

# WITHIEL PARISH COUNCIL

## MINUTES OF THE PARISH COUNCIL MEETING HELD IN

THE WITHIEL VILLAGE HALL ON WEDNESDAY, 2<sup>ND</sup> JUNE 2021 AT 7.17PM

Present	Cllr. Ms. J. Shearer (Chair)	Mrs. J. Burdon (Parish Clerk)	Cllr. M. Davies (Vice-Chairman)
	Cllr. S. Coy	Cllr. Ms. A. Hoyle	Cllr. Ms. A. Lake
	Cllr. Mrs. W. Symons	Cllr. Mr. R. Wilson	

Minute	AGENDA ITEMS	Action
118/21	<b>Apologies:-</b> Cornwall Councillor Mrs. J. Cruse	
119/21	<b>Public Forum:-</b> None.	
120/21	<p><b>Monthly Cornwall Councillor Report:-</b> Apologies received from Cornwall Councillor Mrs. J. Cruse, report received as follows:-</p> <ul style="list-style-type: none"> <li>• Following up matters from the last meeting - Problems with heavy trucks on the roads around Withiel. This has been reported to Highways and it is suggested that we have a consultation with all the Parish Councils to see exactly where the problems lie. It would be good to note the routes that cause problems, businesses that are frequented by large lorries, and truck companies who are travelling the routes. We could arrange this by teams, and I will suggest this to the entire ward Parish Councils.</li> <li>• With reference to road works at Ruthernbridge to Nanstallon, this road has been nominated for surface treatment, and will be ranked and prioritised against other road improvements in the county. In the meantime, please report any defects using the online system where ever possible.</li> <li>• Japanese knotweed. It would appear that this is now outsourced, and in the case of the knotweed being on private or parish land it has to be paid for by individuals or the parish. If the knotweed is on highways, then I think it can be reported using the 'report it' system and should be treated by the Council.</li> <li>• Just to let you know that Committee Meetings are resuming face to face at County Hall, and public participation is available by video link on site, or by Teams remotely for non-voting members.</li> <li>• PA21/02934 - Just a note to say I will go on the planning portal and make comment. I think it unlikely this Condition should be removed as it is in place to comply with the NPPF and Local Authority sustainable development plan. I would also suggest as you have greater knowledge than I have that this also would contravene your Withiel Neighbourhood Development Plan which does not permit development in isolated places and on green space. As your Neighbourhood Plan is up to date and in place and approved this should be a good measure of what is acceptable.</li> </ul>	
121/22	<b>Members Declaration of Interest on items raised on the Agenda/Requests for Dispensation:-</b> None.	
122/21	<b>Confirmation of Parish Minutes from the Meeting held on the 19<sup>th</sup> May 2021:-</b> Resolved the Minutes of the Monthly Meeting held on the 19 <sup>th</sup> May 2021 as circulated were confirmed as a true and accurate record and duly signed by the Chair (Proposed: Councillor R. Wilson; Seconded: Councillor Mrs. W. Symons) Motion Carried	

123/21	<p><b>Matters Arising from the Monthly Minutes of the Meeting held on the 19<sup>th</sup> May 2021:-</b></p> <p><b>Page 2 Min.96/21 Election of Representatives:-</b> It was agreed to include an item on the next agenda – Election of Representative to the Withiel Playing Fields Association <b>Action:</b> Clerk.</p> <p><b>Page 2 Min.97/21 Embargo on River Camel:-</b> Clerk reported information had been received from Cornwall Councillor Mrs. J. Cruse and duly circulated to all Members. Chair reported this is more relevant to planning, she is not sure what happens if developments have been started as to whether they would have to stop. Councillor Ms. A. Lake reported that it appears to be temporary at the moment and if the Parish Council wished to object, we would need strong details with regards to the embargo situation. Phosphates was the main issue with regards to the embargo.</p> <p><b>Page 3 Min.193/20 Japanese Knotweed, Slippery Stone Steps and use of public footpath:-</b> Update from Cornwall Councillor Mrs. J. Cruse as above. Chair reported from Brooklands Cottage to the river at T-junction on the right on the corner there is a large bunch of Japanese Knotweed, she was unsure who owned this land. There is. Stream coming in to the river and it is in between both of these. It could possibly be Cornwall Council owned <b>Action:</b> Councillor R. Wilson to check the area and report back, which can then be reported to Cornwall Councillor Mrs. J. Cruse.</p> <p><b>Page 3 Min.193/20 Visibility on Withiel Crossroads:-</b> Update from Cornwall Councillor Mrs. J. Cruse as above.</p> <p><b>Page 3 Min.59/21 Bank Debit Card:-</b> Clerk reported the bank debit card had arrived today in the post.</p> <p><b>Page 5 Min.103/21 Signage at Crossroads at Four Turnings:-</b> Clerk reported this information had been forwarded to Cornwall Councillor Mrs. J. Cruse to follow up.</p>	<p><b>Clerk</b></p> <p><b>Cllr. R. Wilson</b></p>
124/21	<p><b>Highway Issues in the Parish:-</b> Clerk reported she had included links that can be used by anyone reporting issues. These links had also been included on the Facebook page and on future agendas. Chair reported any problems could be useful for members of the public to use. Clerk and Councillor Mrs. W. Symons to ensure the links are regularly included on the Facebook page, as we need to ensure people are aware of how to report <b>Action:</b> Clerk/Councillor Mrs. W. Symons.</p>	<p><b>Clerk/ Cllr. Mrs. W. Symons</b></p>
125/21	<p><b>Footpath Issues in the Parish:-</b> Councillor R. Wilson reported he has been given this a lot of consideration and nothing factual as such to report. He has been speaking with local landowners and footpaths on their land. The big issue is respect of the landowners land and conflict with having access by the public. It is a joint responsibility of landowners and people that use the footpaths. It was noted that the public are not always obliged to remedy issues, it is down to the landowners to often put right. Stiles were an issue in certain areas especially for dog walkers, some fences were being damaged. It was suggested making stiles more dog friendly. Councillor M. Davies reported on an adjustment that could be made suitable for this. It was suggested that Parish Council funds could be made available to update the relevant stiles.</p>	

	<p>It was suggested Councillor R. Wilson walks the footpaths and grade the stiles and report back. Councillor M. Davies to obtain costs for the upgrade <b>Action:</b> Councillors R. Wilson and M. Davies.</p> <p>Councillor R. Wilson reported on the issues of dog waste, he is not sure how this could be achieved to ensure it is picked up. Chair suggested including this on Facebook <b>Action:</b> Councillor Mrs. W. Symons.</p>	<p><b>Cllrs.</b></p> <p><b>Cllr. Mrs. W. Symons</b></p>
125/21	<p><b>Approval of Updated Code of Conduct:-</b> It was resolved to accept the updated Code of Conduct as put forward by CALC (Proposed: Councillor Mrs. W. Symons; Seconded: Councillor Ms. A. Hoyle) Motion Carried <b>Action:</b> Clerk</p>	<p><b>Clerk</b></p>
126/21	<p><b>Planning Applications received at the meeting and prior to the meeting; Planning Pre-Applications; Planning Results; Planning Correspondence; Any letters received for or against any Planning Applications:-</b></p> <p><b>Planning Applications:-</b></p> <p><b>PA21/04020 – Miss Eleanor Crick, Suez Recycling &amp; Recovery UK Limited –</b> Change of use of 450sqm of existing industrial building from sui generis to B2 use to allow the conversion of a section of the building into a vehicle maintenance workshop for servicing and maintenance of commercial vehicles for a temporary period of 10 years, Higher Brynn Farm, Roche – <b>Support</b> (Proposed: Councillor M. Davies; Seconded: Councillor R. Wilson) (1 abstention)</p> <p><b>PA21/02934 – Mrs. T. Trudgeon –</b> Removal of Condition 3 (occupancy restriction) of Application No. PA19/04672 dated 24<sup>th</sup> November 2020 (Erection of a permanent rural workers dwelling. Construction of two stables and store, horse walker and the continued use of the sand school and existing stables as part of the horse buying/selling business together with retention of the static caravan for ancillary purposes), The Stables, Retire Lane, Retire, Bodmin – <b>Object – These are the guidelines from the Withiel Neighbourhood Development Plan: B.1. General Development Principles (a) Proposals for single dwellings or very small-scale residential development on infilling plots within defined settlement boundaries will be permitted. (b) Development outside settlement boundaries will be permitted only where special circumstances are demonstrated in accordance with Policy 7 (Housing in the Countryside) of the Cornwall Local Plan, or the proposal meets a clearly defined local need for affordable housing in accordance with Policy 9 (Rural Exceptions Sites) of the Cornwall Local Plan. 18 (c) All new development within the Neighbourhood Development Plan area should seek to enhance local character and be of a high standard of design in accordance with the principles of the Cornwall Design Guide and the Withiel parish design guide. Any development should complement the existing built environment and respect the rural nature of the parish. (d) Proposals to replace existing residential dwellings will be supported where the replacement design is of high quality, there is no increased visual impact on the Cornish landscape and where the redevelopment does not result in the loss of a traditional building unless that building cannot be retained through renovation or improvement. (e) Proposals to replace residential caravans with permanent dwellings will not be supported.</b></p>	<p><b>Clerk</b></p> <p><b>Clerk</b></p>

**Comment for PA21/02934 :** Permission was given by the Planning Authority for a 'rural workers dwelling' contravening continued objections from Withiel Parish Council over several years as the development fell outside NDP guidelines. There is a history of Withiel Parish Council trying to engage enforcement because the residential caravan permission had expired. Arguably there were 'exceptional circumstances' as written in the Withiel NDP, although the development is outside the designated area for development as set out by the Withiel NDP. 'Exceptional circumstances' could be interpreted as a need for the owner of the equestrian business to live on site. We have never seen evidence of a viable equestrian business but understand that Cornwall Council has. Withiel Neighbourhood Development Plan specifically states that permission will not be given for replacement of a residential caravan with a dwelling and in this case permission for the residential caravan had expired three years earlier, but the Planning Dept overrode our own Neighbourhood Development Plan and granted permission regardless. However, this development does not lie within the defined development areas in Withiel and there are no circumstances under which this restriction, i.e., rural workers dwelling restriction should now be lifted, especially as there is a shortage of farm workers dwellings in the parish. Indeed, the need to build the essentials of the business - stables and a store - suggest that no business has ever existed. This matter (that it is a business) should be the subject of enforcement enquiries centring on the existence of a registered company, annual accounts, and tax paid and, indeed, evidence of actual business activity. Withiel Parish Council agrees with the assessment by the Chief Land Agent and Valuer that the occupancy restriction remains appropriate. We would also highlight that lifting such a restriction on the development would not be in line with either the National Planning Policy Framework or the Council's Sustainable Development Plan (Proposed: Councillor Ms. A. Hoyle; Seconded: Councillor Ms. J. Shearer) (1 abstention)

Clerk

**PA21/04318 – Mr. P. Vincent** – Certificate of Lawful Development for an Existing Use of Continued breach of occupancy condition in excess of 10 years of Decision Notice E1/87/0720/OOP dated 6<sup>th</sup> July 1987, Kerris Vale, Kerriers Road, Inches, Bodmin – **Object – Guidelines from Withiel Neighbourhood Development Plan – B1 (e) Proposals to replace residential caravans with permanent dwellings will not be supported.** The 10-year rule should not apply to restrictions on occupancy. Mr. Vincent has gone to considerable trouble to prove that the 1987 conditions of occupancy have not been complied with and it is unreasonable that he should hide behind the 10-year rule. If enforcement for this matter is the responsibility of Cornwall Council planning department, then why have enforcement enquiries not been pursued. Since Mr. Vincent he has been blatant in his disregard of planning regulations he should not be rewarded by the removal of the occupancy restrictions. Is Mr. Vincent's current occupation of a caravan while the house is let a matter that should be subject to enforcement action? This is now not a suitable property for the applicant to be living in, and enforcement should be carried out to force him to sell or rent the property to a suitable resident. There is immediate demand in this parish for farm workers living accommodation, and this property would be perfect for habitation, by said farm workers/staff (Proposed: Councillor Mrs. J. Shearer; Seconded: Councillor Ms. A. Lake) (1 abstention)

Clerk

127/21	<p><b>Cornwall Council – Planning Induction Training for Local Councils – 22<sup>nd</sup> 23<sup>rd</sup> and 24<sup>th</sup> June 2021:-</b> It was resolved the following Councillors attend – Ms. A. Lake, M. Davies with Mrs. W. Symons and Ms. J. Shearer as reserves (Proposed: Councillor M. Davies; Seconded: Councillor Mrs. W. Symons)  <b>Action:</b> Clerk/Councillors</p>	Clerk/ Cllrs.															
128/21	<p><b>Monthly Accounts for Approval and Any Financial Matters (Including applications for Grants &amp; Donations if received):-</b> It was proposed that the Council approve the accounts as listed below as circulated on schedule (Proposed: Councillor Ms. J. Shearer; Seconded: Councillor R. Wilson) Motion Carried</p> <table border="1" data-bbox="204 533 1355 725"> <tr> <td>ICO</td> <td>£35.00</td> <td>ICO Renewal</td> </tr> <tr> <td>Hudson Accounting Limited</td> <td>£125.00</td> <td>Internal Audit Fee</td> </tr> <tr> <td>Salaries and Expenses</td> <td>£221.76</td> <td>May 2021</td> </tr> <tr> <td>HMRC – Income Tax</td> <td>£50.20</td> <td>May 2021</td> </tr> <tr> <td>Norris &amp; Fisher Insurance Brokers Ltd</td> <td>£234.40</td> <td>Annual Insurance</td> </tr> </table>	ICO	£35.00	ICO Renewal	Hudson Accounting Limited	£125.00	Internal Audit Fee	Salaries and Expenses	£221.76	May 2021	HMRC – Income Tax	£50.20	May 2021	Norris & Fisher Insurance Brokers Ltd	£234.40	Annual Insurance	Clerk
ICO	£35.00	ICO Renewal															
Hudson Accounting Limited	£125.00	Internal Audit Fee															
Salaries and Expenses	£221.76	May 2021															
HMRC – Income Tax	£50.20	May 2021															
Norris & Fisher Insurance Brokers Ltd	£234.40	Annual Insurance															
129/21	<p><b>Approval of Annual Accounts for the year ending 31<sup>st</sup> March 2021:-</b> It was resolved to approve the Annual Accounts for the year ending 31<sup>st</sup> March 2021 as set out, which were duly signed by the Chair and Clerk (Proposed: Councillor S. Coy; Seconded: Councillor R. Wilson)</p>																
130/21	<p><b>Approval of Certificate of Exemption – Agar 2020/2021 Part 2:-</b> It was resolved to approve the Approval of Certificate for Exemption – Agar 2020/2021 Part 2 for the year ending 31<sup>st</sup> March 2021 as set out, and duly signed by the Chair and Clerk (Proposed: Councillor Mrs. W. Symons; Seconded: Councillor R. Coy) <b>Action:</b> Clerk to send to External Auditors and advertise accordingly.</p>	Clerk															
131/21	<p><b>Approval of Section 1 of Annual Return – Annual Governance Statement 2020/2021:-</b> It was resolved to approve Section 1 of the Annual Return as set out (Proposed: Councillor Ms. J. Shearer; Seconded: Councillor R. Wilson) <b>Action:</b> Clerk to send to External Auditors and advertise relevant statement advising that the accounts are unaudited at this time, as per regulations.</p>	Clerk															
132/21	<p><b>Approval of Section 2 of Annual Return – Accounting Statements 2020/2021:-</b> It was resolved to approve Section 2 of the Annual Return as set out (Proposed: Councillor Ms. J. Shearer; Seconded: Councillor R. Wilson) <b>Action:</b> Clerk to send to External Auditors and advertise relevant statement advising that the accounts are unaudited at this time, as per regulations.</p>	Clerk															
133/21	<p><b>Internal Auditors Report to be actioned for the year ending 31<sup>st</sup> March 2021:-</b> Clerk reported on internal audit carried out and the internal audit response record as follows:-</p> <ol style="list-style-type: none"> <li>1. Appropriate accounting records have been properly kept throughout the financial year. The accounts are maintained on a spreadsheet; they are up to date, in balance and appeared free from material error.</li> <li>2. This Authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved, and vat was appropriately accounted for. Financial Regulations were reviewed in September 2020. Payments are supported by invoices and vat had been accurately recorded.</li> <li>3. This Authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these – Insurance and Risk Assessment &amp; Internal Controls. Statutory insurances are in place and the Fidelity Guarantee is adequate at £100k. The risk assessment and internal controls were reviewed in June 2020 and again in March 2021.</li> </ol>																

4. The precept or rates requirements resulted from an adequate budgetary process; progress against the budget was regularly monitored, and reserves were appropriate. The budget and precept were approved in December 2020 following the production of estimates. A monthly spreadsheet is maintained plotting spend against budget. Reserves stand at £7,391 equating to 127 of gross expenditure.
  5. Expected income was fully received, based on correct prices, properly recorded, and promptly banked; and vat was appropriately accounted for. Income is limited to the precept and specific grants and is adequately controlled. VAT has been claimed up to the end of the previous financial year.
  6. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved, and vat appropriately accounted for. Not Used.
  7. Salaries to employees and allowances to members were paid in accordance with this Authority's approvals, and PAYE and NI requirements were properly applied. Testing revealed no issues to report.
  8. Asset and investments registers were complete and accurate and properly maintained. There have been no changes to assets held: the total value is accurately recorded in the Agar.
  9. Periodic and year-end bank account reconciliations were properly carried out. Monthly bank reconciliations are reported to Council and the year-end reconciliation was found to be accurate.
  10. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure) agreed to the cash book, supported by an appropriate audit trail from underlying records, and where appropriate debtors and creditors were properly recorded. The accounts were prepared on a receipts and payments basis and were in accord with underlying records.
  11. If the authority has an annual turnover not exceeding £25,000, it publishes information on a website/webpage up to date at the time of the internal audit in accordance with the Transparency Code for smaller authorities. The requirements of the Transparency code are appended to this report **Action:** Clerk.
  12. The authority, during the previous year (2019-20) correctly provided for the period for the exercise of public rights as required by Accounts and Audit Regulations. The exercise of public rights was provided for, but the incorrect form was used, and it was published prior to the declaration of Exemption from audit and one too many days were allowed. Care should be taken to ensure the correct information is displayed **Action:** Clerk.
  13. The authority has complied with the publication requirements for 2019/20 Agar. Publication requirements were not met. There are additional requirements from Exempt authorities which were not done. The requirements are clearly set out on the Agar form and should be adhered to **Action:** Clerk.
  14. Trust Funds – Not applicable.
  15. Final Report – Controls around internet banking are expanded to include more than one person. If this is not done then the risk should be recorded in the Council's risk assessment, mitigating controls introduced and the actual processes in place enshrined in Financial Regulations **Action:** Clerk.
- It was resolved to approve the Internal Auditors Report and action any queries raised (Proposed: Councillor Ms. J. Shearer; Seconded: Councillor S. Coy)  
**Action:** Clerk

Clerk

Clerk

Clerk

Clerk

Clerk

134/21	<p><b>Update - Bodmin Community Network Meeting Update, including Police Report:-</b> Clerk reported the next meeting is due to be held on Wednesday the 9<sup>th</sup> June 2021 from 4.00pm to 5.30pm.</p>	
135/21	<p><b>Update - Climate Action Group Meeting:-</b> Councillor Ms. A. Lake reported they are still working on the Garden Safari.</p>	
136/21	<p><b>Update - Neighbourhood Watch Scheme:-</b> Councillor R. Wilson reported there had been a donation of 7 Neighbourhood Watch signs. In theory there should be no problem with Western Power permitting the signs being put up on their poles. He will put up in suitable locations around the parish at his discretion.</p>	
137/21	<p><b>Bus Shelter:-</b> Councillor Mrs. W. Symons proposed that she would like to brighten up the Bus Shelter in the village as it is very dreary and might be useful to show children's drawings and run a 'swap shop' similar to a community larder, to share items no longer required and possibly take something you do want.</p> <p>In the first instance, the bus shelter needs a coat of paint and some plants around it, and she would look into a cork noticeboard on which to fix drawings and a map. The children's drawings could be run as a competition possibly on a monthly basis from either St, Wenn School or the Parish, hopefully they will visit and view the pictures, may be with the possibility of a small gift or certificate. Chair raised the main noticeboard outside the Church and suggested a quote for corkboard for this would be beneficial. Councillor Mrs. W. Symons also raised the possibility of using the Chapel rooms for walkers to obtain refreshments for a small donation. Councillor Mrs. W. Symons would be happy to run this project. It was suggested a maximum budget of £200.00. (Proposed: Councillor R. Wilson; Seconded: Councillor Ms. J. Shearer) (Motion Carried)</p> <p><b>Action:</b> Councillor Mrs. W. Symons to obtain costs for works required, i.e., painting, put recycled shelves up and corkboard and also corkboard in the noticeboard as well.</p>	<p><b>Cllr. Mrs. W. Symons</b></p>
138/21	<p><b>Correspondence – Clerk listed correspondence and actions required:-</b></p> <ol style="list-style-type: none"> <li>1. Local Parishioner – A member of the public wrote that she felt that farm vehicles were driving too fast during silage making periods and this was discussed. Martin Davies explained that empty trailers often left considerable tyre marks on the roads because tractor brakes are so efficient that quite often the trailer slides a little when the tractor brakes. However, although everyone agreed that, in general, tractor drivers locally show great respect for cyclists, walkers and horse riders on narrow roads and no accidents or problems had been reported, we would ask all drivers to respect other road users and please be aware that the size of farm vehicles is now so huge that they do appear extremely intimidating if you are on foot or on horseback. Horses in particular can be very frightened of these vehicles and in particular empty silage trailers <b>Action:</b> Clerk to forward on to Cornwall Councillor Mrs. J. Cruse to follow up and liaise with the parishioner on this matter.</li> <li>2. Cornwall Council – Town &amp; Parish Council Newsletter – 21<sup>st</sup> May 2021</li> <li>3. Nurseplus Care at Home – Supporting Residents in the Local Parish</li> <li>4. Cornwall Council – River Camel</li> <li>5. Eden Project – The Big Lunch 2021</li> <li>6. Cornwall Council – Bodmin Community Network Panel: Nominations for Chair and Vice-Chair and next meeting due to be held on Wednesday 9<sup>th</sup> June 2021, 4.00pm-5.30pm</li> <li>7. Office of the Police &amp; Crime Commissioner – Contacting the Police – Devon &amp; Cornwall Campaign Briefing Sheet</li> </ol>	<p><b>Clerk</b></p>

	8. Bodmin Police Station – Bodmin Wadebridge Police Newsletter 9. Highways England – A30 Highgate to Victoria – Overnight Westbound Closure 3 <sup>rd</sup> and 4 <sup>th</sup> June 2021	
139/21	<p><b>Any Urgent Matters the Chair considers relevant for this meeting:-</b> Clerk to include items on the next agenda as forwarded by Councillor Mrs. W. Symons <b>Action:</b> Clerk.</p> <p>Clerk to include item on the next agenda – Update of Withiel Emergency Plan <b>Action:</b> Clerk.</p> <p>Clerk to include item on the next agenda – Updating of Annual Policies and Procedures <b>Action:</b> Clerk.</p> <p>Councillor M. Davies suggested discussion around planning enforcement on the next agenda, this will hopefully be updated following the planning training to be booked. Councillor S. Coy suggested the possibility of a Planning Officer attending a future meeting if required in respect of planning enforcement. It was agreed to report following the training initially <b>Action:</b> Clerk to include on next agenda.</p>	<p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>Clerk</b></p> <p><b>Clerk</b></p>
140/21	<p><b>Date of next Meeting and Meetings for 2020:-</b> Wednesday 7<sup>th</sup> July 2021 at 7.00pm in the Withiel Village Hall. All other Meetings to be confirmed as the Wednesday 4<sup>th</sup> August, 1<sup>st</sup> September, 6<sup>th</sup> October, 3<sup>rd</sup> November, 1<sup>st</sup> December 2021.</p> <p>There being no further business to discuss the meeting closed at 9.07pm</p>	

Signature: .....

Chair

Date: 7<sup>th</sup> July 2021