

**Minutes of a meeting of Landulph Parish Council Virtual Meeting held on  
Monday 21<sup>st</sup> September 2020 at 7.30pm**

**PRESENT:** Councillors M. Worth (Chairman), A. Butcher, P. Braund, G. Braund, R. Cradick, M. Dennis.

Also present: Cllr Jesse Foot, and Clerk to the Council.

**Public Forum**

**42-20 TO RECEIVE APOLOGIES FOR ABSENCE** – none.

**43-20 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

“To receive disclosures of personal and prejudicial interests from Councillors on matters to be considered at the meeting. The disclosure must include the nature of the interest. If you become aware, during the course of a meeting, of an interest that has not been disclosed under this item you must immediately disclose it. You may remain in the meeting and take part fully in discussion and voting unless the interest is prejudicial. A personal interest is prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice your judgement of the public interest and it relates to a financial or regulatory matter.”

In relation to agenda item 6 (Planning Application PA20/06567), the following Parish Councillors declared an interest:

Cllr P Braund: non-registerable interest (family members own adjacent land). Cllr P Braund advised that he has submitted personal comments to the planning portal and advised that he has taken advice from Cornwall Council’s Monitoring Officer, and was advised he was allowed to do this in a personal capacity.

Cllr R Cradick: prejudicial interest (owns adjacent land)

Cllr M Holmes: prejudicial interest (reward and gain)

Cllr M Dennis: non-registerable interest (lives in Coombe Lane, close to the development site)

Cllr M Worth: prejudicial interest (family owns adjacent land)

Cllr A Butcher: no declaration of interest

Cllr G Braund: no declaration of interest

Cllr Worth explained that those Parish Councillors with a Declared Interest in agenda item 6 would need to leave the virtual meeting at that point, rejoin the Zoom invite but remain in a separate waiting room until the item of business was concluded at which point the Clerk would accept them back in the virtual Parish Council meeting.

**44-20 DISPENSATIONS RELATING TO ITEMS ON THE AGENDA -**

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 or Non Registerable Pecuniary Interest. Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct of the law.

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

- 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.

The Chairman advised that, given the amount of Declarations of Interest received, the Council would not be quorate for agenda item 6, as it requires at least 3 Parish Councillors to be able to vote.

The Clerk reported to the Parish Council that a Dispensation Request Form had been received from Cllr M Dennis in relation to agenda item 6 (Planning Application Pa2020/06567). Reason for dispensation 33a) 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.

The Clerk asked whether any other Parish Councillors who had submitted a Declaration of Interest for agenda item 6 would like to now submit a Dispensation Request Form – and it was confirmed that all other Parish Councillors declined. Cllr P Braund advised that he would not be able to submit a Dispensation as he has predetermined his decision by already submitting his comments in a personal capacity onto the planning portal.

The Parish Council voted on the one Dispensation Request Form received (Cllr Dennis did not participate in this vote), there was unanimous agreement and it was RESOLVED that Cllr Dennis would be allowed to participate in the transaction of business and may vote in relation to agenda item 6, this decision was based on the following criteria: so many members of the decision-making body have Non Disclosable or Non Registerable Pecuniary Interests that it would impede the transaction of the business (ie. the meeting would be inquorate).

#### **45-20 TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING (20.07.2020)**

It was RESOLVED that the minutes of 20<sup>th</sup> July were agreed.

#### **46-20 MATTERS ARISING FROM THE MINUTES**

- a) With reference to minute no. 30-20b), it was confirmed that Cllr Butcher had circulated his email and reply from Sarah Farley to all Landulph Parish Councillors.
- b) With reference to minute no. 31-20 Cllr Worth advised that he forwarded the relevant information / videos to Cornwall Planning and Cllr Foot - relating to planning application [PA20/03317](#) | Agricultural Building for Farm Machinery Storage, Tractor and associated implements | Stockadon Farm St Mellion Saltash Cornwall PL12 6QF.
- c) With reference to minute no. 32-20 Cllr Dennis confirmed that she forwarded the email with the quote from the contractor; and Cllr P Braund advised that he's submitted the receipts for payment – as detailed on this agenda.
- d) With reference to minute no.33-20 the Clerk confirmed that the link for Cash for Communities funding was forwarded to Parish Councillors, and Cllr Worth confirmed that it was added to Landulph Innit.
- e) With reference to minute no.34-20 the Clerk confirmed that the revised Standing Orders has been updated on the website.
- f) With reference to minute no.35-20 the Clerk advised that she received no comments from Parish Councillors on the Code of Conduct consultation from Cornwall Council.
- g) With reference to minute no.37-20 the Clerk advised that she forwarded the details to the Parish Newsletter.
- h) With reference to minute no.38-20 the Clerk advised that the site meeting at Landulph Cross is yet to be arranged. **[ACTION: Clerk]**
- i) With reference to minute no.39-20 Cllr P Braund confirmed that he has contacted the landowner, but is waiting for him to respond.
- j) With reference to minute no.40-20c), Cllr Worth has spoken directly with a South West Water representative who advised that this is on their list, and they were doubling their attendance at the site, in addition to adding extra toilet freshener.

## **47-20 PLANNING – TO CONSIDER PLANNING APPLICATIONS:**

[PA20/06567](#) | Reserved Matters application for the construction of nine open market detached dwellings with associated works (Details following application number PA18/04597 dated 4th December 2018) | Land At Coombe Drive Cargreen Cornwall PL12 6PD

Cllrs Worth, P Braund, Cradick and Holmes left the virtual meeting for this agenda item.

The Clerk advised the Parish Council that, as both the Chairman and Vice Chairman have declared an interest in agenda item 6, then a temporary Chairman would need to be voted in for that item of business. Cllr G Braund nominated and Cllr Dennis seconded Cllr Butcher – Cllr Butcher agreed, and it RESOLVED that Cllr Butcher would stand as Chairman for agenda item 6.

There was a lengthy discussion between Councillors Butcher, G Braund, and Dennis.

It was RESOLVED that the response to Cornwall Council would be:

Landulph Parish Council objects to this application.

The planning application doesn't fulfil the Landulph Neighbourhood Plan Policy I (new development), in particular these statements within the plan:

- iii. The development preserves open views and protect the residential amenity of neighbours, minimise any loss of trees, hedges or other natural features that form part of the character of the parish, and maintain or enhance biodiversity, in acknowledgement of the Tamar Valley AONB Management Plan.
- iv. Building styles, height, design, materials and roof scape are in keeping with the individual character, reflect the local distinctiveness of Landulph parish, including its Conservation Area, to make a contribution to the rural nature of the Tamar Valley AONB. Development should also conserve, enhance and promote the existing nature of the buildings found in the immediate vicinity of its location, to avoid an excessive variety of building form.

The proposed building forms are too different from the surrounding current building forms to be acceptable. The design and appearance of the proposed 2-storey properties will be overbearing in relation to the current 1.5-storey buildings in the vicinity. The proposed properties are all the same design with little character and not in keeping with the surrounding properties. The density and layout will mean the proposed buildings will overlook existing houses and gardens, and will cause a loss of privacy. There is no landscape plan or attempt to mitigate this loss of privacy.

Landulph Parish Council has serious concerns about flooding from the water run-off from the soakaways, and the requirement for an underground tank, and the detrimental impact surface water could have on nearby existing properties.

Landulph Neighbourhood Plan Policy 3: Street Lighting

Proposals for development will be supported where it is demonstrated that if external lighting is required it protects the night sky as far as possible in terms of:

1. Number, design specification and position of lamps.
2. Full shielding (at the horizontal and above) of any fixture exceeding 500 initial lumens and evidence of limited impact of unshielded lighting through use of adaptive controls, and
3. Correlated colour temperature limit of 3000 Kelvins or less.

Landulph Parish Council would question the need for street lighting at all, and has concerns that the lighting proposals in the plan do not conform to LNDP Policy 3. The proposals show the lighting to be located above other houses, which is not in keeping with current provision.

The lighting will also have a detrimental impact on the rare breed of bats that colonize the area.

The plans are not easy to understand and it is difficult to comprehend the size and scale of the development.

After this agenda item had been discussed, Councillors Worth, P Braund, Cradick and Holmes rejoined the virtual meeting.

#### **48-20 PENYOKE RECREATION GROUND REFURBISHMENT, ANNUAL INSPECTION REPORT, ROLLING PROGRAMME / GRASS BANK**

Cllr Dennis reported that the weakest parts of the fencing have been repaired, but the contractor is struggling to find the appropriate upright metal feet.

Cllr P Braund advised that the annual cut of the bank is scheduled for the end of the month.

Cllr Worth reported that there are many positive comments about the playground on Google maps.

A Councillor expressed concerns about the Ash tree (the large tree by the swing) which looks sick, and it was commented that all Ash trees in the area seem to be in the same condition.

#### **49-20 TREES (STANDING ITEM) DISCUSSION WITH AMANDA PUGH (PARISH TREE WARDEN) ON TREE PLANTING AND FINDING A SUITABLE SITE AND A PROPOSED COMMITMENT TO PLANT A TREE IN THE PARISH FOR EVERY ONE THAT IS REMOVED.**

Amanda Pugh was present for this agenda item, and advised that Ash die-back is endemic, however research is suggesting that ash trees in hedges are surviving, but there tends to be problems where ash trees are in close proximity to each other.

Amanda raised that tree-planting trees is highlighted in the Landulph Climate Change Statement of Intent, and asked the Parish Council to actively seek land where planting can take place, as currently Landulph is behind other Parish Councils with this. If a tree is removed/felled, then an indigenous tree should be replanted - Amanda has a list of suitable trees. It was unanimously RESOLVED that any trees removed/felled would be replaced on Landulph Parish Council land, and that the Parish Council would actively seek land for tree-planting.

#### **49-21 HOUSING (STANDING ITEM) INCLUDING LNDP AND AFFORDABLE HOUSING UPDATES**

Cllr Butcher expressed his thanks to James Jermain for his article on housing and affordable housing, but advised there were two omissions: 1. The LNDP says approximately 20 houses; 2. In blocks of up to 5. James Jermain was present at the virtual meeting, was granted permission by the Chairman to speak at this point, and asked Cllr Butcher to write and send him these two points for inclusion in the newsletter.

**[ACTION: Cllr Butcher].**

Cllr Worth reported at the recent Cornwall Gateway Network Panel meeting, and a presentation by Louise Wood (Service Director for Planning in Cornwall) who advised the need will be increased up to 4,000 houses, affordable housing per development has been raised to 40.

There is a Government proposal to replace the Infrastructure Levy / CIL / S106 with a new scheme, and also that land would be given specific designations to expect growth / protection / removal, with build lines – within 30 months. Cllr Foot added that Cornwall Council has concerns about the White paper, concerns about local input going forward, there are lots of unknowns. Motion going to Full Council tomorrow.

### **50-21 PUBLIC ACCESS ON SLIPWAY**

Cllr Worth circulated a document to Parish Councillors to review, and has met residents and landowners. The Parish Council has been involved for over 100 years, in 2008 the Parish Council was expecting an update on signage from Cornwall Council, but this has still yet to progress.

It was discussed that the signage needs to be improved, and the Parish Council needs to investigate, with Cornwall Council, on the way forward; and also discussed that a working party could be set up to progress this.

Cllr Butcher discussed that the investigation into access was previously investigated by a private group of parishioners in approximately 1988 along with a HM Planning Inspector; it was stipulated that the path had to be 3.5 metres wide; and it also stated that the whole of the slipway is part of the public footpath. The issue of carrying canoes etc to the river – the Inspector advised this would need to be investigated legally.

Cllr P Braund commented that the Inspector proved the footpath exists on the slipway, the issue is whether an individual can carry something along the footpath, and he's not sure the Parish Council should be involved in this and should not stipulate the rules.

Move forward and look at with Cornwall Council on improving the signage (right), on Slipway Quay and Sammy Sands Slipway. It was raised that Sammy Sands Slipway is in disrepair.

It was **RESOLVED** to form a working party to look at concerns raised, and to look at improving the signage. **[ACTION: Cllrs Worth and Butcher, and to invite individuals from the Footpath Group].**

### **51-21 PARISHIONER ENQUIRY REGARDING THE HEDGES AT HIGHDOWN**

Cllr Worth reported this is a progressing situation at Highdown. Landulph has already had the 30mph and white lines on A388 completed, costing £5,500 cost from Cornwall's Highways budget. The proposed 30mph extension to Wayton/North Wayton plus the passing place at Highdown would be cost of approximately £30k. There is a meeting on 9.12.20 at which budgets will be decided, public welcome to attend, Cllr Worth will attend. Cllr P Braund asked what if the landowner doesn't want to go ahead with the Highdown passing place proposal, Cllr Worth advised that we'd need to let that negotiation go ahead.

Cllr Dennis asked whether the Parish Council would ask the 3 landowners to refund the Parish Council with the costs of hedge-cutting. Cllr P Braund advised that the Parish Clerk advises every year that the Parish Council doesn't have the powers to undertake this hedge-cutting. Cllr Worth advised all of these are on the table with Cornwall Council.

## 52-21 FLOODING AT LANDULPH CROSS

Cllr Worth advised this issue was resolved promptly, there was a problem with pine needles clogging the drains. A parishioner asked whether the Parish Council would provide funding to the school to be able to cut down the trees, however this request was declined as there are funding complications from Parish Councils to schools. A report has been made to Cornwall Council to resolved the drainage issues at Landulph Church, log no. WI8990 – work in progress.

## 53-21 COMMUNITY FIBRE PARTNERSHIP

Cllr Worth advised that 22 addresses in the parish have joined the partnership with Open Reach, and this is in the third stage of progress. Grants are available, currently waiting for a response on costs from Open Reach.

## 54-21 PARISH COUNCIL MEMBERSHIP OF THE CORNWALL ASSOCIATION OF LOCAL COUNCILS/NATIONAL ASSOCIATION OF LOCAL COUNCILS

It was RESOLVED that the Parish Council would pay for membership of CALC/NALC.

## 55-21 CORRESPONDENCE

a) Email regarding Stockadon drainage and flooding concerns. Cllr Worth reported this investigation and enforcement issue with currently ongoing by Cornwall Council.

## 56-20 ACCOUNTS FOR PAYMENT – agreed.

PAYEE	CHQ	REASON	NET	VAT	GROSS
Chris Billing*	101277	Hedges cut at Highdown (safety reasons)	160.00	32.00	192.00
Google Ireland Ltd	DD	Direct debit for Google Cloud and G Suite - 1.07-31.07.20	62.56	0.00	62.56
HMRC	101278	Income Tax - August	70.80	0.00	70.80
K J Williams	101279	Salary - August	283.12	0.00	283.12
K J Williams	101280	Print, post, expenses and Zoom - August 2020	52.02	0.00	52.02
Pretty Wild Seeds	101281	Reimburse to P. Braund for Wildflower Seeds	5.82	0.00	5.82
Goreen Farm Seeds	101282	Reimburse to P.Braund for yellow rattle seeds	30.00	6.00	36.00
P.Braund	101283	Reimburse to P.Braund for seeds	43.84	0.00	43.84
Geosphere Ltd	101284	Parish Online annual subscription	60.00	12.00	72.00
T.A.Limited	101285	Internal audit 2019-20	75.00	15.00	90.00
cancelled cheque	101286	cancelled cheque	-	-	-
Information Commissioner	101287	Data protection renewal	40.00	0.00	40.00
Cornwall ALC Limited	101288	CALC membership Sept 20 to March 21	143.17	13.70	156.87
K J Williams**	101289	Sept salary + NJC pay award and backpay to April 20	328.84	0.00	328.84
HMRC	101290	Sept income tax + NJC pay award and backpay to April 20	82.20	0.00	82.20
Google Ireland Ltd	DD	Direct debit for Google Cloud and G Suite - 1.08-31.08.20	62.56	0.00	62.56
K W Williams	101291	Print post expenses and Zoom Sept 2020	37.19	0.00	37.19
<b>Incoming payments</b>					
		Penyoke Recreation Ground hire			20.00
		HMRC - VAT refund			377.65
		Walks booklets income			9.00

\* reported at the July meeting

\*\* NJC Pay Award agreed in September 2020, agreed to backpay to April 2020

## 57-20 CHAIRMAN'S URGENT BUSINESS / ANY OTHER BUSINESS

- a) Cllr Worth provided an update from the Police – the crime rates are down by 10%, concerns re anti-social behaviour and online crime, and non-wearing of masks. Drug crime has increased but more arrests. Rule of 6 to be enforced. 10 new officers to be appointed for the area.
- b) Cllr Worth thanked the 2 parishioners who refurbished the Book Exchange. Robert Kitchen did the woodwork and Stuart Phillips did the painting (at no charge).

**58-20 DATES OF NEXT MEETING(S)**

Date of Next Meeting – Monday 19<sup>th</sup> October at 7.30pm.

Dates for 2020: 6<sup>th</sup> November, 21<sup>st</sup> December.

**10 minute Public Forum to follow the meeting.**

Meeting closed at 20.48 .....Chairman