

**Minutes of a meeting of Landulph Parish Council Virtual Meeting held on
Monday 15th February 2021 at 7.30pm**

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

Also present: Cornwall Councillor Sam Tamlin (who is standing as a candidate for the Cornwall Saltash-Trematon-Landulph division in the forthcoming election); Clerk to the Council; Amanda Pugh (Landulph Parish Tree Warden); Heidi Clemo (Census Engagement Manager); Michelle Maidment (BT Openreach).

Public Forum

133-20 TO RECEIVE APOLOGIES FOR ABSENCE – Cllr Holmes, Cllr Jesse Foot.

134-20 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.”

135-20 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.

No dispensations were received.

136-20 CENSUS ENGAGEMENT (Heidi Clemo – Census Engagement Manager)

The census is taking place on Sunday 21st March. Everyone will receive a postcard in the post, all will receive a unique access code followed up with a letter. The census can be completed online, or you can required a 32-page paper copy. Cornish identity is not included on this census – but individuals can write in if they wish to be recorded that Cornish is their identity or first language. The headlines of the results will be available at the end of 2021/early 2022. Records from 1921 will also be released.

Posters to be available to the parish – Heidi will send to Clerk.

137-20 COMMUNITY BROADBAND SCHEME (Michelle Maidment – Rural Engagement Manager, Openreach)

Cllr Worth reported that Openreach has provided the parish with a quote for all 265 properties/businesses. The bombshell received is that we need to make a decision by close of play TONIGHT. We need to raise money via vouchers, and the community need to commit their vouchers with a closing date of 31/3/21 (nb. Please note this closing date has since been brought forward to 5th March 2021).

There is currently fibre to Landulph Cross, but this scheme will bring full fibre to premises (FFTP) to other premises in the parish.

Landulph Parish Council will be the formal entity that needs to sign the formal document. If the parish doesn't sign up now, then it will potentially be another 5 years before full fibre broadband will be available to the majority in the parish.

Michelle Maidment commented on the Community fibre partnership scheme – which gives every community the opportunity to procure fibre directly. Openreach contributes to that, and have provided Landulph parish with a quote, and you now have the opportunity to apply for funding via government vouchers, this is an opportunity to get direct fibre broadband, Openreach provides a contribution. The funding is via government vouchers. Every residential property has the opportunity to claim up to £1500, and a business £3500 (includes trading from own home). The scheme is open until 31st March.

The funding application deadline is this Friday (but needed today), so there is a time pressure. BT Openreach needs to know this week. Once that application is approved then we have until 31st March (nb. Since the Parish Council meeting this date was moved to 5th March) to issue vouchers. Any vouchers not issued by that date will be lost.

There may be another scheme afterwards, but the government is yet to confirm this and provide further details, and the parish may or may not be eligible.

Why sign up? There is a need for decent internet – this is an opportunity to get fibre to the home. No more copper in the connection – it will be ultrafast fibre with the capacity for 1000mbs, and the line will be capable to cope with multi-users. This is an opportunity to provide ultra-fast fibre broadband to the home/business.

Cllr Worth explained that the vouchers will go towards the £209,000 quote – this is approximately 140 residential houses and 20 businesses offering their vouchers, but will need another 30% uplift (£271,700).

Michelle explained that any additional funding over and above the £209,000 – then the parish won't need to sign the contract. So, if you're confident you can raise funding over and above the gap cost we've given you, then you won't need to sign a contract or use a legal entity because the additional funding will act as your security. If you can only raise the £209,000 then you will need a legal entity.

Vouchers from the government goes to Openreach when the parishioner signs up in approximately 14-18 months' time once the fibre broadband is built - to their preferred supplier. The cost will be approximately £30-40 per month for fibre broadband provision, depending on the size of the package that you take out. The parishioner would take up this contract with their chosen fibre broadband supplier, then Openreach gets paid. The parish needs enough people to sign up, then the fibre broadband supply will be built, which will take 12-14 months.

This comes down to enough parishioners signing up and pledging their vouchers – and by 4th March (to give the Parish Council enough time to collate the data and send in by 5th March).

Cllr Worth asked that each household speak to another 5 households (following lockdown rules) to get the message out that this proposal is available.

Michelle Maidment advised that there will be nothing to sign until there are enough vouchers/funding pledged, or an alternative source of funding.

Mac Armstrong offered to canvas doorsteps socially distanced, but it was agreed that this is not an option in the current lockdown, and the publicity would need to be via social media.

Cllr Dennis asked the question what happens if someone signed up and their situation then changes between now and when the service is built (could move away, divorced, pass away etc). Michelle advised that if the community raises additional funding of approximately 30% (or as close to 30% as possible) of the cost to cover these eventualities, then this will act as a buffer.

Michelle advised that if Landulph Parish Council signs as the legal entity, then the Council would be invoiced for the shortfall.

Marc Shirlaw commented that if the Parish Council can funnel enquiries, then there is not a GDPR issue.

Marc Shirlaw asked Michelle a question: as you've quoted for the whole parish, will everyone have a box on their building? Michelle commented that the supply will stop at the boundary of the property, boxes are placed on poles overhead or underground, and then when a parishioner signs up, the engineer will return to make the connection from the outside to the inside, and will install a box/socket inside the property. All 264 addresses in the parish have the capacity to order, but unless the place an order for service they won't get a box on the inside.

Marc Shirlaw asked: if someone doesn't sign up now and pledge their voucher, but then decides to sign up to fibre broadband, they would need to pay the installation/connection cost themselves.

Michelle commented that all service providers will charge a connection fee. Any individuals who have pledged their vouchers will not have to pay an excess construction cost, which is a major benefit.

Clare Tagg asked: should residents in a shared building apply individually, or whether it should be one application for the shared building. **[ACTION: Michelle advised that she would seek advice to clarify and report back, it would be worth checking on how the address is registered in the final quote – whether as separate properties or as one property]. [nb. Update: All of a shared property in the parish is listed as individual properties on the Openreach quote].**

Actions:

1. Submit funding application (by Landulph Parish Council) by Friday 5th March – the parish is not committed at this stage.
2. Capture all interested people manually (via Landulph Innit; Landulph Parish Council website; flyer in an emergency issue of the Parish Newsletter).

Cllr Worth stated that the Parish council doesn't have to make a decision tonight, but wants to get a gut feel of what parishioners feel.

John Hall suggested that information is placed on Landulph Parish Council's website, and that discussions are held with the newsletter team to ask whether an emergency type edition of the newsletter is sent out to each household.

A parishioner asked the question – if we speak to our neighbours about this, how do we capture their data in respect of GDPR? Cllr Worth advised that they direct their neighbours to contact the Parish Council to provide their consent and contact details.

138-20 TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING (18.01.2021)

Cllr Butcher asked for an amendment to be noted for minute no. 122-20a) to state all that remains of the stile is a 2-bar fence. It was RESOLVED that this amendment is agreed and noted.

It was RESOLVED that the minutes of 18th January 2021 were agreed.

139-20 MATTERS ARISING FROM THE MINUTES

- a) With reference to minute no. 122-20a) Cllr Butcher confirmed that photographic evidence had been taken, and the Clerk has written to Cornwall Council, in relation to the broken stile that has been replaced with a inaccessible two-bar fence, and that the Parish Council feels this is a health and safety matter.
- b) With reference to minute no. 122-20g) Cllr Dennis reported that the horsebox on the quay related to Section 215 of the Town and Planning Act may relate to the issue of the horsebox on the quay, as Cornwall Council may serve a notice on the owner/occupier (even though on private land). The Parish Council would need to write to Cornwall's Enforcement Team. It was discussed that there is currently lots of work being done at The Spaniards. Cllr P Braund proposed, Cllr Dennis seconded and it was RESOLVED this would be reviewed at the next Parish Council meeting. **[ACTION: next agenda]**.
- c) With reference to minute no. 123-20 the Clerk reported that she had contacted Landrake Parish Council to provide the contact details for the playground inspection company used by Landulph.
- d) With reference to minute no. 126-20b) the Clerk confirmed that the link to the Localism Strategy launch recording had been emailed to Parish Councillors.

140-20 PLANNING – TO CONSIDER PLANNING APPLICATIONS:

- a) [PA21/00263 | To vertically slate the top half of the external front wall. | Wooder Cottage Fore Street Cargreen Saltash Cornwall PL12 6PA](#)

It was RESOLVED that Landulph Parish Council would submit the response to say it has no objection to the application, as long as the slate matches the slate on nearby properties.

- b) [PA21/00004/NDP | Plan Proposal Submitted for Saltash Neighbourhood Development Plan. | Saltash Parish Council Cornwall](#)

It was RESOLVED that Landulph Parish Council would submit the response to say that it supports the plan, and would like to see provisions for water transport developments included.

- c) Appeal lodged [PA20/02791 | Construction of 29 dwellings \(15 Affordable and 14 Open Market\), Shop & Flat \(A1\) and Associated works | Rosehill Nurseries Landulph Saltash Cornwall PL12 6NF](#)

All Parish Councillors present confirmed they had read the documents, but requested additional time to review them. It was proposed by Cllr P Braund, seconded by Cllr Butcher and RESOLVED that an Extraordinary Parish Council would be arranged for Monday 22nd February at 7.30pm to discuss this planning appeal. Please note: comments for this appeal are to be made on the Planning Inspectorate website.

141-20 PENYOKE RECREATION GROUND REFURBISHMENT, ANNUAL INSPECTION REPORT, ROLLING PROGRAMME / GRASS BANK (STANDING ITEM) – nothing to report.

142-20 TREES (STANDING ITEM)

With reference to minute no. 124-20, Amanda Pugh (Parish Tree Warden) reported that she has written to the Duchy who advised that the woodland is not owned by them. A discussion was held between Councillors, and it was suggested that the land may have been gifted to the Woodland Trust. Amanda asked for any help in identifying the ownership, and that she had emailed Cllr G Braund. **[ACTION: Cllr G Braund to send the image of the land to Cllr Cradick who may be able to help identify the land ownership].**

Amanda advised that she is due to meet with Callington Cricket Club to discuss the proposed tree copse at Henry Searle Field.

143-20 HOUSING (STANDING ITEM – INCLUDING LNPD AND AFFORDABLE HOUSING UPDATES) – nothing to report

144-20 CLERK'S REPORT (STANDING ITEM):

a) **Approval of purchase of new Parish Council laptop and USB drive.** The Clerk reported that the Parish Council laptop needs to be replaced, and reported that funds were available from the Paperless Planning and Transparency budget. It was unanimously agreed and RESOLVED that the Parish Council would purchase a new laptop. **[ACTION: Clerk to liaise with Cllr Worth to procure a laptop].**

b) **Parish, Town and Cornwall Council Elections – 6th May 2021** All seats on all of these councils in Cornwall are due for re-election. If you wish to be a candidate at these elections please request a candidate information pack as soon as possible - you can do this using the contact details on the [Cornwall Council's website Elections page](#).

The information packs contain the required forms and guidance on the election process. The information packs will be available in March 2021.

It was RESOLVED that the Parish Council notes this.

c) **Are you registered to vote?** The electoral register, also known as the electoral roll, is a list of everyone who is entitled to vote. You must be on the register to be able to vote at an election. Anyone who has never registered, or has recently moved, must have registered by Monday 19 April 2021. You must re-register if you have changed address, name or nationality.

It was RESOLVED that the Parish Council notes this.

145-20 CLIMATE CHANGE STATEMENT OF INTENT REVIEW (STANDING ITEM) / AND DECISION ON CONSTITUTION/TERMS OF REFERENCE

Cllr Worth reported that this group has three options:

1. To be a Committee of the Parish Council, which will require the meetings to be attended by the Clerk, fully minuted, and the agenda would need to be circulated and published 3 working days in advance, the meetings would need to be fully. The full Parish Council would need to decide, in advance before the Committee is created, upon this Committee's Terms of Reference (ie what

would make the meeting quorum, what delegated powers would the committee have, who will be the voting members, etc).

2. To be a Working Party of the Parish Council. This doesn't require the meetings to be attended by the Clerk, or to be fully minuted or agenda'd. The full Parish Council would need to decide, in advance before the Working Party is created, upon this group's Terms of Reference (ie. the group will be made up of ie Cllrs XYZ, and members of the public XYZ, this group will have no delegated powers - or very restricted defined powers, the purpose/aims of the group, and the group would need to report any proposed actions to the full Landulph Parish Council for agreement ... this could be done via email, with an agenda/minute update at the next Parish Council meeting).
3. The group is entirely separate from the Parish Council - made up of willing volunteers (who could also be Parish Councillors but in their personal capacity). The group would need to create their own website and publicity, and nothing should be publicised in the name of the Parish Council.

Cllr Butcher proposed, Cllr G Braund seconded, and it was RESOLVED that option 2 – a working party of the Parish Council would be created, called the Landulph Parish Climate Action Group (LPCAG).

Cllr Dennis raised the issue of LPCAG getting out communications to the parish, and will be sending articles via the newsletter, Landulph Innit, but also suggesting that a regular email is sent out. There was a discussion about GDPR and gaining consent, which the LPCAG will discuss.

[ACTION: Clerk to chase Western Web for an update on the website climate page].

146-20 ROAD SAFETY UPDATE, AND A388 CYCLEWAY PROPOSALS

Cllr Worth advised that he's attended several recent meetings with the Cornwall Gateway and Saltash Road Safety Network regarding improvements on the road. Discussion about the confusion with the speed limits on the A38, the police have increased their presence with camera vans, but also Highways England has provided dashcams to white van drivers, which provides information back to the police. Proposal to change the speed limit from 70 reduced to 50mph recommended. Another comment that North Road in Saltash is being used as a rat run, which is being monitored.

Cllr Dennis commented on the A388 cycleway proposals, Botus Fleming Climate Change Group has undertaken a survey in the local area to review the take-up for a proposed cycleway from Hatt to Carkeel, and this has received tremendous support, waiting to hear an update on this.

147-20 CRAB TRAPS UPDATE

Cllr P Braund commented that at the last meeting he was asked to gather more information on the crab traps situated between Cargreen and Neal Point. The Inshore Fisheries and Conservation Authority did a survey in 2017 and on the River Tamar there are 4,817 traps detailed on the survey - 298 between Cargreen and Neal Point. Concerns are that plastic are being used, especially as there is a large pile left discarded on the rocks. Cllr Braund has taken photos.

Cllr Dennis commented that if someone has a licence then checks should be made to ensure they are complying to their licence, and not leaving debris behind.

LPC should write to the licensing authority to express our concern.

Cllr Butcher thinks there is a difference between the Devon side and the Cornwall side of the Tamar. In Cornwall, other than in Falmouth, there are no bye-laws to prevent this type of bait capture on the Cornish side of the Tamar. The use of plastic guttering is fairly recent, 30 years ago slate was used.

Who can produce a bye-law – would this be done by Cornwall Council? Natural England is the licensing authority. **[ACTION: Landulph Parish Climate Action Working Group to investigate and report back to the Parish Council].**

148-20 ACCOUNTS FOR PAYMENT

It was RESOLVED to agree the accounts for payment as follows.

PAYEE	CHQ	REASON	NET	VAT	GROSS
HMRC	101319	Feb income tax	72.80	0.00	72.80
KJ Williams	101320	Feb salary	290.64	0.00	290.64
Google Ireland	DD	Direct debit for Google Cloud and G Suite - 1.01-31.01.21	73.60	0.00	73.60
KJ Williams	101321	Post, print, expenses inc keyboard/mouse, Zoom -Feb	75.88	0.00	75.88
Incoming payments		25.1.2021 payment from Cornwall Council – PROW local maintenance partnership reimbursement	555.38	0.00	555.38

149-20CHAIRMAN’S URGENT BUSINESS / ANY OTHER BUSINESS

- a) Cllr Worth reported on an offer for a speed sensor in the parish c£24k to remind parishioners of 20mps limit, the data is generated c2 weeks a year at Landulph Cross.
- b) Cllr Worth reported that he has received an anonymous letter, the content of which was reported to Parish Councillors, the Parish Clerk and Cornwall Council.
- c) The Parish Council is awaiting government legislation on virtual meetings, which is currently in place until May. CALC has circulated information, and concerns have been expressed about reconvening public meetings too soon. Cllr G Braund commented she felt this was too early. The Parish Council awaits further information.
- d) Cllr Butcher has reported on two footpath issues in the parish.
 One is a flood near the top of Paradise Lane, caused by a field main draining into the footpath and bridleway, which is a couple of feet deep – horses can’t see where placing their feet.
 Cllr Butcher has reported this to Cornwall Council who will investigate, but they are currently very busy with cliff-falls and land-slides, so this is not a priority for them at this time.
 The second issue is a tree down on the Penyoke footpath. Cllr Butcher spoke with the landowner, who was going to remove it, and also a few other rotten trees on the south side of the lane from Penyoke. Cllr Holmes was going to investigate. Cllr G Braund stated she was also going to report the fallen trees, but they’ve been removed, so this is now all clear.
- e) Cllr P Braund asked for clarification on what the next steps are in relation to the Community Broadband proposal. Cllr Worth asked all to speak to parishioners to ask them to review the information and pledge their voucher if they wish to. The Parish Council will collect names and addresses of those wishing to sign up. Once these have been collected, the Parish Council will add up how many have been received, and a decision will then need to be taken by the Parish Council on whether to proceed with the scheme. It was discussed that full fibre broadband can increase a property value by approximately £3000.

150-20 Date of Next Meeting: Monday 22nd February 2021 at 7.30pm – Extraordinary meeting

Dates for 2021: 15th March, 19th April, 17th May, 21st June, 19th July, 20th September, 18th October, 15th November, 20th December

Meeting closed at 21.26.....Chairman