

**Marhamchurch Parish Council**  
**Tuesday 19<sup>th</sup> September 2017**

A meeting of the Parish Council was held in the Methodist Sunday School on the above date at 7.30pm.

**Councillors present.**

17/193 Chairman Mr J Petherick, Messrs R Blewett, S Colwill, T Edwards, T O’Sullivan, T Perry, Mrs F Hunt, Mrs J Walter, Mrs S Butler and Mrs Waterhouse.

**Also in attendance:** Clerk Mrs B Heathcote and for some of the meeting Cllr N Chopak.  
Approximately 8 members of the public were present for some of the meeting.

**Receive and Approve Apologies.**

17/194 No apologies.

**Declarations of Interest.**

17/195 Mrs S Butler declared a non-registerable interest re Agenda Item 11 BAH car park space. Mrs J Walter declared a non-registerable interest re Agenda item 13, Marhamchurch Village Shop.

**Dispensations.**

17/196 Mr S Colwill’s request to use his dispensation regarding PA17/08131 was approved.

**Public Open Session to receive questions and answers from the public on an agenda item.**

17/197 No matters raised.

**Confirmation of the Minutes of the Meeting of the Parish Council held on July 18<sup>th</sup> 2017.**

17/198 It was unanimously resolved to approve the minutes which were signed by the Chairman.

**Matters Arising.**

17/199 a) **Para 17167c TSB Signatory Mandate.** Mr T O’Sullivan confirmed that he has not yet taken the form to the bank.

b) **Para 17/187d Monmouth B Society** has confirmed the amended signatory mandate is in place.

**Correspondence.**

17/200 a) The following items were placed for circulation on 12.08.17.

- i) J Parkes Wholesale bulb catalogue.
- ii) CALC July news.
- iii) NALC LTC 54.
- iv) LGC special report on town and parish councils.
- v) NALC Legal Briefing L04-17.
- vi) CC Localism: Town & Parish Council Update.
- vii) CC Neighbourhood Planning July Update.
- viii) Project Griffin Awareness Sessions.
- ix) Email from Breast Cancer Charity re Clothing Banks.

b) The following items were placed for circulation on 01.09.17

- i) Letter of thanks from MVH Trustees.
- ii) CALC – re NALC message Citizenship and Civic Engagement.
- iii) Bude CN Notes from meeting 10.07.17.
- iv) CALC – Local Council’s representative view re Neighbourhoods Overview & Scrutiny Committee Waste Collection and Cleansing Contract Inquiry.
- v) CC Cyber Protect Officer Devon & Cornwall Police re Community Network panel.
- vi) W Walker re PA17/02783 – Road safety.
- vii) A Mitchell Road safety concerns.
- viii) CALC August Newsletter.
- ix) NALC Policy Consultation 06-17 – Broadband Service Obligation.
- x) NALC Future of Localism call for evidence consultation.

- xi) NALC Policy Consultation 05-17 Lords Select Committee on Citizenship & Civic Engagement – call for evidence.
  - xii) NALC Legal Briefing – 05-17 – General Data Protection Regulations – summary of main provisions.
  - xiii) CALC Public Toilets – Cornish Town and Parish Council experiences. Aug 2017.
- c) The following items were placed for circulation.
- i) Clerks & Councils Direct.
  - ii) CC Neighbourhood Planning e-Bulletin Aug 17.
  - iii) Age UK Cornwall & Isles of Scilly – Transport Services.
  - iv) CALC Conference 14.10.17.
  - v) CRHA AGM 29.09.17.
  - vi) Cornwall AONB – Latest news.
  - vii) PA17/02339 Decision Notice with conditions.

## Planning

### 17/201 a) Decision Notices/Updates.

- i) PA17/02339 - Installation of an agricultural anaerobic digestion facility and associated plant and equipment including underground pipework, digestate lagoon, site access road and landscaping. East Helscott Farm Marhamchurch. Mr Imran Sheikh East Helscott Renewable Energy Limited. Approved.
- ii) PA17/02783 - Additional 24 Holiday Dwellings and Extension to Swimming Pool Building to provide Woodchip Biomass Boiler Room. Whalesborough Farm. J & F Proudfoot. Pending.
- iii) PA17/05123 – Erection of two dwellings. Land north of Pinch Bungalow, Pinch Hill. Mark Ford Builders Ltd. Withdrawn.
- iv) PA17/06040 – Proposed Conversion of Barn to form Dwelling. Land south of Langford Barton Marhamchurch. M J Grills & Son. Approved.
- v) Good Energy Wind Turbine Appeal at Week St Mary. Dismissed. Good Energy has lodged a Judicial Review application.

### b) Planning Applications/Appeals.

- i) PA17/08104 – Erection of one dwelling. Land adjacent to Pinch Bungalow, Pinch Hill. Mark Ford Builders Ltd. The proposal is for a bungalow. The plans were studied and during the discussion, the applicant's provision of a footway extending from The Paddocks to Pinch Cottage was noted and the councillors concurred that the footway should be included as a condition. Mr T Perry proposed recommending approval, Mrs J Walter seconded. On voting, 9 councillors voted in favour of recommending approval. There was 1 against.
- ii) PA17/08131 – Outline Planning permission with some matters reserved: Erection of 4 dwellings garages and access. Land south of Elmsleigh Pinch Hill Marhamchurch. Mr & Mrs I Winks. The plans were studied and during the discussion it was noted that the proposed dwelling and garages do not represent infill or rounding off but is sited in open green countryside and therefore is in contravention of Cornwall Local Plan policy 3 (Role and function of places). Councillors expressed many concerns including: The inability of vehicles to pass each other on the access lane which may lead to vehicles reversing onto Pinch Hill; vehicles are parked on the layby below and above the access point which will impair visibility. The dangers would be exacerbated due to the brow of a hill which is just below the proposed access, meaning drivers coming up Pinch Hill would not have a clear advance view of vehicles exiting or entering the proposed access. Similarly, vehicles exiting or entering the site would not have advance visibility of traffic coming up the hill. Other considerations included poor access with not enough room for emergency vehicles and/or 2 cars to pass. The increase in traffic resulting from 4 properties exiting and entering would increase and impact adversely on other road users – including cyclists. The increase of properties would almost certainly give rise to more cars being parked by the side of the road

which causes more danger to pedestrians and cyclists. There is no footway so the risk to pedestrians would be increased. Mr T O'Sullivan proposed recommending refusal, seconded by Mrs J Walter. The council voted unanimously to recommend refusal.

#### **Cllr N Chopak.**

17/202 Cllr Chopak advised that although there was no CC cabinet meeting in August she has been very busy. She has been elected onto CC Neighbourhood Scrutiny Committee, this covers waste, flood, fire service and libraries.

Cllr Chopak had to leave the meeting early and it was agreed to bring forward some Agenda items to enable her to make comments and provide updates.

#### **Update re Bridge closure (adjacent to Foundry Cottage).**

CC has installed a temporary wooden footbridge. It was agreed that, although something is better than nothing, the bridge that is in use is not suitable for cyclists and is unsuitable as a permanent solution. Cllr Chopak will convey thanks for the temporary structure but will advise CC that a permanent, suitable bridge is still required.

#### **Manure pile in Hobbacott Lane near Chrisney Cross.**

CC Chopak advised that a CC Officer is in the process of following up the matter about the obscene writing on the lorry with the owner. She will also make further enquiries relating to the manure pile with the Environment Department.

#### **Discuss request for a public right of way (PROW) from E Helscott to Helebridge.**

The Chairman suggested that, as CC own the land adjacent to the A39 which adjoins the end of the current path that leads in from the bottom of Helebridge Road, Cllr Chopak make enquiries with CC about having a path linking it with the PROW along the Sharlands – Helscott PROW.

**Highways/Village Road Safety** Cllr N Chopak has been in contact with CC Highways about speed on the A39 by the multipart busy Helebridge junction which CC is monitoring. Cllr N Chopak referred to the serious accident that had occurred at the junction in August; an accident report is awaited. The verges at the junction have recently been cut back by CC.

#### **Update re cost of 50 yr £500,000 Public Works Loan options to keep the Bullers Arms car park space for parking.**

Mrs S Butler left the meeting.

17/203 Information re the number of council tax properties in the parish and the PWLB costs had been circulated. CC has advised that 391 properties are banded for council tax in Marhamchurch, 5 are in receipt of an exemption. Repayment costs on £500,000 over 50 years (max) (current interest rate 2.89%) would be £18,968.16 per annum. It is not known how many properties for each respective Banding are in the parish so it is not possible to calculate how much the cost per annum would be for each Banding. However as a rough estimate the repayment divided by 386 would be £49.14 pa. For 2017/18, Marhamchurch Parish Council for a Band E property is £59.87 and the increase would represent roughly 85%. During the discussion, it was felt important to investigate every avenue to avoid the car park being built on. In addition to the cost of the loan other costs were mentioned – ie legal costs, stamp duty, running costs and also the possibility of crowdfunding and income from users/businesses. It was reiterated that it is necessary to get an indication from parishioners whether or not they would be in agreement to a parish tax increase. Messrs T O'Sullivan, T Perry and Mrs I Waterhouse agreed to form a committee to investigate the various funding options and potential costs. This information to be used to inform the Parishioners at a public meeting in the future, through which public opinion can be gauged .

Mrs S Butler returned to the meeting

#### **Neighbourhood Plan update.**

17/204 Unfortunately due to bad weather, it had not been possible to publicise the Plan on Revel Day. It is intended to place the information board in the Village Hall. Monthly Working Group meetings have taken place and good progress is being made. An information leaflet for each household will be

distributed in the near future and a full questionnaire is planned for issue to each household in November. Funding provision from CC is being investigated. It is intended to provide a dedicated e-mail address for Neighbourhood planning issues and to post relevant updates and background information on the Parish Council website.

### **Marhamchurch Community Shop (MCS) – Grant application requirements including ‘peppercorn’ rent confirmation.**

Mrs J Walter left the meeting

17/205 As part of MCS grant application to the Atlantic & Moor Local Action Group (AMLAG) LEADER, co-ordinator J Teague has requested: a) a full version of the draft lease, b) an email from the Parish council stating the tenancy period and the rental rate, c) confirmation of the land transfer agreement from CC to MPC re the land at the rear and d) Land Registry (LR) details. The Clerk advised: a) The Shop committee has copies of the draft Heads of Term Agreement, Agreement for Lease and Lease as prepared by Messrs Peter Peter & Wright in 2011. There are some anomalies and contradictions between the draft Heads of Terms and the draft Lease, some missing paragraphs and no Schedule Two. It had been agreed previously, in order not to increase solicitors fees, to defer following up until the MCS were nearing completion of reaching their funding targets. The Clerk was directed to contact the Solicitors and request a copy of Schedule 2 and for an explanation of the missing paragraphs in Schedule 1. b) The draft lease stipulates that the term of the lease is 35 years. Mr S Colwill proposed setting a £5 per annum rent for the term of the lease. Seconded by Mr R Blewett, with unanimous approval. c) Regarding the land behind the toilets, MCS has been provided with a copy of the letter dd 18.01.13 from CC to Messrs Peter Peter & Wright confirming all necessary approvals are in place for a disposal of CC’s freehold interest in the land. MCS has been notified of the LR number of the land the toilets are situated on. The land behind the toilets cannot be registered to the Parish Council until such time as the freehold transfer takes place. The Clerk will write to MCS accordingly.

Mrs J Walter returned to the meeting.

### **Manure pile in Hobbacott Lane near Chrisney Cross.**

17/206 Mr S Colwill advised that some residents in Hobbacott Lane are unhappy about the length of time the manure is left on site. See Para 17/202 above.

### **Councillors’ Training Feedback from Mrs S Butler, Messrs S Colwill and T O’Sullivan.**

17/207 The Councillors had attended Being a Good Councillor training in Bude provided by CALC Executive Officer Sarah Mason. Messrs S Colwill and T O’Sullivan reported on some relevant points which were noted.

### **Review new Financial Regulations..**

17/208 Hard copies of the revised draft had been provided for each councillor. Mr T Edwards proposed adopting the new version, seconded by Mrs J Walter with unanimous approval. It was agreed the Councillors will mark their draft copy as being the New Adopted Financial Regulations for their file.

### **Community Benefit Fund**

17/209 Planters and flowers in the village. Mr T Perry advised he will make a planter for Hobbacott Lane for Spring 2018. Planters for the Square – It was decided that the granite pots that form part of the War Memorial are too small and unsuitable for planting. Mrs I Waterhouse has done some research for suitable planters and suggested that someone else have a look too and photographs will be circulated. It was suggested getting 2 planters to go beside the War Memorial.

### **Playpark**

17/210 a) Update from Mrs F Hunt re the Train and Carriage costs. The overall cost of the train and carriage had been less than anticipates leaving a balance of £2248 from CBF grant. The original carriage is in poor condition. A suitable replacement mini carriage with slide is £2938.00 +VAT including

delivery and installation and Mrs Hunt requested that the balance is used to go towards funding the cost of the mini slide carriage. Mr S Colwill proposed to approve the request, seconded by Mr T Perry with unanimous approval. The company require 50% (£1469) at the time of the order being placed.

b) The minutes of the meeting on 14.09.17 were unanimously approved. Mrs Hunt provided a receipt for £12 re fuel and labour for the grass cutting which had been paid from petty cash.

#### **Discuss request for a public right of way (PROW) from E Helscott to Helebridge.**

17/211 See Para 17/202 above.

#### **Approve Transparency Code grant application.**

17/212 The application requires approval by the parish council before submission. The claim covers: £267 net for hosting and domain. 2 hours training @ £30 = £60. 1 ½ hrs clerk time per month @ £12.56 = £226.15. Total £553.15. Mr S Colwill proposed increasing the Clerk's training to 3 hours, seconded by Mrs J Walter, with unanimous approval. Mr S Colwill proposed approval of the grant application claim of £583.15, seconded by Mrs J Walter with unanimous approval. The Clerk confirmed that this is the last year grants for complying with the Transparency Code will be available.

#### **War Memorial.**

17/213 Deferred to the next meeting.

#### **Remembrance Day.**

17/214 a) Poppy Wreath – Mr S Colwill proposed Type B - £17.00, seconded by Mr T O'Sullivan with unanimous approval. Mrs S Butler was invited and accepted to represent the Parish Council on November 12<sup>th</sup>.

b) Liaise with Marhamchurch Primary School re pupils attending the Service. Following the short discussion, Mr S Colwill offered to mention it to the Governors and will give them details of the Poppy Wreath ordering process.

#### **Development of a Parish Emergency Plan.**

17/215 The Chairman mentioned that this would involve having a list of available buildings, key holders and contact names/numbers. Mr S Colwill mentioned there is information about Emergency Plans in circulating correspondence. The Clerk mentioned that the Emergency Plan does not need to be compiled by a councillor but could be prepared by a parishioner or groups of parishioners.

#### **Consider having a Parish Council Facebook page.**

17/216 The item was deferred and the councillors were advised to have a look at the Feock Facebook page.

#### **Consider procuring a mobile 'phone for the Clerk/Parish.**

17/217 Deferred until the October meeting.

#### **Setting up parish email accounts for each councillor.**

17/218 The Clerk has met with Mr A Morgan (Bude Computers) to discuss the best way forward. Up to 50 .gov.uk email addresses can be set up, at no extra cost, from the existing hosting the parish council has with Seiretto. The Clerk will be the administrator of the system. It was agreed that each councillor will have their own .gov.uk email address and that a link will be made so each time an email is sent to their parish council email, they will receive a message to their current email address to alert them to log onto webmail. Mr A Morgan estimated that it will take him 1 hour (£30+ VAT) to get it all set up initially. The Clerk and Mr A Morgan (Bude Computers) will have access to the system. Mrs I Waterhouse proposed the Clerk direct Mr A Morgan to arrange the emails and links, seconded by Mr T Perry with unanimous approval. The Clerk will also arrange for an email address for the Neighbourhood Plan.

#### **Basketball Posts**

17/219 The 2 posts were installed in 1998, as part of a scheme backed by Lottery Sports Fund, English Sports Council, English Basketball Association and Adidas. The posts were free of charge and the parish council paid to have them installed and they are listed as Parish Council Assets. The safety report from CORMAC highlighted some areas re the basketball posts – 1. the fixings are corroding on the backboard, 2. The backboard inset is damaged, remove or replace, 3. There are silt deposits and algae/moss on the bitmas surface. Not mentioned in the report but the nets are no longer there. The Clerk has contacted Basketball England for advice. They have supplied free replacement nets and intimated that a replacement backboard is around £100 + costs to install. Messrs T Perry and R Blewett offered to have a look.

### **Parish Cemetery**

- 17/220 a) Annual Cemetery Review. a) Mr R Blewett has completed a safety check on the headstones and confirmed them all to be firm and safe. Mr R Blewett advised that parts of the wood in the bench next to the water butts are rotted and it needs repairing and/or replacing. The Clerk will investigate who donated the bench and contact the family if appropriate.
- b) Update re security of Cemetery Records' storage. Still pending.
- c) Cremation space – The prepared ground area is almost full. It was suggested the councillors visit the cemetery to agree whether or not to proceed to the next space – ie up to the wall buttress.
- d) Purchased markers -There are no more 'purchased' markers in reserve. The suggestion to re-use markers on existing reserved plots where the plots either side have been used was approved. Mr R Blewett mentioned that some 'purchased' markers have disappeared. Mrs S Butler mentioned that sometimes items on plots are being moved.
- e) Other Cemetery matters: i) Prior to the meeting the councillors approved a request for parishioner rates for the late Mrs J Rodd. Also prior to the meeting the councillors had approved a request for interment in the Cemetery following an Exhumation.
- ii) The Clerk confirmed that the Parish Cemetery is un-consecrated ground. It was agreed in 1993 not to consecrate it – because to do so would prohibit non-Christians being interred. When a minister attends a ceremony in the cemetery – he/she in effect consecrates the ground as appropriate.

### **Governance & Accountability for Smaller Authorities in England March 2017.**

17/221 The Clerk has printed and read the March 2017 updated Guidance. Included therein is a stipulation that a clerk 'cannot be paid gross and fall to be taxed under PAYE'. The Clerk currently runs an HMRC PAYE RTI system but is paid gross and the system calculates how much tax is owed which she then pays by BACS to HMRC from her own private bank account. CALC have confirmed that this is incorrect and that the Parish Council is responsible for paying the tax. Therefore the Clerk will run the PAYE system prior to each pay quarter, calculate the tax due and arrange for the salary to be net and for the tax to be paid by BACS from the parish council account. (Provision for this specific BACS payment is made in the 'new' Financial Regulations).

### **Local Council Review Subscription Renewal - £17 for 4 magazines per annum.**

17/222 Mr T O'Sullivan recommended renewing the subscription for 1 copy per quarter, seconded by Mr T Perry with unanimous approval.

### **Finance**

17/223 a) It was resolved to authorise payments totalling £2416.10 as per the schedule plus £1488 (Outdoor Play People {Playpark}, NALC, Mr P Amos-Yeo {cleaning products}) and it was resolved to approve the payment in August of £100 from Parish Playpark account for safety bark.

b) Income:	Cemetery Memorial Inscription late Sparks	£ 30.00
	Cemetery Memorial late C Stoner	£ 60.00
	Cemetery memorial late T Gliddon	£ 60.00
	CC 2 <sup>nd</sup> Half of Precept	£7,762.50
	CC 2 <sup>nd</sup> half CTS Grant	£ 243.77
	EDF Refund	£ 5.45



c) Bank Balances.as at 17.09.17:	Monmouthshire B/Soc	£ 9,592.10
	TSB Int Acc	£13,951.23
	TSB Current Acc	£ 4,176.07
Playpark	TSB Int Acc	£ 1,000.95
	TSB Current Acc	£ 4,324.87

d) Apr – Jun Finance Report and Financial check. The Chairman undertook his checks and the figures produced by the Clerk (previously circulated) are accurate.

**Review unspent and available amounts as at 31.03.17.**

17/224 a & b) Deferred until October – after the 6 month figures are available.

**Conclusion of 2016/17 Annual Audit.**

17/225 Grant Thornton has completed their audit and returned the certified Annual Return. The information in the Annual Return is in accordance with proper practices and there are no matters arising giving cause for concern. A copy of the External Auditor report and Certificate and Notice of Conclusion of Audit will be displayed on the NB and website for the required duration.

**Consider a Citizen of the Parish Award.**

17/226 Deferred.

**Other Parish Matters**

- 17/227 a) Defibrillator Training. Waiting for a response from Mr N Trebilcock (FLEET) for some dates.
- b) Highways/Village Road Safety – See Para 17/202 above. PCSO Krolick has responded regarding traffic and obstruction in Marhamchurch and witnessed no overtly inconsiderate parking adding that if cars are parked on pavements during school time and children are forced to walk on the road, he will (depending on his time demands) speak to the driver. The Clerk was directed to write about overgrown hedges at Titson (Week St Mary parish)
- c) Footpaths – CC has advised that the Sharlands/Helscott footbridge has been repaired. The Clerk is awaiting confirmation that the stile was repaired also. Mr T O’Sullivan was pleased to report that the Hele Valley trail has been cut twice this year.
- d) Public Toilets – EDF after refunding £5.45, the account is £9 in credit and from September they intended to raise the direct debit (dd) by £1 to £10 per month. The Clerk requested that the dd stays at £9 pm and EDF assented.
- e) Weed Treatment – the treatment in July had been successful and the second treatment this year is due soon.
- f) Offensive writing on the lorry in the field adjacent to Hobbacott Lane. PCSO Krolick has advised that it appears it may constitute an offence and he is checking with the Police crime standards to clarify and has requested the name of the owner which the Clerk has supplied. Also see Para 17/202 above.

**Urgent Matters raised with the Chairman since the Agenda was published.**

- 17/228 a) CALC event 14.10.17 relating to Electoral Review of CC & the Parish & Town Councils of Cornwall. £10 per attendee. The Chairman has booked to attend.
- b) The Chairman suggested, following approval of the proposal for stage 2 of the Anaerobic Digester at East Helscott, writing to the Bray family regarding a parish community benefit. Following the discussion it was felt appropriate to write to Qila and so a letter will be copied to the Bray family and Qila.

**If time allows: Review Risk Assessment (information previously supplied), Direct Debit procedure check, Annual Review of Governance and Finance.**

17/229 Deferred.

**Date and Items for next Agenda.**

17/230 Tuesday 17<sup>th</sup> October. Deferred items.