

## LUXULYAN PARISH COUNCIL

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

**THURSDAY 9 MARCH 2017**

## PRESENT:

Cllr George Haywood (Chair), Cllr Michaela Linfoot (Vice-chair), Cllr Barbara Fahey, Cllr Roger Smith, Cllr Andy Cottrill, Cllr Keith Bilston, Cllr Cath Grey.

## ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson, PCSO Jamie Ward, and no Members of the Public.

## ABSENT:

Cllr Ralph Keam and 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 meeting began at 6.30 PM and the Chairman welcomed all.*

## 16/224 Apologies

Apologies were received from RK because of family obligations.

## 16/225 Declarations of interest or requests for dispensation.

None.

## 16/226 Public Session

No members of the public were present.

*The chair moved the report from PCSO Jamie Ward to this point in the meeting.  
See his report at Item 16/230.*

*After his report and a thorough discussion, PCSO Ward left the meeting at 6:40 pm*

## 16/227 Review of action points

A brief review of the action points took place.

## 16/228 Meetings and governance

A The council **RESOLVED** that the minutes, as read, of the meeting held on 9<sup>th</sup> of January 2017 were a true and correct record (proposed RS, 2<sup>nd</sup> KB) and they were duly signed.

B The council **RESOLVED** that the minutes, as read, of the extraordinary meeting held on 9<sup>th</sup> of February 2017 were a true and correct record (proposed RS, 2<sup>nd</sup> KB) and they were duly signed.

C The council **RESOLVED** that the minutes, as read, of the extraordinary meeting held on 23<sup>rd</sup> of February 2017 were a true and correct record (proposed ML, 2<sup>nd</sup> KB) and they were duly signed.

D Cornwall Electoral Review. Cornwall Council has formally submitted a recommended size of 99 elected councillors from 2021. The Local Government Boundary Commission (LGBCE) will publish its final recommendations in a year's time on 27 March 2018 and the recommendations will be presented to parliament in April 2018.

This no longer needs to be a standing agenda item; however, consultations regarding the changes to ward boundaries will follow in due course.

E Parish Council Election, 4<sup>th</sup> May 2017.

- i. The clerk has placed information about parish council elections on the website at the webpage titled: *Local Elections 4th May* and also under *Notices* and the clerk will send a notice to *Granite Towers*.

**ACTION: Clerk**

- ii. Nomination Packs were handed out to each councillor. The clerk still has 3 packs. If anyone has need of one, they can contact the clerk, or Packs are available from St Austell One Stop Shop.

F Playing Field inspections for March/April were received and the following volunteers were enlisted for the next 5 weeks:

**ACTION: GH, CG, RS, BF, KB.**

16/229 Finance

- A Clerk's reports *Payments against Budget, Cash Flow, and Bank Rec* were **NOTED**. It was requested that the Payments against Budget 'Left to Spend' column have a total at the bottom.

**ACTION: Clerk**

- B The decision about cost of gate closures was **DEFERRED** until the council receives actual quotes. The clerk will request a quote from Bailey's of Par.

**ACTION: Clerk**

- C Two quotes for the work pruning trees on the border of the Playing Field were received; however, the decision was **DEFERRED** until the council receives 3 quotes.

**ACTION: Clerk**

- D The decision about the weed-spraying contract for the village pavements (Cormac for the same amount as last year, £423.45 ex VAT) was **DEFERRED** so that the clerk can find other quotes. The contractor must have the necessary insurance and certificates for working with dangerous chemicals. LPC would prefer a contractor that will do the spraying at more appropriate times.

**ACTION: Clerk**

E Cleaning Contract for the Public Conveniences.

- i. The Staffing Committee met at 5.30 pm just before this meeting of the full council and ML, the chair of the committee, reported that the Committee has decided to request 3 tenders for the cleaning contract for the Public Conveniences. It has received a tender from the current cleaner, but the clerk will send her the newly approved contract details and await at least 2 more applicants. The committee has prepared a job description and service level agreement which will be sent to all interested parties upon application to the clerk. The final date for submissions will be Friday 24th March. The contract is for 12 months and begins on 1st April 2017. The tender notices will be posted on the parish notice boards and the clerk will tidy up the notice for posting. The clerk will also contact the Cornish Guardian to see whether the tender notice can be advertised there for a maximum of £100.

**ACTION: Clerk**

- ii. It was **RESOLVED** that the Staffing Committee has the power to decide on the best person for the contract according to the tenders which fall within budget (proposed KB, 2nd BF). The committee will meet on 30th March.

- iii. It was **RESOLVED** that the clerk will temporarily close the Public Toilets, if for any reason the Committee is not able to award the contract on 30<sup>th</sup> March (proposed GH, 2<sup>nd</sup> ML).

F Statutory Pension Scheme. It was **RESOLVED** that the Parish Council will offer the government pension scheme NEST to its employees (proposed GH, 2<sup>nd</sup> ML). CG has had recent experience with this scheme and will assist the clerk with the correct documentation.

**ACTION: CG and Clerk**

G The council **AUTHORISED** payments for March 2017 totalling £ 1,547 .31 (proposed KB, 2<sup>nd</sup> AC). The last column is recoverable VAT. NB: For ease of reporting, the cleaner's salary, authorised the previous month, is reported with this month's payments.

Mrs A Hawken	5 Mar 17	Public Conveniences, cleaner's salary	faster	£	226.84		
HMRC cleaner (*1711)	9 Mar 17	HMRC, cleaner's salary	faster	£	56.60		
Mrs C Wilson	9 Mar 17	Clerk's salary and expenses	faster	£	804.11		
British Gas	24 Mar 17	Public Conveniences, electricity (2 mo.)	DD	£	23.00		1.09
Derek Heyward	9 Mar 17	Fence repair in Cemetery	300165	£	400.00		
Keith Westmacott	9 Mar 17	4x days cleaning the Public Conven.	300166	£	36.76		

H In order to pay March 2017 wages on time, the payment for April totalling £283.44 was **AUTHORISED** (proposed KB, 2<sup>nd</sup> AC). The cleaner and staffing committee have confirmed the cleaner's self-employed status and she has requested to be removed from PAYE effective next month.

Mrs A Hawken	5 Apr 17	Public Conveniences, cleaner's salary	faster	£	226.64		
HMRC cleaner (*1712)	5 Apr 17	HMRC, cleaner's salary	faster	£	56.80		

16/230 Crime & Prevention. PCSO Jamie Ward attended the meeting.

A The PCSO Report for February 2017 was **NOTED**. INCIDENTS RECORDED: Anti-social behaviour 1; Public safety 9; Transport 6. CRIMES RECORDED: Violence without injury 2; Other offences 1.

B PCSO Jamie Ward explained the location of each incident and crime. The large number of Public Safety and Transport incidents is mainly due to the Innis Downs roundabout at the edge of the parish. Jamie requested a map of the parish so that his reports to the parish can be more accurate. The clerk was able to give him an A3 map of Luxulyan Parish.

PCSO Ward explained that he is the only officer assigned to an area which contains Luxulyan Parish, but also includes Lanlivery and Lostwithiel Parishes. His office is in St Blazey. Unfortunately there is one vehicle available and the vehicle is not always available to him. As long as the vehicle is available and he does not have other more pressing matters, he will be in the Luxulyan Memorial Institute each Wednesday morning from 9.00 – 11.00 am. So far not too many people have taken advantage of the surgery, but it is early days yet and he encourages people to attend.

PCSO Ward is happy for his contact details to be on the website; and here: work mobile: 07710 075800 and email: Jamie.WARD@devonandcornwall.pnn.police.uk. However, he emphasised that the police telephone number 101 (non-urgent) and 999 (urgent) still apply if anyone wants to report a crime or an incident. PCSO's don't log incidents or crimes; the information must be logged through the 101 or 999 numbers.

The police also uses social media and you can find them on Facebook under St Blazey Police. Jamie and his colleagues monitor the St Blazey Police Facebook account.

16/231 Cllr Rix's report to the Parish

No report was received.

#### 16/232 Neighbourhood Plan steering group report

The Neighbourhood Plan Steering Group meets every third Tuesday of the month at 6.45 pm in the Luxulyan Memorial Institute.

#### 16/233 Grant Request

A grant request from the Luxulyan & Lanlivery Women's Institute was considered and it was agreed that LPC did not have enough detail to come to a decision concerning the grant. The clerk will write to request further details.

**ACTION: Clerk**

#### 16/234 Broadband for the Institute

It was reported by ML that the Institute committee is not opposed to broadband in the Institute, but it is not prepared to contribute to the costs. Mr N Legard submitted 3 quotes. It is hoped that the Neighbourhood Plan Steering Group will contribute and the council **RESOLVED** to pay half the costs of the installation and a 12 month contract for superfast internet if the Neighbourhood Plan Steering Group will do the same (proposed AC, 2<sup>nd</sup> RS; the motion passed 6-1). ML objected because the Village Hall has a telephone connection for broadband and the Institute could compete with the VH for bookings.

#### 16/235 Business rate relief for public conveniences.

LPC **RESOLVED** to support the letter from the North Cornwall Cluster Group to Cornwall Council requesting 100% business rate relief for public conveniences (proposed RS, 2<sup>nd</sup> CG).

#### 16/236 Beautification of the village

CG explained that the funds she collected in the Village Shop for this project will be handled privately by her; however she requested that LPC help her liaise with Cornwall Council regarding any necessary permission. LPC agreed to support this private project as and when needed. The clerk gave CG some brochures and she will investigate the costs of flower tubs, hanging baskets, village signs, etc.

#### 16/237 New website banner.

LPC is happy to announce that it has unanimously selected a new photo banner for the website from a series of 6 photos highlighting much of the traditional and natural beauty of the parish. Go to [www.luxulyanpc.co.uk](http://www.luxulyanpc.co.uk) to check it out.

#### 16/238 Mid Cornwall Moors Site of Special Scientific Interest (SSSI)

RS reported that on this exciting new development which involves Treskilling Downs and many other sites near the parish. Work is currently in progress at Treskilling to improve access. More information can be found at:  
<https://consult.defra.gov.uk/natural-england/mid-cornwall-moors>

#### 16/239 Planning

A Planning issues and correspondence of note. Nothing to report.

B Enforcements. The issues at Carne Cross are ongoing and enforcement and the environmental agency are involved. LPC will help in any way it can.

C No planning decisions were discussed.

D Applications for consultee comments.

- i. **PA14/12186** | Outline application for 'West Carclaze Eco-community' comprising the demolition, site clearance and associated earthworks and the phased development of up to 1500 dwellings, a local centre, incorporating local retail, health and community facilities, a primary school, employment floorspace and associated areas of open space, renewable energy provision and energy centre(s), drainage and associated infrastructure. All matters reserved with points of access from the A391 only to be agreed. | Land At West Carclaze And Baal Carludon St Austell Cornwall.

After lengthy discussion, the Council **RESOLVED** (proposed RS; 2<sup>nd</sup> AC) to submit the following consultee comments:

\*\*\* Luxulyan Parish Council (LPC) shares the concerns raised by Roche Parish Council, Treverbyn Parish Council and St Austell Town Council. Until these points are fully addressed by the developer and case officer, LPC finds itself unable to make a different decision to its February 2015 decision (see below) about this development. The development is of such a size that it will significantly affect the landscape, drainage, traffic patterns, preschool, primary school and secondary school attendance figures, the availability of doctors, dentists and hospital beds, in short, all essential services that are now struggling to serve the current numbers. There is not sufficient provision/planning for jobs available to these homebuyers, and a very small percentage of the homes will be affordable, lower than nationally recommended percentage. LPC awaits a comprehensive explanatory document from the Planning Authority addressing the issues highlighted by the affected parishes so that it can comment intelligently on the plans. FURTHERMORE, LPC is concerned that its original comments submitted to Gavin Smith on 19<sup>th</sup> February 2015 do not appear online and I copy them here for the record:

\*\*\* [19 Feb 2015] Luxulyan Parish Council **OBJECTS** to the proposed eco-community PA14/12186 because it can be shown to be unsustainable for the following reasons:

(1) **TRAFFIC**: The application's Cumulative Effects chapter 16 states "Overall congestion is predicted to worsen with these developments but appropriate mitigation will also be required which has not been identified at this stage." As the traffic situation on the A391 and its feed-in roads is already bad, the impact of this development, plus the "construction of the 882 new dwellings and the likely additional population of about 2,200 people who will be accommodated in the 10 new developments " will severely overwhelm the current and planned roadworks of PA14/12186. No plans have been put forward to directly link the A391 and A30. Cornwall Council as the Highway Authority is acting contrary to the National Planning Policy Framework (NPPF), Section 4. In addition it should be considered that the allocation of 1.5 cars per household may be a grave underestimation of the actual number of cars for the site and contravene NPPF, para 39, "take into account... local car ownership levels".

(2) **EMPLOYMENT**: The application does not appear to take into consideration the high amount of sub-employment and the seasonal nature of the employment in Cornwall, particularly in the surrounding communities. Employment of this nature does not lend itself to paying the mortgage for a house. The application's Socio-economic Chap 11, para 11.2.23, states that infrastructure for employment is critical, but does not identify any source of employment. No source(s) of employment have been identified for the new mortgage-paying population and this contravenes NPPF, para 37 and 158.

(3) **SCHOOLS**: There are no concrete plans from the applicant or any other group

to build a primary school, which should be a first priority, because as the report states: “There is pressure on primary schools in the area and the sensitivity of the receptor is high. However the new primary school planned at West Carclaze is likely to be built by 2020... .” This appears to be in keeping with NPPF para 38, but actually is not because there is no commitment, just vague expectation.

(4) DEVELOPMENT OF GREENFIELD SITES: The NPPF encourages the use of brownfield sites for development, yet this eco-community extends into farmland, and in future wishes to then infill between its border and Penwithick at stages TP-1, TP-2, and TP-3, which is entirely farmed land.

(5) IN CONCLUSION: Luxulyan Parish Council has noticed that the plans are very hopeful that jobs will be found and homes will be sold and schools built; however, there is no strong evidence that this will happen. Should the developer begin to lose his expected profit margin, the planned amenities for this large community will not materialise. If the project on this scale does go ahead, Luxulyan PC requests that the allocation of funds for the school, health centre, recreation hub, public rights of way, etc be prioritised at Stage 1, ring fenced and protected.

ii. **PA17/01774** | Non-material amendment (1) to insert the new gated entrance further into the field by possibly approximately 3-4 metres in respect of decision notice PA16/11329 - opening a new gated entrance into field | Harpers Cottage Access To Harpers Cottage Bugle PL26 8RT.  
After consideration, the Council **RESOLVED** (proposed KB; 2<sup>nd</sup> AC) to submit the following consultee comments:  
\*\*\* Luxulyan Parish Council SUPPORTS this application.

iii. Applications for consideration since the posting of this Agenda

16/240 Highways & Flooding

A A30 Link Road from St Austell – Progress report from RS after he went to the public meeting. The preferred option, which will be recommended to Cornwall Council and, if they like it, to the Department for Transport, is the route in from Victoria. The Goonbarrow route, which would have affected the Lockengate area is too expensive and would also compromise areas that are due to become SSSIs. A lot of detail has to be worked out and it will be years before anything happens, of course. There is an awareness of the need to have traffic calming measures and to prevent ‘rat runs’. Even so, it might be worth considering putting pressure on Cornwall Council now about the increased use of the lanes from Lockengate to Eden, so that any measures being considered, say, for the benefit of Bugle, might be extended to our parish.

B Highways took down the uprooted tree near Blackhill Car Park which was leaning at an unsafe angle.

C Flood Prevention coordination with the Heritage Lottery Fund Project and STARR. It was agreed that a meeting that would bring together Peter Reynolds of the HLF Project and a person from the STARR Project would be beneficial to the parish so that there could be some coordination regarding the leats and the viaduct. RS will send contact details for the STARR Project so that the clerk can hopefully coordinate a meeting. ML would like to attend.

**ACTION: RS & Clerk**

*KB left the meeting at 9.00 pm.*

16/241 Assets – reports and maintenance

A Cemetery. Nothing to report

B Footpaths

i. Luxulyan 10 & Roche 4 - Criggan Moor. The Countryside Information Officer wrote to say: Natural England is formally designating this site as a SSSI and notifying relevant owners, occupiers, and statutory bodies on 17 February 2017. Therefore, any work from now on will require more detailed consultation with NE and we are looking at ways of installing 2 bridges and a boardwalk with minimal ecological impact.

ii. **LPC SUPPORTS** the letter from North Cornwall Cluster Group requesting a decision about an increase to the LMP (proposed RS, 2<sup>nd</sup> ML). The clerk will reply.  
**ACTION: Clerk**

iii. The insurance company has explained how Parish Walks can be organised by the Parish and the clerk will write up a report.  
**ACTION: Clerk**

C Luxulyan Memorial Institute. Nothing further to report. See Item 16/234 above.

D Playing Field. A contractor explained that a heavy vehicle must come into the playing field to solder the climbing frame of the Junior Multi-play and this will be done when it is less boggy.

E Village Toilets. The Wallgate units have been serviced by Cormac at a cost of £35.00 per unit. The clerk also ordered and received from Cormac 3x keys for the toilets. 2x keys for the Wallgate units should be dropped by GH's house by a Cormac employee who lives nearby. The cleaner and staffing committee have confirmed the cleaner's self-employed status (See 16/229).

F The asbestos tank dumped by the side of the road in the Valley is still there. The clerk will advise Cormac.  
**ACTION: Clerk**

16/242 Parish Matters – reports

A Community Networks: St Blazey; China Clay. Nothing to report right now.

B Luxulyan CLT. An email conversation with Cornwall Council has led to this update: 1) Ownership of the land to be developed as a road is uncertain. 2) There was not an S38 agreement with the developer for adoption of the road and “ultimately the developer chose for the estate to remain private”. 3) The planning condition for street lighting was ignored and an enforcement action was requested but not taken in 2013 ... “this could now be revisited”. 4) The new trajectory of the Footpath which had to be moved because of the development is still with “a separate team” and has not yet been defined. 5) “With regard to the Education Contribution that is due under the planning ref C2/08/01791 this matter is with the Council’s Litigation Team which is in the process of debt recovery.”

C Luxulyan Parish Community Fund. The deadline for the next round of grants is 31<sup>st</sup> March. Details on the website: [Luxulyanpc.co.uk](http://Luxulyanpc.co.uk), at the *LPCF* page.

D Luxulyan Valley Partnership. Nothing further to report.

E Village Hall Committee. Nothing to report.

16/243 Correspondence & Invitations (complete list in Clerk’s Notes)

A ML will attend the Police Liaison Meeting – Wednesday 29<sup>th</sup> March, 19:00, Police Station in St Austell.

B RS will attend the Clay Heritage-Economic Futures Workshop and Consultation to be held on 23rd March 2017 at Alexander Hall, St Blazey.

16/244 Business for the next meeting

End of Year Financial Report.

16/245 Dates of next meetings

A Planning if needed 23<sup>rd</sup> March, 6.30 pm, Luxulyan Memorial Institute.

B Staffing Committee, Thurs, 30 March, 2.00 pm, Luxulyan Memorial Institute.

C Audit Panel Meeting, 13 April 2017, 5.30 pm, Luxulyan Memorial Institute.

D Ordinary Meeting, 13 April 2017, 6.30 pm, Luxulyan Memorial Institute.

E **18th May 2017.** Please note the change of date for the May meetings. The Annual Parish Meeting, the Annual Meeting of the Parish Council and the Ordinary Meeting of the Parish Council will be the 3rd Thursday of the month, that is, 18th May 2017.

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

*Mrs C Wilson ~ Parish Clerk ~ 27 March 2017*