

# LUXULYAN PARISH COUNCIL

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

**THURSDAY 13 JUNE 2019**

**PRESENT:**

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston (Vice-chair), Cllr Kay Baker, Cllr Michael Grindley, Cllr Margaret Higman, Cllr Sarah Kemp, Cllr Francis Payne.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson, Ward Member Cllr Sally-Anne Saunders, Alan Jeffries, Senior Environment Officer at Cornwall Council for the StARR project and 8 Members of the Public.

**ABSENT:**

Cllr Bob Hatton, Cllr Tina Windsor, Cllr Michele Latham.

Abbreviations: Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Cornwall Assoc. of Local Councils (CALC), Footpath (FP), Local Maintenance Partnership (LMP), Community Network Panel (CNP), Friends of Luxulyan Valley (FOLV), General Data Protection Regulations (GDPR), 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 Chair welcomed all.*

**19/28 Apologies**

Apologies were received from BH, TW, MLa.

**19/29 Declarations of interest or requests for dispensation.**

MH declared an interest in the planning application PA19/04301 at Item 19/36.

**19/30 Public Session**

A The applicants presented their plans which will become a full planning application soon [PA19/00292/PREAPP | Pre-application advice for partial demolition of leanto barn building and conversion of redundant farm barns to residential use. | Gunwen Farm Luxulyan Bodmin Cornwall PL30 5DS]. The councillors were able to ask questions.

B The applicant presented new plans for a proposed development of one dwelling at Treskilling [PA18/01025/PREAPP Pre-application advice for proposed construction of a residential dwelling | Land South East Of Treskilling Farm Cottage Treskilling Luxulyan Cornwall PL30 5EJ]. A site visit will be organised.  
**ACTION: Clerk**

C The applicant explained the details of his application at Bodiggo [PA19/03778, Item 19/36.B.i]. A member of the public asked whether the applicant would consider an affordable home, in keeping with the newly approved Neighbourhood Plan. The applicant explained that a local couple have agreed to purchase the house when it is finished, and it will not be in the 'affordable' category. LPC requested a site visit, which will take place on Saturday 15 June at 11.30am. An extraordinary meeting will be called to resolve consultee comments.  
**ACTION: Clerk**

*4 members of the public left the meeting.*

D The previous Chairman of the Footpath Committee explained that a meeting was held on Monday 10 June, which was attended by this year's parish council representatives, FP and KBa. The Chairman is stepping down after many years and the committee will be looking for a new chair and new members. They hope to recruit members during

Feast Week. The clerk explained that the Footpath Committee has been a longstanding group in the parish and though not a parish council committee, LPC does have two representatives on it. KBa gave a report on Footpaths 5, 6 and 8, which have been problematic for some time (see Item 19/38.C). They requested info about joining the FP committee be placed on the LPC Facebook page. There is also interest in starting up parish walks again, and the clerk will look into insurance.

**ACTION: Clerk**

- E The Luxulyan Neighbourhood Development Plan Steering Committee announced that the Plan has now been signed off by Cornwall Council. The independent examiner made only minor changes to the text. The next step is confirming the date for the referendum, sometime in July. The Steering Committee requested that the council help make and distribute a flyer to inform people of the referendum. The Steering Committee and the Parish Council are not allowed to 'promote' the Neighbourhood Plan but can inform people about the referendum. (See Item 19/34.D)

*1 member of the public left the meeting.*

- F In the absence of Cllr Hatton, the clerk reported on the site visit to the weir and sluice gates on the leats with M Clemo of Cornwall Council and G Kerry of the Environment Agency (EA) on 4 June. M Clemo's report to the parish council on the site visit is **ATTACHED** to these minutes. The parish still awaits the report from G Kerry after he consults with the contacts supervisor at the EA. The Parish Council will continue to look for ways to bring separate authorities with different responsibilities together in a 'joined-up' approach to the river and leat management. LPC received comments and advice from Alan Jeffries.

- G Alan Jeffries, Senior Environment Officer at Cornwall Council, reported on progress with the StARR (St Austell Bay Resilient Regeneration) Project.
- It is an ambitious pioneering project which will be a pilot scheme for the rest of the country wanting to use natural flood management solutions to solve persistent flooding problems.
  - There is £32 million of agreed funding to solve ongoing flooding issues in the Par and St Blazey area.
  - It coordinates the responsibilities and efforts of many different agencies and uses private and public land, including highways.
  - The two areas affected in Luxulyan parish will be at Pontoys Mill and at the junction of the River Par and Prideaux stream. You can see some tree clearance done recently at Pontoys Mill to preserve the river flow along a 150-metre stretch.
  - The natural flood management approach will use natural methods to allow land upstream of the flooding area to absorb potential flood waters early so that it doesn't reach the problem areas. This is done with strategic plantings of trees, dredging of ponds and marshy areas, re-joining of flood plains and other schemes which work in harmony to stop problem flooding.
  - Par and St Blazey will benefit economically as residents and businesses are able to invest in a flood-free zone.
  - StARR will be holding a drop-in exposition at the St Blazey Football Club, Friday & Saturday, 28-29 June, to explain and showcase the scheme.

*Alan Jeffries and 3 members of the public left the meeting.*

#### 19/31 Review of action points

Knotweed in the playing field will continue to be monitored by FP and the clerk will stay in touch with the person contracted to eradicate it.

**ACTION: FP and Clerk**

*me*

19/32 Meetings and governance

- A The council **RESOLVED** that the minutes, as read, of the Annual Parish Council Meeting held on 9 May 2019 were a true and correct record and that the minutes, as read, of the Ordinary Parish Council Meeting held on 9 May 2019 were both true and correct records (proposed KBa, 2<sup>nd</sup> FP) and they were duly signed.
- B Community Governance Review. It was **RESOLVED** (proposed MLI, 2<sup>nd</sup> SK) to respond to the Review indicating the Parish Council's satisfaction with its boundaries.  
**ACTION: FP and Clerk**

19/33 Finance

- A Clerk's reports *Budget Comparison and Bank Reconciliation* to the end of May 2019 were **NOTED**. There were no questions.
- B The Cornwall Heritage Trust had indicated its need for a grant for information plaques at a new hut to be refurbished by volunteers in Luxulyan Valley. They have applied to the Luxulyan Parish Community Fund and the application for LPC has not yet arrived.
- C The approval of two Drive Slowly through Bodwen signs at a cost of £695.66 + VAT along with a new 40 mph sign was **DEFERRED** until a price for 'SLOW' road markings was received.
- D It was **RESOLVED** (proposed SK, 2<sup>nd</sup> KBi) to pay the annual fee of £35 to the Information Commissioner's Office as a data holding body.  
**ACTION: Clerk**
- E The council **AUTHORISED** payments for June 2019 totalling £1,279.66 (proposed KBa, 2<sup>nd</sup> MLI). The last column is recoverable VAT.
- |                         |           |                                    |        |     |        |  |      |
|-------------------------|-----------|------------------------------------|--------|-----|--------|--|------|
| Mrs C Wilson *2003      | 13 Jun 19 | Clerk's salary and expenses        | faster | £   | 933.77 |  |      |
| HMRC-PAYE *2003         | 13 Jun 19 | Clerk's HMRC                       | faster | £   | 32.53  |  |      |
| XLN Business Services   | 13 Jun 19 | LMI broadband May19                | DD     | £   | 40.73  |  |      |
| Andy Inglefield, inv381 | 13 Jun 19 | Playground maintenance             | faster | £   | 85.32  |  |      |
| Andy Inglefield, inv382 | 13 Jun 19 | Playground inspections - 5 weeks   | faster | £   | 46.00  |  |      |
| British Gas             | 13 Jun 19 | Public Conveniences, electricity   | DD     | TBA |        |  |      |
| Cormac Cleaning         | 13 Jun 19 | Public Conveniences cleaning May19 | faster | TBA |        |  |      |
| Jim Cleare              | 13 Jun 19 | Postage, Granite Towers            | faster | £   | 33.20  |  |      |
| South West Water        | 13 Jun 19 | Toilets, water - estimated         | faster | £   | 69.13  |  |      |
| Bricknells              | 13 Jun 19 | Paper 7x reams                     | faster | £   | 38.98  |  | 6.50 |

19/34 Reports

- A Chair's Report  
• The Chair and BH walked the leats through Luxulyan Valley.
- B Crime & Prevention. The council received with thanks Cllr Latham's report on Road Safety and Community Speed Engagement Event On 14th May 2019 and also the Police Commissioner's Office Councillor Advocate Seminar 15th May 2019.
- C Cllr Saunders' report to the Parish  
• The **StARR Exposition, St Blazey Football Club, Friday & Saturday, 28-29 June**, time to be confirmed.  
• As the start of another civic year, May has been no less busy or varied than usual - I have, since the last Luxulyan Parish Meeting, attended multiple Treverbyn Parish Mtg's, the Clay Area Network Panel mtg, a conference on Community Speedwatch and other road safety related matters, visited with 3 residents to discuss their planning applications, had one to one meetings on several occasions with officers in order to pursue matters on behalf of either my parishes or residents - ranging from footpath issues, the A30 Link Road to transport.

- At the Full Council AGM I was reappointed to the School Transport Appeal's Panel and as a committee member to the Customers & Support Services Overview & Scrutiny Committee, as well as a substitute on the Miscellaneous Licensing Committee.

- Further, in order to ensure I was up to speed on all matters "Governance Review" I attended the Electoral Review Panel Mtg, as well as the Extraordinary Meeting of the Neighbourhoods Overview and Scrutiny Committee to discuss "Climate Change".

- Cornwall Council has been considering its response to declaring a "Climate Change Emergency" which it did back in February. Councillors were presented with an extremely detailed consideration of how the Council might now respond in terms of policy and actions. It is now the intent to consult with members of the public in order to understand their views on the matter before the whole issue comes back to Full Council in July.

- I was also able to attend a Members Briefing at County Hall this month, where Councillors were updated on two very serious issues that affect Cornwall and its residents, namely - Suicide Prevention in Cornwall and the Isles of Scilly and Cornwall Council's duties under the Mental Health Act and Mental Capacity Act.

- I was also very pleased to attend an event in Bugle at the Imery's Bowling Club to show my support for their "The Waiting Room that Moved" Heritage Lottery Project.

- Looking forward, I would just like to inform Parish Councillor's and residents of the "**StARR Project open days**" coming up on the **28th/29th June at St Blazey Football Club**. Anyone interested in what this flood mitigation scheme is proposing will be able to view their plans as well as question Officers from the Council's Design Team and the Environment Agency who will also be in attendance. I have at this point every intention of being present too and look forward to the opportunity for chatting with residents, so please pop along.

D Neighbourhood Plan steering group. It was **RESOLVED** (proposed SK, 2<sup>nd</sup> KBa) that the parish council would encourage all residents to vote in the LNP referendum by way of a letter drop and the parish council will take on the costs of this. The clerk will design and print A5 leaflets to be letter-dropped to parishioners outside the village about the date of the referendum. FP offered to do the letter-drop.  
**ACTION: LNP and Clerk**

E Skate Park Working Party. Nothing to report.

#### 19/35 Considerations

A Agency Agreement for the cutting of the verges was **DEFERRED** until the clerk can meet with the contractor to sort out the areas that are cut.  
**ACTION: Clerk**

B Broadband at the Luxulyan Memorial Institute. It was **RESOLVED** (proposed MLi, 2<sup>nd</sup> KBa) to cancel the contract with the broadband provider as it is hardly used and as no one has shown interest in internet or tablet classes at the Institute. The clerk will coordinate with the Institute secretary to cancel the contract.  
**ACTION: Clerk**

C Notice Board at the King's Arms. This is **DEFERRED** in order to look at other types of wooden notice boards that will fit into the required space.  
**ACTION: Clerk**

#### 19/36 Planning

A Planning issues and correspondence. Planning decisions are reported in Clerk's Notes and on the website.

*ml*

i. **PA18/01025/PREAPP** about a build in Treskilling was discussed during the Public Session at Item 19/30.A. A site visit will be organised.  
**ACTION: Clerk**

ii. **PA19/01041/PREAPP** | Pre application advice for proposed development of one dwelling to replace an existing storage building. | Land North West Of Appletree Farm Conce Moor Bugle Cornwall PL26 8RT. The deadline is 14 June for a decision by the Planning Authority.

iii. 19/00086/ENAPP | APP/D0840/W/18/3202328 APPEAL AGAINST ENFORCEMENT NOTICE. - The material change of use of the land for the stationing of four gypsy/traveller pitches including 4 static caravans, 6 touring caravans, for the purposes of independent human habitation. Also the provision of an access and hardstanding. | Land South East Of Minorca Lane Bugle Cornwall PL26 8QN [Overall Expiry Date: Mon 17 Jun 2019]

iv. 18/00281/REF | APP/D0840/W/18/3210209. APPEAL AGAINST REFUSAL. 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 South East Of Minorca Lane Bugle Cornwall PL26 8QN [Overall Expiry Date: Mon 17 Jun 2019]

It was **RESOLVED** (proposed MLI, 2<sup>nd</sup> KBa) that FP will review the council's submission and decide whether a new submission is needed. If so the clerk will submit a new comment. It was further **RESOLVED** that FP will attend the hearing to represent LPC.

**ACTION: FP and Clerk**

#### B Applications for consultee comments.

i. **PA19/03778** | Outline permission with some matters reserved for the construction of a dwelling | Land North Of South Barn Luxulyan Bodmin Cornwall PL30 5DR. Consultee comments have been **DEFERRED** until an extraordinary meeting after a site visit.

*MH left the chamber for the duration of the discussion and vote on Item 19/36.B.ii.*

ii. **PA19/04301** | Consent to extend the permission for the siting of a static caravan for a farm worker. In respect of three year approval reference PA16/02471. | Trevanney Farm St Blazey Cornwall PL24 2SU.  
The council discussed the application and **RESOLVED** (proposed SK, 2<sup>nd</sup> KBI) to submit the following consultee comments:  
\*\*\* Luxulyan Parish Council **SUPPORTS** this application.

#### 19/37 Highways & Flooding

A A report (attached) was **RECEIVED** from Martin Clemo, Flood & Coastal Asset Manager, Cornwall Council about a site visit to the leats and weir, 4th June 2019 with Cllr B Hatton and the Clerk. Suggested action for LPC is to monitor this area and, in the event of future flooding issues, evidence the damage and identify the main source/s of water.  
**ACTION: LPC**

B Community Network Highways Scheme, Year 2. There were no proposals for submission to Year 2 of the Scheme. Two proposals from the first year were accepted, regarding signage at St Cyriac and a pedestrianised walkway to the Village Shop. Cllr

Saunders is submitting traffic mitigating measures for Resperry to the scheme.

**ACTION: Cllr Saunders**

C Drains at Rosemelling. Not all the drains were cleared and the clerk will submit a report on the clogged drains again.

**ACTION: Clerk**

#### 19/38 Assets – reports and maintenance

A Playing Field. All has been cut for Feast Week and is looking good. Playing Field inspections for May 2019 were received and **NOTED**. The clerk reported that tree branches were hanging very close to the Toddler Multi-play and A&A would be cutting them back very soon.

B Cemetery. It was **RESOLVED** (proposed MLi, 2<sup>nd</sup> KBi) to accept the quote for £295 to remove the fir trees between the car park and the cemetery and plant a hornbeam hedge.

C Footpaths. FP and KBa reported on a meeting of the Footpath Committee, held on Monday, 10<sup>th</sup> June and a report by R Smith. The clerk will coordinate with the Footpath Committee to address the issues raised.

**ACTION: KBa, FP and Clerk**

It was **RESOLVED** (proposed MLa, 2<sup>nd</sup> SK) to ask A&A to trim the footpath to the school as soon as possible because it has lots of stinging nettles.

D Luxulyan Memorial Institute. Meeting to be agreed.

E Village Toilets. An HSE (Health and Safety Executive) government leaflet on prevention of Legionnaire's Disease was received. The public toilets are checked regularly by the Cormac contractors to ensure conditions are not favourable to the disease.

F Website Accessibility. The council **RECEIVED** a briefing report from the clerk about the need to meet accessibility standards by September 2020. The website provider specialises in local council websites and is in conversation with the National Association of Local Councils (NALC) to interpret the regulations for local councils.

G Village Bus Shelter. The clerk will look into the cost of replacing the Perspex panels which have ugly cigarette holes burned in them.

**ACTION: Clerk**

H Bin at village bus shelter. FP and SK will look into the problem with the lock because it opens intermittently and is not being emptied because of the lock.

**ACTION: FP and SK**

#### 19/39 Parish Matters – reports

A Luxulyan Valley Partnership. There is a meeting on Wed, 19 June at the Institute.

B Village Hall Committee. There is a meeting at the beginning of July.

C Other matters for report

#### 19/40 Correspondence & Invitations (complete list in Clerk's Notes)

A A member of the public wanted funds from the Parish Council to improve the aspect of the village bus shelter and spoke with the Chair about this. However, the resident has now received a donation of plants and will use money from the 'Beautify the Village'

MLC

pot collected at the Village Shop to buy the necessary compost. No LPC funds are needed.

19/41 Business for the next meeting

- A Report on the request for Common Land at Lowertown.
- B CIL (the Community Infrastructure Levy) and its implications for the parish.

19/42 Dates of next meetings

- A Extraordinary meeting for planning 20<sup>th</sup> June 2019, 6.00 pm, Lux Memorial Institute.
- B Ordinary Meeting 11 July 2019, 6.00pm, Luxulyan Memorial Institute.
- C Audit Panel meeting. 5.00 pm, 11 July 2019, Luxulyan Memorial Institute.
- D Planning Inspectorate hearing for the appeals concerning the Land South East of Minorca Lane Bugle PL26 8QN. Date, time, place to be confirmed.
- E 30th October 2019. Planning Inspectorate hearing regarding Common Land Application No. 2960. Cornwall Council to provide a suitable local venue.

*The Chair thanked everyone and closed the meeting at 9.05 pm.*

*Mrs C Wilson ~ Parish Clerk ~ 26 June 2019*

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**Notes from Site Meeting to view and discuss watercourse/flood issues from Bridges to Cam Bridges, Luxulyan.**

Attendees: Martin Clemo – Cornwall Council (MC) Bob Hatton – Luxulyan PC (BH) , Christine Wilson Luxulyan PC (CW) and Gregg Kerry – Environment Agency (GK)

10:00 to 12:00  
04/06/19

From station car park walked towards the railway bridge and noted the recent works to the small ordinary watercourse below the small road bridge adjacent "Lilac Cottage". This cleared approximately 30 tonnes of accumulated silt from the culvert under the station access road and also around 26m of open watercourse downstream. This has helped reduce water levels at the property "Bridges Mill" but due to the shallow gradient, it has been identified that further desilting downstream from this section including the area believed to be under the control of NWR, would be beneficial. CC have written to NWR to request they inspect their land and report back on findings and possibility of undertaking desilting works. For the section between NWR land and that already desilted, a further estimate of cost has been sought from Cormac and specialist sub-contractor.  
**Action – MC** to provide update once this information has been received from Cormac and NWR, as to affordability/feasibility of extending the recent works.

*MU*

Walked to highway (Treskilling Road) to just upstream of properties "The Bungalow" and "Wayside" to view the ordinary watercourse and culvert inlet. This is known to be a source of flooding in the past to properties along Treskilling Road towards the junction. Although works were understood to have been undertaken some years ago by Restormel BC/ the former CCC to upgrade the culvert to increase capacity under the road section which was believed to have been causing surcharging and flow to emanate from road gullies and the inlet, this area still suffers occasional flooding. It was noted that 2 Nr. piped "boltholes" now exist through the wall, the larger of which is 300mm dia. Neither have non-return valves so any water level increase in the stream behind the masonry wall will likely come out of these onto the road in extreme events. **Action – BH, CW (LPC)** suggest monitor this area in event of future flooding issues to try to identify the main source/s of water. If the boltholes are causing the water to come out of the culvert, it may be worthwhile fitting non-return valves. It was suggested by BH & CW that the rise in water level at the culvert inlet may be the result of this watercourse not being able to discharge into the main river further downstream below Rosevale Gardens due to artificially raised water levels in the main river in extreme weather events. BH suggested the possible cause for this the high water level at the weir due to the control sluice not being open at Cam Bridges. However, since the meeting, MC has checked GIS mapping and confirmed the level difference between the weir and the culvert inlet on Treskilling Road, is approximately 4m ( 110m AOD at culvert inlet and 106m AOD at weir – see attached screen shots). It is therefore unlikely any change at the weir area would influence surcharging effects at Bridges. What is apparent, however, is the whole area of Bridges from the culvert inlet to the discharge below Rosevale Gardens is at roughly the same contour level i.e. 110m AOD thus it will naturally difficult for water to drain from this area when the main river is high. The Floodzone 2 mapping information (yellow) also shows that in extreme rainfall events, the whole valley effectively becomes floodplain.

We walked from the Treskilling Road area to the downstream side of the road bridge to where the small ordinary watercourse from Treskilling Road comes out under the road bridge (culverted) and joins minor flow from other small watercourses in the area. Maintenance responsibilities were questioned here and I advised this would usually be down to the landowner unless another arrangement was in place for others to do this (e.g. Highways). **Action - MC** A Land registry search will be undertaken to try to identify who owns this land.

We next walked to the weir at Cam Bridges to look at the sluice gates and existing exceedance flow-route flow issues. As mentioned above, topographic levels at the site are considerably lower than Bridges and it is not thought flood risk is directly linked between these sites. The weir is part of the historic leat take-off for the Carmears leat which flows to the viaduct/aqueduct and onto the turbine (and formerly to drive the waterwheel at the incline). The refurbishment of the turbine is a potential future project that would require controlled flow from this system but due to structural integrity issues flow has currently been stopped from flowing to the viaduct via the side take-off sluice at Cam Bridges and also further downstream where a second control sluice diverts flow to either the viaduct or back to the main river. The closure of these sluices is a requirement of the existing Flood Defence Consent (EA) linked to the turbine refurb. bid, and it is also

ML



understood the current lack of an appropriate fish screen/pass precludes water being allowed to flow to the existing disused turbine. However, due to a current breach in the west bank of the main river slightly upstream of the weir, a considerable amount of water is currently escaping into the Carmears leat, but is later then diverted back into the main river at the lower control sluice point. Concern was expressed by BH and CW that without the ability to control flow at Cam Bridges sluice, especially if/when the breach in the main river bank is undertaken, this would cause an even greater amount of water to escape via informal channels etc. into surrounding land which is understood to have become an issue. The suggestion, therefore, is to allow some control of the Cam Bridges sluice gate to allow some water from the main river to be taken-off and to then return this to the main river at the downstream control sluice. This would effectively provide a more formalised arrangement of what currently happens anyway, but with the benefit of less impact to surrounding land. GK agreed to discuss with EA colleagues about the possibility of seeking a revision to the existing Consent and if there were other parties such as the landowner, WHS and Luxulyan Valley Partnership that might need to be consulted.

**Action - GK** to feedback on this in due course. GK advised that none of the flow control assets were under EA control and therefore the landowner needed to be identified.

**Action - MC** agreed to try to undertake a Land Registry search to try to find this out and will feed-back in due course.

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11/7/19  
ML M Lin FOOT