

Landrake with St Erney Parish Council

Minutes of the Annual Parish Council meeting Held on 9th May 2023 In Sir Robert Geffery Memorial Hall

Present: Cllrs M Gingell (Chairman), G Francis (Vice Chairman), H Cartledge-Claus, P Barton, P Mathers and N Owen.

In attendance: Mrs K J Heald, Parish Clerk and Cornwall Councillor Martin Worth

A.I. = Agenda item number

1. **Welcome and introductions from the Chairman, election of Chairman and Vice Chairman. Chairman of Landrake with St Erney Parish Council (A.I.1)**
The Clerk asked for proposals to elect a Chairman of the Parish Council. It was proposed by Cllr Mathers, seconded by Cllr Cartledge-Claus and unanimously agreed by all Councillors that Cllr Gingell is re-elected as Chairman of Landrake with St Erney Parish Council. Cllr Gingell accepted the position and signed the Declaration of Interest. **Resolved.**
Vice Chairman of Landrake with St Erney Parish Council
It was proposed by Cllr Barton, seconded by Cllr Mathers and unanimously agreed by all Councillors that the Cllr Francis is elected as Vice Chairman of Landrake with St Erney Parish Council. Cllr Francis accepted the position and signed the Declaration of Interest. **Resolved.**
2. **To receive declarations of interests on any agenda item and if relevant to approve any requests for dispensations. (A.I.2 / A.I.7 – Duplicated on the agenda)**
None.

Agenda item 3 - Open forum and Cornwall Councillor report (15 – 30 minutes) - Deferred

No members of the public present.

CC Martin Worth joined the meeting at 19:41hrs.

3. **Apologies for absence (A.I.4)**
Apologies received from K Smeardon, R Savery and S Walker. Due to work commitments Cllr D Morris arrived at the meeting at the end of the meeting.
4. **Matter arising from the previous meeting (A.I.5)**
None

Standing items for Annual Parish Council meeting for approval

5. **Minutes of last meeting (A.I.7)**
Approval of the minutes from the meeting held on 11th April 2023. (Note circulated agenda stated 11th May 2023). It was proposed by Cllr Mathers, seconded by Cllr Francis and unanimously agreed by all Councillors to approve that the minutes of the Parish Council meeting held on 11th April 2023 are approved as a true and accurate record of the meeting. **Resolved.**
6. **To confirm the acceptance of the adopted Code of Conduct (A.I.8)**
The Councillors noted the Code of Conduct.
- 9a. **To confirm acceptance of the Council's Standing Orders (A.I.9) and Financial Regulations (A.I.10) and to agree any modifications.**
Standing Orders are the written rules of a local council. They are used to confirm a council's internal organisation, administration and procurement procedures and procedural matters for meetings.

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- 9b. To confirm acceptance of the Council's Finance Regulations and to agree any modifications**
The Financial Regulations set out the framework for managing the Council's financial affairs. They regulate and control the financial affairs and accounting procedures of a local council. It was proposed by It was proposed by Cllr Owen, seconded by Cllr Barton and unanimously agreed by all Councillors to approve the Standing Orders and Finance Regulations. **Resolved..**
- 10. To appoint and approve the members of committees and working groups. (A.I.11)**
Finance Working Group: Cllrs Gingell, Francis and Owen.
Cllr Savery to remain as the Road Safety Partnership representative.
- 11. To appoint the Cornwall Gateway Network Panel representative (A.I.12)**
Cllr Francis agreed to remain the Council's representative on the Cornwall Area Partnership (formerly Cornwall Gateway Network Panel representative).
Action: Clerk to include substitute representative on the agenda for the next Council meeting. Each town and parish have been asked to submit their top three priorities.
It was agreed Cllr Francis would submit the following
- A38
 - Speeding in rural lanes
 - Planning issues – Lack of enforcement / increase in retrospective planning issues.
- Cllr Francis was delegated to list the order of these priorities at the next CAP meeting.
- 12. To confirm the arrangements for the Councils insurance cover in respect of all insurance risk (A.I.13):** The council note its current policy is with BHIB Insurance. Solomon Browne Room has been added to the Council's insurance policy.
- 13. To review and adopt the Cornwall Association of Local Council's Complaints Handling Procedure.**
It was proposed by Cllr Barton, seconded by Cllr Mathers and unanimously agreed by all Councillors to approve the Complaints Handling policy. **Resolved.**
- 14. To review the Council's policies, procedures and practices in respect of its obligations under the freedom of information and data protection legislation.**
- (i) To approve the draft Model Publication Scheme**
The Freedom of Information Act requires every public authority to have a publication scheme, approved by the Information Commissioner's Office (ICO), and to publish information covered by the scheme. See Information Commission's Office (ICO) website:
<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/publication-scheme/>
- (ii) To approve the adoption of the CALC Freedom of Information Act Policy for handling requests for Information**
It was proposed by Cllr Cartledge-Claus, seconded by Cllr Francis and unanimously agreed by all Councillors to approve the Model Publication Scheme and the Freedom of Information Policy. **Resolved.**
- 16. To reaffirm that having met the Prescribed Conditions of the order 2012, the Council approves adoption of General Power of Competence. See appendix 1.**
The conditions of eligibility are detailed under article 2 of The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.
An explanatory note states the order the Order prescribes the conditions to be met by a parish council
Criteria
- Councils must hold a minimum of two-thirds of elected Councillors filled at the last ordinary elections.

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- A clerk holds the national qualification and has completed relevant training i.e. Certificate in Local Council Management (CiLCA) Process

- The Council must resolve at a full parish council meeting that it meets the above criteria at that time
- A further resolution must be passed at every annual meeting of the Council after the ordinary elections; which normally takes place every four years.

It was proposed by Cllr Francis, seconded by Cllr Barton and unanimously agreed by all Councillors to reaffirm that the Council meets the Prescribed Conditions of the General Power of Competence.

Resolved.

Ordinary month Parish Council meeting agenda items for approval

17. Finance (A.I.17)

a. To note the Council's bank balance.

Cllr Gingell reported the bank balances as detailed below.

Unity Trust = £22,029.97

Nationwide Building Society = £50,977.71 (includes £25,000 long term reserved funds for Sir Robert Geffery Memorial Hall).

b. To review the Clerk's finance report.

c. Internal audit:

(i) Update from the Parish Clerk

Exercise of Public Rights: This year the earliest this can commence is Monday 5 June ending on Friday 14 July 2023. The latest this can commence is Monday 3 July ending on Friday 11 August 2023. Accounts to be finalised and submitted to Internal Auditor.

Information had been submitted to the Parish Councillors detailing requirements for authorities claiming exemption (and detailed under the Local Audit (Smaller Authorities) Regulations 2015 - Total gross income and total gross exemption must be below £25K)

(ii) To pass a resolution confirming Landrake with St Erney Parish Council have no conflicts of interest with BDO

It was proposed Cllr Francis, seconded by Cllr Mathers and unanimously agreed by all Councillors that the Council has no conflicts of interest with BDO LLP. **Resolved**

d. Council payments

Approval of payments as detailed (where applicable amounts include reclaimable V.A.T.) and to agree payment of any invoices received after the distribution of the agenda, presented in the meeting.

Recipient	Details	Amount
Karenza Heald	Mileage – May 2023	11.25
Play Safety Ltd	Annual inspection of play park equipment	94.20
Sir Robert Geffery Hall	Hall hire and entertainment	500.00
Tim Lamerton	Village maintenance	330.33

Note: A payment has been processed for £19.97 to BHIB for the insurance costs of the Solomon Browne Room.

The Clerk advised that in addition to the payments listed on the agenda an invoice for £873.60 had been received from Biffa for emptying the parish bins.

Cllr Francis advised that an invoice had been received from BT for the broadband for £162.54 (including V.A.T) and that the new contract is due in August 2024.

It was proposed by Cllr Mathers, seconded by Cllr Barton and unanimously agreed by all Councillors that the payments as presented are approved. **Resolved**

e. Insurance: To consider the quotations for the renewal of the Parish Council's insurance.

BHIB:

It was proposed by Cllr Francis, seconded by Cllr Gingell and unanimously agreed by all Councillors that the Council continues with BHIB as its insurance provider. **Resolved.**

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18. **Traffic and Transport** (A.I.18)

Communication to Sir Robert Geffery School re safety issues on School Road. Noted.

19. **Playing field** (A.I.19)

To discuss the communication between Cllr Mathers and the Ironmongers, review and consider the proposals from Cllrs Cartledge-Claus and Cllr Smeardon and agree next steps.

- Cllr Mathers agreed to put forward proposals to the Ironmongers
- Cllr Francis agreed to forward the list of contacts from the last survey who volunteered to help with the recreation field.
- The Councillors all agreed any proposals for the recreation field will require a lot of planning and involvement from the young people.
- Cllr Cartledge-Claus said the young people would be happy to make a presentation to the Council.

20. **Planning** (A.I.20)

8. **Planning application consultee decisions and planning updates**

a. **Clarke Telecom on behalf of CK Hutchinson Networks (UK) Ltd:** Proposed Radio Base Station Installation update and to consider alternative option put forward.

An alternative suggestion was put forward by Clarke's Telecom, however this was in close proximity to the location on PA23/02464 and the same issues would apply (on the green space on the junction of A38 – referred to on the planning application as School Road).

68 objections.

No decision as at 8th May 2023.

Petition submitted. Email from Planning Officer 2nd May 2023 *"I have saved this to file as sensitive due to the signatures, however it has been received and saved to file and will be considered."*

Decision not yet determined by Cornwall Council.

b. **Cornwall Council:** Updates

Pre-application planning Application: PA23/00308. Treluggan Manor, Landrake

Pre-application advice for installation of 12 ground mounted solar panels.

Cornwall Council decision: Advice given. Development could be acceptable in principle, however this would also be subject to the consideration of relevant material planning matters.

PA23/02291. Lower Brightor Farmhouse, Tideford.

Application for outline planning permission with some matters reserved for the construction of a farm dwelling; namely access only. Approved with conditions Subject to timescales.

PA23/02752. Penmellow Stables Cuttivett Landrake Saltash Cornwall PL12 5AW.

Certificate of lawfulness for existing use of building and land C3 residential dwellinghouse use.

Granted.

PA23/00512. Lower Penquite Farm Stables, Landrake..

Prior notification for the construction of steel portal frame barn to replace the existing pole barn that is not longer fit for purpose.

Cornwall Council decision: This development is considered to be permitted under the Permitted

Development Order*. The proposed development does not comprise agricultural permitted

development as set out within Class A, Part 6, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015*, because it does not relate to an existing agricultural trade or business.

Standing items for update / reporting

21. **Recreation Field**

Cllr Gingell reported the contract with the school maintaining the playing field has dropped. (The school use the field and the arrangement is in return they cut the grass). There has been a change in

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the Head of the School. Agreed action: Cllr Gingell to see if the school is aware of the agreement and see if a farmer is able to cut the grass and bale it.

22. Village playground and village maintenance

Update from Cllr Gingell:

- Water overflow into Quarry Lane has stopped and a nature reserve created.
- The Tredinnick public footpath sign has been rubbed down and replaced.
- The Council's contractor, Tim Lamerton, has regularly picking up litter in the area.
- He will need to attend a RoSPA training course.

23. Climate / Environmental Sustainability (A.I.23)

The Council discussed planting daffodils. It was recommended to plant bluebells. **Action:** costs to be obtained approval to be sought at the next Parish Council meeting.

Cllr Cartledge Claus said she would like to produce a newsletter. The newsletter could include:

- Public transport information (getting into Plymouth)
- 'What's on in Landrake – special events.

Deadline for completion of the newsletter – end of August 2023.

Action: Include 'agree a budget for the production of a newsletter on the agenda of the next meeting'.

20:35 Due to prior commitments Cllr Owen left the meeting.

23. County Councillor update (A.I.3)

- Concern over the loss of the Tri Services Officer (one person forming links with the police, fire and ambulance service), due to promotion of the last officer. Funding has been reassigned for a replacement.
- There has been a request for the front desk at Saltash Police Station to be reopened.
- The bus service is successful, particularly the 450, which is working around Saltash.
- CC Martin Worth was disappointed over the County deal referendum results.
- A change in government strategy has meant the A38 safety package has been put back.
- Tamar Crossings. Next meeting will be on 5th June 2023.
- Cornwall Council's decision on the radio mast is due to be made on 17th May 2023

24. Cornwall Area Partnership (C.A.P.) formerly Community Network Panel (A.I.24)

Cllr Francis proposed that we add the Landrake with St Erney Parish Council passes a resolution and requests that Cornwall Area Partnership does the same, as detailed below:

"Liskeard, Looe and Cornwall Gateway Community Area Partnership (the "CAP") - representing 29 communities in South East Cornwall - urges the Department of Transport to reconsider the decision to postpone any funding for the A38 Carkeel to Trerulefoot safety package.

The CAP believes that this project is extremely urgent and needs to be implemented as soon as possible to reduce the level of fatalities and other accidents on this dangerous road".

The motion was seconded by Cllr Gingell and unanimously agreed by all Councillors.

25. Saltash Area Road Safety (SARS) – See press statement. Appendix 1 (A.I.25)

26. A38 Trerulefoot to Carkeel Safety Project. (A.I.26)

The A38 Carkeel to Trerulefoot Safety Project has been postponed until at least 2030. Cllr Francis emailed National Highways for an update.

27. Community Broadband (A.I.27)

Cllr Gingell reported that the engineers have been in the area.

Actions / Items to note.

28. Correspondence (A.I.28)

- **Local Government Bulletins**

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- **National Association of Local Councils:** Chief Executive Bulletin
- **Tamar Valley Information and Communications Officer:** Tamar Valley AONB Sustainable Development Fund
- **Cornwall Council:** Planning News for Local Councils and Agents
- **Resident:** Copy of letter to Sir Robert Geffery School – ‘making school road safer’.
Additional correspondence received:
- Forest for Cornwall Spring Newsletter 2023
- Catherine Thomson, Cornwall Council: Refit of Torpoint Ferry

29. To go through outstanding actions from the previous meetings (A.I.29)

Update to be provided next month

30. To agree the dates of meetings for the forthcoming year and a date for the Annual Parish meeting. (a.i.30)

Second Tuesday of every month.

Annual Parish meeting (Public meeting) 30th May 2023.

The meeting closed at 21:09hrs

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Appendix 2: Safe 38 Press Statement

RIS 3 funding delay for A38 safety measures 'not acceptable'

Safe38 has learned that all funding for current safety projects on the A38 in South East Cornwall has been pushed back to the next funding period by the Department for Transport to 'balance the books'.

James Millidge Safe38 Chairperson says: "We are frankly shocked and dismayed that funding for this vital safety improvement on one of the South West's most notorious roads has been delayed.

Safety cameras, lower speed limits and junction improvements would have reduced 30% of collisions and seen a significant reduction in deaths and life-changing injuries.

How can it be right that residents and visitors to South East Cornwall will have to wait until after 2030, potentially 12 years, for the most basic of safety interventions such as average speed cameras? The Department for Transport is failing completely in its duty of care to road users on this stretch of road - these safety measures would have saved lives and reduced serious injuries. We think this is a serious error in judgement and very short-sighted.

We call on the Department of Transport to make funding available so that, at the very least, average speed cameras can be rolled out by National Highways on this stretch of the A38 between Carkeel and Trerulefoot as soon as possible as we know these are proven to save lives. And we call again on our local MP to ensure sufficient funding for this is made available.

It's high time that South East Cornwall roads enjoyed their fair share of the levelling up so that they are future-proofed in the same way as the infrastructure further West in the county."

END

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