

Linkinhorne Parish Council

Minutes of the Virtual Meeting of the Council

Monday 8th June 2020 at 7.30pm

MINUTES

Those present were: Cllr Hearn (Chairman), Cllr Ward (Vice-Chairman), Cllr Adams, Cllr Beech, Cllr Corfield, Cllr Hordley, Cllr Lobban, Cllr Stansfield and Cllr Wallis.

**Action
required
by:**

Melanie Kilby (Clerk)

The Chair welcomed those in attendance for the first virtual meeting of the parish council. The meeting was preceded by the Chair outlining the process by which the virtual meeting will be undertaken. Those present took time to reflect on where we find ourselves in these unprecedented times. Particularly focusing on those who have suffered loss, those that have been disadvantaged, distressed and the impact the current situation has had on the lives of those in the community in which we live. The Chairman thanked those who have made a difference particularly the key workers, those who have become key workers, the many volunteers and all those who have made a difference in the community and beyond. Rural isolation was an issue prior to the pandemic but in recent months it has been proven that we have a strong and healthy community, who care. On behalf of the council, thank you very much.

1) Absent: Apologies received from Cllr Daniel, Cllr Sturrock, Cllr Rounsevell, Cllr Sharp-Philips

2) Code of Conduct: a) Declarations - Cllr Corfield declared an interest in item 11, iv.

b) Grants of dispensation – None

3) To consider / approve

i) the amendments to the Standing Orders to include recent changes in legislation

Resolved to approve the amendments to the Standing Orders to reflect the recent changes in legislation.

ii) The requirement to hold an annual meeting of the Parish Council in May 2020 has been removed. To consider / decide upon continuing without an annual council meeting in 2020/21 or to set a date for a meeting later in the year.

Resolved to undertake the annual meeting of the Parish Council for the purposes of appointments on the 13th July 2020.

4) Minutes

Resolved that the minutes of the previous meetings of the Parish Council of Monday 9th of March 2020 be confirmed, and these were signed as an accurate record of the meeting subject to the following change

5) Adjournment of up to 15 minutes for members of the public to raise matters

A representation was received from the Ecological Land Co-operative; this was read out by the Chair with reference made to the website <https://ecologicaland.coop/> and video <https://www.youtube.com/watch?v=iHr92tYdBO4>.

6) Reports from and matters of concern to:

- a) Cornwall Councillor Daw – Not present.
- b) Reports from other councillors (other meetings, conferences) – No reports provided.

7) Finance

- a) Cash flow of accounts
Resolved that the bank reconciliation/cash book statement be confirmed an accurate account, and this was signed by the Chairman.

- b) Payments
Resolved that the following payments be approved:

Payments approved under delegated authority:

April:

- i) £28.78 Cornwall Pension fund (additional payment)
- ii) £21.00 HMRC.
- iii) £54.58 M. Kilby (Admin)
- iv) £596.42 CALC (Annual Membership Subscription).
- v) £509.58 (Maintenance Jubilee Field and Parsons Meadow 2019-20)

May:

- vi) £15.45 EON (Elec WC UX).
- vii) £1202.19 inc VAT Came and Company (Insurance).
- viii) £71.94 inc VAT M. Kilby (Zoom Pro Account).
- ix) £39.53 Linkinhorne Parish Hall (Water, sewage and Elec).
- x) £114.00 inc VAT WesternWeb Limited (Website hosting).
- xi) £198.00 inc VAT RoSPA Play Safety (annual inspections).

Payments to be approved:

June:

- xii) £92.74 L.M. Todd (Bench and Balustrades Jubilee Field).
- xiii) £213.73 inc VAT FD Hall Ltd (Jubilee Field Bench materials).
- Xiv) £714.00 Inc VAT Caunters Solicitors (Change of covenant UX WC's)
- Xv) £127.25 Cormac Solutions Ltd (April UX).
- Xvi) £127.25 Cormac Solutions Ltd (April Minions).
- Xvii) £127.25 Cormac Solutions Ltd (May UX).
- Xviii) £127.25 Cormac Solutions Ltd (May Minions).
- Xix) £47.70 M. Kilby (Admin). £4.00 HMRC.

c) Receipts

- i) £45.50 Minion WC coin collection.
- ii) £25.00 M. Kilby

- d) To receive / approved year end / statement of accounts and report for 2019-20.

Resolved to approve the year-end report and statement of account for 2019-202

8) To receive / approve the Annual Governance Statement

Linkinhorne Parish Council have considered whether any litigation , liabilities / commitments , events or transactions occurring either during or after year end have a financial impact on the Parish Council

and where appropriate have indicated them in the accounting statement. Proposed, seconded and upon being put to the vote it was **resolved** to approve the Annual Governance Statement.

9) To receive / approve the Accounting Statement

Proposed, seconded and upon being put to the vote it was **resolved** to approve the Accounting Statement.

10) To receive / approve the finding of the Internal Audit

Proposed, seconded and upon being put to the vote it was **resolved** to approve the findings of the Internal Audit

11) Planning

a) Planning Applications

Proposed, seconded, and upon being put to the vote it was **resolved** to make the following recommendations:

Planning applications decisions made under the scheme of delegation:

i. PA20/01618. Ferndale, Upton Cross. Full planning permission for new dwelling. Linkinhorne Parish Council objects to the application as the proposed building is within both the AONB and the World Heritage site and there is no explanation with the documentation to support building at this location. The Cornwall Local Plan designates this as a Rural Exception Site and therefore supporting documentation needs to be provided indicating how the housing fits the affordable housing criteria. The Council requests that the access to the property is investigated as the Lane is privately owned and permission from the land owners has not been sought.

ii. PA20/01815. Springfield Lodge Bray Shop. Provision of sand school 25 x 45m for personal use. Linkinhorne parish Council does not object to the application

iii. PA20/01962. The Haven Upton Cross. Replacement stable block and provision of machinery/feed and log storage building. Linkinhorne Parish Council has no objection to the application subject to the application of a condition preventing use for purposes other than that proposed.

iv. PA20/01726. Land North West Of Lower Stanbear Cottage Henwood. Construction of an agricultural barn and horse livery stables together with an access road and hardstanding. Linkinhorne Parish Council cannot support the application due to the following: No evidence appears to have been submitted to indicate that the land it serves is part of a registered agricultural holding. It is located within the AONB and WHS and the AONB unit are unable to make a site based assessment.

v. PA20/02783. Lower Rillaton, Rillaton, Rilla Mill. Erection of general agricultural store, with associated works. Linkinhorne Parish Council does not object to the application subject to the following:

- That the section of road between the two parts of the farm be kept in a roadworthy condition i.e. free from mud, debris and pot-holes at all times.
- that the building is tied by a condition to use in connection with the agricultural holding

vi. PA20/00670. Upton Cross Stores Upton Cross Change of use from A1 Shop to Residential. Linkinhorne Parish Council strongly objects to the application for the following reasons:

The additional information is essentially a statement of fact but does not provide any substantive information on which a planning judgement could be made. It is not unusual for pubs and shops to be permanently on the market as many traders are looking to maximise the opportunity for a profit from a business. Also the trading conditions referred to are no different from those faced by other similar businesses. For comparison, the shop at Lewannick has a similar trading floor-space and is much closer to competing supermarkets yet is apparently a successful village shop.

What is missing from the information provided is any financial information which would justify the closure of the shop. The council would have expected to see comparative trading figures from the time of purchase of the shop to the time of closure with some justification for the change (if any) over that period of time. It is assumed that the applicants purchased a going concern and therefore if trade had fallen off to a significant extent, a more detailed examination of why. The Parish Council are aware of a number of anecdotal complaints about poor service and deliberately making it inconvenient for people to use the services they provided. Linkinhorne Parish Council believes that we are in the position of having to consider a retrospective application due to the failure of Cornwall Council on two counts:

1. First to positively and actively engage with the community in securing an ACV over the premises this would have provided time in which to properly consider options.
2. Second the failure to properly follow up the enforcement of the change of use prior to the conversion of the premises. It is apparent that the enforcement officer made a policy judgement contrary to Policy 4 section 4 of the CLP without any reference to interested parties thereby in effect bypassing proper consultation on the loss of an important community facility. The Council believes this to be a potential maladministration issue.

Application to be considered:

vii. PA20/03678. Swallows Barn Little Lanhargy Farm Bray Shop. Variation of condition 3 of decision PA17/00266 dated 13th March 2017 Garage conversion to annexe.

Linkinhorne Parish Council objects to the variation of condition 3 as there have been no material changes since its application and would lead to the unacceptable creation of a separate unit of accommodation in the open countryside.

viii. PA20/03708. Meadowgate Upton Cross. Application for the modification or discharge of a planning obligation dated 18/08/1996.

Linkinhorne Parish Council strongly objects to the removal of the 106 for the following reasons:

- The removal is contra to the emerging Neighbourhood Development plan which supports affordable housing for local people.
- The Neighbourhood Development Plans housing need survey, the home choice register and recent housing developments in the local areas have demonstrated that there is a demand / need for affordable social housing of a 106 type.
- The applicant has provided no evidence of a marketing exercise to demonstrate the impact of the 106 on the value of the property.

ix. PA20/04059. Kildare Downgate Upton Cross. Extension, alterations and provision of replacement garage Liskeard.

Linkinhorne Parish Council has no objection to the application.

x. PA20/04409. Land East Of Exwell Cottage Bray Shop. Non material amendment for amendment to south facing glazing to ground and lower ground floor, amendments to garage and store arrangement including small extension in size, reconfiguration of internal floor layout to lower ground floor, boiler room added in North East corner of site (Application number PA17/02812 dated 17th July 2017 relates).

Linkinhorne Parish Council has no objection to the application.

xi. PA20/04108. Land At The Cheesewring Hotel Minions Construction of garage to serve new dwelling - under construction (dwelling application PA18/10835).

Linkinhorne Parish Council objects to the current location of the proposed garage and would consider it more acceptable if it was closer to the main residence in view of reducing the domestic clutter and its visual impact within a World Heritage Site, AONB, Conservation Area, and Open Area of Local Significance. In the event permission is granted the council requests that it is to be tied by a condition that the garage is only to be used in conjunction with main dwelling to prevent the creation of a new and unrelated dwelling on an unacceptable site.

xii. Any applications received before the meeting

Nothing received.

b) Enforcement EN20/00358: Alleged breach of condition 4 and 5 of planning approval PA17/04850 Land North West of Little Upton Farm, Upton Cross.

c) Decisions received from Cornwall Council Planning and Regeneration

Notification's:

- **PA20/02178. Decided not to make a TPO (TCA apps)** Barnacre, Rilla Mill. Consent to carry out works to trees within Conservation Area. Namely, to Fell 1 Willow Tree (T1), 1 Piptosporum (T4) 1 Alder (G2), Coppice 1 Indian Bean Tree (T2), Reduce 1 Japanese Dogwood (T3) 1 Apple Tree (T7) and 1 Weeping Birch (T8) and Crown Lift 1 Cypress (T6) and 1 Camelia (G1).
- **PA20/03510.** Bruffs, Road From Little Trelabe To Upton Orchard Rilla Mill Notification for works to tree within conservation area. Eucalyptus tree to fell.
- **PA20/03829.** Downgate House Downgate Upton Cross. Works to trees in a conservation area, namely fell Conifer (T24); fell Ash (T23); prune large broken branches of 12 metre oak tree (T22); prune 15 metre Beech trees (T1 to T21) by 2 - 4 metres as shown on accompanying photographs

Decisions:

- **PA20/00371 APPROVED.** Detached double garages. South Yolland Farm House Upton Cross.
- **PA19/09592 APPROVED.** Upton Cross ACE Academy Upton Cross. Construction of a new safety fence around the perimeter of the school playground using a modern steel fence with a cast iron appearance.
- **PA19/10708 APPROVED.** Trughill Barn Bray Shop Callington Cornwall PL17 8QR. Conversion of redundant agricultural building to provide single residential dwelling and creation of an access and track (revised design following decision PA18/06249 dated 21.12.2018).
- **PA20/01815 APPROVED.** Springfield Lodge, Bray Shop. Provision of sandschool 25 x 45m for

personal use.

- **PA20/01962 APPROVED.** The Haven, Upton Cross. Replacement stable block and provision of machinery/feed and log storage building.
- **PA20/02783 APPROVED.** Lower Rillaton, Rillaton, Rilla Mill. Erection of general agricultural store, with associated works.
- **PA20/03510 Decided not to make a TPO (TCA apps). Bruffs .**Notification for works to tree within conservation area. Eucalyptus tree to fell.

12) Play equipment and recreational areas

a) To discuss re-opening of play equipment, risk assessments and weekly safety inspections i) Jubilee Field ii) Rilla Mill play area

Resolved to keep the play equipment at Jubilee Field and Parsons Meadow closed as per Government guidance.

b) To discuss weekly inspection rota and RoSPA Training

Several members of the Council volunteered to undertake the inspections subject to the training required.

c) To receive / discuss annual play area inspection reports and take action where required.

The annual play area inspections were received. **Resolved** to give authority to the Clerk to undertake the necessary work to rectify any issues highlighted in the reports.

13) Neighbourhood Development Plan – to receive update

Due to the continuing Covid 19 crisis, the parish council **agreed** to revise the closure dates for feedback, both for the commercial interested parties and the public.

The public consultation on the Draft Linkinhorne Neighbourhood Development Plan started on Sunday 29th March 2019 and originally was planned to last for a period of 13 weeks, ending at midnight on Sunday 28th June 2019. This has now been extended until the 31st August 2020. Responses from all commercial interest parties and public authorities are to be emailed to clerk@linkinhorneparish.co.uk by the 19th July 2020. In the subject header of your email please include a reference stating "Response to Linkinhorne NDP consultation".

14) Public Conveniences

a) To discuss the reopening of the public conveniences, risk assessments and action plan

- i) **Minions**
- ii) **Upton Cross**

A lengthy discussion took place guided by the most recent Government guidance and information and guidance provided by Cornwall Local Association of Council and Cornwall Council. Due to the lack of guidance on cleaning frequencies and re-opening procedure the council determined that the risk to the public remained high and **resolved** to keep the public conveniences closed until further notice.

b) To formally approve the use of the WC at LPH by contractors working for the school.

Resolved to approve the use of the public convenience by the contractors working for the school so

long as they have signed the proposed agreement.

15) To consider / approve the purchase of paint for the phone kiosk at Rilla Mill

Resolved to approve the purchase of paint at £99.52 in vat.

16) To Consider / discuss the following maintenance contracts

i) Burial Ground

Resolved to approve the second ranked tender to undertake the maintenance of the Civic Burial Ground at Upton Cross until the current contractor can resume the contract.

ii) Public rights of way.

Resolved to approve the second ranked tender to undertake the maintenance of the footpaths for the 2020 cutting season. With the contractor to resume the maintenance for the remaining 2 years of the contract (2021 – 2023).

17) To consider / agree a response to PSPO (Public Spaces Protection Orders) Consultation and Engagement letter

Resolved that the council had no objections to the proposed delay in the public consultation.

18) Correspondence (as listed)

<u>Doc. Date</u>	<u>Title</u>	<u>Summary</u>
10/03/20	Rural Service Network	The Rural Bulletin - 10 March 2020
12/03/2020	CC	Forest for Cornwall/Trees for Cornish Towns - year 1 planting concluded across Cornwall
17/03/2020	Cornwall Streetworks Team	Golberdon Road, Pensilva - order
17/03/20	Rural Service Network	The Rural Bulletin - 17 March 2020
17/03/2020*	CC	Coronavirus (COVID-19) update
25/03/20	Rural Service Network	The Rural Bulletin - 24 March 2020
26/03/20*	CC	[Cornwall Council Food Safety Update] Covid-19 Support for business
26/03/20*	CC Daw	COVID-19 Support
27/03/2020*	CC	Cornwall Council Acknowledgement Letter Attached EN20/0035
31/03/2020	Rural Service Network	The Rural Bulletin - 31 March 2020
1/04/2020	CC	Neighbourhood Planning e-bulletin March
6/04/2020*	Cormac Solutions Ltd	Maintenance of Jubilee Field and Parsons Meadow.
08/04/2020	Rural Service Network	The Rural Bulletin - 07 April 2020
08/04/2020*	Cornwall Rural Community Charity	Sport England Emergency Funding
8/04/2020	Merlin MS Centre	emergency appeal
8/04/2020*	CC	Update from Leader of Cornwall Council Cllr Julian German
9/04/2020*	CC	Message from Inspector Julian Morris re Easter Weekend Concerns
10/04/2020*	CC	Biodiversity Net Gain Chief Planning Officer Advice Note.
10/04/2020*	CC	Planning Protocol for Applications considered by Cornwall Council during Covid 19
10/04/2020*	Cornwall Community Land Trust	Cornwall CLT - April News
10/04/2020*	CC	Covid-19: Public Rights of Way, the Coast Path and LMP.

10/04/2020*	ANOB	Cornwall AONB Latest News: April 2020
14/04/2020	Fields in Trust	Fields in Trust: Bringing The Park to You this spring
15/04/2020	Rural Service Network	The Rural Bulletin - 15 April 2020
17/04/2020*	CC	Covid 19 Community Network Weekly Update
21/04/2020*	Citizens Advice Cornwall	Update
21/04/2020	Rural Service Network	The Rural Bulletin - 21 April 2020
23/04/2020*	CC	Cornwall Council - Occupational Health Wellbeing Services
26/04/2020*	CC	Cornwall Council Food Safety Update] Covid-19 Support for business
26/04/2020	NALC	☹ CORONAVIRUS — INFORMATION FOR PARISH AND TOWN COUNCILS
26/04/2020	CALC	CALC GUIDANCE ON STANDING ORDER CHANGES FOR VIRTUAL MEETINGS AND FAQ 8
27/04/2020	Fields in Trust	Fields in Trust Bringing the Park to You this spring
28/04/2020	Rural Network Service	The Rural Bulletin - 28 April 2020
29.04.2020*	Cormac Solutions Ltd	Covid-19 Pandemic and Supplier Relief
29.04.2020*	Post Office Limited	- Kelly Bray PL17 8DU
30.40.2020*	Cornwall Community Flood Forum	eNews Winter/Spring Edition
01.05.2020*	CC	Planning News for Local Councils and Agents - Spring 2020 quarterly newsletter
01.05.2020*	CC	Town and Parish Council COVID-19 Update - 1 May 2020
01.05.2020*	Volunteer Cornwall	PPE donations and distribution to frontline workers
04.05.2020	Rural Service Network	Tell us about your rural community working together during COVID-19 lockdown
06.05.2020*	Ecological Land Cooperative	Ecological Land Cooperative at Linkinhorne Parish Council meeting
06.05.2020*	Caradon Community Network	Maintaining our community infrastructure TUESDAY 5 MAY 2020
06.05.2020	Rural Service Network	The Rural Bulletin - 6 May 2020
12.05.2020	CALC	CALC Briefing FAQ 9 - Virtual meetings and audit
14.05.2020	Cornwall Community Flood Forum	South West Property Flood Resilience Pathfinder: Property Flood Resilience Awareness Questionnaire
18.05.2020	CC	Cornwall Council Food Safety Update - Covid-19 Support for business
18.05.2020*	CC	Town and Parish Council COVID-19 Update - 15 May 2020
20.05.2020	Rural Service Network	The Rural Bulletin - 19 May 2020
22.05.2020*	Cormac Solutions Ltd	Invoicing for the cleaning of the public conveniences at Minions and Upton Cross
26.05.2020*	CALC	Opening safer public places risk management and good practice.
27.05.2020*	Cornwall Wildlife Trust	Community resources from Cornwall Wildlife Trust
27.05.2020*	CC	Weekly Covid19 Core Brief
01.06.2020*	Cornwall Tree Warden Network	Tree Warden Newsletter

a) Items for information only

19) Close of Business

The meeting closed 8:55 pm.