



**MINUTES OF THE 811<sup>th</sup> MEETING OF BUDOOCK PARISH COUNCIL,  
HELD AT BUDOOCK VILLAGE HALL, ON MONDAY 30<sup>th</sup> JUNE 2008**

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

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

**C2746 TO ACCEPT APOLOGIES FOR ABSENCE**

Apologies were received and accepted from Cllr Brown and D Cllr Mrs Fryer.

**C2747 DECLARATIONS OF INTEREST**

**a) In Items on the Agenda**

Cllr Gibson declared a prejudicial interest in agenda item C2750 (b), to consider the council's response should it be proposed to close Budock Water Post Office.

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

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

**C2748 TO CONFIRM MINUTES OF THE LAST MEETING**

**a) Meeting of Budock Parish Council, 19<sup>th</sup> May 2008**

The heading should be changed to ..... **Draft Minutes of the Annual / 810<sup>th</sup> Meeting of Budock Parish Council, held at Treverva Village Hall, on Monday 19<sup>th</sup> May 2008**

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

**RESOLVED** that the Minutes of the Council Meeting held on 19<sup>th</sup> May 2008 be approved as a true record and duly signed, subject to the above amendment.

**b) Meeting of Planning Committee, 24<sup>th</sup> June 2008**

The following amendments were agreed :-

- Paragraph 3 of the Public Comment section ..... Since the closure of Budock Hospital **some** patients .....
- Paragraph 5 of the Public Comment section ..... for their own safety **and that of others.**
- Apologies for Absence ..... **Apologies were received and accepted from Cllr Tim McCabe.**

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

**RESOLVED** that the Minutes of the Planning Committee Meeting held on 24<sup>th</sup> June 2008 be approved as a true record and duly signed, subject to the above amendments.

**C2749 TO REPORT MATTERS ARISING FROM THE MINUTES NOT ON THE AGENDA**

**a) Planning Application PA08/00951/F (St Piran's Healthcare – Change of Use of Crill Manor Hotel)**

The Clerk stated that he had written to the planning authority, to state that he had not offered "***positive initial feedback***" to the applicant, as quoted within the Planning Application Form, but had offered the same balanced advice as he would to any other prospective planning applicant.

## **C2750 AGENDA ITEMS**

### **a) To consider recommendations of the Policy & Finance Group Meeting of 9<sup>th</sup> June 2008**

The Clerk was asked to run through the recommendations.

#### **(i) Update to the council's Risk Assessment**

The following updates were recommended :-

- Several minor punctuation changes
- Page 3 – Include the date of review of the council's Financial Regulations
- Page 5 – Emergency Repairs – Update this section, as the measures had been agreed.

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

**RESOLVED** that the council's Risk Assessment be updated to include the recommended changes.

#### **(ii) Update to the council's Standing Orders & Standard Agenda**

Following the Code of Conduct training session, given by Kerrier DC's Head of Legal Services, changes were recommended in respect of paragraph 12(2) of the new Code of Conduct :-

- Standard Agenda
  - Move "Public Comment on Items on the Agenda" to become Item 1 of the agenda proper, and renumber all other items.
- Standing Orders
  - Paragraph 33(c) – Replace the last sentence with "If a member reasonably believes that another member is acting in breach of the Code of Conduct, then that member ought to consider whether to report the breach to the Standards & Ethics Committee of the District Council".
  - Paragraph 58 – Replace this with "If a member who has declared a personal interest also considers the interest to be prejudicial, he or she must withdraw from the room or chamber during consideration of the item to which the interest relates, save that if the member properly wishes to make representations under paragraph 12(2) of the Code of Conduct, then he or she may do so before departing the room or chamber".
  - Paragraph 69 – Replace with "At all meetings of the Council the Chairman may, at his or her discretion, suspend Standing Orders to allow any members of the public present to address the meeting in relation to the specific item of business being transacted at that point, after which Standing Orders must be reinstated"

The Clerk explained that this would allow a member, should he or she declare a prejudicial interest in an item on the agenda, to state that he or she wished to make a statement on that matter, when that agenda item was reached, after which he or she would have to leave the room.

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

**RESOLVED** that the council's Standard Agenda and Standing Orders be updated to include the recommended changes.

#### **(iii) Update to the council's Complaints Procedure**

It was recommended to replace the final paragraph, above the address of the Standards Board for England, with the following :-

"If a member of the public feels that the above procedures are inappropriate, he or she may submit a complaint against member/members of the Council to the Standards & Ethics Committee of the District Council. After this, in the event that he or she still considers the

procedures are inappropriate, he or she may submit their complaint to the Standards Board for England, at the following address :-“

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

**RESOLVED** that the council's Complaints Procedure be updated to include the recommended change.

The Clerk agreed to distribute updated copies of the relevant documents to all members.

**b) To consider the council's response should it be proposed to close Budock Water Post Office**

Having declared a prejudicial interest in this matter, Cllr Gibson left the room, and took no part in the discussion. It was considered that, due to the close proximity of Falmouth, Budock Water's Post Office might be on the list of offices it was proposed to close.

Due to the number of elderly residents, it was considered that, should this be the case, a proposal to close the Post Office should be vigorously resisted. The list of proposed closures would be made public in mid-July, with just six weeks then available for consultation. Members were encouraged to visit the website : [www.postofficeclosures.org.uk](http://www.postofficeclosures.org.uk), for guidance on the sort of actions that might be considered should it be proposed to close Budock Water Post Office.

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

**RESOLVED** that, should Budock Water Post Office be on the proposed closure list, Budock Parish Council should support and campaign for its retention.

Cllr Gibson returned to the room.

**c) To consider the council's preference for the date of the next Parish Council election**

The Clerk stated that the Cornwall Structural Change (Unitary) Order included the provision for the next Parish & Town Council elections in May 2013, which would mean that members would serve a 6-year term of office, from May 2007, rather than the usual 4-year term.

A consultation document had been received from the "One Cornwall" team, asking for views on other options :-

- Option 1 May 2009 In line with likely Unitary elections, if no European elections (2 elections on one day, so a potential cost saving)
- Option 2 May 2009 Standalone Parish Council elections (with Unitary elections possibly postponed until June 2009, to coincide with possible European elections)
- Option 3 June 2009 In line with Unitary elections and the possible European elections (minimum election costs – 3 elections on one day)
- Option 4 May 2013 As already outlined in the Cornwall Structural Change Order

In discussion, members understood the possible cost savings in options 1 and 3, but considered that aligning Parish Council elections with Unitary and possibly also European elections might make it more difficult to retain existing members, and attract additional candidates.

As existing members, councillors already expected to be serving 6-year terms through to 2013. It was felt that reducing this to a 2-year term for the current council would impact on the ability of Parish & Town Councils to achieve anything meaningful before re-election. There would also be a loss of stability at the community level, at a time when the existing County and District Councils were entering a state of transition.

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

**RESOLVED** that Budock Parish Council's preferred date for the next Parish Council election was May 2013, as per the Cornwall Structural Change Order.

**d) To invite Portfolio Holders to put forward future projects**

Members were reminded that, as it had been agreed that there would be no August or December meetings, there would only be a further four meetings (July, September, October & November) before the parish budget and precept requirements for 2009/10 would need to be submitted. It was therefore not too early to consider any projects for which funding might be required in 2009/10.

It was agreed that consideration be given to funding for footpaths improvements, even though the Public Paths Improvement Program (PIIP) had not yet commenced in Budock. The Clerk was asked to try to determine when PIIP work would start.

It was also suggested that 2009/10 might be the right timescale to try to progress a Budock Parish Plan.

**e) Status Report on problems with Budock churchyard wall**

The Clerk stated that, although he had made contact with Kerrier DC, he had been unable to determine a timescale for resolving the problems, and reopening the footpath. He agreed to continue to press for resolution, and try to involve the District Councillors in this matter.

In parallel with this, Cllr Trevor McCabe agreed to try to obtain more information on the matter from the PCC.

**f) Status Report on complaints concerning use of Budock Playing Field**

The Clerk reported that an official complaint, about noise when the football net was being used, had been made to Kerrier DC's Environmental Health Department. As owner (i.e. custodial trustee) of the field, the Parish Council would be liable, should the complaint be upheld. The Chairman and Vice-Chairman had visited the complainant, to hear the level of noise.

As the complainant was present at the meeting, Standing Orders were suspended to allow him to speak. He stated that he had lived in his house for 12 years, and had no problems until the football net had been installed in the Playing Field. As well as the noise, he reported that balls often landed in his garden, hit his house, and even hit his car, and that this was not acceptable. He requested that the football net be moved to an alternate position.

Standing orders were reinstated. Cllr Tim McCabe, as Playing Field Committee representative, stated that the net had not been installed elsewhere on the Playing Field so there would be room for the Air Ambulance to land, if it was ever required. Additionally, he was unsure if moving the net would result in an appreciable reduction in noise levels.

To try to resolve the issue, it was proposed by Cllr Trevor McCabe, seconded by Cllr Fairbank and

**RESOLVED** that a meeting between the Parish Council and the Playing Field Committee be convened, to draw up an action plan.

**g) To consider a complaint about drainage problems in Treverva**

The Clerk summarised the situation to date. Problems had initially been reported to County Highways, of blocked and foul-smelling drainage gullies. On inspection by Cormac, there had been a suspicion that there might be raw sewage in the drains, so the matter had been referred to Kerrier DC's Environmental Health Department. They had visited twice, and could see no evidence of sewage.

The complainant was present at the meeting, and Standing Orders were suspended to allow him to speak. He stated that he felt that both the District and County Council were standing back from the problem. He had already raised the issue with C Cllr Hatton, who was also a member of Kerrier DC. The complainant asked the Parish Council to intervene and request some action. Standing Orders were reinstated.

The Clerk was asked to contact County Highways and Kerrier Environmental Health, and ask that they act together to determine and resolve the issue.

**h) To consider the content of the quarterly Web Newsletter for July 2008**

It had previously been agreed that the council should produce quarterly reports, the one in April being the printed Annual Report, and the others published on the website. The Clerk had circulated a list of headings in advance of the meeting, and asked if members wished to add any other items.

It was agreed that the following should be included :-

- Councillor vacancies
- Update on Speed Visor
- Update on Trevoney Footpath (watercourse & trees)
- Update on Churchyard wall
- Playing Field - Further equipment to be purchased
- Unitary Update – Number of Members / Elections / Community Network Areas
- Invitation to contribute to Falmouth Town Council's Community Plan

**i) To respond to the latest consultation on the proposed number of members of the Unitary Authority**

The letter from the Boundary Committee and the response from CALC had been distributed prior to the meeting. The Parish Council had been asked to respond by 18<sup>th</sup> July 2008.

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

**RESOLVED** that the Clerk should respond, in line with the CALC letter, that the council believed that 130 members were required in the new Unitary Authority.

**j) To respond to a consultation document on Tremough Campus expansion**

This had also been distributed prior to the meeting, and required a response by 4<sup>th</sup> July 2008. A lengthy document, it concerned a very large proposed expansion of the Tremough Campus.

Following discussion, it was proposed by Cllr Fairbank, seconded by Cllr Gibson and

**RESOLVED** that the Clerk should respond and highlight possible problems with parking, local transport, student accommodation and the burden that the expansion would place upon the local infrastructure.

**k) To consider CALC's request for an additional £50 voluntary contribution**

At the CALC AGM it had been agreed that Parish and Town Councils should be asked for an additional voluntary contribution of £50, as well as the normal subscription fees. Members did not feel that this was justified.

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

**RESOLVED** that Budock Parish Council should not pay the additional £50 voluntary subscription.

**l) Status Report on Falmouth Community Plan**

The Chairman stated that neither he nor the Clerk had been able to attend the previous meeting, and that another meeting was arranged for the following day, 1<sup>st</sup> July 2008. Once again, neither could attend. It was agreed that a representative of Budock Parish Council should continue to attend, whenever possible.

**C2751 CORRESPONDENCE**

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

**C2752 REPORTS FROM COUNTY AND DISTRICT COUNCILLORS**

**a) County Council**

C Cllr Hatton reported on the following :-

- **Unitary Authority** – The Boundary Committee had considered the proposal for 130 members, and had not felt that there was sufficient justification. A further 6 weeks of consultation had been agreed. Should the existing 82 Ward Members be considered sufficient by the Boundary Committee, then this might impact upon the Community Network Areas (CNA's). Current thinking was that, from C Cllr Hatton's existing ward, all parishes except Gweek would fall within the Falmouth/Penryn CNA, with Gweek part of the Helston CNA. Looking beyond the debate on member numbers, Unitary structures are starting to evolve.
- **Local Member Scheme** – The proposal for a Variable Message Sign (Speed Visor) for Budock Water had been rejected, after the latest monitoring.

The Clerk was instructed to write to County Highways, expressing the dismay of the Parish Council at this decision, and asking for it to be reconsidered.

**b) District Council**

In her absence, Cllr Mrs Fryer had emailed a report, in which it was stated that the planning application in respect of the old St John Ambulance Hall had been taken to appeal.

**C2753 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 enforcement complaints had been received in Budock, since the last meeting.

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

- (i) **PA08/01089/F – Drs C Trounce & A Prendeville, Rosemerryn House, Rosemerryn, Budock Water – Listed Building Consent for the installation of replacement windows and doors, replacement roof-light and internal alterations to dwelling**  
**OBSERVATIONS : NO OBJECTIONS.**

**d) Other Planning matters**

The Clerk reported three Planning Applications had been withdrawn :-

- Listed Building Consent for double garage at Higher Kergilliack Farm (consent not required)
- Planning Application for extension at Roscarrack House
- Listed Building Consent for extension at Roscarrack House

**C2754 REPORTS FROM COMMITTEES AND REPRESENTATIVES**

**a) Police Report**

PC Cormack reported that there had been 2 crimes reported in the past month, 1 x domestic incident and 1 x theft from premises on Bickland Park. This compared with 5 crimes reported in the same period in 2007.

**b) Playing Field Committee**

Cllr Tim McCabe reported that the committee planned to purchase two small items of additional equipment in the near future.

**c) Environment**

Commenting on the item of correspondence from Matthew Taylor MP, Cllr Tim McCabe suggested that the council should consider whether it wished to respond. It was decided that no response was appropriate.

**C2755 RIGHTS OF WAY MATTERS**

Cllr Fairbank reported on the following :-

- **Modification Order in respect of Bridleway 14** – This made official the route already taken by walkers. He had concerns about the width and surface of the proposed route, if it was to be used as a bridleway. The Clerk was asked to include these concerns in the council's response.
- **Rights of Way Maintenance** – He had concerns that some of the work contracted for had not yet been carried out, but that the contractor's invoice had been submitted for payment. The Clerk was asked to contact the contractor.

**C2756 FINANCE AND PAYMENT OF ACCOUNTS**

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

**RESOLVED** that accounts totalling **£2191.86** be approved for payment and duly signed. A schedule of these is attached to the minutes as a record.

**C2757 DATE AND TIME OF NEXT MEETING**

The next meeting of Budock Parish Council was to be held on Monday, 28<sup>th</sup> July 2008, commencing at 7.30pm, at Budock Village Hall.

**COMMENTS FROM THE PUBLIC**

**a) Blocked drains in School Hill**

The Clerk agreed to report this to County Highways.

Signed : ..... 28<sup>th</sup> July 2008  
Chairman