

**MINUTES OF THE FEOCK PARISH COUNCIL MEETING HELD ON MONDAY 13TH JANUARY
2025 AT 6PM IN THE PARISH COUNCIL OFFICES IN DEVORAN**

Councillors present:	CARNON DOWNS	DEVORAN	FEOCK
	B Yates	J Newman	R Brickell
	C Kemp	A Allen	R Bowers
	A Avard		K Hambly-Staite
			C Dyke

In attendance: Debra Roberts, Parish Clerk & Responsible Financial Officer
Cornwall Councillor Martyn Alvey
Rob Holmes, Point Quay Association

Chair: Cllr Brickell

1. MEETING PROCEDURES & INTRODUCTION

The Chair welcomed everyone to the meeting and reminded both members of the public and Councillors of the Civility and Respect Pledge.

2. APOLOGIES

Apologies had been received from Cllrs J and P Allen and Steel.

3. TO CONSIDER THE MINUTES OF THE COUNCIL MEETING HELD ON 9TH DECEMBER 2024 AS A CORRECT RECORD OF THE MATERIAL DECISIONS MADE FOR SIGNATURE BY THE CHAIRMAN

It was noted that an amendment was needed to list Cllr Newman under Devoran ward and Cllr Bowers under Feock ward.

RESOLUTION: CLLR DYKE PROPOSED THAT THE MINUTES OF THE MEETING HELD ON 9TH DECEMBER 2024 AS CIRCULATED BY THE CLERK WITH THE AMENDMENT AGREED BE SIGNED BY THE CHAIRMAN AS A TRUE AND ACCURATE RECORD OF THE MEETING, SECONDED BY CLLR YATES AND CARRIED UNANIMOUSLY.

4. DECLARATIONS OF INTEREST

Cllr Kemp declared an interest in the Devoran Pre-School item and would leave the meeting when this was discussed as she was employed as the Manager of the Pre-School.

5. PUBLIC PARTICIPATION

Councillors introduced themselves to the public present and the Chair invited members of the public to speak if they wished to.

RESOLUTION: THE CHAIRMAN PROPOSED STANDING ORDERS WERE SUSPENDED TO ENABLE A DISCUSSION ON THE SEPTIC TANK IN POINT ORCHARD AND MAINTENANCE OF THE ORCHARD WITH THE MEMBER OF THE PUBLIC WHO WAS ATTENDING ON BEHALF OF POINT QUAY ASSOCIATION, AND TO BRING FORWARD ITEM 12 POINT ORCHARD SEPTIC TANK, SECONDED BY CLLR A ALLEN AND CARRIED UNANIMOUSLY.

Rob Holmes advised the purpose of switching the PQA to a CIO structure meant that individual Trustees were not personally liable. When the CIO has been legally formed there will be an opportunity for members of the public to join and become trustees. The Parish Council would also be welcome to have trustees on the CIO. Cllr P Allen was the Council's representative at present. All assets of the PQA had to be transferred across, the lease with the Parish Council was classed as an asset and the Parish Council needed to give approval for this to happen. The Point Regatta Committee and accounts would merge with the new CIO, this would future proof the Regatta. The question being discussed was that if the new lease between the Parish Council and the new CIO was for both the Quay and Orchard or just the Quay and the Orchard is handed back to the Parish Council to manage. The PQA were all volunteers and it had not always been possible to find sufficient volunteers and access equipment to maintain the Orchard to the standard the Parish Council wished, there were also differences of opinion on the level of maintenance the association wished to see.

12. POINT ORCHARD SEPTIC TANK PROBLEM AND MAINTENANCE OF ORCHARD

The Chairman said that he felt that the Parish Council may be interested in removing the Orchard from the new lease with the CIO and maintaining this themselves.

Rob Holmes advised that if the Parish Council wished to do this there would be no objections from the PQA, this would enable them to concentrate their time more on the Quay and Regatta.

It was noted that the apple trees needed some attention to get them back into a better condition.

Cllr Dyke would like the Parish Council to have a discussion about how the Orchard should be managed and an element of wildlife areas/rewilding discussed. It was agreed for this to be put on a future Access & Amenities Committee agenda.

RESOLUTION: CLLR A ALLEN PROPOSED THAT WHEN THE NEW LEASE IS AGREED WITH THE CIO THIS IS ONLY FOR POINT QUAY AND THE ORCHARD WILL REVERT BACK TO PARISH COUNCIL MANAGEMENT, SECONDED BY CLLR HAMBLY-STAITE AND CARRIED UNANIMOUSLY.

Rob Holmes will inform the PQA and will come back to the Parish Council with the next steps regarding transferring an amended lease to the new CIO.

The latest email from the homeowner who uses the septic tank in the Orchard was read out which stated that his solicitor was in the process of obtaining the paperwork to prove that he had an inherent right to use the septic tank on the Parish Council's land.

Cllr A Allen felt that the sewage overflowing from the tank into the Orchard was causing a statutory nuisance which affects the enjoyment of both the public space and other people's properties who live nearby. This issue had started in June 2024 and it had still not been resolved. It was felt that there should be proof that this was being emptied on a regular basis and that the Council now needed legal advice to get this resolved.

The land also needed to be surveyed for contamination and for works to be carried out to remove any contamination so that the space was safe for the public to use and that the user of the septic tank should be liable for these costs.

Cllr Newman said that at the recent meeting with the homeowner he had requested to install a modern treatment plant in Orchard but the Parish Council were not in favour of this and had asked the homeowner to come back with another solution.

Cllr Avard felt that Environmental Health should be taking action as they are the authority to do this. Their advice was to monitor the tank and if it continues to overflow then they would take action but that taking legal action could make it take even longer to resolve and get the public space open again. It was agreed that this needed to be resolved by the beginning of June at the very latest as the Regatta needed to use the Orchard as part of the Regatta.

RESOLUTION: CLLR HAMBLY-STAITE PROPOSED THE CLERK CONTACT ENVIRONMENTAL HEALTH AND REQUEST: THEY TEST THE SOIL IN THE ORCHARD FOR CONTAMINATION, DETAILS OF THE MONITORING WE ARE REQUIRED TO CARRY OUT, DETAILS OF ACTION EH WILL TAKE IF ANY AND TIMESCALES INCLUDING GRACE PERIOD, ADVICE ON SUITABLE SYSTEMS AND TIMESCALES FOR INSTALLATION, TIMESCALE FOR CONTAMINATION TO DISAPPEAR AND LAND BE SAFE FOR USE AGAIN BY THE PUBLIC, SECONDED BY CLLR A ALLEN AND CARRIED BY A MAJORITY WITH ONE ABSTENSION.

The Chair thanked Rob Holmes for attending.

6. CLERKS REPORT ON ACTIONS FROM PREVIOUS MEETING

The Clerks report had been circulated to all and she would chase up the sweeping / ploughing of Tregye Road.

Cllr Bowers said it was hoped the Energy Report on the office building would be received by the end of February.

7. MATTERS TO REPORT FROM ATTENDANCES AT OUTSIDE BODIES

The CAP was focussing on Youth Engagement and it was agreed for the Wellbeing & Information Adviser to produce a list of activities/groups in the parish for children and young people.

Cllr Kemp commented that the previous participatory budgeting Your Choice small grants scheme was very good for youth engagement as the groups such as Scouts etc. would come along with their members to give a presentation on what they would like funding for.

8. LOCAL WARD REPORTS

Carnon Downs ward

Nothing to report.

Devoran ward

Cllr A Allen said that people had been dumping soil on the Common Land at Penpol Pond and there remained confusion about ownership of the land here and what could and couldn't be done on it.

Feock ward

Cllr Hambly-Staite said there had been repeated political graffiti on the Fourturnings bus shelter which had now been painted out. The roads in Feock had not yet been swept. The Clerk advised that she had circulated a map that Biffa had supplied showing the different zones and timeframes for sweeping the various roads across the Parish.

9. CORNWALL COUNCIL REPORT

Cllr Alvey reported as follows and apologised for missing the December Parish Council meeting but this was due to having to attend another meeting.

Cornwall Council have their balanced draft budget prepared and were waiting on the final settlement from the Government and then the rural grant was withdrawn and reallocated to city areas which left a £5M shortfall on the budget, this together with the

increase in NI employers contributions is making it very difficult to produce a balanced budget.

Devolution is causing a lot of contention, there is a strong desire from MPs and most Councillors that Cornwall should have its own devolution deal. The White paper makes it clear that this isn't feasible and there is a drive towards Mayoral Strategic Authorities. There is a Foundation Level devolution deal already and due to this Cornwall did not get a letter from the DCLG asking for proposals. Other County Authorities included details of including Cornwall in any Mayoral Strategic Authority, Cornwall have opposed this however this may result in a loss of funding growth money to the county. The Shared Prosperity Fund has been extended for a further year but will not be extended further.

If Cornwall end up in a Mayoral Strategic Authority with Devon this could affect the elections in May.

Cllr Hambly-Staite asked if we should be looking to revise our Neighbourhood Development Plan to reflect the new housing targets. Cllr Alvey advised that Cornwall council will have to revise their Local Plan to take into account the new housing figures and the NDP needs to fit with this plan. There were currently ongoing discussions about the new planning rules and figures and the impact on parish figures.

Cllr Bowers thanked Cllr Alvey for coming to the Community Emergency Plan meeting before Christmas which was really helpful.

10. DEVON & CORNWALL POLICE PARISH LIAISON REPORT

Cllr J Allen had given her apologies. The Clerk had circulated details of the next Police Parish Liaison Meeting which all Councillors were welcome to attend.

11. ACCOUNTS FOR PAYMENT & FINANCIAL REPORT

The Clerk gave a financial summary for the last month and had circulated to Councillors the accounts for payment list received since the last meeting.

RESOLUTION: CLLR HAMBLY-STAITE PROPOSED THE LIST OF ACCOUNTS FOR PAYMENT BE APPROVED AND SIGNED BY THE CHAIRMAN, SECONDED BY CLLR A ALLEN AND CARRIED UNANIMOUSLY.

13. PENSIONS DISCRETIONS POLICY

The Clerk had circulated three alternatives to the policy on 'Power of employing Authority to grant additional pension' to that she had previously circulated.

Option 2 wording was

"The default position is that it will not make additional pension contributions. However, exceptionally, where it is in the financial interests of the Council to do so and there is a

tangible and specific organisational benefit, the policy allows for the payment of discretionary benefits in cases of early retirement and the award of additional pension. The policy also provides for early retirement on compassionate grounds in exceptional circumstances and flexible retirement where there are benefits to the Council.

Policy details Granting extra annual pension, at full cost to TCC, up to the LGPS additional pension limit (reviewed annually), to an active member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency The Council's policy is not to contribute extra to an employee's Pension. However, the Council permits the award of a discretionary additional amount of pension, as a result of an employee appraisal, for those employees who have reached the top of their salary scale. The Council will exercise its discretion depending on the circumstances described above, subject to consultation with the Responsible Financial Officer regarding the budget from which any additional costs are to be met."

RESOLUTION: CLLR NEWMAN PROPOSED THE POLICY WORDING TO BE ADOPTED WAS AS SET OUT IN OPTION 2, SECONDED BY CLLR KEMP AND CARRIED UNANIMOUSLY.

14. PLANNING APPLICATIONS FOR CONSULTEE COMMENT

PA24/09679 - Application for Permission in Principle for construction of up to 9 detached dwellings (minimum 5, maximum 9) Land NW Of Wayside, Tresithick, Carnon Downs TR3 6JW

The Council discussed the new in Permission in Principle application and felt that their previous objection should stand.

RESOLUTION: CLLR KEMP PROPOSED THE COUNCILS CONSULTEE COMMENT AS SET OUT BELOW, SECONDED BY CLLR NEWMAN AND CARRIED BY A MAJORITY WITH ONE ABSTENSION.

The Parish Council object to this Permission in Principle application. As defined in our Neighbourhood Development Plan (NDP) this site lies outside of the settlement boundary and beyond a sensitive settlement edge. The NDP states 'development adjacent to sensitive settlement edges is discouraged unless a strong public interest can be demonstrated'. NDP Policy D1 states that all development, including new housing should respect and reflect local character and identity through sensitive siting...' The proposed development of this small field would not be sensitive to the surrounding area and would visually extend built development into the open countryside. The site is not adjacent to or well related to the physical form of the built up area. The Council have concerns that there are insufficient pedestrian connections to the village. The Council appreciate that in the application it is mentioned that the

scheme will be affordable led but this is not identified on the application form which states it is a Market development. Policy H2 of the NDP states that development should avoid the use of the best agricultural land and building on sensitive edges. The Parish Council also felt that there was insufficient information on the mix and style of housing to enable them to consider this in relation to any housing need.

PA24/09731 - Application for tree works 18 Trevallion Park, Feock, TR3 6RS

RESOLUTION: CLLR A ALLEN PROPOSED THE COUNCILS CONSULTEE COMMENT BE NO OBJECTION AND THAT THEY ACCEPT THE PROFESSIONAL ADVICE OF THE COUNCILS TREE OFFICE, SECONDED BY CLLR KEMP AND CARRIED UNANIMOUSLY.

PA24/09816 - Replacement of dilapidated prefabricated concrete shed with new larger timber frame boat shed without compliance with condition 2 of decision notice PA22/02968 dated 08/06/2022 Kon Tiki, Old Tram Road, Penpol, Devoran, TR3 6NN

Councillors commented that on the previous application they had requested a condition to restrict the use to a boat store and now an amendment had been submitted which appeared to be moving towards residential use as a woodburner had been installed. The title of the application remained as a 'timber frame boat shed'. The Council had concerns that the new doors that had been installed did not allow access for a boat.

RESOLUTION: CLLR KEMP PROPOSED THAT THE COUNCIL'S CONSULTEE COMMENT BE AS SET OUT BELOW, SECONDED BY CLLR HAMBLY-STAITTE AND CARRIED UNANIMOUSLY.

The Parish Council reiterate our concerns raised in our consultee response for the original application PA22/02968, specifically regarding the proposed use of the replacement building. At that time, we requested a planning condition be attached to any approval ensuring that the buildings use is restricted to a boat store, and not for any residential use.

In reviewing the current application, we note that the proposed addition of a wood-burning stove with flue strongly suggests an intention to use the building for residential purposes. This is inconsistent with the stated purpose of the building as a boat store.

We therefore object to this application in its current form, as it does not align with the intended use of the building. We urge the council to consider the implications of this alteration and to ensure that any approval includes a condition that limits the use of the building to its stated purpose, thereby protecting the character of the area and ensuring compliance with established planning principles.

15.GWR FUNDING

Cllr Hambly-Staite said that GWR had a Community Fund which was to celebrate 200 years of the railways. He would like to recommend to Council that they apply for funding from this fund for a project on the railway heritage on the Tramway and the Brunel viaduct. This funding could enhance signage and provide history information as well as maps of the area and also have information at Perranwell Station to promote the area.

Cllr Hambly-Staite said that he would put together the funding bid.

RESOLUTION: CLLR HAMLY-STAITE PROPOSED THE COUNCIL APPLY FOR GWR FUNDING FOR THE PROJECT, SECONDED BY CLLR NEWMAN AND CARRIED UNANIMOUSLY.

16. REPAIRS TO DEVORAN PHONEBOX

The Clerk had sought quotes for repair to the bottom of the phonebox door. Cllr Brickell would have a look at the door to see if it could be repaired more economically.

17. CO-OPTION TO DEVORAN AND FEOCK WARD VACANCIES

The Clerk advised there had been no applicants.

18. DEVORAN PRE-SCHOOL LEASE

It was agreed to defer this item to the next meeting as more information was needed to progress.

There being no further business the meeting closed at 8.55pm