

SHEVIOCK PARISH COUNCIL

The minutes of the meeting held on Monday 9th November 2009 in the Chapel Schoolroom, Craffhole at 7.00pm.

PRESENT. Councillors CK Kennedy Chairman, JM Snowling Vice Chairman, Councillors Mrs. D Mathias (part time), Mrs E Heapy, P Nicholas, C Wallin P Harrison, CC George Trubody (part time), Paul Williams, Checkie Taylor Public Health and Protection Service Cornwall Council and the Clerk DMG Dunn. There was 1 member of the public present.

PUBLIC PARTICIPATION.

Dog Ban, Skateboard Park, A374, Asbestos in quarry, MoD and Blackball Beach.

Mrs G Kennedy mentioned her e mail to the parish Council concerning the above items.

New fencing at the Finnygook Inn. The Clerk mentioned that Mr. G Cadwallader was concerned over the large fencing being erected across the right of way by the Inn.

Fencing erected by the Ring o Bells Inn at Antony. Councillor Mathias was concerned over the fencing restricting vision.

1. APOLOGIES.

Apologies were received from the police.

2. DECLARATIONS OF INTEREST.

The Chairman stated that if anyone at this meeting thought he had a prejudicial interest in the dog ban item he would willingly leave the room. No one present stated that the Chairman had a prejudicial interest in the item and the Chairman remained in the room.

There were no other declarations of interest on agenda items or gifts over £25.

3. POLICE REPORT.

The Clerk read out the police report stating that there had been no reported crimes in the parish since the last meeting.

4. RESPONSE TO PUBLIC PARTICIPATION.

Skateboard park. It was decided that the parish could not afford a skateboard park and that Councillors Snowling and Wallin would speak with the youths about safety and nuisance of skateboarding on the roads in Craffhole.

COUNCILLORS SNOWLING AND WALLIN

Asbestos in quarry below Craffhole reservoir. CC Trubody was asked to chase this item up after the clerk had tried in vain to get an answer from Cornwall Council at Liskeard. Councillor Snowling mentioned that Sara Grattan was the officer dealing with it in January 2009.

CC TRUBODY

A374 and MoD. The Chairman pointed out that a lot of effort had been made to resolve the issues of these two subjects and it will be reflected when the Chairman's Annual Report is produced.

6. SEASONAL DOG BAN AT PORTWRINKLE.

The Chairman decided to discuss this item now to allow the Cornwall Council officers to leave after the discussions.

Checkie Taylor mentioned that the Bye law was brought in by the old District Council and is very difficult to enforce. Cornwall Council now operate Dog Control Orders and there is also a Dog Fouling of Land Act.

The existing seasonal dog ban at Portwrinkle is unique and was made under the 1984 Act. It is up to the Parish Council to decide if it wants the existing act to remain or bring in a Dog Control Order.

The Parish Council cannot change for 12 months and then revert to the former.

She also mentioned that she has enforced the existing ban on occasions and fixed penalty tickets have been issued. It is difficult to give a lot of cover to Portwrinkle because there are only two officers in the whole of SE Cornwall.

Paul Williams mentioned that if Dog Control Orders are brought in then all beach owners must give their consent for their part of the beach. He also thought that a survey of all residents' views should be sought. He mentioned the DEFRA guidance on Dog Control Orders issued in 2006 of which he had emailed a copy to the Clerk and page 41 of the 131 page document is appropriate to Parish Councils.

The Chairman stated that there seems to be four options.

1. Stay where we are.
2. Change to a Dog Control Order.
3. Employ a full time Dog Warden. (Very costly).
4. Look at a trial period.

It was confirmed by Paul Williams that a Dog Control Order would not be a cost to the parish. Checkie Taylor added that it will take some time for a Dog Control Order to be put into action. The Chairman then asked for comments by the councillors.

Councillor Nicholas wondered how many times we had to discuss this, things should be carried out democratically and justice has to be seen to be done. A Dog Control Order should be conducted along the same lines as an election. Ballot papers should be issued. The last referendum has been questioned by many people. We must seek landowners' approval of a Dog Control Order and then ask for a referendum.

Councillor Mathias suggested we decide on what one of the four options we are to adopt and thought that a Dog Control Order for one beach only would be good.

Councillor Wallin asked if we could legally have a trial period.

Paul Williams replied that we can't have a temporary trial and then return to the original Dog Ban.

Councillor Harrison asked what a consultation would entail.

Paul Williams replied that we must consult with Cornwall Council, an announcement would be published in the local newspapers, signs with maps will be put up on the appropriate land and there will be a 28 day period for responses. People outside the parish can comment as well but the comments from parishioners will bear more weight.

Councillor Heapy added that the existing Dog ban is not working and we should compromise and have a ban on the Finnygook Beach only because the Hotel guests and her family use that beach most and people outside the parish tend to use the Harbour Beach more.

We must consult with the landowners of the Finnygook Beach.

Councillor Snowling expressed his concern that dogs should not mix with children on either of the beaches, most of the locals use Harbour Beach, as well as children from Antony School and the Pre School group in Crafhole and is not happy with lifting the ban on any of the two beaches.

He mentioned that it is difficult to police the ban at the moment and it will not improve.

Councillor Nicholas added that if one of the landowners refused a Dog Control Order we must then carefully consider where will go from there. If 10 or more parishioners demand a referendum we must hold one.

We must also go to the Land Registry to see who owns what parts of the beach.

At this point 8.25 pm Paul Williams and Checkie Taylor left the meeting. The Chairman thanked them for their attendance and input.

The Chairman suggested a Seasonal Ban on the Finnygook Beach and a ban on Harbour Beach from 8.00 am to 6.00 pm during July and August. After discussion it was decided not to take this up.

It was then proposed by Councillor Wallin and seconded by Councillor Nicholas that a Dog Control Order is made on the Finnygook Beach from Easter Day until 1st October and lift the ban from Harbour Beach. This being subject to the land owners consents. There will be a review in September 2010.

Voting was 6 for and 1 against. Carried.

Councillor Heapy to informally discuss with Mr. J Earle.

Chairman to informally discuss with Mr. Waterfield.

Clerk to liaison with Land Registry to find the owner of beach below the Old Chalet.

COUNCILLOR HEAPY

CHAIRMAN

CLERK

5. MARINE AND COASTAL ACCESS BILL.

Councillor Nicholas to fill in the support response on line.

COUNCILLOR NICHOLAS

7. PLANNING.

Application 09/01622/FUL. Kerslake House.

It was proposed by Councillor Wallin and seconded by Councillor Harrison to support the application. Carried.

09/0083/LUCE Woodlands, Polbathic.

It was proposed by Councillor Heapy and seconded by Councillor Nicholas to support the application stating the use was under 4/10 years. Carried.

Presentation by Councillor Nicholas.

It was decided to hold the presentation over until January 2010. To be placed on the agenda for January.

CLERK

8. MINUTES OF MEETING HELD ON 12th September 2009.

The minutes were proposed by Councillor Heapy and seconded by Councillor Harrison. Carried. The minutes were signed by the Chairman.

At this point 8.58 pm, Councillor Mathias gave apologies and left the meeting.

9. MATTERS ARISING FROM THE MINUTES.

Rame Peninsula Housing Group. The Clerk reply to Mr. Lunn that Councillors Nicholas and Snowling will be members of the Committee representing Sheviock Parish.

CLERK

MoD Blackball. The Clerk to write to the MoD and state the following dates for a possible meeting. 23-24-25-26 November and 7-8-9-11 December.

CLERK

Grass cutting and footpaths. The Clerk has still to make the claims for this from Cornwall Council.

CLERK

10. CORRESPONDENCE.

There were 65 items of incoming correspondence, 18 items of outgoing correspondence and 8 items in the circulation pack.

11. FINANCE.

The following cheques were proposed by Councillor Nicholas and seconded by Councillor Snowling. Carried.

Cheque No 100822 £474.30 DMG Dunn Clerks salary for October 2009

Cheque No 100823 £3.00 DMG Dunn Clerks expenses for October 2009

Cheque No 100824 £60.00 Memorial hall rent for Clerks office for November 2009

Cheque No 100825 £1,326.10 Cornwall Council for the election held on 10 September 2009

Precept for 2010/2011. The Clerk had prepared a financial report up to date giving the balance with estimated expenditure up to 31st March 2010 along with estimated expenditure for 2010/2011. After considerable debate it was decided not to increase the precept this year and ask for the same figure of £15,000.00 for 2010/2011. This was proposed by Councillor Nicholas and seconded by Councillor Wallin. Carried.

CLERK

12. CLERKS APPOINTMENT.

The Chairman had prepared the necessary advertisements and contract and the wording had been agreed.

The Clerk to place the adverts in the Parish Magazine, Notice Boards and Cornish Times.

CLERK

There are to be two boards to appoint the new Clerk. Councillors Wallin, Nicholas, Harrison and Mathias to sift the applications and decide what persons will be called for interview.

The second board will consist of Councillors Kennedy, Snowling and Heapy to interview the selected candidates.

13. ITEMS FOR INCLUSION IN FURTHER MEETINGS.

Parish Plan. Councillors Wallin, Nicholas and Heapy.

CLERK

14. ITEM OF CONFIDENTIALITY.

It was proposed by Councillor Nicholas and seconded by Councillor Wallin that a resolution be passed under the Public Bodies (Admission to Meetings) Act 1960 section 1, extended by the Local Government Act 1972

Section 100 that the following item is confidential.

The Chairman gave an update on the ownership of a parcel of land within the parish and advice is being sought from Cornwall Council.

15. DATE OF THE NEXT MEETING.

The meeting was fixed for 14th December 2009.

The Chairman closed the meeting at 10.35. p.m.

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