

LUXULYAN PARISH COUNCIL

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

THURSDAY 13 APRIL 2017

PRESENT:

Cllr George Haywood (Chair), Cllr Andy Cottrill, Cllr Roger Smith, Cllr Keith Bilston, Cllr Cath Grey.

ALSO PRESENT:

Clerk to the Parish, Mrs Christine Wilson and 1 Member of the Public.

ABSENT:

Cllr Michaela Linfoot (Vice-chair), Cllr Ralph Keam, and Cllr Barbara Fahey.

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.

16/246 Apologies

Apologies were received from ML who was on holiday; RK because of family, and BF because of illness.

16/247 Declarations of interest or requests for dispensation.

None.

16/248 Public Session

Mr F Payne introduced himself and explained that he was there to gain experience and looked forward to the May meeting when he would be joining the table as councillor.

16/249 Review of action points

GH reviewed the points briefly and other points will be covered later in the agenda.

16/250 Meetings and governance

A The council **RESOLVED** that the minutes, as read, of the meeting held on 9th March 2017 were a true and correct record (proposed AC, 2nd RS) and they were duly signed. The clerk explained that she had been short of time, so Clerk's Notes regarding the correspondence and planning would be circulated on 20th April.

B It was **RESOLVED** to accept the changes to Sections 14a, 14b and 14d of Standing Orders, as discussed at the February ordinary meeting to agree with recent precedents in case law (proposed RS, 2nd KB).

C Playing Field inspections for Mar/Apr were received and the following volunteers were enlisted for the next 5 weeks:
ACTION: RS, KB, CG, GH, AC.

D It was **RESOLVED** to accept a quote from A Inglefield for work on the play equipment for welding, repainting and other works totalling £450. The council did not feel other quotes were necessary. The clerk will request a completion date.
ACTION: Clerk

E It was **RESOLVED** to take down the nets on the goal posts in the playing field. They are in very poor condition and could be a hazard to children (proposed CG, 2nd AC). The clerk will write to the organisers of the children's football club.
ACTION: Clerk

16/251 Finance

A The clerk had circulated Year End reports the previous week. The final *Budget Comparison* and *Cash Flow, the Accounting Statements* for external audit with a final *Bank Reconciliation, an Explanation of Variances* and the updated *Asset Register* were **NOTED**. There were no questions for the clerk concerning the accounts.

B A request for financial support for the Women's Rape and Sexual Abuse Centre Cornwall was discussed. A new purpose-built Centre needs funding. The group works throughout Cornwall. The council was unsure about the suitability of a donation to a group that was not situated exclusively in the parish. LPC requested that the clerk point out the Grant Application forms for the Solar Park Fund and for the Luxulyan Parish Community Fund (Lestoon turbine).
ACTION: Clerk

C LPC **RESOLVED** to fund the clerk's training in Data Protection at Saltash on 1st June, to be shared with her other work, St Ewe PC and CAHSC CIO. CAHSC has agreed to pay half; however, LPC will pay one half of the rest and not a three quarter share with St Ewe as usual because it considers that St Ewe will benefit equally (proposed CG, 2nd KB).

D After discussion, it was **RESOLVED** to renew the British Gas Energy Plan for the Luxulyan public conveniences (proposed KB, 2nd CG). Investigation into other providers would be of little benefit because the amounts are too small. The solar panels continue to provide the majority of electricity needed for free.
ACTION: Clerk

E It was **RESOLVED** to accept the Local Maintenance Partnership grant of £886.40 for the footpaths 2017-18 (proposed RS, 2nd KB) .
ACTION: Clerk

F LPC considered the immediate purchase of a second defibrillator to be placed on Gunwen Chapel; however, the renovations there will be in progress until late August and, though this is will be a site used by the public, there may be problems with ongoing maintenance and training. The clerk will write to Danish Crown to inquire whether they might put the defibrillator on the Old Chapel.
ACTION: Clerk

G LPC considered three quotes for the weed spraying contract for two treatments in spring and autumn in Luxulyan village and **RESOLVED** to award the contract to Complete Weed Control South West (CWC) for £360 + VAT (proposed AC, 2nd RS).

H LPC considered three quotes for the pruning of the trees on the west end of the playing field and **RESOLVED** to award the contract to A1 Tree Surgery (proposed CG, 2nd KB).

I The council **AUTHORISED** payments for April totalling £2,032.75 (proposed AC, 2nd KB). 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 (*1712)	5 Apr 17	Public Conveniences, cleaner's salary	faster	£	226.64		
HMRC cleaner (*1712)	13 Apr 17	HMRC, cleaner's salary	faster	£	56.80		
Mrs C Wilson	13 Apr 17	Clerk's salary and expenses	faster	£	602.99		
Mrs C Wilson	13 Apr 17	HMRC, clerk	faster	£	56.65		
British Gas	13 Apr 17	Public Conveniences, electricity	DD	£	11.93		0.56
Dan Cordy	13 Apr 17	Fix new urinal flow regulator	faster	£	80.00		
Cormac	13 Apr 17	Servicing Wallg. units x3, keys x5	faster	£	106.86		17.81
A&A, Inv702	13 Apr 17	Playing Field grass, etc	faster	£	600.00		
A&A, Inv701	13 Apr 17	Cemetery	faster	£	165.00		
A&A, Inv703	13 Apr 17	Footpath 6, extra cuts	faster	£	60.00		
Jim Cleare	13 Apr 17	Granite Towers postage	faster	£	65.88		

16/252 Crime & Prevention. PCSO report

A report has not been received yet.

16/253 Cllr Rix's report to the Parish

A report was not received.

16/254 Neighbourhood Plan steering group report

Progress is steady. A public consultation is being organised for Feast Week. The group is currently looking for a new chair; the previous chair stepped down because of other commitments. Meetings are every 3rd Tuesday at 6.45pm in the Institute.

16/255 Parish Walks Policy for walks sponsored by the Parish Council.

The clerk handed out a copy of the draft policy, written by RS after consultation with LPC's insurance company. After discussion and a few minor alterations of wording, it was **RESOLVED** to accept the Parish Walks Policy as presented (proposed AC, 2nd KB), which delegates the organisation of the walks to the Footpath Committee. A copy of the policy will be on the website under *Parish Council Policies*. The policy will be reviewed after the first summer season (November 2017) and yearly thereafter.

16/256 Membership in the Cornwall Community Flood Forum CIO (CCFF).

The CCFF has left Cornwall Council and has become a Charitable Incorporated Organisation (CIO) working in coordination with CRCC (Cornwall Rural Community Charity). The council **RESOLVED** to request Associate Membership in the CCFF, which is currently free (proposed RS, 2nd AC).

ACTION: Clerk

16/257 Planning

A Planning correspondence: Bodwen Solar Park. The company putting in the solar panels, BayWa, wrote to the council about two topics. First, they explained that shortly after the solar panels are connected to the grid, the Parish Council will receive a one-off payment of almost £35K as described in the 'unilateral agreement' with Cornwall Council. Secondly, they explained the visual and audible alarm system which will be installed at the site. The council discussed this at length and the clerk will reply to BayWa requesting that BayWa meet with the nearby residents, with a working copy of the alarm system, and invitations should be hand delivered to every nearby property so that BayWa can explain the system to the people who will be most affected.

ACTION: Clerk

B Enforcements – reports on progress. None. Clerk's Notes will be posted 20th April.

C Planning decisions. None. Clerk's Notes will be posted 20th April.

D Applications for consultee comments.

i. **PA17/02117** | Construction of a 3 bedroom timber framed house | Rosemullion Farm Access To Rosemullion Farm Rosemelling Luxulyan PL30 5EQ.
 Case Officer: Rosilyn Baker
 Neighbour Consultation Expiry Date: Wed 05 Apr 2017
 Determination Deadline: Wed 10 May 2017
 After consideration, the Council **RESOLVED** (proposed CG; 2nd AC) to submit the following consultee comments:
 *** Luxulyan Parish Council **SUPPORTS** this application because it meets the definition of infill.

ii. **PA16/11625** | Removal of the mobile home and the erection of a dwellinghouse | Lower Gillies Road From Newgate To Conce, Conce Bugle Cornwall PL26 8RT
 Case Officer: Rosilyn Baker
 Standard Consultation Expiry Date: Wed 19 Apr 2017
 Determination Deadline: Fri 03 Feb 2017 (postponed)
 After through discussion the Council **RESOLVED** (proposed CG, 2nd KB) to submit the following consultee comments:
 *** Luxulyan Parish Council strongly **OBJECTS** to this application again. The area is a Designated Rural Area and the land should be reinstated to its former condition when it ceases to be occupied by Mr & Mrs Orchard. Allowing a residence there cannot be supported by the current Local Plan Policies 3 and 7. Policy 3.3 states that "rounding off of settlements" is allowed if it is "land within or immediately adjoining that settlement of a scale appropriate to its size and role." In no stretch of the imagination can Lower Gillies be seen as near, (and the Local Plan does not use the word 'near'), nor "within or immediately adjoining" Lockengate settlement. It may be 900 metres (0.6 miles) as the crow flies from the permanent settlement of Lockengate (declared in the application's Supporting Information), but it is 1450 metres (0.9 miles) from Lockengate by road, and Lockengate has no services at all. Lanivet is the closest place for some services (1.8 miles). Bugle is twice as far. Local Plan 1.68 states that "rounding off ... should not visually extend building into the open countryside" and a home at Lower Gillies, no matter how large or small, is in the open countryside. Policy 7.1 states that replacement dwellings should be "broadly comparable in ... character". A caravan is very different to a residential dwelling, which is permanent and must be, under NPPF guidelines, sustainable. It has already been shown that Lower Gillies is not a 'sustainable' settlement and is not near a permanent settlement. By the Local Planning Authority's own precedent, an affordable home at Carne Cross (PA14/05407), which was immediately adjacent to other permanent dwellings, was refused on the grounds of unsustainability though it was the same distance to a village with some services, Penwithick. This application to make these one or two caravans into one permanent dwelling cannot be supported by Policies 3 and 7 of the Local Plan. The argument that one residence would be better visually than two caravans does not hold weight either, because the caravans are well shielded from view behind the field's hedge. Finally, granting permission for permanent residence – subsequent to permission for a temporary caravan – would set an alarming precedent, especially in Cornwall where the rural area is under huge pressure for development.

16/258 Highways & Flooding

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| i. RS reported that fly tipping around Bodiggo, possibly containing asbestos was speedily removed. |
| ii. CG asked about what can be done for the dangerous blind corner at the top of the hill at the Old Chapel. Children use it every day. The clerk will write to Highways to request suggestions.
ACTION: Clerk |

16/259 Assets – reports and maintenance

A Cemetery. Nothing to report			
B Footpaths. Progress is being made at FP10 for a boardwalk and it will hopefully be open by the end of the summer. Cormac is taking care because it now crosses a protected wildlife area. FP6 & FP8 are also in progress. It has been reported that the notice for FP12 near Penrose Farm has been knocked down.			
C Luxulyan Memorial Institute. There is no decision yet regarding broadband.			
D Playing Field. See 16/250 C, D, E. CG also reported on the request from members of the public for a skate ramp at the playing field. The clerk will request some suggestions from suppliers. ACTION: Clerk			
E Village Toilets. <table border="1"> <tr> <td>i. The clerk reported that the toilets are subject to Small Business Rate Relief and accordingly the Business Rate on the toilets for 2017-18 is zero. The clerk has confirmed by telephone with CC that this is an automatic qualification and does not need to be applied for each year.</td> </tr> <tr> <td>ii. The clerk also reported on the temporary closure of the toilets. The opening of the Disabled Toilet was considered and will be discussed at the next meeting of the Staffing Committee on 20th April.</td> </tr> <tr> <td>iii. The rain gutters of the public conveniences have been cleared by A&A at the request of ML and the clerk. It was noted that the rain gutters of the Institute need cleaning out.</td> </tr> </table>	i. The clerk reported that the toilets are subject to Small Business Rate Relief and accordingly the Business Rate on the toilets for 2017-18 is zero. The clerk has confirmed by telephone with CC that this is an automatic qualification and does not need to be applied for each year.	ii. The clerk also reported on the temporary closure of the toilets. The opening of the Disabled Toilet was considered and will be discussed at the next meeting of the Staffing Committee on 20th April.	iii. The rain gutters of the public conveniences have been cleared by A&A at the request of ML and the clerk. It was noted that the rain gutters of the Institute need cleaning out.
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F Other matters for report. CG reported on progress for the beautification project and when she has received quotes she will bring the details back to the council.			

16/260 Parish Matters – reports

A Community Networks: St Blazey; China Clay. No meetings until after the election.
B Luxulyan CLT.
C Luxulyan Parish Community Fund. RS reported on the latest grants awarded by the panel. The clerk will post the details on the webpage when she receives them. ACTION: Clerk
D Luxulyan Valley Partnership. They plan to submit the bid in June. It is probable that they will budget for a new more efficient turbine which will be cost effective in the long run.
E Street Sweeping. Nothing needed at the moment.
F Village Hall Committee. There is a meeting this month that GH will attend and they will discuss the current broadband situation at the VH.

G Other matters for report. CG asked about what can be done for the dangerous blind corner at the top of the hill at the Old Chapel. Children use it every day. The clerk will write to Highways to request suggestions.

ACTION: Clerk

16/261 Correspondence & Invitations (complete list in *Clerk's Notes*)

A Two letters from a parishioner were summarised by RS and **NOTED**.

B Cllr Harris' online petition for better planning protocols. Most councillors had read the petition thought it made very valid points. It was generally agreed that it would be more effective if councillors and members of the public supported this individually. RS also advised of other petitions and information on the web (links available in the online version of the minutes):

Cornwall Cllr Malcolm Harris' petition: ['Fit-For-Purpose' Cornwall Planning Policy Charter for Cornwall](#) campaigns to increase community influence over the future. 38 degrees petition: [Save Cornwall's Green Fields](#).

16/262 Business for the next meeting

Skate ramp. Finalising design for 'gateway' into village. Internal Audit report. Approval of the Accounting Statements and Annual Governance Statements for the external audit

16/263 Dates of next meetings

A Staffing Committee meeting, 3.00 pm, Thurs, 20th April, Memorial Institute

B Planning if needed 27th April, 6.30 pm.

C **Thursday, 18th May 2017, starting 6.00 pm** at the Luxulyan Memorial Institute.

i. The Parish Meeting, 6.00 pm. Local organisations and grant recipients are invited to give a report on their activities. This is the annual meeting of the electors of the parish.

ii. The Annual Meeting of the Parish Council follows after a 2 minute break.

iii. The Ordinary Meeting of the Parish Council follows the Annual Meeting.

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

Mrs C Wilson ~ Parish Clerk ~ 5 May 2017