



Lostwithiel Town Council Meeting Tuesday 02 March 2021

Cornwall Councillor Report

Cornwall Councillor Colin Martin reported that £500 million has been given to Cornwall for the Coronavirus response, however the vast majority of this money has been distributed by Cornwall Council to businesses. The Government has not reimbursed the Council for its own cost related to the Coronavirus.

Councillor Martin also noted that there has been no funding for Adult Social Care in Cornwall so Cornwall Council has agreed to increase Council Tax by 4.99% to meet these costs.

Councillor Martin also reported on the yellow lines consultation, (which has now closed). Councillor Martin asked if Councillors would be able to meet with him and Cormac to discuss the way forward.

Councillor Martin noted that the Town Council objected to the St Bart's Meadow application, because of the traffic. He reported that the developments should go ahead, but that the traffic speed needs to be looked at and that a study is now planned to address the traffic.

Councillor Martin reported on his public meeting and the Town Council's meeting regarding Gillyflower Farm, which has helped his understanding of the project and the public views.

Councillor Pam Jarrett agreed to meet with Councillor Martin regarding the yellow line consultation.

Meeting Minutes

A virtual meeting of the Town Council was held on Tuesday 2 March 2021.

Councillors Present

Deputy Mayor Ross

Councillor Anders, Councillor Clarke

Councillor Guiterman, Councillor Hatton

Councillor Henderson, Councillor Hensman

Councillor P Jarrett, Councillor T Jarrett

Councillor Lindley, Councillor Morgan

Councillor Sweeney

In attendance

40 members of the public were in attendance

Town Clerk Mrs Harris and Administrative Assistant Mrs Doyle were in attendance.

220/20 Apologies of Absence

Apologies of Absence were sent and accepted from the following
Councillor - Mayor Hughes

221/20 Declarations of Interest

None.

222/20 Public Participation

The Council was addressed regarding planning application PA21/00038, Gillyflower Farm, PA20/11536 Peregrine Hall & PA21/00533 Land and buildings at Higher Polscoe.

Councillor Henderson joined the meeting.

223/20 Minutes 22 February 2021

It was **resolved** that the minutes of the virtual meeting held on 22 February 2021 are accepted, approved and duly signed by Deputy Mayor Ross.

Votes, 11 in favour.

224/20 Feedback from the questions and answer session on Monday 22 February and outstanding questions from Members of the Public

a) The Town Clerk read to the meeting the Planning Applications & discussion paragraph that is on the agenda for each Council meeting namely ‘ Whilst Members may express an opinion for or against the proposed development plans at this meeting Members minds are not closed and they will only come to a conclusion on whether they should support the scheme or offer an objection after they have listened to the full debate.’ Therefore at the meeting held on 20 December individual Councillors commented on the application but the Town Council did not pass a resolution regarding the Gillyflower Farm application.

Councillor Guiterman said that to answer the question did ‘the Neighbourhood Plan made provision for schemes, such as the developer’s application in its entirety’, the answer was ‘no’.

b) Councillor Guiterman reported that the Neighbourhood Plan is not able to offer any intent. He referred the person that asked the question to the National Planning Policy Framework and the Cornwall Local Plan.

c) The clerk read to the meeting a response to the Flood risk assessment received from Situ8 planning consultants. ‘The impermeable area referred to in the FRA does not need to take into account the 180 car parking spaces. Testing has been carried out

across the site which demonstrates the residual soils exhibit good infiltration rates consistent with adopting a SuDS type solution for these areas. It is proposed that the car parking would be finished with a permeable resin bound gravel surface which would link to a series of below ground engineered soakaways to allow any surface water to dissipate into the underlying geology. The technical design process would ensure the levels and cross falls on the car parks are designed such, along and the associated drainage blankets, to be located sufficiently away from the leading edge of the bank as to have no detrimental impact or increase beyond present the likelihood of any slippage.

We have noted the topography of the site and the location of the existing hedgerows and trees located along the boundary with Cott Road. The exact construction detail of these car parks has not as yet been agreed, but as part of the next level of detailed technical design, post planning, the team would undertake a further round of geotechnical testing focused on determining the physical properties of these soils. This would include analysis to determine the impact of additional surcharge loading onto the land directly behind the existing hedgerows.

It is likely that the developed design would include a reinforced earth embankment to ensure the weight (surcharge) of any vehicles or their movement would have no detrimental impact of the existing environment.'

225/20 Planning Applications

a)

PA21/00038 -

Land at Gillyflower Farm, Cott Road, Lostwithiel New Centre for the Teaching and Learning of Agronomy (including a café/restaurant, exhibition spaces, market area and cookery school) 20 Holiday Accommodation units and

associated access and parking arrangements

It was **resolved** not to support the proposal to appoint a planning consultant to help the Council draft it's response to the Gillyflower Farm planning application.

Votes – 5 in favour, 7 against.

Councillor Hatton left the meeting.

b)

PA20/11536

Peregrine Hall, Lostwithiel
Proposal to build a detached three-bedroom split level private managers accommodation for the business.

It was **resolved** to not to support this proposal as it is a residential development outside the Lostwithiel Neighbourhood Plan development boundary.

Votes – 11 in favour.

PA21/00533

Land and buildings at Higher Polscoe Lostwithiel
Certificate of Lawfulness for existing use of land and buildings for B8 (storage) purposes and use of part of a building for B2 (general industrial) purposes.

It was **resolved** to support the issuing of a Certificate of Lawfulness for B8 (storage) purposes and the use of a building for B2 (general industrial) purposes.

Votes – 11 in favour.

PA21/00709

9 Fore Street, Lostwithiel
Listed Building Consent for the
change of use from Shop to Coffee
Shop, Sandwich bar and Takeaway:
Internal alterations

It was **resolved** to support the
business proposal for 9 Fore Street
Lostwithiel with the provisos that a)
the residents of Church Lane &
Church Mews do not experience
inconvenience relating to noise and
smells from the proposed external
extractor b) the Conservation Area
is not adversely impacted due to
the extractor on the back of the
building.

Votes – 8 in favour, 2 against and 1
abstention

PA21/00963

Duchy of Cornwall Nursery Road
from Grey Mare Farm to Cott Road
Lostwithiel

Construction of overflow car park
on land adjacent to the existing car
park to include new access ramp
and revised exit onto highway along
with associated landscaping. This
application relates to Crown land.
It was **resolved** to object to the
proposal on the grounds of highway
safety and the increase in traffic

levels that will cause problems on this road.

Votes - 11 in favour.

PA21/01023

Bee Cottage, Terras Hill Lostwithiel
Removal of 4 sycamore trees
This application was noted by Council.

PA21/01051

8 Coffeelake Meadow, Lostwithiel
Application for works to an Oak tree (T1) subject to a tree preservation order – crown reduce SW side by 1-1.5m over buildings
It was **resolved** to support the works to this tree namely the crown reduction on the SW side by 1-1.5metres over buildings.

PA21/01809

Braeside Edgcumbe Road
Lostwithiel
Notification of proposed works to trees in a Conservation Area works to an Acer (T1) and an Oak (T2).
This application was noted by Council.

c) None.

226/20 Covid 19 risk assessments

It was **resolved** to note no changes are currently required to the risk assessments.

Votes – 11 votes in favour.

227/20 Network Rail contractors

It was **resolved** not to accept the concrete sleepers.

Votes – 11 votes in favour.

Councillor Clarke left the meeting (IT problems).

It was **resolved** to ask Network Rail's contractors to provide the following community gain project:-

Replacement of 2 wooden gates on King George V playing field, a path laid from the bridge entrance to the play area and the outdoor gym and a set of steps up to bank adjacent to the river, similar to the steps already in situ, but closer to the bridge.

Votes – 10 in favour.

228/20 Grass cutting contract

It was **resolved** to extend the current grass contract by a further 12 months in order that the Council can draw up a new more comprehensive contract which includes measures to mitigate climate change.

It was further **resolved** that Deputy Mayor Ross, Councillor Henderson, Councillor Anders will prepare a draft review of the contract including measures to mitigate climate change.

Votes – 10 votes in favour.

229/20 Monmouth Lane bollards

It was **resolved** to not support the revised proposal. Members expressed concern that they did not consider the suggestion would stop young children running across the road from Monmouth Lane to the car park. Members did suggest however that if the existing barriers were painted black perhaps with some gold finishing they would look more aesthetically pleasing. Furthermore if, the Forum decided they would like to adopt this suggestion but had no-one available to paint the barriers Councillor Mrs Jarrett assisted by Councillor Morgan would be happy to do the painting.

Votes – 11 votes in favour.

230/20 Multi-agency flood meeting

Deputy Mayor Ross gave a verbal report on the meeting held on 28 January 2021.

Councillor Clarke re-joined the meeting.

231/20 Quay Street flood defence wall

It was **resolved** to ask the Environment Agency to remove all vegetation from the wall and the medieval bridge.

Votes – 11 votes in favour

232/20 Bench seat

It was **resolved** to arrange for the bench (on the town side of bus stop adjacent to North Street) to be repaired.

Votes - 11 votes in favour

233/20 Cornwall Association of Local Councils modular training

It was **resolved** to approve the three modular training courses at the costs of £350/module. The three sessions being i) Code of Conduct ii) Being a good Councillor including roles and responsibilities iii) Chairmanship.

Votes – 11 votes in favour.

234/20 Council Policy Review

Amendments were suggested for gender neutralising the document, minor grammatic amendments, numbering amendments and formatting.

It was then **resolved** to approve the Council Standing Orders & Financial Regulations with the following changes:-

Standing Orders

3r adding 'to the vote and will be taken in alphabetical order of those present at the meeting and eligible to vote'

8a deleting word 'either' & changing 4 to 6.

10g new clause 'Motions received shall be recorded and numbered in the order that they are received.'

10i new text 'Code of Conduct, Complaints Procedure or employment policies'

Financial Regulations Appendix 1

1.6 new text 'Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.'

1.14 change of text to 'approve any grant or a single commitment in excess of £5,000 and'

4.1 increase minor repairs/variations from £750 to £1,000

Add text 'per month' for pest control

Increase office costs from £150 to £250

Add new text 'the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500

Such authority is to be evidence by a minute or by an authorisation slip duly signed by the Clerk and where necessary also by the appropriate Chairman'

4.2 add new text 'or duly delegated committee'

4.6 increase limit from £500 to £2500

5.6. new clause 'For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council [or Finance Committee].'

5.7. new clause 'A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every

occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.'

5.8. new clause 'In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.'

5.11 new clause 'Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.'

6.4 adding new text 'A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.'

6.9 adding new text 'If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by three authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.'

7.2 adding new text 'stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.'

7.4 adding new clause 'Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

- a) by any councillor who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.'

8.6 new clause 'Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).'

9.5 new clause 'The origin of each receipt shall be entered on the paying-in slip'

11.1 new clause 'Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations¹. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).'

11.2a ii) new text ' for specialist services such as are provided by legal professionals acting in disputes;'

11.2k removed.

18.1 & 18.2 new text

'18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.'

Votes – 10 votes in favour.

235/20 Bodmin Voice newspaper

It was **resolved** to not accept the invitation from this newspaper for the Mayor to write a regular column.

Votes - 11 votes in favour.

236/20 Delegation to the Town Clerk

The Council noted the actions taken by the Town Clerk under delegated powers namely -

Stationery - £60, Code of Conduct Training - £24 & Pest control - £180.

237/20 Accounts & Finance

Cheque Ref	Payee Name		Amount Paid
101590	Biffa	Cemetery bin	£51.00
101591	EDF Energy	Car park electric	£152.44
101592	K Hill & Partners Ltd	Cemetery tree works, path & vegetation trimming	£1536.00
101593	Mrs S Harris	Library bags & stationary	£60.37
101594	Phoneta Business Ltd	Lone worker service	£12.00
101595 & 101596 & 2 bank transfers	Salary related expenses-	Salary related expenses - February	£3,290.08
		Total	£5,101.89

It was **resolved** to approve the cheque payments 101590 – 101596 and 2 bank transfers.

Votes – 11 votes in favour.

238/20 For information

Councillor Henderson reported that she attended the Police Report virtual meeting.

Deputy Mayor Ross reported that herself and the Town Clerk are going to attend a multiagency flood meeting held by the Emergency Services.

239/20 Closed session

It was **resolved** to defer the closed session.

The meeting closed at 9.45pm

Chairman

Date