



**MINUTES OF THE 800<sup>th</sup> MEETING OF BUDOOCK PARISH COUNCIL,  
HELD AT BUDOOCK VILLAGE HALL, ON MONDAY 3<sup>rd</sup> September 2007**

**PRESENT :** Cllrs Bastin (Chairman), Trevor McCabe, Fairbank, Gibson, Gifford, Mrs J Pengelly, Miss R Pengelly and Tape.

There were no comments from the public on matters on the agenda.

**C2617 TO ACCEPT APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Cllr Tim McCabe, C Cllr Hatton, PC Cormack & PCSO Huddleston.

**C2618 DECLARATIONS OF INTEREST**

**a) In Items on the Agenda**

Personal, but not prejudicial, interests were declared in the following agenda items :-

- Cllr Fairbank – C2621 (g) – Parking at Treverva.
- Cllrs Gibson & Tape – C2624 (c) (iv) / (v) – Planning Applications PA07/01283/O & PA07/01284/O (both in respect of Rose Eglos Cottage).

**b) Of gifts of a value of more than £25**

There were no declarations of gifts of a value of more than £25.

**C2619 TO CONFIRM MINUTES OF THE LAST MEETING**

**a) Meeting of Budoock Parish Council, 30<sup>th</sup> July 2007**

Comments from public - Item (c) – Should be headed ..... Dog / Waste Bins .....

It was proposed by Cllr Fairbank, seconded by Cllr Tape and

**RESOLVED** that the Minutes of the Council Meeting held on 30<sup>th</sup> July 2007 be approved as a true record and duly signed, subject to the above amendment.

**C2620 TO REPORT MATTERS ARISING FROM THE MINUTES NOT ON THE AGENDA**

**a) Possible Bus Shelter Grant**

The Clerk reported that he was ready to submit the application, as long as there was no objection from County Highways.

**b) Speed Visor**

The Clerk had written to the Divisional Surveyor, at County Highways, asking for some progress, as advised by C Cllr Hatton.

**c) Treverva Street Lighting**

The Clerk had written to County Highways, asking for these to be put on a time switch.

**d) Grit Boxes in Budoock**

The Clerk had written to County Highways, asking that the existing one be repaired, and for an additional one, before winter arrives.

**e) Police – Use of Speed gun**

The Clerk had contacted Devon & Cornwall Police, asking that this be included in Police Reports.

#### **f) Repairs to Dog & Waste Bins**

The Clerk had contacted Kerrier DC, asking for replacement bins for :-

- Just over the bridge near Mill Cottage and Mill House access
- Opposite the Meadery, outside their car park (did have a lid, but no bottom, and now has no lid either)

The Clerk agreed to request a list and/or map of all bins in the Parish, so the council could ensure they continued to be kept in a good state of repair.

#### **C2621 AGENDA ITEMS**

##### **a) To consider whether to adopt the new Code of Conduct**

The Clerk stated that the new Code of Conduct needed to be formally adopted by resolution of the Council by the end of September 2007. Unlike previous versions, councils now had the opportunity to adopt a modified version (i.e. they could opt out of parts of the new model code). Councils also needed to advertise their adoption of the new Code of Conduct in the press. Kerrier DC had suggested that they could organise a joint advertisement with Parish Councils, to minimise costs.

The new Code of Conduct had been distributed to councillors in July. The Clerk highlighted the fact that it was clearer in certain areas, and contained amended rules for personal and prejudicial interests. Clause 12.2, in particular, would allow councillors to address the council (but take no other part in the discussion, and not vote) on items they had declared an interest in, in the same way as other members of the public could do. Should the council choose to adopt the new Code of Conduct in its entirety, then Standing Orders would need to be amended in line with Clause 12.2.

Following discussion, it was proposed by Cllr Tape, seconded by Cllr Trevor McCabe and

**RESOLVED** that the council adopt the new Code of Conduct in its entirety, and make the necessary changes to its Standing Orders, with a date of adoption of 3<sup>rd</sup> September 2007.

It was also proposed by Cllr Gibson, seconded by Cllr Miss R Pengelly and

**RESOLVED** that the council accept Kerrier DC's offer of a joint advertisement, regarding the adoption of the new Code of Conduct.

##### **b) Latest Consultation Documents on Unitary Council for Cornwall**

The Clerk had circulated a document from CALC, which contained a list of **Possible Devolved Services** and also a "pointer" to a document entitled **Councils' Proposals for Unitary Local Government** on the Communities & Local Government website.

The council considered both documents. With regard to possible devolved services, this document gave an early indication of what might be possible. The document would be followed up with more detailed consultation documents over the coming months.

The document on the Communities & Local Government website was 42 pages long, and focused on the process of the migration to unitary status, rather than any content. Parish and Town Councils had been invited to comment on the document, to Cornwall County Council, by 17<sup>th</sup> September 2007.

The council's views were as follows :-

- It was disappointed that Parish and Town Councils were hardly mentioned in the document.
- It noted the fact that it was proposed to move Parish and Town Council elections to coincide with the County Council, rather than the Districts, as at present.

- Although Council Tax was covered, there was no mention of the Parish Precept, or the fact that it could not be “capped”.
- There was an assumption that assets of the current District Councils would be transferred into the ownership of the County Council, where it might be equally possible to transfer some to Parish and Town Councils.

It was proposed by Cllr Gifford, seconded by Cllr Miss R Pengelly and

**RESOLVED** that the Clerk be instructed to submit written feedback to Cornwall County Council, including these points.

**c) Report and Recommendations from the Policy & Finance Working Group Meeting, 16<sup>th</sup> August 2007**

This group, consisting of Cllrs Fairbank, Bastin, Gifford and Miss J Pengelly, assisted by the Clerk, had met under the chairmanship of Cllr Fairbank, with the following remit :-

- To consider whether the council should adopt a method of working, including committees and working groups, in its future operation.
- To examine the internal procedures of the council, and make recommendations regarding Standing Orders and other procedures.
- To consider the potential for allocating specific portfolios to individual councillors.

Reporting back, Cllr Fairbank covered the pros and cons of committees, meetings of which needed to be held as public meetings, and which might be given delegated decision making powers by the council. Working Groups would not have any delegated decision making powers, could include specialist members who were not members of the council, being used for detailed studies, but reporting back to the full council when decisions were required.

The Working Group recommended the following, with immediate effect :-

- That a **PLANNING COMMITTEE** of all councillors, be set up. This could meet mid-month (between full council meetings), in order that observations be communicated to the Planning Department within the required timescales. This committee would have the delegated power to determine the content of such observations.

The Clerk would be tasked with arranging the meetings, as required, and also with ensuring that all members were made aware of meeting dates. It was felt unnecessary for all members to attend each meeting, and the Clerk was asked to consider how attendance of the meetings could be rotated. A quorum of 4 would be necessary, and normally no more than 4 councillors would attend site meetings unless new builds or contentious applications were involved.

- That the **POLICY & FINANCE WORKING GROUP** should continue to meet without delegated powers, with its recommendations being considered by full council. It was suggested that its initial focus continue to be on Standing Orders and procedures, and then move on to the formulation of budget recommendations before December.
- That the potential for **PORTFOLIO HOLDERS** be investigated further, recognising that no individual councillor(s) could make decisions on behalf of the council, only as a member of a full council or committee meeting (and then only if that committee had delegated powers). It was already considered that areas such as Public Rights of Way, Transport / Highways and possibly Local Strategic Partnerships might be suitable as councillor portfolios.

Cllr Fairbank was thanked for his report, and it was proposed by Cllr Mrs J Pengelly, seconded by Cllr Tape and

**RESOLVED** that the recommendations be accepted, and that Cllrs Fairbank, Gifford and Miss J Pengelly, with Cllr Bastin (ex-officio member)

be asked to continue as members of the Policy & Finance Working Group, with a further meeting before the next council meeting.

**d) To consider how to progress the proposed Budock Parish Plan**

This item had been deferred from the meeting of 30<sup>th</sup> July 2007. Councillors had agreed to consider how the council might engage with members of the community, including the appropriate local groups, as an initial public consultation. It was thought that any such meeting should coincide with an external event, to ensure public attendance.

Budock Feast Night was initially considered, but the launch of the new Playing Field equipment, which would be in October, was felt more appropriate, as a different cross section of members of the public would be likely to attend. Cllr Gifford volunteered to help create a launch "flyer", with Cllr Gibson considering whether there might be a low cost method of delivering it to all residents.

The Clerk was asked to contact the Playing Field Committee, and to place this item on the agenda for the 24<sup>th</sup> September council meeting.

**e) To consider whether there were any road signs which needed replacing**

The Chairman stated that he had recently seen a report in the local press, which stated that there was District Council funding available for such an exercise. Councillors agreed to consider where there were damaged or missing signs, with the Clerk collating the list at the next council meeting.

**f) Police presence within the Parish**

The Chairman reported that there had recently been a "rave" in the middle of the night, behind the Post Office premises on Bickland Industrial Estate. He had telephoned the local number for the police, and, after a lengthy wait, had spoken to Devon & Cornwall Police, in Exeter. He had been promised an investigation, but there appeared to have been little response from the police. The Clerk confirmed that this incident was not included in this month's Police Report.

Councillors agreed that there was a common feeling among local residents that they did not know how to report such incidents, to ensure that they were attended to. The Clerk had stated at a previous meeting that he had been in communication with the police, regarding a possible change to their page on the website. He was instructed to write to the police about this incident, and to ask that their page on the website be focused on how to contact the police.

Attention was drawn to the fact that a PALM meeting was due to be held at Falmouth School on Thursday 6th September, to which all residents were invited to attend and express their views on policing in the area.

**g) Parking issues at Treverva**

The Clerk read a letter received from County Highways, regarding parking outside properties in the vicinity of the telephone kiosk. Standing Orders were suspended to allow two residents of Treverva to speak. They stated that members of the public had been allowed to park in the lay-bys in front of these houses for over 30 years, when using the Village Hall and the public telephone. Loss of this parking would be problematical for less able residents attending events at the Village Hall. Standing Orders were reinstated.

It was proposed by Cllr Trevor McCabe, seconded by Cllr Tape and

**RESOLVED** that the Clerk respond to County Highways, stating that the council had no evidence regarding the ownership of the lay-bys, but felt it important that their public use continue.

**C2622 CORRESPONDENCE**

The Clerk reported on correspondence received, a schedule of which is attached to the minutes as a record.

## C2623 REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

### a) District & County Council Reports

In the absence of District and County Councillors, the Chairman stated he had attended four events on behalf of the Parish Council during the past month.

## C2624 PLANNING APPLICATIONS

### a) To Note Planning Decisions received from the Planning Authority

The Clerk reported on decisions received, a schedule of which is attached to the minutes as a record. The Chairman stated that, with regard to the proposed relocation of Falmouth Rugby Club, there was a meeting at Falmouth Town Council that evening, concerning the possible use of the existing ground for housing development.

### b) To Note Planning Enforcement Complaints received by the Planning Authority

The Clerk reported that no complaints had been received, regarding Budock Parish.

### c) To Consider Planning Applications Received From the District Authority

#### (i) PA07/01229/F – Mrs T Quigley, 11 Parc Stephney, Budock Water – Change of use of part of dwelling to form a floristry business

**OBSERVATIONS** : No objections.

#### (ii) PA07/01259/F – Mr R Dunford, 22 Trevoney, Budock Water –Erection of single storey extension to dwelling

**OBSERVATIONS** : No objections.

#### (iii) PA07/01196/LBC & PA07/01260/F – Mr D Edwards, Roscarrack House, Falmouth – Listed Building Consent / Erection of an extension to residential home

Councillors understood the need for residential accommodation for elderly people, and also that such an establishment needed to be large enough to be viable. The proposed development appeared to have little, if any, impact on any surrounding properties.

**OBSERVATIONS** : Fully supported.

#### (iv) PA07/01283/O – Mr J Blatter, Rose Eglos Cottage, Budock Water – Erection of a dwelling (*Three bedroomed bungalow*)

The Clerk reported that the council had received two letters of objection from local residents, one of which had twenty signatories. Standing Orders were suspended, to allow two members of the public to address the meeting.

Comments made regarding the application included potential access and traffic problems, possible surface water drainage problems, overdevelopment and unneighbourliness. It was also stated that there were some inaccuracies in the styles of existing properties, as detailed in the applicant's Design Statement.

Standing Orders were reinstated, and following discussion, the Clerk was asked to pass the following observations to the Planning Department :-

**OBSERVATIONS** : The Council opposes the application, for the following reasons :-

- Possible issues with access and traffic in Trevoney, given that the proposed frontage is not "open plan", with the drive having a wall either side of it, creating a blind entrance. There is also no footpath on Trevoney. If the front boundary wall was removed from the application, this would increase the unneighbourliness, given the closeness to the front of the property directly across the road.
- Possible problems with the surface water discharge, as the proposed property includes a soakaway, with the land not ideally suited for this. Trevoney is ex-swampland, and an

extensive drainage infrastructure had to be installed by the original developer of the existing properties, to cope with surface water drainage.

- The proposed dwelling would be close to the bungalow across the road from it, and would overlook the front lounge window.
- The style of the proposed dwelling does not match the style of any of the existing properties on Trevoney.

**(v) PA07/01284/O – Mr J Blatter, Rose Eglos Cottage, Budock Water – Demolition of existing ambulance hall and erection of a dwelling (*One bedroomed bungalow*)**

Standing Orders were suspended, to allow a member of the public to address the meeting. Comments made regarding the application included access and the size of the plot. Standing Orders were reinstated, and following discussion, the Clerk was asked to pass the following observations to the Planning Department :-

**OBSERVATIONS** : The Council opposes the application, for the following reasons :-

- Access problems were felt to be a major issue, especially if vehicles had to reverse onto the main road. It was also felt that the access would be insufficient, should it need to be used by emergency vehicles.
- It was believed that the plot was of insufficient size, and therefore unsuitable to allow even a small dwelling to be built, and allow sufficient amenity space.
- The proposed dwelling would be close to the bungalow across the road from it, and would overlook the front lounge window.

**(vi) PA07/01418/F – Mr & Mrs D M McHugh, Holly Cottage, Treverva Penryn – Erection of conservatory extension to dwelling**

Standing Orders were suspended, to allow two members of the public to explain, as the property was located at Treverva Turning, exactly where it was in relation to other properties, after which Standing Orders were reinstated.

**OBSERVATIONS** : No objections.

**(vii) PA07/01423/F – Mr C Vanstone & E Simpson, Tresooth Farm, Penwarne Road, Mawnan Smith – Continued use of land for stationing of a temporary mobile home whilst building**

**OBSERVATIONS** : No objections.

## **C2625 REPORTS FROM COMMITTEES AND REPRESENTATIVES**

**a) Playing Field Committee**

In the absence of Cllr Tim McCabe, Cllr Trevor McCabe reported that the new equipment was likely to arrive in early October.

**b) Budock Water Village Hall Committee**

Cllr Mrs J Pengelly reported that the new boiler had been installed, and that the committee was looking forward to receiving the financial assistance offered by the council. Mrs Pengelly agreed to arrange for a letter to be sent to the Clerk before the next meeting (24<sup>th</sup> September 2007), so he could arrange for the cheque to be raised for this. The Village Hall committee had also asked for a grant to assist with the purchase of a Christmas tree this year.

**c) Treverva Village Hall Committee**

Cllr Fairbank stated that there was little to report, apart from the AGM being in October.

**d) Police Report**

Both Community Police Officer and PCSO were unavailable, but a report had been emailed to the Clerk, in their absence. This included, for the period 30<sup>th</sup> July to 2<sup>nd</sup> September 2007 :-

- 3 crimes reported (as against 5 in 2006)  
[1 x Criminal Damage, 1 x Burglary, 1 x Taking of a Motor Vehicle]

The report indicated some disquiet among the public at the road closure for Budock Carnival. The council did not consider this, in any way, to be problematic.

#### **C2626 RIGHTS OF WAY MATTERS**

The following was reported :-

- Stiles – The Clerk stated that undergrowth around those with problems had been cut back by the council's contractor.
- Trees on Dark Lane – The Chairman stated that he had attended to these.
- Modification Order (Penwarne) – The Clerk had received a response from Cornwall CC, stating that there was insufficient evidence to support classification as a bridleway rather than a footpath.
- A damaged manhole reported in Budock Water had been replaced by BT.
- The issue of ownership of the footpath from Trevoney to the Village Hall was ongoing.

#### **C2627 FINANCE AND PAYMENT OF ACCOUNTS**

It was proposed by Cllr Fairbank, seconded by Cllr Mrs J Pengelly and

**RESOLVED** that accounts totalling **£376.88** be approved for payment and duly signed. A schedule of these is attached to the minutes as a record.

The Clerk reported on a number of other financial matters :-

- Vehicle damage to wall around the Village Pump Garden – He was in communication with the owner of the vehicle, and its insurer.
- PAYE – Before his appointment, the Year End reports had not been submitted to HMRC. Although he had done this online, for which the council had obtained a Tax & NI credit of £150, it had also received a late submission penalty of £300. However, he had successfully appealed against this.
- Transfer of banking to Lloyds TSB – He had the necessary forms, which were being circulated to all councillors.

#### **C2628 DATE AND TIME OF NEXT MEETING**

The next meeting of Budock Parish Council will be held on Monday, 24<sup>th</sup> September 2007, commencing at 7.30pm, in Budock Water Village Hall.

#### **COMMENTS FROM THE PUBLIC**

##### **a) Parking at end of Watersmead Parc**

Complaints had been received about cars parking on the corner. The Clerk was asked to write to the owners of the vehicles involved.

##### **b) Public seat at Penjerrick**

The slats were reported to be completely broken. The Clerk was asked to obtain a quotation for replacement of the timbers.

Signed : ..... 24<sup>th</sup> September 2007

Chairman