

ILLOGAN PARISH COUNCIL

Minutes of the Devolution Committee held at Penwartha Hall, Illogan on Tuesday 14th October 2014 at 7.00pm in Penwartha Hall, Voguebeloth, Illogan.

PRESENT: Councillors Ekinsmyth (Chairman), Pavey (Vice Chairman), Mrs Ferrett, Ford (not a member of this committee), Holmes, Mrs Loxton, Miss Pollock (not a member of this Committee), Mrs Roberts (not a member of this Committee and until point mentioned) and Szoka (not a member of this Committee) and Mr Bowman, Mr Maddern, Mr Rowe and Mr Simons.

ALSO PRESENT: Ms S Willsher, Clerk

The Chairman explained the safety procedures.

DC14/10/1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr Richardson.

DC14/10/2 MEMBERS TO DECLARE DISCLOSABLE PECUNIARY INTERESTS AND NON-REGISTERABLE INTERESTS (INCLUDING THE DETAILS THEREOF) IN RESPECT OF ANY ITEMS ON THE AGENDA AND ANY GIFTS OR HOSPITALITY OVER £25

There were no interests declared.

DC14/10/3 TO CONSIDER APPLICATIONS FROM MEMBERS FOR DISPENSATIONS

There were no applications from members for dispensations.

DC14/10/4 TO RECEIVE AND APPROVE THE MINUTES OF THE MEETING HELD ON THE 15TH JULY 2014 AND THE CHAIRMAN TO SIGN THEM

It was proposed by Cllr Pavey, seconded by Cllr Mrs Loxton and:

DC14/10/4.2 RESOLVED: that the minutes of the meeting of the Devolution Committee held on the 15th July 2014 are received and approved and signed by the Chairman

On a vote being taken the matter was approved unanimously by those entitled to vote.

DC14/10/5 TO NOTE THE MINUTES OF THE DEVOLUTION IMPROVEMENTS WORKING GROUPS HELD ON THE 8TH JULY 2014

It was proposed by Cllr Ekinsmyth, seconded by Cllr Mrs Loxton and:

DC14/10/5.2 RESOLVED: to note the minutes of the meeting of the Devolution Improvements Working Group held on the 8th July 2014.

On a vote being taken the matter was approved unanimously by those entitled to vote.

DC14/10/6 MATTERS ARISING FROM THE MINUTES AND A REPORT ON PROGRESS OF ACTIONS, FOR INFORMATION ONLY

There were no matters arising.

DC14/10/7 PUBLIC PARTICIPATION (MAXIMUM OF 15 MINUTES – EVERY SPEAKER A LIMIT OF 3 MINUTES UNDER COUNCIL STANDIG ORDERS)

There were no comments from the public.

DC14/10/8 TO RECEIVE A LETTER FROM THE COUNCIL'S SOLICITOR DATED 28TH AUGUST 2014 REGARDING THE DRAFT DOCUMENTATION FROM CORNWALL COUNCIL, AGREE A RESPONSE AND ANY FUTURE ACTIONS

Members discussed the letter and draft documentation in detail. Further to an in depth discussion:

It was proposed by Cllr Holmes, seconded by Mr Rowe and:

DC14/10/8.2 RESOLVED: that the Clerk writes to the Council's solicitor to seek clarification on the ownership of the lane leading to Illogan Park and whether it is included in the transfer; if possible this Council would like to adopt the lane with the rest of Illogan Park subject to the agreement of Cornwall Council.

On a vote being taken on the matter there were 3 votes FOR and 1 vote AGAINST.

DC14/10/9 TO RECEIVE A LETTER FROM THE COUNCIL'S SOLICITOR DATED 3RD OCTOBER 2014 REGARDING THE DRAFT DOCUMENTATION FROM CORNWALL COUNCIL, AGRGEE A RESPONSE AND ANY FUTURE ACTION

Members discussed the letter and draft documentation in detail. Further to an in depth discussion:

It was proposed by Cllr Mrs Ferrett, seconded by Cllr Holmes and:

DC14/10/9.2 RESOLVED: that the Clerk writes to the Council's solicitor and asks that they translate the transfer paperwork into layman's terms and to clarify what the Council can and cannot do before the 50% overage payments takes effect.

On a vote being taken the matter was approved unanimously.

It was proposed by Cllr Pavey, seconded by Cllr Mrs Ferrett and:

DC14/10/9.3 RESOLVED: that the Clerk writes to the Council's solicitor asking for an explanation as to why the transfer is 'limited by title guarantee' and stating that this Council would like a 'full title guarantee'.

On a vote being taken the matter was approved unanimously.

It was proposed by Cllr Mrs Ferrett, seconded by Cllr Holmes and:

DC14/10/9.4 RESOLVED: that the Clerk writes to the Council's solicitor to seek the reduction of the Overage Period from 80 years to 25 years.

On a vote being taken the matter was approved unanimously.

DC14/10/10 TO RECEIVE THE DRAFT FUNDING AGREEMENT FROM CORNWALL COUNCIL REGARDING ILLOGAN PARK, AGREE ANY FUTURE ACTIONS AND MAKE RECOMMENDATIONS TO FULL COUNCIL

Members discussed Draft Funding Agreement in detail. Further to an in depth discussion:

ILLOGAN PARISH COUNCIL

It was proposed by Cllr Holmes, seconded by Cllr Mrs Ferrett and:

- DC14/10/10.2 RESOLVED:** **that Illogan Parish Council are not happy with the Draft Funding Agreement. Members request that Cornwall Council provide a revised agreement as previously agreed for £25,000 to be paid in one sum at the start of the project.**

On a vote being taken the matter was approved unanimously.

Cllr Mrs Roberts left the meeting at 8.00pm.

- DC14/10/11 TO RECEIVE ANY CORRESPONDENCE OR REPORTS FROM CORNWALL COUNCIL REGARDING ILLOGAN PARK, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

Members discussed the correspondence received from Cornwall Council in detail. Further to an in depth discussion:

It was proposed by Cllr Mrs Ferrett, seconded by Cllr Pavey and:

- DC14/10/11.2 RESOLVED:** **that the response from Cornwall Council regarding TUPE is not acceptable. Members request that Cornwall Council provides a letter on headed paper, signed by a duly authorised, named, senior officer regarding TUPE obligations.**

On a vote being taken the matter was approved unanimously.

- DC14/10/12 TO RECEIVE THE RESULTS OF THE SURVEY COMPLETED DURING ILLOGAN PARISH FAIR AND AGREE FUTURE ACTIONS**

Members received and noted the results of the survey completed during Illogan Parish Fair.

- DC14/10/13 TO CONSIDER FURTHER PUBLIC CONSULTATION ON ILLOGAN PARK, AGREE ANY FUTURE ACTIONS AND ANY ASSOCIATED EXPENDITURE**

It was agreed to defer this item until a future meeting.

ILLOGAN PARISH COUNCIL

DC14/10/14 DATE AND TIME OF NEXT MEETING

It was agreed that the next meeting would be held on a Monday when further information and answers to the Council's questions have been received.

There being no further business the Chairman closed the meeting at 8.11pm.

Signed: Chairman

Date: