

**LOSTWITHIEL TOWN COUNCIL
Edcumbe House
Fore Street
Lostwithiel
Cornwall
PL22 0BL**

01208 872323

clerk@lostwithieltowncouncil.gov.uk

Dear Councillor,

Councillors are hereby summoned under the Local Government Act 1972 Sch. 12 para 10 (2) b to attend a Meeting of Lostwithiel Town Council to be held at Lostwithiel Library on Tuesday 5 March 2019 commencing at 7.00pm when the following business will be transacted.

S Harris

Mrs S Harris
Town Clerk
1 March 2019



**Lostwithiel Town Council Meeting
will be held at Lostwithiel Library
on Tuesday 5 March 2019 at 7pm**

This meeting is open to the public and as such could be filmed or recorded by broadcasters, the media or members of the public. Please be aware that whilst every effort is taken to ensure that members of the public are not filmed, **the council cannot guarantee this**, especially if you are speaking or taking an active role. The council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings or infringe the core values of the council. This includes refraining from editing an image or views expressed in a way that may ridicule or show lack of respect towards those being filmed or recorded.

Housekeeping – Mayor Jarrett will advise the evacuation routes in case of an emergency and remind all persons present of the following: -

The meeting may be filmed or recorded

Members and Members of the Public are asked to set device ring tones/alerts to silent

- To receive the Cornwall Councillor Report

Meeting Agenda

1. To receive and accept Apologies of Absence.

If you are unable to attend on Tuesday 5 March 2019 could you please email clerk@lostwithieltowncouncil.gov.uk with your apologies before midday on 5 March. Thank you to all Councillors who have already advised the office that they are unable to attend the meeting.

2. To receive any Declarations of Interest or written requests for new DPI dispensations from Members.

Members are invited to declare disclosable pecuniary interests and other (non-registerable) interests in items on the agenda as required by Lostwithiel Town Council's Code of Conduct for Members and by the Localism Act 2011.

3. Public Participation - Time allowed for members of the public to address the Council on matters on the agenda – Maximum time allowed 15 minutes
4. To receive the minutes of the meeting held on 19 February 2019 having previously been circulated and taken as read.

Please see separate attachment.

5. To receive and adopt the Heritage Buildings Committee minutes dated 29 January 2019 having previously been circulated and taken as read.

Please see separate attachment.

6. To receive planning decisions.

PA18/11409 Centre Court Cott Road Lostwithiel
Additional dwelling with associated garage and proposed shared access for the existing and the proposed with variation of condition 2 in respect of decision PA15/08261 dated 28.10.15 to provide amended drawings relating to revised garage design and revised site plan.

Approved

PA18/11572 The Mount Restormel Road Lostwithiel
Works to Tree within a Conservation area – namely fell a Horse Chestnut tree.

Decided not to make a TPO

PA18/12075 4 Cott Road Lostwithiel
Construction of single timber frame garage with integral utility room.

Approved

PA19/00074 2 South Street Lostwithiel
Works to trees within the Conservation Area. It was resolved to support this application.

Decided not to make a TPO

PA19/00080 6 Castle Hill Lostwithiel
Fell and remove an overgrown Yew tree/bush within the Conservation Area.

Decided not to make a TPO

7. To consider any planning applications received since the publication of the agenda.

8. Play area inspections – to note the inspection reports and any action required.
9. Lostwithiel Neighbourhood Plan Referendum – to formally note the referendum result.

DECLARATION OF RESULT OF POLL

**Lostwithiel Parish Neighbourhood Plan Referendum
for the Lostwithiel Parish neighbourhood area**

I, John Simmons, being the Deputy Counting Officer for Cornwall Council at the referendum held on 21 February 2019, do hereby give notice that the result of the votes cast is as follows:-

Question		
Do you want Cornwall Council to use the Neighbourhood Plan for Lostwithiel to help it decide planning applications in the neighbourhood area?		
	Votes Recorded	Percentage
Number cast in favour of a "Yes"	537	90.1%
Number cast in favour of a "No"	59	9.8%

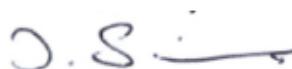
The number of ballot papers rejected was as follows:-

a) want of official mark.....	0
b) voting for more than one answer	0
c) writing or mark by which voter could be identified.....	0
d) being unmarked or wholly void for uncertainty	0
e) rejected in part.....	0
TOTAL	0

I do hereby declare that more than half of those voting have voted

IN FAVOUR OF the Lostwithiel Parish Neighbourhood Plan

Electorate: 2265	Turnout: 26.31 %
Postal Votes issued: 317	Postal Votes included in Count: 171



Dated: 21 February 2019

John Simmons
Deputy Counting Officer

10. Lostwithiel Neighbourhood Plan celebration – to consider the request from Councillor Guiterman that the Council considers whether to have a celebration for Steering Group members, past and present and if so to decide on a venue
11. Department of Transport Williams Rail Review – to consider the recommendation from the task and finish group.
12. SAFE38 – to consider the information provided and to decide if Lostwithiel Town Council wishes to sign the petition to Include A38 Saltash to Trerulefoot dualling in 2020-25 Road Investment Strategy.

The people of Cornwall, together with SAFE38 need your support.

Council members are also residents and as such will have been affected in some way or another by the inadequate cart track that is the A38 in our county. This route masquerades as part of the UK's nationally important Strategic Road Network, that puts it in the same category as the M25, M5 M6, M4 and the like!

As part of the Strategic Road Network, Cornwall Council are unable to have any real control or directly manage the A38 even if it did have the necessary resources to do so. All management responsibilities for the road lie with Highways England, therefore there can be no conflict of interest for members who choose to support our campaign and sign our petition. We are all residents of Cornwall and all will benefit once the A38 is brought up to the standards required by such an important part of the road network.

For many reasons, the A38 is something of a public health emergency, from the well-known and highly reported serious, fatal and life changing road traffic accidents that are at a level nearly three times that of similar roads, to inner city levels of air pollution that blight the lives of young and old alike. But also consider how this

road bisects the villages of Landrake and Tideford with a constant stream of traffic that practically forces the elderly, ill and infirm to become housebound and isolated from community provision that may only be a matter of a few metres away but without a proper regulated pedestrian crossing, there is little chance of their being able to re-join their community.

Although SAFE38 concentrate on all aspects of road safety concerning the A38 in Cornwall. It shouldn't be forgotten that incidents that occur on this substandard road have a negative effect on our local economy. The road traffic accidents invariably result in the road having to be closed, bringing commuters, commercial traffic and holiday traffic alike to a standstill. But it isn't just accidents that block the road, over-height heavy goods vehicles get stuck at the railway bridge just east of Trerulefoot, there is an alternative route but this diverts them onto the incredibly narrow St Germans Road which causes major problems in itself. The impact on the Cornish economy that comes from A38 congestions and closure is actually linked to public health too. This road is also the main route for emergency vehicles. Ambulances, almost hourly, have to transport the sick and injured from South East Cornwall to Derriford and residents will often have hospital appointments in Plymouth, how often are these missed due to lack of proper and reliable connectivity?

Please consider supporting our campaign for the good of Cornwall. If central Government are going to allocate funds in the upcoming Road Investment Strategy (RIS2), we only have a very short window of opportunity to press for our case. Our local MPs have presented the case for the A38 to the Department of Transport but the fear is, if they hear no more, it will just get shelved.

It would be greatly appreciated if you were to follow the link below and add your name to our petition and please do tell your friends

and colleagues, the more signatures we get the sooner we will get the road that Cornwall deserves.

Petition- Include A38 Saltash to Trerulefoot dualling in 2020-25 Road Investment Strategy.

The single carriageway sections of A38 in SE Cornwall are not fit for purpose as a trunk road and must be upgraded to dual carriageway standard. The current road restrains economic growth, severs communities, is a poor local access road and has an accident record 2-3 times the national average.

13. Lostwithiel Town Council Reserves Policy – to consider approval of the policy as drafted.

Lostwithiel Town Council Reserves Policy

1. Purpose

1.1 Lostwithiel Town Council is required to maintain adequate financial reserves to meet the needs of the organisation. The purpose of this policy is to set out how the Council will determine and review the level of reserves.

1.2 Sections 32 and 43 of the Local Government Finance Act 1992 requires local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. There is no specified minimum or maximum level of reserves that an authority should hold. It is the responsibility of the Councillors and the Responsible Financial Officer (RFO) to determine the level of reserves and to ensure that there are procedures for their establishment and use.

1.3 The Good Councillors Guide to Finance and Transparency 2017 suggests that a council should hold between 3- and 12-months expenditure as a general reserve. If the reserve is too low then it may not be enough to cover unexpected expenditure or

emergencies, whilst if it is too high then local electors have paid a tax which is not being used for the benefit of the local community.

2. Types of Reserves

2.1 General Reserves are held to cushion the impact of uneven cashflows or unexpected events. These are funds which do not have any restrictions as to their use.

2.2 Earmarked Reserves can be held for several reasons. The money is held for specific items of expenditure to meet known or predicted liabilities or projects. Earmarked reserves can be used to 'smooth' the effects of certain expenditure commitments over a period of time thereby reducing the impact of significant expenditure in any one year. Typically, they are held for four main reasons:

- a) Renewals
- b) To carry forward an underspend
- c) To indicate commitment to a capital project
- d) To meet known or predicted liabilities

3. Review of Reserves

3.1 The level of both General and Earmarked Reserves will be reviewed at least annually and will always be part of the budget setting process. A level of General Reserve will be maintained which equates to between 3- and 12-months expenditure.

4. Governance

4.1 This policy will be reviewed by Council every year following the Council's year end.

14. Lostwithiel Town Council Dispensations Policy – to consider approval of the policy as drafted.

Lostwithiel Town Council Dispensation Policy

1. Introduction

Lostwithiel Town Council is responsible for determining requests for a dispensation by a Councillor under Section 33 of Localism Act 2011. The Town Council is a “relevant authority” under section 27(6) (d) of the Act.

This Policy explains: -

- a. the purpose and effect of dispensations
- b. the procedure for requesting dispensations
- c. the criteria which are applied in determining dispensation requests
- d. the terms of dispensations

2. Purpose and effect of Dispensations

In certain circumstances Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest or Non- Registerable Interest. Provided Councillors act within the terms of their dispensation, there is deemed to be no breach of the Code of Conduct or the law.

Section 31(4) of the Localism Act 2011 states that dispensations may allow theCouncillor:

- a. to participate, or participate further, in any discussion of the matter at the meeting(s); and/or

b. to participate in any vote, or further vote, taken on the matter at the meeting(s).

If a dispensation is granted, the Councillor may remain in the room where the meeting considering the business is being held and if the dispensation allows may also vote.

Please note: If a Councillor participates in a meeting where they have a Disclosable Pecuniary Interest and they do not have a dispensation, they may be committing a criminal offence under s34 of the Localism Act 2011.

3. Process for making requests

There will be a standing item on the agenda to consider dispensation requests.

Any Councillor who wishes to apply for a dispensation must fully complete a Dispensation Request form (Appendix1) and submit it to the Town Clerk by midday on the Friday prior to the Council Meeting for which the dispensation is required.

If a written dispensation request is made at a Council Meeting it will be dealt with by that Meeting under the direction of the Town Clerk.

Requests for dispensations must be made on an individual basis.

4 Consideration by the Town Council

The Council may grant a dispensation to a Councillor who has a Disclosable Pecuniary Interest or Non-Registerable Interest to participate in the discussion of a matter at a meeting and/or to participate in any vote on the matter if they consider that:

- a. so many members of the decision-making body have Disclosable or Non-Registerable Pecuniary Interests that it would impede the transaction of the business (i.e. the meeting would be inquorate); or
- b. the authority considers that the dispensation is in the interests of persons living in the authority's area; or
- c. it is otherwise appropriate to grant a dispensation.

The Council does not anticipate that the Member making the dispensation application will remain in the Meeting room whilst Council vote whether to grant the dispensation.

The Town Clerk will formally notify the Councillor and the Monitoring Officer of the Council's decision and reasons in writing at the earliest opportunity and in any event within 5 working days of the decision. A copy of any dispensation applications will be held with the Member's Register of Interests.

5 Criteria for Determination of Requests

In reaching a decision on a request for a dispensation the Town Council will take into account:

- a. the nature of the Councillor's interest
- b. the need to maintain public confidence in the conduct of the Council's business
- c. the possible outcome of the proposed vote
- d. the need for efficient and effective conduct of the Council's business

e. any other relevant circumstances

6 Terms of Dispensations

Dispensations may be granted:

- a. – for one or more meetings of the Council; or
- b. – for an agreed period not exceeding 4 years

7 Disclosure of Decision

A Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

8. Requests for Dispensations at Committee Meetings

If the following resolution has been made and approved by full Council at the Annual Meeting or as soon as practicable thereafter.

RESOLVE that the Council delegates the power to the Town Clerk to award dispensations at Council Committee Meetings to as many Councillors as necessary to enable the business to be transacted. The Power rests with the relevant authority under Section 33(1) of the Localism Act 2011 and the basis is set out under 33(2)

and

In the event of the number of Members declaring an interest in an item during a Committee meeting would result in the meeting becoming inquorate, the Town Clerk has the delegated authority to grant a dispensation to as many Councillors as necessary to enable the business to be transacted.

The Town Clerk shall award a dispensation to the Councillor who, in their opinion, has the least interest and their decision

shall be final. This process shall continue until the meeting is quorate.

**Lostwithiel Town Council
Dispensation request form**

Please give full details of the following in support of your application for a dispensation. If you need any help completing this form please contact the parish clerk.

Your name	
The business for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that business	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes / No
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes / No

REASON(S) FOR DISPENSATION	
33 a) without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	
33b) without the dispensation the representation of different political groups would be affected so as to alter the likely outcome of any vote	
33c) the dispensation is in the interests of persons living in the authority's area	
33e) that it is otherwise appropriate to grant a dispensation Reason:	

Signed: _____ Dated: _____

DECISION:	
Dispensation Given: YES / NO	LENGTH OF DISPENSATION:
.....	
Date:	Minute Number:
.....	

15. Cornwall Council's Community Network Area SOS scheme – to consider if Lostwithiel Town Council wishes to make an application.

Please see email from Tasha Davis forwarded to all Councillors on 26/2/19 at 12.59.

16. Grit bins –

- a) To consider the liability advice received from the Council's insurers
- b) To further consider the request received to re-site the Castle Hill grit bin in the entrance to Gilbury Hill.
- c) To consider purchasing two new grit bins for Fore Street & the Parade.



Available in Beige, red, green or yellow.

Capacity: 160ltr

Length: 838mm

Height: 750mm

Width: 515mm

Weight capacity: 208kg loose grit (approx. 8 x 25kg bags)

Area of coverage: 4,160m² @ 50gms/m²

£148.19 excluding VAT

Free Delivery



Available in Black, green or yellow.

The Nestor 400 is a heavy-duty grit / salt bin able to withstand adverse weather conditions. Ideal for hospitals, small businesses and schools.

Capacity: 400ltr

Length: 1150mm

Height: 975mm

Width: 725mm

Weight capacity: 500kg loose grit (approx. 20 x 25kg bags)

Area of coverage: 10,000m² @ 50gms/m²

£188.17 excluding VAT

Free delivery

17. Coulson Park dog bins – to consider the report received from a member of the public regarding two adjacent dog bins in Coulson Park. One bin is reported to have a lid that does not close and the other one is kept closed by string.

I have been informed by county council that the bins in Coulson Park actually belong to LTC. I have noticed that the 2 red bins are in need if either repair or exchange. One bin has a lid that does not close and the other one is kept closed by string. As this is the case people are not very considerate when dumping their doggy poo bags in the bin, some are left at the foot of the bin. Any chance of this being addressed before the weather warms up and the open bins start to smell. Please see attached photo.





Available in green or red.

Fido 25, a durable dog waste bin, is designed to be wall or post-mounted and is ideal for external use in parks and recreational areas.

Capacity: 25 litres

Height: 570mm

Width: 380mm

Depth: 315mm

Weight: 3.7kg

£86.52 (excluding VAT) Plus Fixing Kit required £19.14

Free Delivery



Available in green or red.

The Retriever 35 outdoor pet waste bin is hygienically designed with a removable body and a metal chute system. Ideal for external parks and recreational areas.

Capacity: 35 litres

Height: 674mm

Width: 450mm

Depth: 297mm

Weight: 7.1kg

£194.94 excluding VAT Plus fixing kit required £19.14

Free Delivery



Available in green or red.

The Retriever 50 is a dog waste container that can be attached to lamp posts or walls. This external pet waste solution is ideal for public areas and has an internal fire shield to resist vandalism.

Capacity: 50 litres (without liner)

Height: 725mm

Width: 500mm

Depth: 400mm

Weight: from 7.4kg (Durapol chute + sack retention)

£227.20 excluding VAT Plus fixing kit required £19.14

Free Delivery



Available in green or red.

The Retriever 60 Dog Waste Bin

Ideal for external housing estates, parks and other dog fouling areas, the Retriever 60 outdoor dog waste bin is weather resistant and can be wall or post mounted.

Capacity: 60 litres

Height: 710mm

Width: 520mm

Depth: 440mm

Weight: 10.5kg

£239.49 excluding VAT Plus fixing kit required £21.17

Free Delivery

18. CALC – to note the report on the recent Councillor training.

On Thursday 24th January 2019 I attended a Councillor's Training evening. Sarah Mason-the Chief Executive Officer for Cornwall Association of Local Councils was our tutor. The subject was "Standing Orders A Practical Workshop".

The Meeting was attended by 10 Councillors from Lostwithiel Town Council.

Sarah Mason's brief was-Standing Orders, what are they for? And when should they be used?

She covered frequency and length of Council meetings. Most of us were convinced that we should keep our meetings shorter. It was emphasised that there is no need to repeat the views of other Councillors and that for every Councillor to speak on every item is impossible in the time allowed, neither is there any need. Voting was discussed and we should vote either for or against. Abstaining should be kept for voting for records as true of meetings at which one had not been present.

It was an excellent training event and Sarah Mason is so good at making her points without labouring, I thought that she gave us all the means to be more professional in our approach and to be ready to apply Standing orders when required.

Cllr M Clarke

19. Sowenna Appeal – to consider the correspondence received from Cornwall Councillor Barry Jordan.

Dear Clerk & Councillors

The Sowenna Appeal, building a brighter future for young people in Cornwall

This is a request for a donation for Sowenna, Cornwall's first adolescent mental health unit will provide short term, intensive support in a new build, fit for purpose unit. At present, children from Cornwall who have severe mental illnesses must travel hundreds of miles away from their family and friends for psychiatric treatment in a hospital setting. The name of this new facility 'Sowenna' was chosen by young people involved in the project and means 'success and welfare' in Cornish.

"Sowenna being located in Cornwall means I wouldn't have felt so homesick and would have seen my friends which helps recovery. This is a big step forward for holistic care in Cornwall." Jonah, 20

We are delighted that through Sowenna we will soon be in a position to support these young people much closer to home, providing care for 116 young people each year as both inpatients and outpatients. Building work has now started on a site adjacent to Bodmin Hospital site thanks to generous support from the Cornwall Partnership NHS Foundation Trust, national investment into child and adolescent mental health services and local charities.

We want Sowenna to be the best it can be for the young people of Cornwall and beyond. We have launched the Sowenna Appeal to raise over £1 million to build and equip facilities that go above and beyond the hospital beds for the young people staying, visitors, their families and friends.

We know from extensive consultation and research that truly inspirational and well-equipped spaces will really make a difference to young peoples' recovery, health and wellbeing and will enable swift and seamless transitions towards productive and fulfilling lives. The Sowenna Appeal is raising money for these facilities:

-  a sports barn, gym, plus fitness and sports equipment
-  parental accommodation, to allow families to stay over and make admission less unsettling
-  a café area to allow visits with family and friends to happen in a friendly space
-  therapeutic gardens
-  equipment for music, arts and cooking

Any support that you can offer will help enormously towards providing this much needed facility for Cornwall and the Isles of Scilly. We are working hard to let people know about Sowenna in their local communities and encouraging community fundraising activity.

We understand that you get many requests like this but if you could

consider us it would be much appreciated

If you have any questions about this appeal or would like to visit, please contact me by email on sowenna.charity@nhs.net or by telephone on 01208 834600. I will be delighted to help.

Yours sincerely and with very best wishes,

Stephanie Pomeroy
Fundraising Manager

HOW TO DONATE

The Sowenna Appeal is seeking funds for facilities and equipment to make Cornwall's first adolescent mental health unit the best it can be! Your support can make a difference to the recovery, health and wellbeing of young people in Cornwall.

Name *

Address *

Postcode *

Telephone number

Email address

Payment options

1 Cheque £

Please make cheques payable to: 'Sowenna Appeal'.

2 Credit/Debit card

I hereby authorise you to debit my

Access Mastercard Maestro Visa Switch

with the sum of £

Card number

Expiry / Security Code

Issue no. (branch only)

3 Direct Transfer Reference: 'Sowenna Appeal'.
Sort Code: 30-97-28 Account Number: 0944 4806

4 Text to Donate (JustTextGiving by Vodafone)
Text: **BEST19 £10 to 70070** to donate £10.

5 Online at www.justgiving.com/campaign/sowenna

Please tick for Gift Aid

Signature *

Date *

giftaid it

* Handy information for your donation to qualify for Gift Aid. I am a UK taxpayer and understand that if I pay less Income Tax and/or Capital Gains Tax in a tax year than the amount of Gift Aid claimed on all of my donations in that tax year, it is my responsibility to pay any difference.

Registered charity number: 1058356

We would like to let you know how your donation is helping us. Please tick the box if you are happy to receive information from us on our work, appeals and events. By: Email Post SMS Telephone

All the data we hold is gathered and managed in strict accordance with the Data Protection Act (2018). We will not disclose any information supplied by you to any third party organisations. If you would like to spread or stop communication from us at a later date, please contact us.

Please return this form to: Sowenna Appeal

Cornwall Partnership Foundation Trust Charitable Fund,
Suite 6, Carew House, Beacon Technology Park, Dunmere Road,
Bodmin, Cornwall PL31 2QN



For regular updates on the Sowenna Appeal and how you can support us, please follow us on social media. For more information about Sowenna or the Appeal, please contact the Appeal Team at:

sowenna.charity@nhs.net

Sowenna Appeal

Cornwall Partnership Foundation Trust Charitable Fund

Suite 6, Carew House

Beacon Technology Park

Dunmere Road

Bodmin, Cornwall PL31 2QN

Head Office: 01208 834600

Monday to Friday, 9am to 5pm

Keep in touch



cornwallfnhs.uk/sowennappeal



Sowenna Appeal



Registered charity in England and Wales: 1058356

Cornwall Partnership Foundation Trust Charitable Fund

SOWENNA APPEAL



Building a brighter future
for young people
in Cornwall

20. Rhymetime refreshments – to consider if Council wishes to provide refreshments for Rhymetime on Monday mornings in the library.

21. Accounts & Finance

Cheque Ref	Payee Name		Amount Paid
101151	Biffa	Cemetery waste bin	£39.72
101152	Complete Office Solutions	Projector screen & cash box	£217.68
101153	Cormac Solutions Ltd	Play inspections	£356.35
101154	Duchy of Cornwall	Second Island rent	£408.00
101155	3D Lockers	Volunteer lockers	£180.70
101156	Mrs S Harris	Stamps, milk & newspapers	£47.74
101157	Seated Furniture Ltd	Green bean bag	£67.19
101158	Tozers Solicitors	Deed of surrender	£900.00
101159	WesternWeb	Out of office service	£36.00
101160-163	Salary related expenses	Salary related expenses	£3,491.38
		Total	£5,744.76

22. Correspondence

23. Notices

24. Items for the next agenda and to note written notice of the wordings of any motions for the Council meeting to be held on 19 March 2019 are to be received by the Town Clerk by midday on Tuesday 26 February 2019.

Under the Public Bodies (Admissions to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

25. Overview – to consider grass cutting and public toilet cleaning.