

LUXULYAN PARISH COUNCIL  
Minutes of the meeting held in the Luxulyan Memorial Institute at 7.00 pm on  
**THURSDAY 13 MARCH 2014**

PRESENT: Cllr C Austin (Chair), Cllr G Haywood, Cllr D Olford, Cllr B Fahey, Cllr J Fisher. Clerk to the Parish: Mrs C Wilson.  
ALSO PRESENT: 1 member of the public.  
ABSENT: Cllr R Keam, Cllr C Eich, Cllr M Linfoot.

*The meeting began at 7.10 pm and the Chairman welcomed all.*

13/184 **Apologies for absence.** Apologies from RK, CE and ML, and CC Rix.

13/185 **Declarations of interest.**

- a) Declarations re agenda items. None.
- b) Requests for dispensation. None.

13/186 **Public Session.** Mr C Coney:

- Living at a farm next to Treskilling Downs, he was disappointed in the public consultation and notice given for the Lestoon wind turbine. There doesn't seem to have been a notice posted at the entrance to Lestoon Farm.
- Treskilling Downs has been looked at as a possible SSSI for the marsh fritillary butterfly.
- There is a strong argument for better mobile infrastructure around Treskilling. The Council requested the Clerk bring this to the attention of Cllr Rix.

13/187 **Minutes.** The minutes of the Meeting of the Parish Council held at 7pm on **13 February 2014** were approved and signed. Proposed DO; 2<sup>nd</sup> BF.

13/188 **Playing Field inspection rota.** Volunteers for this month's weekly inspections are DO, GH, CA and JF.

13/189 **PCSO report.** PCSO Phillips' report is attached. The Clerk is to ask how the break-in at the Pub was reported and also to explain that the Council is not criticising the Police work, but that danger to the public of nails protruding into the road at a Luxulyan residence should be acted upon with utmost urgency.

13/190 **Cllr Rix's report to the Parish.** None.

13/191 **Task & Finish Group report.**

- In July 2013 the law reduced the time allowed for a request for Judicial Review from 12 to 6 weeks. That time passed had passed when the T&F Group sought advice.
- When advice was sought from the CC Legal Department at the suggestion of CC, the Head of Legal Services, S Mansell said he 'didn't know' what the deadline was.
- We have now been made aware that the road leading to the Lestoon turbine has been possibly doubled over Common Land, CL 626.
- Chairman Austin tried numerous times to contact the Case Officer E Compton-Brown concerning CL 626 and put in a request via our Friendly Link Officer D Mutton, but to no avail. He has also left messages with D Trudgeon (Feedback & Principal Development Support Officer to the Chief Executives, Planning, Housing & Regeneration) and has received no acknowledgement.
- Martin Wright, Common Land Officer at CC, has written to Clean Earth to ask for confirmation of Section 38 consent (Commons Act 2006).

13/192 **Playschool Garden.** It was decided unanimously to allow the Preschool (as per their written request) to use the Playing Field land between the Preschool and the path –

under certain conditions: 1) The can fence it at their expense providing the path is not encroached upon. 2) They are responsible for the upkeep of the area, and 3) for any insurance required for their activities. 4) The land remains under control of the Council. Proposed JF; 2<sup>nd</sup> DO.

13/193 **Request for funds from Feast Week Committee.** A verbal request for funds was received by Cllr Austin for a marquee during Feast Week, in the region of £1,000. After discussion no motion was proposed because it is a large amount and the benefit is not permanent in the community.

13/194 **Report on Common Land in the parish** was discussed during Item 191.

13/195 **Planning.**

- a) Reports on planning decisions. (See Clerk's Notes 13-3-14; also reported on LPC website).
- b) Correspondence. The Clerk will respond to the Mosscliff Environmental inquiry about a 250kW wind turbine saying that LPC will support the local parish's views.
- c) **Applications.**
  - i. **PA14/01399** | Proposed erection of 1 day room and new mobile home including relocation of mobile home | Chavestan Carne Cross St Blazey Par Cornwall PL24 2SX. OBJECTION.

\*\*\* Luxulyan Parish Council objects to this application for one more day room and mobile home on a site which will add to 5 approved day rooms and mobile homes. 1) As we stated before, this is a flood area. 2) Bearing in mind the over-development of Gypsy and Traveller sites in the Luxulyan Parish, we don't think it is or should be part of the Planning Authority's strategy to concentrate allocation for Gypsies and Travellers in one parish. 3) This further application in addition to the recently approved PA13/07854 constitutes over-development of this particular site.

13/196 **Maintenance of Cemetery & Open Spaces.**

- a) **Cemetery Report & fee review.** The Clerk handed out a report (attached) and after discussion, it was deferred until next meeting. The Clerk will check on the Council's right to refuse an applicant for a grave on grounds of not being connected with the Parish. Discussion for using the funds from burials to put in a Cemetery fund which could go toward the purchase of new ground.
- b) **Cemetery Car Park.** Three estimates for tarmacking the car park were received and the contract was awarded to AJ & M Linfoot Groundworks. Proposed DO, 2<sup>nd</sup> JF, unanimous.
- c) **Rosemelling Green improvements.** There is still a problem with dogs running free.

13/197 **Parish Matters.**

- a) Footpaths. Verbal report of Footpath committee meeting 10 March given by DO and Clerk. A&A Gardening Services have signed the contract for footpath maintenance this year. The Clerk will look into whether the Council's insurance covers guided walks around Luxulyan by the Footpath committee for the public.
- b) Beswetherick street lights. The problem is a contravention of Condition 5 of planning application C2/08/01791 and has been passed on to the Enforcement team of CC.
- c) Bus Shelter sign. No one knew what this was about. The Clerk has forgotten who requested it this item.
- d) Salt bins. All salt bins are in place EXCEPT the 2 for Rosevale Gardens. The Clerk will contact Cormac again.
- e) Luxulyan Memorial Institute. No report.
- f) School Management Committee. No report.
- g) Village Hall Committee. No report.

- h) Village Rubbish bins. No report.
- i) Luxulyan Toilets.
  - 1) No bill has arrived for electricity from 1st May (the date of take over of the meter as decided between CC and LPC). The Clerk emailed British Gas and has not yet had a reply.
  - 2) It was decided to instruct our solicitor at to pursue her recommendation to alter “the definition of a Specified Event” re her letter of 12 March 2014.
- j) Lorry sign for the village. No progress this month.
- k) Luxulyan Valley Partnership. No report.
- l) Flooding.
  - i. Luxulyan Sandbags Scheme. Boxes not built yet, but have not been needed.
  - ii. Sunnyside update. Cormac has jet washed the drains. Water still pours off the field and no drains can handle it during heavy rains. The Clerk will contact Phil Christie of the Environmental Agency to see whether he will be sampling the water at The Old Chapel.
- m) Minorca Lane Project . No report.

13/198 **Finance.**

- a) Signatories on the account. It was decided that DO will replace RK as signatory after RK decided not to be a signatory. JF will now be a member of the Finance Working Party. JF will do the Internal Control Check each quarter because DO did this and a signatory may not do the Internal Control Check.
- b) Report on repeal of section 150(5) of the LGA 1972 (2 signatures on cheques). LPC will continue with two signatures for the moment.
- c) Virements were approved; prop DO; 2<sup>nd</sup> CA. --- £200 from **Clerk’s Salary** to **Travel Expenses**. £100 from **Office Equip.** to **Office Supplies**. £50 from **Office Equip.** to **Postage**. £120 from **Toilet Main.** to **Audit & Insurance**. £120 from **Toilet Salary & Exp.** to **Bus Shelter**. £100 from **Cemetery** to **Footpaths**. £100 from **PlayingField** to a new Budget category: **Rosemelling Green** £400 from **Sundries** to a new Budget category: **Emergency Plans**. £8,394.41 from **LMI** to **Reserves**. £700 from **Reserves** to a new Budget category: **Emergency Plans**.
- d) Payments were authorised; prop DO; 2<sup>nd</sup> JF. Clerk’s salary & expenses, £467.88. Bricknells, £20.94. Stephens Scown, interim bill, £573.50 + VAT; Total £688.20. A Hawken salary, £202.95. HMRC, £50.80.
- e) A preliminary discussion was held to approve a future request for financial aid for Gunwen Chapel up to £1,000. Proposed CA; 2<sup>nd</sup> JF, passed unanimously.

13/199 **Report** on CALC AGM and speech by Tony Hogg, Police Commissioner by ML, BF & Clerk.

13/200 **Correspondence & Invitations.** (See Clerk’s Notes 13-3-14)

13/201 **Business for the next meeting.**

13/202 Dates of next meetings: Planning if needed March 27th 2014, Full Council **April 10th 2014**. Both at 7pm, Luxulyan Memorial Institute.

*The Chairman thanked everyone for coming and closed the meeting at 10.00 pm.*  
Mrs C Wilson ~ Parish Clerk ~ 27 March 2014