

**MINUTES OF THE ST SAMPSON PARISH COUNCIL MEETING HELD ELECTRONICALLY ON TUESDAY, 28TH APRIL 2020**

**Participants:** Councillors D Jenkinson (Chairman), D Johns, S Phillis, D Pugh-Jones and S Harper.

Sue Blaxley (Clerk to the Parish Council)

**Public Participation**

The following questions had been received by the Chairman from a member of the public prior to the meeting:

- Can you confirm that the toilet block is now closed?
- Does that mean that the payments to the contractor who cleans the toilets will also stop?
- Can the Parish Council ask the developer of the Cormorant Hotel site how the concrete suppliers (that will eventually be used to bring ready mix concrete for the foundations of the Cormorant development) will clean out their lorries?
- There are pot holes on the village green that need attention.
- The small saplings that were planted last year (North end of the Pill) seem to be in need of attention.
- Can the Parish Council recommend that a skip be hired for the removal of the most derelict boats in the Pill?

The Chairman responded to the questions as follows:

- Yes, the toilet block is closed until further notice, to avoid the risk of contamination, and, as a result the parish council does not expect to receive an invoice from Cormac, who are contracted to provide a cleaning service.
- An email will be sent to the developer to ask that specific question about concrete lorries.
- Village Green potholes - noted
- Saplings - noted
- The Chairman will email the Chairman of Golant Quay Users with the suggestion that a skip be hired for the removal of the most derelict boats in the Pill, but accepts that the current 'articles of association' might prohibit immediate action.

## **1. Apologies**

Apologies were received and accepted from Councillors M Whell and A Van den Broek.

## **2. To confirm the minutes of the meeting held on Tuesday 24th March 2020**

The minutes of the meeting held electronically on Tuesday 24th March 2020, having previously been circulated, were agreed as an accurate record.

## **3. Declaration of interest in items on the agenda**

None

## **4. Planning**

**To receive and consider the following planning applications:**

### **PA20/02863 – Application for Listed Building Consent for the removal of existing slate roof and felt covering and replacing with scantle slate at Orchard Cottage, Water Lane, Golant**

The Chairman commented that this is a vital improvement to the dwelling to avoid further ingress of water. The proposal is to use South American slate for the rear section of the roof, which looks identical to the Scantle tiles at the front and would have no adverse technical or visual effect. Councillor D Johns commented that he assumes that the Planning Case Officer will know more about how well the South American slate matches the Scantle tiles. It was proposed by Councillor D Jenkinson and seconded by Councillor D Pugh-Jones that the application be supported. All Councillors voted in favour of this proposal. The proposal was therefore carried.

### **PA20/02950 - Application for the discharge of conditions 13, 14, 15, &16 in respect of decision notice PA18/11399 at The Cormorant Hotel, Golant.**

The Chairman commented that these conditions relate to the assessment of the ground for possible contamination, in advance of building works. The survey report has provided evidence that there is nothing, in their view, to prevent building proceeding and that these conditions can be discharged. He said that the parish council has no expertise in this area and have to rely on the view of the consultant. It was proposed by Councillor D Jenkinson and seconded by Councillor D Pugh-Jones that the application be supported. All Councillors voted in favour of this proposal. The proposal was therefore carried.

## **5. Matters Arising from the previous meeting**

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

Drill grit bin that is full of water – MW

This matter has not yet been actioned and will be carried forward.

Contact South West Water regarding tarmac around manholes - DJ

The Chairman said that he has contacted South West Water and they have inspected the site where disruption from two manhole covers is breaking down the tarmac. Their site inspection found no fault that they could identify, so it is planned to provide photographic evidence when the situation occurs again.

Examine lease for Boatwatch hut - DMJ

This matter has not yet been actioned and will be carried forward.

Place hook the back of the door to the toilet - SP

This matter has not yet been actioned and will be carried forward.

Put the contact details of councillors on the website in accordance with individual wishes - SB

The Clerk reported that she has actioned this matter.

Arrange for contractor to fill in potholes on village green re-seed where necessary - AVB

This matter has not yet been actioned and will be carried forward.

Close the access to playground equipment to prevent use - AVB

This matter has been actioned.

Seek update from Highways regarding damage to lower Saint's Way path – DJ

This matter is reported under item 18 of these minutes.

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

The Chairman said that if the orange barriers have not been collected, he will write to Fowey Harbour Commissioner, as previously agreed with the Harbour

Master. Councillor D Pugh-Jones said that the barriers are still there. Councillor D Johns said that they belong to Imerys and have come from the docks. He said that they should collect them but a reminder to FHC wouldn't hurt.

## **6. To receive the Chairman's Communications**

- The Chairman reported that he had received a complaint about two loose dogs chasing rabbits into a parishioner's garden. A follow up visit was made by the Chairman to see the owner of "Harry's Field" and advised that dogs should not be left to roam outside of his property and especially near to farmer's fields, in "lambing season."
- The Chairman reported that a parishioner telephoned to register the fact that two people were "living" on their boats when they should have been "at home." Previously, both the Police and FHC have investigated the people concerned and found no legislation to assist in preventing this happening. He said that FHC have been informed.
- The Chairman reported that a request was received via a third party, for benches to be removed from the village green, to stop people sitting on them. The request was not approved or actioned.

## **7. To answer any questions from Councillors, previously notified to the Clerk**

The Chairman asked the following questions:

- The Community Infrastructure Levy is confirmed as being paid: Is this the total amount expected? What is the calculation and can we see it? Does the payment reflect the two existing developments in the village?
- Do the latest guidelines require the Council to hold "virtual" meetings in the future?

The Clerk answered the questions under item 8 of these minutes.

## **8. To receive a report from the Clerk**

The Clerk said that all parish council meetings from May onwards will be conducted as "virtual" meetings using Zoom. She said that she will download the app and familiarise herself with it in good time for the May meeting.

Regarding the CIL, she said that the parish council received notification from Cornwall Council that they would be making a Community Infrastructure Levy (CIL) 'Neighbourhood' payment to the Council within the next couple of weeks. The amounts are £1,825.10 for planning permission reference number PA19/04154 and £2,625 for planning permission reference number PA18/11399. Councillor D Pugh-Jones asked which developments these payments relate to. Councillor D Johns said that PA1904154 is the Tinneys Lane development (2 houses) - £1825 and PA18/11399 is the Cormorant Hotel development (9

houses) - £2625. He commented that, hopefully, the parish council is due more money under this scheme for the Cormorant development. In terms of whether these payments represent the totals from the developments in Golant, the Clerk said that the Neighbourhood Portion that is paid to the parish council (for April) is paid based on CIL income received from 1 October 2019 to 31 March 2020 from development for the whole parish of St Sampson. The Neighbourhood Portion is paid based on CIL income received rather than anticipated income as, if the development were not to commence, for instance, then the CIL amount anticipated would never become due and would never be paid. In terms of how the amounts have been calculated and whether the parish council can scrutinize these calculations, the Clerk said that CIL Regulations set out how the Neighbourhood payments are calculated – by multiplying the net increase in gross internal floor area (GIA), measured in square metres (sqm), by the relevant CIL rate (£ per sqm). Town and parish councils will receive 15% of any CIL raised from development within their area. This is capped at £100 (index linked) per existing Council Tax paying dwelling. Where there is an adopted Neighbourhood Development Plan, the town or parish council will receive 25% (uncapped) of any CIL raised in their area. Parish councils can check the CIL demand notices relating to each development if they would like more detail.

#### **9. To receive reports from -**

##### **a) Police**

The Chairman said that each update from the Police (and especially in relation to Corona Virus legislation and enforcement issues), is being shared via “Maurie Mail”.

##### **b) Cornwall Councillor**

The Chairman said that the parish council is being regularly provided with the very latest updates on the Corona Virus policies and procedures from Cornwall Council and that Councillor Andy Virr is now also receiving “Maurie Mail.”

#### **10. To authorise the signing of orders for payment, including -**

Mrs S Blaxley (18<sup>th</sup> March 2020 – 21<sup>st</sup> April 2020) - £543.98  
Cornwall Council (Rent for Car Park – April 2020) - £166.67  
South West Water (Water for toilets 5/2/20 – 31/3/20) - £13.52  
Cornwall Pension Fund (Pension Contributions – March 2020) - £81.79  
Western Web Limited (Annual Renewal of Web Space) - £96.00  
Cornwall ALC Limited (Annual Subscription 2020/21) - £186.71  
Cornwall Pension Fund (Pension Contributions – April 2020) - £89.97  
BNIB (Insurance Premium Renewal 2020/21) - £569.92  
Playsafety Limited (Annual Play Area Inspection) - £86.40

Councillor D Johns questioned whether it is reasonable to pay rent for the car

park to Cornwall Council when it was Cornwall Council who decided that car parking charges should be suspended during the pandemic. Councillor S Harper said that the parish council could ask for rent postponement/waiver in light of no income which would be in line with postponement or grants for individuals and small businesses. The Chairman said that he would ask Cornwall Councillor A Virr whether the parish council should have ceased charging for car parking and whether a “rent holiday” would be granted by Cornwall Council.

It was proposed by Councillor D Jenkinson and seconded by Councillor D Pugh-Jones that all the above orders be authorized for payment. All Councillors voted in favour of this proposal. The proposal was therefore carried.

## **11. Finance Report**

### **To receive a current financial statement of the accounts and to review income and expenditure against budget**

The Clerk reported that, since her last report, income of £760 has been received for car parking permits and the accounts closed at the end of the financial year, balancing at £15,438.46. Councillor S Harper asked if the parish council has had any requests for refunds of parking permits as the car park is not charging and that perhaps the parish council should consider its response. The Clerk said that she had not received any requests. Councillor S Harper said that a partial repayment would not be unreasonable especially if the parish council gets a “rent holiday” from Cornwall Council. She said that, hopefully, people would be happy to pay anyway given the amounts are not large.

## **12. Cormorant Hotel Site**

### **To receive and consider matters arising relating to the Cormorant Hotel site**

The Chairman said that following Government Guidelines, all work on the two sites was immediately suspended. However, given the modest relaxation on “builders,” a limited amount of work is being undertaken on the Water Lane development, where ‘social distancing’ can be adhered to. The builder confirms that both developments are now stalled for lack of supplies. Councillor S Harper said that builders are working at Tinneys Lane today.

## **13. Devolving Assets from Cornwall Council**

### **To receive and consider matters arising relating to the devolution of assets from Cornwall Council**

The Chairman said that whilst there is no definitive answer forthcoming with any precise dates, it has been confirmed that the project on devolved assets is somewhat delayed as a result of the Corona Virus crisis. However, and despite that, a further meeting is being held this month.

#### **14. Golant Car Park and Toilets**

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

The Chairman said that, following Government Guidelines and in order to avoid any potential risk to health, the toilet block has been temporarily locked until further notice. Councillor D Johns asked if Cormac are still invoicing the parish council for cleaning the toilet. The Clerk said that invoices have been paid until the end of March 2020.

#### **15. Village Green**

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

The Chairman said that Lanhydrock Gardening Services who provides a cutting service for the village green has confirmed his availability. Councillor D Pugh-Jones asked if the parish council could ask them to be careful with the strimming around the fence and playground equipment which is getting damaged.

The Chairman also said that the parish council has received the latest annual report from RoSPA, which has been circulated to all councillors. He said that the report indicates a number of low risks, some average risks and no high risk items. He said that the parish council does need to review the report and agree on a general upgrade of the playground equipment. He asked if one of the councillors would undertake this task.

#### **16. Neighbourhood Plan**

##### **To receive and consider any matters arising relating to the Neighbourhood Plan**

The Chairman said that the latest Government Guidelines would suggest that the “referendum” element of the NDP cannot take place until May 2021. Councillor D Pugh-Jones asked why the parish council has to wait for a year when the absence of an NDP is leaving the parish council financially worse off in respect of CIL payments. Councillor S Harper said that she has looked at the Government website (<https://neighbourhoodplanning.org/wp-content/uploads/FAQ-on-Covid-19-Neighbourhood-Planning.pdf>). She said that it states that NDP referendums will not be held before 6th May 2021. She said that she has also read this in a Covid 19 update. She commented that, on another Government website, it does say that those with a referendum approved will be given weight in planning decisions. However, the document referenced is not so precise in its definition. She said that the document does refer to grants. Councillor S Harper said that since reading the postponement, she has the plan on her computer. However,

she said that in light of the information that it may be given “weight” she intends to submit it to Cornwall Council and suggested that the finalised document should be published on the parish council’s website. She said that this will ensure that the NDP is clearly in the public domain should any planning applications be submitted. She also said that she will make further enquiries about the CIL payments.

## **17. Highways**

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

The Chairman reported that the parish council has been advised that the request for the upgrading of the road signs for 20 mph, additional double yellow lines at the narrow part of the road beyond Island House and the addition of a “children crossing” sign at the corner of Water Lane have all been approved. These works will not take place until later in the year or from when restrictions can be lifted. The Chairman also said that following a series of emails between the parish council and Cornwall Council, the lane at South Torfrey was cleared of the worst of the mud (generated by the contractor removing debris from the Water Lane site). However, an agreement to improve drainage will not result in action until later in the year.

## **18. Footpaths and Benches**

**To receive and consider any matters arising relating to footpaths and benches in the parish**

The Chairman reported that the parish council has not received any further response from those in Cornwall Council who are responsible for the maintenance of footpaths and specifically with reference to the damage on the Saints Way path near to the Cormorant development. However, in the current crisis, he said that it is unlikely that any further work will be undertaken, until restrictions are lifted. Councillor Johns reported that the top and bottom paths are currently in good condition and that the damaged section behind the Cormorant Hotel site is acceptable at the moment, if a little uneven. He said that he would be happy to level the path. He commented that the top path will presumably still get cut next month but he would cut it if the contractor is unable to do so. The Chairman said that the repair to the footpath on the corner of Water Lane has been actioned.

## **19. Date of next meeting**

**To confirm the date and venue of the next meeting on Tuesday 26th May 2020**

The next meeting of the parish council will be a virtual meeting held using Zoom

and will take place on Tuesday 26th May 2020 commencing at 7:15pm. Councillor D Johns said that he would prefer to keep the current format using Google docs as it gives time to reflect and give more detailed answers and comments. Councillor S Harper said that she agreed with this comment although it does not allow for discussion which does usually help move the meeting forward.

**ST SAMPSON PARISH COUNCIL MEETING**

**28th April 2020**

**ACTION POINTS**

<b><u>Minute Number</u></b>	<b><u>Action</u></b>	<b><u>By Whom</u></b>
5	Drill grit bin that is full of water	MW
5	Examine lease for Boatwatch hut	DMJ
5	Place hook on back of the door to the toilet	SP
5	Arrange for contractor to fill in potholes on village green and re-seed where necessary	AVB
5	Write to FHC again regarding orange barriers	DJ