

LUXULYAN PARISH COUNCIL
DRAFT Minutes of the meeting held in the Luxulyan Memorial Institute at 7.00 pm on
THURSDAY 14 AUGUST 2014

PRESENT: Cllr Chris Austin (Chair), Cllr George Haywood, Cllr David Olford, Cllr Barbara Fahey, Cllr Michaela Linfoot. Clerk to the Parish: Mrs Christine Wilson. Ward Member: Cllr Simon Rix.

ABSENT: Cllr Jodie Fisher, Cllr Clare Eich, Cllr Ralph Keam.

ALSO PRESENT: Mr J Satterthwaite (for the duration), Mr C Wilton assistant to Sheryll Murray MP (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 7.10 pm and the Chairman welcomed all.

14/064 **Apologies for absence.** RK for medical reasons; CE because of bereavement; JF because of a broken down car. SR apologised for leaving after Item 14/073b.

14/065 **Declarations of interest.**

a) Declarations re agenda items. None.

b) Requests for dispensation. None.

14/066 **Public Session.** None.

14/067 **Meetings.**

a) The minutes of the Meeting of the Parish Council on 10 July 2014 were approved and signed. Proposed DO; 2nd BF.

b) Openness of Local Government Bodies Regulations 2014. The new laws were discussed regarding the recording of official government meetings and, as the Clerk is already recording LPC meetings for convenience when writing up the minutes, it was resolved unanimously that she should keep all recordings of the meetings as digital files. Proposed ML, 2nd BF.

14/068 **Playing Field inspection rota.** The Clerk received last month's reports. The inspectors of the play equipment for the next four weeks will be: GH, DO, CA, BF.

A gate will not shut and the Clerk will ring A&A Garden Services to fix this urgently before the new school term begins.

14/069 **PCSO report for July 2014.** 2 Concern for welfare; 5 Road Related; 1 Admin /Alarm /Intel; 2 crime related (1 Attempt burglary to outbuilding; 2 - Public order, - Drugs offence (ongoing investigations)); 2 ASB; 1 Missing person; 1 Suspicious male.

PCSO Phillips also requested we read out: Police are appealing for information after an incident involving an attack on a Jack Russell cross Chihuahua by a grey lurcher type dog. This happened in Luxulyan Woods at approximately 11.30 Sunday morning. Unfortunately the dog did not survive the attack and we are looking for any witnesses or anyone able to identify the owner of the offending dog who is described as a white male in his 30's with dark hair. Anyone with any information please ring 101 quoting log number 411 of 10/08/2014.

14/070 **Cllr Rix's report to the Parish.**

- Tulip Foods expansion will result in more jobs; however SR is concerned whether the jobs will go to local people. It is likely there will be a planning application soon for a larger car park.
- There have been a number of individual parishioners requesting Cllr Rix's help with private issues.
- Mainly outside the parish, there is much concern over speeding cars and motorcycles. LPC did admit that the road toward the Eden Project is frequently used by 'boy racers' in the evening and the noise of the engines can be heard quite a distance.
- SR handed out leaflets about Healthwatch Cornwall CIC which was recently formed to be 'the people's champion of health and social care.' ML will put the leaflets in the Luxulyan Village Shop so they are available for everyone. CA queried if Healthwatch would like to hear about good service as well as bad. SR agreed that lessons can be learned, not only from mistakes and negligence, but also from good practice, so the public may also report good experiences.

14/071 **Surface Water Runoff Grant Scheme.** It appears the runoff from the fields at Rosemelling is a matter for CC Highways. The Clerk is awaiting a report from an independent civil engineer and will forward his evaluation of the flooding at Rosemelling to CC Highways.

14/072 **Planning.**

a) Reports on planning decisions. All planning decisions are reported on the website.

- It was noted that PA13/06039 was WITHDRAWN [Mr Michael Clemo and Mrs Jennifer Hall. Land South East Of Sunnyside Lockengate Bugle Cornwall Construction of 2 No 3 bedroom Affordable Houses and 1 No Open market 3 bedroom bungalow] because they are having difficulty proving the ownership of a small part of the property. LPC strongly supported this application and hopes that it will commence at some point in the future.
- It was also noted that the Polharmon wind turbine PA14/05070, which LPC objected to last month [item 14/056c] was REFUSED at delegated level.

b) Planning correspondence.

- Bodwen solar farm appeal APP/D0840/A/14/2217727. Sheryll Murray MP has written to the Sec of State and is awaiting his reply. A letter to her from CC emphasised that the objections of LPC would be taken into consideration during the deliberations.
- Kernick Farm turbine appeal APP/D0840/A/13/2208456. We have been copied into Mrs Murray's request for the Secretary of State to support local opinion and call this in.
- Turbine flicker [Item 14/061a]. SR reported that the Lestoon wind turbine has been painted and also will be halted during the times of year when the flicker affects local houses. It was requested that SR enquire whether Cleanearth will continue to be paid during the 'downtime'.
- Treskilling Downs CL626. M Wright, Senior Development Officer for Commons, Greens & Countryside Access has written to Phil Mason, Head of Planning, with copies to Natural England, the Forestry Commission, and members of the CC Planning department, requesting that the Commons Act 2006, Part 3, Sec 16/17 be upheld. LPC awaits a reply from the Planning Department. Cllr Rix may be able to arrange a site meeting with Phil Mason.

Cllr S Rix apologised for leaving early and left the room.

c) Applications.

- i. **Statutory Instrument SI 2014/564.** It was noted that this new (as of March 2014) legislation allows that certain redundant agricultural buildings, and no more than three, can be turned into dwellings or office space without planning permission. Building regulations must be followed of course. We don't know if these works will be reported on by the planning department or not. Some case officers are still confused by the new protocol for these works.
- ii. **PA14/05407** | Proposed detached affordable dwelling | Land Adjacent To Nos 1 & 2 Carne Cottages St. Blazey Par PL24 2SX. Agent Name: Alan Leather Associates. Case Officer: Matthew Sleeman. SUPPORT WITH CONDITIONS. Proposed GH, 2nd ML, passed unanimously.

*** Luxulyan Parish Council SUPPORTS this application WITH TWO CONDITIONS that 1) the dwelling remain Affordable and that its affordability be enshrined in any resale of the property. We also ask the Planning Department to note that Luxulyan has its own Community Land Trust which has parish-specific criteria for affordable housing within the boundaries of the Parish. Luxulyan Parish Council strongly supports affordable houses in the parish and so we ask that 2) the conditions of Luxulyan Community Land Trust are upheld upon any resale of the property.

d) Applications of interest in adjacent parishes.

- i. TREVERBYN. PA14/07230. A single wind turbine of max 61m to tip. The Clerk queried Treverbyn Parish Council about their response to this application and has received no reply. The turbine is approx 4 miles from Luxulyan village and LPC offers no comment.

14/073 **Maintenance of Cemetery & Open Spaces.**

- a) Cemetery Policy – June 2014 was circulated. The policy reflects the decision taken in June [item 14/040a] to triple the fees for those with less than 15 years connection with the parish; it includes all fees and regulations. The policy was ratified and will be made available to anyone upon request. Proposed GH; 2nd CA, passed unanimously.
- b) The Luxullianite village marker has been welcomed by all. LPC asked the Clerk to write and express their thanks to the farmer who delivered and collected the stone from the stonemason's workshop.
- c) Playing Field. The fence is in very bad shape and needs to be replaced. The Clerk will get at least 3 quotes for the work. The Clerk will also write about the trees obstructing the walkway.

14/074 **Polling Places and Districts, Stage 2 Consultation.** The Clerk will send in the consultation with one recommendation that the Porta Cabin at Tulip Foods be made wheelchair accessible. The other polling place in the parish is the Village Hall.

14/075 **Parish Matters.**

- a) Footpaths.
 - i. Footpath to Beswetherick Fields. It is important that the rerouted footpath past the new Beswetherick Fields development is completed. The CLT will keep the LPC informed as to progress.

- ii. Cornwall Countryside Access Forum. The Clerk will write to the Forum stating our disappointment that our candidate was not selected; no other person is filling his place, and we were not advised.
 - iii. Campers and their litter on Footpath 18 (Black Hill). This is a nuisance and we request any information from the public about the ownership of this land.
- b) CLT – Community Land Trust. Nothing to report.
- c) Luxulyan Memorial Institute. Fundraising as always. Nothing further to report.
- d) School Management Committee. No report.
- e) Village Hall Committee. No report.
- f) Village Rubbish bins. The Clerk will write to FOLV about the dog mess around the Valley paths; also to Cory to see if they can empty the village bins more frequently.
- g) Luxulyan Toilets. We now have the Land Registry Title. Title Number CL126057. Edition Date 17.07.2014. Proprietor: Luxulyan Parish Council, care of Mrs C Wilson, Parish Clerk. **The address of the Proprietor will need to be kept up to date.**
- The feed-in tariff application is being filled out. British Gas says they cannot pay the tariff retrospectively. The Clerk will complain.
- h) Luxulyan Valley Partnership. No report.
- i) Minorca Lane Project: A briefing from the Project Leader, R Grant, was reported by ML. Stephen Gilbert MP wrote to advise current boundary line maps for Minorca Lane, and the Clerk will copy the maps for ML. The parishes of Roche, Treverbyn and Luxulyan join there and so there is a positive ‘expectation of involvement and consultation’.
- j) What’s On Cornwall. No report.
- k) Other matters for report. St Cyor’s wall. CC is looking into who owns the wall and who is responsible. It was thought that it was probably the Church; however, the Clerk will chivvy CC, because it is quite dangerous. The Clerk will contact S Porter to query responsibility.

14/076 Finance.

- a) New signatories. No report.
- b) The Clerk will get a Standing Order organised to pay the cleaner. Proposed DO, 2nd ML, passed unanimously.
- c) Insurance renewal. Deferred until next meeting.
- d) Clerk’s finance report. The clerk distributed the report including today’s payments.
- e) Call account facility with Cornwall Council for higher interest rate. Clerk distributed a draft Facility Agreement. Discussion was deferred until next meeting.
- f) Authorisation of payments totalling £2,549.98 were approved (proposed DO, 2nd GH): Clerk salary & expenses, £369.99; Cleaner, salary, £227.09; Cleaner, HMRC, £56.80; Luxulyan Memorial Institute, Room Hire, £52.50; Parc Signs, £92.76; Eurooffice, printer ink, £51.58; Bricknells, file fasteners, £11.50; Bricknells, envelopes for GT, £16.95; Postage for Aug-Sept GT, £105.30; A&A Garden Services, footpaths 1st cut, £471.00; A&A Garden Services, Playing Field etc, £570.00; South

West Water, actual to 21 July, £95.33; British Gas, £9.18; Halo Design, Luxulyan stone, £420.00.

- g) The Clerk requested permission to use a local supplier for paper because of 1) postage costs, 2) they are best value for most things, 3) LPC is supporting a local business. It was clarified that the Clerk is delegated to ensure best value for office supplies.

14/077 **Luxulyan Good Citizen Award.** Deferred until next meeting.

14/078 **Correspondence & Invitations.** (complete list in Clerk's Notes 14-8-14)

- a) Chacewater Parish Council's focus group on Cornwall Council and CC Leader's response was reported.

- b) New coordinator for Age UK Cornwall was noted.

- c) Planning Conference for Local Councils, 30 Sept, 8 Oct, 18 Nov, £10pp. It was approved that the Clerk attend 8 Oct at Trethorne. ML and BF to attend on 18 Nov in St Austell. Clerk will confirm places.

- d) Request from a parishioner to become a councillor. The Clerk will write and invite the parishioner to our next meeting; also put up a notice of co-option.

14/079 **Business for the next meeting.**

- a) Insurance renewal.

- b) Call account facility with Cornwall Council for higher interest rate.

- c) Good Citizen Award

- d) Update on the Eden Community Geothermal Liaison Group.

- e) October – grants. Luxulyan Craft Club.

14/080 **Dates of next meetings:** Planning if needed August 28th 2014. Full Council 11 September 2014. Both at 7.00 pm at the Luxulyan Memorial Institute.

The Chairman thanked everyone and the meeting closed at 10.20 pm.

Mrs C Wilson ~ Parish Clerk ~ 20 August 2014