

St Cleer Parish Council

Minutes of the Parish Council Meeting on 27th February 2019, held at Council Sports Pavilion, Hockings House, St Cleer.

Penelope Andrews, Councillor		In attendance
Kelvin Buckley, Councillor		In attendance
Sue Harbord, Councillor	Chair of Council	In attendance
Suzanne Horsfield, Councillor		In attendance
Peter Lockley, Councillor		Apology Accepted
Jon Prinn, Councillor		In attendance
Clive Sargeant, Councillor		Apology Accepted
Brian Seage, Councillor		In attendance
Martin Shead, Councillor		Apology Accepted
Brian Smith, Councillor		In attendance
Tony Turton, Councillor		In Attendance
Derris Watson, Councillor		In attendance
Andy Webb, Councillor	Vice Chair of Council	In attendance until 8pm
Martin Eddy, Cornwall Councillor	St Cleer, St Neot and Warleggan	In attendance
Roni Jones		
Members of the Public		

Agenda item No.	Apologies for Absence	
1	As above	
2	<p>Members declarations</p> <ul style="list-style-type: none"> a. Disclosable pecuniary interests b. Non-registerable interests c. Declarations of gifts d. Applications for dispensations 	
3	<p>Restricted item</p> <p>Managing Abusive and Vexatious Customers as it relates to Staff</p> <p>Given the impact that this item would have on staff it was proposed as restricted by SH and seconded by JP. (The item was restricted under LGA 1972 ss100 and 102 but could be made public after the meeting)</p> <p>A statement previously circulated for public information was proposed by JP and seconded by SH. A discussion was held</p>	

	<p>The motion was</p> <ul style="list-style-type: none"> • That the statement be issued as endorsed by each Councillor (see item 4) • That the statement should be released to the Press <p>The motion was carried unanimously and it was agreed that the statement be read by BS</p> <p>The meeting was reopened</p>	
4	<p>Chairman’s Announcements</p> <p>The following statement from the Parish was read by BS</p> <p>Statement from St Cleer Parish Council 27 February 2019 With regard to the complaints by Mr Johnson</p> <p>As Parish Councillors we are all bound by a Code of Conduct, sometimes referred to colloquially as the Nolan Principles for Public Life and they speak to honesty, transparency and service. We are bound to be civil, respectful and to represent the Community we serve with integrity and honesty. We are however entitled to publish our own opinions, as long as they are set out respectfully.</p> <p>There is a definition which says ‘Integrity is doing the right thing even when nobody is looking’. The 13 Councillors who serve on St Cleer Parish Council are all motivated to do the right thing. We are not perfect, but we are motivated to support St Cleer to the best of our collective responsibility. We will and do make mistakes, but that’s how you learn. No politician in this country is required to be an expert but they are expected to represent the views of their community and to simply ‘do the next right thing’.</p> <p>Being a councillor to us means making a decision for the greater good not to build your own self-importance or ego. There was and is need for St Cleer to modernise our Parish Council. This is fact and well accepted among the Council. Change will only come with buy in, agreement and time.</p> <p>St Cleer Parish Council have made many changes over the last year, some are visible others are in the background but all are equally as important in the grand scheme of things.</p> <p>To be entirely factual, there was one amongst us that challenged the status quo by asking good questions and bringing forth good ideas, this would have in itself driven change. In our opinion that person could not accept or work in a team with diverse opinions, did not accept challenge and has ultimately focussed on his own subjective view of ‘being right’ rather than doing the right thing, in the right way. This person fundamentally and clearly, doesn’t seem to (or more importantly didn’t want to) understand the concept of democracy or corporate decision making. Hence a misplaced concentration on always ‘being right’ whilst trying to pick off individual Parish Councillors ‘to blame’ for whatever decision that this person disagreed with. This has manifested in an ongoing public commentary of personal comments which are denigrating. This is not the behaviour that is expected from an Officer or a Gentleman.</p> <p>Agree or disagree with Brexit, there has been a democratic decision made and ‘we are where we are’. The government of the day is liable collectively for the situation and the way to change it is to change the corporate decision by reasoned debate and persuasion. Two votes of ‘no confidence’ have come and gone and the matter remains. We don’t wish to comment on Brexit, but to just show Politics simply is, well Politics.</p> <p>Fake news is a term that we are all becoming far more familiar with. This is misinformation seemingly repeated often enough to become ‘believed’. It seems to us, that St Cleer has its very own manufacturer of fake news, and it is time to challenge it. Head on.</p>	

This person doesn't live in St Cleer, is not an elector, doesn't contribute financially to our parish, yet continues to seek to undermine, harass and bully the Parish Council using a range of tactics the Americans are becoming very familiar with. Of late we are told he has published information to the effect that one of us is likely to be imprisoned or fined £5,000 for being corrupt, that he has referred this matter to the Police and will take this to the Ombudsman. Well we are aware that the Police are not interested in the matter and have yet to hear from the Ombudsman who has been mentioned against St Cleer a number of times. This relates to his latest complaint to Cornwall which was not proven or 'found'. The truth is that several of us have been exonerated of any breaches of the Code, we are of no interest to the Police (even in relation to Drink Driving) yet verbose publication indicates Machiavellian collusion with Cornwall Council which is downright insulting to all involved. It is this very code and system that independently judged **this individual** a bully. This individual then chose to consider it 'nugatory' when it was applied to him, with sanctions and censure and he has subsequently stated he left 'public life' to avoid these very constraints. Perhaps because it found against him and that does not fit his view of the world. This most recent complaint, like all of his others, has cost the Parish time and money, that is **our money out of our taxes**. It's hard to put an accurate value on the time and effort it has taken to deal with these complaints. Many of which are simply vexatious. Legal definition 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'.

No doubt there will be dissection on Facebook around the following, so be aware they are estimates

An educated assessment indicates that each complaint costs about £1,250 in terms of Cornwall Council, St Cleer Parish Council and the councillor involved. This would include the monitoring officer and his team's time, the time of the independent person assigned to the complaint and Councillors time spent talking to and preparing the facts for the monitoring officer.

A complaint doesn't just use Councillor time it also eats into time of the Clerk (that's the Clerk whose salary you pay for). Please be aware that when we are dealing with these vexatious complaints, we are not able to do what we want to and should be doing which is managing the Parish effectively.

So, to quantify that we have had 5 complaints raised by the same individual over the last 10 months or so, that is an estimated cost of £6,250. These complaints were all unfounded and were appealed or to use the correct term subject to a request for a review, again another estimated cost of £500 each £2,500 in total. All were rejected by the monitoring officer

There was however the one proved complaint, this was against this vexatious individual. It had an estimated cost of around £7,500 - a large sum but hours of work and personal time went into this not just by your Council but also Cornwall Council and Counsel. Again, a review was asked for and again this was refused another £500.

That's around **£16,750** of your money wasted collectively by Cornwall Council and St Cleer Parish Council. Approximately **£12** per St Cleer household.

Remember he doesn't pay anything to St Cleer. He does not live in the Parish.

This doesn't take into account any of the time to manage his vexatious demands when he was a councillor or as a meeting attender since his resignation. If anyone is wasting money in St Cleer it is not the Parish Council.

This is the work of a conspiracy theorist who clearly has, in our collective personal opinion, nothing better to do with his time other than try and create moral panics where there are none, make up stories to validate his own skewed world view and sense of self-importance, make grandiose and verbose statements and entertain some local residents with what I understand the police consider 'satire' and the local gossip refers to it as 'car crash TV'

	<p>Well from our perspective he is creating a costly disruption, no more and no less. This costly disruption is fuelled by his social media following. The 170 or so who follow his rants on Facebook, many of whom have no connection to St Cleer The Parish is determined to continue to do the 'next right thing' whatever comments are made in the Parish's Echo-chamber.</p> <p>We wish to make it very clear Parishes should be questioned and held to account by electors of St Cleer, if we've made a mistake, we will admit it, we have nothing to hide.</p> <p>If you want to know what's going on at Parish come along to the meetings or just ask us.</p> <p>Get involved it's your parish.</p> <p>All of us Councillors want to, and are working for, the same thing: a community that is well maintained, has appropriate amenities for all and is safe to live in.</p>	
5	<p>Motion to Manage Vexatious Customers</p> <p>The Motion and Policy previously circulated was proposed by JP and seconded by DW and carried unanimously</p> <p>Bsg, TT, BS and JP were proposed as Panel Members (should the Chair or Vice Chair declare an interest) by SH and seconded by PA. Carried</p> <p>AW left the meeting</p>	
6	<p>Close the meeting to allow up to 15 minutes for public questions</p> <p>Correspondence from Parishioners</p> <ul style="list-style-type: none"> A request from Liskeard Juniors (who hold FA Chartered Status) asking St Cleer to consider accommodating their 9 youth teams, 100 children and 20 volunteers was received. SH indicated her willingness to meet with them as per request <p>There were no speakers at this meeting</p>	
7	<p>Reopen the meeting (public may only contribute on invitation)</p> <p>None</p>	
8	<p>Minutes of Previous Parish Council meeting</p> <p>To receive and approve minutes of the last meeting(s)</p> <ol style="list-style-type: none"> 30.1.19 6.2.19 Estates (To Note) 13.2.19 FGPC (To Note) <p>The Minutes of the meeting held on the 30.1.19 were proposed as an accurate record of the meeting by SH and Seconded by BSq; this was carried</p>	
9	<p>Matters Arising</p> <p>In relation to questions posed last month SH outlined:</p> <ul style="list-style-type: none"> The decision to work with South West Ambulance Trust was made, hence the costings, the defibrillator at Darite is an initiative being brought o Parish to finance and as such is not a Parish Project. The carpark resurface complied with all requirements set down by law; In terms of drainage the culvert was now cleared after many years of no maintenance it will now be maintained by Parish and as such concerns about surface water ameliorated. Had parish considered a permeable surface – No. 	

	<ul style="list-style-type: none"> In terms of the comments about criminal activity asserted SH stated that in her opinion they were no more than timewasting and offensive <p>Letter of Support sent to the Bell ringers was sent</p> <p>Car Park additional works (Emails circulated)</p> <p>It was reported that soil erosion under the old surface had necessitated on site remedial works. The Clerk had emailed all Councillors and had made a decision, in consultation with CALC, that the works estimated at a maximum of £1504 be undertaken. This was based on Health, Safety and Wellbeing concerns as follows:</p> <ul style="list-style-type: none"> The contractor would have ceased work until the amount was ratified and the works rescheduled, potentially significantly post 27.2.19 meaning that the car park in the rough surface state it was in would effectively have been left for a few weeks. This would be a trip hazard of an unacceptable level and would have put more pressure on car parking for the school traffic post half term than was considered safe or acceptable; Undertaking the work at a later juncture would have incurred greater costs The level of inconvenience to the local residents in potential delay was considered unacceptable. <p>The clerk asked for retrospective delegated authority for the additional works which cost £1003.49 Total costs therefore were:</p> <table border="0"> <tr> <td>Tender</td> <td>£21,771.01</td> <td>(including £500 Contingency)</td> </tr> <tr> <td>Additional work</td> <td><u>£ 1,003.49</u></td> <td></td> </tr> <tr> <td>Final Cost</td> <td>£22,774.50</td> <td>(No VAT)</td> </tr> <tr> <td>Retention</td> <td>£ 683.22</td> <td>(to be paid 27.5.19)</td> </tr> <tr> <td>Amount to be Paid</td> <td>£26,646.18</td> <td>(as of 27.2.19) (Inc VAT)</td> </tr> </table> <p>Financed by:</p> <table border="0"> <tr> <td>Grant from Cornwall</td> <td>£ 8,000.00</td> </tr> <tr> <td>St Cleer PC</td> <td>£14,774.50</td> </tr> </table> <p>It was noted that approaches to Cornwall had been made over the additional funds required.</p> <p>The retrospective authority was proposed by SH and seconded by SxH and carried</p> <p>Speed Camera In contact with another Parish via Councillor Eddy to look at economies of scale. Item rolled over.</p>	Tender	£21,771.01	(including £500 Contingency)	Additional work	<u>£ 1,003.49</u>		Final Cost	£22,774.50	(No VAT)	Retention	£ 683.22	(to be paid 27.5.19)	Amount to be Paid	£26,646.18	(as of 27.2.19) (Inc VAT)	Grant from Cornwall	£ 8,000.00	St Cleer PC	£14,774.50	
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10	<p>Update from Cornwall Council</p> <p>ME outlined</p> <ul style="list-style-type: none"> he had made representations to Cornwall for additional funding for the remedial works at the car park; that he had again represented an objection to the planning appeal in relation to Commonmoor. 																				

	<ul style="list-style-type: none"> • Paul Allen and himself were ‘trouble shooting’ in the village, specifically looking at siting bollards at the school as previously discussed to prevent parking • The budgets had been set • Work ongoing related to recognition of Cornish Heritage was progressing • SxH asked that the houses at Trethevy Close (Council owned accommodation) had hedges growing to such an extent it was not possible to pass on the pavement, could this be attended to? 	
11	<p>Matters from the Estates Committee 6.2.19</p> <p>Benches Motion The audit and motion had been previously circulated. It was outlined that many of the benches had seen better days. Costs for the slab underlay was awaited. It was noted that some localities would require Commoner approval for this</p> <p>With a maximum budget of £5.5K it was proposed that the Clerk be given delegated authority to progress with the purchase as outlined. Proposed JP, seconded SxH and carried</p> <p>Kubota Motion The motion had been previously circulated; this was considered a deteriorating asset which Parish noted was both dirty and in need of work to be put into ‘running order’</p> <p>It was proposed it was serviced by BSg and Seconded by BS, carried</p> <p>Once running it was proposed by BSg and Seconded by BS to give the Clerk delegated authority to sell the Kubota for no less than the motion stated value, carried</p> <p>Reseeding the Pitch Motion The motion had been previously circulated; this was considered a matter required after a long period of under maintenance.</p> <p>It was proposed that reseeded be sourced to the motion stated value and delegated to the Estates Committee by JP and Seconded by DW, carried</p> <p>WC refurbishment Motion The audit and motion had been previously circulated. It was outlined that it was regrettable so much maintained was required since it had only been refitted in recent years.</p> <p>It was proposed that refurbishment be sourced the motion stated value and delegated to the Estates Committee by SxH and Seconded by BS, this was carried</p> <p>Application from Jonathan Prinn to be appointed to the Committee It was proposed by SH that JP be appointed to Estates, Seconded by SxH and carried</p> <p>Updates on Auditing / Due Diligence activity Audit work showing that what Parish said it was doing was being done. This was shown by a total of 4 audits being presented at Estates, 2 of which involved a Councillor in the audit process. There is more work to do on this</p>	

12	<p>Matters from the FGPC Committee 13.2.19</p> <p>YTD comparison, reconciliation and Summary dated 31.1.19 (circulated) Noted</p> <p>Motion in relation to Unity Bank The motion had been previously circulated and it was noted that the motion and services offered by Unity were in keeping with the proposed financial regulations and standing orders being proposed at Parish in March. There will be 6 signatories including the Clerk Online transactions will be prepared by the Clerk but authorized by 2 others.</p> <p>It was agreed to send off the application subsequent to the March meeting</p> <p>Proposed DW, seconded KB and carried</p> <p>Motion in relation to s137 Application JP left the room The motion had been previously circulated, it was made clear that this had not been an easy recommendation from Finance. It was proposed to award the school £100 towards their project proposed by KB and seconded by BSg JP Returned</p> <p>Motion in relation to Insurance renewal The motion had been previously circulated and was proposed by DW, seconded nu BSg</p> <p>Amendments to the Asset Register Update The update had been previously circulated and was considered to be accurate and up to date with some work being done on relocating items such as the stocks, Coins and a Map</p> <p>Updates on Auditing / Due Diligence activity Audit work showing expenditure and accounting was in line with the financial regulations – the Pavilion budget head had been investigated as well as all purchases over £5K. These were duly signed and filed for Internal Audit</p>	
13	<p>Planning Applications since the last meeting (additional applications received prior to the meeting will be added to this list)</p> <p>Proposed demolition of existing dwelling and erection of replacement dwelling. </p> <p>Chaple Farm Rosecraaddoc Liskeard Cornwall PL14 5AE Ref. No: PA19/00494 Validated: Mon 21 Jan 2019 Status: Awaiting decision</p> <p>Following a short discussion, it was proposed by DW and seconded by JP that this application be supported. Carried</p> <div data-bbox="359 1803 1002 1982" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Pre application advice for affordable led housing scheme (comprising less than 10 dwellings). Land Pt Os 4700 Hockings House St Cleer Cornwall Ref. No: PA19/00298/PREAPP Validated: Fri 08 Feb 2019 Status: Awaiting decision</p> </div> <p>Noted</p>	

	<p>Prior Approval Application for a Proposed Change of Use of Agricultural Buildings to a Dwellings (C3) and for Associated Operational Developments. 📄</p> <p>Chaple Farm Rosecraaddoc Liskeard Cornwall PL14 5AE Ref. No: PA19/00926 Validated: Tue 05 Feb 2019 Status: Awaiting decision</p> <p>Whilst this item was for note only it was supported by Parish (Proposed SxH and seconded TT, Carried)</p> <p>Non material amendment for full height two storey accommodation above garage on plots 1, 2 and 3 (Planning Reference PA14/01707, Appeal reference APP/D0840/A/14/2223499 dated 23rd March 2015) 📄</p> <p>Land Adjoining Railway Crescent Railway Crescent Darite Cornwall Ref. No: PA19/00770 Validated: Tue 29 Jan 2019 Status: Awaiting decision</p> <p>Noted</p> <p>PA 19/01432 Demolition of a Mundic Dwelling and construction of 2 semidetached houses On the basis that this would be</p> <ul style="list-style-type: none"> • Over Development of the site • In an area (local to the school) that was currently traffic parking area of concern and these properties would likely add 4 more local cars and exacerbate the issue. • The draft NDP states any new housing ought to have space for 2 cars per household. <p>DW proposed and PA seconded that objections be given to this application. Carried</p> <p>PA19/0133 Fenestration Noted</p>	
17	<p>Receipts and Payments</p> <p>With respect to the payment for the Car Park the Clerk asserted that all Councillors had been invited to inspect the Car Park in terms of due diligence prior to any payment being made. Given this opportunity had been given that the payment for the car park of £26,646.18 ought to be considered as agreement that the work was done to the appropriate standard</p> <p>The car park payment and other payments were proposed by SH and seconded by DW and carried</p>	

PAYEE	REASON	GROSS	VAT	NET
A Giles	As Above	26,646.18	5329.24	21316.92
S Harbord	Printing in relation to Car Park notices			7.05
Salaries, Nest and HMRC				
SSG	Training	222	37	185
Cornwall Council	Training for Councillors	48	0	48
Came and Co	Insurance	2014.18	213.34	1800.84