

**LUXULYAN PARISH COUNCIL****DRAFT** Minutes of the Ordinary Meeting at the Luxulyan Memorial Institute, 6.30 pm,**THURSDAY 14 APRIL 2016****PRESENT:**

Cllr Michaela Linfoot (Vice-chair), Cllr Jack Satterthwaite, Cllr Andy Cottrill, Cllr Ralph Keam, Cllr Clare Eich, Cllr Barbara Fahey, Cllr Roger Smith, Cllr Keith Bilston.

**ALSO PRESENT:**

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

**ABSENT:** Cllr George Haywood, Cllr Jodie Fisher, Ward Member Cllr Simon 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), Friends of Luxulyan Valley (FOLV), Neighbourhood Plan (NP). \*\*\* 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 quarterly Audit Panel meeting was held at 5.30 pm, immediately before the ordinary meeting (AC, CE and JS). The Audit Panel reviews and analyses the finances, carries out an internal control check, and may make recommendations to full council concerning financial issues.*

*The ordinary meeting began at 6.30 pm; the Vice-chair took the Chair and welcomed all.*

**15/230 Apologies.**

A Apologies were received from GH (Chairman), JF, Cllr Rix.

**15/231 Declarations of interest or requests for dispensation.**

None.

**15/232 Public Session.**

A Mr M Karkeek explained his planning application PA16/02210. The Chair moved Item 244Eiii forward and Mr Karkeek left the room during the council discussion (See the decision at that Item.)

*Mr Karkeek left the meeting.*

B Gunwen Chapel Project (see Item 239). Mrs M Dunkley, Project Secretary, introduced herself and a colleague, Mr I Phillips, and explained the Project. Gunwen Chapel was founded by William O'Bryan of Gunwen Farm and is the only building in Luxulyan and Lanlivery still used as a chapel every Sunday. It organises the ancient Crying the Neck ceremony every year. The Chapel is above, and the Sunday School uses the ground floor. It is Grade II listed; it has toilets, and is also used for community events. The Heritage Lottery Fund has granted up to £20,000 for the initial works on the chapel and for investigations concerning major works. The work had already begun that day with a cherry picker to inspect the roof and slates, etc. If and when further funds are granted for the major works, they plan to open the building for: community events, local history groups, a rest stop for walking groups and cyclists as the Chapel is on the National Cycle Network. The Institute of Cornish Studies has shown interest. Display boards about its history are proposed and the Cornwall Wildlife Trust may also display information. RK said he has known the chapel very well for many years and agreed that it would be a great loss to the parish if the building and its heritage should disappear. Mrs Dunkley and her colleague requested a letter of support from the Parish Council for the Project which would help with further applications to various organisations for funding for the major works.

C Beswetherick Fields Appeals (see Item 244A). The original application (C2/08/01791) calls for 3 more affordable homes to be built. The developer submitted 2 recent planning applications to modify the original conditions, which were refused by Cornwall Council, and the developer has appealed each of these decisions. Mr J Wright, chairman of the Luxulyan CLT, explained the coordinated response to the first appeal, made on this day from LPC and the CLT, to the Planning Inspectorate as a result of a joint meeting held on Monday, 4<sup>th</sup> April. Mr Wright thanked RS for his very helpful investigations. The second appeal requires a further response. A hearing and site meeting is proposed for 10 am, Tues, 23 August 2016 regarding the first appeal (venue to be confirmed). Neither the Planning Inspectorate nor Cornwall Council has confirmed whether these appeals are officially linked. Cornwall Council and the Luxulyan CLT have copied in the clerk to all correspondence and will continue to do so.

Previous Item 226I. The clerk had written about the poor state of the fittings in the affordable homes to the coordinating CC officer for these two appeals. Mr Wright had subsequently visited Beswetherick Fields and at this meeting confirmed the obvious dilapidation of the windows. He promised to follow this up.

*Mr Wright, Mrs Dunkley and Mr I Phillips left the meeting.*

15/233 Previous action points with further action if required.

A Item 15/169. The outside bin behind the village hall will be installed this month. Dave and Marie Hall have kindly offered to empty the bin, but will not pick up rubbish. It is hoped that the existence of the bin will encourage people to dispose of their rubbish properly! The clerk advised that a 'bait base' is part of the bin if needed.

**ACTION: GF and ML**

B Item 15/137. Playing Field Survey will be distributed as soon as the boxes are ready.

**ACTION: JS & CE**

C Previous Item 227B RS will fill out the War Memorial Survey himself.

15/234 Meetings and governance.

A The minutes of the meeting held on 10 March 2016 were **approved** and signed as a true and correct record (proposed JS, 2<sup>nd</sup> RK).

B ML will take the Parish Meeting notice to GH for his signature.

**ACTION: ML**

C ML will also take a sealed dated envelope with the parish council passwords from the clerk to GH, who will keep it in accordance with the Financial Regulation 6.11.

**ACTION: ML**

D Playing Field inspections for March/April were received and the following volunteers were enlisted for the next 4 weeks:

**ACTION: AC, JS, KB, RS.**

E Cornwall Electoral Review. JS reported on the Electoral Review for Cornwall which has just begun. A Panel has been set up to decide how many councillors are needed in Cornwall. Its decisions will come into effect for the elections in 2021. They can decide on a number from 28-100, so by default the number will be reduced by at least 23. This also requires new electoral boundaries. The Panel's recommendation is due in October 2016 and the public will be advised in January. JS recommended that the Electoral Review be a permanent item in the agenda for the time being.

F Code of Conduct. No objection was made to the proposed alteration of Para 3.5A; i.e., to remove the words within the brackets, and the change will be ratified at the May meeting. A copy of the full document can be found on the council's website.:

3.5A Where a Member has a non-registerable interest in a matter to which paragraph 3.5 relates that does not benefit from a valid dispensation[ *and that interest arises only from the Member's participation in or membership of a body whose objects or purposes are charitable, philanthropic or otherwise for the benefit of the community or a section of the community*], the Member may, with the permission of the Chairman of the meeting or until such time as the Chairman directs the Member to stop, address the meeting to provide such information as they reasonably consider might inform the debate and decision to be made before complying with paragraphs 3.5(i), (ii) and (iii).

G Standing Orders. No objection was made to the proposed alteration of 18(a) and (c); i.e., to change the sum, above which the clerk will procure quotes with a formal tender, from £60,000 to £25,000 in accordance with the council's recently reviewed Financial Regulations. The change will be ratified at the May ordinary meeting. A copy of the full document can be found on the council's website.

H Grant Awarding Policy. After a short discussion, no major changes were made to the draft policy. The draft policy will be placed on the council website and ratified at the May ordinary meeting.

**ACTION: Clerk**

#### 15/235 Review of cleaner's salary.

At the recommendation of the Audit Panel, it was **agreed** to raise the cleaner's salary by 2%, with effect from this April (proposed JS, 2<sup>nd</sup> RS).

#### 15/236 Finance.

A The attached schedule of year-end virements and use of reserve funds were **agreed** (proposed CE, 2<sup>nd</sup> BF). The original budget of £21,944 is increased with reserve funds into the budget categories of Clerk's Salary, Toilet Maintenance, and S.106 community funds. The budget with reserves is now £26,292.64. Payments for the year are £26,024.91.

B The Audit Panel reported that the Internal Control Check was satisfactory; the bank accounts are in order, but the chequebook still has to be checked. Unfortunately, Unity Trust Bank will charge a £6/month fee starting in June. The clerk will look for a bank that doesn't charge.

C Clerk's year-end reports on *Budget Comparison* and *Cash Flow* were **noted**. As approved by the council (previous Item 15/179G), the charts for *Payments 2015-16* and *Budget v Payments* that will be placed on the website (using the approved virements) were **noted**, along with the list of payments for 2015-16.

**ACTION: Clerk**

D Membership in the Cornwall Association of Local Councils (CALC) for the coming fiscal year was **agreed** at a cost of £374.74 + VAT (proposed AC, 2<sup>nd</sup> RS).

E Payments for April totalling £1,836.63 were **authorised** (proposed AC, 2<sup>nd</sup> CE). The last column is recoverable VAT. NB: For ease of reporting, the cleaner's salary,

authorised the previous month, will be reported with this month's payments.

6 Apr 16	AJH, cleaner	faster	£	219.88		
14 Apr 16	HMRC cleaner (*1612)	faster	£	55.00		
14 Apr 16	Clerk's salary and expenses Mar'16	faster	£	643.35		
14 Apr 16	LMI Room Hire	faster	£	45.00		
14 Apr 16	A1 Tree Surgery	faster	£	360.00		60.00
14 Apr 16	CALC Membership	faster	£	417.40		43.66
14 Apr 16	CALC - 2 Good Cllr Guides	faster	£	6.05		
14 Apr 16	J Cleare, Granite Towers postage	faster	£	79.20		
21 Apr 16	British Gas, electricity for toilets	DD	£	10.75		0.51

F In order to pay wages on time, payments for May totalling £283.44 were **authorised** (proposed AC, 2nd CE). This includes the agreed salary rise.

6 May 16	AJH, cleaner	faster	£	226.84		
12 May 16	HMRC cleaner (*1701)	faster	£	56.60		

15/237 PCSO report.

No report was received.

15/238 Cllr Rix's report to the Parish.

No report was received.

15/239 Gunwen Chapel Heritage Project.

As requested during the Public Session, LPC unanimously **agreed** to send a letter of support for the Gunwen Chapel Project's further major works in order that it become a locus of local historic, traditional and modern activities.

**ACTION: Clerk**

15/240 Par running track.

After a brief discussion it was agreed to support local community ownership of Par running track and its environs, as organised by Doug Scrafton of Cornwall Council (proposed JS, 2<sup>nd</sup> RS) because it would be a great loss to the community, especially the secondary school children.

**ACTION: Clerk**

15/241 Neighbourhood Plan steering group report.

An informal meeting is organised for next Thursday, 21<sup>st</sup> April, 6.30 pm, at the Institute. The clerk will book the room. **Anyone interested in the Neighbourhood Plan is welcome to attend.** It was noted that NP training is available now through CC.

**ACTION: Clerk**

15/242 Tidy the Village campaign

At the instigation of a few parishioners, it was discussed and agreed to **organise** a Tidy the Village rubbish pick up. All parish councillors and parishioners are encouraged to attend. Date is to be agreed and the clerk advised so she can put a notice in the Granite Towers. JS offered picking up equipment. RS will investigate organisations that can help with tidying up. CE will coordinate with the school, bring high-viz jackets and do the risk assessment. RS will also investigate the possibility of getting a World Heritage sponsored 'Welcome to Luxulyan' sign.

**ACTION: RS, CE, JS, and Clerk**

## 15/243 Defibrillator, Churchtown

A ML reported that the Institute committee approved the installation on the exterior of the building, but the chairman, N Legard, would like to ensure it is installed in the right place. The defibrillator was recently delivered to the clerk and she gave both boxes to AC who will ensure that Mr N Legard receives them. The clerk will contact the Ronnie Richards Memorial Charity's approved electrician to coordinate the installation with Mr Legard. The clerk will enquire about available days for training and place an invitation for training in the Granite Towers.

**ACTION: Clerk, N Legard**

B It was agreed to request funds from the Luxulyan Parish Community Fund for a second defibrillator with the location to be decided by the community with a request to Cllr Rix Community Fund for £500 to allay costs (proposed AC, 2<sup>nd</sup> CE).

**ACTION: Clerk**

## 15/244 Planning

A Planning correspondence.

i. First Appeal: **APP/D0840/S/16/3143592**. Regarding **PA15/08298** | Application for variation of S106 planning obligation (relating to affordable housing) attached to decision **C2/08/01791** proposed residential development of 13 Affordable and 6 speculative houses.

Second Appeal: **APP/D0840/W/16/3145679**. Appeal against the refusal of **PA15/05168** | for construction of 4no. two bedroom houses | Beswetherick Field Luxulyan. Appellant: Mr Nick Witcomb. Relating to: **C2/08/01791** | proposed residential development of 13 Affordable and 6 speculative houses.

(See also the Public Session 232C.) It was **agreed** that another joint meeting of LPC and the Luxulyan CLT will take place in the week of 25 April, date yet to be decided, to coordinate a response to the second appeal, which has a deadline in early May.

B Enforcements. Nothing to report.

C Planning decisions.

i. **PA16/01613** Prior approval not req'd (AF/TEL/DEM). Applicant: Miss Melissa Green Location: 30 St Julitta Luxulyan Bodmin Cornwall PL30 5ED Proposal: Single storey kitchen extension to rear of property.

ii. **PA16/00600/PREAPP**. Decision: Closed - advice given/app submitted. Land Adjacent To Fairhaven Luxulyan Bodmin Cornwall PL30 5EQ Preapplication advice for construction of a new dwelling and associated works. - Mr A Rundle And Miss R Rowe-Best

LPC received a request for support from the applicants and briefly discussed the proposal. LPC could see no objection to the development; supports it in principle, and looks forward to seeing the full planning application with design details.

D Applications – other. Nothing to report.

E Applications – for consultee comments.

i. **PA16/01635** | Outline planning permission with all matters reserved: Construction of two semi detached dwellings | Moorland View Conce Moor Bugle Cornwall

PL26 8RT. After discussion, LPC agreed to the following comments (proposed CE, 2<sup>nd</sup> KB):

\*\*\* Luxulyan Parish Council OBJECTS to this application for the following reasons:  
 1) Inappropriate, incremental and unplanned development in a totally unsuitable location. 2) According to Cornwall Council, twice ruling the same conclusion, this is not an area suitable for residential development, and permissions have only previously been granted on the basis of Gypsies and Travellers status. 3) Taking two mobile homes out of commission would reduce the number of approved sites that Cornwall have and would require two new sites to be found elsewhere, just to maintain the status quo. 4) The Environmental Health Planning Liaison has twice objected to applications on this site due to the absence of an accepted contamination assessment and the likely presence of contamination. 5) Potential impact on footpath 5/2.

ii. **PA16/02117** | Demolition of the existing single block garage and replacement with a double width double block garage. | Savath Bungalow Savath Lane Lockengate Bugle St Austell Cornwall PL26 8SA. After discussion, LPC agreed to the following comments (proposed RK, 2<sup>nd</sup> KB):

\*\*\* Luxulyan Parish Council SUPPORTS this application. It is a reasonable improvement to the property that will support the owner’s hobby. It does not affect neighbouring properties and the Council trusts that the case officer will ensure that the design is in keeping with its surroundings.

iii. **PA16/02210** | Construction of replacement dwelling | South Barn Road From Junction North Of Bodiggo To Cross Park Farm Luxulyan Cornwall PL30 5DR.

After discussion and coordination with the applicant, it was **agreed** to have a site meeting at 2.30 pm on Thurs, 21<sup>st</sup> April.

15/245 Highways.

A In front of the Luxulyan Memorial Institute a drain has become a pothole which is getting larger by the minute and could be a danger to motorcyclists. There is blue paint surrounding it suggesting that it is meant to be repaired soon. AC will take a photo, send it to the clerk, who will then ask when it will be fixed.  
**ACTION: AC, Clerk**

B The clerk will suggest to Cornwall Council that a sign be placed at Lockengate during the summer, or perhaps permanently, that says something like “Do not use SAT/NAV for the Eden Project”.  
**ACTION: Clerk**

C The fence on the edge of Treskilling road and the road itself is being undermined by the river. AC and ML will take photos from the field, send them to the clerk for a letter to Cormac with Cllr Rix copied in.  
**ACTION: AC, ML, Clerk**

D The drains beside the telephone box are surrounded by slippery leaf mulch.  
**ACTION: Clerk**

E ML reported that R Tatlow of Cormac has not responded to requests for a meeting with Cllr Rix about the roads and flooding in Luxulyan, especially the road at Treskilling. Cllr Rix has indicated he is very willing to attend.

## 15/246 Assets – reports and maintenance.

A Playing Field. The clerk received a complaint by a member of the public whose boundary was affected by pruning done for the playing field. The clerk and a councillor will visit the boundary to see what can be done and whether the fence might need repair or replacement. <b>ACTION: Clerk</b>
B Footpaths. RS reported on possible solutions for FP6 and FP8, some more expensive than others. RS and Mr R James will investigate further and call a meeting of the Footpath Committee to discuss the maintenance in detail and then report back to the parish council. There is enthusiasm to resurrect the parish walks and the footpath committee will also discuss how to organise this.
C Cemetery. Nothing to report.
D Village toilets. Nothing to report.
E Luxulyan Memorial Institute. (See Item 243 also.) N Legard is organising the seed swap each month and will continue with the produce swap as well.

## 15/247 Parish Matters – reports.

A Flooding. (See Item 245E.)
B Village rubbish bins. All OK.
C Village Hall Committee. The AGM is Tuesday 24 May, 6.30pm.
D School Management Committee. Luxulyan School has converted to an academy and joined the Peninsular Learning Trust. An executive head will job share with St Mewan School, spending two days a week in Luxulyan. They are advertising for a new Head Teacher.
E Luxulyan Valley Partnership. Community consultation continues about how people use and enjoy the valley .
F Luxulyan Parish Community Fund. Cornwall Community Foundation is getting closer to finalising the contract with Clean Earth, after which applications can be made.
G CLT – Community Land Trust (See Item 232C and 250C.)
H <b>BF reported</b> a trailer load of rubbish fly tipped between Thunder Park and the quarry. It was <b>noted</b> that cars in the village are parking too close to the junction beside the church, making it difficult for cars coming up the hill to see around the corner.

15/248 Correspondence & Invitations. (complete list in *Clerk's Notes*)

A Correspondence about a village sign was discussed and resolved satisfactorily.
B The Wildlife Resource Map for Luxulyan Parish has arrived from The Environmental Records Centre. It will be of great use to the Neighbourhood Plan group and cost £80, so will be entered on the Asset Register.

## 15/249 Business for the next meeting.

No specific suggestions.
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## 15/250 Dates of next meetings.

A 21 April 2016. Extraordinary Meeting for planning, 2.30 pm on site for PA16/02210.

B 21 April 2016. Neighbourhood Plan organisational meeting, 6.30 pm, Lux. Institute.

C Mon, 25 April, 7 PM. Joint meeting of the CLT with the Parish Councillors.

**D 12 May, 6.00 pm, Luxulyan Memorial Institute:**

The Parish Meeting. Local organisations are invited to give a report on their activities

The Annual Meeting of the Parish Council follows it, and after that the

Ordinary Meeting of the Parish Council.

All are welcome to attend.

*The Chairman thanked everyone and the meeting closed at 9.20 pm.*

*Mrs C Wilson ~ Parish Clerk ~ 23 April 2016*