

# Carlyon Parish Council

Dear Councillor

You are summoned to attend a **virtual** meeting of **Carlyon Parish Council** to be held on **Tuesday 21 July 2020 at 6.00 pm.**

Any member of the public wishing to attend this meeting should obtain the joining details from the Clerk no later than **12.00 noon on 21 July.** For security reasons no person will be admitted to the meeting without prior notification to the Clerk that they wish to attend.

*Julie Larter*

Mrs Julie Larter

Clerk

14 July 2020

01872 501101

[clerk@carlyon-pc.gov.uk](mailto:clerk@carlyon-pc.gov.uk)

*Please note that under the Openness of Local Government Bodies Regulations 2014 this meeting may be recorded.*

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## AGENDA

### 1. Apologies for Absence

### 2. Minutes of a Meeting of the Parish Council held on 17 March 2020

*To resolve that the minutes of the above meeting be signed as a correct record*

Pages 3-7

### 3. Declarations of Interest on Items on the Agenda

#### (a) Pecuniary Interests

*Declare those interests which have been declared on your Register of Financial Interests relevant to the agenda of the meeting. Whenever the item is being discussed, including public participation, you must leave the room and not take part in the discussion or decision.*

#### (b) Non-registerable Interests

*You must declare Non-Registerable Interests at the start of the meeting or whenever the interest becomes apparent. Then when the matter is being discussed, even during public participation, you must leave the room and not take part in the discussion or decision.*

#### (c) Dispensations

*To consider any requests for dispensations relating to items on the agenda*

#### (d) Gifts and Hospitality

*To declare any gifts or hospitality*

*Please call the Clerk before the meeting if you have any queries about these matters.*

### 4. Supplementary Standing Orders

*To resolve to adopt supplementary Standing Orders to meet the statutory requirements for the holding of remote meetings, and this lasts until 7 May 2021 or until the repeal of legislation, whichever is the earlier.*

Pages 8 - 10

## **5. Chairman's Announcements**

## **6. Public Participation**

*The Chairman will invite Members of the public to address the meeting in relation to the business to be carried out at the meeting  
15 minutes will be allocated for public participation (this can be extended at the Chairman's discretion). Each person addressing the Council will be allocated a maximum of two minutes*

## **7. Procedural Matters**

- (i) To note the Internal Auditor's Reports
- (ii) To agree and approve the Annual Governance Statement
- (iii) To agree and approve the Accounting Statements for 2019/20
- (iv) To ratify decisions and payments made under the temporary scheme of delegation and to note that as the council has now resumed meetings, the scheme is no longer in place
- (v) To consider whether to hold an Annual Meeting of the Parish Council

Appendices 1  
& 2

Appendix 3

Appendix 4

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## **8. Planning Applications and Related Matters**

*(a) To ratify decisions to planning consultations made whilst the council was unable to meet*

Appendix 5

*(b) To consider a response to consultation by the Planning Authority on the following planning applications and on any applications received after publication of this summons*

(i) PA20/04542 – 9 Boscundle Close: Proposed Woodland Holiday Lodges and Associated Works

(ii) St Austell Bay Neighbourhood Plan

## **9. Correspondence**

*To note any correspondence received since the last meeting*

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## **10. Dates for the Diary**

*To note dates for members' diaries*

## **11. Dates of Forthcoming Meetings**

*(V) – Virtual, (C) – Charlestown Primary School, (T) – Tregrehan Methodist Centre*

*25 August (V) – only if required, 22 September (V or C), 27 October (V or T), 24 November (Virtual or C), 17 December (Virtual or T)*

**MINUTES of a MEETING OF CARLYON PARISH COUNCIL held on TUESDAY 17 MARCH 2020 at Tregrehan Methodist Centre at 6.00pm**

**Present:** Cllrs Alan Moore (Chairman), Graham Entwistle, Paul Trudgian, Heidi Clemo, Myles Breary, Alison Cunningham, Mike Thompson

**In attendance:** Julie Larter (Clerk); 5 members of the public

**(19/185) Apologies for Absence**

Apologies were received from Cllr Ann Taylor and Cllr Tom French CC

**(19/186) Minutes of a Parish Council held on 25 February 2020**

It was **RESOLVED** that the minutes of a Meeting of the Parish Council held on 25 February 2020 be signed as an accurate record of the meeting.

**(19/187) Declarations of Interest on Items on the Agenda**

There were no declarations of interest. Cllr Thompson declared that he attended the official opening of Gwallon Keas on 16 January and had received hospitality.

**(19/188) Chairman's Announcements**

A briefing had been received from Cornwall Association of Local Councils outlining actions that parish councils should take in order to conduct their business during the Coronavirus crisis. The briefing had only been received minutes before the meeting commenced and given the urgency, the matter was discussed although it was not an agenda item.

(a) It was **RESOLVED** that the council delegates responsibility to the Clerk in consultation with the Chairman and Vice Chairman to take any actions necessary with associated expenditure to protect the interests of the community and ensure council business continuity during the period of Coronavirus, informed by consultation with the members of the council.

(b) It was **RESOLVED** to adopt the following procedure in order to deal with planning applications during the Coronavirus crisis.

- (i) The Clerk will advertise on the council's website links to all planning applications received from the planning authority, offering the public the opportunity to let the parish council have any views. There will be a 5 day deadline for public comments. At the same time the clerk will circulate the list with links to all members of the council
- (ii) At the end of the public opportunity to comment, the clerk will forward a summary of the public comments received to all members for members comments for a period of a further 5 working days. Under GDPR individual comments will not be forwarded without the express permission of the sender
- (iii) Under the Emergency Scheme of Delegation, the Clerk in consultation with the Chairman and Vice Chairman will draft a response which identifies relevant material considerations and may give local information or opinion. Once agreed with the Chairman and Vice Chairman the response will be shared with members for 2 days for any comments, before being sent to Cornwall Council with the

**following statement: "Due to the restrictions placed on the council as a result of the pandemic Coronavirus, this response represents the opinion of members of Carlyon Parish Council identified through a consultation process and will be ratified at the next appropriate meeting of the council"**

- (iv) The parish council's response will then be posted on the parish council's website
- (v) If the matter is referred back to the council under the 5 day protocol, the Emergency Scheme of Delegation will allow the clerk to take any appropriate action to respond on behalf of the council. As the council's opinion will not have been gained through the normal public process, it is likely that the reply will simply be **"Due to the restrictions placed on the council as a result of the pandemic Coronavirus, it has been unable to consult further and therefore has nothing further to add"**.

(c) It was **RESOLVED** that no meeting would be held in April.

(d) Community Support Group

Cllrs Trudgian and Clemo have organised a community support group to assist vulnerable residents and those self-isolating. A dedicated telephone number has been set up. Flyers are to be distributed to every household in the parish tomorrow. It was **RESOLVED to award an initial budget of £100 to cover costs**. A copy of the flyer will be put on the council's website.

### **19/189) Public Participation**

A member of the public suggested that photographs of projects the council had undertaken should be put on the website.

### **(19/190) Cornwall Councillor's Report**

In his absence, the Clerk read Cllr French's report. Cllr French reported that the no 28 bus is to be re-routed through Tregrehan, with some buses going to Luxulyan and the remainder out via the Britannia roundabout. Cllr French is unsure when the new service will start.

### **(19/191) Planning Applications and Related Matters**

(a) There were no planning applications for consideration.

(b) Cornwall Council Climate Change Development Plan Document  
This matter was deferred to the May meeting.

### **(19/192) Neighbourhood Plan**

Cllr Entwistle reported that the draft plan and appendices have gone to Cornwall Council and all documents are now on the parish council's website. It will take between 5 and 6 weeks to receive back comments from Cornwall Council. The public consultation event planned for May/June may have to be postponed until the autumn. The next steering group meeting will be in May.

### **(19/193) Community Governance Review**

The Chairman represented the parish council at the public consultation event on 26 February. Cllr Thompson said that the matter was discussed at the St Austell and

Mevagissey Community Network Meeting on 20 February. The main areas of concern in the network remain to the north of St Austell, Gwallon Keas and land in Pentewan Valley Parish.

#### **(19/194) Tour of Britain Cycle Race**

The matter of organising an event to coincide with the race was not discussed as the Chairman thought that the event was likely to be cancelled.

#### **(19/195) Heavy Transport Bowling Club**

The Club has requested financial assistance to provide a defibrillator. The Clerk was asked to ascertain whether the unit would be accessible to the public or situated inside the building. The matter was deferred until May.

#### **(19/196) Carlyon Recreation Area**

(a) Improved access to the field

No response has been received from the hotel's agent

(b) No concerns were reported

#### **(19/197) Tregrehan Playing Fields**

(a) Devolution of the field

Approximate costings have been received from Cornwall Council. The Clerk was asked to obtain quotes for cutting etc from private contractors. It was suggested that the parish council could purchase its own equipment which would be stored in the Carthouse, but the building would need to be reroofed first. The Clerk expressed concern at the use of volunteers to carry out the work.

The Chairman has obtained a quote of £230 for additional picnic benches, one of which would be adapted for wheelchair use. Cllr Trudgian reported that the provision of additional seating in the fields was next on the parish projects priority list. It was **RESOLVED to set aside £230 plus the cost of fixing for the benches**. The money is to come out of the 2020/21 budget. The Clerk was asked to seek permission from Cornwall Council to put in the additional seating and enquire whether it should be fixed. It was **RESOLVED that subject to permission from Cornwall Council, the additional seating outlined in the quote obtained by the Chairman would be installed**.

(b) There were no concerns.

#### **(19/198) Beach Development**

Cllrs Clemo and Trudgian have had a meeting with Tony Goodman. Plans for pop ups on the beach remain as last year except that Kneehigh Theatre will not be present.

#### **(19/199) Highways Matters**

As requested last month, the Clerk has contacted the Highways Officer to seek clarification of ownership of the triangle of land at Haddon Way/Fairway. The land is unregistered and the Highways Officer has requested details of proposals.

#### **(19/200) Climate Change and Environment Working Party**

Work on the wildflower planting scheme on the A391 has commenced. It was **RESOLVED to make a £1,000 contribution towards the cost of environmental enhancements**

**to the Britannia Roundabout, with the money coming out of the 2020/21 financial year.**

### **(19/201) Tree Preservation Orders**

The Clerk has made contact with Cornwall Council's Arbicultural Development Officer who has agreed to meet councillors to discuss proposals for TPOs in Carlyon Bay. The Clerk will arrange a meeting when the officer returns from leave in April.

### **(19/202) Financial Matters**

#### **(a) Asset Register**

The Council's Asset Register was reviewed and considered to be in order.

#### **(b) Insurance**

The Council's insurance renewal documents had been previously circulated and members considered that sufficient insurance provision was in place

(c) Current balances were noted. The Clerk made recommendations to vire money to regularise budget headings and it was **RESOLVED to agree to the Clerk's recommendations.** The council will look at the Clerk's expenses at a future date. The following payments were authorised:

BACS	Biffa	Annual service charge – dog bin Sea Road Rec	£280.80
BACS	Hay Nurseries	Planters	£758.20
BACS	Mrs J Larter	March salary	*
BACS	Mrs J Larter	Expenses	£182.26
BACS	Cornwall Pension Fund	EE and ER contributions	*
BACS	HMRC	Quarterly PAYE	£336.20

\*Publication of salary payments is excluded under the Data Protection Act

### **(19/203) Correspondence Received**

A list of correspondence had previously been circulated and in addition to this the following correspondence has been received:

- CALC update on Coronavirus
- Details of training opportunities for climate change
- NALC newsletter
- Notification that Cornwall Council will be removing the paper recycling bin from the Beach Road shops car park before the end of April, at the request of the management company

### **(19/204) Meetings/Training Attended**

25 February – Meeting of the Neighbourhood Plan Steering Group

26 February – Chairman represented the parish council at the Community Governance Review public meeting

2 March – Clerk attended Cornwall Council's Environmental Growth workshop.

Presentations were given by Cornwall Council's Senior Environment Officer; don't mow, let it grow/creating wildlife corridors/ensuring footpaths are maintained for wildlife/building bug hotels/creating log and leaf piles/minimise external lighting/plant trees, dig ponds, plant pollinator friendly plants: Bude Community Orchard: Making Space for Nature: Grow Nature Seed Fund: Gwennap Parish – a pesticide free parish.

3 March – Clerk attended a meeting of clerks to smaller councils and had a tour of Kresen Kernow, Cornwall Council's archive and records office

12 March – Cllr Breary attended Code of Conduct training  
12 March – Cllrs Taylor and Thompson attended St Austell and Mevagissey Community Network Panel meeting

**(19/205) Dates for the Diary**

(a) Imerys Community Liaison Group

Cllr Cunningham was appointed as the parish council's representative to attend future meetings. The next meeting is scheduled for 20 May.

(b) It was noted that the Eden Geothermal Project Information event scheduled for 16 April has been postponed.

The Annual Parish Meeting scheduled for April was postponed until 19 May in Tregrehan.

There were no dates for the diary.

**(19/206) Dates of Forthcoming Meetings** (C) – *Charlestown Primary School*, (T) – *Tregrehan Methodist Centre*, 19 May (T) (Annual Parish Meeting and Annual Meeting of the Parish Council), 23 June (T), 21 July (C), 25 August (T) – only if required, 22 September (C), 27 October (T), 24 November (C), 17 December (T)

**(19/207) Exclusion of Public and Press**

Under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, it was

**RESOLVED that because of the nature of the business to be transacted, the public and press should be excluded from the meeting for agenda items 20 and 21.**

**(19/208) Footpath Maintenance**

Following a tendering process, it was **RESOLVED to award the contract to cut the South West Coast Path and inland Public Rights of Way to A & A Garden Services for a period of 3 years, commencing 1 April 2020.**

**(19/209) Pavement Weedspraying**

It was **RESOLVED to accept a quote from Complete Weed Control to treat pavement weeds twice in the forthcoming season with Glyphosphate.** A quote for a non- chemical treatment method had also been received, but this proved prohibitively expensive.

The meeting closed at 6.42 pm

.....  
Chairman

.....  
Date

## **Agenda Item 4 Supplementary Standing Orders**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow local councils to hold remote meetings. The regulations give automatic authority to hold remote meetings and amend standing orders as required.

These regulations remain in force until May 7<sup>th</sup>, 2021 or earlier if repealed, and require a number of temporary changes to Standing Orders.

### **General**

This Protocol and Procedures should be read in conjunction with the Council's standing orders.

The Regulations made under s78 of Coronavirus Act 2020 apply and where there is a conflict between these and any other adopted standing orders or legislation, these Remote Meetings Procedures take precedence in relation to any remote meeting.

### **1) Annual Meeting**

- a) The requirement to hold an Annual Meeting of the Council is to be disregarded and prior to May 7<sup>th</sup>, 2021 may only take place
  - i) where called by the Chair or
  - ii) following a resolution calling for an annual meeting being passed at an ordinary or extra ordinary meeting of the Council.

### **2) Access to Information**

- a) Where a document is required to be 'open to inspection' this shall include published on the website of the council.
- b) Where a document is required to be published and made available at the council's offices, this shall include published on the website of the council.
- c) Where there is a requirement to publish information including public notices, agendas, minutes, background papers and written reports, this shall include published on the website of the council.

### **3) Remote Access to Meetings**

- a) The definition of meeting within the Council's standing orders is amended so that
  - i) 'place' includes where a meeting is held, or to be held in more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers
  - ii) 'open to the public' includes access to the meeting by remote means including video conferencing, live webcasting and interactive streaming
  - iii) where a meeting is accessible to the public through remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.
- b) If the Council becomes aware that its technology has failed, and the meeting is no longer accessible to the public, the meeting shall be adjourned.
- c) If public access cannot be restored within a reasonable period, the remaining business shall be deferred to a future meeting.



#### **4) Councillors in Remote Attendance**

- a) A councillor in remote attendance is present and counted for the purposes of the quorum when they can:
  - i) hear and where practicable see other members of the council
  - ii) hear and where practicable see members of the public wishing to participate during the public session of the meeting or as invited by the Chairman
- b) A councillor in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance at 4 a) are not met.
- c) Subject to 4 b) the Chairman may if appropriate
  - i) adjourn the meeting to permit conditions for remote attendance to be re-established
  - ii) count the number of councillors in attendance for the purpose of the quorum

#### **5) Remote attendance by members of the public**

- a) A member of the public is in remote attendance when they can :
  - i) hear and where practicable see and so be heard and where practicable seen by members of the council at the meeting
  - ii) hear and where practicable see and so be heard and where practicable seen by other members of the public attending the meeting including those wishing to speak during the public session or as invited by the Chairman
- b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance at 5 a) are not met.
- c) Subject to 5 b) the Chairman may if appropriate
  - i) adjourn the meeting to permit conditions for remote attendance to be re-established
  - ii) vary the order of the agenda or complete the remaining business of the meeting in the absence of the member of the public in remote attendance.

#### **6) Remote Voting**

Unless a recorded vote is demanded, the Chair will take the vote by :

- a) confirmation of the meeting that there is agreement or
- b) a roll call and the number of votes for or against the motion or amendment or abstaining will be recorded.

#### **7) Code of Conduct – councillors excluded from the meeting**

Where a councillor is required to leave the room as a requirement of the Council's code of conduct, the means of remote attendance and access will be severed whilst any discussion or vote take place.

#### **8) Exclusion of the press and public**

Where the council has resolved to exclude the press and public from any part of the meeting, due to the confidentiality of the business to be discussed then :

- a) The means of remote attendance and access to the meeting by members of the press and public will be severed

- b) Each councillor present shall declare that there are no other persons present who are not entitled to be (hearing or seeing), and/or recording the meeting.

### Agenda Item 8 (iv)

The following are decisions that have been taken by the Clerk as Proper Officer of the Council under the Emergency Scheme of Delegation as a result of the Coronavirus Bill 2020 and associated Government restrictions. The register is made in Accordance with the 2014 Openness of Public Bodies Regulations. Further information may be obtained from the Clerk – [clerk@carlyon-pc.gov.uk](mailto:clerk@carlyon-pc.gov.uk)

<b>Date</b>	<b>Ref</b>	<b>Decision</b>	<b>Cost Implication</b>	<b>Made by</b>	<b>In consultation With</b>
15/04/2020	1	April payments	£1,818.53		Schedule circulated to all members. Payments authorised by Cllrs Trudgian and Taylor
04/05/2020	2	To sign an agency agreement with Cornwall Council to maintain the triangle of land at Haddon Way/Fairway	£100 - £140 pa	Clerk	Chairman and Vice Chairman
12/05/2020	3	May Payments	£3,156.63		Schedule circulated to all members. Payments authorised by Cllrs Breary and Trudgian
09/06/2020	4	Weedspraying in Tregrehan	£240 pa	Clerk	Chairman and Vice Chairman
18/06/2020	5	June Payments	£1169.45		Schedule circulated to all members. Payments authorised by Cllrs Trudgian and Breary

## **Correspondence received since 17 March 2020**

- Appeal for funding from Merlin MS Centre
- Appeal for funding from Cornwall Hospice Care
- Appeal for funding from Marie Curie
- Cornwall Council consultation on biodiversity net gain
- Details of how Cornwall Council will be dealing with planning applications during Covid-19 crisis
- Cornwall AONB newsletter
- Cornwall CAB update
- Details of Cornwall music Education Hub's virtual choir performance of Cornwall My Home
- Details of Cornwall Council's Climate Change Planning Development document consultation
- Cornwall Council's Spring Planning News for Local Councils
- Flyer from Citizens Advice Cornwall seeking members
- Notification of the postponement of the Tour of Britain Cycle Race
- NALC consultation on a new Code of Conduct
- Invitation from Cornwall Council to attend Incident Report training
- Email from Imerys regarding trespassing on their land
- Drug alert briefing from Cornwall Council
- Letter from Luxulyan PC requesting the PC to write to MP regarding the easing of lockdown
- Consultations on the draft Hayle and Launceston Growth Area Concept Plans
- Citizens Advice Cornwall Summer Newsletter

Plus numerous briefings/advice notes from NALC, CALC and Cornwall Council regarding the Coronavirus Pandemic, procedures etc.