins for the children in the Parish.

The Clerk confirmed that the S137 Budget for 20/21 was set at £2000 and spending to date totalled £55 spent on PPE donated to Harbour House during the COVID 19 pandemic.

8700 Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

Noting that the council usually has a break from meetings in August the dates for ordinary council meeting for the remainder of the year 20/21 were set as the first Monday of the month, (with the exception of August) at 6:30 pm, to be held on the Zoom virtual meeting platform until it is safe to hold a physical meeting of the council, when advice allows meetings with revert to being held at Portreath CP School. Making the dates for meetings; 7th September 2020, 5th October 2020, 2nd November 2020, 7th December 2020, 4th January 2021, 1st February 2021, 1st March 2021 and 12th April 2021 and the 21/22 annual; meeting of the Council would be held on the 17th May 2021 and due to the current restrictions on physical meetings the venue would be confirmed nearer to the date of the meeting.

Members discussed the need for an additional meeting in August to cover planning matters arising and the review of the budget, and projects for the year 20/21. The Chairman proposed that an extraordinary meeting be called on the 3rd August to cover these matters. This was seconded by Cllr. Matijasevic, put to the meeting and carried.

Following further discussion, The Chairman proposed that this council meets virtually with representatives of Portreath CAN on the 20th July 2020 at 6:30pm to look at the draft of the Climate action Plan. This was seconded by Cllr. Matijasevic, put to the meeting and carried.

8701 Review the document adopted on the 23rd March; amended on the 4th May - COVID-19: Portreath Parish Council Plan

The Chairman recapped on the full review of the document at the meeting on the 15th June 2020.

Members noted that all contractors had now returned to work. Following short discussion members were happy with the document and no changes were made.

8702 To receive the report of Cornwall Councillor Joyce Duffin, authorise any actions and consider any associated expenditure

CC Duffin addressed the meeting summarising how Cornwall Council had been working during the pandemic and commenting that work was returning to normal as that they were no longer responding to the crisis but were now looking to recovery particularly in reference to the council's budget. CC Duffin reported that having staff working from home would likely continue as this also aids in meeting its commitments for its Climate Emergency Policy.

CC Duffin highlighted some concerns from residents regarding parking in the area of Chynance and Forth a Nance. CC Duffin commented that it is an ongoing issue and that parking in the village was being looked into by highways and Devon & Cornwall Police. CC Duffin stated that the issue was particularly a problem where residents have double yellow lines outside their garages and no allocated parking. CC Duffin referred to residents parking areas but commented these often weren't a suitable solution as demand for parking spaces would likely outweigh the places available and that the residents would incur cost for parking permits and a parking space would not be guaranteed. Councillors concurred that a meeting with Highways should be arranged and asked CC Duffin to move this forward.

The Chairman asked CC Duffin to also follow up with highways the need for the double yellow lines to be repainted in a number of areas as highlighted in a recent survey from parking enforcement. CC Duffin agreed to take this up with Highways along with other faults identified in the survey.

Cllr. Matijasevic thanked CC Duffin for the Grant from her Cornwall Councillor's Community Fund which has helped with the costs of reopening the toilets and ensuring them be COVID secure.

The Chairman asked CC Duffin to follow up the S106 grant money, asking that specification for spending be made available as to benefit the local school.

8703 Planning

(a) To give consideration as consultees to:

i) Proposed additional floor to family dwelling

8 Hillside, Portreath – PA20/03915

The Chairman explained the location of the proposed. The Clerk highlighted the support from neighbours on the planning portal and letters of support which had been sent directly to this council. The Chairman invited the applicant to address the meeting.

The Applicant explained the proposal stating that his family had out grown the current property and that the proposed changes were to ensure his family would be able to stay in the parish of Portreath.

Councillors discussed the proposal. Cllr. Matijasevic commented that he was pleased to see that there had been consultation by the applicant with neighbouring properties. Following further discussion, the Chairman proposed that members of Portreath Parish Council support the application. This was seconded by Cllr. Jose, put to the meeting and carried.

ii) Conversion and alteration of former Methodist Church into residential dwelling

Methodist Church, Bridge Hill, Bridge – PA20/03438

Councillors discussed the proposal stating that renovating the building was preferable to the previous proposals where the building would have been demolished. Cllr Jose proposed that members of Portreath Parish Council support the application. This was seconded by Cllr. Ilett, put to the meeting and carried.

iii) Erection of a 2 bed dwelling

Land at Chapel Meadows, Chapel Meadow, Porthowan – PA20/03850

The Chairman summarised the proposal recapping on the planning history of the plot. The Clerk summarised the public feeling of strongly objecting to the application from the comments on the planning portal.

The Chairman invited members of the public to address the meeting. The first neighbour and objector spoke at length about concerns about the developer, however these issues were unrelated to the specific application.

The second neighbour and objector highlighted:

- The potential impact on the community, stating that the development was already cramped.
- The lack of parking available for the current residents.
- Access to the estate was narrow and already hazardous and that further development would exacerbate this issue.
- Questionable ownership of the land where the proposed was to be built.

A third neighbour and objector echoed the points raised by the second, adding that many children live on the estate and that the parking on pavements that was already existed was an accident waiting to happen. This objector stated he felt the design was good but not suitable for the plot proposed.

The planning agent addressed the meeting explaining the history of the proposed site, stating that the bungalow had been the original design but however previously led by planners to develop a house on the plot which had then been refused. The agent highlighted that the proposed included parking for two vehicles and that the design had front and rear amenity space for the dwelling. The planning agent stated that the area was in sustainable location.

Councillors entered discussion about the proposal commenting that they had given support previously when the initial design was for a bungalow. There was some discussion regarding overdevelopment of the area and that the proposed may look out of place in the street scene, however councillors concurred that they felt not of these objections were strong enough should this go to planning committee. Councillors empathised with the residents regarding the difficulties suffered during the development of the site and the parking issues.

Cllr. Matijasevic proposed that members of Portreath Parish Council raise no objections to the proposal. This was seconded by the Chairman put to the meeting and carried. Cllrs Jose and Kendall abstained from the vote.

iv) Proposed residential development of 4 residential dwellings

Land Off Forthvean Road, Porthowan – PA20/04003

The Clerk highlighted the strong objections on the planning portal from residents and a number of other consultees including St Agnes Parish Council, and commented that following the community governance review it was likely this land would fall solely into the St Agnes Parish.

The Chairman invited the representative for the objecting neighbouring residents to address the meeting. The representative started by informing the council that many neighbouring properties to the site of the proposed have spent many thousands of pounds dealing with run off from the site of the proposed and the surrounding fields. The representative then articulated the objections of the residents stating:

- The proposed would not constitute rounding off of a development as the plot was open on two sides and would likely lead to further development across the hillside.
- The design of the proposed 2 storey dwellings will be overbearing to the neighbouring properties and is out of keeping with the surrounding properties
- There is inadequate room for cars to turn in the proposed design and there were only two parking spaces per dwelling and that with properties of the size proposed would not be sufficient.
- The sewerage system for the area is inadequate for the current demand and would not support the additional dwellings proposed. There was a major incident regarding the sewerage system on the 23rd June this year.
- Forth Vein Road is not a maintained highway.
- There is no local need for large, 4-bedroom dwellings in Porthowan as demonstrated in the St Agnes Parish NDP.

- There has been no local consultation by the developer. These comments were echoed by other neighbouring residents.

The Chairman summarised the objections of the residents and the majority of other statutory consultees including St Agnes Parish Council. During debate it was noted by councillors that the strong advice of the planning officer at the pre application stage to engage with the local residents and parish councils had been ignored.

Cllr Jose proposed that Portreath Parish Council object to the proposal stating that it was felt that proposal was a potential flood risk and that the current sewerage system would not cope with the additional load. That councillors felt that the proposal could not be classed as rounding off a development and object to construction on agricultural land and that the design of the proposed properties was not in keeping with the surrounding properties. This was seconded by Cllr. Matijasevic, put to the meeting and carried unanimously.

- v) Proposed Change of use of domestic garage into Pilates Studio

Hilltop Cottage, Mile Hill, Porthowan – PA20/04636

The Chairman summarised the proposal. The Clerk read a short statement from the applicant. Following short discussion, proposed by the Chairman, seconded by Cllr. Jose members of Portreath Parish Council resolved to support this proposal.

- vi) Formation of a new opening in the rear wall of the dwelling at 1st floor level, leading to a raised platform into the rear garden as means of escape in the case of a fire

7 Tregea Terrace, Portreath – PA20/03744

Cllr Jose declared an interest in this application and the meeting witnessed him leave the room he had been sharing with the Clerk. The Chairman recapped the position of the Clerk with regards to interest in the application (agenda item 6, minute ref: 8686)

The Chairman summarised the application and following short discussion, proposed by Cllr. Matijasevic, seconded by Cllr. Ilett the members of Portreath Parish Council resolved to support this application.

The Clerk invited Cllr. Jose to re-join the meeting.

- (b) To give consideration as consultees to any planning applications received since the preparation of this agenda
Members noted that planning application PA20/04996 had been received since the preparation of this agenda and would be considered at the August meeting.
- (c) To give consideration to any planning applications referred to the council under the 5-day notice protocol
The meeting noted that planning application PA20/03662 had been referred under the 5-day notice protocol; and that members responded to agree with the recommendations of the planning officer.
- (d) To note any planning appeals
Members noted the planning appeal for planning application PA19/02247.
- (e) To receive the report of planning decisions and correspondence and authorise any actions
Members noted that planning applications PA19/10638, PA20/02895 and PA2004336 had been approved and that planning applications PA20/03662 and PA20/02254 had been refused. The Clerk informed members that application PA20/04336 for non-material amendment to the proposal at Sea Sands, Battery Hill had been determined without the comments of this council as the planning officer was not willing to wait for the council to meet to agree comments.

8704 To Complete and approve the Annual Governance Statement for the year 2019/20

Following debate Cllr. Jose proposed that the Annual governance statement be completed with the response yes to questions 1-4 and 6-8, No to question 5 and n/a to question 9. This was seconded by Cllr. Ilett, put to the meeting and carried. The Annual Governance Statement was signed by Chairman with councillors as witnesses, having been signed by the Clerk prior to the meeting (due to the COVID 19 restrictions).

8705 To Approve the Accounting Statements for the year 2019/20

The Clerk presented the Annual accounting figures to members. Following debate, the Chairman proposed that the Annual Accounting statement be signed by the Chairman as a fair representation of this Council's finances. This was seconded by Cllr. Matijasevic, put to the meeting and carried.

8706 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 the balance of the current account stood at £12783.18 and the balance of the Savings Account stood at £35220.13 on the 1st July 2020.

Following discussion regarding the date for the next precept instalment the Chairman proposed that the Clerk transfer up to £10,000.00 from the savings account to the current account as required to cover the council's expenses until the precept payment was cleared. This was seconded by Cllr. Matijasevic put to the meeting and carried.

ii) To approve the bank reconciliation for the month of June 2020

The Clerk presented the Bank reconciliation for the Month of June 2020 to the meeting. This was approved by councillors and signed by the Chairman.

iii) To receive the Payment Schedule for the period 1st June – 6th July 2020 and authorise payment of invoices received and payments scheduled for 7th July 2020 – 7th September 2020

The clerk displayed the payment schedule with payments totalling £6667.88 for the period 1st June – 30th June 2020 and the payments totalling £10618.26 scheduled for 1st July – 7th September 2020. 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

Members noted income totalling £285.09 received during the month of June and refund £696.76 from Openreach which would be included in the accounts for July.

(b) Clerks Report

i) General Update

The Clerk informed members that it had been agreed under the scheme of delegated authority that she would be undertaking the CiLCA qualification in order to both develop her skills as clerk and develop the council on a whole. The Clerk explained this would take a fair amount of work and would mean that the council would spend time looking at its policies and procedure in the coming months.

The Clerk informed members she would be taking two weeks holiday during August and would put place arrangements for details of who to contact in case of urgent council business during this time.

The Clerk highlighted the need for the budget to be reviewed and the projects for the year 20/21 agreeing to include these on the agenda for the extraordinary meeting on the 3rd August

The Clerk confirmed that although they had not been distributed at the time, the VE day commemorative medals would be distributed to the children of the parish during the following week.

The Clerk informed the meeting that she had informally met with Simon Jefferies of the EA and that the flood alleviation project was still moving forward, but had been understandably held up by the current situation. The Clerk informed the meeting that more funding was potentially available for the project which would aid natural flood management further upstream. Councillors expressed concern that the project may not come to fruition if there were too many holdups and the current funding was no longer available.

ii) Consider wording for the Policy, General Public Communicating with the council and councillors

The Clerk and Chairman highlighted a gap in council policy regarding communication from members of the public directly individual councillors, in particular where a councillor is approaching another councillor as a member of the public rather than as a councillor. The meeting acknowledged that parishioners (and councillors with pecuniary interests) are within their rights in contacting councillors individually, however the meeting noted how such communication could be perceived by members of the public. The meeting concurred that the communication policy needed reviewing and updating. Members noted that all councillors have signed the code of conduct encouraging councillors to be open and transparent in their behaviour and actions. Wording for the policy was discussed and it was proposed by the Chairman that the wording:

‘Should any councillor wish to make any representations to the council about a personal matter in which they have a pecuniary interest in, it should be done in writing to the clerk and not directly to any other councillors’ be included within the communications policy. This was seconded by Cllr. Jose put to the meeting and carried.

8707 Consider a response to the Cornwall Council consultation regarding the temporary 12-month renewal of existing dog control Public Spaces Protection Order which will expire in October 2020, authorise any action and consider associated expenditure

The Chairman summarised the consultation stating that due to COVID 19 a full public consultation was not possible and the Cornwall Council were asking opinions of delaying the review by 1 year to enable a full consultation on the PSPO's. The Chairman commented that some of the of the PSPO's were relevant Portreath, and the 'Cornwall Council Public Space Protection Order (Dog Exclusion) Order 2017' listed the Park on Sunnyvale road under the order was incorrect as the as the lease for the play area had now been taken back by PIC that PSPO was now on private land so no longer relevant.

The Chairman proposed that the clerk respond supporting the delay in the consultation to 2021, and informing Cornwall Council that The Portreath Park on Sunnyvale Road is privately owned so should be removed from the order. This was seconded by Cllr. Ilett put to the meeting and carried.

8708 Update on the Public Toilets, review COVID 19 risk assessment, authorise any action and consider associated expenditure

The Chairman updated the meeting and informed councillors that the toilets had been open since the 15th June, and other than one small act of vandalism, running was going smoothly. The Chairman confirmed that the contractor was competently managing the facilitates and that the Openreach telecommunications pole had now been re-sited at the end of the toilet block and was no longer obstructing the building. The Chairman confirmed that a refund of £696.76 had been received from the initial survey fee and the he had requested a refund equivalent to the cost of replacing the pole from the relocation fee, due to the pole being in need of renewal at the time of the pole being relocated.

Cllr Matijasevic reported that the grant which had been applied for from CC Duffin's community fund had been awarded at a total of £750 and that he was awaiting a response form the Lottery Grant and the Cornwall Council High Street's reopening grant that had been applied for, commenting that if successful details of how businesses could access the high street grant monies would be publicised.

8709 Receive report regarding parking enforcement, authorise any action and consider associated expenditure

The Chairman confirmed that he and the Vice chairman had met virtually with Zoe Hall, Parking Enforcement Manager from Cornwall Council to discuss the possibility of arranging a service level agreement for the provision of additional parking enforcement officers in the parish.

The Chairman commented that the meeting had been helpful and explained that Portreath was currently a trial area for deploying additional parking enforcement patrols. The Chairman gave the figures for the three weeks of the trial commenting that in each week there were a number of tickets issued during the trial.

The Chairman explained that there would be the possibility on having additional enforcement visits to the parish at a cost of £35 plus vat per hour and that to make the most of this having it tagged onto a current visit as the hours cost would include the officer travel time, and that the cost would increase on a Sunday.

The Chairman highlighted the areas that needed upgrading from the report provided by Ms Hall that he had earlier in the meeting referred to CC Duffin to push for action.

Discussion followed regarding the potential to find a volunteer that could be trained to issue civil enforcement with regard to environmental crime such as littering and dog fouling. Members discussed if this volunteer could be paid and the idea of working with other local councils to employ a person for this role.

Following the discussion members agreed to hold any action until the trail of the additional patrols had been completed and the decision of the grant awards had been received. The council concurred that decisions could be made on this matter under the scheme of emergence delegated authority if deemed necessary.

8710 To receive various items of correspondence, authorise any action and consider associated expenditure

The Clerk reported on correspondence received including:

- Request for Residents Parking Scheme in Chynance. This had previously discussed under item 22 on the agenda (minute ref: 8702), members noted that CC Duffin had been asked to arrange a meeting with Adrian Drake of Highways.
- Complaint regarding Litter on New Walk. Members discussed the areas covered by the current litter picking contract and asked the Clerk to get the contractor to provide for a price to add this to a current litter pick as a one-off pick.
- Complaint regarding the reduction of the bushes adjacent to the toilets. The Chairman asked the Clerk to respond to the complainants with the reasoning behind the actions.

8711 To give consideration to any applications received for grants/donations

None

8712 To Agree the date of the next meeting, Monday 7th September 2020, 18:30

Members agreed that the date of the next full council meeting be held on the 7th September at 6:30pm on the Zoom Virtual meeting platform.

The Chairman reminded the meeting of the dates of the next two extraordinary council meeting being held on the 20th July at 6:30pm and 3rd Aug at 6:30pm both also to be held on the Zoom virtual meeting platform.

8713 Close of Meeting

The Chairman thanked members for their participation and the public for their attendance and closed the meeting at 8:56pm.

7th September 2020

Chairman – Cllr. Ian Stewart