

Ludgvan Parish Council

Minutes – 10 May 2023

Minutes of the annual meeting of the Ludgvan Parish Council, held on Wednesday 10 May 2023 at 7.00 pm at the Murley Hall, Ludgvan

Present: Councillors: R Mann (Chairman), C Price-Jones (Vice-Chairman), C Cartwright, J Mayall, S Miucci (from 7.09pm J Munday, R Porter, J Saville.

Cornwall Councillor attendance: C.Cllrs J Martin and A George. Apologies from C.Cllr L Taylor

Office support: Clerk/RFO to the parish council

| Minute No. | AGENDA ITEMS |
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| | <p>Chairman’s Announcements</p> <p>Thanks were given to Cllr Miucci for representing the parish council at the funeral of Nigel Honess, a former parish councillor and Chairman of the parish council for many years. The council noted its appreciation for the time and effort that Nigel Honess had put into the parish and the local community and agreed that he will be sadly missed. Condolences were expressed for his family.</p> |
| LPC23.24.1 | <p>Apologies for absence – were received from Councillors Payne, Segal.</p> |
| LPC23.24.2 | <p>Election of Chair of the Council for council year 2023/24</p> <p>Resolved – that Cllr R Mann be Chair of the council for the council year 2023/24</p> |
| LPC23.24.3 | <p>Election of Vice-Chair of the Council for council year 2023/24</p> <p>Resolved – that Cllr C Price-Jones be Vice-Chair of the council for the council year 2023/24.</p> |
| LPC23.24.4 | <p><u>Declarations of Interest:</u> None.</p> |
| LPC23.24.5 | <p>To approve written requests for dispensation – None.</p> |
| LPC23.24.6 | <p>Public Speaking - None</p> |
| LPC23.24.7 | <p>Cornwall Councillor reports</p> <p>Apologies from C.Cllr Taylor, and written report was noted.</p> <p>C.Cllr Martin reported</p> <ul style="list-style-type: none">- the latest meeting of the CC Planning Committee and stated that on two applications the vote had been taken in accordance with the parish council and against officer recommendation- Full Council approved a new Climate Action Bill- an alternative to the original Devolution Deal, to negotiate an improved Devolution Deal with Cornwall (no Mayor), failed by two votes, which Cllr Martin found disappointing as a decent Devolution Deal for Cornwall is needed.- dealing with 58 local issues, inherited from previous ward member, approximately half of these relate to planning enforcement. Taking action where possible, including a local issue with noise disturbance from a noisy train track which needs to be fixed.- meeting with the developers at Long Rock regarding the s.106 agreement for a community hall |

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| | <p>- the planning application for housing ‘pods’ at Newtown has been approved.</p> <p>C.Cllr George reported:</p> <ul style="list-style-type: none"> - upcoming issues – Climate Ecological Emergency item approved at Full Council. Purpose to set a 2030 deadline on some of the targets and pushing the climate emergency agenda more vigorously than the original. - pleased that the original Devolution Deal will not be progressed, but now need to restore Cornwall’s reputation with the Government, and work to achieve a real devolution package with a strong case – this is being worked on - closure of the urgent treatment centre at West Cornwall Hospital, seeking to hold an inquiry in order to put pressure on the Integrated Area Board to ensure overnight cover in addition to Treliske - has adopted the practice that if the parish council view differs from that of planning officer, will support the parish in calling applications to committee, relying on the parish council’s level of local knowledge - funding – Community Capacity Fund and other funding available to communities, officers at the Good Growth Team and CAP officers will be able to advise. - community chest funding has opened for the current financial year. - 20mph speed limit proposals will be rolled out across Penwith areas. Consultation on this has been delayed – August, and then implementation in September. <p>Questions to Cornwall Councillors included a request that funding for 20mph provision be targeted, particularly for traffic calming measures not to be installed where existing road conditions resulted in cars already travelling at less than 20mph. It was also suggested that there should be more education for cyclists, leading to agreement that cyclists and motorists alike often needed to be more considerate to one another.</p> <p>Members thanked Cllrs Martin and George for their attendance at the meeting, and for their updates.</p> |
| LPC23.24.8 | <p><u>Minutes of the meeting of the Council held on 12 April 2023</u></p> <p>Resolved – that the minutes of the meetings 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> |
| LPC23.24.9 | Clerk’s update report – noted. |
| LPC23.24.10 | Reports from Councillors as representatives on outside bodies – None. |
| | Cllr Miucci arrived at the meeting at this point. |
| LPC23.24.11 | <p>To co-opt to vacancies on the council – Crowlas Ward (1 vacancy) and Long Rock Ward (1 vacancy)</p> <p>Members considered the applications from the four nominees, circulated prior to the meeting, and the brief statements from each of the co-option candidates present. After a vote by ballot, it was announced that:</p> <p>Leon Miucci is co-opted as parish councillor for the Crowlas Ward</p> <p>Beverley Richards is co-opted as parish councillor for the Long Rock ward</p> |

| LPC23.24.12 | <p>To receive Declarations of Acceptance of Office, and written agreement to observe the Council's Code of Conduct</p> <p>CLlr Richards signed her Declaration of Acceptance of Office, however she was not able to stay to attend the meeting, and left at this point.</p> <p>Council Resolved that Leon Miucci may sign his Declaration of Acceptance of Office before or at the June meeting of the council.</p> | | | | | | | | | | | | | | | | | | | | | | |
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| LPC23.24.13 | <p>Planning Applications</p> | | | | | | | | | | | | | | | | | | | | | | |
| | a) | <p>PA23/02784 – 2 Bowglas Close, Ludgvan – Construction of ground floor and first floor rear extensions</p> <p>Resolved – to object to the application. It is considered an overdevelopment of the site, issues with the drainage at the site. There is no design and access statement.</p> | | | | | | | | | | | | | | | | | | | | | |
| | b) | <p>PA23/02571 – Land south east of Glen Cairn, Ludgvan TR20 8AJ – Construction of a dwelling</p> <p>Resolved – that the parish council supports the application, subject to documents being updated, noting that the Ludgvan Neighbourhood Plan has been adopted since the application was first submitted.</p> | | | | | | | | | | | | | | | | | | | | | |
| | c) | <p>PA23/03196 – Carntiscoe Barns, Carntiscoe Road, Lelant Downs, Hayle – Agricultural shed and associated access track</p> <p>Resolved – that the application is supported as it is an agricultural building in a location with an agricultural need. Request that Highways' views are sought and adhered to, in relation to the access onto the road.</p> | | | | | | | | | | | | | | | | | | | | | |
| LPC23.24.14 | <p>Schedule of Payments</p> <p>Resolved – to approve the payments to be made, as set out in the payments schedule</p> <table border="1" data-bbox="268 1261 1449 1993"> <thead> <tr> <th data-bbox="268 1261 660 1317">Payee</th> <th data-bbox="660 1261 1161 1317">Purpose</th> <th data-bbox="1161 1261 1449 1317">Amount (inc VAT)</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="268 1317 1449 1373"><i>To be paid by online bank payments</i></td> </tr> <tr> <td data-bbox="268 1373 660 1429">Ludgvan Parish Church</td> <td data-bbox="660 1373 1161 1429">Murley Hall Hire (12 April meeting)</td> <td data-bbox="1161 1373 1449 1429">£24.00</td> </tr> <tr> <td data-bbox="268 1429 660 1585">Ronnie Richards Memorial Charity</td> <td data-bbox="660 1429 1161 1585">Defibrillator battery – location, Ludgvan School Retrospective approval – payment has been/is being made</td> <td data-bbox="1161 1429 1449 1585">£241.20</td> </tr> <tr> <td data-bbox="268 1585 660 1787">Rialtas Business Solutions</td> <td data-bbox="660 1585 1161 1787">Allotment software annual support and maintenance licence (inc. realignment to financial year dates) SM27909 <i>(bbits support? Requested Bbits to cancel our subscription)</i></td> <td data-bbox="1161 1585 1449 1787">£82.49</td> </tr> <tr> <td data-bbox="268 1787 660 1910">Rialtas Business Solutions</td> <td data-bbox="660 1787 1161 1910">Alpha accounts software annual support and maintenance licence SM28313</td> <td data-bbox="1161 1787 1449 1910">£150.32</td> </tr> <tr> <td data-bbox="268 1910 660 1993">Rialtas Business Solutions</td> <td data-bbox="660 1910 1161 1993">Cemeteries software annual support and maintenance licence SM28314</td> <td data-bbox="1161 1910 1449 1993">£358.50</td> </tr> </tbody> </table> | | Payee | Purpose | Amount (inc VAT) | <i>To be paid by online bank payments</i> | | | Ludgvan Parish Church | Murley Hall Hire (12 April meeting) | £24.00 | Ronnie Richards Memorial Charity | Defibrillator battery – location, Ludgvan School Retrospective approval – payment has been/is being made | £241.20 | Rialtas Business Solutions | Allotment software annual support and maintenance licence (inc. realignment to financial year dates) SM27909 <i>(bbits support? Requested Bbits to cancel our subscription)</i> | £82.49 | Rialtas Business Solutions | Alpha accounts software annual support and maintenance licence SM28313 | £150.32 | Rialtas Business Solutions | Cemeteries software annual support and maintenance licence SM28314 | £358.50 |
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| | Rialtas Business Solutions | Allotments software annual support and maintenance licence SM28315 | £151.70 |
| | Barbara Gorau | Internal Audit fee 2022/23 | £160.00 |
| | Louise Dowe | Clerk's salary April (Note 1) | £1,857.72 |
| | HMRC | PAYE/NI month 2 (Note 3) | £634.54 |
| | Louise Dowe | Clerk's expenses April 2023 (Note 2) | £50.68 |
| | Henry Rich | Concrete beams – cemetery | £1,500 |
| | <i>To be paid by Direct Debit</i> | | |
| | NEST pension scheme | Clerk's pension March 2023 | £127.84 |
| LPC23.24.15 | Street Trading grant application – Miss Emma Nicholas trading as 'Wheely Good Desserts' – Footpath opposite Marazion Marsh – LI23_001868 Resolved – that the parish council has no objection to the application. | | |
| LPC23.24.16 | Scheme of Delegation – To approve and adopt a Scheme of Delegation Defer to next meeting. | | |
| LPC23.24.17 | Terms of Reference for committees – To approve and adopt the Terms of Reference of the council's committees and working groups Defer to next meeting. | | |
| LPC23.24.18 | Appointment of Members to Committees and Working Groups Resolved – that councillors be appointed to committees, working groups and outside bodies as set out below, with any remaining vacancies to be filled at the June meeting of the council. | | |
| | A30 Group | Cllrs Munday, Cartwright, Mayall | |
| | Accounts and Audit Working Group | Cllr Mann, <i>vacancy, vacancy</i> | |
| | Allotment Working Group | Cllrs Mann, <i>vacancy</i> , Price-Jones, Allotment representatives: B Hulks, S Wilson, C Rodda (CH), A Bennetts (LR) | |
| | Community Area Partnership | Cllr Porter (Substitute, Cllr Mann) | |
| | Contracts Working Group | Cllrs Mann, Porter and Price-Jones | |
| | Council Asset Checks | Ludgvan churchtown area – Cllr Price-Jones A30 benches and phone boxes – Cllr S Miucci Longrock area – <i>vacancy</i> | |
| | Council Internal Audit Checks | Banking, payroll, policies and assets – Cllr Price-Jones Payments and receipts – Cllr S Miucci | |

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| | | Burials and allotments – Cllr Mann |
| | Councillor Advocate for Police and Crime Commissioner | Cllr Savill |
| | Employment Committee | Cllrs Mann, Payne and Porter |
| | Ludgvan and Long Rock Community Speedwatch Scheme | <i>Vacancy</i> |
| | Neighbourhood Plan Review Group | Cllrs Savill, L Miucci, S Miucci, Price-Jones, Mann |
| | Rights of Way Working Group | Cllrs Munday, Porter, Cartwright |
| | Varfell Farms and Ludgvan Liaison Group | Cllrs Porter, Price-Jones, <i>vacancy</i> |
| | Website compliance working group | <i>Vacancy</i> |
| LPC23.24.19 | Review of council policies Resolved – that the current versions of the council’s Standing Orders, Financial Regulations, Complaints procedure, policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation, and all other policies are kept under rolling review and that no updates are needed at this time. | |
| LPC23.24.20 | Review of the Council’s expenditure incurred under s.137 of the Local Government Act 1972 Noted that this had been covered in the 31 March 2023 budget monitoring report previously circulated to council. | |
| LPC23.24.21 | To agree the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council Resolved – that meetings of the council will continue to be held on the second Wednesday of each month, at 6.45pm at the Murley Hall, Ludgvan. | |
| LPC23.24.22 | Appointment of representatives to outside bodies – this item had been covered in the ‘appointments to committees’ item, above. | |
| LPC23.24.23 | Review of arrangements with other local authorities, not-for-profit bodies and businesses – No arrangements to review. | |
| 3LPC23.24.24 | Review of Asset Register – Noted. Asset checks and updates to be carried out. | |
| LPC23.24.25 | Review of the Council’s Financial Risk Assessment Deferred – to next meeting. | |
| LPC23.24.26 | Confirmation of arrangements for insurance cover Deferred – to next meeting. | |

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| LPC23.24.27 | <p>Review of subscriptions to other bodies</p> <ul style="list-style-type: none"> - SLCC - CALC - Community Land Trust Network <p>Agreed</p> |
| LPC23.24.28 | <p>Pre-consultation feasibility report on planned improvements for highways safety <i>To consider the draft feasibility report and initial parish council views to feed back to the Highways team at Cornwall Council</i></p> <p>Cllr Price-Jones reported on the recent meeting with Cornwall Council highways officers, and Cormac. The Aecom report has taken into account every concern raised in previous traffic surveys with full consideration given.</p> <p>Funding is in place for all the works set out in the feasibility report. Planned to go to public consultation in September and hoping to start the works in this financial year.</p> <p>November / December, the 20mph speed limit is due to be extended and will be carried out in conjunction with this report.</p> <p>Every issue raised about safety has been addressed.</p> <p>Resolved – to support the draft feasibility report as circulated, and of the options for the stretch of road past the church, the option for pedestrian sensors and warning lights for motorists is the preferred option at this stage.</p> |
| LPC23.24.29 | <p>Motion: that to secure the building of a new hall free of Value Added Tax our aim is to negotiate that the section 106 money and any other funding goes directly to the charity <i>[Cllr Cartwright]</i></p> <p>Cllr Cartwright set out his proposal in line with the report as circulated prior to the meeting.</p> <p>In discussing this item, it was agreed that it should be discussed later in the meeting, after Minute 44, and so it was deferred until later in the meeting.</p> |
| LPC23.24.30 | <p>Monitoring of the parish council’s defibrillators – <i>to consider signing up to a maintenance and inspection agreement</i></p> <p>Deferred – to next meeting</p> |
| LPC23.24.31 | <p>Ludgvan Community Land Trust <i>[Cllr Price-Jones] - To receive an update on the creation of a Ludgvan Community Land Trust and to agree any appropriate actions</i></p> <p>Cllr Mayall reported on the affordable housing conference held recently at Heartlands. It is hoped that a presentation may be made to the next meeting of the parish council. Noted.</p> |
| LPC23.24.32 | <p>Joint working with Marazion Town Council</p> <p>Meeting on Friday re the plans for the potential new railway station for Marazion.</p> <p>C.Cllr Martin suggested that there should be community consultation to help establish the level of community need for a station for Marazion.</p> |
| LPC23.24.33 | <p>Bank Signatories</p> <p>As there had been no change to the Chair and Vice-Chair, it was agreed that the existing bank signatories are to continue in this role.</p> |

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| LPC23.24.34 | <p>To receive the Internal Audit Report for the year ended 31 March</p> <p>The Internal Audit Report had been circulated prior to the meeting. A robust audit of a wide range of the council's processes and procedures had been tested and there were no recommendations of note to be address. The internal auditor page of the Annual Governance and Accountability Return had been completed and signed by the internal auditor.</p> <p>Resolved – that the report be noted.</p> |
| LPC23.24.35 | <p>To approve the Annual Governance Statement 2022/23 for signing by the Chair</p> <p>Resolved to approve the Annual Governance Statement 2022/23 and that it be signed by the Chair.</p> |
| LPC23.24.36 | <p>To approve the Accounting Statements 2022/23 for signing by the Chair</p> <p>Resolved to approve the Accounting Statements 2022/23 and that it be signed by the Chair.</p> |
| LPC23.24.37 | <p>To approve the Annual Return for the year ended 31 March 2023</p> <p>Resolved to approve the Annual Governance and Accountability Return and to agree for the Clerk to submit the AGAR form and supporting papers to auditors BDO LLP</p> |
| LPC23.24.38 | <p>To approve other year end audit documents:</p> <p>Resolved – to sign the conflict of interest form (BDO auditors)</p> |
| LPC23.24.39 | <p>To approve the Annual Community Infrastructure Levy Report 2022/2023</p> <p>Resolved – to approve the annual CIL report 2022/23 and to agree that it be sent to Cornwall Council for their records.</p> |
| LPC23.24.40 | <p>Finance report and bank reconciliation - <i>To consider and note the budget monitoring report and bank reconciliation.</i></p> <p>Report to be presented to the June meeting of the council.</p> |
| LPC23.24.41 | <p>Correspondence/communications</p> <p>i. Hayle Town Council – Request for support campaigning against the dumping of sewage in our seas <i>Refer to email circulated on 21 April</i></p> <p>Resolved – to send a letter of support for Cornwall Council's call on the Secretary of State, South West Water and the Environment Agency to take urgent steps against the dumping of sewage in the sea.</p> |
| LPC23.24.42 | <p>Agenda items for a future meeting</p> <p>i. Any items deferred from this meeting</p> <p>ii. Appointments to working groups and outside bodies, to fill vacancies not filled at the May meeting of the council.</p> <p>iii. Maintenance of public rights of way – <i>to consider feedback from the council's contractor and feedback from councillors</i></p> <p>iv. Review of banking arrangements, to include opening a savings/deposit account</p> <p>v. IT support contract</p> <p>vi. Amenity Woodland Research– July meeting</p> |

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| LPC23.24.43 | <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> | |
| LPC23.24.44 | <p>s.106 obligation for a community hall in Long Rock <i>To consider an update on recent meeting with site developers and Cornwall Council, and to agree appropriate next steps</i></p> <p>Members noted the written updates which had been circulated prior to the meeting.</p> <p>Discussion points included:</p> <ul style="list-style-type: none"> - The funding alternative offered would not cover the full cost of a new build on a different site, and the money would be worth less once available - The parish would lose an asset if the hall was not built on the sports field site - Take into account the new residents in the new housing development <p>Resolved – not to seek a variation of the s.106 agreement, and so for the community hall to be built by the developers, on the development site.</p> <p>Agreed – to try to get involved now in discussion on fitting out the hall.</p> | |
| LPC23.24.45 | <p>Resolved – to re-admit the press and public</p> | |
| LPC23.24.46 | <p>Motion: that to secure the building of a new hall free of Value Added Tax our aim is to negotiate that the section 106 money and any other funding goes directly to the charity [Cllr Cartwright]</p> <p>In view of the decision made at Minute 44, Cllr Cartwright agreed to withdraw this motion.</p> | |
| | Meeting closed: 8.38 pm | Signed by Chair: |