



## **PUBLIC MEETING OF THE PARISH COUNCIL**

**Wednesday 22<sup>nd</sup> January 2025**

**Present: Councillor Edwards (Chairman)**

**Councillors Ellis, Fletcher, Robinson, Smith, Venables, White & Willey (Vice Chairman)**

**Also in attendance:**

Christopher Cook - Parish Clerk & Responsible Financial Officer.

Martin Worth – Cornwall Councillor

Members of the public: **3**

Members of the public were permitted to speak on each Agenda item for a period of 3 minutes. This meeting was advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media and members of the public. The public were advised that whilst every effort is taken to ensure that members of the public would not be filmed, it could not be guaranteed.

**Minutes 22<sup>nd</sup> January 2025**

**1489/2025 Chair's Welcome & Announcements**

Cllr Edwards (Chairman) welcomed residents to the Public Meeting of the Parish Council and delivered Health and Safety housekeeping rules.

Social distancing and Covid-19 measures were observed, such as ventilation.

No one intended recording the meeting.

**1490 Public participation**

Cllr Smith requested that an amount be put aside from the Parish Council's maintenance budget for purposes of advertising the VE Day celebrations.

Councillors **Resolved** to note and agreed budgeted expenditure circa £250.

**1491 To receive Apologies for Absence and approve the reasons given**

No apologies. (Cllr Ellis arriving late to the Meeting)



#### 1492            **Declarations of Interest**

Councillors **Resolved** that no Councillors declared pecuniary or non-pecuniary interests.

Councillors **Resolved** that no Councillors were liable for written Dispensations or Gifts.

#### 1493            **Minutes of the Public Meeting 27<sup>th</sup> November 2024**

Draft Minutes 27<sup>th</sup> November 2024 - Proposed Cllr Smith, seconded Cllr Fletcher. All agreed  
Subject to the amendment at Item 1494 below.

Councillors **Resolved** to approve the draft Minutes.

#### 1494            **Matters arising from the draft Minutes for report purposes only.**

Amendment - for the minutes under 1474 Public Participation.

Delete

Cllr White mentioned that she had been told that...

Replace

A resident mentioned that they had happened...

#### 1495            **A Report from Cornwall Councillor Martin Worth**

Cllr Worth updated the meeting as follows-

- Cornwall Council Cabinet Meeting to consider the Budget subject to £5.2million deficit. Savings may be secured against non-Statutory functions and Staffing levels.
- Cornwall car parking charges to increase.
- The decision over the future of Newquay airport is deferred.
- Gilston Road Saltash leading to Pillmere route to reroute vehicles is in a trial period ending January 2025. A wider review is taking place to monitor traffic flow around Liskeard and Saltash.
- No decision reached regarding the Tamar Toll revision on charges (March decision).
- The (HWRC) Tip booking arrangements have been a success.
- Devolution for Cornwall is still on the table. Any Devolution arrangements with Devon may defer the Local Elections planned for 1st May 2025.
- Cornwall Grant funding meeting in Saltash 31<sup>st</sup> January 2025 (Cllr Edwards, Chairman) to attend

Councillors **Resolved** to note this report.



**1496 Finance**

**A Accounts for Payment December 2024 / January 2025**

Cllr Edwards (Chairman) proposed, Cllr White seconded the approval of the Accounts for payment. All agreed.

Councillors **Resolved** to approve the accounts for payment.

**B Direct bank Payments & Receipts for information**

Bank Receipts were reported as **£0.00** Total receipts Account1 2024/2025 **£23,681**  
Bank Receipts were reported as **£650.00**. Total receipts Account2 2024/2025 **£650.00**  
Total Receipts all Accounts 2024/2025 **£24,331**

**C Bank reconciliation and Earmarked Funds (EMF)**

The General Account balance was reported as **£14,194** and the Earmarked Funds as **£7,871**. Total Funds **£20,066**

**D Monthly budget monitoring balances report**

Refer to Finance report at [www.botusfleming.org.uk](http://www.botusfleming.org.uk)

Councillors **Resolved** to note items 1496 (B) (C) & (D).

**E Public Works Loan Board Statement January 2025**

Councillors **Resolved** to note the Loan amount outstanding **£51,251.29**

**1497 Planning <http://planning.cornwall.gov.uk/online-applications>**

**New Planning Applications – One received**

<b>Application</b>	<b>PA24 / 09741</b>
<b>Proposal</b>	<b>Erection of two detached dwellings</b>
<b>Location</b>	<b>7 Carlton Villas Hatt Saltash Cornwall</b>

Councillors were mindful of the previous Planning Application (PA24 / 06346) when a full submission was entered onto the Planning Portal stating the reasons why the Parish Council did not support the Application, citing Public Protection of Contaminated Land, Vehicular access, and safety concerns, and access to the proposed new driveways.

Councillors wished to maintain their position in regard to the revised application (PA24 / 09741), that whilst noting that the contamination issue was not now relevant, the area in question being a busy junction and opposite a filling station was NOT a suitable position for the erection of two detached dwellings.

Cllr Edwards (Chairman) proposed, Cllr Fletcher seconded NOT TO SUPPORT the Application PA24 / 09741. All agreed.



**Planning Application Decisions – Three received**

**Application** PA24 / 06506  
**Proposal** First floor conversion of the existing garage into ancillary Annex and holiday accommodation.  
**Location** Myrtle Cottage Botus Fleming Saltash Cornwall PL12 6NQ

**Planning Application PA24 / 06506 Approved with conditions 27/11/2024**

**Application** PA24 / 07531  
**Proposal** Proposed raised patio to rear of existing bungalow.  
**Location** 94 Sunnybanks Hatt Saltash Cornwall PL12 6SA

**Planning Application PA24 / 07531 Approved with conditions 03/12/2024**

**Application** PA24 / 07736 (Appeal Ref APP/D0840/W/24/3347387)  
**Proposal** The development proposed is a new dwelling set within the private land ownership grounds of Villaton Barton. Intended for multi-generational family occupancy and to remain tied to the main host dwelling.  
**Location** Villaton Barton Villaton Hatt Saltash Cornwall PL12 6PP

The Appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission. The appeal is made against the decision of Cornwall Council. Application Ref PA24/07736.

**Planning Application PA24 / 07736 Approved with conditions 20/12/2024**

**Planning Application for Information – One received**

Cornwall Council instigated a 5-day protocol response request 10<sup>th</sup> Jan. 2025

**Application** PA24 / 06783  
**Proposal** Erection of earth banked slurry lagoon.  
**Location** Agricultural land at Hatt Saltash

Councillors voted as follows-

Option 1 – Agree with my recommendation – 1 vote

Option 2 – Agree to disagree – 1 vote

Option 3 – It is requested the LPA consider referring the matter to Planning Committee – 6 votes

Response sent to Cornwall Council 11<sup>th</sup> January 2025

**Planning Applications received after Agenda published – One received**

Instruction from the Planning Development Officer 14<sup>th</sup> January 2025 to consider the following Application and respond 23<sup>rd</sup> January 2025.

**Application** PA24 / 06759  
**Proposal** Temporary Agricultural workers dwelling.  
**Location** Land West of Villaton Court Farm Hatt Saltash



Councillors considered that there was insufficient information to comment regarding Planning Application PA24 / 06759, and noted that the Planning Development Officer was awaiting a decision from the County Land Agent.

**The Parish Council Resolved to ABSTAIN from Planning Application PA24/06759**

Councillors **Resolved** to note all planning matters.

**1498 Neighbourhood Development Plan (NDP) & Parish Plan**  
[www.botusflemingandhattndp.com](http://www.botusflemingandhattndp.com)

No report.

**1499 Recreation Field**

Cllrs Edwards (Chairman) reported that the football pitch was waterlogged and SUJFC had cancelled all fixtures for the immediate future. A rental payment of £650.00 had been made to the Council covering the period August 2024 to December 2024.

Councillors noted that there was still irresponsible car parking on match days at the Recreation Field, although the managing of parking and any restrictions were managed by SUJFC management.

Councillors **Resolved** to note.

**Cllr Ellis arrived at the Meeting.**

**1500 Asset maintenance audit**

Cllr White reported that Assets were in good order, adding that a comment had been received requesting a further bench at Moditonham Quay. Councillors would consider the request.

The hinge and lid to the dog bin at the Recreation Field had again been damaged from misuse. A new lid had only been replaced some three-four months ago.

Councillors **Resolved** to note this report.

**Item 1500 can be viewed under 'Reports' at [www.botusfleming.org.uk](http://www.botusfleming.org.uk)**

**1501 Climate Ecological Emergency & Cycle/Walkway**

Cllr Fletcher advised that South West Ambulance Services were willing to provide another defibrillator training session around April 2025. Although Cllr Fletcher would be standing down as a Councillor at the next Elections, 1<sup>st</sup> May 2025, he was willing to carry on in a capacity to monitor the defibrillator and to ensure that it was functioning properly.

Councillors noted that 4 sapling cherry trees were growing by the French drains at the Recreation Field. It was felt that the cherry trees should be re-sited on the A388 tree plantation as they would eventually lead to blockages in the French drains. They need to be re-sited as soon as possible before the end of March.



Councillors **Resolved** to note this report.

## **1502 Correspondence**

### **1501 (i) Landowner's concern about a dangerous tree.**

To whoever it may concern,

I keep my horses in Botus Fleming at the top of Ziggerson Hill, I believe the fields next door belong to the parish but are rented by (REDACTED)

I have messaged him on a couple of occasions and got no reply but a friend spoke to him 18 months to 2 years ago as he knows him about the tree outside my gate.

It is an ash with die back and it's quite rotten at the bottom and moves when it's windy, which is a big concern.

(REDACTED) said he knows this is a problem and they were going to get it cut down but nothing has happened so far. I'm a bit concerned with all the storms recently. It may come down on its own but more which direction it will fall as my horses are literally right next to it.

I was wondering if there was anything that can be done to safeguard this happening? Or who I need to speak to.

I have video of the tree and how it's moving at the bottom if that helps, or can get any pictures of what you would need. Look forward to hearing from you.

(REDACTED)

### **Response from Cllr Fletcher:**

Dear (REDACTED),

Thank you for your email about the ash tree. It must of course be a concern for you.

However, Botus Fleming Parish Council does not own any land in the Parish apart from the recreation field in Hatt, and the quay at Moditonham, so unfortunately, we are not able to take any action on this matter. Nor do we have the powers to instruct landowners to take any action in such cases.

Landowners are responsible for trees growing on their land, including in the boundary hedgerows. The local authority, Cornwall Council in this case, only has responsibility for trees growing on their land. However, under section 154 of the 1980 Highways Act, the local authority can serve a notice on the landowner to take remedial action on a dangerous tree near a road or footpath to which the public have access.

Failure to comply with the notice within 14 days may result in the local authority taking the necessary remedial action and recovering the cost from the landowner.



As you are the one directly affected by this issue, your best course of action is to report it to Cornwall Council using the following on-line form:

<https://www.cornwall.gov.uk/transport-parking-and-streets/roads-highways-and-pavements/report-a-problem-with-a-road-or-pavement/report-issues-with-hedges-or-verges/>

Or you could ring 0300 1234 222, however, I suspect they will be extremely busy thanks to storm Darrah.

**Landowner's response:**

Hi Malcolm, I believe the tree is on parish fields boundary rented to (REDACTED)

My main concern is the tree falls into my horse's yard where they eat with them in it. I have asked and have the non-replied messages, I also went to see (REDACTED) and spoke to his wife as he wasn't home, and he still didn't get back to me and I definitely have the correct phone number for him conformed by his wife. He is however aware, and the tree is not in a good way.

I don't want to see trees being cut down for no reason obviously but i feel if we have more storms like the ones, we have had the last few weeks it will fall and would like to make things safe before that happens if possible and my horses not to be at risk because no one will take responsibility.

My car also has to be parked next to the tree in my gateway and that also puts me at risk every time I'm there.

I have a friend who is a tree surgeon who was willing to help take it down but obviously i would need permission from the landowner. Of this isn't actually parish land perhaps I need to speak to (REDACTED) directly.

I'm just trying to find out who I need to contact before it's too late and establish if something can be done to make it safe.

**Response from Cllr Fletcher:**

Hi (REDACTED)

I can well understand your concern about this tree. However, I'm afraid, as I said in my previous e-mail, the Parish Council does not own any land apart from the two pieces I mentioned.

Am I right in thinking that your gateway is opposite the entrance to Crooked Park? If so, then the tree in question would probably be close enough to the road for Cornwall Council to take action to fell it and claim back the costs from the Landowner if he/she does not take the necessary action.

I must emphasise that your best course of action is to report the matter to Cornwall Council via the ways I suggested previously. As to the ownership of the land, you should be able to verify this via the Land Registry website.

<https://www.gov.uk/get-information-about-property-and-land/search-the-register>

Yours sincerely

Cllr Malcolm Fletcher



**1503 Date of next meeting**

The next Meeting of the Council will be the **Public Meeting** on Wednesday 26<sup>th</sup> February 2025 at 7:30pm at the St Mary's Church Hall (Covid safe).

The Parish Council would continue to follow any instructions from CALC concerning the COVID -19 situation in connection with forthcoming Public Meetings. The choice to meet face to face was now an option with safety guidelines applying. Please refer to [www.botusfleming.org.uk](http://www.botusfleming.org.uk) for further details.

**1504 End of meeting 20:30**

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**Signed  
(Chairman)**

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**Date**