Millbrook Parish Council meeting
Tuesday 18th May 2021 at 7:30pm

Minutes of the Annual Parish Council Meeting held in the main hall of Millbrook Village Hall on Tuesday 18th May 2021.

Councillors present: Cllrs N. Roberts (Chair), S. Lewis (Vice-Chair), M. Beadnall, K. Hall, R. Meeson, P. Polák, B. Taggart, E Woffenden, S. Woffenden, H. Wood.

In Attendance: Mrs K Heald (Clerk/RFO) and two members of the public

1. Public forum and County Councillor report

The resigning Chair, Cllr Roberts, opened the meeting welcoming the Parish Councillors, Cornwall Councillor for Rame & St Germans, Kate Ewert, and Clare Watkins, Chair of Millbrook Village Hall Management Committee.

i) Millbrook Village Hall Management Committee (VHMC)

Update from Mrs Clare Watkins, the Chair of the VHMC. The engineer has completed an assessment for the ground source heat pump. The committee is waiting for a final quotation. The works have been pencilled in for August. The hall will be closed whilst the works are being completed. A lottery grant of £10,000 has been awarded towards the costs.

Clare Watkins reported the sad loss of Mr Eddy Edwards, who passed away at the weekend.

The hall is currently being used by Millbrook Preschool, Qi gong and a yoga group.

The committee will be looking for additional members of the committee.

ii) Highways

The Council was asked if the red lining, on the virtual footway, in Dodbrook is due to be reinstated. Cllr Roberts responded it is on Cormac's list.

iii) County Councillor update

CC Kate Ewert introduced herself as the new Cornwall County Councillor. She lives in Millbrook and will be covering the whole of the Rame Peninsula, St Germans and part of Torpoint.
An introductory day has taken place in County Hall, where CC Kate Ewert was required to sign the Acceptance of Office. She reported that she is fully aware of the issues in Millbrook and the Rame Peninsula, which include housing, parking, road issues and the safety issues in West Street / The Narrows. A meeting recently took place with the Cllr Roberts, CC Kate Ewert & the Clerk.

As the resigning Chair of the Council, Cllr Roberts handed the meeting over to The Clerk.

2. Election of Chair and signing of the Declaration of Office.

The Clerk asked the Council if anyone would like to propose a Chair for the Council.

It was proposed by Cllr Wood, seconded by Cllr Lewis and unanimously agreed by all Councillors that Cllr Roberts is voted as Chair of the Council. Cllr Roberts confirmed she is happy to continue

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with this role and duly signed the Declaration of Acceptance of Office form, which was witnessed by the Clerk.

3. Election of Vice Chair

It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that Cllr Lewis is voted as Vice Chair of the Council.

4. Apologies for absence

Cllr Roberts advised apologises had been received from Cllr Wilton. The Clerk added Cllr Wilton has signed his Declaration of Acceptance of Office form.

5. Declaration of interests, gifts and dispensations

None

6. To note the Declarations of Acceptance of Office forms have been completed and signed in the presence of the Proper Officer and if appropriate to approve the Declaration of Acceptance of Office form can be signed at a later date (SO6ji)

(a) the Chair of the Council.
(b) members of the Council.
(c) In signing the Acceptance of Office Councillors agree to abide by the Code of Conduct.
It was noted all members of the Council had signed their Declaration of Acceptance of Office forms. The Chair reminded the members of the circulated Code of Conduct training sessions, which will be recorded.

7. Approval of minutes from Parish Council meeting held on 15th April 2021 (SO6jii)

It was proposed by Cllr Roberts, subject to the removal of K Hall from the list of the Councillor attendees, the Council approves the minutes of the meeting as a true and accurate record of the meeting. The motion was seconded by Cllr Lewis and unanimously agreed by all Councillors who were present in this meeting. **Resolved**.

Note: At the end of the meeting Cllr Woffenden informed the Clerk that she was in present in the meeting, but her name was not listed as in attendance in the meeting.

8. Does the Council agree to purchase an additional picnic bench for the Tanyard?

The Clerk advised the Council she had received requests from members of the public for an additional picnic bench, to be situated under the pergola in the Tanyard. The Clerk had circulated a report with costings and recommendations. Concern was raised that an additional bench could make the area too crowded, particularly with the tables put out by the proprietor of Kernow Lounge. The Clerk reported she had received positive feedback regarding the seating in the Tanyard, which benefits various local businesses in the area. Cllr Roberts advised there are committed funds available not used from the previous year. Following a discussion, it was proposed by Cllr Roberts and seconded by Cllr Beadnall that the Council purchases a circular picnic bench with backrests from Sustainable Timber (the purchase cost is £620). The motion was passed with one Councillor voting against the proposal. **Resolved.**

It was proposed by Cllr Roberts and seconded by Cllr Hall, that the Council agrees to cover the incidental construction costs. The motion was agreed by all Councillors who voted in support of the purchase. It was also agreed the Council should purchase 'supplied by Millbrook Parish Council for community use' signage for the bench and seating in the Tanyard. **Resolved.**

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9. To agree a budget for the repainting of the tractor in the play park.

The Council discussed the quotation received from Sally Turner for the painting and refurbishment of the tractor in the play park. Another contractor was asked if they wished to quote for the work but declined. Sally Turner had provided the Clerk with a copy of her public liability insurance and a detailed risk assessment plus the quotation of £1,024.06 for labour and materials. It was proposed by Cllr Roberts the Council accepts the quotation from Sally Turner. The motion was seconded by Cllr Lewis and unanimously agreed by all Councillors. **Resolved.**

10. Subject to approval of the proposed drawing, public liability insurance being in place and the necessary risk assessments being completed does the Council agree to a member of the public arranging and paying for a path in the graveyard?

The Chair suggested due to their family connections regarding this item Cllrs E Woffenden and S Woffenden should declare an interest.

Cllrs E Woffenden and S Woffenden vacated the meeting.

Cllr Meeson recommended rather than accept the member of public's request to arrange for the completion of the works to install a path in the graveyard, as the Council owns and is responsible for the land, the Council should accept a donation to cover the costs. It was proposed by Cllr Roberts that the Council agrees to accept a donation from a parishioner to cover the costs of installing a path, as detailed in the specifications provided to the Council. The motion was seconded by Cllr Lewis and unanimously agreed by all Councillors. **Resolved.**

Cllrs E Woffenden and S Woffenden returned to the meeting.

11. To note / approve of payments as detailed by the Clerk.

Payments since last meeting, not included on the previous payment listing.

Payee	Details	Amount
Staffing costs	Staff wages, pension payment to NEST & payment to PAYE payment to HMRC	£2,244.56
The Peninsula Trust	Section 137 donation agreed PC meeting held on 20/04/2020, minute 268	£5,000.00
Kedel	Picnic bench for the skate park, agreed during the PC meeting held on 17/11/2020, minute 196c	£ 806.92
Information Commission	Data Protection renewal fee	£ 35.00
Cornwall Council	Non-domestic rates for the public toilets	£ 53.00
Xero UK	Computer Package (to be discontinued once the new computer package has been fully set up and internal audit complete)	£ 28.80
Google Ireland	Google workspace (formerly Gsuite), PC meeting 15/09/2020, Minute 150	£ 40.25
Bulb	Non domestic rates for public toilets	£ 20.00

Payments to process

Payee	Details	Approval / notes		Amount
Enhanscapes	Groundworks – April 2021 Grounds Maintenance –	N	Contracted	£580.00

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	Weed spray to Japanese Knotweed around lake			£65.00 less 100% discount
Screwfix	Key safe	N	Delegated authority	£ 28.49
Stinkyink	Computer Ink	Y	Office stationery	£151.16
Viking Direct	Files, archive folders and dividers	Y	Office stationery	£ 57.78
Wallgate	Servicing of the Wallgate machines Minute 240c, 16/02/2021	N	Public toilets	£886.21

It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that the Council authorises the payments listed requiring approval and all other listed payments detailed listed as paid, pre-approved or under delegated authority are noted accordingly. **Resolved.**

12. Finance Committee meeting held on 27th April 2021. (SO6jiii)

(i) Approval of minutes

It was proposed by Cllr Lewis, seconded by Cllr Roberts and unanimously agreed by Cllr Wood that the minutes of the Finance Committee meeting held on 27th April were approved as a true and accurate record of the meeting.

(ii)Approval of the Finance Committee's recommendations from the meeting held on 27th April 2021

- **Internal control checks, FCM270421, Minute 5**: It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that the Council accepts the completed internal control checks, as included within the supporting documents. **Resolved.**
- **Asset register, FCM270421, Minute 6:** It was proposed by Cllr Roberts that the Council approves the Council's asset register, which is a working document. The motion was seconded by Cllr Lewis and unanimously agreed by all Councillors. **Resolved.**
- **Renewal of the Council's insurance, FCM270421, Minute 7:** Cllr Roberts advised, following recommendation from the Finance Committee, the Clerk, in consultation with the Chair & Vice Chair had reviewed the proposals in detail. Three insurance companies had been approached but only two responded. Cllr Roberts proposed, based on BHIB Insurance offering best value for money, the Council accepts the insurance proposal from BHIB Insurance. The motion was seconded by Cllr Hall and unanimously agreed by all Councillors. The cost of the Council's annual insurance cover, which would commence on 2nd June 2021, is £1,116.88. **Resolved.**
- **Savings / Investment Account, FCM270421, Minute 8:**For all Council funds to be eligible under the Financial Services Compensation Scheme, the Finance Committee has recommended the Council opens two separate deposit accounts. The recommendation is to transfer £82,500 to Hodge Bank and the balance of the Council's reserves to a Nationwide 95-day saver account. Cllr Roberts proposed the Council accept the Finance Committee's recommendations to open these accounts. The motion was seconded by Cllr Beadnall, supported by seven Councillors and resolved with one Councillor abstaining. **Resolved.**

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13. Review of terms of reference and delegation arrangements for committees and working groups. (SO6jiv & SO6jx)

(i) Staffing Committee	- Reviewed March 2021.
(ii) Planning Committee	- Reviewed January 2018.
(iii)Finance Committee	- Reviewed November 2020
(iv)Traffic & Transport Advisory Task Group	- Reviewed February 2021
(v) Asset & Open Spaces Working Group	- To be produced

It was proposed by Cllr Roberts, seconded by Cllr Lewis that the Council reviews the Terms of Reference as part of a rolling programme throughout the year. The motion was unanimously agreed by all Councillors. **Resolved**.

14. Appointment of members to existing committees and working groups (SO6jvii)

(i) Staffing Committee

The terms of reference state five members including the Chair and Vice Chair of the Council who are ex-officio and have voting rights. The Chair advised Cllr Wilton has said he is willing to remain on the staffing committee. Cllr Wood and Cllr Beadnall also agreed to be members of the staffing committee.

It was proposed by Cllr Roberts, seconded by Cllr E Woffenden and unanimously agreed by all Councillors that the Council accepts Cllrs Roberts, Lewis, Beadnall, Wood and Wilton as members of the staffing committee. **Resolved.**

(ii) Planning Committee

The terms of reference state membership shall comprise six members including the Chair and Vice Chair of the Council who are ex-officio and have voting rights. Cllr Wilton said he would like to remain on the planning committee. Cllr Hall has said she has had planning training and would like to join the planning committee. Cllr E Woffenden also said she would like to join the planning committee. It was noted Cllr E Woffenden would require planning training, however, the training can be completed by a Councillor.

It was proposed by Cllr Meeson that the Council amends the planning committee Terms of Reference to state *"the committee shall consist of a minimum of six members."* The motion was seconded by Cllr Roberts.

It was proposed by Cllr Roberts, seconded by Cllr Beadnall and unanimously agreed by all Councillors that the planning committee shall consist of Cllrs Roberts, Lewis, Hall, Meeson, Wilton, E Woffenden and Wood. **Resolved.**

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(iii)Finance Committee
The terms of reference state membership shall comprise five members including the Chair and Vice Chair of the Council who are ex-officio and have voting rights. Cllr Wilton had indicated he would rather not remain on the Finance Committee. Cllrs Beadnall, Meeson & Wood agreed to be members of the Finance Committee. It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that the members of the Finance Committee shall be Cllrs Roberts, Lewis, Beadnall, Meeson and Wood. **Resolved.**

(iv)Traffic & Transport Advisory Task Group
The terms of reference state membership shall comprise at least five members including the Chair and Vice Chair of the Parish Council who are ex-officio and have voting rights. Members can include non-Councillors. Cllr Wilton had previously said to the Clerk he would like to remain on the Traffic & Transport Advisory Task Group. Cllrs Beadnall, Hall, Taggart, E Woffenden and S Woffenden also said they would like to be members of the Traffic & Transport Advisory Task Group. It was proposed by Cllr Lewis, seconded by Cllr Taggart and unanimously agreed by all Councillors that the Traffic & Transport Advisory Task Group shall consist of Cllrs Roberts, Lewis, Beadnall, Taggart, C Wilton, E Woffenden and S Woffenden

(v) Asset & Open Spaces Task Group
Following discussion, it was proposed by Cllr Lewis and seconded by Cllr Roberts and unanimously agreed by all Councillors that the members of the Assets & Open Spaces Task Group shall consist of Cllrs Hall, Polák, Taggart and Wood. Note: The terms of reference have yet to be completed but the Chair & Vice Chair shall remain ex-officio. **Resolved.**

15. Review and adoption of Millbrook Parish Council's Standing Orders and Financial Regulations (SO6jxi)
The Chair said in line with the requirements detailed in the Council's Standing Orders, the Parish Council's Standing Orders and Financial Regulations should be reviewed annually in the Annual Parish Council meeting. Cllr Roberts proposed the Council adopts the Standing Orders and Financial Regulations. The motion was seconded by Cllr Lewis and agreed by all Councillors. **Resolved**.

16. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses. (SO6jx)
Cllr Roberts recommended if anyone requires any information regarding any of the agreements to contact the Clerk. Cllr Taggart queried dates on item vii. The Clerk responded the agenda should have stated the commencement for this agreement was 2000 not 2020.
Cllr Wood asked if the rent from the Football Club was up to date. The Chair confirmed this was in hand.
Cllr Taggart queried item(vii) Foreshore at Foss relating to the length of the lease. The Clerk confirmed this was a typing in error on the agenda, which should have stated from 1st April 2000, not 2020.
(i)The Owner Millbrook Surgery, Greenland: Wayleave agreement dated 31st March 1993 for the common land, adjacent to the surgery at Greenland. Annual payment of £10.00.
(ii)Millbrook Village Hall: Deed dated 9th January 1996. Millbrook Parish Council are Custodian Trustees of Millbrook Village Hall. The Village Hall is administered by the Village Hall Management Committee.
(iii) Millbrook Football Club: The Council lease the football club and adjoining football pitch to Millbrook Amateur Football Club (MAFC).
(iv) Cornwall Council / Asset transfer agreement: Lease agreement for 99 years, dated

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19th July 2021, was signed between Millbrook Parish Council and Cornwall Council for the responsibility of Millbrook Public Toilets (Registered Title CL272322) and West Street Car park (Registered Title CL236485).

(v) Greenland Car Park / Pete's Garage: Land Registry Title CL203918. The Parish Council own Greenland Car Park. A Deed agreement dated 21st July 1995 gives the owners of Pete's Garage and the occupiers of properties in Greenland right of access.

(vi)Plymouth Model Boat Club / use of Lime Kiln: A written agreement for use of a section of the Lime Kiln (owned by Millbrook Parish Council Title number CL212614) for storage.

(vii)The Fundus & Foreshore at Foss and Ancarva / Millbrook Lake Moorings: 25-year lease, from 1st April 2000 to 31st March 2025 between The Duchy of Cornwall and Millbrook Parish Council.

(viii)Millbrook Lake Moorings Association: On 27th October 2005, a letter of agreement was signed by Millbrook Parish Council (MPC) and Millbrook Lake Moorings Association (MLMA). Subject to the terms detailed on the agreement, the MLMA administers the lease on behalf of MPC.

(ix) Cornwall Council Off Street Parking Order 2011: Greenland Car park, Village Hall car park and West Street car park.

(x) Grasscutting / Groundwork: Three-year contract awarded to Enhanscapes**.**

(xi)Cornwall Council Parking Enforcement: Service Level Agreement for additional parking enforcement services. A budget of £750.00 was agreed during the meeting held on 20th October 2020, Minute 178.

(xii)Torpoint Town Council / Dog Enforcement Office Services: During the meeting held on 16th February 2021 (minute 241b) Millbrook Parish Council agreed to commence a Service Level Agreement (SLA) with Torpoint Town Council, on a three-month trial basis, for the use of Torpoint Town Council's Dog Enforcement Officer. Due to unforeseen circumstances, there was a delay in the commencement of the services, which started on 2nd May 2021. The Enforcement Officer also provides general maintenance services. Please see weekly reports.

(xiii)Public Toilets / Hygiene Units: Service agreement signed with Peake (GB) Ltd on 13th November 2019 for the emptying of the hygiene units in the public toilets. There has been a 3% increase since 2019. The agreement covers sixteen service visits per annum at a cost of £218.28 per annum, to include three hygiene units and a nappy unit.

(xiv) Public Toilets / Wallgate machine: Contract for the maintenance of the Wallgate machines in the public toilets, Minute 240c, 16th February 2021.

17. Review of representation on the work with external bodies and arrangements for reporting back (SO6jxi)

(i) Millbrook Lake Moorings Association (MLMA)

Cllr Taggart agreed to be a Parish Councillor representative on the MLMA Board.

(ii) Millbrook Village Hall Management Committee representative

The Council agreed the Chair of the committee is a usual liaison. It was agreed the Clerk would remain a point of contact. Action: Clerk to review the Deed of Trust.

(iii)Millbrook Primary School

It was agreed, if required, appointments would be made based on specific tasks.

(iv)Rame Peninsula Public Transport Users Group

Cllr Woffenden & Cllr Roberts agreed to share the role as representatives for this group.

(v) Rame Climate Change Group

Cllr E Woffenden agreed to be the Council's liaison for the Rame Climate Change group.

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(vi) Cornwall Gateway Community Network Panel
Cllr N Roberts agreed to be the Council's representative on the Cornwall Gateway Community Network Panel.

18. Confirmation of arrangements for insurance cover in respect of all insurance risks (SO6jxiv), to include approval of delegated authority to the Clerk or Finance Committee to obtain a RICS valuation for the Lime Kiln and public toilets.
The Chair highlighted that the correspondence has been received confirming the public toilets are insured by Cornwall Council. It was proposed by Cllr Roberts, seconded by Cllr Wood and unanimously agreed by all Councillors that the Clerk is given delegated authority to appoint Bailey Partnership to complete a RICS valuation for the Lime Kiln. **Resolved.**

19. Review of the Council's and / or staff subscriptions to other bodies (SO6jxv)
(i) Cornwall Association of Local Councils £851.01, including V.A.T. from April 2021
(ii)The Society of Local Clerks, £234.00 January 2021.
(iii)Institute of Cemetery and Crematorium Management (ICCM), £95.00 from May 2021.
Noted.

20. To note the Council's complaints procedure (SO6jxvii)
The Clerk advised the Council's policy agrees with the Cornwall Association of Local Council's latest version. The Council noted the policy.

21. To note the Council's policies, procedures and practices in respect of its obligations under the freedom of information and data protection legislation (SO6jxviii)
It was noted:
(i) The Publication Scheme and Freedom of Information policy was reviewed in September 2020
(ii) the Council's privacy policy is available on the Council's website
(iii) The Council has renewed its Data Protection fee
(vi) The changes and recommendations on The Joint Practitioners' Advisory Group | Practitioners' Guide 2021, P61, 5.169. has a new section on e-mails, use of personal email addresses
"The addition of a section on the importance of smaller authorities using secure e-mail systems and gov.uk addresses re-enforcing last year's letter from the Chair of JPAG encouraging every authority to have its own e-mail address which is owned by the authority rather than relying on the use of personal e-mail addresses that can change regularly. This will reduce the risk of correspondence going astray or being delayed." https://www.nalc.gov.uk/library/our-work/jpag/3480-practitioners-guide-changes-2021/file

22. Approval of the Council's policy for dealing with media (SO6jxix)
It was proposed by Cllr Roberts, seconded by Cllr Hall and unanimously agreed by all Councillors that the Council approves the draft media policy. **Resolved.**

23. To note the Council's employment policies and procedures (SO6xviii)
It was noted the Clerk is employed as the Proper Officer and Responsible Finance Officer. The Clerk has an SLCC model contract. The street cleaner's contract will be reviewed by the Staffing Committee. Both staff have received appraisals.

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24. To note the Council's expenditure incurred under s.137 of the Local Government Act 1972 or General Power of Competence. (SO6jxx)

Cllr Roberts stated the section 137 spending is linked to the electorate and the legal maximum for 2021/22 = £15,045. In April 2021, the Council voted to donate £5,000 to The Peninsula Trust using Section 137.

25. To determine the time and place of the Council's Ordinary meeting up to the next Annual Parish Council meeting. (SO6jxxi)

It was proposed by Cllr Roberts, seconded by Cllr Lewis and unanimously agreed by all Councillors that the Council continue to meet on the 3rd Tuesday of every month, with the exception of August and September, at 7:30pm. Subject to no further restrictions the meetings will be held in the village hall. **Resolved.**

26. Correspondence & Matters to note

The Clerk had provided a detailed list of correspondence and matters to note. The Chair requested if anyone has any queries on any of the items to contact the Clerk.

The meeting closed 20:56

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Agenda item 26
Correspondence / Matters to note

	Topic	Notes / Action
1	NALC / CALC / SLCC / Cornwall Council	Remote meeting legislation updates Election information Code of conduct training Town and Parish Newsletters
2	Midge infestation	Communication with Environment Agency Flushing schedule was bought forward by the E.A.
3	Protection of ducks against the swans in Millbrook Lake	Communication with the Environment Agency Meeting with parishioner Communication with Rame Wildlife Group and Cornwall Wildlife Trust who have confirmed it is natural instinct and swans are protected.
4	Traffic, transport & parking issues	Communication with businesses. Collated for Traffic & Transport Advisory Group Parking Enforcement notified. Meeting held with Chair of the Millbrook Parish Council, CC Kate Ewert & Parish Clerk to discuss traffic issues. Issues to be discussed in a future joint meeting to with neighbouring parishes after the Annual Parish Council meetings.
5	Planning query – Kiln Close PA19/6117 Query submitted by Parishioner and forwarded to the Parish Council: (i) that no ownership condition was applied to the development - the properties can be sold as second homes (ii) with regard to the two properties with extensions added after the original application, there are no 'granny flat' conditions - they can be marketed as entirely separate independent flats.	Response to parishioner from Cornwall Council Planning & Sustainable Development Service There is no planning restriction preventing use of any of the properties as second homes. The original consent was approved prior to introduction of the principal residency clause within the NDP, hence the lack of this type of restriction. The 'annexes' must be occupied ancillary to the main dwelling, occupied by non-paying guests. They cannot be occupied independently of the main dwelling (i.e., cannot be holiday homes or let separate to the main dwelling Information forwarded to agent.
6	Cormac Surfacing	Potential resurfacing in Southdown Road that would require closure of the road by the mini roundabout.
7	Cornwall Streetworks Team	Closure intention at Southdown Road due to utility works for surface water connection. 12th July to 30th July (07:30hrs to 18:00hrs)
8	St John's Road crossing for Millbrook School	Meeting with Cormac Crossing Patrol Officers and Head of Millbrook School. Update on costings requested
9	Cornwall Council Planning & Sustainable Development Infrastructure Group Leader PA19/09713	Payment of £13,468.88 received. Legal agreement for CIL funding to be reviewed and approved by September 2021.
10	Donation of flowerboat for the bottom of Blindwell Hill	Cllr Beadnall has been communication with the interested parties.
11	Loading bay by the Co-op	Photograph taken. Reported to Cormac as a safety issue.
12	Awenek Studio CIC	Proposal to set up a pop-up drop-in craft area in the Tractor Park with two or three different activities suitable for younger children and parents to make together. The event would take place at the same time as the skate park activity event. Further information has been provided. The activities fall under Reaching Communities lottery funding.

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