

**MINUTES** of the **ANNUAL MEETING** of the St. Ender Parish Council held on **Tuesday 22<sup>nd</sup> May 2018** in the Fraddon Village Hall at 7pm.

---

**PRESENT:** Cllrs M Bunyan, D Cole, M Kessell, D Hearl, M Tyler, C Parkyn, J Bullock, C Cowburn & R Wimberley.

**APOLOGIES:** Cllrs G Lobb, J Baker, C Dixon & P Cocks

**18/100 Election of Chairman.**

Chairman Nominations:

Nomination by Cllr Hearl, Cllr Bunyan is elected Chairman for the ensuing municipal year, seconded Cllr Cowburn, no other nominations, unanimous.

It was **resolved** that Cllr Bunyan be elected Chairman for the ensuing municipal year.

**18/101 To receive the Chairman's Declaration of Acceptance of Office or, if the Chairman is not present, to resolve that such Declaration be made at or before the next Ordinary Meeting of the Council.**

Cllr Bunyan signed the Declaration and accepted the position of Chairman.

**18/102 Election of Vice Chairman.**

Nomination by Cllr Hearl, Cllr Kessell is elected Vice-Chairman for the ensuing municipal year, seconded Cllr Bullock no other nominations, unanimous.

It was **resolved** that Cllr Kessell be elected Vice-Chairman for the ensuing municipal year.

**18/103 To receive the Vice-Chairman's Declaration of Acceptance of Office or, if the Vice Chairman is not present, to resolve that such Declaration be made at or before the next Ordinary Meeting of the Council.**

Cllr Kessell signed the Declaration and accepted the position of Vice-Chairman.

**18/104 Declarations of Interest Register both pecuniary and non-pecuniary under the Code of Conduct** (to consider if any changes to Declaration of Interest form and declare interests on agenda items).

Cllrs Tyler, Cowburn & Cole declared they needed to make changes to their ROI forms, Clerk to email out new forms for completion.

No interests on agenda items declared.

**18/105 Police Report.**

PCSO Parry present.

9 crimes recorded this month, 12 for the same period last year.

Query raised regarding a particular group of youths; PCSO Parry reported this is still ongoing and Newquay cover is being provided when she is off shift, consultation with other agencies are also taking place to help solve the issues.

The Chairman thanked PCSO Parry for all her hard work.

*Cllr Cowburn took the Chair.*

**18/106 Planning Matters**

**a. Planning Applications.**

- i. PA18/04029 18 Clodan Mews St Columb Road TR9 6TQ. Single storey extension to rear of dwelling
- ii. PA18/04446 17 Clodan Mews St Columb Road TR9 6TQ. Single storey extension to rear of dwelling.

The above 2 applications considered together as they were similar applications. Proposal by Cllr Hearl to support both applications, seconded Cllr Parkyn, carried.

The above was duly **resolved**.

- iii. PA18/02797 Sunnyside Land South Of Penare Bungalow, Higher Fraddon, Fraddon. Proposed erection of a dwelling house with attached garage. Proposal by Cllr Hearl to respond, St Enoder Parish Council supported the planning applications for the neighbouring properties as they were affordable and St Enoder Parish Council will only support this application if it is also affordable, if it is an open market property then St Enoder Parish Council objects on the grounds it is development in the countryside, seconded Cllr Kessell, carried.

The above was duly **resolved**.

- iv. PA18/04379 Non Material Amendment in respect of decision PA16/11185. Change roof from gable to hipped roof.

*Cllr Kessell declared a pecuniary interest and left the room (neighbouring property).*

Proposal by Cllr Cocks to agree to this is an NMA, seconded Cllr Tyler, carried.

The above was duly **resolved**.

*Cllr Cole as Cornwall Cllr did not vote in any of the above applications.*

*Cllr Kessell re-entered the room.*

**b. Decisions and Appeals**

- i. PA17/08900 Land North East Of Carony Moorland Road Indian Queens TR9 6NE. Erection of 2 No. Open Market dwellings and 5 No. Affordable dwellings together with associated works- refused.
- ii. PA18/02349 Garve, Carnego Lane, Summercourt. Re-submission of withdrawn application PA17/08185 to construct ancillary accommodation alongside the property- approved.

**c. Enforcement report**

- i. None

*Cllr Bunyan re-took the Chair.*

**18/107 Public Session.**

No public present.

**18/108 Minutes of the Ordinary meeting of 24<sup>th</sup> April 2018 to be approved.**

It was proposed by Cllr Cowburn, seconded by Cllr Tyler that the Minutes of the meeting of 24<sup>th</sup> April 2018 be approved and signed as a true and correct record by the Chairman, unanimous.

The above was duly **resolved**.

**18/109 Matters Arising**

18/099 – Stones removed and in safe storage.

**18/110 Election of Council Committees etc. and representatives to outside bodies .**

2017 list circulated with the agenda.

Committees considered and amendments made.

Proposal by Cllr Cowburn to appoint committees as per the amended list, seconded by Cllr Parkyn, carried.

The above was duly **resolved**; attached to these minutes as Appendix 1.

**18/111 To approve Annual Governance Statement to 31st March 2018- to consider all statements and resolve approval.**

Annual Governance Statement circulated by email prior to the meeting, along with Internal Auditor Report.

Internal Audit report noted.

After consideration it was proposed by Cllr Hearl to confirm all the statements and approve the Annual Governance Statement, seconded Cllr Tyler, unanimous.

The above was duly **resolved**.

**18/112 To approve Annual Accounts to 31st March 2018- (Internal Control checks completed).**

Annual Accounts to 31<sup>st</sup> March 2018 circulated via email prior to the meeting.

Cllr Hearl has checked the Accounts and bank reconciliation as part of the Internal supervision checks.

Proposal by Cllr Kessell to approve Annual Accounts 31<sup>st</sup> March 2018, seconded Cllr Tyler, unanimous.

The above was duly **resolved**.

Clerk will now prepare paperwork for External Audit and send off. The Exercise of Public Rights will be 4<sup>th</sup> June- 13<sup>th</sup> July all notices will be displayed in the boards and on the Website.

**18/113 Cornwall Councillor report.**

Councillor Cole's report circulated via email prior to the meeting.

Councillor Cole explained the Highway Scheme via the China Clay Network and the funding available. As a Parish we need to consider our priorities and submit an application for the funding.

It was **agreed** to agenda for next month.

**18/114 Finance**

a. Accounts: as presented to be approved.

Chq No	Payee	Vat	Grand Total
4352	Biffa- Bin lift	£14.56	£87.36
4353	Play inspections		£172.50
4354	Kernowek Gardeners Ltd- grass cutting	£225.00	£1,350.00
4355	Postage/ phone		£92.57

4356	Internal Audit		£200.00
4357	TP Tree Services- cemetery maintenance		£125.00
4358	Claytawc- WW1 laminating		£25.00
4359	HMPO- WW1 research certificates		£39.25
4360	Letterbug- Honorary Service Boards		£139.50
4361	Fraddon Village Hall- rent		£75.00
4362	Trevithick Supplies- Handyman sundries	£6.65	£39.96
4363	Nick Ferris Skip Hire- IQ Cem	£58.40	£350.40
4364	CIS- CCTV signs (GDPR compliant)	£7.25	£43.49
4365-4366	Staff Salaries incl pension		£2,411.35
4367	Duchy Cemeteries- Maintenance		£720.00
<b>Total</b>		<b>£311.86</b>	<b>£5,871.38</b>

Proposal by Cllr Hearl to approve payments, seconded Cllr Tyler, carried.  
The above was duly **resolved**.

- b. EDF Price rise- signed new 3 year contract reducing Standing Charge to 25p per day- to note.

Clerk reported that the Standing Charge had been reduced from 80p to 25p per day and the unit rate reduced by 1p to 17.65p, although we do not use a great deal of electric therefore the Standing Charge is the real concern- noted.

- c. To review Internal Audit report.

Internal Audit report circulated via email prior to the meeting.

Discussion took place regarding the 'no' response to item C and the Councils legal requirements, Clerk to obtain legal advice on how to respond for External Audit. The auditor has said this is due to not having 4 supervision checks during the year, (2 undertaken). The Clerk felt confident there was nothing in the Governance and Accountability for Local Councils (March 2018), Cllr Hearl stated it is only what a Council legally has to do, not recommendations; to re-agenda for next month once advice received.

Other issues were valuations, it was acknowledged this was outstanding on buildings but all other valuations were up to date, it was difficult to find a valuation for free. Members considered the VAT column in the accounts in the minutes and wished it to remain as it gave them the amount to be reclaimed, it was **agreed** Clerk to put 'Grand Total' on the last column for clarity.

Grant policy and application form discussed, and the Internal Auditor's statement regarding unable to make donations, Cllr Hearl to obtain advice on this as it was thought the Parish Council could make donations using the Power of General Competence. To re-agenda grant policy and application form for a future meeting.

Proposal by Cllr Hearl approve actions as discussed, seconded Cllr Tyler, carried.  
The above was duly **resolved**.

**18/115 Risk Assessments-** to review Play Area Risk.

Risk Assessments noted; no new issues reported.

Annual Play Area Risk Assessments outstanding, although Clerk has been advised they will be taking place April/May.

- 18/116 GDPR- this becomes law on 25th May 2018, to resolve St Enoder Parish Council is the Data Controller and to consider whether to delegate those Powers to a Committee (who will need to undertake a regular Data Audit) and all matters relating to Data Protection & Data Breaches are delegated to the Clerk, to review and approve Data Audit Schedule, to review and adopt Data Protection Policy, Privacy Notice, Data Breach Policy, Data Subject Access Request Policy, to consider Parish Council emails for all Councillors to avoid data breaches.**

Data Audit Schedule and draft Data Protection Policy, Privacy Notice, Data Breach Policy, Data Subject Access Request Policy circulated with the agenda. Policies reviewed and amendments made.

Proposal by Cllr Cole St Enoder Parish Council remain the Data Controller (is already registered with the ICO) and St Enoder Parish Council delegates those Powers to a small committee, all matters relating to Data Protection and Data Breaches are delegated to the Clerk, Data Audit Schedule approved and to amend and adopt the Data Protection Policy, Privacy Notice, Data Breach Policy, Data Subject Access Request Policy as agreed, seconded Cllr Parkyn, carried.

The above was duly **resolved**, Committee Cllrs Tyler & Hearl.

Parish Council emails considered and the implications with GDPR.

Quote received from website provider for £18 per year per email, they are fully GDPR compliant and all data is held in the UK.

Proposal by Cllr Kessell to approve Parish Council emails for all Councillors & Clerk, seconded Cllr Bullock, unanimous.

The above was duly **resolved**.

Clerk reported GDPR compliant CCTV signs had been erected at Indian Queens Recreation Ground.

- 18/117 Parish Council Assets (valuation)- update on potential values.**

Defer to next meeting.

- 18/118 Youth Club – Update from Young People Cornwall**

Report circulated via email before the meeting.

Request made for cleaning materials, Clerk to ascertain what they need.

Cllr Parkyn reported the Tuesday night is getting more popular and the young people are really enjoying it.

- 18/119 Church Lane-update from Cllr Tyler**

Cllr Tyler reported he had finished the application & will circulate for signing, a fee of £55 is payable. If the application is unsuccessful then we will need to register as a Village Green although this needs evidence over 20 years.

- 18/120 Parking issues on School Road, Summercourt due to Academy traffic- update from Working Group (if available).**

To defer as the Working Group has not met.

- 18/121 Kelliers- update following tidy up works.**

Cllr Cole thanked members who attended on Sunday an additional 20 tyres recovered along with a cooker and gas bottles, Cllr Cole is going to try and get Cornwall Council to clear.

There is still more rubbish to go. It was **agreed** to arrange a further litter pick maybe in an evening rather than a Sunday morning in July/August.

**18/122 FOI request received-FOI request for transcript of minute 18/078, this has been provided within the timescale- to note.**

Clerk reported it took 10 hours to type as the recorder is not very clear. The Chairman checked the transcript before it was sent- noted.

Discussion took place regarding the need to record, it was felt this should remain.

Clerk to check legislation regarding charging for FOI requests; to re-agenda for next month.

**18/123 Upgrading of Changing Rooms- request received from footballers, Parish Council would need to fund (drawings to be provided).**

Drawings circulated prior to the meeting.

Cllr Hearl reported permission is needed from SWW to extend any water supplies in business premises. One plumber quote sent at £1400 + VAT although if all new showers this is an additional £450 + VAT, request for Parish Council to fund. Plasterer quote is £6 per meter but not sure of the size. Still to obtain electricians quote. The football manager stated he would be happy to knock down the walls for free; it was felt this was not ideal but if approved we would need to check risk assessments and method statements and his public liability. For Financial Regulations we would need 3 quotes per tradesman, but the Clerk stated she had not got these as was not sure if this was something the Parish Council would wish to fund, it has not been budgeted for.

Proposal by Cllr Tyler to invite Mr Bates to the next meeting of the Parish Council to discuss his proposals and to find out how the footballers can help to fund, seconded Cllr Wimberley, unanimous.

The above was duly **resolved**.

Clerk reported there was also an issue with the grass cutting of the field; the Parish Council pay Cormac to cut 12 times a year, Mr Bates phoned to say the grass was too long for them to play football and it would be £50 to cut, fortunately on this occasion Cormac were due so it will be cut before the game but this could be an issue going forward, he stated the footballers are no longer allowed to cut the grass, to raise this with him next month.

**18/124 Reading & Poetry Group.**

Cllr Bullock reported he wished to set up a group, maybe a book club and educational. He needs a small venue to start the club. Cllr Cole advised he wrote a constitution and a set up a bank account and then he could apply for grants to hire a venue, the Pit Building was suggested.

Residents names who may be willing to help given to Cllr Bullock.

**18/125 To seal Exclusive Right of Burials & Forest School Lease.**

Proposal by Cllr Tyler to seal ERB for Indian Queens Cemetery 207 & 208, seconded Cllr Kessell, carried.

The above was duly **resolved**.

Proposal by Cllr Bullock to seal the Lease for the Forest School, seconded Cllr Cole, carried.

The above was duly **resolved**.

**18/126 CORRESPONDENCE - Cornwall Council**

- a. Boundary Review results delayed- initial results 4<sup>th</sup> June with the consultation opening on the 5<sup>th</sup> June.
- b. Parish Council newsletter re Enforcement- Parish Councils will no longer be informed about Enforcement cases due to Data Protection- noted.

**18/127 CORRESPONDENCE – General**

- a. Reply from resident re grit at Kingsley Court.  
Letter circulated with the agenda.  
Resident requesting the Parish Council supply him with grit which he will keep in his garage and spread when necessary. Discussion took place regarding the implications and if we supply one resident everyone may require a bag of grit. Proposal by Cllr Hearl to respond that we are unable to supply materials to members of the public for their use, seconded Cllr Kessell, carried.  
The above was duly **resolved**.
- b. Request to use Indian Queens Recreation Ground for fund raising event.  
Email circulated with the agenda.  
Proposal by Cllr Hearl to approve the Fund-Raising event on 5<sup>th</sup> August, Clerk to ensure all insurances are provided to the Parish Council at least 2 weeks before and no vehicles on the field, seconded Cllr Bullock, carried.  
The above was duly **resolved**.
- c. Triton Power quarterly report.  
Report circulated with the agenda- noted.
- d. Other *urgent* general correspondence received after circulation of the agenda.  
**Exclude members of the Press and Public from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in the Public Bodies (Admission to Meetings Act 1960) as extended by Section 100 of the LGA 1972.**  
Proposal by Cllr Tyler to resolve that due to the confidential nature of the business about to be transacted that the press & public be excluded, seconded Cllr Cowburn, carried.  
The above was duly **resolved**.  
Complaint received regarding Summercourt Cemetery.  
*Cllr Kessell declared a pecuniary interest and left the room (business customer).*  
Clerk reported issue and explained a permit had been issued for the headstone on 12<sup>th</sup> September 2017. At that time the Burial Rules had not been updated and there was no rule regarding wording only size, in the new rules, which were supplied with the complaint the Parish Council does have more control. Cllr Tyler stated this is a grey area, as somethings are obviously inappropriate, i.e. swearing or racist comments, but with other wording what one person finds offensive another does not and this falls into that category. Proposal by Cllr Hearl to respond to complainant that we can understand why you feel offended, explaining at the time the Burial Rules did not cover wording although they have been updated to give the Parish Council more control. Somethings are obviously inappropriate, i.e. swearing or racist comments, although what is written on this memorial does fall into a grey

area as whilst some people find it offensive others do not. We are sorry for any distress and please be assured the rules are now more robust so hopefully all the various issues at the Cemetery will not occur in future, seconded Cllr Tyler, unanimous.

The above was duly **resolved**.

*Cllr Kessell re-entered the room.*

**18/128 Agenda Items for the next Meeting.**

- Internal Audit report
- Highway prioritise for China Clay Network Meeting.

There being no further business the meeting was closed at 9.17pm.

Chairman.....

Date.....



## Appendix 1

### Committees 2018

Planning Committee	Full Council
General Purposes Committee	Cllrs Bunyan, Hearl, Cocks, Cole, Kessell, Parkyn, Cowburn & Lobb.
Finance Committee	Cllrs Cocks, Hearl, Kessell, Bunyan, Cole, Tyler & Bullock.
Internal Audit Member	Cllrs Hearl & Tyler
Hon. Service Awards Working Party	Cllrs Cocks and Cole
Footpaths Officer	Cllrs Bunyan & Cowburn.
Tree Warden	Cllrs Bunyan & Cowburn
C.A.L.C.	Cllr Bunyan
Fraddon Village Hall Committee	Cllr
Summercourt Memorial Hall Committee	Cllr Dixon
China Clay Community Network Rep	Cllr Bullock & Cllr Cowburn.
Fraddon Millennium Green Trust Nominated Trustee	- Cllr Cole
Rural Transport	- Cllr Wimberley
Newquay/Par Branchline (FoCAL)	- Cllr Wimberley
Imerys Liaison Committee	- Cllr Tyler & Cllr Hearl.
CERC	- Cllr Cowburn & Cllr Tyler
Planning Rota	Cllrs Bunyan, Hearl, Kessell, Dixon, Cowburn, Parkyn, Bullock, Tyler & Wimberley.
Standing Orders & Policies Committee	-Cllrs Cole & Kessell.
Neighbourhood Development Plan WP	- Full Council
Staffing Committee	- Cllrs Cocks, Bunyan, Cowburn & Kessell.
Safeguarding Officer	- Clerk