



A-barth Onan Hag Oll! Representing One and All

REPORTS FOR OCTOBER 2015 MEETING

AGENDA ITEM 7.2.1

STITHIANS COUNCIL MEETING POLICE REPORT

TUESDAY 15th SEPTEMBER 2015

I regret that I am unable to attend this evenings meeting, due to shift patterns.

Since the last meeting on the 21st of July, there have been five crimes recorded as follows:

- A dog on dog attack at the Showground, resulting in a Voluntary Control Order.
- Another dog on dog attack near Tory Farm, Ponsanooth which was undetected.
- A Public Order offence at Longdowns which was undetected.
- An historic sexual assault with a named suspect. Enquiries are continuing.

- **Possession of indecent images resulting in a Caution for the offender.**

Identity crime campaign

Devon and Cornwall Police recently launched an awareness campaign encouraging people to protect their personal information.

The 'Not With My Name' campaign, produced in partnership with the City of London Police (National Policing Lead for Fraud) is targeting identity crime in our communities.

Identity fraud is an offence that one in four UK adults – approximately 12million people - is believed to have fallen victim to losing on average £1,200 each. Total losses to the UK adult population are estimated to be £3.3 billion.

In the first quarter of 2015 there was a 27% increase in identity fraud. The average age of a victim was 46, with men being 1.7 times more likely than women to have their identity stolen.

"Identity fraud is rising and often people do not realise they have been a victim until it is too late. This type of crime can affect anyone at any time and we are urging people to be alert. If you get a call, text or email out of the blue, don't reveal any information unless you are absolutely sure who you are dealing with. Criminals want your personal details in order to steal your identity and commit fraud."

Victims often find that money has been removed from their bank or their account has been taken over, a fraudulent passport or driving license has been created in their name, or loans, mortgages and mobile phone contracts have been set-up using their identity.

The wider effects for society are also concerning with the proceeds of identity crime often being used to fund further criminal activity.

Summer drink drive 2015

Figures have been released for Devon and Cornwall Police's summer drink driving campaign for 2015.

Police officers administered a total of 788 breath tests of which 163 were positive, refused or failed to provide, equating to 20%.

Last year the comparable figures were 776 breath tests with 132 positive, refused or failed to provide which equates to 17%.

Examples which stood out during the campaign included a 37 male driver who blew 143 at 8:50am on a Saturday morning and a 71 year old male who blew 120 at 9:20am on a Tuesday morning.

"There has been a very slight increase in the number of positive, refused or failed to provide results this year. While we have undertaken a targeted campaign over the busy summer months drivers should be aware drink driving enforcement is something we do every day of the year."

"Few people understand the full consequences of being caught drink or drug driving. Many drivers are aware their judgment will be impaired but some still have utter disregard for the lives of others and dismiss the potentially lethal outcome. The increased likelihood of involvement in a collision means a high risk of death or serious injury. Those convicted of drink driving can expect to be banned for at least 12 months, receive a fine of up to £5,000 and/or six months in prison. Collisions resulting in a fatality, where the driver is under the influence of alcohol, can carry a penalty of up to ten years in prison."

PCSO 30143 Andy Huddleston.

AGENDA ITEM 7.2.2

STITHIANS PARISH COUNCIL MEETING

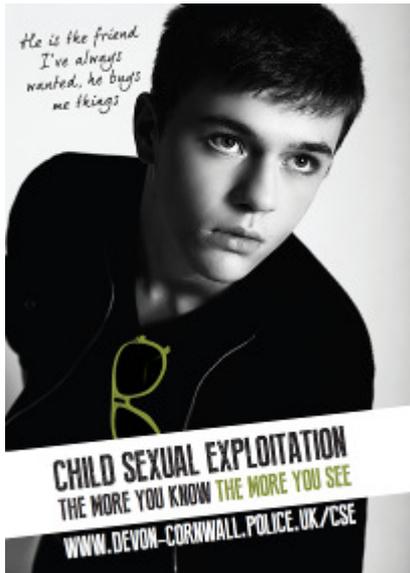
POLICE REPORT FOR TUESDAY 20th of OCTOBER 2015

I am delighted to report that there appears to have been no recorded crime in the Stithians area since the last meeting on the 10th of September.

Incident log wise, we had one child playing with a phone resulting in an abandoned call, one missing person, one prevent a breach of the peace, an administrative complaint against police, two RTCs' and a loose dog.

I include the following for your interest;

Would you know the signs of child sexual exploitation?



Devon and Cornwall Police has launched a new campaign which aims to raise awareness, among parents, teachers and carers, of the warning signs that a child may be at risk of becoming or is already a victim of child sexual exploitation.

Child sexual exploitation is a form of sexual abuse in which a young person is manipulated or forced into taking part in a sexual act, often in return for attention, affection, or gifts.

The young person might think that their abuser is their friend, but the abuser might threaten them or become violent towards them. The abuser will try to control the young person and isolate them from friends and family.

Both young males and young females are at risk and children as young as ten years old may be targeted and groomed.

Detective Inspector, Andrea Kingdon, said, "Educating parents, teachers and carers about the signs of child sexual exploitation is an essential part of our strategy for preventing this type of crime.

Young people may display clear signs that something is amiss or has changed in their lives and that they may be vulnerable. We hope that by raising awareness among key adults in children's lives, crimes can be prevented and young people protected.

"Tragically, some young people aren't aware that what is happening to them isn't normal, so they are either unable or unwilling to extract themselves from an abusive or exploitative situation. Adult intervention, be it from a parent, trusted teacher or carer at an early stage can help put victims and potential victims back on the right track."

Anne Billington, Head Teacher at Offwell Primary School near Honiton, added, "It is a sad reality that primary school-aged children are at risk of sexual exploitation. We recognise the importance of educating teachers and parents about the warning signs of CSE, so that action can be taken to safeguard our children as early as possible. It is essential that agencies work closely together. We welcome this initiative by Devon and Cornwall Police."

Devon and Cornwall Police is working with partner agencies across the region to distribute information to educate people about the signs and behavioural changes a young person may exhibit if being abused or exploited.

For further information, help and support about CSE visit: www.devon-cornwall.police.uk/CSE

Respect for everyone this Halloween

Devon and Cornwall Police want to ensure that Halloween is a happy and safe time for everyone, whether young or old.

If you are going trick or treating this Halloween we want you to have fun and be safe but remember not everyone wants you to call at their home.

The 'Sorry, No Trick, No Treat, No Thanks' campaign encourages members of the public who do not want to be bothered by trick-or-treaters to download and print this poster and place it in the front door or window of their homes.



PCSO Andy Huddlestone of Falmouth Police Station said: "In recent years we have seen an increase in the number of people participating in Halloween fun.

"We ask that anyone wishing to trick-or-treat considers other people, particularly the elderly and vulnerable, as they may get worried if strangers are continually calling at the door during the evening.

"We don't want to discourage anyone or spoil anyone's fun, but we would remind trick-or-treaters that some people do not want to be disturbed and we would ask people not to call at homes displaying this poster."

To have a fun and safe Halloween follow these top tips:

- Always be accompanied by an adult when you are trick-or-treating.

- Only go to houses of people you know and who are happy for you to call.
 - Stay safe, keep to places that you know and are well lit. Do not take short cuts through gardens, alleyways or parks.
 - Watch out for traffic - drivers might not see you.
 - If you are wearing a mask make sure that you can see where you are going and are aware of your surroundings.
 - Carry a torch and a fully charged mobile phone (if you have one).
- For more information visit our website: <http://bit.ly/1Ljz4Uq>

PCSO 30143 Andy Huddleston

AGENDA ITEM 10.1

MEETING OF PARISH PLAN WORKING GROUP

FRIDAY 2ND OCTOBER 2015

Decisions Required:

1. To note the report.
2. To reconsider the remit and membership of the Parish Plan Working Group.

Report:

Cllrs Tisdale, Thomas and Kavanagh met at Cllr Kavanagh's house at 2pm

The intention of the meeting was to look at the questionnaire results in order to extract information which would be of use to the Parish Council in its current deliberations and its planning for the future development of the Parish

Decided to take it section in the order of the questionnaire.

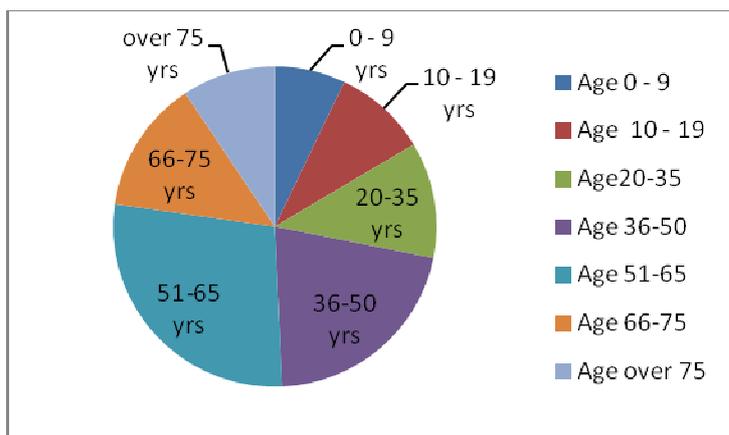
1. Transport and Safety

As 55% of the people who responded had 2 or more cars this has implications when looking at planning applications as cars which do not have parking spaces will tend to be parked along the roadside.

The importance of transport and good road access is further confirmed by the next set of responses as of the 98% of responses only 4% do their main shopping in the parish and 4% of the 83% who responded concerning their place of work again only 4% are employed within the parish.

Road links are therefore vital to the health of the parish and it seems that street parking will remain a problem with the existing housing stock. In answer to the questions about satisfaction with the state of the roads in the parish only 2% were satisfied and the fact that the bus route in and out of Stithians village is not considered important enough to be on the gritting list in the event of bad weather is an indication of the interest Cornwall Council has in the health of the parish.

This is even more inexplicable when figures are taken from a survey of the population mix in the final section of the questionnaire which shows 50% of the population are over 50 and almost a third of those are over 75.



Bus links were also important but here we are dealing with a commercial enterprise and can only have our Transport Rep continue to lobby hard (as he already does) on our behalf

There has been a slight improvement in the state of the roads within Stithians village with the resurfacing of Church Road but more needs to be done.

There has also been a success with the reduction of the speed limit to 30 miles an hour in Longdowns and although a pedestrian crossing would be ideal the PC is not unrealistic and a pedestrian island in the village would help residents and school children to cross safely.

With regard to the other traffic suggestions there were only 20% not in favour of reducing the speed limit to 20mph in Stithians village which considering the lack of paths on many roads is something to look into in the future. Only 27% were against the introduction of a 30 mph speed limit in the hamlet of Goonlaze which at present has no limit despite the narrow hill road and parking. The other two, whilst good in an ideal world are possibly rather expensive but could be looked at in the long term as Church Corner is quite dangerous (33% in favour of roundabout) and Goonlaze would benefit if residents could walk safely into the village (49% in favour of pedestrian footway).

2. Housing

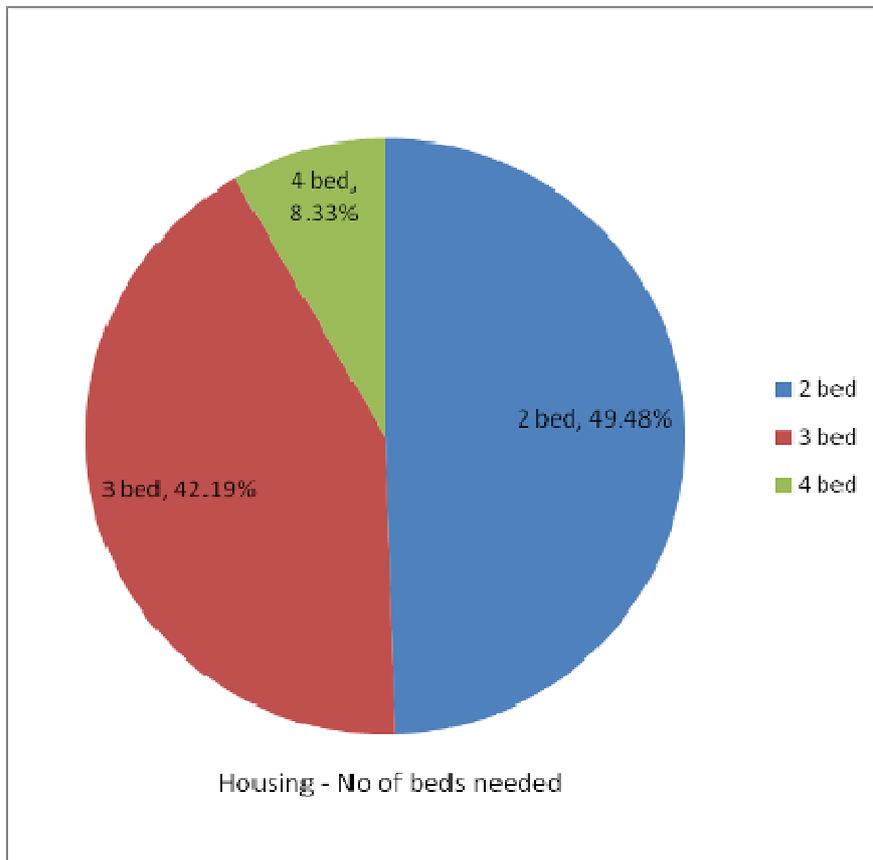
We next looked at housing but not in as much detail as this had been analysed previously and we did not feel that much would have changed in terms of numbers and demand.

I have added some of this information to the report

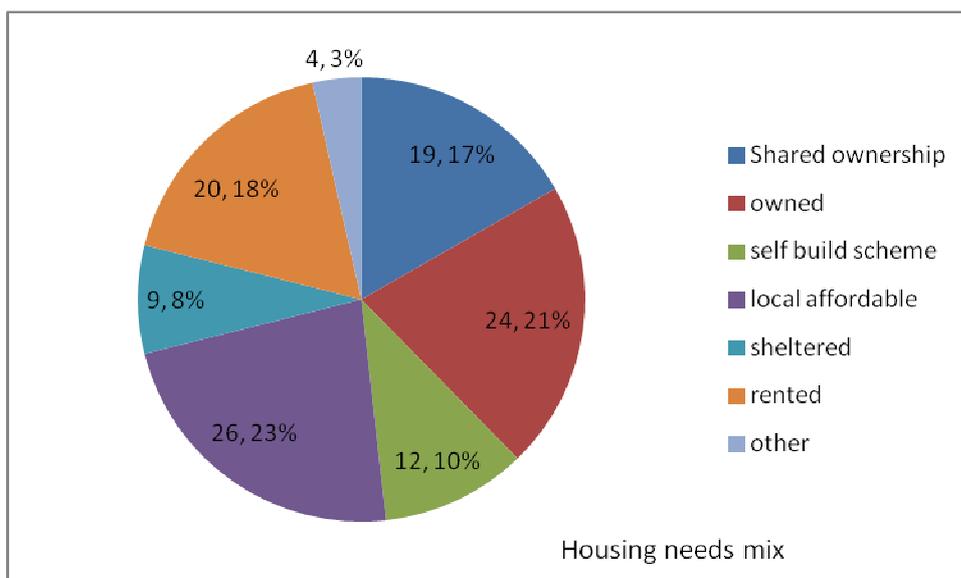
There was an indicated a need for between 82 - 87 houses in the parish which if linked to Question 19B is over a time period of now to 15 year's time. These include the responses for owner occupier houses which would probably be met by sale of existing houses in the parish but due to the multiple response nature of the question it is impossible to quantify these.

The reasons for the housing needs are varied but 50% indicate a need linked to growing families and the desire of young people to remain in the parish when they set up their own homes. This is quite important if we do not want the parish population to become increasingly elderly.

The type of housing needed can be determined from the next set of data. The numbers do not give a true picture as multiple responses were given for these questions but the percentages could be helpful in determining the mix of houses needed.

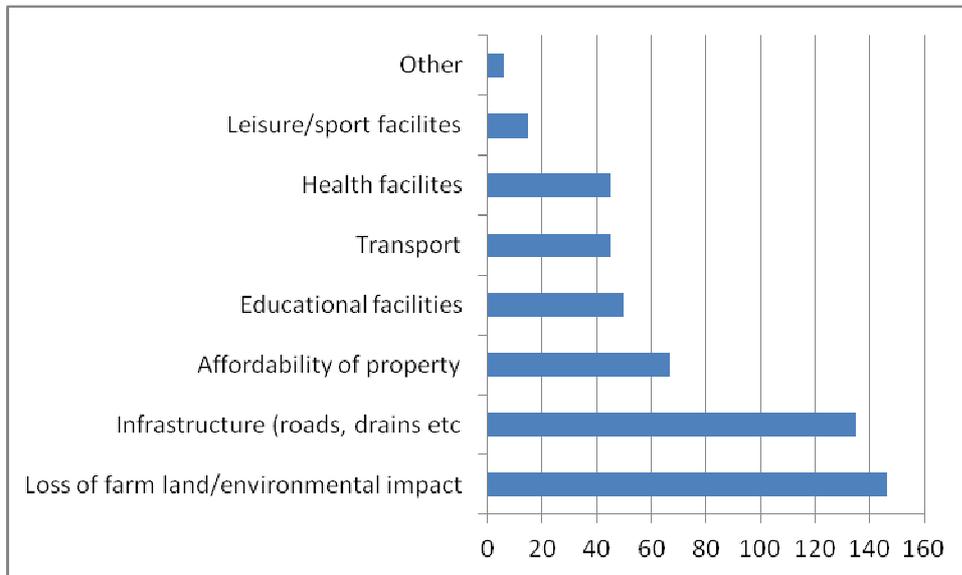


The feeling was that affordable housing should be the priority, affordable meaning affordable to people working for Cornish pay rates and this has an implication in that most should be rented or shared ownership housing



Views expressed about increase in parish size were 92.89% to stay the same size, 3.77% to increase by 20 houses, 2.93% to increase by 40 houses and 0.42% to increase by 60 houses. This does not appear to bode well in light of the identified possible need for up to 87 new houses.

The next section looked at the factors which should be taken into consideration should a large scale development be considered within the parish – if number 1 priority only is taken the results are as follows



With regard to building in gardens a small majority were against but obviously each application would need to be considered on merit.

Areas of the parish which should not be built on under any circumstances produced a wide variety of responses, the top three being:

The playing fields	15%
Farmland/greenfields or footpath fields	13%
Woodlands	4%

Unfortunately in terms of brownfield sites for building the parish has very few and so when looking at applications on their merits and benefit to the community it may not be possible place too much emphasis the above preferences.

The final section looked at was Leisure and Sport

The playing field and its equipment was very popular particularly with people in the village with children but also from the response, those who do not currently have children. Whilst the PC is committed to maintain the playing field there were also other issues raised.

The desire for a sports hall is being looked at but should it come to fruition it will be a very long term project as finance in terms of grants etc would need to be raised. At present it is in the stage of looking at size etc in order to accommodate as many of the required sports as is reasonably possible.

In the meantime the group will look at the possibility of a Green Gym and enhancements to the existing equipment.

Cllr Thomas suggested that the group visit Devoran playing field as they have some, in her opinion, Low tech, low cost but highly effective equipment. The group was due to meet there the following Friday but due to circumstances the visit had to be cancelled so will take place at a later date.

Cllr V Kavanagh

Oct 2015

Clerk's Note:

It is clear from the notes above that this Group is discussing both the possibility of a new pavilion and the installation of new Playground Equipment which is inevitable given the fact that decisions regarding both matters will be influenced by the results of the parish plan Questionnaire.

As Members are aware, there are currently Working Groups dealing with these in addition to the Parish Plan Working Group. It seems logical to me, therefore, to have one group covering them all. The present situation can only lead to confusion and overlap.

At present the Groups comprise the following Members:

Parish Plan: The Chairman and Cllrs Mrs Thomas, Mrs Kavanagh & Jones.

Pavilion: The Chairman, the Playing Field Portfolio Holder and Cllrs Mrs Kavanagh & Mrs Godolphin.

Play Equipment: The Chairman, the Playing Field Portfolio Holder and Cllr Mrs Kavanagh.

I therefore suggest that the Parish Plan Working Group takes on all three topics and the membership be extended accordingly. Once the Parish Plan is finalised, the name of the group can be changed to something more appropriate to the matters with which it will be dealing.

JV Calvert

Clerk 16th October 2015

AGENDA ITEMS 11.1 -11.3

Clerk's Reports for Meeting

on 20th October 2015

Summary of Decisions Required (Details in report):

1. To note the Council's current financial position.

2. To note the information provided relating to Stithians Post Office.
3. To discuss the Draft Budget for 2016/17 presented to the meeting.

Report:

12.1 Council's Current Financial Position:

Appendices 1, 2 and 3 to this Report show the Council's financial position as at 13th October.

Members are aware that Cornwall Council is to make paperless planning consultations to all Parish Councils, something which Stithians has been doing for some time. Many parishes, however, particularly the smaller ones, have cited several difficulties in embracing the technology required and Cornwall council have therefore decided to compensate all parishes in this regard to the tune of £700. I have received this payment, which I have placed in the Computer Equipment Reserve.

I do not propose to elaborate further on the Appendices but will be pleased to address any matters that Members may wish to raise at the meeting.

The Expenditure, Income and Reconciliation Appendices can be found on the website under "Financial Reports".

12.2 Stithians Post Office:

As Members are aware, considerable concern has been expressed over the handling of the closure of the post office and also the hours of opening of the replacement outreach facility. The Post Office have also, rather belatedly, entered into a consultation exercise which closes on 3rd November. In the light of this, a Public Meeting was to be held on 16th October. Further information following that meeting will be presented verbally at your meeting.

12.3 2016/17 Draft Budget:

I have not as yet had confirmation from Cornwall Council of the likely level of Council Tax Support Grant for 2016/17 but having been provisionally informed that it is likely to be in the order of 10% less than 2015/16, that is the current assumption used for budgeting purposes.

It has been confirmed that Precept increases in excess of 2% will not be subject to a referendum in 2016/17 but it is likely that they may well be in 2017/18. I would therefore ask Members to consider whether or not they wish to take what may be the last opportunity to make a considerable increase to the precept to put money aside for future projects. If Members wish to consider this, my best estimate of the impact of an increase in the precept is that every £1,000 increase in the precept results in an increase in Council Tax on a Band D property of £1.50 per annum.

In the meantime I have prepared a Draft Budget based on an increase to the Precept of 1.9% as was the case last year. It is attached as Appendix 1 to this report and contains comments explaining the various changes. In accordance with established practice I would have based contract increases on the September CPI which was announced on 13th October but in the event this was -0.1% and therefore no increase will be applied for 2016/17.

This year, however, there are several contracts due for re-tendering so, unlike last year when there were none and accurate figures could therefore be included which in turn set the income from the Rugby Club, Bowling Club and PCC, there is a certain amount of guesswork where these contracts are concerned. The contracts due for re-tendering are Cemetery Maintenance, Closed Churchyard

Maintenance, Footpath Maintenance, Highway Verge Maintenance, Toilet Cleaning and Litter Picking. These only influence income from the PCC – the Rugby Club and Bowling Club are not affected. For budgeting purposes I have guessed that the contracts may increase by 5% but it is exactly that – a guess!!

Members are requested to consider the proposed budget and to agree any amendments so that a final draft can be prepared and presented to the November meeting for approval.

The Draft Budget can be found on the website under “Financial Reports”.

JV Calvert,

Clerk and RFO

13th October 2015

AGENDA ITEM 12.1

This is merely a list of current Planning Applications prepared for the convenience of Councillors and is not included here. Anyone wishing to see it may do so upon application to the Clerk.

AGENDA ITEM 12.3(a)

PA15/07803– Mrs S Fox & Mr D Cranny - Outline planning permission with some matters reserved: Development of existing infill plot for the erection of two dormer bungalows at Tresevern Hill Farm on land adj to Meadowlea, Tresevern Hill, Goonlaze.

Decision Required:

Members are requested to consider the following report in order to reach an informed decision regarding the above planning application.

Date of Site Inspection:

Oct 13th 2015

Councillors who undertook the site inspection:

Councillors R Nicholls and P Tisdale

REPORT:

Background:

Tresevern Hill Farm lies adjacent to the main road some 300m north of Goonlaze. The application relates to the erection of two dormer bungalows in a large domestic garden area which lies to the south east of Tresevern Hill Farm. No details are given about the bungalows as this is a request for outline planning permission only. A pre-application was

submitted PA14/03494/PREAPP where applicants claimed this to be an infill site. However the advice given in December last year was that the site was considered to be outside of a settlement area on greenfield land and therefore comprises of an exception site whereby an open market dwelling on the site would not be supported. This application has been submitted in order to establish the principle of the proposed development as an infill site claiming that it lies between two existing dwellings within a small residential settlement area.

Matters of Concern:

The following matters are brought to the attention of Members:

- Is this considered to be an infill site?
- The proposed site has an access point close to a blind bend.
- The road at this point is only sufficient for one vehicle to pass (a narrow road sign is displayed as you approach the area).
- The hedgerow does not permit a suitable sighting to be established.

Cllr R Nicholls

14th Oct 2015

AGENDA ITEM 12.3(b)

PA15/08881 - Removal of condition 2 of Decision PA01/00211/F (Limited to Cheese Making) – Pengreep, Pelean Cross, Ponsanooth, Cornwall TR3 7JQ

Decision Required:

Members are requested to consider the following report in order to reach an informed decision regarding the above planning application.

Date of Site Inspection:

None required.

Councillors who undertook the site inspection:

N/A

REPORT:

Background:

The application is for the removal of condition 2 of Decision PA01/00211/F dated 26th April 2001 in order to permit funding of a previously approved extension to the Dairy.

Condition 2 states:

'The premises shall be used for the making of cheese and for no other purpose (including any other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to the Class in any statutory instrument revoking or re-enacting that Order without modification).

Reason: To enable the local planning authority to retain control over other uses that might harm the amenities of the area and to ensure compliance with Policies E8 and E10 of the Cornwall Structure Plan (1997) and the Kerrier District Local Plan (Deposit Draft).'

Lynher Dairies were granted Conditional Planning consent on 25th March 2015 for the 'Erection of extension (4th bay to provide suitable storage space for cheese) to the existing cheese making facility, construction of covered link and the retention of three portacabins.'

Both conditions attached to this application were the standard conditions regarding the time frame of construction, and that buildings must conform to submitted plans. It is Condition 2 of the 2001 consent which the applicants state are causing the problem in obtaining finance to continue with the development granted in this consent.

Matters of Concern:

For member's information Class B1 and B2 are:

CLASS B1 Business

Use for all or any of the following purposes: -

- a) as an office other than a use within Class A2 (financial and professional services),*
- b) for research and development of products or processes, or*
- c) for any industrial process being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

CLASS B2 General Industrial

Use for the carrying out of an industrial process other than one falling within Class B1 above.

It does not permit retail use of the site, which is Class A1 and would require a separate Planning Consent.

Cllr P. Tisdale

15th October 2015

AGENDA ITEM 12.3(c)

PA15/08940 – Mr & Mrs Vague - Proposed partial demolition of a modern agricultural building and the conversion of existing barn to form a dwelling - Penmennor Farm, Hendra Road, Hendra, Stithians. TR3 7AN

Decision Required:

Members are requested to consider the following report in order to reach an informed decision regarding the above planning application.

Date of Site Inspection:

13th October 2015.

Councillors who undertook the site inspection:

Cllrs R Nicholls and P Tisdale

REPORT:

Background:

The application is for the conversion of an existing barn 23.0m in length, by 6.0m in width and 7.0m in height. It also involves the partial demolition of a modern agricultural building currently used for storing agricultural machinery. The purpose of this is to allow the intended building conversion to gain more light as it currently abuts the barn and the provision of two parking spaces. The roof will be constructed of natural slate replacing the current corrugated concrete fibre sheeting.

Although not mentioned in the planning documents, the applicant has said that the conversion is intended for use by a family member.

Due to its location on the site, the barn is only visible to the adjacent farmhouse and as it is already in existence will not have any effect on the visual impact from surrounding areas.

Matters of Concern:

None of note.

Cllr P. Tisdale

15th October 2015

AGENDA ITEM 12.3(d)

PA15/02272 – Mr & Mrs M Stephens - Re-location of previously consented agricultural dwelling approved under decision notice PA12/01888 - Land Adjacent To Woodside, Tregolls, Stithians.

Decision Required:

Members are requested to consider the following report in order to reach an informed decision regarding the above planning application.

Date of Site Inspection:

None carried out.

Councillors who undertook the site inspection:

N/A

REPORT:

Background:

The original agricultural dwelling was supported by Stithians Parish Council at its meeting on 17th April 2012. The application was granted approval on 1st June 2012. However, building did not commence and an application to relocate the intended farmhouse was considered by Stithians Parish Council at the meeting held on 21st April 2015 when it was resolved NOT to support the application at the present time for the following reasons:

'This application is considerably different from that approved under PA12/01888 which was justified by the then applicant by the fact that he farmed more land elsewhere (more than this applicant) and it does not appear that the County Land Agent has been consulted on the matter.

It is noted that the house in the new location would be much more visible and also overlook the bungalow on the opposite side of the road. The Council will, however, reconsider the application at such time as the views of the County Land Agent are known.

In the meantime, if the Case Officer is minded to recommend approval, then it is requested that the matter be considered by Committee.'

There has subsequently been a site meeting at which the Applicant, their agent, John Thomas CC, the Planning Officer and I were present. Following the onsite discussion it was agreed that the design should be changed and the intended property be set further down into the ground to mitigate the visual impact from surrounding areas. It was also suggested that the external appearance should be changed to that of a more traditional Cornish farmhouse.

Matters of Concern:

The ongoing problem of water run-off from the site onto the highway.

Cllr P. Tisdale

15th October 2015

AGENDA ITEM 12.3(e)

PA14/11960 – Mr D Worlledge - Erection of Agricultural Store, Stables and sand school.
Tory Farm, Tory, Ponsanooth, Cornwall TR3 7HN

Decision Required:

Members are requested to consider the following report in order to reach an informed decision regarding the above planning application.

Date of Site Inspection:

Originally inspected on February 13th 2015

Councillors who undertook the site inspection:

Councillors Nicholls and Tisdale

REPORT:

Background:

The application is for the construction of an agricultural store, stables and sand school on a Greenfield site. This is a revised application, the original, submitted in January 2015, PA14/11960, was subsequently withdrawn.

The original building was intended to be 28 m on its longest side and 16.2 m in width, consisting of 6 stables, a hay store, tack room, shoeing and washing area and a shower, toilet and wash room built around a covered central courtyard.

From the revised drawings of the proposed building I am unable to determine the actual new sizes as we have only been issued with scale drawings which due to copying have lost their scaling. However, by estimation the new dimensions appear to be 26m by 15m with a height of 4m. The shower/toilet and restroom have been deleted and two of the larger stables have been reduced in size. The roof has been redesigned and simplified with the overall roof height reduced to circa 4m. The original courtyard is now open without a roof over.

The proposed plan uses the surplus soil from the excavation to form a bund around the eastern and northern boundary of the sand school. The bund will have a minimum height of 1.5m to be topped with hawthorn and gorse.

It is intended to stable up to 6 horses, 2 geldings and 4 mares on the site.

The existing gate has already been widened and a driveway and turning area constructed, edged by timber ranch style fencing. Parking provision would allow for two cars and a light goods vehicle.

The building is proposed to be constructed of vertical timber cladding with grey coloured metal sheeting forming the roof. Windows and doors would be of timber construction.

Rainwater would be dealt with by a soakaways.

The application claims the site is an area of open countryside, which has no landscape character or quality designation. However the site is elevated in the landscape with long distant views available.

Matters of Concern:

The following matters are brought to the attention of Members:

- The intended location is highly visible from Carn Brea, Lanner and Truro and towards Carland Cross.

- The site of the intended septic tank is not shown and neither are details of the soakaways. This proposed development has a very large area of roof and will require some significant system to dispose of rainwater run-off.
- There are already a significant number of equestrian developments in the area including one at Tory Farm and one on the other side of the road within 100m.
- The loss of further agricultural land within the Stithians area.

Cllr R Nicholls

October 14th 2015

AGENDA ITEM 13

Clerk's Report for Meeting to be held on 20th October 2015

LICENSING APPLICATIONS

Decision Required:

To note and accept the content of the report on Licensing Applications.

Report:

As Members are aware, I receive an e-mail every week detailing all applications. Up to 13th October there had been no applications affecting Stithians.

For Members' information, who wish to check applications for themselves, the link to the website is www.cornwall.gov.uk/default.aspx?page=21173

I receive no such assistance with details of applications received in relation to sex establishments and so still have to do that myself. I last checked the link to their website which is www.cornwall.gov.uk/default.aspx?page=28415 on 13th October and found no new applications in respect of the licensing of sex establishments affecting Stithians or anywhere in Cornwall for that matter!

JV Calvert,

Clerk

13th October 2015

AGENDA ITEM 14.1

Clerk's Report for Meeting to be held on 20th October 2015

New Cemetery Provision

Decision Required:

To note and accept the content of the report.

Report:

Having heard nothing further from any involved party, I asked Thurstan Hoskin on 13th October if there was any progress to report.

He has told me that he has been in contact with Michelmore's, the Solicitors for the Glebe who have informed him that they are waiting for a response from Grylls & Page, the Cricket Club's Solicitors. Michelmore's have advised that they will chase up Grylls & Page.

I can do no more than keep badgering!!!!

JV Calvert,

Clerk

13th October 2015

AGENDA ITEM 15.1

No Report

AGENDA ITEMS 15.2 – 15.5

**Footpaths, Highways & Environment Portfolio -
Clerk's Reports for Meeting on 20th October 2015**

Summary of Decisions Required (Details in report):

- 1. To note and accept the content of the report on the diversion of Footpath 41.**
- 2. To note and accept the content of the report concerning Crelow Fields Amenity Area.**
- 3. To note and accept the content of the report concerning the refurbishment of the notice board at the Institute.**
- 4. To note and accept the content of the report concerning the public conveniences.**

Reports:

15.1 Portfolio Holder's Report:

This is a separate report, although at the time of writing this report the Portfolio Holder had nothing to report.

15.2 Diversion of Footpath 41:

Members will recall that the PC was consulted on a proposal to divert part of Footpath 41 so that it avoided Tresevern House and considered the proposal at the February meeting when it was resolved not to support the diversion (Minute 16/02/15(2)). Cornwall Council did not support the Parish

Council's view and have now made and published the order requesting any representations or objections by 19th October. As the PC's views have already been submitted, there is little chance of their being accepted a second time but notwithstanding that, I have sent them again.

15.3 Crelow Fields Amenity Area:

Members will recall that the September meeting was informed that Cornwall Council (Jon James) was to write to the owners of the property which was discharging water into the Amenity Area and it was therefore agreed (Minute 14/09/15(2)) that the matter of the transfer of land would be held in abeyance until such time as the result of those negotiations with the property owner were known.

At the time of writing this report, I had heard nothing further on the matter.

Any further information will be reported verbally at your meeting.

15.4 Institute Notice Board:

As advised at the September meeting, refurbishment of this will be done as soon as a suitable PVC window is sourced but at the time of writing this report, none had become available. Any further information will be reported verbally at your meeting.

15.5 Public Conveniences:

Members will recall that under Minute 16/09/15 it was resolved that the report presented to the September meeting would be reconsidered after the Pavilion Working Group had considered the inclusion of public toilets in a new pavilion. This has not happened as yet.

JV Calvert,

Clerk

13th October 2015

AGENDA ITEM 16.1

Playing Field Portfolio
Clerk's Report for Meeting on
20th October 2015

Summary of Decision Required (Details in report):

To note and agree the content of the notes of the Playing Field Progress Meeting held on 12th October and the actions contained therein with particular reference to the financial implications.

Report:

17.1 Playing Field Progress Meeting:

The notes of the Playing Field Progress Meeting held on 12th October appear as Appendix 1 to this report. Members are requested to note the content thereof with particular reference to any financial implications arising therefrom.

JV Calvert,

Clerk

13th October 2015

Appendix 1 to AGENDA ITEM 16.1

NOTES OF PLAYING FIELD PROGRESS MEETING HELD ON

MONDAY 12th OCTOBER 2015

Present:

(RN) Councillor R Nicholls – Playing Field Portfolio Holder

(TM) Tyrone Martin - Playing Field Caretaker

(JVC) John Calvert - Clerk

Apologies:

None

Notes of Meeting:

As has become normal practice, the notes of the previous meeting, in this case, 1st September 2015, were used as an agenda with any other items included under "Other Matters" or as necessary.

1. Pavilion:

Replacement Pavilion:

In order to progress matters, it was agreed at the July meeting that a further meeting of the Working Group should be convened ASAP to prepare a specification so that drawings could be prepared in order to obtain an estimate of cost and then to apply for funding. The Working Group comprises the Chairman, Vice Chairman and Cllrs Kavanagh, Godolphin and Smith. Despite it also having been agreed at the September PC meeting, this had still not taken place although it was unclear whether the matter had been discussed at the meeting of the parish Plan Working Group held on 9th October.

2. Caretaker's Inspection Reports:

Inspection Report Dated 8th February 2015:

- *Damage to Sign:*

RFC Scoreboard had been damaged by a branch falling from a tree. JVC had given go-ahead to RFC to replace at which time the (undamaged!) PC sign would be re-

affixed to it. TM advised that the scoreboard had now been erected but there was insufficient space between the scoreboard and the ground for the PC sign to be fixed to it. TM to fix to post in suitable position obtained from LA Phillips. TM also to review what other signs are in the new playing field and report to the next meeting.

Inspection Report Dated 11th October 2015:

- *Ennis & Carbis Fence:*
At least three panels stolen. Replacement not considered necessary at present because of undergrowth preventing access to Ennis & Carbis.
- *Sputnik – Excessive Play in Bearings:*
TM to investigate and report to JVC ASAP.
- *Holes in Safety Surfacing:*
Holes in surfacing to Sky Saw. More have appeared since the recent repair. TM advised that he had sufficient material to effect repairs and agreed to do it ASAP.

4. Annual Safety Inspection:

The 2015 annual inspection had been carried out on 18th April by Rob Turner. Report was considered at the June meeting.

JVC had previously advised that two matters arising from the inspection had been identified and these had been completed.

Further actions from the 2015 report:

- *Multi Play:*
Identified as high risk solely because of the monkey bars which are well known to cause injury. Nothing to be done other than to monitor for accidents.
- *Train:*
Has flat surfaces which are more than 600mm high and no safety surface. Aimed at use by toddlers so inspector not comfortable with just grass although it is suitable up to a 1m fall height.
- *BMX Track:*
Medium Risk. Didn't give impression of a purpose-built track, more of something that has evolved, which is exactly what has happened as it is difficult to stop users from modifying it, although it was purpose-built initially. Monitor for accidents

5. Other Matters:

- *Climbing Wall Rope Net:*
Previously agreed that TM would use self sealing tape on sections where wire exposed and that the work would be done immediately prior to the annual inspection. Because of the short notice of the inspection, however, this had not been possible. The climbing wall does not feature in the inspector's report. Agreed merely to monitor for now. Still OK.

- *Other matters for TM's Attention:*
 - *Horse Chestnut Tree near Tennis Court:*
Tree has been chopped down and treated with CuSO₄. Stump is not causing a hazard so leave for present.
 - *Tennis Court:*
Moss treatment due next week. TM was informed that, under new H&S legislation, unless he obtained an NVQ2, he was no longer permitted to carry out spraying
 - *Old Playing Field Entrances:*
TM was still "keeping on top of the weeds".
- *Stithians Fayre Day – 8th August:*
TM had advised the September meeting that a considerable amount of rubbish had been left in the playing field after the event. JVC had contacted the PCC who had apologised saying that it would be cleared properly next year.
- *Dogs in Playing Field:*
Further problems with dog mess had occurred. It was agreed that more prominent signs stating "No Dogs" were needed at each of the five accesses. **JVC to investigate cost and report.**
- *Toddler Rope Bridge:*
TM advised that this work had been done.

6. *Provision of New Play Equipment:*

This matter is currently on hold pending completion of the Parish Plan.

7. *BMX Track:*

It had been established that the object removed from the BMX Track was a bird feeder as contact had been made by the owner. JVC had contacted the owner who had requested a meeting to agree location and to retrieve it from the pavilion. JVC still awaiting response re date.

8. *Car Park Maintenance:*

As discussed previously, TM to prepare a quote later in the year for necessary repairs excluding provision of stone. JVC had previously advised that there was still credit (£759.87) at Lawers for necessary stone and that there was provision of £500 in the 2015/16 budget for maintenance of the car park. Surface OK at present.

9. *Tennis Court Footpath:*

RN advised that the edges of the footpath and the hedge were in need of trimming. **TM to address.**

10. *Litter:*

RN advised that he had received a comment that litter was not always cleared on a daily basis. **TM to address.**

11. Staining & Painting of Play Equipment:

It was agreed that this needed attention. **TM to quote for labour for painting and staining all equipment in the old playing field.** Materials to be obtained from LA Phillips.

12. Youth Shelter:

The problem of people climbing on the roof of the youth shelter was discussed. **TM to investigate the availability of anti – climb paint.**

13. Next Meeting:

It was agreed that the next meeting would be at 2pm on Monday 9th November 2015 at 18 Edward Street.

JV Calvert,

Clerk,

12th October 2015

AGENDA ITEM 17.1

STREET TRADING CONSULTATION

Decision Required:

To agree a response to Cornwall Council's consultation on Street Trading.

Report:

Cllr Blease agreed at the September meeting to produce a draft response to this consultation by Cornwall Council for consideration at this meeting.

The closing date for receipt of responses is 10th November.

His proposed response is attached as Appendix 1 to this report for Members' consideration.

The Chairman has also made a proposed response with his comments in red which is attached as Appendix 2 for Members' further consideration

JV Calvert,

Clerk

15th October 2015

Appendix 1 to AGENDA ITEM 17.1

Cornwall Council - Street Trading Review

A review of street trading is necessary to achieve unification of the regulation of street trading in Cornwall and to comply with the European Union Services Directive (EUSD). Some of the current designations are out of date and non-compliant with the EUSD.

It is envisaged many areas will benefit from a change in designation to allow event based trading and promote economic activities in some areas which are currently prohibited.

Cornwall Council's Licensing Service has already undertaken an initial consultation exercise with Cornwall Councillors, Town and Parish Councils and internal Cornwall Council Services to consider proposals for a street trading review across Cornwall. Full details of the internal consultation including the relevant Committee Reports and Minutes are available at this link:

<https://democracy.cornwall.gov.uk/ieListDocuments.aspx?CIId=601&MIId=6255&Ver=4>

Having taken into account the views from the internal consultation the Council are now undertaking a formal public consultation.

We would now like to hear the views of all those who are affected by issues relating to the regulation of street trading.

In order that your views can be taken into account as part of this review, this document has been prepared to provide information relating to street trading and to incorporate the consultation questions.

It would be appreciated if you would consider and respond to the specific questions (numbered 1 to 13) outlined in this document.

Please return by email to licensing@cornwall.gov.uk or by post to Licensing Service, Cornwall Council, Chy Trevail, Beacon Technology Park, Bodmin PL31 2FR

This consultation runs until **10 November 2015**.

What is Street Trading?

Street trading is the selling or exposing or offering for sale of any article (including a living thing) in a street.

Street trading does not include offering a service, for example, hair braiding, face painting, henna tattoos etc.

What is the definition of Street?

Street includes any road, footway, beach or other area to which the public have access without payment and a service area as defined in section 329 of the Highways Act 1980, and also includes any part of a street.

How can Street Trading be regulated?

Councils can choose to regulate street trading in their area by adopting Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The legislation can be found at:-

<http://www.legislation.gov.uk/ukpga/1982/30/schedule/4>

Cornwall Council adopted the legislation in 2010 and resolved that street trading in Cornwall would be regulated by way of 'consent' streets or 'prohibited' streets.

Why does Cornwall Council choose to regulate street trading?

The Council regulates street trading so that they can decide where to allow street trading and can properly manage the environmental and safety implications for example, obstructions, overcrowding in streets, escape from/access to premises causing public safety issues, nuisances such as smells, noise and litter.

What does a 'Consent' street mean?

A street in which street trading is prohibited without the consent of the Council.

What does a 'Prohibited' street mean?

A street in which street trading is prohibited at all times.

What options for the regulation of street trading are being considered?

There are two options being consulted on:-

- 1. Designate the whole of Cornwall, being the area regulated by the Council, as a street trading '**consent**' area.*

This option would provide a consistent approach as all street trading would require the Council's consent apart from specified exemptions (see questions 4 to 8 below relating to exemptions).

or

- 2. Designate the whole of Cornwall as a street trading '**consent**' area, with specific '**prohibited**' areas set within it.*

This option would require all street trading conducted within Cornwall to be licensed by the Council with the exception of those areas that are prohibited and apart from specified exemptions (see questions 4 to 8 below relating to exemptions).

This option would also provide a consistent approach, although any prohibited areas must be justified in order to comply with the EU Services Directive.

Although both options would mean the whole of Cornwall is designated as either '**consent**' or a combination of '**consent and prohibited**' streets, it is intended that the policy would specify exemptions for certain activities and/or specific areas (see questions 4 to 8 below).

Question 1

Do you agree the whole of Cornwall should be designated as 'consent' with specified exemptions?

Yes

Which 'prohibited' areas are being considered?

Highways have indicated that, apart from some specified formal (larger) laybys which are suitable for trading, they would prefer, on the grounds of public safety, that street trading is *prohibited* from all A and B roads where the maximum speed limit exceeds 30mph.

The Licensing Act Committee, however, are concerned that a blanket policy ban on A and B roads would not be appropriate.

Question 2

Do you agree the whole of Cornwall should be designated as 'consent' apart from A and B roads being 'prohibited' as suggested by Highways?

No. Each application should be judged on its merits without blanket policies that may or may not be appropriate.

Question 3

Are there any other streets where you think the Council should prohibit street trading and why?

No, again each application should be judged on its merits.

Are there any legal exemptions from requiring Street Trading Consent?

Yes, these include the following which are exempt under the Act. Any designations the Council make will not affect these at all:

- Pedlars
- Charter Markets
- Trunk road picnic areas
- News Vendors / selling periodicals
- Shops using their forecourt area as part of the business of the shop.
- Roundsmen
- Charity Stalls

Are there any other exemptions from requiring Street Trading Consent?

Whichever option is decided upon, the Council can also decide that other trading activities do not require consent. For example, the policy could exclude the following from requiring Street Trading Consent:-

- Fetes, carnivals or similar community based, organised and operated events
- Car boot sales
- Honesty boxes
- Goods from working farms sold at the premises where they were produced
- Sales of articles by residential occupiers within the curtilage of their properties or land contiguous with it
- Approved markets/events
- Trading on beaches

Although the Council may specify certain exemptions such as those listed above in its policy, if there were any concerns, for example, in relation to public safety, the Council would reserve the right to make the final decision at a hearing of the Licensing Act Committee or Street Trading Sub-Committee if appropriate.

Question 4

Do you agree that all of the above activities should be exempt from requiring street trading consent?

Yes with exception of beaches where trading could get out of hand if not regulated in some way.

Question 5

Are there are any other activities which you consider should also be exempt from requiring street trading consent?

No

Can certain streets/areas be excluded from Street Trading regulation?

It is proposed that streets within the control of the following Cornwall Council Services be excluded as those services will regulate those areas themselves:-

- Environment Service
- Parking Services
- Harbour Authority

Question 6

Do you agree that trading in areas within the control of the above services be exempt from requiring street trading consent?

Yes

Question 7

Are there are any other areas which you consider should also be exempt from requiring street trading consent?

No

What about trading on private land?

Private land to which the public have access without payment is included within the definition of 'street' and can therefore be regulated by the Council.

However, it is not necessarily the Council's intention to regulate street trading in all areas of private land.

The Council would suggest that private land which is immediately adjacent to controlled streets is regulated. For example, the Council may specify that designations will include "*all forecourts, roads, footways or other areas adjacent to the streets for a distance of 'x' metres.*" This would control a loophole for potential street traders to trade from private areas immediately adjacent to controlled streets.

Question 8

Do you agree private land should be exempt apart from immediately adjacent to controlled streets?

Yes

If so, what distance do you consider would be appropriate, e.g. 5, 10 or 15 metres from the public highway?

3 metres

How does the European Union Services Directive (EUSD) impact on Street Trading?

The EUSD is intended to make it easier for street traders to set up anywhere in the European Union. In order to comply with the EUSD any requirement for street trading authorisation must be justified by an "overriding reason relating to the public interest" (ORRPI).

The refusal of street trading consent on the grounds that there are already enough traders in the street from other shops or other traders selling similar products is not compatible with the EUSD and can no longer be used.

What is meant by the term "overriding reason relating to the public interest" (ORRPI)?

Examples given in the EUSD are public policy, public security, public safety, public health, protection of consumers, recipients of services and workers, combating fraud and the protection of the environment and the urban environment.

Are conditions attached to Street Trading Consents?

The Council may attach conditions as they consider reasonably necessary, including conditions to prevent any obstruction of the street or danger to persons using it, or any nuisance or annoyance to any person. The conditions may also stipulate what traders may sell, exactly where and when they may sell and the fee they must pay.

Street trading is controlled to avoid obstruction and protect public safety, for example overcrowding in streets affecting escape from and access to premises. It also prevents noise, smells and nuisance and ensures any litter from street trading is removed from site.

The Council's proposed conditions are attached at Appendix 1.

Question 9

Do you have any comments in relation to any of the conditions?

No they all seem reasonable.

What about one off local events and markets?

Applications for street trading consents of a limited duration and for specific events and markets, for example Christmas Late Night Shopping, Farmers Markets, Made in Cornwall craft fairs etc, are currently considered independently from annual/seasonal applications and specific conditions apply to such consents.

This review could remove the requirement for 'approved' events/markets from requiring Street Trading Consent as these could be controlled by the event/market organiser.

Question 10

Do you consider all approved markets and events should be exempt from requiring street trading consent?

Yes

How much does a Street Trading Consent cost?

It is proposed that the street trading fees are also reviewed as part of the overall review of street trading. Please click [here](#) to view current fees and charges.

Question 11

Do you have any comments to make in relation to the fees?

No

Question 12

Do you have any other comments or suggestions on the regulation of street trading in Cornwall?

No

Question 13

Could you please indicate in what capacity are you responding to this consultation?

- (i) Street trader who holds or has previously held a Street Trading Consent**
- (ii) Street trader who does not currently require a Street Trading Consent**

- | | |
|-------|-----------------------------------|
| (iii) | Cornwall Councillor |
| (iv) | Town / Parish Council |
| (v) | Cornwall Council internal service |
| (vi) | Member of the public |
| (vii) | Other (please specify) |

Where can I find more information?

Further information on the current arrangements and details of how to apply for street trading consent are available on the Council's website at <http://www.cornwall.gov.uk/advice-and-benefits/licences-and-street-trading/street-trading-licence/>

When does this consultation close?

10 November 2015

How do I respond to the consultation?

Please respond by email to:- licensing@cornwall.gov.uk

Alternatively by post to:-

Licensing Service

Public Protection & Business Support (S1)

Cornwall Council

Chy Tревail

Beacon Technology Park

Bodmin

PL31 2FR

Thank you for taking the time to respond to this consultation.

All responses received will be considered by the Licensing Act Committee prior to any decision.

Appendix 1

STREET TRADING CONSENT CONDITIONS

1. This consent shall not be assigned to any other person, firm or organisation.
2. A copy of the consent must be displayed on the stall/vehicle (NB the consent holder's home address can be blanked out if required on the display copy).
3. *Any motor vehicle from which trading is permitted to take place shall be in a roadworthy condition and shall at all times be taxed, tested and insured, and a driver holding a full driving licence for the class of vehicle being used must be available within a reasonable period in the event that the vehicle is required to be moved.
4. The consent holder shall not contravene any Order made under the Road Traffic Regulations Act or the Town & Country Planning Acts and shall also comply with the provisions of the Highways Acts.
5. *The consent holder must at all times comply in full with the Food Hygiene (England) Regulations 2006, guidance is available in the "Industry Guide to Good Hygiene Practice Markets and Fairs Guide", and any relevant legislation.
6. The consent holder must possess for the purposes of trading, sufficient public liability insurance cover.
7. The consent holder must keep any stall/vehicle from which trading takes place together with the immediate vicinity of the stall/vehicle, in a clean and tidy condition and where required, the consent holder must provide sufficient litter bin(s) for use by customers.
8. Advertisements must not cause any danger, obstruction or nuisance to customers or persons in the vicinity of the traders stall/vehicle.
9. This consent does not give any permission to any person or body to place posters, signs or any other advertising material within highway limits, or on street lighting columns, traffic signs and other street furniture. Traders are advised that any material should not be sited or displayed in a manner which obscures any highway sign or creates a safety risk or hazard to the use of the highway. Any material erected in contravention of these requirements is liable to be removed by the Highway Authority.
9. Any stall/vehicle used for the purposes of street trading shall not remain on site outside the hours as stated on the consent.
10. The consent holder shall not cause any obstruction to persons using the public highway or wishing to enter the site upon which they are trading.

11. The consent holder shall only use one mobile stall/vehicle for the purposes of street trading on each site, which must not exceed the size agreed in writing by the licensing authority.
12. The consent holder shall supply a copy of these street trading conditions to every person engaged in street trading.
13. The consent holder and any other persons engaged in street trading shall at all times offer full co-operation to an authorised officer of the council in their task of ensuring compliance with the above conditions.

* where applicable

NOTE: IT IS MOST IMPORTANT THAT THE ABOVE CONDITIONS ARE STRICTLY COMPLIED WITH, AS ANY CONTRAVENTION MAY LEAD TO PROSECUTION AND/OR REVOCATION OR NON-RENEWAL OF THE CONSENT

Appendix 2 to AGENDA ITEM 17.1

Question 1

Do you agree the whole of Cornwall should be designated as 'consent' with specified exemptions?

Yes **NO**

Which 'prohibited' areas are being considered?

Highways have indicated that, apart from some specified formal (larger) laybys which are suitable for trading, they would prefer, on the grounds of public safety, that street trading is *prohibited* from all A and B roads where the maximum speed limit exceeds 30mph.

The Licensing Act Committee, however, are concerned that a blanket policy ban on A and B roads would not be appropriate.

Question 2

Do you agree the whole of Cornwall should be designated as 'consent' apart from A and B roads being 'prohibited' as suggested by Highways?

No. Each application should be judged on its merits ~~without blanket policies that may or may not be appropriate.~~

Question 3

Are there any other streets where you think the Council should prohibit street trading and why?

No, again each application should be judged on its merits.

YES. Streets where limited parking is available to residents.

Are there any legal exemptions from requiring Street Trading Consent?

Yes, these include the following which are exempt under the Act. Any designations the Council make will not affect these at all:-

- Pedlars
- Charter Markets
- Trunk road picnic areas
- News Vendors / selling periodicals
- Shops using their forecourt area as part of the business of the shop.
- Roundsmen
- Charity Stalls

Are there any other exemptions from requiring Street Trading Consent?

Whichever option is decided upon, the Council can also decide that other trading activities do not require consent. For example, the policy could exclude the following from requiring Street Trading Consent:-

- Fetes, carnivals or similar community based, organised and operated events
- Car boot sales
- Honesty boxes
- Goods from working farms sold at the premises where they were produced
- Sales of articles by residential occupiers within the curtilage of their properties or land contiguous with it
- Approved markets/events
- Trading on beaches

Although the Council may specify certain exemptions such as those listed above in its policy, if there were any concerns, for example, in relation to public safety, the Council would reserve the right to make the final decision at a hearing of the Licensing Act Committee or Street Trading Sub-Committee if appropriate.

Question 4

Do you agree that all of the above activities should be exempt from requiring street trading consent?

Yes with exception of beaches where trading could get out of hand if not

regulated in some way.

In part - There should be some form of limit to the number of traders allowed at any one time except in special cases such as a carnival, Christmas shopping etc. The same situation could arise as that suggested in the above reply regarding beaches.

Question 5

Are there are any other activities which you consider should also be exempt from requiring street trading consent?

No **NO**

Can certain streets/areas be excluded from Street Trading regulation?

It is proposed that streets within the control of the following Cornwall Council Services be excluded as those services will regulate those areas themselves:-

- Environment Service
- Parking Services
- Harbour Authority

Question 6

Do you agree that trading in areas within the control of the above services be exempt from requiring street trading consent?

Yes **Yes**, but only if the same criteria are used in granting such consent and that the Harbour Authority is operated by Cornwall Council. (This should apply to highways within privately operated Harbour Authorities).

Question 7

Are there are any other areas which you consider should also be exempt from requiring street trading consent?

No **NO**

What about trading on private land?

Private land to which the public have access without payment is included within the definition of 'street' and can therefore be regulated by the Council.

However, it is not necessarily the Council's intention to regulate street trading in all areas of private land.

The Council would suggest that private land which is immediately adjacent to controlled streets is regulated. For example, the Council may specify that designations will include "all forecourts, roads, footways or other areas adjacent to the streets for a distance of 'x' metres." This would control a loophole for potential street traders to trade from private areas immediately adjacent to controlled streets.

Question 8

Do you agree private land should be exempt apart from immediately adjacent to controlled streets?

Yes **NO**

If so, what distance do you consider would be appropriate, e.g. 5, 10 or 15 metres from the public highway?

3 metres **10 metres**

How does the European Union Services Directive (EUSD) impact on Street Trading?

The EUSD is intended to make it easier for street traders to set up anywhere in the European Union. In order to comply with the EUSD any requirement for street trading authorisation must be justified by an "overriding reason relating to the public interest" (ORRPI).

The refusal of street trading consent on the grounds that there are already enough traders in the street from other shops or other traders selling similar products is not compatible with the EUSD and can no longer be used.

What is meant by the term "overriding reason relating to the public interest" (ORRPI)?

Examples given in the EUSD are public policy, public security, public safety, public health, protection of consumers, recipients of services and workers, combating fraud and the protection of the environment and the urban environment.

Are conditions attached to Street Trading Consents?

The Council may attach conditions as they consider reasonably necessary, including conditions to prevent any obstruction of the street or danger to persons using it, or any nuisance or annoyance to any person. The conditions

may also stipulate what traders may sell, exactly where and when they may sell and the fee they must pay.

Street trading is controlled to avoid obstruction and protect public safety, for example overcrowding in streets affecting escape from and access to premises. It also prevents noise, smells and nuisance and ensures any litter from street trading is removed from site.

The Council's proposed conditions are attached at Appendix 1.

Question 9

Do you have any comments in relation to any of the conditions?

No they all seem reasonable.

There are two condition 9's on the list attached as Appendix 1.

What about one off local events and markets?

Applications for street trading consents of a limited duration and for specific events and markets, for example Christmas Late Night Shopping, Farmers Markets, Made in Cornwall craft fairs etc, are currently considered independently from annual/seasonal applications and specific conditions apply to such consents.

This review could remove the requirement for 'approved' events/markets from requiring Street Trading Consent as these could be controlled by the event/market organiser.

Question 10

Do you consider all approved markets and events should be exempt from requiring street trading consent?

Yes **YES**

How much does a Street Trading Consent cost?

It is proposed that the street trading fees are also reviewed as part of the overall review of street trading. Please click [here](#) to view current fees and charges.

Question 11

Do you have any comments to make in relation to the fees?

No **NO**

Question 12

Do you have any other comments or suggestions on the regulation of street trading in Cornwall?

No

How often are street traders licences checked and illegal signage removed?

Should Town and Parish Councils have the right to check that those trading within their Parish are in possession of a Street Traders Licence?

Unsure whether Condition 12 is feasible or just poorly written: –

'The consent holder shall supply a copy of these street trading conditions to every person engaged in street trading.'

Surely other street traders should have their own copy and should not be expected to give other traders a copy, or should it continue with *'on their behalf or in their employment'*.

Question 13

Could you please indicate in what capacity are you responding to this consultation?

- (viii) Street trader who holds or has previously held a Street Trading Consent
- (ix) Street trader who does not currently require a Street Trading Consent
- (x) Cornwall Councillor
- (xi) Town / Parish Council**
- (xii) Cornwall Council internal service
- (xiii) Member of the public
- (xiv) Other (please specify)

AGENDA ITEM 18.1

Clerk's Report for Meeting to be held on

20th October 2015

Website Hits

Decision Required:

To note the figures for visits and hits on the Council's website as presented to the meeting.

Report:

Attached as Appendix 1 to this report is the fourteenth "edition" of the spreadsheet for your consideration which shows the figures for the third quarter of 2015.

JV Calvert,

Clerk

2nd October 2015

The Appendix to this report may be seen upon application to the Clerk

AGENDA ITEM 18.2

Clerk's Report for Meeting to be held on

20th October 2015

Remembrance Service

Decision Required:

1. To inform the Clerk of likely numbers of Members attending the Remembrance Service on 8th November.
2. To agree to a donation of £50 to the Royal British Legion to cover the cost of a wreath with the remainder going to RBL funds.

Report:

I have received the following from the Royal British Legion:

I write on behalf of the Members of this Branch to formally invite any members of the Parish Council to the Sunday Parade and Service of Remembrance at the Parish Church on Sunday 8th November, and to the Remembrance Day Service at the War Memorial on 11th November.

The Parade should start from the Surgery in Crelow Lane at 1015 hours and will be based on last year's format with Mr Roger Nicholls as Parade Marshall. As is customary wreaths will be provided by our Poppy Appeal Organiser Mrs Merle Moyle and will be presented at the Church for retention until 11th. It would be very much appreciated if our Chairman Mike

Tatnall could be notified of expected numbers attending the Church Service in order that sufficient pew places can be reserved. He can be contacted on 01209 860596.

On Remembrance Day the relocation of the Wreaths to the War Memorial will be effected by Royal British Legion members and the Service there will commence at 1045 hours and will include re-presentation of the Wreaths.

We shall be extremely grateful to you all for your support.

Members are reminded that this is a Parish Council event and are therefore urged to attend.

In previous years, a donation of £50 has been made to cover the cost of the wreath with the remainder being a donation to RBL funds.

JV Calvert,

Clerk

6th October 2015

AGENDA ITEM 18.3

Clerk's Report for Meeting to be held on

20th October 2015

Publicity re Weeds etc. in the Parish

Decision Required:

1. To agree that the article in Appendix 1 to this report be publicised as widely as possible including the Stithians Times, Spotlight and the Council's website.
2. To consider ideas for a possible clean-up of the village.

Report:

It was agreed under Minute 12/09/15(8) that Cllr Blease should prepare an article for Spotlight, Stithians Times and the Council's website to encourage residents to keep their boundaries trimmed and the highway outside their property free of weeds etc.

This he has done and it appears as Appendix 1 to this report for Members' approval.

The article has already been circulated to members, some of whom have expressed ideas for organising a clean-up and Members may well wish to discuss them further at the meeting.

JV Calvert,

Clerk

12th October 2015

Appendix 1 to AGENDA ITEM 18.3

Stithians in need of a short back and sides

Whilst the summer weather has not been the best on record it has been a great season for growing.....especially grass and weeds, many varieties of which can now be found growing in our gutters & paths around the parish.

The situation is exacerbated by the decision of Cornwall County Council to stop weed spraying services and also reducing road sweeping frequencies as part of their austerity cuts. They are happy for local Parish Councils to assume responsibility and the costs of these services. Unfortunately this is a growing trend in devolving services which can only increase the costs of running Parish Councils as well as increasing the work load for Parish Councillors who are all unpaid volunteers.

Stithians Parish Council decided not to spend your money on weed spraying this year to see how big the problem would be. Unfortunately a quick walk around the village or a look at the pictures below now demonstrate it is a much bigger problem than anticipated. The Parish Council will have to reconsider its decision in future years regarding spraying but for the moment spraying will not address the issue as much of the growth is so well established that spraying by itself will replace a green mess with a yellow mess. The weeds and the dirt they are growing from need to be removed so future street cleaning and spraying will be more effective.

Call to action

Clearly there are a lot of pathways and gutters affected in the Parish but if everyone does a bit we could soon have the village looking tidy again.

Individuals & Families – have a look outside your house, would it benefit from a 30 minute tidy up. Why not involve the family. Check across the road to that old lady's house. Why not clear up for her too whilst you have your tools out? Maybe get a few of you neighbours together and tidy up the entrance road into your estate.....once you

get going you will find it is fun and you will get a sense of achievement and feel good factor of doing something for and with the community.

Organisations, Clubs & Societies – Checkout the area around your premises. Does it need a tidy up? Encourage your members about doing their bit for your organisation and also around their own homes. Maybe a few or your members might volunteer to help some of your less able members or even help others in the wider community.

Clearly, safety is of paramount concern so only take on work that you know can be done safely and use the right tools and safety equipment for the task you are undertaking. Make sure you are visible to any passing traffic and you should consider having a look out if you are working on a highway.

Stithians Parish Council would like to hear of your successes whether they are large or small. Why not take “before” and “after” pictures and send them to the clerk. We will then feature these on our web-site www.stithiansparishcouncil.org.uk and attribute your contribution if you wish and the fruits of your labour will be there for all to see.

Pictures below.











AGENDA ITEM 19.1

Mining Villages Regeneration Group

Minutes of the Annual General Meeting held on 10th September 2015 at 12.45pm at the Richard Jory Memorial Hall, Frogpool

Present:

Cllr. Ashley Wood (Chairman & Lanner PC); Cllr. Peter Tisdale (Stithians PC); Cllr Stephen Penny, Cllr John Newcombe (St Day PC);, Cllr. Robin Knill (Chacewater PC); Alan Blamey, Kevin Furnish (Gwennap PC); Cllr Philip Gerrish, (Portreath PC) Charlotte Caldwell, (Cornwall Council); James Biscoe (Co-opted Member); Carl Martin (Carharrack PC)

Apologies:

Ray Humble (Gwennap PC); John Calvert, (Stithians PC); Cllr David Firth (Chacewater PC); Tony Reynolds (Carharrack PC).

AW reported that Sandy Steward has resigned as the Lanner PC representative.

AGM

Chairman's Report

All had received and read AW's report and this was accepted and endorsed.

Election of Chairman

Nominated: Ashely Wood

Proposer: JB

Seconded by: PG

Voted in unanimously.

Election of Vice Chairman

Nominated: Ray Humble

Proposer: JB

Seconded by: PG

Voted in unanimously.

Election of Secretary

Nominated: Charlotte Caldwell

Proposer: JB

Seconded by: PG

Voted in unanimously.

Election of Treasurer

Nominated: Peter Tisdale

Proposer: JB

Seconded by: PG

Voted in unanimously.

Action: AW to ask EY to send all papers to PT and to arrange for the bank mandate to be changed to include all Parish Councillor Members. Copy of

minute to be taken to the bank by all new signatories. For the purpose of clarification, Parish Councillor Members are Carl Martin, David Firth, Rob Knill, Ray Humble, Ashley Wood, Philip Gerrish, John Newcombe, Steve Penny, Pete Tisdale, Roger Nicholls.

Financial Report

The annual accounts were approved. CM queried the payment for Stithians Hall: this was for the Local Plan extraordinary meeting. AB asked what the Historic Churchyards Fund was for and AW explained that it was ring fenced for activity relating to historic churchyards being money raised by that group before amalgamation with MVRG.

AW asked for confirmation that a request for a £100 contribution from all parishes for the year 2015/16 would be favourably received and this was confirmed. Members were also asked to seek an allocation in their council's budget for 2016/17 which would include Chacewater PC for the first time. JB asked if, as an individual, he needed to pay and AW confirmed that he did not: the fee was just for organisations.

All approved the hosting fee and domain name renewal for the Historic Churchyards website with Paul Mahoney (Streamline) and the cheque was signed.

Minutes of AGM 2014

Approved. Proposed by PT, Seconded by SP.

Matters Arising

CC said she has chased Jon James for the footpaths toolkit and is awaiting further information.

Paperless Planning – AW has circulated the response to his FOI enquiries. JB raised the issue of cross border consultations which has not yet been clarified.

AW said that the issue was seen by Cornwall Council strictly in terms of what money could be saved by them and with no thought of the costs falling on parish and town councils and, by extension, on Council Tax payers.

PT said he has checked with what the current practise is in Devon and Dorset and they had confirmed that the edict for paperless consultations has come from Central Government.

AW has asked George Eustice MP about the issue and, so far, has not received a response. He wants to clarify if the move to paperless planning consultations is aspirational or a legal requirement.

Cllr Edwina Hannaford has written to all Town and Parish Councils offering training. It is understood a verbal pledge funding of £700 towards equipment to all parish councils will be made available but this has not been put in writing yet.

PT said that if meeting venues do not have the necessary walls/ equipment then they are entitled to use school premises for free.

AW said he was including this issue in letters to all householders in Lanner shortly.

PG said that one of the practical issues the matter raises is being able to compare planning applications on the same screen as this takes IT know how.

KF highlighted that parishes would need to put aside about a third of the value of equipment each year to fund replacements arising from obsolescence and wear and tear.

A discussion ensued regards the costs associated with printing, postage and the actual cost savings, and many thought that the applicant should bear the cost at the stage of making the application in the first place.

Parish Reports

Chacewater

Report taken as read. They are minus one Parish Councillor at present. RB said they are starting to be more proactive in the community and are working towards a better maintenance schedule for works being undertaken.

Gwennap

AB queried what other parishes do if they receive planning applications in between meetings, and all advertise a public meeting 7 days in advance and host a meeting to discuss any that come in this way.

The post boxes are all working again which is positive news.

Portreath

Report taken as read. PG and CC gave an update on the recent success with their Coastal Communities bid and they now have £10k to work towards a more substantive bid for a range of projects that will benefit the economy in Portreath.

St Day

They are considering two more defibrillators and there is one already sited in the Vogue Enterprise Centre.

Stithians

PT is meeting with Colin Pound of the Post Office to obtain an update on what is happening in Stithians. He said that the devolution of Crelow Fields is held up due to a legal issue with the neighbouring land owner. **Action:** CC to investigate with Legal at Cornwall Council.

Carharrack

The phone box is now mended. A discussion took place about the byeways across united Downs and it is likely to take another 18 months before they are all finished.

Lanner

Report taken as read. AW has circulated all his comments regards Planning.

Date of next meeting

Thursday 5th November 2015 at 12:45pm at Lanner Village Hall

AGENDA ITEM 20.1

Minutes of the Annual General Meeting held on 10th September 2015 at 2:15pm at the Richard Jory Memorial Hall, Frogpool

Present:

Cllr. Ashley Wood (Chairman & Lanner PC); Cllr. Peter Tisdale (Stithians PC); Cllr Stephen Penny, Cllr John Newcombe (St Day PC);, Cllr. Robin Knill (Chacewater PC); Alan Blamey, Cllr Kevin Furnish, (Gwennap PC); Cllr Philip Gerrish, (Portreath PC) Charlotte Caldwell, (Cornwall Council); James Biscoe; Cllr. Carl Martin (Carharrack PC)

Apologies:

Ray Humble (Gwennap PC); John Calvert, (Stithians PC); Cllr David Firth (Chacewater PC); Tony Reynolds (Carharrack PC); Cllr Joyce Duffin (CC); Cllr John Thomas (CC); Cllr Mark Kaczmarek (CC).

AW reported that Sandy Steward has resigned as the Lanner PC representative.

Chairman's Report

AW asked members if they felt there was still a need for a separate meeting and it was agreed that the MVRG and the Community Network meeting would be rolled in to one in the future. CC would continue to source appropriate speakers for the sessions and attend. The merged body would be called The Mining Villages Regeneration Group to conform to the bank account which has that

name and to allow maximum flexibility and a one member (excluding Clerks), one vote approach. The Community Network update would be a standing item on all agendas.

Guest Speaker: Paul Daddow, CORY

PD gave an overview and explained the new trial that is taking place across Cornwall of recycling of 'Pots, Tubs and Trays', from the end of November 2015, for a twelve month period. He said that not all areas are in the trial but that most of the Mining Villages were. He said that all participating properties will receive a letter with full instructions in early November. He said that 'Frequently asked questions' will also form a part of the leaflet.

Various properties will also be monitored within areas, to see if recycling patterns and habits have increased.

He explained what is allowed to be included and what is not (black plastic).

The success of the pilot will be fully evaluated and hopefully implemented county-wide. He confirmed that this did not change the contract with SITA, to the point that taxpayers are paying more.

Guest Speaker: Aisling Allardice, Red Cross

AA gave a very informative presentation on the support at home service which is currently running and involves a six week support package for those over 70 years and in need of befriending. This is run by volunteers who receive adequate expenses and full training.

She is bidding for new money from external funding sources to extend this and create a new project from January 2016, which will be the same, but for a 12 week period and aimed at anyone over the age of 50 who feels they are in crisis. They do not offer personal care but can help people with shopping, solving problems through listening and anything else that the client feels they need at that stage.

She circulated leaflets and Parishes offered to include information on their noticeboards and in their newsletters. She will email all a poster. **Action: CC to let AA have all the Mining Villages email contacts and names.**

She said that all their volunteers must behave in line with the fundamental principles of the Red Cross, including being non-judgemental.

Everyone wished AA well with the bid and looks forward to receiving more information.

Minutes of last meeting – matters arising

CC reported that the lengthsman scheme has been put on hold for a short while and that she will circulate information as soon as she receives it.

AW said that Emily Rubin has been invited to speak at a future meeting, regards the identification of brownfield sites and the SCHLAA.

PT said that he has still not had any contact from the Cornwall Food and Drink AW to chase.

Cornwall For Change – the general consensus was that this has lost its way and has credibility issues.

AW reported that CC sent him some data on retail patterns in the county, if anyone wants a copy to contact him.

Any Other Business

Topics suggested for the next meeting include the Fire Service consultation – **Action: CC to invite Asst Chief Paul Martin to speak at next meeting and JB asked if she could also invite Cllr Lisa Dolley.**

CC said that Jon James from the Environment Service also wants to attend the next meeting to talk about CC Environmental assets service standards.

JB asked if three topics could be considered for future agendas including;

- Fly tipping
- Weeds
- Cross border planning applications

Date of next meeting

Thursday 5th November at 12:45pm at Lanner Village Hall.

AGENDA ITEM 21

Clerk's Report for Meeting to be Held on 20th October 2015

Correspondence Received

SUMMARY OF DECISIONS REQUIRED (Details in Report):

- **To note receipt from Cornwall Council of a Devolution update dated 29th September and the fact that Crelow Fields Amenity Area appears in the list of projects.**
- **To note receipt of an invitation to attend a visit by the CPIR Community Network Group to Tolvaddon Community Fire Station on 3rd November 2015.**

- To note receipt from Cornwall Council of a Special Planning Edition of their Communities & Devolution Bulletin dated 1st October 2015.
- To note receipt from Cornwall Council of further information on their “Pots, Tubs and Trays” Recycling Trial.
- To note receipt from the Police & Crime Commissioner of his September monthly report.
- To note information received from Cornwall Council concerning “Open Door” events where questions may be put to the Leader and Deputy Leader of Cornwall Council.
- To decide upon attendance at an event in St Dennis on 25th November 2015 arranged by the Cornwall County Playing Fields Association.
- To note receipt of the Agenda for and invitation to the CPIR Community Network Group meeting on Wednesday 25th November 2015.

REPORT:

Since the last meeting, the following correspondence has been received:

<i>Date</i>	<u>Type</u>	<u>From</u>	<i>Subject</i>	<u>Action Taken/Requested</u>
29/09	E-mail	Cornwall Council	Devolution Update	See Section 1 of Report
01/10	E-mail	Cornwall Council	CPIR Network Meeting	See Section 2 of Report
02/10	E-mail	Cornwall Council	Communities & Devolution – Special Planning Bulletin	See Section 3 of Report
05/10	E-mail	Cornwall Council	<i>Pots, Tubs & Trays Recycling Trial</i>	See Section 4 of Report
02/10	E-mail	Police & Crime Commissioner	<i>Monthly Report - September</i>	See Section 5 of Report
08/10	E-mail	Cornwall Council	<i>“Open Door” Events</i>	See Section 6 of Report
13/10	E-mail	CCPFA	<i>Playing Field Support Event</i>	See Section 7 of Report
14/10	E-mail	Cornwall Council	CPIR Network Meeting	See Section 8 of Report

1. I circulated this to Members for information on 30th September. It should be noted that Crelow Fields Amenity Area appears in the list of projects.
2. I circulated on 1st October notice of a visit to the new Tolvaddon Community Fire Station by the CPIR Community Network Group on 3rd November which will also provide a face to face session on the Integrated Risk Management Plan (IRMP) consultation. I trust any Member who wishes to attend will have either contacted me or responded to the invitation.
3. I circulated this to Members for information on 2nd October.
4. Members are already aware of this scheme but this update was circulated to Members for information on 5th October.
5. I circulated this to Members for information on 5th October.

6. I circulated this to Members for information on 12th October. It concerns a series of events at different locations across the county where people can meet with Cornwall Councillors John Pollard and Adam Paynter, Leader and Deputy Leader, and put their questions directly to them. The events local to Stithians are at Pool Innovation Centre on 9th November and Helston Community College on 3rd November, both starting at 6.30pm. Full details may be found at www.cornwall.gov.uk/opendoors
There is also an opportunity to chat to John Pollard through live webchat between 1pm and 2pm on 21st October at www.cornwall.gov.uk/webchat using #askJohnPollard.
7. I circulated this to Members for information on 13th October. It concerns an event to be held in St Dennis on Wednesday 25th November between 3pm and 7pm, details of which are contained in the e-mail referred to above. I shall be pleased to make the necessary arrangements should any Members wish to attend.
8. I circulated this to Members for information on 14th October.

JV Calvert,

Clerk

13th October 2015

AGENDA ITEM 22 – URGENT ITEM

Clerk's Report for Meeting to be held on

20th October 2015

Cricket Club – Grant to pay for Risk Assessment

Reason for Urgency:

An e-mail was received from the Cricket Club on 15th October 2015, after the publication of the Agenda for the meeting and it is unreasonable to expect the Cricket Club to wait until after the next meeting on 17th November for a reply.

Decision Required:

1. To note and accept the content of the report.
2. To decide upon a response to the Cricket Club to their e-mail dated 15th October 2015 and in particular whether to pay for a Risk Assessment.

Report:

Following the decision made under Minute 05/09/15, as instructed, I informed the Cricket Club on 21st September that the PC was unwilling to pay for a Risk Assessment as follows:

As promised, this matter was discussed by the PC at the meeting held on 15th September.

Members did not consider that a risk assessment was necessary as the risk is clearly evident and it is the alleviation of that risk that is necessary.

It was noted that certain measures have been carried out and procedures put in place but none of them addresses the problem of high balls, which will never be addressed without the installation a

high fence. It does not have to be anything elaborate, merely some poles and a net that can be raised when games are in progress. It was thought that £600 would go a long way towards the erection of something along those lines if it were done on a DIY basis but Members referred once again to the information previously given to yourself on possible grants towards the provision of such a safety fence.

Members are not therefore willing to pay £600 for a risk assessment.

On 15th October I received the following:

Mr Calvert

We refer to your email dated 21st September declining our request for the Parish Council to pay for a Risk Assessment in respect of the ongoing issue of the cricket ball entering the Graveyard. We understand that the PC feels that a Risk Assessment is not necessary, its reasoning being that “the risk is clearly evident”

This view is not shared by our governing body (ECB) - please see email below.

Hi Mark

As discussed on the phone the need for a risk assessment is for a number of reasons.

- 1. It can be used to understand the level of risk of balls leaving the ground.*
- 2. To identify what mitigation measures need to be put in place to reduce this risk to a reasonable level, in this case identifying what height the fencing would need to be.*
- 3. Used as evidence when submitting a planning application. Any permanent structure over two metres in height will require planning approval.*
- 4. The report can used as evidence of independent advice if the club were taken to the courts for any reason in relation in this matter.*

Once you know the height of the fence you will then be able to start having discussions with the local planners and obtain some quotes. As the fence is likely to be substantial in height (possibly as high as 8m) and it covers a significant length of your boundary, from our experience this could easily cost in excess of £10,000. If it has to be retractable then this will increase the costs.

I hope this clarifies the need for the risk assessment and what its role is in ensuring that the right mitigation is put in place.

Please contact me if you have any queries.

Regards

Tim Nicholls : Facilities and Investment Manager

England and Wales Cricket Board : Emirates Old Trafford, Manchester, M16 0PX

Tel: +44(0)2920 786 512 : Mobile: +44(0)7920 757 921 : Switchboard: +44 (0)207 432 1200

Email: Tim.Nicholls@ecb.co.uk : Web: <http://www.ecb.co.uk>

Our committee unanimously agree that we must follow the advice of our governing body and therefore will not be looking into constructing anything temporary or on a DIY basis as you suggest. We also do not wish to be in the position whereby our lack of Risk Assessment can be criticised or come under scrutiny with regards to our activities.

Furthermore, I have been asked to point out that the Club has concerns about the way our request for financial support toward a Risk Assessment was reported to Members (see your reports 15/09/15) – Section - 12.3 Cricket Club – Cemetery Boundary:

Our Committee questions the relevance of the following paragraph -

It is worth at this point reminding Members that it was agreed some time ago that the PC would pay the CC a sum of £2,073.50 towards the construction costs of the access track at such time as the land

for the new cemetery is purchased and the MOU for the use of the track is signed by both parties. As Members are aware, the progress of the purchase of the land has been delayed since December, firstly because of the CC not responding about the water supply and latterly because of what I think is confusion over their interpretation of the PC's intention as to the route of the proposed water supply pipes. Hopefully this has at long last been resolved (see separate report under item 15.1.

It is the view of the Cricket Club Committee that this paragraph has little relevance to the request for the PC to pay for the Risk Assessment and thus might be seen as an attempt to prejudice the Club's stance.

We request a response from the author of this report as to why he/she felt that it was worth reminding members of this information and what relevance he/she felt it had in helping Members make an informed decision with regards to our request.

The author of this report appears to be continually trying to blame the Cricket Club for the delay. This suggestion is unwarranted and, thus, is not acceptable to the Club. The PC will surely be aware that the delay in preparing documentation was due to the Glebe's solicitors not receiving an undertaking in respect of their costs.

As per previous email correspondence the Cricket Club would like to reiterate that it is looking to seek a solution to this issue that is amicable to both parties and therefore seek conformation from the PC that it will support the Club fully in this matter. However I think you will now realise that the answer is not quite as simple as it might have appeared to be.

The Cricket Club therefore kindly requests that you reconsider your decision not to pay for the Risk Assessment as it is now clear that this is the only way forward.

We look forward to hearing from you shortly.

Mark Webber

Secretary - Stithians Cricket Club

The reason for my saying what I did about the payment of £2073.50 followed a discussion with the Chairman whereby Members might suggest that CC might decide to use £600 of this payment to fund the Risk Assessment but in the event, no-one picked up on it.

As for the remarks about the delay, I stand by them as I believe them to be true. I agree that they are not really relevant to this issue and, with hindsight, there was probably no need to include them but I'm sure they didn't influence Members' decision. Indeed, I recall a remark being made at the meeting that they were two different matters which is probably why the significance of the reference to the £2073.50 was lost. I think Members will agree that the discussion centred around the need for a risk assessment and what measures the Cricket Club had introduced rather than referring to the delay over the new cemetery. As far as the undertaking to which Mr Webber refers is concerned, that was given on 11th December 2014.

I see little point, however, in getting into a protracted argument over what or who has caused the delay – what has happened has happened - all parties now need to work together to progress the purchase of the land for the cemetery as quickly as possible.

Members are requested to decide upon a suitable response to the Cricket club's e-mail and particularly to consider again whether to pay for the Risk Assessment.

JV Calvert,

Clerk

16th October 2015

AGENDA ITEM 23

Authorisation of Payments – October 2015

Decisions Required:

- 1. To approve payment of the sums shown in the report totalling £3,316.57 along with sums in any additional report which may be tabled at the meeting.**
- 2. To approve payment of any additional expenditure agreed by resolution during the meeting.**

Report:

The table below shows, as usual, invoices received since the last meeting as well as the usual monthly and other payments to be made. Figures in parentheses relate to the explanatory notes below the table.

Invoices received between the date of the circulation of this report and the date of the meeting will be reported at the meeting as appropriate in a report tabled at the meeting.

<i>Type</i>	<i>Date Due</i>	<i>Payee</i>	<i>For</i>	<i>VAT</i>	<i>Total Amount</i>	<i>See Note</i>
E	20/10	Clerk	October Salary		1128.36	(1)
E	20/10	Clerk	September Expenses (See Appendix 1)		4.95	
E	20/10	HMRC	Clerk's Tax under PAYE - October		402.80	
E	20/10	M White	Toilet Cleaning - October		81.16	
E	20/10	M White	Litter Picking - October		132.37	
E	20/10	Tyrone Martin	Playing Field Caretaker - October		598.35	
E	20/10	Tyrone Martin	Lower Churchyard - October		69.10	
E	20/10	Tyrone Martin	Cemetery Maintenance - October		74.40	
E	20/10	Roger Strick	PRoW Maintenance - September		265.61	
E	20/10	LA Phillips	Playing Field Materials	0.86	5.16	
E	20/10	MVRG	Subscription		100.00	

E	20/10	Stithians Centre	Hire of Meeting Room during 2015		420.00	
E	20/10	Bowling Club	Electricity – Footpath Lighting	1.63	34.31	
				TOTALS	£2.49	£3,316.57

Notes:

1. This is the Clerk's gross salary (£1,531.16) less Income Tax due from the Clerk under PAYE for the month of October.

JV Calvert,

Clerk & RFO

13th October 2015

Appendix 1 to this report may be seen upon application to the Clerk.
