

St Mellion Parish Council Meeting

Tuesday 11th October 2016 at 7pm in the Church Hall, St Mellion

Minutes

In attendance: Cllr Ian Waite (IW), Chair; Cllr Geoffrey Postles (GP), Vice Chair; Cllr Anita Brocklesby (AB); Cllr Steve Crook (SC); Cllr Jean Dransfield (JD); Christine Douglas (CD), Clerk to the Parish Council.

No members of the public.

1. Councillor matters

1.1 To receive apologies for absences

None.

1.2 To receive declarations of pecuniary interests

None.

1.3 To receive declarations of non-registrable interests

None.

1.4 To approve written requests for dispensations

None.

2. Previous Parish Council meetings (13th September 2016)

2.1 To approve the minutes

It was proposed by IW, seconded by GP and **RESOLVED**

That the pre-circulated minutes were a true reflection of the ordinary meeting (public and closed sessions) held on 13.9.16.

IW signed and dated the minutes.

2.2 To note matters arising from the minutes

(i) Average speed camera data: the Safety Camera Unit confirms this is collected and analysed annually. St Mellion specific data will be forwarded later in the year.

(ii) Golf buggies using main road and vehicles driving through Church Lane: reply received from PCSO Tom Cornwell (dated 17.9.16). The Resort confirms that electrically powered golf buggies cross the road/public highway by the tennis courts. Drivers must sign a notice of liability which makes them responsible for any incidents on the road. Anyone driving on the road in a mechanically propelled vehicle must have the vehicle covered with insurance, MOT and road fund licence. Should these vehicles be found driven on the highway, drivers will be dealt with appropriately by the police.

Regarding the reported speeding and contravening of the restricted access zone in Church Lane, a police vehicle monitored traffic flow between 1545 and 1630 on a weekday during w/c 12.9.16. The users were all in connection with the school and there was no excessive speed. The presence of a police vehicle slowed the traffic dramatically. The operation was to be repeated during w/c 19.9.16. A community speed watch for Church Lane will also be requested.

(iii) PA16/06080 erection of detached dwelling with garage at the Yard, Dunstan Lane: an appeal against Cornwall Council's refusal has been submitted to the Planning Inspectorate. All those who made a comment to Cornwall Council have been notified and comments will be forwarded to the Planning Inspectorate. Further information on Cornwall Council's website.

(iv) PA16/07546 classroom extension at St Mellion VA C of E School: approved with conditions. Further information on Cornwall Council's website.

(v) Royal Mail post box replacement: boxes at Dunstan Quoin and in the village not yet replaced, and box at Dunstan Lane not yet cleaned. CD to follow up with Royal Mail.

3. Questions from the public

None.

4. Planning matters

4.1 Section 106 measures: to receive an update on proposals for a full package of works (traffic calming and footpaths in Church Lane, light on The Glebe path, bus shelters)

Amendments agreed by the Parish Council on 13.9.16 to CORMAC's plan (dated 1.9.16) for traffic calming measures and footways in Church Lane were confirmed to Cornwall Council and Provelio on 14.9.16. Costings for a full package of works were requested for 11.10.16. As this deadline could not be

met, a meeting has been arranged with Cornwall Council and Provelio at New County Hall in Truro on 26.10.16. It was agreed that IW, GP and CD would attend. Councillors were asked to consider expenses for this: £50 mileage; £20.91 subsistence; £50 for CD's time; total £120.91. It was noted these expenses are in line with the Parish Council's expenses policy for Councillors (approved 9.12.14) would cover a second meeting with Cornwall Council arranged on the same day (see item 5.5.1).

It was proposed by AB, seconded by SC and **RESOLVED**

To approve expenses up to a maximum of £130 for Councillors Waite and Postles, and the Parish Clerk, to attend meetings on the Parish Council's behalf at New County Hall, Truro, on 26.10.16.

4.2 PA14/04185 solar farm at Newton Ferrers: to receive an update on road remediation near Clapper Bridge

IW to follow up with Jason Bradbury at SAG. Further update on 8.11.16.

4.3 Planning training for clerks (6th October): to receive an update

CD attended planning training at Launceston Town Hall. This was a three hour plenary session, plus exercises, with 30 delegates. Documents to be circulated to Councillors. CD showed several of the key charts and confirmed St Mellion Parish Council has appropriate planning procedures in place and is following policy guidelines correctly. CD was unable to put GP's requested question re lack of enforcement for completing developments once started but will email the speaker about this.

5. Highway matters

5.1 Given names for key parish roads

5.1.1 To receive an update on naming Church Lane

Email dated 2.9.16: Cornwall Council has confirmed the changes to Royal Mail who have amended their Postcode Address File to show all addresses in Church Lane as 'Church Lane, St Mellion, SALTASH, PL12 6RG'. The changes are live on the postcode finder on Royal Mail's website and will show on other organisations' databases dependent on the frequency of their updates. Royal Mail has written to all addresses that are affected by the changes. No further action.

5.1.2 To receive an update on naming Bealbury Lane

Feedback has been gathered from all affected addresses except one (rental property). All but one support the proposal although there were alternative suggestions for the route itself. Councillors discussed the following route options: Amy Tree to Horsepool; Amy Tree to Dunstan Quoin; Amy Tree to the A388 via Dunstan Quoin (this being the preferred option for several residents).

It was proposed by IW, seconded by JD and **RESOLVED**

To request Cornwall Council initiate the process for formal naming of the road between Amy Tree and the A388, via Dunstan Quoin, as Bealbury Lane.

CD to submit request to Cornwall Council and also notify Royal Mail of the proposal.

5.1.3 To receive an update on naming Wollaton Lane

Further to the decision at item 5.1.2, Councillors reviewed a previous proposal for Wollaton Lane to run from Viverdon roundabout to Horsepool, past the Resort and down to the River Lynher boundary with Pillaton parish. This was revised so that Wollaton Lane starts at Horsepool, runs past the Resort and down to the River Lynher. The road from Viverdon roundabout through Horsepool and along to Dunstan Quoin then would be Horsepool Lane. CD to produce a map of these proposals, plus a list of affected residents, for Councillors to approach.

5.2 Tree cutting and overgrowth clearance on pt9143: to note response from Savills

Email dated 5.10.16: the Diocese has instructed Fountain Forestry to address all their roadside/residential trees and will be asked to prioritise St Mellion. Their advice on tree safety works will be confirmed to the Parish Council in due course. CD still pursuing ground clearance.

5.3 Clapper Bridge traffic restrictions: to receive update on sign installation by CORMAC

Signs have been ordered. Installation date to be confirmed. Further update on 8.11.16.

5.4 Signpost repair and refurbishment: to receive an update from Irons Brothers

Work due to finish this month. A photo of the refurbished fingers is on the website. Update on 8.11.16.

5.5 Village relief road

5.5.1 To note proposed meeting with Cornwall Council

As per item 7.9.3 from 13.9.16, a meeting has been arranged with Bert Biscoe, Nigel Blackler (Head of Strategy, Economy, Enterprise & Environment) and/or Jeremy Edwards who works for Nigel. This is the same day/location as the meeting in item 4.1 (26.10.16 in Truro), to be attended by IW, GP and CD, and covered by expenses agreed under item 4.1. Matters to discuss include a proposed date for the relief road and if a feasibility study will support funding approval.

5.5.2 To note updated proposal for noise assessment by WSP

Proposal dated 4.10.16 had been pre-circulated to Councillors. This is an updated version of the proposal dated 9.1.15. Councillors agreed to raise this at the meeting under item 5.5.1 and then discuss further on 8.11.16.

6. Transport matters

6.1 Proposed safe passageway for cyclists/pedestrians between Callington and Saltash

6.1.1 Feasibility study: to discuss draft brief from Cornwall Council

Councillors agreed the brief is clearly worded and very comprehensive. Date of initial meeting tbc.

6.1.2 Funding for feasibility study: to receive an update on LDF application

Approval was confirmed to CD on 7.10.16. Monies will be transferred to Cornwall Council's Transportation team. VAT implications being discussed with Cornwall Council.

6.1.3 Survey of users: to receive an update on Survey Monkey questionnaire

There are 241 responses to date (221 on-line and 20 hard copies). IW to deliver poster to Callington Surgery practice manager. SC to look into inputting hard copies to system. CD to update analyses.

6.1.4 Correspondence with Sheryll Murray MP: to receive an update

Conversation with Sheryll's office on 10.10.16 confirms the letter to the Chancellor of the Exchequer about central government funding has been passed to the DfT. A response is expected before the next Parish Council meeting on 8.11.16. CD forwarded the feasibility study brief to Sheryll.

6.2 Bus shelters for St Mellion

6.2.1 Non-advertising shelters: to receive an update on funding sources

To be discussed at the meeting agreed under item 4.1.1. CD confirmed Cornwall Council's policy on bus shelters has been agreed and BSL is the preferred supplier. Other suppliers may be approved on an individual basis pending their product technical specifications.

6.2.2 Land for northbound bus stop in village: to receive an update

The solicitors acting for both parties require a Land Registry compliant plan of the site. It is suggested that the Parish Council arranges this because (a) the Parish Council has knowledge of size and location requirements for the shelter; (b) all legal costs are being met by the Parish Council anyway (from one of two S106 funds); (c) it will expedite the matter.

6.2.3 To approve expenditure on survey for land for northbound bus stop in village

Cornwall Council has quoted £150 +VAT to produce a Land Registry compliant plan. The surveyor is available to attend on 13.10.16. As per Financial Regulation 11.1(a)(ii), three estimates are not required because it is a 'specialist service'. The fee will be refunded from 2007 S106 monies if these are used for bus shelters, or could come from the solar farm S106.

It was proposed by IW, seconded by GP and **RESOLVED**

That Cornwall Council be instructed to survey, and produce a Land Registry compliant plan for, land at Roskilly, St Mellion, for the purpose of demarcating and registering a site for the northbound village bus shelter, at a quoted cost of £150 +VAT, to be refunded to the Parish Council from 06/01399/FUL S106 or PA14/04185 S106.

6.3 Frequency of buses on number 12 route: to note information from Citybus

Citybus confirms the no. 12 runs hourly but frequency is currently disrupted by lateness. Mon-Fri, St Mellion to Plymouth is 0707, 0757, then two mins past the hour until 2202. A similar timetable operates for Saturdays, and every two hours at quarter to the hour on Sundays. The 12A also passes through St Mellion Mon-Sat at 0942, 1142, 1342, and 1542.

7. Parish Council finances

7.1 To approve monthly payment schedule for October 2016

The payment schedule (totalling £447.90) had been pre-circulated to Councillors. CD presented a revised document that included a further payment to the Information Commissioner's Office for £35. This increased total payments to **£502.90**. Related invoices were circulated amongst Councillors. IW confirmed CD's time sheets and reimbursements for September 2016 had been approved by two Councillors prior to payroll being run. Councillors had no further queries.

It was proposed by IW, seconded by AB and **RESOLVED**

To approve the payment schedule dated 11.10.16 for a total of £502.90.

IW signed/dated the payment schedule and cheques were signed at the end of the meeting.

7.2 To receive an update on formal complaint to Lloyds

Lloyds offered £200 as a gesture of goodwill to compensate for issues associated with transferring the bank account from HSBC. CD has accepted on the Parish Council's behalf.

7.3 To receive an update on opening a secondary account with Lloyds

The secondary account was opened on 10.10.16. Councillors discussed transferring the £25k compensation payment from the current account to the secondary account, and to receive any PA14/04185 S106 monies from Cornwall Council into the secondary account. IW recapped the resolution from the extraordinary meeting held on 12.6.16: *To open a second Parish Council bank account to handle community benefit and compensation payment transactions, once the switch from HSBC to Lloyds has been completed.*

It was proposed by IW, seconded by JD and **RESOLVED**

That the £25k compensation payment from Ralos be transferred from the Parish Council's current bank account to the secondary bank account.

A letter to Lloyds instructing this transfer was signed at the end of the meeting.

It was proposed by IW, seconded by AB, and **RESOLVED**

That PA14/04185 S106 monies received from Cornwall Council be paid into the Parish Council's secondary bank account.

7.4 To approve request for Councillor travel expenses for Localism Summit on 31.10.16

GP estimated his expenses as 69 miles x 45p, i.e. £31.05. This is in line with the Parish Council's expenses policy for Councillors approved on 9.12.14.

It was proposed by IW, seconded by AB, and **RESOLVED**

To approve expenses for Cllr Geoffrey Postles to attend to the Localism Summit on 31.10.16 up to a maximum of £40.

7.5 To review funds available to the Parish Council and approve potential uses

A summary sheet dated 7.10.16 had been pre-circulated to Councillors and shown on-screen. CD summarised changes vs 11.7.16: LDF for the safe passageway feasibility study now approved; number and cost of speed tables in Church Lane reduced from five to four, and £50k to £40k respectively, and associated consultation costs/fees increased from £5k to £10k; relief road noise assessment study added at £7,564; Clapper Bridge width limiter removed.

7.5.1 To note response from NALC re funding works to buildings owned by religious organisations (Bealbury Chapel and the church hall)

Legal advice from NALC plus their Legal Topic Notice (LTN) 31 on 'S137' payments had been pre-circulated to Councillors and shown on-screen. NALC advises that, according to section 8 of the Local Government Act 1894, the Parish Council cannot contribute towards the cost of any church buildings and property. This would include the proposed works to community facilities at Bealbury Chapel and in the church hall. LTN31 advises on conditions under section 137 (S137) of the Local Government Act 1972 where the Parish Council could make limited contributions to Bealbury Chapel and the church hall. S137 cannot be used, however, to 'get around' a statutory limitation or condition, or avoid a prohibition. CD to seek clarification from CALC/NALC on the application of S137.

Note the resident who provided hanging baskets for the church hall does not require reimbursement.

7.5.2 Parish map for the website

To be discussed in closed session for reasons of competition.

7.5.3 Bench for The Glebe

IW read out a request from a resident of The Glebe for £400 towards the cost of a bench (total £500 inc VAT, resident to contribute £100). The bench would be in memory of the resident's late wife and installed on the site of a previous seat. The land is owned by Cornwall Housing which has given permission to install the bench (email dated 10.10.16) as long as the Parish Council is responsible for the general upkeep, maintenance and safety inspections. Photos of the proposed bench were shown and it was noted the item is fully assembled without metal fixings and has a ten year wood treatment. The bench would be added to the Parish Council's asset schedule and insurance cover (at no additional premium for the current year and <£5 for the subsequent year). Other residents had agreed to clear the proposed site and install the bench.

It was proposed by GP, seconded by AB and **RESOLVED**

To approve the request for £400 for a bench for The Glebe to be funded from the solar farm compensation payment.

NOTE: this request was treated as a trial for the 'community grant' application form and guidelines. Feedback was that both were clear and easy to use. CD to finalise documents (to incorporate feedback from Bealbury Chapel trial application) for discussion and approval on 8.11.16. Councillors agreed the name of 'Community Grant Scheme' and that the £25k compensation payment from Ralos be allocated to this, for further review at the annual Parish Council meeting in May 2017.

It was proposed by IW, seconded by SC and **RESOLVED**

To allocate the £25k compensation payment from Ralos to the St Mellion Parish Council 'Community

Grant Scheme', to be reviewed at the annual Parish Council meeting in May 2017.

7.5.4 Parish notice boards

An example of specifications and costs had been pre-circulated. Councillors agreed the costs of £1,300-£1,900 were high and unjustified given the current notice boards are still in a serviceable state of repair. SC to report to Councillors if their condition changes.

7.5.5 Other suggestions arising

GP to discuss Dunstan Lane bench with St Mellion Park Residents' Association, and also raise the 'community grant scheme' with St Mellion school.

8. Parish Council governance

8.1 To approve revisions to Financial Regulations to incorporate requirements of the Public Contracts Regulations 2015

Revisions had been approved on 14.6.16. A draft of further revisions dated 5.10.16 had been pre-circulated to Councillors and shown on-screen. Financial Regulation 11 (Contracts) had been reworded to clarify the Parish Council's approach to contracts of different values, and also to incorporate the requirements of the Public Contracts Regulations 2015, further to advice from CALC, Cornwall Council and the Parish Council's auditor. Reference to 'Accounts and Audit (England) Regulations 2011/817' was removed from Financial Regulation 1.10 following advice from CALC that these have been superseded by 'transparency rules'. The current relevant legislation is the Audit Commission Act 1998 (referred to throughout the Financial Regulations).

It was proposed by IW, seconded by AB and **RESOLVED**

To approve the revised Financial Regulations dated 5.10.16.

8.2 To approve revisions to Standing Orders to incorporate requirements of the Public Contracts Regulations 2015

Revisions to Standing Order 18 were approved on 14.6.16 but not adopted pending further potential revisions. A draft of further revisions dated 5.10.16 had been pre-circulated to Councillors and shown on-screen. Standing Orders 18(a), (c) and (f) had been revised to reflect draft Financial Regulations in 8.1. The tender threshold was changed from £164,176 to £60k, further to advice from CALC.

It was proposed by IW, seconded by SC and **RESOLVED**

To approve the revisions to Standing Orders 18(a), (c) and (f) dated 5.10.16.

The revisions to stand for 28 days before further discussion and adoption on 8.11.16.

8.3 To approve a policy for copyright compliance

A draft policy dated 22.9.16 had been pre-circulated to Councillors and shown on-screen. There were no queries arising.

It was proposed by IW, seconded by GP and **RESOLVED**

To approve the policy for copyright compliance dated 22.9.16

8.4 To receive an update on guidelines on retaining Parish Council documents

NALC has published an update to Legal Topic Notice 40 (Local Councils' Documents and Records September 2016) which makes reference to an 'Arnold Baker' book. CD to inquire further.

8.5 To receive an update on finalising the procedures manual

Work has started to incorporate all Councillors' comments. Further update on 8.11.16.

8.6 To approve updated Legal SLA with Cornwall Council

The document for 2016/17 had been pre-circulated to Councillors and shown on-screen. It was noted that the hourly fee is £95 +VAT, vs £85 +VAT for 2015/16. Councillors considered the fee still to be competitive vs high street solicitors. There were no further queries.

It was proposed IW, by seconded by AB and **RESOLVED**

To approve Cornwall Council's Legal Service Level Agreement for 2016/17 with an increased fee of £95 +VAT per hour.

CD to sign and forward the SLA to Cornwall Council and also amend the 'income and payments' sheet for the quarterly review in December.

8.7 To receive an update on procedures for filling the current casual vacancy

On 7.10.16, Cornwall Council confirmed no requests for a bi-election had been received and the Parish Council should fill the vacancy by co-option. CD confirmed the Parish Council's procedure and documents for co-option (approved in 2013) require updating. Councillors agreed to post an interim vacancy notice on the website and notice boards whilst paperwork is revised for discussion on 8.11.16.

9. Premises licensing: to receive an update on recent applications

SC confirmed none in the last month for St Mellion.

10. Consultations

10.1 Local government finance settlement 2017 to 2018: technical consultation

Documentation had been pre-circulated to Councillors and shown on-screen. Councillors discussed questions 4, 5, 6 and 7 and reached unanimous agreement as per the following resolution.

It was proposed by IW, seconded by JD and **RESOLVED**

That referendum principles should not be extended to larger, higher-spending town and parish councils in 2017/18; that the proposed approach to take account of the transfer of responsibilities to town and parish councils should apply to councils already covered by referendum principles but not to other councils by virtue of the Parish Council disagreeing that the principles should apply at all; that referendum principles should not be extended to all local precepting authorities and, therefore, a level of principle cannot be set.

With specific reference to question 7, Councillors agreed a key issue for smaller precepting authorities is that referendum costs will be higher than the proposed increase; capping would interfere with their naturally self-adjusting mechanism of increased/decreased precepts; and, if capping is imminent, they may push through large increases the year before to circumvent the referendum rules (e.g. 25% in one year rather than 5% pa over five years).

CD to confirm the Parish Council's response to NALC by 21.10.16 and the DCLG by 28.10.16.

10.2 Implementation of neighbourhood planning provisions in the Neighbourhood Planning Bill

Documentation had been pre-circulated to Councillors and shown on-screen. Councillors discussed key questions from NALC and agreed as per the following resolution.

It was proposed by IW, seconded by GP and **RESOLVED** (with one abstention)

That all principal councils should have a Local Plan and CIL policy in place before a neighbourhood plan starts; that the share of CIL for local councils with an adopted neighbourhood plan should be increased from 25% to 35%; that the Parish Council does not support CIL benefits being provided to individual householders rather than communities; that 20% of the New Homes Bonus should be paid to local councils with an adopted neighbourhood plan; that central government should commit to funding and support for every local council that wants to develop a neighbourhood plan; and that local councils should be made statutory consultees on all planning and licensing applications in their area.

Councillors also agreed there is a feeling that central government is using neighbourhood planning to pay lip-service to the 'localism' and 'devolution' agendas. The process feels like a 'box-ticking' exercise with very little depth to it. T&PCs often jump into the process without realising what is required/how difficult it can be, and also without any clear idea of benefits.

CD to confirm the Parish Council's response to NALC by 12.10.16

11. General correspondence

None.

12. Items for next Parish Council meeting agenda

Parish Council Asset check; Parish Council equipment PAT testing; revisions to Councillor expenses policy; air quality on A388; weed spraying in the parish.

It was proposed by IW, seconded by SC and **RESOLVED**

Under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, to exclude the public and press from the meeting for the business specified: to discuss personnel matters.

The public session of the meeting closed at 2140.

I certify that these minutes are a true reflection of the St Mellion Parish Council meeting held on 11th October 2016.

Signed

Name Ian Waite

Position Chair of the Parish Council

Date 8th November 2016

St Mellion Parish Council						
Payment Schedule						
Date:	Tuesday 11th October 2016					
Payee	Invoice date	Invoice no.	Description	Amount	Cheque no.	Signed by
C Douglas	n/a	n/a	Clerk salary / reimbursements for September 2016	£363.51	000009	
Angela Greenhough	4.10.16	1702	Payroll services for Sept 2016 salary/pension/reimbursements	£9.95	000010	
St Mellion with Pillaton PCC	1.10.16	n/a	Church hall hire for Q3 2016	£40.00	000011	
Launceston Town Council	4.10.16	5935	Planning training for clerks 6.10.16	£18.00	000012	
Information Commissioner	8.10.16	00065d150251	Annual data protection registration	£35.00	000013	
NEST	10.10.16	n/a	Employer + employee contribution to Clerk's pension Sept 2016	£30.31	DD	n/a
EE Mobile	28.10.16	n/a	Mobile phone air time	£6.13	DD	n/a
Total				£502.90		
Payment Approval						
Name						
Signature						
Position						
Date						