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**MINUTES OF THE ORDINARY PARISH COUNCIL MEETING HELD ON MONDAY 9th NOVEMBER 2020
HELD VIRTUALLY VIA ZOOM AT 7.18PM**

223/2020 PRESENT: CLLRS. M HARRY (CHAIRMAN), B HILTON (VICE CHAIRMAN), F J DYER MBE, W ROBINSON, K HART, A WILLSHEE, K LA BORDE, D GREEN, T HEWITT,

MRS K J HARDING – CLERK TO THE COUNCIL

Also present: 1 public and Cllr. D Tudor

The Chairman made everyone aware that the meeting was being recorded both by audio and video.

224/2020 APOLOGIES: CLLRS. A GAMMON, I HOLROYD, M HOLROYD

225/2020 TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

MEMBERS ARE INVITED TO DECLARE DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS IN ITEMS ON THE AGENDA AS REQUIRED BY THE KENWYN PARISH COUNCIL CODE OF CONDUCT FOR MEMBERS AND BY THE LOCALISM ACT 2011.

No declarations of interest.

226/2020 QUESTIONS FROM PARISHIONERS (10 MINUTES MAXIMUM, 3 MINUTES PER PARISHIONER)

Cllr. Robinson – asked the Clerk to contact the Ramblers Association regarding any lost footpaths in Kenwyn Parish.

227/2020 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised he and the Clerk had attended the virtual Full Council Meeting of Cornwall Council on 2nd November and the Cornwall Council Cabinet Meeting on 3rd November. He was pleased with the results from these meetings.

The Chairman, Vice Chairman and Clerk had held a Zoom meeting with the Mayor of Truro and the Town Clerk that morning to discuss the Neighbourhood Plan, the Community Governance Review and other matters relating to the relationship between the two councils. It had been a very productive meeting and the Chairman would report back further to members in due course.

It had been agreed that there would be further meetings on a monthly basis.

228/2020 TO APPROVE THE MINUTES OF PREVIOUS MEETINGS

The minutes of a Planning Committee Meeting held on Monday 12th October 2020 were agreed and signed.

The minutes of an Ordinary Parish Council Meeting held on Monday 12th October 2020 were agreed and signed.

The minutes of a Planning Committee Meeting held on Monday 26th October 2020 were agreed and signed.

The minutes of an Ordinary Parish Council Meeting held on Monday 26th October 2020 were agreed and signed following clarification from Cllr. Green on his wording regarding the Neighbourhood Plan Meeting he had Chaired. He advised he did not mean to say the minutes had been circulated, he meant to say he had sent members a report of the meeting.

The minutes of a Finance & General Purposes Committee Meeting held on Monday 26th October 2020 were agreed and signed.

229/2020 REPORTS OF MEETINGS – REPORTS TO BE EMAILED TO CLERK BY 5TH NOVEMBER 2020 – QUESTIONS ONLY TO BE RAISED AT THE MEETING

1. Cllr. Hilton

Local Council Planning Conference

Cllr Gammon and I attended the conference today, this is a summary of the main details for you all.

Welcome and introduction with Peter Phillips (Development Management Group Leader)

Peter ran through the program for the meeting and introduced the speakers.

Planning Portfolio Holder's News with Tim Dwelly CC

The presentation started talking about devolution, with Cornwall Council's aim of devolving powers to Parish Councils. The council is pushing government for more powers to be devolved to Cornwall Council, Wales was used as an example. They didn't think that an elected Mayor for Cornwall would be the right route to take.

May have to consider some additional communities, possibly in similar scope to the Langarth Garden Village. The council would like the powers of the proposed Development Corporations (currently

only used for larger developments), but would prefer a package that would cover all of Cornwall and include small developments.

The CIL Low carbon infrastructure, panel will be set up shortly. CIL is being phased out, but will take some years to do so. 75% CIL is allocated to the area of the development, with 25% that is available Cornwall wide that can be applied for by any Parish Council or Community Group, but only for low carbon infrastructure. Funding is available from £20k to £100k, smaller funding requests were more likely to be granted. The first round of funding is closed, although future rounds of funding will be made available early next year, most likely during spring.

There is concern about the effect on Neighbourhood Plans following the new government planning proposals, but there is no additional information available as yet.

When government clarifies their position, the council is expecting to use legal means to defend the Local Plans commitment to affordable housing. The guidelines could be changed to only developments of over 50 houses required to provide affordable housing. The current legislation is for 10 houses. 1/3 of affordable homes in Cornwall will disappear should this go ahead.

It was thought that moving from the current 3,000 houses per year to 4,000 houses per year across the county would not be achievable without a reduction in quality.

Officers would like the next Local Plan to focus on quality of housing, if possible.

An Introduction to Building Control with Peter Keam (Principal Development Officer)

The presentation was about the role of Local Authority Building Control, what they do and why they do it.

Building Control doesn't cover appearance, for example, a change to cladding or a change of roofing tiles type. Appearance issues are always a planning issue.

- Building Control must be invited by the builders, they don't usually turn up unexpectedly
- Events of more than 500 people need to be licenced, Building Control will be involved
- Concentration on fire safety

Building Control also covers imminently dangerous buildings - including walls, loose slates, etc. They can force work to be done by the owner, and if required, will take remedial action themselves and recover costs. Note, that this does not include ruined buildings, unless they are in a dangerous state and in danger of imminently falling down.

Trees are also not covered, nor health and safety on site.

Pre-Application Discussions – the Benefits with Chantal McLennan (Principal Development Officer)

The presentation talked about the benefits of pre-applications – reducing the chances of Parish Council members taking a different position to council planning offers. They also help with knowledge about what is happening in our area and allow us to understand any issues of viability. Pre-application use should encourage better development and show that our area is a good place to invest in; meeting local needs.

Developments that do use a pre-application and community engagement should be looked at more favourably than those that do not.

Planning legislation does not require pre-apps, but does recommend their use.

Pre-determination

- We must make it clear that we will not form a formal opinion at the pre-app stage until all information is available to us at the full planning stage
- We must not enter into informal discussions with developers, this could be against our Code of Conduct
- Developers must not lobby individual councillors
- Pre-apps may be confidential and therefore not include Parish Councils in the consultation
- We should keep a record of conversations with developers
- Where a site meeting is required, two members must attend, and an agenda should be set and discussions recorded

Different types of pre-applications

General Pre-App

PACE - Pre-app community engagement forums, can't be currently carried out due to Covid-19. Possibly a virtual pre-app community engagement may be introduced.

- Level 1 - Full committee
- Level 2 - Area planning committees, or contentions smaller scale schemes
- Level 3 - Community engagement event, rather than a full PACE forum

PPA - Planning Performance Agreement – early engagement and open discussion of issues leads to better management of the whole planning process from pre-app to full planning.

Pre-App Protocol

We should aim to publish our pre-application procedures on our website. We should share any plans, supporting information and guidance given by the Local Planning Authority.

Trees and Development with Matt Odgers-Brown (Forestry Team Leader) and James Gregory (Forestry Officer)

Insite in how the Tree Officers reach a decision on trees and advise the planning officers.

It was a very technical presentation and provided details of how the Tree Officers reach a decision on trees and advise Planning. The Tree Officers aspire to increase canopy cover across Cornwall.

They are available to supporting land owners and community groups, and have access to different funding schemes that are available.

Benefits of a Treed environment

- Amenity and enjoyment of places
- Increase property values by up to 15%
- Increased health and reduction in skin cancer and asthma
- Reduction in crime
- Traffic calming on tree lined roads
- Water management
- Improve air quality
- Shade on hot days
- Maturity to street scenes
- Biodiversity and habitat - trees are an ecosystem in their own right
- They enhance the places we live

Trees in a development

Trees are often seen as an obstruction to development with possible pre-emptive felling - although this is not seen often in Cornwall.

- Trees are an integral part of development
- BS5837 Trees must be considered as part of a development
- Key is early engagement of a project Arboriculturist
- Identifying RPA's (Root Protection Areas)
- New planting and landscaping
- Young trees (stems less than 150mm) can be lifted and repositioned on site.

Tree Officers are responsible for putting together a Tree Constraints Plan, this would normally include:

- Any RPA's (Root Protection Areas)
- Crown spreads
- Shading profiles
- Categorisation of trees

TPA Tree Protection Plan

The Tree Protection Plan details construction exclusion zones or special method statements (methods of tree works, installation of tree protection fencing and monitoring, and also includes Cornish hedge removal and shoring up for visibility splays.

Tree Protection Plans may be included in planning conditions.

Landscaping and new tree provision

Tree officers make sure we get the best result for current and future residents, this includes:

- A desktop assessment, often followed by a site visit
- Advising planning officers

- Recommending planning conditions
- Reviewing landscaping proposals

Slides

Many of the presentation slides will be uploaded to:

<https://www.cornwall.gov.uk/environment-and-planning/planning/local-councils/local-council-planning-conferences/>

2. Cllr. Green

Last night Cllr. Hewitt and myself attended a trustees meeting of the Threemilestone Community Hall.

The meeting followed the standard agenda with the chair giving updates on a number of projects which included a thank you to the new hall manager who is putting in an extra effort since taking over the new post. He also had a quote for removing the asbestos from the committee room and refurbishing it. The chair stated he hoped that this would form part of the plans to improve the hall.

The trustees were updated on the plans for the hall with the main point for KPC being that planning will be applied for in the near future and it is hoped that the work will start soon.

The manager informed the meeting that the Covid rules had impacted bookings and that slots were being retained for the user groups that could not take them up due to the Covid regulations. The social Club had asked to a reduction in it's rent due to Covid rule impacting their taking this was agreed.

The date of the next meeting was set for the 9th Dec 2020 and the meeting was closed.

Best regards

Cllr. Derek Green

KPC

3. Chairman

Report from meeting 9th November 2020

Attending were Cllr Bert Biscoe, Cllr Mark Harry, Cllr Barry Hilton, Karen Harding and Roger Gazzard

We met to discuss the neighbourhood plan and governance and way to move forward.

It was resolved to have monthly discussions between chairs and clerks to exchange information on all matters going forward. We also resolved to exchange agendas from both councils to make sure we are working closely together and are fully aware of all the facts, not merely one side of them.

Some interesting information came from this meeting that we were unaware of, I will advise members on this further, later in the week.

Chairman

Questions

Cllr. La Borde – asked Cllr. Tudor for clarification on the cost of providing two football pitches at Threemilestone. She asked how this could cost £1.7million. Cllr. La Borde had watched the webcast of the Cabinet Meeting held on 3rd November and advised some of the discussion had been held in closed session so she hadn't been able to see a breakdown of the figures but she felt £1.7million was a ridiculously high cost.

Cllr. Tudor – advised it might seem high, but the pitches were not just for football, it was hoped they would be multi use. Legal costs involving the transfer of land and lots of groundwork to level the land was also included in the cost.

Cllr. La Borde asked who priced it. She was sure this work could be completed at a much lower cost.

Cllr. Tudor – advised it was not a ridiculous cost and also said Cllr. La Borde should have asked that at the Cabinet Meeting. She further advised she would get the financial information and send it to Cllr. La Borde.

Cllr. La Borde – advised Cornwall Council had a lot of financial pressures including the temporary closure of Newquay Airport due to the pandemic and current lockdown. She felt this was a lot of money to be spent on two pitches when there was so much financial pressure across the county.

Cllr. Dyer – asked Cllr. Tudor for clarity on the land that would be taken from the County Farms tenant to create the pitches. He asked if the tenant had agreed to give up his land. He also asked for confirmation that these projects could only be delivered if the Langarth planning application was approved.

Cllr. Tudor asked if Cllr. Dyer was directing his questions to her. The Chairman advised he was.

Cllr. Tudor – informed Cllr. Dyer he could have attended the Cabinet Meeting given he was the Ward Member for that area. She advised he had received all the information on this and had attended presentations. She felt it was bizarre that Cllr. Dyer was asking her this. She further confirmed it was all subject to the Langarth planning application being approved. She also said negotiation was ongoing with the tenant farmer.

Cllr. Dyer – advised he had not attended the meeting as he had a dental appointment and then a meeting of the Threemilestone Young Farmers Trustees. He said he was glad the tenant farmer was being consulted with.

Cllr. La Borde – advised the tenant farmer was her neighbour and she could confirm that when she spoke with him around three weeks ago he confirmed he had not been approached at all by Cornwall Council and no discussion or negotiation had taken place regarding the loss of his land. She asked Cllr. Tudor and Cllr. Dyer as Cornwall Councillors to take this forward with Cornwall Council.

230/2020 CORNWALL COUNCILLOR'S REPORTS – TO BE SUBMITTED AHEAD OF THE MEETING.
QUESTIONS FROM THE REPORTS ONLY

Cllr. Dyer -

Members of Kenwyn Parish Council, sorry but it is not always possible to issue these reports' until "the last minute" because I have just attended a Cornwall Council Members information meeting pertaining to the new waste collection contract which will affect every resident of Cornwall

This contract will be "rolled out" over the next two years and the things that will affect most will be the new fleet of collection vehicles which are more sophisticated than the current vehicles and more fuel economic, the regular weekly collection will be fortnightly which needs to be monitored because not every household has the ability to store their general Rubbish on a fortnightly basis. The Council have ordered 750,000 bins of various types and Biffa will remain as the main contractor. This still has to pass through the Council's process and then it will be publicized more generally.

Planning, two Planning applications in my section of the Parish, advertising boards at Sliver Bow Farm at Penstraze were approved, and two cottage style houses between Penstraze and Chiverton Roundabout also approved. Not in our Parish, but at the top of Kenwyn Hill on the B3284 an application about a care home and small care home type bungalows have been raising considerable controversy, the land in question is a part of Royal Farm the greater part of which is in Kenwyn Parish but this actual site is in Truro Parish so as many will realise I have been receiving several emails on the subject.

Just to try to be helpful, The War Memorial half way up Kenwyn Hill was placed there when it was a part of Kenwyn Parish but was subsequently removed from our Parish by the Boundary Commission. I am confident that if Kenwyn Church Wardens were approached and may I further suggest you approach Martin Wright [Kingsley's Son] because he lives in Kenwyn you would be made most welcome until we can sort out the future to where to place the Parish Wreath or Wreath's

For my part have always ever since Chacewater was joined with Kenwyn in Carrick District Council's time have always placed the wreath my wife and I always purchase at the Memorial outside Chacewater Church to me this is ironical because until the Boundary Review of 1933 the whole of Chacewater Parish was an integral part of Kenwyn.

The final item of interest that took place this week was the vote that was taken regarding on the motion regarding Truro's Parish Boundary Line, this to me is so significant because every Boundary Review I have been involved with, Truro City Parish have always sought to take a significant part of Kenwyn Parish over [this would have a significant impact on our Parish Council income] Kind Regards John

Cllr. Tudor

Dear Members.

On Nov 3rd at CC Extraordinary Full Council Meeting, Members voted on Cllr. David Harris's Amendment - to defer the issues regarding the boundaries between Truro City Council and Kenwyn Parish Council for future consideration following the May 2021 elections.

I'm happy with this deferral. My previous amendment to Transfer to Truro parish the Gloweth Ward of Kenwyn Parish was defeated in a vote 14 members for 79 against.

I have always been clear in my view that Gloweth is part of Truro and I have not changed my mind. And 3rd also afforded me the opportunity to tell the Full Council that my original submission to the Boundary Panel along with Truro City Councils submission had been totally misrepresented in the officer reports to reflect the opposite view meaning the Panel were given completely wrong information on which to base its recommendation that went before the Full Council.

The following day, Nov 4th was a big day for Threemilestone when Cornwall Council Cabinet unanimously voted through the following recommendations.

- 3 a. Commitment of expenditure of up to £617,000 on Community Centre improvements from the approved capital programme, as set out in Appendix 3 to the report.*
- b. Commitment of expenditure of up to £1,744,580 on Playing Pitches to be funded from S106 commitments from the Langarth Garden Village planning application and other planning applications in the locality alongside other funding sources, as set out in Appendix 4 and subject to Community Infrastructure Levy (CIL) Regulation 122 compliance and subject to the funding having been secured and the capital programme being duly uplifted.*
- c. Commitment of expenditure of up to £2,831,764 on Public Realm improvements in the village centre to be funded from S106 commitments from the Langarth Garden Village planning application and other planning applications in the locality alongside other funding sources, as set out in Appendix 5 to the report and subject to CIL Regulation 122 compliance and subject to the funding having been secured and the capital programme being duly uplifted.*
- 4. That the commitment of expenditure of up to £11.947m for the delivery of the first Langarth Garden Village primary school, as set out in Appendix 6 to the report, from the approved capital programme, be approved.*

The Cabinet also voted through recommendation number 2. It doesn't effect any residents in my division, only Cllr. Dyers, but it does greatly effect Kenwyn Parish Council, so I've included it here for your attention.

- 2. That the findings of the Strategic Outline Case for a Stewardship model at Langarth Garden Village be endorsed and the progression towards an outline business case, as set out in Appendix 2 to the report, be approved, in compliance with Cornwall Council's Localism Strategy.*

Councillor Dyer was not at the Cabinet Meeting and so the only person to put in a question to the Cabinet Meeting was Cllr. Stuart Roden from Truro City Council. He felt that both TCC and KPC should have at the very least been consulted on the plans. I agree with him there. The answer to Cllr. Roden's question and my statement on the Threemilestone recommendations can be seen on the webcast of the meeting by clicking on this link.

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDU3Yzk2MDgtZTQwOC00NmIxLTg5YzItZWE0NGU3NzI5NDFm%40thrad.v2/0?context=%7b%22Tid%22%3a%22efaa16aa-d1de-4d58-ba2e-2833fdidd29f%22%2c%22Oid%22%3a%22fa9d3751-6eb5-4308-b8c3-006db67ed9ac%22%2c%22IsBroadcastMeeting%22%3a%22true%7d

Cllr. Dulcie Tudor.

231/2020 TO APPROVE ALL THE RECOMMENDATIONS FROM THE FINANCE AND GENERAL PURPOSES COMMITTEE MEETING HELD ON 26TH OCTOBER 2020 AND SET THE PRECEPT FOR 2021/2022

Cllr. Dyer – reported on the Band D Council Tax costs for Gloweth Residents as against Truro City Council Residents and began referring to the shortfall that Kenwyn Residents would need to make up should Gloweth be taken inside the Truro City Council Boundary.

The Chairman brought this to a halt as Cornwall Council had voted to defer this matter until after the May 2021 elections. The earliest this may be discussed again would be in 2022 so it was irrelevant to this agenda item.

RESOLVED: TO APPROVE ALL THE RECOMMENDATIONS FROM THE FINANCE AND GENERAL PURPOSES COMMITTEE MEETING HELD ON 26TH OCTOBER 2020 AND SET THE PRECEPT FOR 2021/2022 AT £170018.00

Proposed by: Cllr. Dyer
Seconded by: Cllr. Hilton
Vote: unanimous

232/2020 TO DISCUSS THE INSTALLATION OF CCTV AT SHORTLANESEND PLAYING FIELD AND CONFLICTING QUOTES FROM SUPPLIER/INSTALLER. TO DISCUSS OUTSTANDING INVOICE FOR CCTV AT THREEMILESTONE DISPUTED BY THE CLERK. TO DECIDE ON A WAY FORWARD ON BOTH MATTERS

The Chairman – spoke on the difficulties experienced with the company who were to install the CCTV at Shortlanesend. He also spoke on the extra costs the company had charged for work at Threemilestone.

The Chairman and the Clerk were unhappy and not confident to continue with this work without bringing the matter back to the full council.

It was agreed to pay the outstanding account for work at Threemilestone. It was also agreed to obtain further quotes for the work at Shortlanesend.

Cllr. La Borde – asked for a report on the benefits of the CCTV at both locations. The Chairman gave a verbal report but would follow this up with a written report in due course.

233/2020 TO APPROVE THE MONTHLY ACCOUNTS AND AGREE PAYMENT

The Accounts were checked and found to be in order by the Chairman. The Chairman recommended them for payment.

RESOLVED: TO APPROVE THE MONTHLY ACCOUNTS FOR NOVEMBER 2020 AND AGREE PAYMENT

Proposed by: Cllr. Hilton

Seconded by: Chairman

Vote: unanimous

234/2020 TO APPROVE THE FOLLOWING ON THE ADVICE OF CORNWALL ASSOCIATION OF LOCAL COUNCILS

Scheme of Delegation - To Resolve the scheme of delegation as below for use should the parish council become inquorate or cannot meet during the current Pandemic

Authority is delegated to the Chairman, the Vice Chairman and the Clerk to make decisions on the ordinary business of the Council. All papers will be circulated by email to every member for input, which will be disseminated by the Clerk and signed off by the Chairman and Vice Chairman. These will be signed off at the first available Full Council Meeting.

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Planning applications: will be circulated to the Members of the Council who shall let the Clerk have any comments ready for submission to Cornwall Council by the agreed date. Applications will be published on our website www.kenwynparishcouncil.gov.uk with a link to the Cornwall Council Planning page.

Finance: Payments to be made shall be sent as a schedule from the Clerk to the Chair and Vice Chair for approval. Once approved these payments will be made. Bank reconciliations will continue to be produced monthly and circulated to the Members quarterly.

Website: The Clerk undertakes to maintain the Parish Council website with as much information for the public as is necessary.

OFFICER DELEGATED DECISION REGISTER 2020

A Decision Register will be maintained by the Clerk. Decisions that have been taken by the Chair, Members or Clerk as proper officer of the Parish Council, under the Emergency Scheme of Delegation as a result of the Coronavirus Bill 2020 and associated government restrictions will be published. Kenwyn Parish Council Members voting on issues by email will ensure their votes are kept on the register for reasons of public transparency.

RESOLVED: TO APPROVE THE SCHEME OF DELEGATION ADVISED BY CORNWALL ASSOCIATION OF LOCAL COUNCILS

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Proposed by: Cllr. Robinson

Seconded by: Cllr. Hewitt

Vote: unanimous

235/2020 TO DELEGATE AUTHORITY TO THE CHAIRMAN, VICE CHAIRMAN AND CLERK TO TAKE EMERGENCY ACTION IF AND WHEN NEEDED IN RELATION TO GOVERNMENT REGULATIONS CONCERNING THE COVID-19 PANDEMIC – TO INCLUDE THE VILLAGE, PARKS, PLAY EQUIPMENT, NATURE RESERVE, STAFF, FURLOUGH AND ANY OTHER RELATED ITEMS. INFORMATION ON LATEST COVID-19 GOVERNMENT LOCKDOWN - CHAIRMAN – S100A LOCAL GOVERNMENT ACT 1972 THE PRESS AND PUBLIC WILL BE EXCLUDED FROM THE DISCUSSION BASED ON THE LIKELY DISCLOSURE OF EXEMPT INFORMATION UNDER THE LOCAL GOVERNMENT ACT – MAY APPLY FOR PART OF THIS ITEM

RESOLVED: TO DELEGATE AUTHORITY TO THE CHAIRMAN, VICE CHAIRMAN AND CLERK TO TAKE EMERGENCY ACTION IF AND WHEN NEEDED IN RELATION TO GOVERNMENT REGULATIONS CONCERNING THE COVID-19 PANDEMIC – TO INCLUDE THE VILLAGE, PARKS, PLAY EQUIPMENT, NATURE RESERVE, STAFF, FURLOUGH AND ANY OTHER RELATED ITEMS.

Proposed by: Cllr. Hart

Seconded by: Cllr. Willshee

Vote: unanimous

It was noted that the Caretaker had been furloughed again as there was only one hirer per week able to use the hall under the current Government Regulations and Lockdown.

236/2020 ANY OTHER ITEM THE CHAIRMAN DEEMS AS URGENT

No other urgent items.

The meeting closed at 7.54pm.