

LUXULYAN PARISH COUNCIL

DRAFT Minutes of the Ordinary Meeting at the Luxulyan Memorial Institute, 6.30 pm,

THURSDAY 12 NOVEMBER 2015

PRESENT:

Cllr George Haywood (Chair), Cllr Michaela Linfoot (Vice-chair), Cllr Jack Satterthwaite, Cllr Andy Cottrill, Cllr Ralph Keam, Cllr Clare Eich, Cllr Barbara Fahey, Cllr Roger Smith (after Item 15/136D).

ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson and 5 Members of the Public.

ABSENT:

Cllr Jodie Fisher, PCSO Natalie Merrikin, Ward Member Cllr S Rix.

Abbreviations: Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Footpath (FP), Local Maintenance Partnership (LMP), Community Land Trust (CLT), Village Hall (VH), 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 6.32 PM and the Chairman welcomed all.

15/134 Apologies.

A Ap ologies were received from JF, Cllr Rix, PCSO Merrikin.

15/135 Declarations of interest or requests for dispensation.

None.

15/136 Public Session.

A Mr and Mrs Derricott explained their planning application PA15/09578 and answered questions from the councillors about the occupancy of the property. It was **agreed** to bring the decision at Item 15/147(c)(i) forward. (See decision at that item.)

2 members of the public left the meeting.

B Mr R James spoke for the Footpath Committee in support of the North Cornwall Cluster Group's request that Cornwall Council review its Local Maintenance Partnership grant which has not changed in recent years. This grant is essential for the maintenance of the footpaths. The footpaths in the parish are in very good shape and an increase in the LMP grant, in line with inflation, would help continue the good work. Unfortunately, the Saint's Way does not fall under this scheme; it is maintained by CC and is in need of much work. The council **agreed** to move the decision at Item 15/149(c) forward. (See decision at that item.)

C Mr C Austin reported that during the latest rains, the road at Carne Cross has flooded as it never has before. This is the site of the planning applications PA14/11789 (currently at appeal) and PA15/05789 for 3 Romani gypsy pitches, and which is the site of unauthorised tipping and multiple closed enforcements. Mr Austin is concerned that the material dumped there is affecting the drainage of water at the stream and the wetland area which borders the dumping site. GH reported on his ongoing correspondence with a planning enforcement officer, C Cooper-Young, about the case. It was agreed that the new incident of standing water on the road at Carne Cross should be reported to add to the case file.

ACTION: GF

D Roger Smith put himself forward as a candidate for co-option onto the Parish Council. No other candidates have come forward to date. The council **agreed** unanimously there and then to co-opt him. He immediately **signed** a Declaration of Acceptance of Office before the chairman.

2 members of the public left the meeting.

15/137 Action points from the previous minutes with further action, if necessary.

A ML reported on incidents concerning dangerous dogs in the parish. She will find out more about what legal rules and restrictions can be applied to dogs. ML is liaising with the authorities and will keep LPC informed.

ACTION: ML

B ML will set up a meeting with St Eval parish for the Neighbourhood Plan Steering Group.

ACTION: ML

C GH reported that CALC could not give a figure on the amount of hours expected of the clerk.

D The clerk reported on the number of graves available in Luxulyan Cemetery and it was **noted** that there is capacity for quite a few more years yet.

E GH read out the proposed procedures for the Good Citizen Award. The procedures were **ratified** (proposed AC, 2nd JS) and will be placed on the website.

ACTION: Clerk

It was decided that ballot boxes should be provided around the parish, possibly at the Church, Village Hall, School, Pub, Post Office, Institute. The places for the boxes need to be confirmed. CE offered to organise opaque boxes.

ACTION: CE

F DBS Checks. GH and the Clerk reported on the procedures that would need to be in place in order for LPC to require DBS checks of all its members. The council considered the pros and cons of DBS checks and decided to **retract** its previous decision (October Item 15/126) to require checks (proposed CE, 2nd RK).

G The clerk brought 3 signs. One fixed penalty sign was given to the council by the dog warden (value £127) and it warns of the fines for not picking up after your dog. ML offered to put it up.

ACTION: ML

The clerk bought two signs for the gates to the playing fields on either side of the Village Hall. One sign is plastic, the other aluminium and the durability of one over the other should be monitored. ML will give them to A&A to put up.

ACTION: ML

H ML reported that work at Mr Rundle's house has not been completed. ML was told that the rest of the money originally promised by Martin Eddy is no longer available. Mr Eddy still works on the Flood Forum and the clerk will get his new work number.

ACTION: Clerk and ML

I Playing Field Litter Bin. With some advice from CC about which companies to use, the clerk brought quotes from Broxap and Glasdon. The Broxap black Maelor Trafflex bin was **chosen** (£229 + VAT) because it was complete, even with a concrete base to keep it in place (proposed ML, 2nd AC).

ACTION: Clerk

J GH reported on the progress of the Luxulyan Community Transport Mini-bus. Volunteer Cornwall is helping; however they have lost funding from CC. Luxulyan may have access to a shared bus whilst its own proposal is being processed.

K The hedge near the cemetery still needs to be cut back because it bends into the road when it rains. ML will speak with the landowner.

ACTION: ML

15/138 Meetings and governance.

A The minutes of the meeting held on 8 October 2015 were **approved** and signed as a true and correct record (proposed JS, 2nd BF).

B Members' Expenses Policy. The pros and cons of an expenses policy were discussed at length, using as an example a policy from another parish. It was **decided not** to have a policy for members' expenses (proposed ML, 2nd RK).

C Clerk's reports on *Payments against Budget* and *Cash Flow* were **noted**.

D Payments for November totalling £1,491.72 were **authorised** (proposed CE, 2nd AC). The last column is recoverable VAT.

12 Nov 15	<i>C Wilson, salary Oct'15</i>	faster	£	551.92		3.56
12 Nov 15	<i>CORMAC Weed Spraying</i>	faster	£	508.14		84.69
12 Nov 15	<i>South West Water (estimated)</i>	faster	£	103.29		
12 Nov 15	<i>The Sign Shed, 'No Dogs'</i>	faster	£	35.27		5.88
12 Nov 15	<i>Martin Luck, Plymouth</i>	faster	£	86.33		14.39
12 Nov 15	<i>Lux Memorial Institute</i>	faster	£	60.00		
12 Nov 15	<i>CALC - Budget training</i>	faster	£	105.60		17.60
12 Nov 15	<i>Planning Conf. Training (also St Ewe)</i>	faster	£	30.00		5.00
20 Nov 15	<i>British Gas - Oct</i>	DD	£	11.17	November	0.53

E In order to pay wages on time, payments for December totalling £310.88 were **authorised** (proposed CE, 2nd AC).

6 Dec 15	<i>A Hawken, cleaner</i>	faster	£	248.68		
8 Dec 15	<i>HMRC cleaner</i>	300153	£	62.20		

F Playing Field inspections for October were received and the following volunteers were enlisted for November:

ACTION: ____, ____, ____, ____.

G AC volunteered to put up the minutes and agenda while the clerk is away this month. He received copies of the keys to the notice boards.

ACTION: AC

15/139 PCSO report for October 2015.

A CRIMES RECORDED: 2 Other Theft; 1 Criminal Damage. INCIDENTS RECORDED: 3 Anti-social behaviour; 1 Crime Recorded; 11 Public safety; 8 Transport.

B ML and AC reported on the meeting organised by PCSO Merrikin, concerning the asbestos tipping and unauthorised development at Land East Of Corgee Farm Luxulyan, which brought together the parish council, Cornwall Council, the police, the Environment Agency, David Hazelhurst of Natural England, and the person committing the unauthorised development. An 8 foot barbed wire fence has been erected on the side of the road. ML asked the clerk to report it which she has done. ML and RS will see Martin Wright, Cornwall Council, Common Land officer.

ACTION: ML and RS

15/140 Cllr Rix's report to the Parish.

None.

15/141 Neighbourhood Plan steering group. As discussed 15/137b.

15/142 Grant applications.

A Two grant applications were considered from the Over-50's Club and the Craft Club, both for a grant towards their Christmas Lunch. RK and BF each declared an interest in the Over 50's and Craft Club, respectively, and did not participate in the discussion or vote. The sum of £150 was **granted** to each group (proposed ML, 2nd AC).

B It was suggested and agreed that the grants be **publicised** better next year in Granite Towers so that other groups can find out how to apply.

ACTION: Clerk

15/143 Bodwen Solar Farm community contribution.

GH and the clerk reported that Elgin Energy, the company that set up the Bodwen Solar PV Farm (PA13/03710), has voluntarily undertaken to make a one-off contribution to the Parish Council of £7K per MW once the solar farm is exporting electricity to the grid. LPC **agreed** to accept with thanks this voluntary donation (proposed ML, 2nd AC). Cornwall Council has advised that LPC request a Unilateral Undertaking legal document from Elgin Energy.

ACTION: Clerk

15/144 Budget 2016-17.

The clerk distributed a proposed calculation of the Budget which allows the Precept to remain exactly the same as last year. The decision on the Budget was **deferred** until next month and it was **agreed** that the council would meet as a working party to discuss the Budget on Thurs, 26 November at 6.30 pm in the Institute.

ACTION: Councillors

15/145 Precept 2016-17.

The decision was **deferred** until next month (see above).

15/146 Luxulyan Parish Community Fund webpage.

It was **agreed** that the Luxulyan Parish Community Fund may have their own webpage on the parish council website to promote their grants on the understanding that it would not take up the clerk's time (proposed RK, 2nd BF).

15/147 Planning

A Planning decisions (reported in *Clerk's Notes* and on the website).

B Enforcements – reports on progress (others listed in *Clerk's Notes*)

i. **EN15/01708**. Land North West Of Carne Cottages, Carne Cross. (See 15/136C)

ii. **EN15/02202**. Large area of common land has been cleared and a hard standing base laid. Land at Corgee Moor Luxulyan Bodmin Cornwall. (See 15/139B)

C Planning correspondence.

i. LPC received a request from a parishioner to support his ongoing claim for a decision re: **EN15/02210** | Height of development is not in accordance with

PA14/07273 and PA14/10783 - (cross section plan DD) Danish Crown Car Park and adjacent land. The council **agreed** to support his claim and the clerk will write to the case officer (proposed BF, 2nd ML).

ACTION: Clerk

ii. **PA15/07648** | Ancillary accommodation | Penthorn Lane from Chimney Tops to the Grange Lockengate Bugle PL26 8RU. The case officer has written that he intends to refuse this application because it does not conform to the regulations for ancillary accommodation and, in accordance with Local Council Protocol, he has given LPC five days to respond. After a short discussion, LPC continues to **support** this application and will **request** that its ward councillor take the application to planning committee (proposed ML, 2nd AC).

ACTION: Clerk

D Applications.

i. **PA15/09578** Certificate of Lawful Development for existing use of continued occupation of the Old Walled Gardens without compliance with conditions 6, 7 and 8 of planning permission reference C2/01/01364, dated 14 May 2002 in respect of holiday and seasonal occupancy - Old Walled Gardens Prideaux St Blazey Cornwall PL24 2SS.

After a short discussion LPC voted unanimously to SUPPORT this application (proposed RK, 2nd ML).

*** Luxulyan Parish Council supports this application, because it is a suitable business decision for the applicants to occupy the Old Walled Gardens year round and let out their larger property.

ii. **PA15/08439** | Erection of an affordable dwelling | Land Adjacent to Carne Cottages Carne Cross St Blazey Par Cornwall PL24 2SX.

It was noted that this application is very similar to PA14/05407, which was supported by LPC. The council continues to SUPPORT this current application because the council strongly supports affordable housing in the parish, particularly for a local family (proposed ML, 2nd AC).

*** Luxulyan Parish Council (LPC) unanimously SUPPORTS this application again because the parish needs affordable housing, particularly for local residents like these applicants. LPC does request, as before, that the conditions of Luxulyan Community Land Trust are upheld upon any resale of the property. LPC notes that the previous application, PA14/05407, was refused by Cornwall Council on the grounds of unsustainability, lack of secure provision as affordable housing, and highways issues. LPC maintains that the erection of one permanent dwelling for one local family does not harm the character of the surrounding countryside at this site, nor is it unduly unsustainable, considering the existence of the other very similar dwellings at and near the site, as shown in the Design and Access Statement, page 5. The shape of the house blends in with its neighbours and is in keeping with historical practises. LPC sees that the applicant would be subject to an S.106 agreement “to retain the affordable status and value in perpetuity.” LPC notes that the applicant has sufficiently addressed the highways issues, and it is also significant that vehicular access is on the ‘best side’ of the road for visibility. To reiterate, LPC strongly supports this application which will satisfy the needs and budget of a local family.

15/148 Highways.

The council received a letter from a member of the public concerning the hedges near her house being eroded by large vehicles. The clerk will submit the complaint to

Highways.

ACTION: Clerk

15/149 Assets – reports and maintenance.

A Playing Field. No dogs signs (see 15/137g). The clerk reported that B Oliver is still very busy and will not be able to complete the work on the play equipment. A quote for repairs was discussed and the council requested more quotes. The clerk will contact Cormac to see if they will quote for the work. ML will meet with them.

ACTION: Clerk and ML

B Footpaths. After a request by the chairman of the Footpath Committee during the Public Session, LPC agreed to **support** the North Cornwall Cluster Group's request for an increased Local Maintenance Partnership grant (proposed ML, 2nd JS). The clerk will write to Adam Paynter, Cabinet Member for Finance and Resources and Toby Lowe, Countryside Team Leader and copy in our ward member.

ACTION: Clerk

RS reported on a fence with wires cut at FP 16/1 and 16/2. This is the responsibility of the landowner and it is likely that it will be fixed soon. ML and RS will monitor it.

ACTION: RS and ML

C Cemetery. See Item 15/137(d).

D Village toilets. AC volunteered to be the custodian of a key to the toilets. The clerk will let the plumber know that AC can open the toilets' cupboard so that he can complete the necessary work for South West Water.

ACTION: AC

E Luxulyan Memorial Institute. The Christmas Craft fundraiser was a success. Work on the corridor has begun.

15/150 Parish Matters – reports.

A Eden Community Geothermal meeting, 30th Nov, 6.30 pm. AC and JS will attend.

ACTION: AC and JS

B Flooding. (See Item 15/137h)

C Drains. AC explained, to the befuddlement of many, why the infamous drain near the telephone box in the village is not actually a drain. Until the unlikely event that the road surface levels are corrected, it is an ex-drain.

D Weed Spraying. CE reported that the weeds have indeed been sprayed effectively for the second time and final time this year. Cormac's invoice will be paid this month. However, CE has had two complaints that the weeds should also be cleared away.

E Village rubbish bins. Nothing to report.

F Village Hall Committee. They have discussed the possibility of having a room available for the police on a permanent basis, but they are looking for more information. More funds need to be raised for the new floor.

G School Management Committee. There are now 88 pupils. The school is looking to become an academy in order to join a partnership of academies. They will send some information about the move to an academy to put on the website so they can consult better with the community about the issue.

ACTION: CE and Clerk

H Luxulyan Valley Partnership. RS reported that Stage 1 funding was successful. Before Stage 2 can commence, Cornwall Council will need to look at the matter of water extraction points at Cam Bridges and Gattys. The new Valley Ranger is Jenny Heskett.

I CLT – Community Land Trust. Nothing to report.

J Minorca Lane Project. Nothing to report.

15/151 Correspondence & Invitations. (complete list in *Clerk's Notes*)

A 19 NOV. National grid community relations team. National grid will be doing some refurbishment works on the overhead power. They are inviting local parish councils who may be affected by the work to a meeting on the **19th November at 4pm**, in the Lostwithiel Community Centre. GH will attend.

ACTION: GH

15/152 Business for the next meeting.

Budget. Precept.

15/153 Dates of next meetings.

A 26 November 2015, 6.30 pm a working party will meet to discuss the clerk's hours.

B 26 November 2015, 7.30 pm. If needed, an extra-ordinary meeting for planning will be called.

C 10 December 2015, 6.30pm, the next Ordinary Meeting. All at the Luxulyan Memorial Institute.

The Chairman thanked everyone and the meeting closed at 9.30 pm.

Mrs C Wilson ~ Parish Clerk ~ 20 November 2015

*Please note that the clerk will be away this month, available by email,
but not by telephone.*