

# LUXULYAN PARISH COUNCIL

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

**THURSDAY 12 MARCH 2020**

**PRESENT:**

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston (Vice-chair), Cllr Kay Baker, Cllr Michael Grindley, Cllr Bob Hatton, Cllr Margaret Higman, Cllr Francis Payne, Cllr Tina Windsor.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson, Ward Member Cllr Sally-Anne Saunders, Matt Healey from the Westcountry Rivers Trust and 8 Members of the Public.

**ABSENT:**

Cllr Sarah Kemp, 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.*

*Because of Easter holidays, please note that the next meeting is on 16<sup>th</sup> April.*

*The parish council is monitoring government advice concerning the Coronavirus (Covid-19) contagion. At this meeting the tables were disinfected beforehand, and hand sanitiser and face masks were made available to everyone attending.*

*We do not foresee changes to the currently published meeting schedule.*

**19/180 Apologies**

Apologies were received from ML, SK.

**19/181 Declarations of interest or requests for dispensation.**

BH declared an interest in the planning development at 19/188.A.iii because he is a neighbour of the proposed development.

**19/182 Public Session**

A Matthew Healey of the Westcountry Rivers Trust spoke about his work with the StARR project (St Austell Bay Resilient Regeneration) to help link the River Par back with its flood plain. If you would like to sign up for the monthly StARR newsletter go to Cornwall Council's StARR webpage.

Matt would like to speak to farmers and landowners along the river who are interested in helping integrate their property with river and flood management. Natural Flood Management Measures – A Practical Guide for Farmers is a useful document, available online, explaining what can be done and how the work can benefit the farm and have wider benefits for wildlife. A number of farmers and property owners along the river attended this presentation and took Matt's contact details away so they could speak in more detail about their particular circumstances. If you would like to speak with Matt about your property along the River Par, you may request his contact details from the Clerk.

*M Healey and four members of the public left the meeting.*

*The Chair then brought 19/187.D forward. See the report at that item.*

B A number of residents had concerns about the 'virtual sidewalk' between the public toilets and the village shop. It was **NOTED** that the virtual sidewalk is not finished.

When finished it will be a different colour to the tarmac. However, residents said it was currently unsafe because: 1) It needs to be signed as a walkway; 2) Should be narrower; 3) There should be 'No Parking' signs across the road because parked cars will narrow the road to such an extent that large vehicles must use the 'virtual sidewalk'. The clerk will request a meeting with the Highways Manager, the Chair and the Ward Member to discuss this and other Highways issues.

**ACTION: Clerk, MLI, Ward Member**

- C Parking at St Sulien and St Julitta continues to be a problem despite the letter written to all residents last year. It was **NOTED** that the parish council has no power regarding parked vehicles, but violations can be reported on the REPORT IT page.

*Two members of the public left the meeting.*

- D The applicant for a development at Lower Harros requested input from the parish council after receiving advice from CC regarding PA19/03352/PREAPP. After looking at the plans received from the applicant, the council requested a site visit, which will be arranged shortly.

**ACTION: Clerk**

*Two members of the public left the meeting.*

19/183 Review of action points

Grit Bins. The Rosevale grit bin has not yet moved to its final resting place.

**ACTION: MLI**

19/184 Meetings and governance

- A The council **RESOLVED** that the minutes, as read, of the meeting held on 13 February 2020 were a true and correct record (proposed KBI, 2<sup>nd</sup> MG) and they were duly signed.

19/185 Finance

- A There were no questions about the accounts and it was **RESOLVED** (proposed KBI, 2<sup>nd</sup> KBa) to receive the Clerk's reports *Budget Comparison, Cash Flow and Bank Reconciliation* as a correct record.

- B Website Accessibility. LPC received a quote from the current website provider to make the website accessible as per the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. The quote would involve a certain amount of work from the clerk to move the current information across to the newly formatted website. LPC requested a further quote that includes all the work done by the website provider. There will also be extra work required from the clerk to bring the documents in line with accessibility standards, especially the Policies.

**ACTION: Clerk**

- C The council **AUTHORISED** payments for March 2020 totalling £1,473.62 (proposed KBI, 2<sup>nd</sup> BH). The last column is recoverable VAT.

Mrs C Wilson	12 Mar 20	Clerk's salary and expenses	faster	£	916.37		
HMRC-PAYE	12 Mar 20	HMRC payment	faster	£	62.89		
NEST Pensions	12 Mar 20	Clerk's Pension Feb20	DD	£	27.00		
Andy I. Inv	12 Mar 20	Playground inspections - 4 weeks	faster	£	46.00		
Cormac Cleaning	12 Mar 20	Public Conven. Cleaning Feb20	faster	£	391.67		65.28
British Gas	12 Mar 20	Public Conveniences; electricity	DD	£	11.69		0.55
Unity Trust Bank	30 Mar 20	Quarterly bank fee	DD	£	18.00		

## A Chair's Report.

- A second letter regarding a possible border change was delivered to all residents at Beam Villas by the Chair and FP. The one resident they spoke to did not want to change. No one else has contacted the council since the second letter was delivered.
- Fly-tipping is becoming a big problem again. Anyone can use the REPORT IT page of CC's website to report fly tipping.

## B Crime &amp; Prevention. No reports received.

## C Current and future road closures in the parish. It was reported that many residents were inconvenienced by the current road closure (9-13 March) and that the diversion was not well signed. It is hoped that the next road closure (30th March to 9th April) through the village will be better organised. These closures are posted on the LPC Facebook page usually about 2 weeks before they happen.

## D Affordable Homes Initiative (see Item 19/187.D).

E It was **NOTED** that Common Land Application Ref: COM/3221450. Planning Inspectorate decision: APPROVED. Land at Trevellion Moor, Cornwall. Register Unit: CL 421. Registration Authority: Cornwall Council. Hearing held on 31 Oct 2019. The land, also known as Lowertown Moor, shall be added to the commons register.

## F Cllr Saunders' report to the Parish.

• In her report this month, Cllr Saunders was keen to highlight an event that will pass through Bugle Division later this year. The Cornwall - **Tour of Britain cycle race, is on Sunday Sept 6th**. Having ridden up from the start of the race at Penzance, via St Austell and the Eden Project, the cyclists will pass through Penwithick on to Bugle and then out to the finish at Bodmin passing settlements like Lockengate along the way. This is a great opportunity for community events or simply for local people to turn out and enjoy the atmosphere - very reminiscent of when the Olympic Torch passed through the area back in 2012. More information regards the race, such as anticipated timings etc. can be found on the website at <https://cornwalltourofbritain.co.uk>.

• She also explained that she has taken the first step in trying to address a problem that many residents face in relation to the upkeep and maintenance of the unmade, **unadopted lanes** that they live on, by writing to the Head of Community Safety and Localism to raise the matter with him. There are many such lanes throughout the division, many of which are in an extremely poor state of repair and therefore present their residents with daily challenges, which particularly for those older residents can make life extremely difficult. She will obviously report back to the Parish Council on any progress made.

• She has also, in support of the Parish Council, written to the Service Director for the Environment to once again highlight local concerns regards the remnants of the **Charlestown Leats** in the area just upstream of the Viaduct. It is felt that the enforced closure by the Environment Agency of a sluice gate at this location has contributed to the erosion of the riverbanks here causing problems for landowners as well as putting at risk the remaining archaeology associated with the leat system. The apparent lack of management of the river here would also appear to have implications for flooding issues further upstream in the village itself. To that end it is imperative that determining a strategy for future management of the river and the ongoing preservation of the archaeology would seem to be paramount. She was able to confirm that in response a meeting with Council Officers has been agreed for late April.

*Cllr Windsor left the meeting.*

*ML*

19/187 Considerations

A It was **RESOLVED** (proposed KBa, 2<sup>nd</sup> KBi) to sign the Service Level Agreement with Cormac Solutions for the cleaning of the Public Toilets on the same schedule as before. The contract is under the amount budgeted for the 2020-2021 fiscal year. The clerk signs as Proper Officer of the council.

**ACTION: Clerk**

B It was **RESOLVED** (proposed MLi, 2<sup>nd</sup> MG) to accept the quote from A&A for the maintenance of the outside of the Institute.

C It was **RESOLVED** (proposed KBa, 2<sup>nd</sup> KBi) to use Bodwen Solar Park funds to purchase 2x Lowther light coloured benches from Glasdon for the Atwell triangle and the Cemetery, and further **RESOLVED** to purchase from the same fund a 1x Commemorative Seat from Ogilvie for the entrance to the Luxulyan Memorial Institute and to ask A&A to install all three benches with concrete bases where necessary.

**ACTION: Clerk**

D Beswetherick Field & affordable homes in Luxulyan.

FP and MG attended the Affordable Homes Initiative in Lanivet Parish on 26 Feb. They made contact with a development manager at Cornwall Community Land Trust who may be able to help with future affordable projects in Luxulyan.

The council **RECEIVED** FP's reports:

Report on the Beswetherick Field Development.docx, and  
I am seeking approval for.docx

The incomplete affordable homes project at Beswetherick Fields was discussed at length. Members of the public who had been part of the Luxulyan CLT were there to help explain the history of the development. FP reported that the residents' association, run by the developer, has been dissolved. The legal situation regarding a residents' association is being looked into.

It was **AGREED** that the Parish Council will form a Working Party to be to undertake the necessary tasks to knit together the shortcomings of the Beswetherick Development and the aims of the Luxulyan Neighbourhood Plan in order to achieve a satisfactory end to the parishes development obligations imposed upon us by higher authorities. **IF ANYONE IS INTERESTED IN JOINING THE WORKING PARTY FOR AFFORDABLE HOMES IN LUXULYAN, PLEASE CONTACT COUNCILLOR PAYNE.**

The Ward Member offered to enquire with CC about how works can move forward and the clerk will find a list of the unfinished works.

**ACTION: Ward Member, Clerk, FP**

E Public Toilets in light of the Corvid-19 contagion.

It was **RESOLVED** (proposed FP, 2<sup>nd</sup> MG) to keep the Gents' toilets and the Disabled toilet open, but to close the Ladies' toilets because the handwashing unit there does not dispense soap. The parish council will get the Wallgate unit fixed as soon as possible.

Please note that to dispense the soap in the Wallgate units you need to push the soap button 3-4 times; this pumping action pumps the soap into your hand.

**ACTION: Clerk**

19/188 Planning

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

i. StARR Project (see Item 19/182.A). No new information on progress is available at this time.

*ML*

ii. The clerk reported and it was **NOTED** that, unless the council resolves to 'support' or 'object' to an application, if the case officer is minded to disagree with the parish council's decision, the 5-day Planning Protocol for parish councils does not come into effect and, therefore, the parish council may not request that the planning application be decided at committee level. That is, the decision of 'no objection' does not give the parish council the opportunity to request that an application be decided by the Planning Committee rather than the case officer.

iii. Station Yard development. The council met for a site visit on 11 March at the Station Yard with the applicant and their agent Situ8. As the planning application has not yet been submitted, there was no discussion at the meeting about this proposal.

B There were no applications for consultee comments.

#### 19/189 Highways & Flooding

A Two parishioners contacted the clerk about the lane at Lockengate PL26 8RU. The lane is unadopted and very potholed. In this bad weather, the residents are unable to keep up with the maintenance and it is in a very bad state. The clerk has given the Ward Member the details and she had added this lane to her list. (See 19/186.F)  
**ACTION: Ward Member**

#### 19/190 Assets – reports and maintenance

A Playing Field. Playing Field inspections for February 2020 were received and NOTED.

B Cemetery. Nothing to report.

C Footpaths.

i. KBs reported on the improvement to the Saints' Way and Saints' Way signage.

ii. A tree blocking FP 408/16/2 has been reported to Cormac.

iii. The Footpath Committee reported that there is an application by the Rights of Way Officer for the 'Church Path to Rock Mill' to be placed on the definitive map as a Public Right of Way. It was confirmed at this meeting that the landowner is not in agreement with the application. Right of Way decisions usually take years. This application is on the 'Priority List' which may still take some time.

D Luxulyan Memorial Institute. Plant and Seed Swaps have begun.

E Village Toilets. The clerk completed a survey by the National Association of Local Councils (NALC) supporting the abolishment of business tax for public toilets. See also Item 19/187.E.

#### 19/191 Parish Matters – reports

A Luxulyan Parish Community Fund. AGM – Wednesday, **8th April 2020** at the Institute, immediately prior to the April meeting.  
• At the AGM, panel members will step down and new panel members will be re-elected. Previous panel members may be re-elected.  
• If you wish to become a panel member, contact a current panel member.  
• The AGM will also allow for any representation to be made by members of the public.

B Luxulyan Valley Partnership. Nothing to report.

C Village Hall Committee. Nothing to report.

D It was **AGREED** (proposed KBa, 2<sup>nd</sup> MH) that the Feast Week Committee may store their activity balls in the Shed beside the public toilets. FP holds the key and will assist with keys for the Feast Week Committee.

**ACTION: KBa, FP**

19/192 Correspondence & Invitations (complete list in Clerk's Notes)

A The Air Ambulance sent a donation request for a new helicopter. No proposal was made. It was pointed out that there are 3 donation tins in the parish that give residents the opportunity to donate to the excellent work of the Air Ambulance. It was generally agreed that it would be outside the council's remit to then donate the parish's collective funds in addition to what the residents have already freely donated.

19/193 Business for the next meeting

To form a working party for Luxulyan Affordable Housing. Website Accessibility.

19/194 Dates of next meetings

A Planning if needed 26 March 2020, 6.00 pm.

B The Ordinary Meeting will move to **16 April 2020**, the third Thursday, 6.00 pm, at the Luxulyan Memorial Institute, in order to avoid Easter holidays.

C The Audit Panel will meet at 5 pm before the Ordinary meeting on 16 April.

D The Annual Parish Meeting (AGM) for all electors of the parish will be held Wednesday, 22nd April, 6.00 pm, Luxulyan Memorial Institute.

*The Chair thanked everyone and closed the meeting at 8.50 pm.*

*We do not foresee changes to the currently published meeting schedule.*

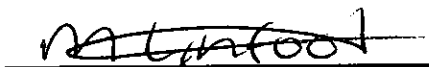
***The Parish Council requests that, if you have a cold or cough, please***

***• do not attend the meetings and***

***• do follow government guidelines for the Coronavirus/Covid-19.***

***You may of course send someone to speak for you at the parish council meeting, or you may send a letter to the parish clerk to be read out. In this way, the council hopes we all will have a safe and healthy 2020.***

*Mrs C Wilson ~ Parish Clerk ~ 14 March 2020*

Signed: , Chair of meeting. Date: 16/4/2020