



**MINUTES OF THE 802<sup>nd</sup> MEETING OF BUDOCK PARISH COUNCIL,  
HELD AT TREVERVA VILLAGE HALL, ON MONDAY 29<sup>th</sup> October 2007**

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

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

**C2641 TO ACCEPT APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Cllrs Fryer, Gifford, Tim McCabe & D Cllr Mrs Fryer.

**C2642 DECLARATIONS OF INTEREST**

**a) In Items on the Agenda**

Cllr Fairbank declared a personal interest in agenda item C4645 (a) [*Parking in Treverva*], and a prejudicial interest in item C2648 (c) (i) [*Planning Application PA07/01588/F – 1 Nangitha Terrace*].

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

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

**C2643 TO CONFIRM MINUTES OF THE LAST MEETING**

**a) Meeting of Budoock Parish Council, 24<sup>th</sup> September 2007**

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

**RESOLVED** that the Minutes of the Council Meeting held on 24<sup>th</sup> September 2007 be approved as a true record and duly signed.

**b) Meeting of Planning Committee, 17<sup>th</sup> October 2007**

It was proposed by Cllr Trevor McCabe, seconded by Cllr Miss R Pengelly and

**RESOLVED** that the Minutes of the Planning Committee Meeting held on 17<sup>th</sup> October 2007 be approved as a true record and duly signed.

**C2644 TO REPORT MATTERS ARISING FROM THE MINUTES NOT ON THE AGENDA**

There were no matters arising which were not part of the agenda.

**C2645 AGENDA ITEMS**

**a) Update on Parking issues in Treverva**

As C Cllr Hatton, purely as an arbiter, had met with County Highways, the District Council's Planning Department and local residents, he summarised the situation :-

- The land on which the "lay-bys" are situated belongs to the owners of the dwellings.
- Planning conditions were stipulated, when the dwellings were built in 1975, such that parking should be allowed outside them.

The Chairman suspended Standing Orders, to allow local residents to address the meeting. It was stated by the owners of the dwellings that they were happy for the "lay-bys" to be used as temporary parking by visitors to any of the dwellings in Treverva, but not as permanent or overnight parking, nor by large commercial vehicles. Following further discussion, it was agreed that the "No Parking" signs be replaced by ones stating "No Overnight Parking or Commercial Vehicles"

Standing Orders were reinstated, and the Clerk was asked to include a review of this matter on the agenda in 6 months' time.

**b) Report back on Cornwall CC's Consultation Meeting on transition to Unitary Status, 10<sup>th</sup> October 2007**

This meeting had been attended by the Chairman, Cllr Gifford and the Clerk, on behalf of Budock Parish Council. The purpose of the meeting had been to update Parish and Town Councils on the County Council's move to unitary status.

The new authority would be in place by May 2009, with a joint committee, with members from the County Council and the existing District Councils, and a joint team of officers being put in place in the near future. There would be no representatives of Parish and Town Councils. The government would make a decision in November whether the next elections to the County Council would be in May 2008 or May 2009, with the County Council favouring the latter.

The proposed Community Network Areas would be based around existing County Council ward boundaries, so Budock would be a member of the Falmouth area.

With regard to possible devolution of responsibilities to Parish and Town Councils, resource would accompany any devolved functions. A postal survey would be carried out in November, after which Cornwall CC representatives would be prepared to visit Parish and Town Councils. The response to the postal survey was expected to be an agenda item for the next meeting of Budock Parish Council.

**c) To consider co-opting to replace Mrs Jean Pengelly, as a member of the Parish Council**

The Clerk reported that, as the statutory time had passed during which candidates could put themselves up for election, it was now possible to fill the vacancy by co-option. The vacancy was advertised on the website and notice boards. The Chairman asked members to consider if they knew anyone who might be interested in becoming a member of the Parish Council, and that, as there were currently no members from Treverva, members of the public present at the meeting might be interested in standing.

**d) Completion of new Declarations of Interest, following the council's adoption of the 2007 Code of Conduct**

As the new Code of Conduct stated that members should resubmit their Declarations of Interest, the Clerk had brought copies of the relevant forms to the meeting. He had also copied the Declarations signed in May/June 2007, for members to review, and possibly just redate if their interests remained unchanged.

Members were asked to complete the Declarations and return them to the Clerk before the next council meeting.

**e) Transfer of the Council's banking from Barclays to Lloyds TSB**

The Clerk stated that this had been a tortuous process, but that the new accounts would be set up before the end of the month. Any members of the council were allowed to be cheque signatories. In view of the length of time this had taken, Lloyds TSB had offered the council an ex gratia payment of £50.

**f) Application for a Bus Shelter Grant from Cornwall CC**

The Clerk reported that, with a resolution from the Parish Council, the full grant of £3,000 had been offered by the County Council. Future maintenance would be the responsibility of the Parish Council.

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

**RESOLVED** that the council accept the grant offered by Cornwall CC, and instruct the Clerk to obtain a specification of the shelter before placing an order.

**g) To consider whether to hold an initial public meeting, in respect of a possible Budock Parish Plan**

The Chairman stated that there had been a good response to the Parish Plan display at the recent Playing Field Committee Autumn Fayre. Members were unanimous in considering that the next step, a public meeting, should be held before Christmas. The Clerk was asked to try to organise this as part of the turning on of the Christmas Lights, which would be on Saturday, 8<sup>th</sup> December 2007.

**h) To consider recommendations from the Policy & Finance Group Meeting, of 8<sup>th</sup> October 2007, and initial considerations for the 2008/09 Budget & Precept**

Cllr Fairbank summarised the recent meeting. As members had not received copies of the various policy documents, it was agreed that these should be included with the minutes, and any resolutions deferred until the November council meeting.

**i) To invite Portfolio Holders to put forward capital projects for possible inclusion in the 2008/09 Budget**

Cllr Fairbank stated that the next Policy & Finance Group Meeting was scheduled for Monday, 12<sup>th</sup> November 2007, by which point it was hoped that a revised 2008/09 Budget could be considered. He asked members, if they had any items they would like to propose for inclusion in the Budget, to forward these to the Clerk by Friday, 9<sup>th</sup> November.

**j) To consider the budget for Clerk's Remuneration, 2008/09**

The Chairman stated that this item needed to be included in the budget, and that although the Public Bodies (Admission to Meetings) Act 1960 states that meetings of local councils should be open to the public and press, the act made provision for the exclusion of public and press by resolution, when confidential items of business were to be discussed.

It was proposed by Cllr Trevor McCabe, seconded by Cllr Miss R Pengelly and

**RESOLVED** that discussion of this item be postponed to the end of the meeting, with the exclusion of public and press.

**k) To consider general Footpaths related issues within the Parish**

The Chairman stated that, at the recent Autumn Fayre, he had received a number of complaints concerning the state of public footpaths. As Portfolio Holder for Public Rights of Way, Cllr Fairbank had checked the maintenance contract which the council had with its contractor, and also the Local Maintenance Partnership (LMP) agreement with Cornwall CC, regarding the funding of footpaths maintenance. He had found that they did not match, in terms of which footpaths were expected to be maintained, and would investigate further.

There were a number of specific issues, which he intended passing to the contractor for attention :-

- Trewen Lane – Gate locked at the top (landowner issue), and the lane also needs trimming.
- Trelil – Footpath should really be at the top of the field, and not in middle as now used (landowner issue). The Clerk was asked to write to the landowner about this matter. *[Note - This was also shown as a bridleway, on the footpaths map].*
- Menehay – Chapel field – Brambles way out in field, and the path should be by the hedge.
- 2 stiles really overgrown – Sparnon (at top of lane by barn) & Menehay (in lane leading towards Roscarrack).
- Chapel Lane also needs trimming (bottom half).

Standing Orders were suspended to allow a resident of Treverva to speak about the footpath from Treverva Chapel to Helland House. This, as yet uncategorised, newly confirmed public right of way linked up to a bronze status path in Mabe Parish. The Treverva resident agreed to contact the Mabe Clerk, and ask that the footpath be upgraded to Gold, as it now connected to a Budock footpath.

It was also suggested that, once the Budock path had been categorised, consideration should be given to applying for an upgrade in its status, and that of the Mabe path, to Gold. Standing Orders were then reinstated.

**l) To consider problems reported with tree stability alongside the footpath from Trevoney to the Village Hall Car Park**

Now it has been confirmed that this footpath, and the land alongside it, is owned by the Parish Council, the Clerk reported that he had added it to the council's insurance policy. Given recent items of correspondence, in which the stability of some of the trees was questioned, the Clerk explained that he proposed asking Cornwall CC's Tree Officer to inspect the trees.

As there were members of the public present, who lived on Trevoney, Standing orders were suspended to take their view on the matter. It was stated that the trees on the bank of the stream contributed greatly to the area, and that steps should be considered to preserve them, if at all possible. Standing orders were reinstated.

It was proposed by Cllr Trevor McCabe, seconded by Cllr Miss R Pengelly and

**RESOLVED** that the Clerk arrange the visit from Cornwall CC's Tree Officer, and report back to the next council meeting before any further action was taken.

**C2646 CORRESPONDENCE**

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

**C2647 REPORTS FROM COUNTY AND DISTRICT COUNCILLORS**

**a) County Council**

C Cllr Hatton reported that, on the transition to unitary status, a decision whether the unitary elections would be in May 2008 or May 2009 would be taken by the government during November.

**b) District Council**

In the absence of D Cllrs Mrs Fryer and Mrs Ferris, C Cllr Hatton also reported that :-

**(i) Affordable Housing** – At present, holiday home council tax of £400,000 per annum is ring fenced in Kerrier, to help fund affordable housing. Cornwall CC has not yet included this provision following the transition to unitary status.

**(ii) General provision of Housing** – As Kerrier DC's Portfolio Holder, he was pleased to state that Kerrier was recognised as a "regional champion" within the South West, having reduced the numbers awaiting housing from several hundred to less than 50, during the past two years.

**C2648 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.

**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) PA07/01588/F - Mrs T Hill, Land adjacent to 1 Nangitha Terrace, Budock Water - Erection of a dwelling**

Having expressed a prejudicial interest in this matter, Cllr Fairbank left the room while it was discussed. Members of the council had previously visited the site of the proposed dwelling, and reported back to the council meeting.

**OBSERVATIONS** : The Council objects to this application, for the following reasons :-

- The proposed dwelling would be built on a very small triangular shaped piece of land alongside 1 Nangitha Terrace. In order to do this, an existing conservatory would need to be demolished, and there would be very little garden left at 1 Nangitha Terrace. The proposed dwelling would be very close to both 1 Nangitha Terrace and also the boundary to Coronation Cottages. It would be so close that the proposed dwelling's stairs are not in line with the rest of the building, to fit it on the plot. The council considers that this proposal would be **UNNEIGHBOURLY** and would represent **OVERDEVELOPMENT**.
- It is proposed to also use a part of what is currently the front garden of 1 Nangitha Terrace to provide parking for the new dwelling, and the plans illustrate 2 small cars parked there. The council does not consider that this is practical, and that this dwelling would **INCREASE EXISTING PARKING PROBLEMS**, particularly for Coronation Cottages, which have no vehicular access, and have to park vehicles at the end of Nangitha Terrace.
- **ACCESS** and **HIGHWAY SAFETY** are also issues that would be problematic. The only access possible is the one that is proposed, and this emerges alongside the small turning area for vehicles from Nangitha Terrace and Coronation Cottages. If a driveway was to be constructed here, either it would need to be impossibly steep, or constructed at a level well above the ground floor of the proposed dwelling.

The council considered whether there could be any alternative method of access to the proposed dwelling, but this does not appear possible. This end of Nangitha Terrace is located part way up a fairly steep hillside. Coronation Cottages, alongside, are located on plots that are 3 or 4 metres higher than the garden of 1 Nangitha Terrace, where it is proposed to build the new dwelling. The plot it is proposed to build on is, in turn, 5 or 6 metres higher than School Lane, at the back of Nangitha Terrace, and the far end of the plot does not reach as far as School Lane, in that there are tiered gardens belonging to the residents of Coronation Cottages between the plot and School Lane.

Nangitha Terrace itself is a very narrow road. During construction of the proposed dwelling, it would be very difficult for building materials to be delivered to the site.

- **AMENITY SPACE** would also be limited, on such a small plot, which would be almost completely filled by the proposed dwelling.

In summary, the council's observations were that this proposal was to develop a plot that was much too small for a dwelling to be built on, and that there would be major access problems.

Cllr Fairbank rejoined the meeting at this point.

(ii) **PA07/01604/F – Mr D Moore, Barn 3, Higher Argal Farm, Falmouth – Erection of a 2-storey domestic garage, with storage above**  
**OBSERVATIONS** : *No objections.*

(iii) **PA07/01623/F - Mr & Mrs J J George, Higher Argal Farm, Falmouth - Conversion and extension of redundant farm machinery workshop to form 2 x dwellings**  
**OBSERVATIONS** : *No objections.*

(iv) **PA07/01701/F - Mr & Mrs K & D Wetherall, 12 Parc Stepney, Budock Water – Installation of solar water heating collectors**  
**OBSERVATIONS** : *No objections.*

## **C2649 REPORTS FROM COMMITTEES AND REPRESENTATIVES**

**a)Treverva Village Hall Committee**

Cllr Miss Pengelly reported that she had attended the AGM and urged the council to support as extensive use of the hall as possible.

**b) Police Report**

PC Cormack reported that there had been no crimes reported during the month to 16<sup>th</sup> October 2007, but that there had since been two reported, the theft of lead from the church roof, and the burglary of a caravan.

**C2650 RIGHTS OF WAY MATTERS**

Nothing not already covered in C2645 (k).

**C2651 FINANCE AND PAYMENT OF ACCOUNTS**

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

**RESOLVED** that accounts totalling **£11,189.60** be approved for payment and duly signed. A schedule of these is attached to the minutes as a record.

**C2652 DATE AND TIME OF NEXT MEETING**

The next meeting of Budock Parish Council will be held on Monday, 26<sup>th</sup> November 2007, commencing at 7.30pm, in Budock Village Hall.

**COMMENTS FROM THE PUBLIC**

There were no other comments from members of the public.

*The Council had already agreed that under the 1960 Public Admissions to Meetings Act, this item be left to the end of the meeting and that the public and press be excluded, as the discussion involved staff salaries.*

**C2653 TO CONSIDER THE BUDGET FOR CLERK’S REMUNERATION, 2008/09**

After a brief discussion, it was agreed to convene a specific meeting to discuss this item. This would be held at 6.30pm on Tuesday, 6<sup>th</sup> November 2007, at Budock Water Village Hall.

Signed : ..... 26<sup>th</sup> November 2007  
Chairman