

LUXULYAN PARISH COUNCIL

DRAFT Minutes of the Ordinary Meeting at the Luxulyan Memorial Institute, 6.00 pm,

THURSDAY 11 JANUARY 2018

PRESENT:

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston, Cllr Cath Grey, Cllr Margaret Higman, Cllr Sarah Kemp, Cllr Francis Payne, Cllr Sue Perry, Cllr Justine Rowe, Cllr Bert Rowe.

ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson, Ward Member Cllr Sally-Anne Saunders and 9 Members of the Public.

ABSENT:

None.

Abbreviations: Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Footpath (FP), Local Maintenance Partnership (LMP), Community Land Trust (CLT), Friends of Luxulyan Valley (FOLV), Luxulyan Neighbourhood Plan (LNP). *** indicates the Consultee Comments submitted to the Planning Authority; the general points are proposed and decided by LPC; formal submission is delegated to the Clerk.

The meeting began at 6.00 PM and the Chairman welcomed all.

17/196 Apologies

As the PCSO explained to the meeting last autumn, he will be unable to attend except in special circumstances because he and one other officer are responsible for a very large area.

17/197 Declarations of interest or requests for dispensation.

CG, SK, and ML declared family connections with at least one of the candidates for co-option to the parish council at Item 17/200.

17/198 Public Session

A A few members of the public spoke about the site for planning application PA17/08193. The information given was concerning the discrepancies in the application itself and the ongoing works on that site. The members of the public confirmed that the site is on a flood plain and were also concerned about the effect on the adjacent SSSI. (Item 17/211.E.i was brought forward. See the decision at that item.)

B A member of FOLV read out a statement of concern about the Rock Mill development.

C The owner and his architect spoke about the Rock Mill development pre-application (PA17/03363/PREAPP) and answered councillors' questions. The owner invited the councillors for a site visit to be coordinated by the Clerk. As this meeting was to be adjourned until 25th January because of the time, the councillors were happy to take the opportunity to visit the site in the interim. (See the council's decision at that item 17/211.B.i)

ACTION: Clerk

7.50 pm. The members of the public left the chamber.

The Chair explained that meetings should last a maximum of 2.5 hours. For this reason, she would, in future, be adjourning the meeting at 8.30 pm, and resume on another Thursday in the month. However, because of the long Public Session at this meeting, they would adjourn today at 9.00 pm. On 11 January the meeting continues through Item 17/206.

17/199 Review of action points

A	ML spoke to the property owner near the cemetery about a bad smell and the owner is having his septic tank looked at.
B	The provider of the Defibrillators, Ronnie Richards Memorial Charity, has sent a maintenance schedule to the clerk and explained how to get parts when needed.
C	Goal posts should be delivered within 3-4 weeks. KB is the contact for the delivery of the goal posts. He will oversee the installation. ML has had a preliminary conversation with A&A about installation. KB will let the clerk know when the posts arrive.
D	JR will contact the residents about the working party to improve the traffic situation near Penmount at Lanivet. BR & MH visited the area and said the bushes and trees were obstructing view.
E	So far one quote has been received for the shed roof. The one person who quoted also suggested that the job could be done by splicing the beams, rather than complete renewal. The clerk is requesting quotes for both renewal of the roof and repair by splicing.
F	A letter will be sent from the Chair to invite the winners to receive the Citizen of the Year Award at the Parish Meeting on 16 th February.
G	Other previous items will be discussed under the topics below.

17/200 Co-option of new Member.

A	This item is DEFERRED until the next ordinary meeting. The clerk will send the letter from each candidate to the councillors. ACTION: Clerk
---	--

17/201 Meetings and governance

A	It was RESOLVED that the following sentence is deleted from the draft Minute 17/185 "Regarding the use of the funds from Bodwen Solar Park, this will be discussed at the Parish Meeting in February, details to follow." (proposed SK, 2 nd SP) The clerk will reprint the minutes without that sentence, ready for signing on 25 th Jan. ACTION: Clerk
B	With the previous adjustment to the draft minutes, the council RESOLVED that the minutes of the meeting held on 14 December 2017 were a true and correct record (proposed SK, 2 nd SP) and they were duly signed on 25 Jan 2018.
C	It was RESOLVED that the following Standing Orders were removed (proposed ML, 2 nd KB). It was noted that all declarations of interest are minuted and therefore the declarations of interest book is redundant. "13(b): The proper officer shall keep the Luxulyan Declarations of Interest book. 13(c): When considering a matter in which a councillor has an interest and does not have a dispensation, before the matter is discussed, the councillor will enter these details into the Declarations of Interest book: date of the meeting, the matter of the interest, the councillor's signature, and the type of interest. The councillor shall not enter into the discussion or vote. The councillor may withdraw from the meeting whilst the council considers the matter if, upon consideration of the code of conduct, he feels it is best to do so, or he will withdraw if asked to do so by the chairman or another councillor."
D	It was RESOLVED that the following Standing Orders were added as recommended in the model standing orders (proposed ML, 2 nd KB) and to coincide with the : 13(b)

Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.

13(c) Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.

- E After discussion, it was unanimously **RESOLVED** (proposed ML, 2nd SP) that LPC will have two sessions of training *Being a Good Councillor, Parts I & II*, received from the head of CALC, Sarah Mason, at £175 per session + VAT + mileage. Sessions will be held at the Institute on a Thursday. The clerk will get some dates from CALC and see when the most councillors can come.

ACTION: Clerk

17/202 Finance

- A Clerk's reports *Payments against Budget, Cash Flow, and Bank Rec* were **NOTED**. The audit panel met and did its internal control check of payments. There were no unauthorised payments, but a few invoices are missing for grant payments.

- B It was **RESOLVED** (proposed KB, 2nd ML) to use the same company for next year's playing field inspection, The Play Inspection Company at £78 including VAT.

ACTION: Clerk

- C The council **AUTHORISED** payments for January totalling £2,545.20 (proposed KB, 2nd FP). The last column is recoverable VAT.

The goal posts will not be paid for until they are delivered.

<i>Mrs C Wilson *1809</i>	11 Jan 18	<i>Clerk's salary and expenses</i>	faster	£	696.36		
<i>XLN Business Services</i>	12 Jan 18	<i>LNP Broadband Dec17</i>	DD	£	27.68		
<i>Andy Inglefield</i>	11 Jan 18	<i>Playground inspections Dec17, 5 wks</i>	faster	£	57.50		
<i>British Gas</i>	4 Jan 18	<i>Public Conveniences, electricity</i>	DD	£	17.10		0.81
<i>A&A, Inv777 partial</i>	11 Jan 18	<i>Cemetery</i>	faster	£	125.00		
<i>Play Inspection Co.</i>	11 Jan 18	<i>Play Equip annual inspection</i>	faster	£	78.00		13.00
<i>Cormac Cleaning</i>	11 Jan 18	<i>Pub. Con., cleaning Dec17(paid accident)</i>	faster	£	342.77		57.13
<i>Stadia Sports</i>		<i>Goal Posts 24'x8'</i>	faster	£	1,108.80		184.80
<i>Unity Trust Bank</i>	27 Dec 17	<i>Stopped Cheque</i>	faster	£	8.00		
<i>Unity Trust Bank</i>	31 Dec 17	<i>Service Charge</i>	faster	£	18.00		
<i>Davey & Gilbert Ltd</i>	11 Jan 18	<i>System check, Defib at Lux Institute</i>	faster	£	60.00		10.00
<i>Bricknells</i>	11 Jan 18	<i>Office supplies, pens</i>	faster	£	5.99	January	1.00
						2,545.20	

- D The Clerk has confirmed LPC's eligibility for the Financial Services Compensation Scheme (FSCS) with Unity Trust bank.

17/203 Crime & Prevention. Police Community Support Officer's report

The PCSO Report for December 2017 was **NOTED**. INCIDENTS RECORDED: 2 Anti social behaviour; 1 Crime recorded; 6 Public safety; 4 Transport. CRIMES RECORDED: 1 Violence with injury; 1 Violence without injury; 1 Rape; 1 Criminal damage.

17/204 Ward Member Saunders' report to the Parish

Cllr Saunders reported that the Minorca Lane Project used Certificates of Lawfulness to register the caravan sites there and bring them up to standard. Cornwall Council is beginning to understand that, though this was the quick way of registering the properties, if the sites that qualify as traveller sites had registered as such, Cornwall Council could have fulfilled a good number of its quota of traveller sites in that way and there would not be so much pressure on Cornwall Council to find many more sites. In fact, this could be

true of a number of other sites, not just Minorca Lane. From now on, Cornwall Council will use Retrospective Planning applications, not Certificates of Lawfulness.

This report will cover the period between the last Parish Council Meeting on the 14 Dec 2017 up to and including 11 January 2018. I should just like to start by wishing everyone a Happy and Healthy 2018.

Meetings Attended

- China Clay Community Network Panel – Public Mtg (My turn to act as Chair)
- Briefing on Transformation of Adult Social Care
- Health and Adult Social Care Overview and Scrutiny Committee Extraordinary Mtg - Budget
- St Blazey, Fowey & Lostwithiel Network Panel - Cornwall Councillors Mtg
- The Luxulyan Valley Partnership
- School Transport Appeals Panel
- Treverbyn Parish Council
- In addition I have had several meetings with County Council Officers and others to discuss issues directly relevant to the ward, either effecting residents of Luxulyan Parish or Treverbyn and in some cases both.
- I have also met with a number of residents who for various reasons have sought my assistance. Most casework comes via email or a phone call, however sometimes it is necessary or even advantageous to visit with them and I am always happy to do that.

Luxulyan Parish Round Up with the Chair

The Chair, Cllr Michaela Linfoot and I have made a couple of excursions this month.

— The focus of one of them was the Charlestown Leat, as a query had been raised with me regards where exactly the responsibility lies in respect of the maintenance of it. It seems the answer to that is rather complicated and in an effort to better understand the complexities of the matter it was felt that a walk along parts of it would help me to better understand the effects at least that its current state of disrepair are having in certain areas. Cllr Linfoot was able to prevail upon Ed Harradance, Chair of the Luxulyan Valley Partnership to accompany us on a walk and his extensive knowledge proved extremely helpful.

— We have also followed up together on issues that have been raised at Council by residents. Either to check that CC have dealt with the matters raised following LPC reporting them to CC or to take photos or gather further information with which to progress the issues with them.

Outstanding Issues

1) Flooding and potholes on Road to Tor from Bodwen

This road is closed at present. Hopes of draining the area in order to effect repairs are being hampered by the sheer volume of water on the surrounding land.

2) Road down to Luxulyan Station – Hedge cutting and clearing of verges to unblock and uncover drains. Clear leat of silt.

Discussions ongoing with Cormac and the Land drainage Team.

Resolved

1) Flooding on road ex Luxulyan to Lanlivery (Greadow Farm)

Resolved for now although I am hoping that Cormac will consider a further piece of work that should help prevent the problem recurring.

17/205 Neighbourhood Plan steering group report

No meeting has been held since the last LPC meeting.

17/206 Better maintenance of the village and parish, especially verges.

This item is **DEFERRED** to the Parish Meeting on 16th February. The Parish Council would like the residents' opinion about spending council money on tidying the parish, in

the village and hamlets, and on the highways. This would especially be used to cut grass verges more regularly.

*The meeting on 11 January was adjourned at 9.05 pm.
The meeting resumed on 25th January at 6 pm.*

17/207 Parish Council Facebook Page

After consideration of other parishes' Facebook pages and their interaction with their communities and in the hope of connecting with a new segment of Luxulyan parish residents; after discussion of the pros and cons, and with a number of councillors questioning the need for such a method of communication, it was **RESOLVED** to have a Luxulyan Parish Council Facebook page, handled by the Clerk. The security setting will be set so that it doesn't receive posts or comments from others. It will be for information only and will not refer to agenda items. It will give information about community and council activity and evolve with input from the councillors and residents. The clerk will begin work on this after the February meeting.

ACTION: Clerk

17/208 Treskilling Hedges

It was **RESOLVED** to write to Cornwall Council to see whether they can do anything about ensuring the mud on the road is better controlled and the hedges are protected from the heavy vehicles, especially on the corners.

ACTION: Clerk

17/209 Village rubbish bins

The clerk reported on the schedule of rubbish and dog bin collection in the village. FP said he didn't think the actual collection coincided with the schedule. It was requested that the clerk find out about the cost of a new dog bin and a larger bin for the bus stop, possibly purchased from Cormac. The bin there is broken and badly stained. To be discussed again at the next meeting.

ACTION: Clerk

17/210 Sign at Gatty's Bridge

It was **RESOLVED** to renew the LUXULYAN sign, or a 'Welcome to LUXULYAN' sign at Gatty's Bridge (proposed BR; 2nd SK) with a sign and posts. The clerk will request a quote from Cormac for both signs.

ACTION: Clerk

17/211 Planning

A Consultation response to Cornwall Statement of Community Involvement for Planning. SP and FP had formed responses to this consultation and explained them to the Council. It was **RESOLVED** (proposed FP; 2nd SP) to support the statement in favour of early and meaningful involvement of parish councils, particularly involving PACE (Pre-application Community Engagement) and better training for parish councillors.

ACTION: Clerk

B **PA17/03363/PREAPP** | Pre-application advice for erection of holiday accommodation | Land North East Of Rock Mill Prideaux St Blazey Cornwall PL24 2SS. Though comments are not requested from the Parish Council, LPC may contact the case officer with its concerns and there is an enforcement case open about the height of the roof. A number of councillors visited the site and spoke with the owner and architect. After careful consideration of the development and its impact on the surrounding World Heritage Site, LPC **RESOLVED** to submit these comments to the

case officers of the Pre-App and the Enforcement:

*** After consideration of the pros and cons of the various new design features of the new holiday accommodation, which was originally given planning permission in December 2013, PA13/06904, Luxulyan Parish Council is very disappointed that the original approved plans have not been adhered to. 1) The higher roof line carries much more impact. It is hoped that the lower original sedum roof could be retained. 2) the hard standing is intrusive, is not in keeping with the remote World Heritage Site and is easily visible from the road and public paths. 3) the removal of the old Cornish hedge ensures that the entire development makes a much greater impact visually, and highway access at that point is awkward for traffic on the narrow unclassified road. The Parish Council would like the Cornish hedge reinstated, the roof lowered to the original slant and the hardstanding removed. The current changes to the approved plan are out of place and adversely impact the World Heritage Site.

C Enforcements – (see Clerk’s Notes)

D Planning decisions (also reported in *Clerk’s Notes* and on the website).

E Applications for consultee comments.

i. **PA17/08193** | Change of use of land to 4 no. Gypsy / Traveller pitches with associated works including 3 no. mobile homes, 4 no. touring caravans, 3 no. day rooms, 3 no. sealed septic tanks, 5 no. sheds, and hardstanding | Land At PL26 8QW.

The council discussed the application and **RESOLVED** the following comments, which are lengthy and can be found in full online. The comments are outlined here:

*** Luxulyan Parish Council **OBJECTS** to this planning application for the following reasons: Firstly, there is a large amount of incorrect information on the application itself. ... Secondly, regarding sustainability: It has taken the proposed residents and their children further away from facilities such as shops and schools and into green fields in and nearby SSSI (Mid-Cornwall Moors) and County Wildlife Site R7.2 protected countryside. Thirdly, this application contravenes a number of sections in the National Planning Policy Framework (NPPF) ... Fourthly, this application contravenes sections in the Cornwall Development Plan (CDP) ... Fifthly, this application contravenes a number of sections in the Department of Communities and Local Government Planning Policy H: Determining Planning application for traveller sites. August 2015 ...

ii. **PA17/11728** | Change of use of a residential garage into a self-contained dwelling house | Dove Cottage Access To El Joyita Lockengate Bugle St Austell Cornwall PL26 8RU.

The council discussed the application and **RESOLVED** the following comments (proposed SP, 2nd ML):

*** Luxulyan Parish Council gives its **CONDITIONAL SUPPORT** to this application. The council and the imminent Luxulyan Neighbourhood Development Plan recognise a strong need for affordable housing in the parish. If planning is granted, this small self-contained dwelling house should remain in the affordable range of properties. Secondly, the council requests that the case officer assures that vehicles can be parked off-road.

iii. Applications for consideration since the posting of this Agenda

A	Fly-tipping has been reported twice in the same area between the Quarry and Kernick Farm. The clerk reported the incidents to Cornwall Council. The first time it was cleared promptly. The second incident has not been checked since it was reported. At the request of BR, the clerk also requested that Cornwall Council install a surveillance device at this notorious tipping spot.
B	ML reported on a number of highways issues that Rachael Tatlow from Highways saw on their recent tour of the parish.
C	At the Community Network meeting ML spoke with an engineer involved in the STARR project and he agreed to visit to talk about flooding along the leats.

17/213 Assets – reports and maintenance

A	Cemetery. It is reported that the Cemetery is looking good. The unsightly squares on the path are from people cleaning the grave ornaments on the path. ML reported that the tarmac path put in many years ago is crumbling. It was requested that the clerk confirm her estimate of available space. ACTION: Clerk
B	Footpaths
C	FP15 beside the school is flooded still and impassable. It was RESOLVED to accept A&A's estimate of £230 to put in a soakaway (proposed BR, 2 nd KB). ACTION: Clerk
D	The lights on the footpath near Bridges are covered by bushes that need to be cut back. It was RESOLVED to write to the property owners to trim their vegetation back (proposed CG, 2 nd ML). CG will send the addresses of the properties to the clerk. ACTION: CG, Clerk
E	Luxulyan Memorial Institute. Seed & Swaps will continue 1 st Saturday of the month.
F	Playing Field. Weekly inspections for December were received from the operational inspector. No urgent action is required. The annual report has also been received and no urgent action is required.
G	Village Toilets.
	<ul style="list-style-type: none"> i. The clerk will contact the insurance company about the lightening strike that has affected the lights so that the motion detector no longer works, and the lights are on all the time. Requested quotes still need to come in. ACTION: Clerk ii. FP reported that South West Water has taken responsibility for the blocked drain outside and have seen that it is not up to standard. It is now scheduled for a repair. iii. Repair of the railing will be paid for by the insurance for the company whose vehicle hit the railing. Two quotes have been received for £70 and £80. It was RESOLVED to choose the one who can get the job done soonest. ACTION: Clerk

17/214 Parish Matters – reports

A	Community Networks: St Blazey; China Clay. No recent meetings
B	Luxulyan CLT. Nothing to report.

C Luxulyan Parish Community Fund. The clerk has not yet received details of the grants awarded in December, which should go on the website. They have been requested from the Secretary.
D Luxulyan Valley Partnership. SP explained that the start of the HLF project has been delayed because of the need to find specialised scaffolding. Historic England has laid down a large number of conditions which must be agreed and sorted before work commences. Hopefully tree works can be completed before spring springs. The removal of trees may be 10 meters on either side of the viaduct, also removals along the leats. They are investigating the cost of granite signs for the project.
E Village Hall Committee
F Other matters for report

17/215 Correspondence & Invitations (complete list in *Clerk's Notes*)

A The Monitoring Officer from Cornwall Council sent the Assessment Decision Notice: "No Breach of the Code. Reference CCN012/17/18. Complainant: Cllr Catherine Grey. Subject Member: Cllr Robert (Bert) Rowe. Decision: No further action needs to be taken. Recommendation: that the Subject Member attend training on the Code of Conduct." The clerk confirms that BR has received this training.
B One copy of the Winter Wellbeing Guide may be found at the Institute.

17/216 Business for the next meeting

Possibility of separate planning meetings. Grant Awards. Q&A session with the Clerk.
--

17/217 Dates of next meetings

A It was agreed to adjourn the meeting until Thursday 25 th January, 6.00 pm, Institute.
B The Ordinary Meeting Thurs, 8 February 2018, 6.00pm, at the Institute.
C Staffing Committee. Monday, 12 February, 6.00 pm, Institute.
D Parish Meeting. Friday, 16 February, 7.00 pm, Luxulyan Village Hall. The notice is on the notice boards, in the Granite Towers and on the website.

On 25th January discussion of all agenda Items was completed and the meeting closed at 8.20 pm. The Chairman thanked everyone for attending.

Mrs C Wilson ~ Parish Clerk ~ 2 February 2017