

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

PRESENT: Cllr Chris Austin (Chair), Cllr George Haywood (Vice-chair), Cllr Michaela Linfoot, Cllr Ralph Keam, Cllr Clare Eich, Cllr David Olford, Cllr Barbara Fahey, Cllr Andy Cottrill. Clerk to the Parish: Mrs Christine Wilson.

ABSENT: Cllr Jodie Fisher, Ward Member Simon Rix.

ALSO PRESENT: 4 members of the public who left after the public session, and Mr J Satterthwaite who remained for the duration.

Abbreviations: Luxulyan Parish Council (LPC), Cornwall Council (CC), Strategic Planning Committee (SPC), Community Land Trust (CLT), Friends of Luxulyan Valley (FOLV), Councillors are abbreviated with their initials. *** indicates the Consultee Comments submitted to the Planning Authority by LPC, delegated to the Clerk.

The meeting began at 7.00 pm and the Chairman welcomed all.

14/117 **Apologies for absence.** JF because she was moving house. Cllr Rix.

14/118 **Declarations of interest.**

a) Declarations re agenda items.

- i. AC declared an interest in Item 14/126d.ii because his property is affected by the planning application.
- ii. ML declared an interest in Item 14/112b because her business has entered a quote for the work.

b) Requests for dispensation. None.

14/119 **Public Session.**

Mr and Mrs Golly discussed their planning application (PA14/08273), located on land north of Parc Dellen, which LPC objected to at our October meeting. They admitted that they did not have enough experience submitting applications and had exaggerated the size of the road they needed. They do indeed keep pigs, but only 4, and they plan to continue to do so. The Chairman explained that the council could not rescind its objection because it was based on the application that had been before the council. He recommended that they perhaps should reapply or amend the application to accurately reflect the scale of the project. LPC understands the inconvenience this may cause, but the councillors can only make a decision based on the paperwork before them.

Mr Ellis explained his application (PA14/09238) which is before LPC tonight. Some of the trees on and around his property appear to be dangerous and also block the light from the property. The Chairman voiced the council's support for the felling of dangerous trees and limbs, especially those in the hedge bordering the road.

Mr and Mrs Golly, their associate, and Mr Ellis left after the Public Session.

14/120 **Meetings.** The minutes of the Meeting of the Parish Council, 9 October 2014, were held to be a true and correct record and were duly approved and signed by the Chairman (proposed DO; 2nd AC).

- 14/121 **Playing Field inspection rota.** The previous month's forms were received and four volunteers were given their inspection forms for the next 4 weeks.
- 14/122 **Police report.** The Crime Report is in a new format and, as we received no report last month, PCSO Phillips combined September and October's reports. There was 1 'Recorded Crime' for each of these categories: Violence with injury; Violence without injury; Other Sexual Offences; Burglary Non-dwelling; Vehicle Offences; Criminal Damage – totalling 6 – an increase from 5 in the same period last year. 66 'Incidents' were recorded: 7 Anti-social behaviour; 2 Crime Recorded; 47 Public Safety; 10 Transport.
- 14/123 **Ward member's report.** Cllr Rix sent his apologies for the meeting, but also sent this report to the Parish:

MINORCA LANE

I have had numerous meetings and discussions about this subject and it appears that a planning application will soon be forthcoming in respect of one of the sites. I'm sure the Parish Council will have a view on this and I'd be happy to hear that in due course as this is a very sensitive site and subject.

SCHOOLS FUNDING

Schools in Cornwall, including the primary school in Luxulyan village, have for many years received less funding from Whitehall than the national average. I have lobbied hard on this issue and I'd glad to report that the education minister, David Laws MP, has awarded Cornwall extra money to half this funding gap, but obviously more needs to be done to close it completely, so I will be continuing the campaign for fairer funding for our schools.

WINTER ROAD GRITTING ON MINOR ROADS

It was proposed that the gritting on minor roads in winter be completely stopped. I strongly opposed this and it looks like this element of the Council's budget will now be retained, which is good news.

EDEN GEOTHERMAL PROJECT

I understand that this project is now moving forward again as new investment sources have been identified. I'd be interested to hear what the Parish Council's view is of this planned development.

PAPER PLANNING DOCUMENTS FOR PARISH COUNCILS

It was proposed to move to an entirely electronic delivery of planning documents for parish councils. Luxulyan PC and others opposed this and I supported them in that and I'd glad to have been told that paper documents will still be sent to PCs.

LUXULYAN COMMUNITY MINIBUS

A Lottery grant is being sought to help fund this project and I will be supporting this in whatever way I can.

- 14/124 **BT is consulting local parishes about its proposal to take away payphones** that are not being used. The telephone box in Luxulyan is not an old red traditional phone box, but a modern one, and has not been used once in 12 months; Cllr Cottrill confirmed this evening that it is not working, though we do not of course know how long it has been out of order. LPC has the opportunity to adopt the kiosk if they wish. It was decided by unanimous vote to support the proposal that the phone box be removed (proposed DO; 2nd AC).

14/125 **Vodafone trial.** LPC could not discuss the possibility of the offer of mobile internet coverage for Luxulyan with Vodafone because the deadline for applications for the trial of 100 villages had passed, but the item was accidentally put on this agenda.

14/126 **Planning.**

a) Clarification about road improvement at Bodwen. The new car park at Tulip Foods (PA14/07273) does not coincide with an increase to the workforce; however, Cornwall Council has said that when Tulip does apply for an increase to the factory, with a corresponding increase in the number of employees and traffic on the road, CC will ask for a contribution toward the improvement of the road.

b) Reports on Planning Decisions (also reported on website).

i. 14.10.2014 PA14/07754 APPROVED. Applicant: Mrs Nicola Dorkins. Location: 4 Beswetherick Field Luxulyan Bodmin Cornwall PL30 5FD. Proposal: Decking to rear of property.

c) Planning correspondence. It was decided that Cllr Cottrill will be the Lead Councillor in regard to renewables, so that correspondence concerning renewables, particularly wind turbines and solar parks, will be sent to him and he will report to LPC as and when appropriate.

d) Applications.

i. **PA14/08273.** Land North Of Parc Dellen, Luxulyan. As discussed during the Public Session, LPC maintains its objection to the application and looks forward to seeing a more accurate amended application.

ii. **PA14/09669** Land East Of Moorland View Conce Moor Bugle St Austell PL26 8RT. Use of land for the siting of two mobile homes - Mrs Christina Roberts - (Case Officer - Tracy Young). It was discussed at length and decided to OBJECT as was done previously with PA14/02959 (proposed CA; 2nd DO).

*** Luxulyan Parish Council objects to 2 mobile homes on this site. 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. Because of the lack of a specific policy for Gypsy and Traveller sites in Cornwall, the number of sites in Luxulyan is already disproportionate. Should the LPA decide to approve this application, Luxulyan hopes that planning conditions will stipulate that these 2 homes are exclusively for the use of the Gypsy and Traveller community, and that these sites will contribute toward fulfilling Cornwall Council's statutory requirements for Gypsy and Traveller sites.

Having declared an interest because he is an adjoining neighbour and some of his trees are part of the following application, Cllr Cottrill left the room.

iii. **PA14/09238** Carveighe, Old Vicarage and Kings Acre Luxulyan Bodmin PL30 5EE. - Mr Brian Ellis. Notification of works to trees subject to a Tree Preservation Order namely remove South west limb, 2m from ground, limb length 14m and West limb, 3.5m from ground, 10m length to one Beech tree (1B). Remove two Sycamores (4S, 1S). Remove tree one Beech Tree (2B) and plant replacement Beech. South east limb, 21m from ground, 20m long ,crown top heavy to one Beech Tree (3B). Remove two Beech (5B and 6B). Remove one Ash (A1). 8 limbs leave main trunk at 3m from ground, remove south west limb, 20m long and remove two west limbs 13m long and 13m long to one Sycamore (5S). Remove Crown top by 8m to Horse Chestnuts (1C and 2C). (Case Officer - Myra Trust)

This application was discussed at length. Mr Ellis' contribution during the Public Session was considered and a written statement from Cllr Cottrill was read out by the Chairman. LPC fully supports the felling of dangerous trees and limbs, and is aware that the large trees in the hedge bordering the road could perhaps pose a risk to the school run and the bus shelter. LPC is also sensitive to the reasons for Tree Preservation Orders, as the trees at Carveighe and King's Acre add beauty and character to the village. LPC felt it could not support this application because it was unclear which trees were subject to TPOs, which were healthy and which were not, and would prefer a more selective approach subject to a professional appraisal (proposed ML, 2nd RK).

*** Luxulyan Parish Council (LPC) objects to this application with the following explanation. Firstly, LPC is not in agreement with the felling or diminishing of any trees subject to a Tree Preservation Order. Tree Preservation Orders exist to preserve the amenity of an area and thus provide a great public service. However, unsafe trees, or limbs of trees, must of course be removed. Secondly, LPC requests that a tree expert evaluate the trees in the hedge bordering the road. These trees/limbs may indeed be dangerous and in need of removal and LPC would be happy to accept the opinion of an expert in this field. The owner of a property must not be prevented from eliminating public hazards and probable liabilities, such as dangerous trees/limbs. Thirdly, LPC does not believe this application should include trees that are not on, nor overhang, the owner's property, such as the two horse chestnuts at The Old Vicarage. In conclusion, LPC objects to this application because of its blanket approach to the felling of the trees; however, we do understand that the safety of people and property should hold weight and the removal of some trees/limbs under these criteria is desirable.

Cllr Cottrill returned to the room.

14/127 **Flooding.** ML and BF attended the Flood Forum on 1st October at the Eden project and found it very helpful. Application forms for grants for those affected by flooding last year were handed out to 4 affected properties. If you need more information about this, please contact Cllrs Linfoot or Fahey, or the Clerk.

Sat, 22 November, volunteers will receive the sand for the sandboxes, with sand bags and shovels, ready for the high winter rainfall.

14/128 **Highways.** Two problems for the Clerk to advise Cormac: First, the drain in the road across from the Institute, next to the telephone box is very blocked. Second, Church Hill, that is, the lane from the Church to the Cemetery is as slick as an ice rink with the wet leaves.

14/129 **Footpaths.** The Chairman of Luxulyan's Footpath Committee, R James, advises that the footpath around Treskillig Lakes and towards Penrose Tip is now freely available. Roche Angling Club has removed the obstructions and barbed wire and posted notices absolving the Club from any liability.

14/130 **Maintenance of Cemetery & Open Spaces.**

Cllr Linfoot declared an interest and left the room for the discussion and vote at Item 14/130.a.

a) Playing Field fence. LPC received 3 quotes for the replacement of the playing field fence totalling 90 meters. After discussion, LPC awarded A&A Garden Services the contract. It will be stipulated that the fence must circumnavigate the large granite bolder (rather than the current situation where the fence climbs over it). (Proposed CA; 2nd RK)

- b) A&A who are contracted for the grass cutting will be asked to remove the large pile of grass cuttings in the top corner of the field.
- c) Swings for older children. The only swings besides the basket swing in the playing field are for toddlers and swings for older children have been requested. The Clerk reported on two quotes for sets of 2 swings, with accompanying safety surface. More investigation and quotes are requested.

14/131 **Assets**

- a) Luxulyan Toilets. There has been a problem with the wheelchair accessible toilet being blocked up. It was proposed that all the toilets remain open during the entire year, which might mean the wheelchair accessible toilet would not be overused. The Clerk will investigate the problem with Mrs Hawken, the cleaner, and will report back before the proposal is put to the vote.

The cleaner has organised someone as a supply cleaner when she is on holiday. She will advise the Clerk when this occurs.

- b) Luxulyan Memorial Institute. The Craft Fair raised £120. It was agreed that LPC will pay for the Christmas tree outside of the Institute.
- c) Other matters for report.

14/132 **Parish Matters**

- a) Luxulyan Valley Partnership. No report.
- b) CLT – Community Land Trust. Cornwall CLT and Luxulyan CLT have found that the road, Beswetherick Field, is not up to standard. They are seeing what can be done about getting improvements made. CC cannot adopt the road until it is up to standard. Unfortunately, the date at which Luxulyan CLT can take over the development will be later than originally thought, not until October 2015.
- c) Village Hall Committee. It was reported that the fir trees next to the Village Hall which obstruct the access to the Playing Field are the responsibility of the Village Hall. The Clerk will write to the owner about the shrubs pushing against the fence bordering the community orchard.
- d) School Management Committee. No report.
- e) Minorca Lane Project. ML reported that 85% of the caravans on the site are licensed and pass safety specifications. The Project was due to terminate, having run for 12 months, but it has been given a green light for 6 more months, until May 2015. Richard Grant of CC will remain as Project Manager.
- f) Village Rubbish bins. All OK at the moment.
- g) Preschool extension. In March 2014 (Item 13/192) LPC allowed the Preschool to use the land between the Preschool and the pathway. The Preschool submitted to LPC their proposed plan for the space, which includes a fence flush with the pathway and it was approved unanimously with the suggestion that the proposed planting of the willow tree might be too close to the building. (Proposed ML; 2nd CA)
- h) Luxulyan Community Transport Project requested a pledge from LPC, and though the Council is prepared to help, LPC prefers to await the result of the Lottery Fund bid.

14/133 **Finance.**

- a) Change of banks. The application for Unity Trust Bank was signed by the 4 signatories.
- b) Clerk's monthly finance report was handed out which included a VAT reimbursement for £1,217.99.
- c) Virements. A list of virements within the 2014-15 Budget was distributed and were approved (proposed CA; 2nd CE).
- d) Payments totalling £1,090.90 were approved (proposed ML; 2nd CE). South West Water Ltd (estimated consumption), £69.68; C Wilson, Oct salary & expenses, £377.33; A Hawken, cleaner £227.09; HMRC £56.80; The Pier House Hotel - Craft Club Christmas Lunch, £180.00; The King's Arms - Lux Over 50's Club Christmas Lunch, £180.00

14/134 **Correspondence & Invitations.** Clerk's Notes contains the full list of correspondence and is sent to the councillors with the agenda. Any member of the public may request a copy of the Clerk's Notes.

- a) It was decided that LPC does not need to receive invitations to conferences in London organised by GovToday. The conferences do not concern Local Council governance. The Clerk will unsubscribe to these emails.
- b) Request for grant from Headway Cornwall that supports brain injury survivors and their families. LPC maintains its policy to keep its grants within the parish.
- c) Sheryll Murray MP wrote to invite the parish to join the 2015 Commonwealth Day celebrations by flying the Commonwealth flag, but it isn't possible because there is no flagpole. The Clerk will reply.
- d) CC - Homelessness Strategy Review – Survey. ML will fill it out.
- e) Neighbourhood planning FAQ sheet was given to the Chairman and Vice-chair.
- f) Rural Community Energy Fund information was given to AC, lead councillor for renewables.

14/135 **Business for the next meeting.**

- a) Discuss the trial of the earlier time.

14/136 **Dates of next meetings:**

- a) It was decided to move the time of next month's meeting forward to 6.30 pm as a trial.
- b) Planning if needed November 27th 2014 at 7.00 pm; the Full Council meeting on 11 December 2014 will start at the **new time of 6.30 pm**, both will convene at the Luxulyan Memorial Institute.

The Chairman thanked everyone and the meeting closed at 10.25 pm.

Mrs C Wilson ~ Parish Clerk ~ 26 November 2014