

LUXULYAN PARISH COUNCIL

DRAFT Minutes of the meeting held in the Luxulyan Memorial Institute at 6.30 pm on

THURSDAY 10 SEPTEMBER 2015

PRESENT:

Cllr George Haywood (Chair), Cllr Michaela Linfoot (Vice-chair), Cllr Jack Satterthwaite, Cllr Andy Cottrill, Cllr Ralph Keam, Cllr Clare Eich.

ALSO PRESENT:

PCSO Natalie Merrikin, Clerk to the Parish, Mrs Christine Wilson and 6 Members of the Public.

ABSENT:

Cllr Barbara Fahey, Cllr Jodie Fisher and Ward Member Cllr S Rix.

Abbreviations: Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Footpath (FP), Strategic Planning Committee (SPC), Community Land Trust (CLT), Friends of Luxulyan Valley (FOLV). *** 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 6.30 PM and the Chairman welcomed all.

15/96 Apologies, resignation and co-option.

A	Apologies were received from Cllr Fisher and Cllr Rix.
B	The chairman informed the council that Cllr Olford has resigned for personal reasons. Mr Olford was attending this meeting as a member of the public to report on the footpaths and the CLT. The clerk will <u>advise</u> CC of the vacancy and initiate a formal notice period of 14 days, during which electors (at least 10) may request an election. ACTION: Clerk
C	The clerk advised that no election requests were received regarding the previous vacancy of Cllr Austin and the council may now co-opt a new member. The clerk will <u>advertise</u> the vacancy on the notice boards. ACTION: Clerk

15/97 Declarations of interest or requests for dispensation.

None.

15/98 Public Session.

A	During the public session it was <u>agreed</u> to move the items below forward to allow the members of the public to hear the decision of the council.
B	A member of the public came to apologise for exercising his dog on the playing field and now understands that dogs are prohibited, as it is a children's play area. He also wanted to point out that he was recently harangued by a member of the public for doing so, which was unnecessary and aggressive. He has always picked up after his dog and never left a mess.
C	Goal Posts, decision at 15/107(A). Mr D Bunt spoke on behalf of a number of young boys and men who often use the goal posts in the playing field for fun and practice. The boys say that the bottom goal post was not really needed but the top one was used almost every day. It was queried whether a smaller set would be better, but the standard size is needed for accurate practice. Mr Bunt said a new net or nets were needed as the current ones are past repair. Mr Bunt will look into prices. He also suggested that a tall 'catch net' could be constructed to catch footballs that don't make it into the goal. This would keep balls out of the other play areas or hedges or

road. He will also look into this and report back to the council.

ACTION: Mr Bunt

Mr Bunt thanked the council and left the meeting.

D Planning, decision at item 15/105(C)iv. Lisa from Situ8, planning agent, briefly explained application PA15/07648, and answered questions from the councillors, regarding the ancillary accommodation for the house and expanding riding school.

Lisa thanked the council and left the meeting. One member of the public also left.

E Footpaths at item 15/107(D). In the first instance the Footpath Committee praises the work of A&A Garden Services for the excellent state of the footpaths in the parish in general. Mr R Smith and Mr R James wanted the council to be aware that the Definitive Map would be closed to changes as of 1 Jan 2026.

- A meeting regarding FP10 into Roche will be held shortly with CC and the Ramblers with a view to repairing the boggy path so that it can be reopened.
- Mr Olford said that CC will now be able to formally establish the route of FP 14 through Beswetherick Field, as the CLT will be taking over the development.
- Problems are to be found on the Saint's Way which is the responsibility of CC. They requested that LPC ask CC to rectify the definitive map for the Saint's Way so that it shows the existing route around Trenince Farm for FP 408/13/1, originally established by CC, and also to show the existing route for FP 408/17.
- Mr Smith and Mr James are happy to be consulted by CC regarding the definitive FP routes.

F Flytipping. Mr Smith would like members of the public to let him know if they come across any new flytipping in the area. He is happy to formally report it to CC. He has informally compiled a spreadsheet of recent flytipping in the parish and immediate surrounds. A large number of fridges and freezers have been dumped in the lanes to the west of Helman Tor, which may indicate a commercial culprit.

Messrs Smith, James and Olford thanked the council and left the meeting.

G PCSO Report at item 15/101. PCSO Merrikin delivered the report.

- Concern was raised again about the fast traffic through St Cyriac and Beswetherick Field. The PCSO said one person has been spoken to. However, the problem of many other fast vehicles, including lorries, going down to the Clay Dry still exists. The clerk will write to Highways, and enlist the help of Cllr Rix, to put some form of traffic calming there, preferably speed bumps. Especially since it passes a preschool, a 20mph sign might be appropriate. It is understood that Beswetherick Field must still be adopted before any street lights, traffic signs or road markings can be put in and the clerk will copy the letter to the CLT.

ACTION: Clerk

- St Blazey Police Station. Closure is still not official and it will not happen until alternative strategies are in place for policing the area. The police are looking for donated rooms, which they can use. Such a room must be available for their exclusive use, secure and lockable. ML and CE think there could be such room at the Village Hall and will look into it.

ACTION: ML and CE

LPC thanks the PCSO for her attendance and she left the meeting.

15/99 Luxulyan Community Good Citizen of the Year.

This year's candidate was decided by secret ballot from amongst four nominations. The Award will be announced at the Village Hall Fun Day on Sat, 26 September. The clerk

will take the plaque to be engraved and to purchase a small plaque for the honouree.
ACTION: Clerk

15/100 Meetings and governance.

A In accordance with the new Transparency Code, Clerk's Notes are now available on the website with the Agenda.

B Minutes. One correction was made and initialled at Item 15/91(I) to strike through the initials 'AC' because Cllr Cottrill did not attend the meeting due to illness. The minutes of the ordinary meeting of 13 August 2015 were then approved. They were signed by ML, who chaired the 13 August meeting (proposed JS, 2nd RK) .

C Changes to the Code of Conduct, paragraphs 2.6 and 3.5 were reviewed and approved (proposed ML, 2nd AC) to be ratified at the October ordinary meeting as follows:

i. **2.6.** You must not accept any gifts or hospitality that you are offered or receive in connection with your official duties as a member which could be seen by the public as likely to influence your judgement in these matters. There is no requirement to register or declare any gifts or hospitality which have been offered or received unless it falls under paragraph 3.5 of this Code.

ii. **3.5** If you are present at a meeting and you are aware that you have a non-registerable interest or a disclosable pecuniary interest in any matter being considered or to be considered at the meeting you must disclose that interest to the meeting, enter the details in the Luxulyan Declarations of Interest book and, unless you have the benefit of a current and relevant dispensation in relation to that matter, you must:

- (1) not participate, or participate further, in any discussions of the matter at the meeting;
- (2) not participate in any vote, or further vote, taken on the matter at the meeting; and
- (3) remove yourself from the meeting if you feel it is best to do so, or if asked to do so by the Chairman or any other councillor, while any discussion or vote takes place on the matter.

D The council reviewed and approved revisions to LPC Standing Orders, with a few changes in punctuation, (proposed JS, 2nd ML) and it will be ratified at the October ordinary meeting.

E The clerk will make available on the website the new Code of Conduct and Standing Orders in their form for ratification.

ACTION: Clerk

F The council requested hard copies of these documents for each councillor after ratification in October.

ACTION: Clerk

G Playing Field inspections forms were received for the previous months and volunteers enlisted for this month are: **AC, CE, GH, RK.**

15/101 PCSO report and rural policing.

A August 2015. CRIMES RECORDED: nil, compared with nil last year. INCIDENTS RECORDED: Anti-social behaviour 2; Crime recorded 1; Public Safety 7; Transport 7; Total 17 compared with 21 last year. PCSO Merrikin explained that the Crime recorded under incidents was taken off the police statistics as a crime and the case was handed over to another agency for prosecution.

B It was agreed that the clerk should respond to the Police Funding Consultation with a letter adapted from the 'rural policing matters' campaign by the National Rural Crime Network.

ACTION: Clerk

15/102 Cllr Rix's Report. The report was read out:

LESTOON TURBINE FUND (see Item 15/104). I am still considering which project or projects I will receive the funding from Clean Earth Energy, so if councillors have any more recommendations to make to me, please do let me know, but please do so quickly as I am aiming to make a decision by the end of September. There is no specific form required, just a summary of the project and the amount of money requested. The total annual fund is £10,000. TRAVELLER SITE APPEAL. I attended the appeal hearing about the traveller site planning application in Treverbyn that was turned down by the Council's planning committee a number of months ago. I spoke at the hearing again the appeal being granted, mainly on the grounds that the medieval field pattern that would be damaged is a valued local asset. The result of the appeal should be known in the next month or two. It will have an impact on similar planning decisions locally, though the government is also working on changes to the national rules as well. TRAFFIC LIGHTS IN BUGLE. Councillors may have noticed the new traffic light system that is now in operation in Bugle and the newly finished traffic calming pavement extensions in Stenalees, both of which I successfully campaigned for. Improved safety for pedestrians is the objective and I trust this will be the case. A391 IMPROVEMENTS. Recent works to improve the A391 highway at Carludon have produced two new pedestrian and cycle bridges providing safe crossing points across the busy road for local residents and people using the Clay Trails. The new link coincides with the installation of three National Cycle Network signs between St Austell Town Centre, Wheal Martyn Museum and the Eden Project. RENEWABLE ENERGY AWARD. Cornwall Council has been presented with an award for its low carbon efforts. The Council's Future Economy team were presented with the award for the Best Renewable Energy and Energy Efficiency team at the recent annual Association of Public Sector Excellence awards ceremony. Cornwall's team, based in the Council's economic development service, has led on a wide range of projects, including major energy efficiency, electric vehicle charge points, energy switching, and community energy schemes that have delivered significant benefits for Cornwall and the environment. ADULT CARE. Following significant difficulties that a number of home care providers have faced recently, including being unable to recruit enough staff, the Council has agreed new contracts with providers including an increase in the hourly rate they are paid. This measure was approved by the Council's cabinet following the recommendation of the Adult Care Policy Advisory Committee, which I chair. Hopefully this will reduce the problems and allow a better service to be provided to those in need.

15/103 Neighbourhood Plan

The steering group continues gathering information.

15/104 'Lestoon Turbine Community Fund'.

The clerk has liaised with Trish Draper of Clean Earth Energy to confirm that a CIO may be set up to distribute the Fund. A CIO, 'foundation' model, is a charity in which the only voting members are its trustees, and the trustees are not personally responsible for the charity funds. It was confirmed that:

- 5 Trustees are suggested for the CIO Foundation. 2 from the LPC and 3 members of the community.

- Advertisements for trustees can be placed, and the clerk will advertise for charity trustees in the Granite Towers, the notice boards and the website.
ACTION: Clerk
- The first year's funds were due August 2015. They can be transferred as soon as the CIO is formed and has a bank account in its name.
- The LPC trustees were elected: Cllr Satterthwaite and Cllr Linfoot (proposed CE, 2nd GH).

15/105 Planning.

A Reports of planning decisions (reported on website and Clerk's Notes) were noted.

B Planning correspondence.

- i. ML reported on the public informal hearing 9th Sept, 10am, at Roche concerning the **appeal for PA14/11789** Change of use of land to 3no Romani Gypsy pitches and associated works; Land North West Of Carne Cottages, Carne Cross St Blazey. ML and BF attended. Before they had to leave for work at 11.30 am the inspector allowed ML to speak for LPC. She explained the council's objections and advised of the works already happening on the site. LPC will be advised when a decision has been made.
- ii. The following Enforcements were noted: **EN15/01708**: clearance of land, laying of hardcore and siting of caravan for residential occupation - PA15/05789 refused. **EN15/01711**: change of use - hardcore laid and mobile home sited on the land - PA14/11789 refused - appeal in progress. **EN15/01620**: breach of Condition No 2 of Decision Notice No PA11/03169, namely The development hereby permitted shall only be used for storage of vehicles and equipment associated with the landscape gardening business permitted on the site, and agricultural equipment and machinery associated with the holding. - Bodiggo Farm Luxulyan Bodmin Cornwall PL30 5DR
- iii. It was agreed that Enforcements (alleged breaches of planning) would not be put on the Parish Planning webpage, because some may be vexatious. The clerk has requested (as anyone can) email notification of Enforcements in the parish and will advise of any new enforcements in Clerk's Notes.
- iv. Paperless Planning Survey. CC has initiated a survey of parish councils regarding paperless planning. The details were agreed and the clerk will respond.
ACTION: Clerk
- v. Mr L Paynter sent in a report on the ombudsman's decision about his claim against CC. The ombudsman ruled that CC had not made its decision correctly regarding changes to the roof of his neighbour and CC was at fault. Mr Paynter will not pursue this any further. He is satisfied that CC has been reprimanded for the bad decision. His goal was never to alter the building in question.

c Applications.

- i. TREVERBYN Parish. **PA15/06796**. Land At Bowling Green Bugle St Austell Cornwall PL26 8RN Proposed change of use of land to 10 Romani Gypsy pitches and associated works including 10 No. mobile homes, 10 No. touring caravans, associated parking spaces, hardstandings, 10 No. ancillary utility/dayrooms, the provision of an internal access road, the installation of a sewage treatment plant and improvements to the existing access - Mr And Mrs Nelson Richards -(Case Officer - Simon Wagemakers).

After looking at the response from Treverbyn Parish, LPC agreed with their objections and wished to add its comments to the planning application (proposed RK, 2nd ML).

*** Luxulyan Parish Council (LPC) wishes to OBJECT to this application for all the grounds mentioned in Treverbyn Parish Council's comments. LPC agrees particularly with the detrimental affect on the rural environment, the over-development of such densely populated sites in our adjoining parishes, and the overriding unsustainability re shops and services.

- ii. **PA15/07273** Woodmill Farm Prideaux Road St Blazey Cornwall PL24 2SR Extension to the existing agricultural outbuilding store for the storage of agricultural machinery - Mr Justin Williams - (Case Officer - Samuel Dunn)

After examining the plans LPC had no objection (proposed GH, 2nd ML).

*** Luxulyan Parish Council has no objection.

- iii. **PA15/08298**. Land Adjacent St Cyriac St Cyriac Luxulyan Cornwall Application for variation of S106 planning obligation dated 23.11.2009 (relating to affordable housing) attached to decision 08/01791 - Quay Developments Luxulyan Ltd - (Case Officer - Tracy Young)

There were no planning documents available and the clerk will investigate further. No comments can be made until then.

ACTION: Clerk

- iv. **PA15/07648**. Ancillary accommodation. Penthorn Lane From Chimney Tops To The Grange Lockengate Bugle PL26 8RU - Mr Norman Harrington - (Case Officer - Samuel Dunn).

After considering the comments of the agent during the Public Session and looking at the plans, LPC SUPPORTS this application (proposed RK, 2nd ML).

*** Luxulyan Parish Council SUPPORTS this application because the ancillary accommodation enhances the property and will develops the existing rural business. LPC trusts the case officer will ensure that the materials and finish of the building will be in keeping with its surroundings.

- v. **PA15/08421** | Proposed first floor extension. | Trescoll Farm Barn Trescoll Farm Lockengate St Austell Cornwall.

This application was uploaded for consultee comments on the day of the meeting and paper plans had not arrived. The clerk had printed all documents and plans on A4 paper, which was reasonably clear. LPC was happy to support the application (proposed CE, 2nd AC).

*** Luxulyan Parish Council SUPPORTS this application as it will enhance the property and trusts the case officer will ensure that the materials and finish of the extension will be in keeping with the building.

15/106 Highways.

As discussed in the Public Session(G) above. The clerk will also write again to Cormac to see when a repair is scheduled for the drains by the telephone box across from the Institute.

ACTION: Clerk

15/107 Assets – reports and maintenance

A Playing Field:

<ul style="list-style-type: none"> • A&A has replaced the fence and removed the dead trees to ground level. The boulders that were commented upon in the official playing field inspection report have been removed by A&A. • Goal Posts. It was agreed to keep the goal posts in place (proposed CE, 2nd JS). The position of the posts, plus the need for either both or just one, will be monitored and reported on at a future date. • A survey designed by JS about the use of the playing field will be <u>circulated</u> by LPC to residents of the parish. JS and the clerk are coordinating the survey. <p>ACTION: JS and Clerk</p>
<p>B Grit Bins. ML reported that D Keam has offered to repair the damaged grit bin at Bodiggo. The clerk will <u>reply</u> to the resident who requested its repair or removal.</p> <p>ACTION: Clerk</p>
<p>C Cemetery. Nothing to report.</p>
<p>D Footpaths. The clerk will write to CC re Saint's Way as reported in the Public Session to determine the correct procedure for changes to the definitive map. Cllr Satterthwaite was elected to replace Cllr Olford as representative on the Footpath Committee (proposed GH, 2nd CE).</p> <p>ACTION: Clerk</p>
<p>E Luxulyan Memorial Institute. 31st October is the Christmas Craft Fair.</p>
<p>F Village Toilets. After the decision to keep all the toilets open year round, the cleaner has requested an extra £36.00 per year for supplies, amounting to £0.10 per day. This was agreed (proposed CE; 2nd ML).</p>
<p>G The second yearly weed treatment for pavements in Luxulyan village will take place this month. It takes around 2 weeks to see the effect.</p>

15/108 Parish Matters

<p>A Flooding. The clerk will write to Cormac to request a meeting to discuss the situation at Rosemelling, and at the same time take a look at the drains by the phone box in the village.</p> <p>ACTION: Clerk</p>
<p>B CLT – Community Land Trust. The new LPC representative on Luxulyan's CLT committee will be Cllr Eich.</p>
<p>C Luxulyan Valley Partnership. Meeting at the end of this month.</p>
<p>D Minorca Lane Project. Nothing to report.</p>
<p>E Village Hall Committee. The original idea of an inexpensive bin secured by a bicycle chain will not be sufficient. The clerk will <u>cost</u> a few alternatives for the playing field.</p> <p>ACTION: Clerk</p>
<p>F School Management Committee. The new school building is finished and looks very good. It only needs furniture. Enrolment is at a very good level.</p>
<p>G Village Rubbish bins. Nothing to report this month.</p>
<p>H Field bordering Luxulyan & Lanlivery. Nothing to report this month.</p>
<p>I Fly tipping of asbestos. Nothing further to report.</p>

15/109 Finance.

<p>A Cllr Eich has been elected to the Audit Panel to replace Cllr Olford.</p>

B Clerk's reports on Payments against budget and Cash Flow were noted.

C Payment by Direct Debit to South West Water was authorised for the bills for the Luxulyan Toilets (proposed CE, 2nd ML).

D The following payments were authorised for Sept and Oct (proposed GH, 2nd JS):

Finance – payments for September totalling £2,992.39:

10 Sep 15	C Wilson, salary & expenses Aug'15	300039	£	482.93		
10 Sep 15	Vision ICT annual website fee	faster	£	168.00		28.00
10 Sep 15	A&A, playing field fence	300040	£	1,350.00		
10 Sep 15	A&A Garden Services, inv 555 to 557	300041	£	981.00		
	£120 removal 2 dead trees pl.field					
	£476 footpaths 1st cut					
	£385 grass cutting pl.field, cemetery					
21 Sep 15	British Gas, August	DD	£	10.46		0.49

The last column is recoverable VAT.

Finance – payments for October totalling £283.89:

6 Oct 15	A Hawken, cleaner	faster	£	227.09		
8 Oct 15	HMRC cleaner		£	56.80		

15/110 Correspondence & Invitations. (complete list in Clerk's Notes 10-9-15)

A CC-Consultation re Street trading was deferred until the next meeting.

B Wed 30 September, Town & Parish Council and Voluntary Sector Summit; noted.

C 10 Oct. Memory Day in the Clay Country, 2-5pm at Trethurgy Village Hall; noted.

D 28 October. 4-8 pm Wadebridge. PLANNING CONFERENCE. Attendees will be: Clerk, JS, AC.

15/111 Business for the next meeting.

CC consultation on Street Trading. Good Citizen Award procedures. Precept.

15/112 Dates of next meetings.

A Planning if needed 24th September, 6.30 pm and the Ordinary Meeting 8 October, 6.30pm and Audit Panel at 5.30 pm at the Luxulyan Memorial Institute.

B 21 Sept, Meeting with Tony Hogg, Police and Crime Commissioner for Devon and Cornwall. 7pm at St Dennis Working Men's Club. Attendees: ML & BF.

C 23 Sept. Data Protection training. Attendee: Clerk. CANCELLED

D Wed 30 Sept. Budget Setting & Precept training. Liskeard Town Council Offices 7-9pm. Attendees: Clerk, GH, CE, JS.

The Chairman thanked everyone and the meeting closed at 9.45 pm.

Mrs C Wilson ~ Parish Clerk ~ 12 September 2015