

**MINUTES OF THE ST SAMPSON PARISH COUNCIL MEETING HELD ON
TUESDAY, 26TH JULY 2016 AT 7:15PM IN GOLANT VILLAGE HALL,
GOLANT**

Councillors R Anderson (Vice Chairman), J Luddington, S Fitzgerald, S Ratchford and M Whell.

Sue Blaxley (Parish Clerk)

7 members of the public

Public Participation

Jeremy Pearson said that AS Parking had refused to engage with him regarding the PCN that they had issued and that the matter is now in the hands of a solicitor. He said this was indicative of AS Parking's uncompromising attitude. He said the quay and slipways in Golant are a valuable asset but there is nowhere to leave a trailer. He said that trailers should be able to be parked in the car park provided a valid parking ticket is obtained. Debbie Pugh-Jones said that if the parish council resolves to retain the services of AS Parking, a notice could be posted asking for people to contact the parish council if they experience a problem with them. She said this would enable a more accurate picture of the company's practices to be collated. She also said that visitors are confused at the scale of parking charges which indicate that it is £3 to park for 24 hours but the machine only takes £2 which means that two tickets have to be purchased. The Vice Chairman said that the scale of charges and AS Parking's contract will be discussed during the meeting.

Stuart Young thanked the parish council for clearing the Upper Downs path and asked if the invoice of £156.75 as detailed on the agenda was the total cost. The Clerk explained that she also had an invoice for payment in the sum of £173.25 which was for the cutting of the zig zag path. He also said that the parish council's Financial Regulations do not say that someone cannot be employed to empty the car parking machine of money. The Vice Chairman said that it is a case of whether the parish council wants to have another employee and the consequential need to have to comply with the relevant employment legislation especially as large sums of money are involved. He said that the parish council cannot deal with large sums of money on an ad hoc basis. Councillor M Whell commented that it is about the wider perspective and not solely whether the parish council is insured to employ someone to empty the car parking machine. He said that the parish council has resolved to pay AS Parking to undertake the task. Graham Estlick asked how often AS Parking empty the machine and the cost involved. The Vice Chairman referred him to the minutes of the parish council held in April 2016 which detail this information.

Maurie Parsons addressed the Council to state what he felt was strong public feeling within the village that we should have two safe goal posts on the village

green and that, if necessary, villagers would contribute to the cost. He explained how the provision and use of goal posts meets the DEFRA criteria for use of a village green and also that of the Commons Registration Act of 1965. He also commented on the benefits such facilities provide for young people from physical activity, countering obesity and IT dependency, developing social skills and interacting with others in organised games. He said that older residents also enjoy watching children at play and having two goals makes a huge difference to those playing. Councillor S Fitzgerald asked Maurie how many people support his view. He said that there are a number of parishioners living in the parish and a number of second home owners who support his view although he was unsure of the exact number.

Richard Gabb said that the view from Mike Ager's bench is completely obscured and the vegetation needs to be cut. The Vice Chairman said that the parish council will discuss whether they want to spend additional funds on this under item 16 on the agenda.

1. Apologies

Apologies for absence were received from Councillor C Hunter.

2. To confirm the minutes of the meeting held on Tuesday 28th June 2016

The minutes of the meeting held on the 28th June 2016, having previously been circulated, were agreed as an accurate record subject to an alteration to minute number 10(b) changing the target housing figure to 52,500. The Vice Chairman said that housing allocations will be allocated to Community Network Panel areas as opposed to individual parishes.

3. Declaration of interest in items on the agenda

Councillor S Fitzgerald declared a prejudicial interest in item 18 on the agenda.

4. Matters Arising from the previous meeting

To receive and consider reports on the action points from the previous meeting

Installation of salt bin (MW)

Councillor M Whell reported that he had not yet actioned this matter.

Informal chat with Mr and Mrs Laughton regarding gates and sign in the alleyway to the village green (RA/CH)

The Vice Chairman reported that he had spoken to Mr and Mrs Laughton who have said that they have received no further comments or issues arising relating

to the gates across the alleyway to the village green. He said that people can still walk through the alleyway and that Mr and Mrs Laughton wish to keep the gates closed but not locked. The Vice Chairman said that no further action was needed regarding this matter.

Draft a notice saying that the parish council has some concerns about trees abutting the highway and that all landowners are encouraged to coppice their trees. (SB)

The Clerk reported that she had put a notice on the website to this effect. Councillor S Fitzgerald reported that she had spoken to Cornwall Council highways department regarding the overhanging trees on the road to Milltown. She said that this had resulted in Cornwall Council serving a notice on the landowners asking them to cut the trees to a specified height.

Provide title document for pub for community asset application (CH)

The Clerk reported that she had not received the document from the Chairman. Councillor S Fitzgerald said she would action this matter.

To receive and consider reports on any other matters arising from the previous meeting

None

5. To receive the Chairman's Communications

The Vice Chairman reported that he had had an email from Cornwall Councillor Doug Scrafton confirming that Cornwall Council will be transferring ownership of Par running track to the community and thanking the parish council for its support.

The Vice Chairman read out a letter from Castle Dore Rowing Club thanking the parish council for their donation and explaining that they had used the money to purchase two sets of oars which will be used by the junior squad for training and competition.

6. To answer any questions from Councillors, previously notified to the Clerk

None.

7. To receive a report from the Clerk

None

8. To receive reports from -

a) Police

None.

b) Cornwall County Councillor

None.

9. To authorise the signing of orders for payment, including -

CORMAC (Wallgate Machine repair) - £57.60

Mrs S Blaxley (June 22nd 2016 salary/ expenses -) - £367.44

British Gas (Electricity for toilets) - £62.01

South West Water (Water for toilets) - £44.01

Cornwall Council (Rent for car park) - £167.67

Glenn Humphries Landscaping (Grass cutting /Cleaning of car park and toilet area/weed spraying/strimming of Tinnies Lane) - £634.80

Cornwall Landscaping (clearing Upper Downs path) – 156.75

CORMAC (toilet cleaning) – £161.83

Cornwall Landscaping (clearing Upper Downs zig zag path) – 173.25

Councillor S Fitzgerald asked for a breakdown of the invoice to Glenn Humphries Landscaping. The Clerk said that the net figures were £65 for grass cutting, £360 for spring cleaning and weed spraying and £104 for cutting Tinny's Lane. It was agreed that the parish council is satisfied with the service provided by Glenn Humphries Landscaping and they are satisfied that the correct rate for their services is being charged. Councillor J Luddington said that she meets with them regularly to discuss the works that are required. It was proposed by Councillor S Fitzgerald and seconded by Councillor J Luddington that all of the above orders be authorized for payment. All Councillors voted in favour of this proposal. The proposal was therefore carried.

10. To receive correspondence from :

a) Cornwall County Council

None.

b) Others

The Vice Chairman said he had received a request that the parish council purchases some daffodil bulbs which volunteers could then plant around the village. It was agreed that this matter would be discussed at the September meeting of the parish council.

11. Finance Report , Report on Expenditure against Budget and Section 137 Payments

To receive a current financial statement of the accounts, a report on expenditure against budget for the year to date and a report on Section 137 payments

The Clerk reported that, this month, income of £10 had been received from Graham Estlick for agendas and minutes to be posted to him, £30 for a parking permit, £1,937.50 from the car park machine and £885.32 VAT repayment. She said the accounts balance at £23,459.61. The Clerk also brought councilors' attention to the analysis of receipts and payments as at July 1st 2016 which had been circulated prior to the meeting. It was noted that income from the car park for the first quarter of 2016/17 is 45% of the total income from that source in 2015/16. Councillor S Fitzgerald asked what the paperless planning grant of £700 related to. The Clerk explained this was a one off grant from Cornwall Council which was given to all parish councils to implement the paperless planning applications system. The Vice Chairman commented that some of the maintenance work detailed in the analysis had been undertaken by Andrew van den Broek who was currently in hospital. Members of the parish council wished him a speedy recovery. The Vice Chairman signed the cash book.

The Vice Chairman explained that Section 137 of the Local Government Act 1972 enables parish councils to spend a limited amount of money for purposes for which they have no other specific statutory expenditure. However, he said that this cannot be used where the parish council has an unrestricted specific statutory power to spend money. He said that an example of this is Section 19 of the Local Government (Miscellaneous Provisions) Act 1976, which empowers a local council to contribute by way of grant towards the expenses incurred by any voluntary organization in providing any recreational facilities. He said that this would include the £800 given to Castledore Rowing Club. He concluded by saying that the parish council has £1,400 to spend on Section 137 payments in 2016/17 of which £1,000 has already been donated to the church to repair the organ.

12. Golant Car Park and Toilets

To receive and consider AS Parking's Contract

The Vice Chairman reminded everyone that, at the last meeting of the parish council, a number of concerns were voiced by parishioners concerning AS Parking. He said that copies of all the concerns had been passed to AS Parking to respond. He said they had responded in full and a copy of their response had been sent to all councillors. Since the last meeting, he reported that a complaint had been received from Dennis Smith regarding his general displeasure at the conduct of AS Parking as well as a complaint from Dr Johnson and Mrs Hozak saying they were offended by AS Parking issuing them with a PCN when the

machine was out of order. The Vice Chairman emphasized that the parish council cannot get involved in individual cases between members of the public and AS Parking. He said that, as at 30th June 2016, AS Parking have issued 30 PCNs this season over 120 days over 20 spaces which amounts to one PCN/week.

The Vice Chairman asked councillors for their views on the response received from AS Parking. Councillor J Luddington said that she thought the response was detailed and measured as well as being factual and fair. Councillor S Ratchford said he thought the response was arrogant and dismissive. Councillor S Fitzgerald said that the parish council has agreed to use them as it is a convenient way to “police” the car park and because they are specialists in this profession. She said that, at some time, most people have fallen foul of parking penalty notices and that this is not specific to Golant. She said that recent case law supports AS Parking’s case for imposing quite steep fines. She commented that AS Parking work within a set of procedures within law and the response received to the concerns raised is in line with that law. She said the question is whether they are unacceptable to us as a practice in the village and if so, what are the alternatives. The Vice Chairman said that he considered the response from AS Parking to be measured and in great detail with hard factual material, including photographs, which would be hard to dispute. He said there is no evidence to suggest the company is a rogue trader or operates bully boy tactics or uses abusive behavior. He said that they have cancelled one PCN as a gesture of goodwill. He explained that AS Parking have said that a faulty machine does not mean that parking does not have to be paid for. He said that if this was the case, someone could sabotage the machine and give themselves free parking. He explained that there is a notice on the machine explaining what to do if the machine is broken. He said that where it was alleged that PCNs have been issued when the machine was broken, AS Parking have commented that this was not the case as the PCNs clearly state that they were not issued when the machine was broken. He said that in terms of the concern from the recipient of a PCN who had parked his trailer across three bays, AS Parking has said that only one parking ticket was displayed as opposed to the requisite three tickets for using three spaces. He explained that they have also said that they give adequate leeway for people to return to their car when a parking ticket has expired. He said the grace period is 10 minutes but AS Parking has allowed 17 minutes in one case. Councillor M Whell said that AS Parking has clear instructions from the parish council but the rules are very “hard and fast”. He said that if the “grace periods” were extended, people would still receive PCNs. He said the parish council has no financial gain from employing AS Parking and that their employment represents additional hassle. He said the car park could be self-policing. The Vice Chairman commented that the parish council is saving £2,000 by not employing a car park warden. Councillor S Ratchford said that as soon as their trial period ended, they have issued as many PCNs as possible and that he does not agree with their strict rules being used in Golant. Councillor J Luddington said that when a car parking warden was employed, he had no legal basis to issue PCNs and it was chaos in the car park. She said the situation is

now much improved and that if the services of AS Parking are to be discontinued, the parish council has to have a contingency plan. Councillor S Fitzgerald said that the use of AS Parking was debated at length by the parish council in order to save £2,000 pa which is now being spent on the provision of a public toilet and to sort out the chaos in the car park. She said that she does not think that AS Parking has been used for a long enough period of time and that everyone has to get used to the idea that if they fail to buy a parking ticket, they may receive a PCN. She said that she does not believe that it will deter people from visiting Golant. It was proposed by Councillor J Luddington and seconded by Councillor S Fitzgerald that the contract with AS Parking remains in place and that the matter be discussed again at the September meeting of the parish council by which time councilors should submit their ideas for contingency plans to the Chairman which will also be discussed at that meeting. All Councillors voted in favour of the proposal. The proposal was therefore carried. The Vice Chairman said that the parish council has taken the concerns which have been raised very seriously and has debated the matter at length. It was agreed that the Clerk would notify the concerned parties of the parish council's decision as well as thanking AS Parking for their detailed response.

To receive and consider any matters arising relating to the toilets and car park

The Vice Chairman reported that the Wallgate machine in the public toilet was blocked but has now been repaired. It was noted that the scale of parking charges and all details relating to AS Parking, including a notice detailing the action to be taken if the machine is out of order, are displayed in close proximity to the machine

13. Village Green

To consider reversing the decision to remove a goal post from the village green

The Vice Chairman reported that three Councillors had supported a special motion under the provisions of the parish council's standing order number 7a to include an item on this agenda to consider reversing the decision to remove a goal post from the village green as resolved at the meeting of the parish council on 26th April 2016. He read out an email from the Chairman which stated that the neighbourhood plan questionnaire had identified that there is strong feeling in the parish about maintaining the village green. He said that the same questionnaire also identifies that the current provision for children or young people is about right. The Chairman said that he has not voiced support for the special motion, not because he is being difficult or anti goal post but because he has a concern about the impact such a motion may have on the integrity of future process, if carried. Furthermore, he says that the issue is a minor one. He concludes by saying that if councilors vote for this decision to be reversed then it sets a risky course for future council business which undermines the integrity of the process.

He said the level of opposition is statistically quite small. The Vice Chairman explained that the parish council had received an email from a member of the public saying that the goal posts were unsafe. He said opinion is divided as to whether it is easier for the Air Ambulance to land if there is only one goal post on the village green. Councillor S Ratchford said that his decision to remove one of them was based on his understanding that the Air Ambulance needed one to be removed in order to make a safe and efficient landing. Councillor M Whell said he agreed with this view. However, he said he disagreed with the Chairman's assertion that reversing the decision would lead the parish council to doing U turns on all its decisions. Councillor S Fitzgerald said this is a minor issue and that perhaps it could be revisited without there being repercussions on other more major decisions. She said she agreed to one goal post being removed because she was led to believe that the Air Ambulance found it difficult to land with both goal posts being in situ. She said that she now noted that there was no hard factual evidence to support this understanding. She said that if both the goal posts were on the village green and the Air Ambulance could not land because of this, it would be on the parish council's conscience. She said that when she lived in Golant, boys were often playing football on the village green. She said that feelings seem to be quite strong in the village that there should be two goal posts on the village green. Councillor J Luddington said that she understood that one of them had been removed because the goals were unsafe. She said this safety issue is paramount and she wanted both of them removed. She said that Glenn Humphries Landscaping had said that the poor state of the village green was, in part, due to it being used as a football pitch. She said that she does not think this is a case of putting one goal post back but of purchasing smaller goal posts which are safe. Councillor R Anderson commented that he never sees football being played on the village green. He said the precedent mentioned by the Chairman in his email is accepted but that each decision is based on its individual merits. He said while ten people objecting to the removal of one of the goal posts is a small number, it is a high percentage of those who take part in parish council business. He said that emails have also been received from young people who want two goals on the village green. It was proposed by Councillor S Ratchford and seconded by Councillor S Fitzgerald that the goal post which has been removed should not be reinstated, the other goal post currently in situ be removed too and that two new goal posts be purchased which are smaller and more aesthetically pleasing. All Councillors voted in favour of the proposal except for Councillor M Whell who voted against the proposal as he considered that the existing goal posts should be retained. The proposal was therefore carried. Councillor M Whell proposed that the existing goalposts be inspected for their safety by two nominated councillors and if deemed to be safe, be reinstated on the village green whilst new goal posts are being sourced. Two Councillors voted in favour of the proposal and three Councillors voted against the proposal. The proposal was therefore not carried. It was proposed by Councillor R Anderson and seconded by Councillor J Luddington that Councillor S Ratchford be authorized to purchase two new goal posts which are smaller and more aesthetically pleasing up to the value of £1,000. All Councillors voted in favour of the proposal

To receive and consider any other matters arising relating to the village green

The Clerk explained that an email had been received from Ian and Sarah Laughton saying that the grass in front and at the side of Waters Edge and in front of the parked cars has been left unmown. They have said that whilst they would be quite happy to undertake the maintenance of the grass in front of and at the side of Waters Edge, they understand that it is not part of their property. It was proposed by Councillor J Luddington and seconded by Councillor S Fitzgerald that Councillor J Luddington asks Glenn Humphries Landscaping to include these areas in their schedule of works. All Councillors voted in favour of the proposal. The proposal was therefore carried.

14. Neighbourhood Plan

To receive and consider matters arising relating to the neighbourhood plan

None

15. Highways

To receive and consider matters arising relating to highways in the parish

None

16. Footpaths and Benches

To receive and consider matters arising relating to footpaths and benches

The Vice Chairman explained that the bench Richard Gabb was referring to at the top of Downs Hill is known locally as Mike Ager's bench and from this bench, there are usually splendid views of the river. It was proposed by Councillor J Luddington and seconded by Councillor S Fitzgerald that the Vice Chairman asks Cornwall Landscaping to clear the vegetation that is obscuring the view from this bench. All Councillors voted in favour of the proposal. The proposal was therefore carried.

17. Community Emergency Plan

To receive and consider matters arising relating to the community

None

18. Reinstatement of Lostwithiel to Fowey Railway Line

To consider supporting the reinstatement of the Lostwithiel to Fowey railway line

Councillor S Fitzgerald, having declared an interest, took no part in discussion of this item.

The Vice Chairman said there was an article in the Cornish Guardian by the Cornwall Railway Society suggesting that trains may run on the Lostwithiel to Fowey line. However, he said this was subject to EU funding. It was proposed by Councillor J Luddington and seconded by Councillor M Whell that the Vice Chairman emails Cornwall Railway Society to say that the parish council supports the reinstatement of the line. All Councillors voted in favour of the proposal. The proposal was therefore carried.

19. Co-option of Member to Parish Council

To receive and consider applications for co-option onto the Parish Council

The Clerk said that Debbie Pugh-Jones had applied to be co-opted onto the parish council. Debbie introduced herself to Councillors and gave a brief resume of her career history. She said that she was anxious for two way communication between the parish council and parishioners and as she was always walking in the village and people will talk to her, she feels she could provide that vital link. It was proposed by Councillor S Ratchford and seconded by Councillor S Fitzgerald that Debbie Pugh-Jones be co-opted onto the parish council. All Councillors voted in favour of this proposal. The Vice Chairman welcomed Debbie Pugh-Jones to the parish council

20. Date of next meeting

To confirm the date and venue of the next meeting on Tuesday 27th September 2016

The date of the next meeting was confirmed as Tuesday 27th September 2016 in Golant Village Hall commencing at 7:15pm.

There was no further business and the meeting was closed at 9:30pm.

ST SAMPSON PARISH COUNCIL MEETING

26th July 2016

ACTION POINTS

<u>Minute Number</u>	<u>Action</u>	<u>By Whom</u>
4	Installation of salt bin	MW
4	Provide title document for pub for community asset application	SF
13	Ask Glenn Humphries Landscaping to cut grass in front of and to side of Waters Edge and area behind parked cars	JH
12	Contact the various parties regarding AS Parking to acknowledge their communications and inform them of our position/decision	SB
13	Purchase new goal posts	SR/RA
16	Ask Cornwall Landscaping to clear the vegetation that is obscuring the view from Mike Ager's bench	RA
18	Email Cornwall Railway Society to say that the parish council supports the reinstatement of the Lostwithiel to Fowey line	RA