

Ludgvan Parish Council

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Minutes – 9 February 2022

Minutes of the monthly meeting of the Ludgvan Parish Council, held on Wednesday 9 February 2022 at 7.00pm at the Murley Hall, Ludgvan

Present: Councillors: R Mann (Chairman), S Elliott (Vice-Chairman), A Branchett, C Cartwright, M Payne, R Porter, C Price-Jones, Cllr A Segal.

Cornwall Councillor attendance: C.Cllr A George

Officer support: Clerk to the Parish Council

Minute No.	AGENDA ITEMS
	Chairman's Announcements
LPC21.22.244	Apologies for absence – were received from Cllrs S Miucci, (hospital appointments), J Munday (family commitment), B Richards (ill health).
LPC.21.22.245	Declarations of Interest: Cllrs Price-Jones, Branchett and Segal each declared an interest in Minute 276 (correspondence), as allotment tenants, and withdrew from the meeting during consideration of this item.
LPC.21.22.246	To approve written requests for dispensation - None
LPC.21.22.247	Public Speaking - None
LPC.21.22.248	<p>Cornwall Councillor reports - <i>To note written reports from Cornwall Council Ward Members circulated prior to the meeting, and to receive further update verbally at the meeting.</i></p> <p><u>Long Rock, Marazion & St Erth</u> – apologies sent. <i>Clerk's note, the apology was sent less than an hour before the meeting and included an assurance that the Ward Member had received, that the Long Rock beach public toilets would be handed over to the parish council by 1 April 2022.</i></p> <p><u>St Ives East, Lelant & Carbis Bay</u> – apologies sent, with written update report, circulated to cllrs in advance of the meeting, including: levelling up; bus service improvements; critical incident declared for Adult and Social Care last week; bid to host National Armed Forces Day; Race Equality Week and the 'My Name Is' campaign; rise in energy costs and the Chancellor's announcement of financial assistance.</p> <p><u>Ludgvan, Madron, Gulval & Heamoor</u></p> <p>C.Cllr Andrew George attended the meeting and his report and discussion with the council included:</p> <ul style="list-style-type: none"> - the budgeting process continues, sadly including cuts in staff numbers - critical incident declared in Health and Social Care recently, and so 180 to 200 hospital patients were not able to be moved from the acute sector. An action to counteract this, to ask people on 4 care packages per day to reduce to 3 care packages a day was particularly worrying as these people were likely seriously ill / bed-bound

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	<p>- the closure of three care homes by Cornwall Care brought a further pressure to the social care system in Cornwall</p> <p>- the council was encouraged to bid for the Network Highways Scheme funding, noting that a benefit was the ability for works to fall under a combined Traffic Regulation Order, saving on costs</p>
LPC.21.22.249	<p><u>Minutes of the meeting of the Council held on 12 January 2022</u></p> <p>An amendment was raised (Minute 242) – Cllr Payne’s declared interest corrected to: <i>".. as the wife of one of the people who had quoted for the work was an employee in a business connected to Cllr Payne"</i></p> <p>Resolved – that the amended minutes of the meeting of the council, as above, having been circulated, be taken as read, approved and signed by the Chairman as a true and accurate record of the meeting.</p>
LPC.21.22.250	<p>Clerk’s update report</p> <p><u>Vision Zero SW</u> – funding is in place for 2 signs for the A30 (please drive carefully) and 4 signs for Ludgvan (twenty is plenty) . Waiting to hear back from National Highways (might be cost prohibitive). Not possible to have the twenty is plenty signs, but Cormac can look into ‘please drive carefully’ signs at any of the 5 terminal 30mph signs.</p> <p>Resolved – to delegate to the clerk in consultation with Chairman and Vice-Chairman the design and location of the signs.</p> <p>Agreed – to contact Highways and ask for an update on the completion of the 30mph scheme at Crowlas</p> <p><u>Cemetery walls</u> – the clerk reported that of the builders contacted there had been two responses to date. One quote was expected soon, and the other builder could not quote until the summer.</p> <p>Agreed to request a quote from the builders who had recently built the wall at Heamoor for Penzance Town Council.</p> <p>Members noted the content of the written clerk’s update report circulated prior to the meeting.</p>
LPC.21.22.251	<p>Reports from Councillors as representatives on outside bodies</p> <p>Cllr Elliott reported that he would be attending the launch of the Marazion to Long Rock cycle path the following day, and would ask when the waymarker signs would be installed.</p>
LPC.21.22.252	<p>To co-opt to vacancy on the council - Crowlas Ward (1 vacancy)</p> <p>Members considered the application received. The applicant was present, spoke in support of their application and answered questions raised by the councillors.</p> <p>Resolved – that Andrew Segal be co-opted onto the parish council, Crowlas Ward.</p>
LPC.21.22.253	<p>Planning Applications</p> <p>(a) PA22/00601 – 33 Trescoe Road, Long Rock, Penzance TR20 8JY – Non-material amendment (NMA1) for minor amendments to footprint and elevations to extension to decision PA18/06086 dated 13.08.18</p> <p>Resolved – that the application is supported.</p>

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	(b)	<p>PA21/12748 – Land south west of Evergreen Lodge, Back Lane, Canonstown – Construction of 5 dwellings with garages on vacant field without compliance with Condition 2 of decision notice PA19/09309 dated 08.03.2021.</p> <p>Resolved - that the application is not supported. Back Lane and Heather Lane are not suitable highway access, and would first need to be upgraded and adopted as Highway. It is a narrow lane and runs past a children's playing field. Also there is concern that there is no reference to the Ludgvan NDP and Ludgvan Design Guide.</p>
	(c)	<p>PA21/11830 – 11 Churchfield Close, Crowlas, Penzance TR20 8ER – Conversion and extension of garage to form self-contained family annexe accommodation and extension to provide new garage – revised scheme of PA21/00931.</p> <p>Resolved – that the application is supported. The parish council recommends a full mining survey as there are likely to be issues for foundations if building higher than a single storey structure at this location. There is understood to be a lode in the vicinity.</p>
	(d)	<p>PA22/00292 – Trevarrack School, Lelant, St Ives – Conversion of school building last used as a public house and restaurant to 5no residential units, part retrospective. School house and flat already in residential use.</p> <p>Resolved – that the application is supported, provided that the Design & Access Statement is updated to include reference to the Ludgvan NDP and the Ludgvan Design Guide.</p>
	(e)	<p>PA21/09192 – 1 The Buildings, Station Road, Long Rock TR20 9TT – Amendments to existing planning permission (PA17/07147)</p> <p>Resolved – that the application is supported.</p>
LPC.21.22.254	<p>Street Trading Grant Application – Miss Marie Thompson trading as ‘The Cornish Ice Box’ – footpath opposite Marazion March – LI11_000299</p> <p>Members considered a parish council response to the above street trading application. A question was raised about the exact location proposed as the trading site, due to concerns that if a relatively narrow section of footpath, the trike might be an obstruction to path users.</p> <p>Resolved – that this council has no objection, provided that a safety report is received from Highways to confirm that the proposed use would not present a hazard to the footpath users, due to a concern raised that the trike might cause something of an obstruction.</p>	
LPC.21.22.255	<p>Network Highways Scheme funding</p> <p>Members considered the guidance from Cornwall Council relating to the opportunity for parish and town councils to bid for funds for road improvement works within their Community Network Areas. A number of options were considered.</p> <p>Resolved – to submit an application to the Network Highways Scheme to set out the previous traffic survey and resulting site meeting and assurance of feasibility study, and to ask for funding from the Network Highway Scheme to contribute towards costs of these works, and also to add ‘slow’ signs at Treassowe.</p>	
LPC.21.22.256	<p>Setting up a Community Land Trust for Ludgvan</p> <p>Members considered the written report by Cllr Price-Jones, setting out a proposal to establish a Community Land Trust for Ludgvan. During discussion it was noted that a CLT is one of many ways that a parish council could protect community land, and is a useful vehicle</p>	

	<p>to enable land to be held for the community in perpetuity. If joining the larger network, support and advice would be made available to a Ludgvan CLT.</p> <p>It was noted that having an established CLT might encourage landowners to come forward with options for land for affordable housing.</p> <p>Resolved – that the council will</p> <ol style="list-style-type: none"> 1) contact the Community Land Trust Network to discuss how Ludgvan parish can start its own CLT; and 2) Join the Community Land Trust Network (£75 for the first year and then £150 per annum once established).
LPC.21.22.257	<p>Long Rock public toilets</p> <p>It was noted that prospective tenants had made further enquiries about access to view the site, and that a response from Cornwall Council was awaited on the potential devolution of the site to the parish council.</p>
LPC.21.22.258	<p>Works specification for Chapel Building at Crowlas Cemetery</p> <p>The clerk had drafted a work specification, for quotes for repair works to the chapel building, set within the grounds of Crowlas Cemetery. The building has not been maintained for some time, there are structural repairs needed, along with replacing rotten timber and re-pointing of mortar.</p> <p>The council had previously sought interest from others in taking on the building for an alternative use, but there had been no interest shown. It was agreed that the council should take steps to bring the building back into good repair at this stage, while it was possible to do so. Rather than do this on the basis of a business plan, it was agreed to restore the building on the basis of it being a community asset. Should there be the potential for income in the future (eg to charge for the use of the chapel alongside burials), then any income would help to recoup the costs incurred at this stage.</p> <p>Resolved – that</p> <ol style="list-style-type: none"> 1) the Works Specification for the repair of the chapel building at Crowlas Cemetery is approved, with the following amendments: <ul style="list-style-type: none"> • replacement mortar to match the original, existing • remove any cement mortar from the chapel walls • replace any tiles removed and damaged during the works with tiles to match existing 2) with the inclusion of the above amendments, quotes to be sought for these works. <p>In view of the preparatory work needed before the commencement of a contract for the works, it was further</p> <p>Resolved – that</p> <ol style="list-style-type: none"> 1) the clerk to commission an asbestos survey of the building 2) the clerk (in consultation with Chairman and Vice-Chairman) to commission work to clear the vegetation from the south side of the chapel wall (field boundary wall)

	<p>It was also agreed to seek advice on whether there was a need for an assessment, or provision, for nesting birds. While considering this, it was agreed that it would be good to include a barn owl box as part of the improvement works.</p>
LPC.21.22.259	<p>Welcome signs for road entrances to Ludgvan Parish</p> <p>Cllr Mann proposed that the council consider purchasing and installing ‘Welcome to Ludgvan Parish’ signs, advising that Madron Parish Council were also considering this, and that there might be an opportunity for a saving on installation cost if the two parishes were to have a combined sign at the boundary between the two parishes.</p> <p>Members were supportive of the idea, noting that parish welcome signs gave a sense of community and pride in the local area. It was also another way for local residents to be aware of their local parish area.</p> <p>There would be further work to be carried out before committing to new signs: costs of signs and installation costs to be determined, locations to be agreed and permissions sought from Highways (and National Highways if on the A30). It was likely that funds would need to be drawn from reserves.</p> <p>Resolved – that it is agreed in principle to purchase and install welcome signs for road entrances to Ludgvan Parish, and that the locations to be explored in the first instance to be:</p> <ul style="list-style-type: none"> • Sainsburys, Long Rock • St Erth/Cannonstown • Madron/B3311
LPC.21.22.260	<p>Potential to install a new bench at Long Rock – [Cllr Branchett]</p> <p><i>To consider the parish council purchasing and installing a bench at Long Rock</i></p> <p>Cllr Branchett reported that he had researched a number of options for a replacement bench at Long Rock, following numerous requests for the recently removed memorial bench to be replaced. After considering the options and costs of benches from various suppliers, a recommendation was made to council.</p> <p>Resolved – that the council will purchase and install at Long Rock (at the location of the previous bench) a 6ft ‘Pheonix’ bench from Glasdon, made from recycled material and guaranteed to be long-lasting and low maintenance, at a cost of £558 plus VAT, plus installation.</p>
LPC.21.22.261	<p>Madron Parish Neighbourhood Development Plan –</p> <p>Members considered the consultation on the Madron Parish draft NDP and Madron Parish Design Guide.</p> <p>Resolved – that a response be sent to Madron Parish Council to state that this council is supportive of its draft NDP and Design Guide, it is considered to compliment the policies and aims of the Ludgvan NDP, it is well written and demonstrates the local effort and community input that has been put into the development of the plan.</p>
LPC.21.22.262	<p>Joint working with Marazion Town Council – no update</p>
LPC.21.22.263	<p>Appointment of a councillor as signatory to the parish council bank account</p> <p>It was noted that under the council’s banking arrangements, a fourth councillor was needed to join the pool of bank signatories, following the recent resignation of a councillor.</p>

	<p>Resolved – that Cllr Segal be appointed as the fourth councillor to join the pool of bank signatories, and for the bank mandate to be updated accordingly.</p>
LPC.21.22.264	<p>Appointments to committees</p> <p>Resolved - to make the following appointments to vacancies on committees/working groups:</p> <p>Community Network Panel – Cllr Elliott</p> <p>Accounts and Audit working group – leave until Annual Council</p> <p>Employment committee – Cllrs Payne and Porter</p> <p>Allotment working group – current membership is sufficient</p> <p>Varfell Farms and Ludgvan Liaison Group – Cllr Branchett</p>
LPC.21.22.265	<p>Data Asset Register</p> <p>It was noted that the Data Asset Register would be a useful document, and later will sit under an Information Governance Policy</p> <p>Resolved – that the Data Asset Register be approved as a council policy document.</p>
LPC.21.22.266	<p>Planning Sites Meetings – Protocol</p> <p>Resolved – that the council adopts the Planning Sites Meeting Protocol.</p>
	<p>Burials policies</p>
LPC.21.22.267	<p>Review of Cemetery Regulations and Procedures</p> <p>Members considered the documents circulated prior to the meeting.</p> <p>Resolved – that the updated Cemetery Regulations and Procedures is adopted, with the addition of the ability for burials to be held on Saturdays and Sundays by arrangement.</p>
LPC.21.22.268	<p>Cemeteries Risk Assessment</p> <p>Resolved – that the cemeteries risk assessment is approved.</p>
LPC.21.22.269	<p>Grave Digging Policy</p> <p>Members considered the draft grave digging policy. It was noted that the council's approved grave digger had not yet been consulted on the policy and that it was possible that in the short term the policy may not be strictly adhered to, pending any necessary changes to be made to working practices. It was noted too that the approved grave digger has provided a reliable and conscientious grave digging service to the council over recent years and so the aim is to build on this.</p> <p>An amendment was made to paragraphs 7 and 8, to make it clear that the grave digger is commissioned by the funeral director but must be a grave digger approved by the council.</p> <p>Resolved – that the Grave Digging Policy, including the amendment above, is approved and adopted as council policy.</p>
LPC.21.22.270	<p>Memorial Inspection Policy – <i>to approve policy and procedures, and to implement regular inspections of memorials in parish council run cemeteries</i></p> <p>Members considered the report which set out draft memorial inspection policy and procedures and noted that it would be necessary to implement regular inspections of memorials in parish council run cemeteries.</p>

	<p>It was agreed that the clerk will produce a checklist and guidance note for cllr volunteers to carry out the checks on an annual basis.</p> <p>Resolved – that</p> <ol style="list-style-type: none"> 1) the Memorial Inspection Policy is approved and adopted; and 2) Memorial permits to be issued for a term of 20 years as from the date of this meeting. 									
LPC.21.22.271	<p>Bench Policy</p> <p>Resolved – that the updated Bench Policy is approved and adopted.</p>									
LPC.21.22.272	<p>Review of fees and charges – Cemeteries – <i>to review and then set the fees and charges for the council's cemeteries for 2022/2023</i></p> <p>The council's fees and charges are reviewed each year. Members considered the draft changes to the fees and charges for the council-run cemeteries, in the context that income from the cemeteries should cover their running costs, running costs have increased with the introduction of the memorial beams for new graves, comparative costings in relation to other local cemeteries, and noting that the costs were well below burial costs in Cornwall Council-run cemeteries.</p> <p>Resolved – that the revised fees and charges for the council-run cemeteries be approved, as from 1 March 2022.</p>									
LPC.21.22.273	<p>Guidance on Exclusive Rights of Burial (ERoB) and transfer of ownership, and associated forms:</p> <p>It was noted that the transfer of ownership of Exclusive Rights of Burial for graves must follow a specific legal process. The process is complicated and complex and so the clerk had researched the legislation and examples of good practice to develop a guidance note and suite of forms which would help families through the process, and ensure that the council is compliant with legal requirements.</p> <ol style="list-style-type: none"> a. Assignment of Exclusive Right of Burial form b. Surrender of Exclusive Right of Burial form (<i>to be written</i>) c. Assent of Executor or Administration form d. Deed of Assignment (<i>to be written</i>) e. Form of Renunciation f. Statutory declarations g. Flowchart – transfer of ERoB (<i>new</i>) <p>Resolved – that the council approves the Guidance on Exclusive Rights of Burial and transfer of ownership forms, and for this information to be updated on the council's website.</p>									
LPC.21.22.274	<p>Schedule of Payments</p> <p>Resolved – to approve the payments to be made, as set out in the schedule below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Payee</th> <th style="width: 40%;">Purpose</th> <th style="width: 30%;">Amount (inc VAT)</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;"><i>Payments by online banking</i></td> </tr> <tr> <td>E H Rich</td> <td>Cut grass, Church Hill, Ludgvan (Aug.Sept.Oct.Nov) £120</td> <td style="text-align: right;">£210.00</td> </tr> </tbody> </table>	Payee	Purpose	Amount (inc VAT)	<i>Payments by online banking</i>			E H Rich	Cut grass, Church Hill, Ludgvan (Aug.Sept.Oct.Nov) £120	£210.00
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E H Rich	Cut grass, Church Hill, Ludgvan (Aug.Sept.Oct.Nov) £120	£210.00								

		Remove and dispose of rotten bench £90	
	Cornwall Council	May 2021 election recharges	£765.00
	Former allotment holders (M Tulley, J Thomas)	Allotment deposit refunds	£100.00
	Ludgvan Parish Church	Murley Hall Hire (January meeting)	£24.00
	Cornwall ALC	Planning training, C P-J	£36.00
	Simon Rhodes, Garden & Grounds Care	Fourth quarter, annual maintenance: St Paul's Cemetery - £288.75 Amenity area - £187.55 Crowlas Cemetery - £404.25 Churchtown plot £57.75 Annual maintenance – British Legion community area, Church Hill £200	£1,138.30
	Ronnie Richards Memorial Charity	Defibrillator battery pack and external cabinet, to be located at The Station House, Marazion	£630.00
	Louise Dowe	Clerk's salary January 2022 (Note 1)	£1,542.16
	HMRC	PAYE/NI month 11 (Note 3)	£504.08
	Louise Dowe	Clerk's expenses January 2021 (Note 2)	£135.91
	<i>Payments by Direct Debit</i>		
	NEST pension scheme	Clerk's pension January 2021	£99.22
	Source for Business	Water – St Paul's Cemetery 1 Nov 21 to 28 Jan 22	£12.54
LPC.21.22.275	<p>Finance report and bank reconciliation</p> <p>Members considered the budget monitoring report and bank reconciliation.</p> <p>Resolved – that the finance report and bank reconciliation is noted.</p>		
LPC.21.22.276	<p>Correspondence/communications</p> <p>i. Request from a local resident – allotments, request for ban on use of pesticides, and encouraging biodiversity</p> <p>Cllrs Price-Jones, Branchett and Segal each declared an interest in this item, as allotment tenants, and withdrew from the meeting during consideration of this item.</p> <p>Resolved – that a response be sent to state that rather than banning the use of pesticides, the parish council would encourage biodiversity through information to be published on the website for allotment tenants to be aware of.</p>		
LPC.21.22.277	<p>Agenda items for a future meeting</p> <p>i. Any items deferred from this meeting</p> <p>ii. Approval of Cemeteries policies and procedures, if deferred for final decision at the February meeting</p>		

	<p><i>iii.</i> Review of Financial Risk Assessment – <i>to review and agree any updates needed to the Financial Risk Assessment</i></p> <p><i>iv.</i> Review of Asset Register – <i>to review and agree any updates needed to the Asset Register.</i></p> <p><i>v.</i> Council communications through social media [<i>Cllr Price-Jones</i>]</p> <p><i>vi.</i> Legal support for leasehold and transfer arrangements – <i>to appoint a solicitor for the council for transfers of property, leases etc (not that heads of terms for public toilets transfer will be needed to inform a quote, hence the delay)</i></p> <p><i>vii.</i> Co-option of Councillor – Crowlas Ward</p> <p><i>viii.</i> Aggregate Fund – 2021.22 claim and request for 2022.23</p>
LPC.21.22.278	<p>Exclusion of the press and public</p> <p>Resolved - that in accordance with s.1(2) of the Public Bodies (Admission to Meetings) Act 1960, the Press and Public be excluded from the meeting during the consideration of the following business owing to the confidential nature of that business.</p>
LPC.21.22.279	<p>Lease of Land, Church Hill Allotments</p> <p>Members noted the need to negotiate a new lease with the landlord of the land, Church Hill Allotments.</p> <p>Resolved – that the council agrees that a new lease is needed, and to open up discussions with the landowner, with an offer to draft the lease heads of terms.</p>
LPC.21.22.280	<p>Crowlas Cemetery – repair and maintenance of walls</p> <p><i>A duplicate agenda item, considered earlier in the meeting.</i></p>
LPC.21.22.281	<p>Legal support for leasehold and transfer arrangements</p> <p>It was noted that it will be necessary to appoint a solicitor to act for the council for the transfer of property, leases, etc, as previously agreed. Local reputable solicitors will quote for the work based on a Heads of Terms, yet to be agreed for the transfer of the Long Rock Beach public conveniences.</p> <p>Resolved – that the appointment of a solicitor is delegated to the clerk in consultation with the Chairman and Vice-Chairman.</p>
	<p>Meeting closed: 9.34 pm</p>
	<p>Signed by Chairman:</p>