



1 Nancevallon, Higher Brea, Camborne, TR14 9DE

Clerk to the Council, Mrs Karen Harding

clerk@kenwynparishcouncil.gov.uk

Telephone 01209 610250/ 0800 2346077

**MINUTES OF THE ORDINARY PARISH COUNCIL MEETING HELD ON MONDAY 13TH FEBRUARY 2023
HELD AT SHORTLANESSEND VILLAGE HALL AT 7.48PM**

**PRESENT: CLLR. I HOLROYD (CHAIRMAN), CLLR. M HARRY (VICE CHAIRMAN), CLLR. ROBINSON
CLLR. D GREEN, CLLR. F J DYER MBE, CLLR. JONES, CLLR. LA BORDE, CLLR. B HILTON**

Also present: Mrs K J Harding – Clerk to Kenwyn Parish Council
3 members of the public

208/2023 APOLOGIES: CLLR. PENHALLURICK

209/2023 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.

210/2023 PUBLIC PARTICIPATION (10 MINUTES MAXIMUM, 3 MINUTES PER PARISHIONER)

Cllr. Robinson – had been approached by an Idless resident who was requesting a defibrillator for the village. Cllr. Robinson would follow this up as there was the complication of the need for an electric supply.

Cllr. Robinson – A Cormac road sign had been left at the Truro end of the road to Idless, the Clerk was asked to report this and ask that it was removed.

Cllr. Robinson – can Idless have a 20mph speed limit similar to those being implemented around the county by Cornwall Council?

Cllr. Green – speaking about the roundabout in Gloweth where Kingsley Close, College Way and Chyvelah Vale meet the road sign for Kingsley Close has been missing for a while and this is causing problems with delivery vehicles. The Clerk was asked to report this.

A parishioner – raised the question of traffic calming in Ashley Road, Shortlanesend. The parishioner spoke about the need for a warning sign advising of the imminent 30mph speed limit.

A parishioner – asked the council if there were plans to commemorate His Majesty the King’s Coronation and if so could work be done to the entrance to Shortlanesend Playing Field as part of those commemorations? The parishioner believed there was money available in the Hooker Trust being administered by local solicitors.

Cllr. La Borde – had obtained a list showing where e bikes would be located in Kenwyn Parish. On the list were Treliske Lane, Polstain Road Threemilestone, the Park and Ride at Langarth, Truro College, the Leisure Centre and some locations in Shortlanesend yet to be confirmed. Cllr. La Borde felt it was strange the parish council weren’t consulted on this. Cllr. Harry advised he had been consulted as Landlord of the Old Plough Inn as this was a potential site for the e bikes.

A parishioner – was following up on a point he had raised at the January parish council meeting. He asked if there had been any information sent to the parish council regarding spending \$106 money on traffic calming in Ashley Road, Shortlanesend.

211/2023 CHAIRMAN’S ANNOUNCEMENTS

No announcements.

212/2023 TO APPROVE THE MINUTES OF THE RECENT MEETINGS

The minutes of the Planning Committee Meeting held on 9th January 2023 were approved and signed. Cllr. Harry and Cllr. Robinson abstained as they were not present at the meeting.

The minutes of the Ordinary Parish Council Meeting held on 9th January 2023 were approved and signed after the Clerk confirmed to Cllr. La Borde an error had been noticed and corrected ahead of the meeting. Cllr. Harry and Cllr. Robinson abstained as they were not present at the meeting.

The minutes of the Employment Committee Meeting held on 23rd January 2023 were considered. **Cllr. La Borde** wished to put forward an amendment to these minutes. Cllr. La Borde provided the Clerk with the following wording for the amendment –

191/2023 TO DISCUSS EMPLOYMENT ISSUES SURROUNDING MAINTENANCE AND EMERGENCY WORKS RAISED AT THE FULL COUNCIL MEETINGS ON 14TH NOVEMBER 2022 AND 9TH JANUARY 2023

Add: Cllr. La Borde requested to speak. She explained her concerns regarding financial regulations and the lack of a formalised agreement for provision of maintenance work.

Cllr. Holroyd responded by accusing Cllr. La Borde of making ‘bitchy comments’ gesticulating with his hand as if it were a mouth.

Whilst Cllr. La Borde spoke, Cllr. Holroyd looked across at Cllr. Robinson and said to him ‘she’s been talking’. When asked by Cllr. La Borde for clarification of this comment, Cllr. Holroyd said ‘it doesn’t matter. Carry on’.

Cllr. La Borde requested Cllr. Holroyd’s comments be minuted.

'This was a particular distressing meeting for me and Cllr. Holroyd's comments to me were only said because I am a woman and were discriminatory'.

194/2023 ANY OTHER ITEM THE CHAIRMAN DEEMS AS URGENT

Add:

Cllr. Holroyd advised councillors present to respond swiftly to Mr Tony Jay's subject access request and freedom of information request.

Cllr. La Borde requested to speak to respond to Cllr. Holroyd's advice.

Cllr. La Borde advised the employment committee that councillors should not be replying directly to Mr Tony Jay and forwarding copies of emails and documents without redaction of third party details which required third party consent.

Cllr. La Borde advised the committee she had written to the Association of Local Clerks to complain about the way Mr Tony Jay was seeking response to his requests on behalf of Kenwyn Parish Clerk which were encouraging a breach of the Data Protection Act 2018.

Cllr. La Borde advised that Cllr. Holroyd should be collecting and collating all details requested to forward to Mr Tony Jay with all third party details redacted else Kenwyn Parish Council would breach the Data Protection Act 2018.

Cllr. La Borde checked with Cllr. Hilton that her comments had been minuted.

Cllr. Harry responded by stating all KPC documentation is in the public domain and Cllr. La Borde's advice was inaccurate in his opinion.

The committee made no resolution and provided no advice to how the council should proceed in respect of the subject access and freedom of information request.

'This is a very serious issue and councillors still await advice on how to proceed. The data protection officer of the council, Karen Harding and the chair Cllr. Holroyd should be ensuring the security of all data held by Kenwyn Parish Council and I alerted both via e mail on 23rd January to a breach of the data protection act. After Mr Tony Jay emailed again on 5th February 2023 to remind KPC to respond by 18th February to Karen Harding's subject access request, I emailed the clerk, the chair and Mr Tony Jay on 8th February 2023 requesting clarification of how to proceed to respond legally to the subject access request. I copied in all councillors to my second email and I still await a reply'.

Cllr. La Borde proposed this amendment, there was no seconder.

The minutes of the Employment Committee Meeting held on 23rd January 2023 were approved and signed without amendment.

The minutes of the Employment Committee Meeting held on 6th February 2023 were approved and signed.

213/2023 REPORTS OF MEETINGS

Cllr. Green – had met with the Principal of Truro College to discuss anti-social behaviour by some students. This was a very worthwhile meeting as it had transpired some of the anti-social behaviour was from non-students. This was all reported to the police at the Police Liaison Group Meeting.

Cllr. Green – advised there was very low attendance at the Police Liaison Group Meeting. Two councillors from KPC and two other councillors were present only. The Police were now trying to get an idea of the most suitable days for the meetings. Cllr. Green advised there were no statistics available either which made the meeting difficult.

Cllr. Green - advised Cornwall Council had a dedicated email address for anti-social behaviour. It was antisocialbehaviour@cornwall.gov.uk It may be possible to get assistance from Cornwall Council on this problem.

Cllr. Green, along with Cllr. Dyer, Cllr. Jones and Cllr. La Borde had attended the Langarth Garden Village briefing at County Hall to discuss the stewardship of the Langarth Garden Village. Cllr. Green advised little had changed and a bare bones document would be going to Cornwall Council's Cabinet in March. Another meeting would be held soon with the planners, and it was agreed that the meeting would be a joint meeting with Truro City Council. The new stewardship would deal with much more than open spaces.

Cllr. Green advised the meeting had been told that Kenwyn Parish Council was disparate, disorganised and undermanned. Cllr. Green did not agree with those comments. Cllr. Green stressed the need to get together as a parish council to work on this. He also felt, and members agreed, that close collaboration with Truro City Council was needed. Cllr. Green stressed this would be a very substantial thing and needed a lot of hard work now.

Cllr. Jones added that once Langarth Garden Village was in place a substantial precept would be available and that needed a lot of thinking about. Cllr. Green advised if KPC did not get involved the parish would be split in half.

214/2023 TO APPROVE THE RECOMMENDATIONS FROM THE EMPLOYMENT COMMITTEE FOLLOWING THE MEETINGS ON 23RD JANUARY 2023 AND 6TH FEBRUARY 2023

Cllr. La Borde – said she could not accept the proposals from the Employment Committee Meeting on 6th February. She advised she had written to CALC for advice and she read out the response she received. Cllr. La Borde was surprised that the response had been copied to the Chair and Vice Chair of Kenwyn Parish Council and that the County Officer had been in discussions with them both. In the response there were three recommendations, only two had been taken forward at the Employment Committee meeting and Cllr. La Borde would not accept that. She asked if a request had gone to the council's Internal Auditor to look at the points she had raised. The Chairman advised this had not been done yet. Cllr. La Borde felt the recommendations of the Employment Committee should be delayed and the Finance and General Purposes Committee should discuss what constitutes 'minor repairs'. The Clerk's contract of employment was discussed.

Cllr. Green asked Cllr. La Borde if she was calling the Clerk's integrity into question because that was how it had felt for several months now. Cllr. La Borde said she was not calling the Clerk's integrity

into question as she actually felt the Clerk was 'full of integrity'. Cllr. Green felt it was coming down to this point and he did not wish to be associated with it.

RESOLVED: TO APPROVE THE RECOMMENDATIONS FROM THE EMPLOYMENT COMMITTEE FOLLOWING THE MEETINGS ON 23RD JANUARY 2023 AND 6TH FEBRUARY 2023

Proposed by: Chairman

Vote: 4 in favour, 1 against, 3 abstentions.

215/2023 CORNWALL COUNCILLOR'S REPORTS

Not present and no reports submitted.

216/2023 TO APPROVE THE MONTHLY ACCOUNTS FOR FEBRUARY 2023 AND AGREE PAYMENT

RESOLVED: TO APPROVE THE MONTHLY ACCOUNTS FOR FEBRUARY 2023 AND AGREE PAYMENT

Proposed by: Cllr. Green

Seconded by: Cllr. Harry

Vote: 7 in favour, 1 abstention.

217/2023 TO APPROVE THE MONTHLY BANK RECONCILIATIONS

RESOLVED: TO APPROVE THE MONTHLY BANK RECONCILIATIONS

Proposed by: Cllr. Hilton

Seconded by: Cllr. Green

Vote: 7 in favour, 1 abstention.

218/2023 TO APPROVE THE ROTA FOR MEMBERS CHECKING THE MONTHLY ACCOUNTS UP TO MARCH 2024

RESOLVED: TO APPROVE THE ROTA FOR MEMBERS CHECKING THE MONTHLY ACCOUNTS UP TO MARCH 2024

Proposed by: Cllr. Robinson

Seconded by: Cllr. Harry

Vote: 7 in favour, 1 abstention.

219/2023 TO APPROVE THE ROTA FOR MEMBERS CHECKING THE BANK RECONCILIATIONS UP TO MARCH 2024

RESOLVED: TO APPROVE THE ROTA FOR MEMBERS CHECKING THE BANK RECONCILIATIONS UP TO MARCH 2024

Proposed by: Cllr. Green
Seconded by: Cllr. Robinson
Vote: 7 in favour, 1 abstention.

220/2023 TO CONSIDER SEE SAW QUOTES FOR SHORTLANESSEND PLAYING FIELD

Four quotes obtained by the Clerk were examined by members.

Cllr. La Borde – felt the matting wasn't necessary and was costly. She asked if Graham Harding could be the appointed Contractor to lay bark under the see saw. Cllr. Robinson asked Cllr. La Borde if she was being sarcastic in asking this question. Cllr. La Borde said she wanted this comment minuted.

The Clerk explained that the companies she had spoken to insisted on the matting as a safety measure but also the ground where the seesaw was going to be installed was on a slope and bark would not stay underneath it thus causing a danger to users. Cllr. La Borde thanked the Clerk for this advice and was happy to proceed on that basis.

RESOLVED: TO ACCEPT THE QUOTE FROM HAGS FOR A NEW SEE SAW AT SHORTLANESSEND PLAYING FIELD

Proposed by: Cllr. Green
Seconded by: Cllr. La Borde
Vote: unanimous

221/2023 TO RESOLVE THAT KENWYN PARISH COUNCIL AGREES THAT THE TRURO AND KENWYN NEIGHBOURHOOD PLAN SHOULD BE MODIFIED AS PROPOSED BY THE EXAMINER AND INFORM CORNWALL COUNCIL THAT THE PLAN SHOULD BE ALLOWED TO PROCEED TO REFERENDUM

RESOLVED: THAT KENWYN PARISH COUNCIL AGREES THAT THE TRURO AND KENWYN NEIGHBOURHOOD PLAN SHOULD BE MODIFIED AS PROPOSED BY THE EXAMINER AND INFORM CORNWALL COUNCIL THAT THE PLAN SHOULD BE ALLOWED TO PROCEED TO REFERENDUM

Proposed by: Cllr. La Borde
Seconded by: Cllr. Green
Vote: unanimous

222/2023 TO CONSIDER THE TENDERS RECEIVED FOR THE GRASS CUTTING CONTACT 2023-2026 AND APPOINT A CONTRACTOR

The Clerk had put the contract out to tender. Two tenders had been received and shown to members as Tender A and Tender B with no other identifying information.

RESOLVED TO ACCEPT TENDER B FOR THE GRASS CUTTING CONTRACT 2023-2026 AND APPOINT A1 TREE AND GROUNDS LTD. AS THE CHOSEN CONTRACTOR

Proposed by: Cllr. La Borde
Seconded by: Cllr. Harry
Vote: unanimous

223/2023 TO RECEIVE A REPORT AND RECOMMENDATION FROM CLLR. PENHALLURICK ON HEDGE TRIMMING AT SHORTLANESEND PLAYING FIELD FOLLOWING CONSULTATION WITH RESIDENTS

Cllr. Penhallurick was not present at the meeting.

Cllr. Harry – advised he had canvassed all the properties and with the exception of one property all residents wanted the hedge cutting and some tree cutting to be done. A quote would be sought from the grass cutting contractors and would be considered by the parish council at the earliest meeting.

224/2023 ANY OTHER ITEM THE CHAIRMAN DEEMS AS URGENT

No other urgent items.

The meeting closed at 8.47pm.