

## LUXULYAN PARISH COUNCIL

Minutes of the Ordinary Meeting at the Luxulyan Memorial Institute, 6.00 pm,

**THURSDAY 14 SEPTEMBER 2017**

**PRESENT:**

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston, Cllr Cath Grey, Cllr Francis Payne, Cllr Sue Perry, Cllr Bert Rowe, Cllr Justine Rowe, and after co-option Cllrs Sarah Kemp and Margaret Higman.

**ALSO PRESENT:**

Locum Clerk Paul Roberts, Ward Member Cllr Sally-Anne Saunders and 11 Members of the Public.

**ABSENT:**

Cllr Andy Cottrill (Vice-chair) and Clerk to the Parish, Mrs Christine Wilson.

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), Luxulyan Neighbourhood Plan (LNP). \*\*\* 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 6.00 PM and the Chair welcomed all and asked that all present observe a minute's silence in remembrance of former Councillor, the late Ralph Keam, who sadly passed away on the 24 August 2017 at his home.*

**17/92 Apologies**

Apologies were received from AC.

**17/93 Declarations of interest or requests for dispensation.**

None.

**17/94 Public Session**

A Three members of the public who live near Penmount Grange Residential Home and Penmount Cottage on the lane often used by traffic transiting between A391 and A389, expressed their concerns for a need for warning signs or other measures to be put in place to reduce the speed of traffic. Many accidents had taken place at this location. Ward Councillor Sally-Anne Saunders commented that she had made Highways aware of parishioners' concerns about the use of this lane as a rat run used by people travelling from St Austell to Bodmin and vice versa. (CC Saunders' report at 17/81 10-08-17 refers) She explained that hard evidence was needed to convince Cornwall Council to spend money on schemes to ease the problem, and that unfortunately there was no quick fix. The residents are not keeping logs and this would greatly enhance their case. It was noted that this item was on the agenda at 17/108 (b) where a recommendation would be made for the formation of a working party to gather wider community support and to gather evidence to present to Cornwall Council.

B A Luxulyan resident reported that traffic having selected the shortest route to the Eden Project on their Sat Nav were leaving the preferred route at Lockengate and making way along the narrow lanes to pass through Luxulyan. This was causing major problems as many visitors were reluctant to reverse their vehicles; especially large motor caravans. He stated that he had written to several people and organisations and the LPC but had been very disappointed by the scant response. His suggestion of placing 'ignore Sat Nav' signs at Lockengate was refused by Highways as they pointed out that this type of problem was prevalent in Cornwall and therefore, impossible to implement. It would help if the current Eden direction sign could be relocated to hopefully keep traffic on the preferred route. Finally, he suggested a sign should be

placed at the entrance of the village indication Children at Play, to encourage passing traffic to slow down. His points were **NOTED** by the PC and the Ward Councillor.

C Two members of the Parish reported that they were very concerned by traveller activity in a field behind their property where heavy equipment was being used to level ground in preparation of building activity. This activity became apparent on 23 August and was immediately reported to Planning Enforcement at CC and was registered under reference EN17/01666. They stated that the noise and foul language that could be heard coming from the site was deeply disturbing. They said that they felt it was very unfair that they had always sort and obtained planning approval for work that they had carried out and yet this activity could happen without a stop being put on it. Ward Councillor Sally Ann Saunders advised the couple that she and the PC Chair had viewed the site from Footpath 8 on 6 September 2017 and that she had also spoken with Senior Planning Officers on their behalf. It transpires that after the travellers started work in the field a planning application was submitted but was incomplete. Planning Enforcement have given the applicants 21 days to provide further information. Unfortunately work on the site continues. Finally, members saw that they were not against travellers but felt that there were too many sites in Cornwall. It was suggested that this issue could be an agenda item for a future meeting.

D The Chair apologised to Mr Cole who had been waiting to talk about a planning Pre-Application. The Chair agreed to bring forward Agenda item 17/107D.v. Mr Cole explained that he wanted to return to live in the village and build a property on land owned by the family for the past 70 years. He explained that he had cleared the site and fenced it off where necessary. He proposed to self-build and manage the project. (See the item 17/107D.v below for the decision.)

#### 17/95 Review of action points

A All Action points dealt with, except for removing the slippery deposits on the wooden sections on the Walkway in the Playing Field; a pressure wash will be required. In addition, the School have only partially completed repairs to FP15.

**ACTION: Clerk**

B Other previous items will be discussed under the topics below.

#### 17/96 Meetings and governance - *The Chair declared a non-pecuniary interest (family connection) in the co-option vote and left the chamber. KB took the chair*

A The council **RESOLVED** to co-opt Sarah Kemp (SK) and Margaret Higman (MH). They both signed their individual Declarations of Acceptance of Office and took their places at the table. *The Chair returned to the chamber and welcomed the two new members to the Council.* It was **NOTED** that another member of the parish had also shown an interest in being co-opted to sit on the council and that they had attended to observe events. The Chair explained that they could not be considered at this meeting as they had not submitted a formal application. They informed the Chair that they had sent an email to the Clerk yesterday evening. Unfortunately, this had not been received in time for this meeting however, they should maintain their interest and would be considered when a future vacancy occurs.

B The council **RESOLVED** that the minutes, as read, of the meeting held on 6 July 2017 were a true and correct record (proposed ML, 2<sup>nd</sup> FP) and they were duly signed.

C The council **RESOLVED** that the minutes, as read, of the meeting held on 10 August 2017 were a true and correct record (proposed ML, 2<sup>nd</sup> FP) and they were duly signed.

D Facebook Page for LPC. Following a discussion pros and cons of a Facebook Page for the PC it was agreed that members view other councils' pages to get ideas about

the content and report back at next meeting.

**ACTION: Councillors**

E Playing Field inspections for September/October were received and the following volunteers were enlisted for the next 4 weeks:

**ACTION: CG 17/9 SK 24/9 FP 1/10 JR 8/10**

#### 17/97 Finance

A Clerk's reports *Payments against Budget, Cash Flow, and Bank Rec* were **NOTED**.

B Insurance. The council considered 3 quotes for insurance for the 2017-18 year and **RESOLVED** to accept the quote for insurance from Inspire (proposed CG, 2<sup>nd</sup> FP).

C Insurance Long-term Agreement. It was **RESOLVED** to accept the 3-year Long-term Agreement from Came & Company which reduces the insurance premium by 5%, resulting in the premium of £827.74 for 2017-18 (proposed BR, 2<sup>nd</sup> CG). Increases for the next two years will only be for assets covered against loss or damage (inflationary index linked).

D It was **RESOLVED** not to accept the proposal to finance a new computer for the clerk (proposed ML, 2<sup>nd</sup> CG).

E Regional Conference. As there was social media content on the agenda at this conference CG volunteered to attend. The Locum clerk advised the if a Councillor attended then any contribution from St Ewe PC could not be claimed. It was **RESOLVED** that CG will attend this conference. Further discussion followed regarding St Ewe PC's contributions to clerk training courses. It was Resolved that if the clerk attends training courses applicable to her clerking role then a 50% share will be sought from St Ewe PC (proposed KB, 2<sup>nd</sup> CG)

F Electoral Review Conference. **RESOLVED** Clerk to attend at a cost of £10 plus mileage (proposed ML, 2<sup>nd</sup> JR).

G The council **AUTHORISED** payments for September totalling £4,202.86 (proposed FP, 2<sup>nd</sup> KB). The last column is recoverable VAT.

|                     |           |                                   |   |          |  |        |
|---------------------|-----------|-----------------------------------|---|----------|--|--------|
| Mrs C Wilson        | 14 Sep 17 | Clerk's salary and expenses       | £ | 636.69   |  |        |
| A&A, Inv747         | 14 Sep 17 | Grass cutting, Cemetery & P.Field | £ | 585.00   |  |        |
| A&A, Inv748         | 14 Sep 17 | Grass cutting, Cemetery & P.Field | £ | 225.00   |  |        |
| British Gas         | 14 Sep 17 | Public Conveniences, electricity  | £ | 3.63     |  |        |
| Vision ICT          | 14 Sep 17 | Website annual fee                | £ | 168.00   |  | 28.00  |
| Came & Company      | 14 Sep 17 | Insurance renewal                 | £ | 827.74   |  |        |
| RR Memorial Charity | 14 Sep 17 | Defibrillator for Gunwen Chapel   | £ | 1,516.80 |  | 252.80 |
| Grant Thornton      | 14 Sep 17 | External Audit                    | £ | 240.00   |  | 40.00  |

#### 17/98 Crime & Prevention. PCSO report

The PCSO Report for August 2017 was NOTED; however, they were not well differentiated because the system was down. INCIDENTS RECORDED: 15 Logs. CRIMES RECORDED: 1 Common assault, 1 Other theft, including theft by finding.

#### 17/99 Cllr Saunders' report to the Parish

I have been very busy here in Bugle division. Events of note, as follows:

Following up issues raised with me at the last meeting, I have investigated:

**1) New caravans appearing at Aponderosa, Minorca Lane.** There is an open planning application in place here, (PA16/09846) which appears to be retrospective with regard to a further 2 day rooms, 2 Touring and 2 Static caravans. It is in Luxulyan Parish and was considered by LPC and an objection was logged. However, the application remains open after almost a year and I have been seeking to talk to the Planning Case Officer, Jonathan

Luker, in order to understand why that should be, so far without success.

**2) Construction of road and shed on land south of Bowling Green.** This site is in Treverbyn Parish and there is an enforcement inquiry in place here (EN17/01520).

New issues that were brought to my attention have centred around the following:

**3) Traveller activity ay Higher Menadue.** The field concerned falls within Luxulyan Parish but borders with Treverbyn on one side. The activities here became apparent on Wednesday 23 August. Residents nearby registered this activity with Enforcement. It is logged as EN17/01666. I have since spent a great deal of time emailing and speaking to Senior Planning & Enforcement Officers to ensure that all that could be done was done. A Planning Application has been received here, two days after the activity started, but the application was incomplete and has not yet been validated. Enforcement have issued a 21 day notice requesting further information from the applicants. Meanwhile activity on the site continues. Michaela Linfoot and I visited with the neighbours on Wednesday 6 September and took the opportunity to view the site from the outside as it is visible in part from a section of Luxulyan 8.

**4) The Rave.** I have received correspondence from a few concerned residents (one of whom Mrs Kathryn Lindsay) copied LPC in. I was able on Wednesday 6 September to meet PCSO Jamie Ward and he explained what occurred. On the evening of Fri 1st / Sat 2nd Sept the entire locality of Par/St Blazey/ Prideaux and even as far as Carlyon Bay was woken at around 2-2.30am by extremely loud music playing. It took the police quite some time to locate the source of the noise as reports from members of the public appeared to be contradictory. It was eventually located on a field adjacent to but not owned by Nanoscales House at Prideaux Woods.

It was reported as a Rave and when just a handful of Officers arrived they were greeted by the sight of upwards of 100 revellers. The decision was taken not to intervene immediately as it was considered that the small number of officers' present were somewhat outnumbered. However, when they did finally intervene, quite late, it would seem on the Saturday afternoon finally, they discovered that the "Rave" was in fact a private party organized by the landowner's son to celebrate his return from a year travelling. Suffice it to say that they did not appear to appreciate that the sound from their party, out in the open and on the side of a valley was causing a disturbance to the extent that it was.

However, they were at that point on the cusp of winding the party down anyway and having already packed up their sound equipment at that point, surrendered it to the police. Hence, I believe that the disturbance was finally brought to a close around 3pm.

My colleague Cllr Pauline Giles of St Blazey I have to add spent the best part of 10 hours on the Saturday on the phone to the Council, Police etc trying to galvanise someone into action as her phone had been ringing from about 2.30am with calls from angry residents.

It is unlikely I feel, that anyone will be charged over this particular disturbance, however I have acknowledged to the constituents that I have been in contact with, that peace and tranquillity is an important aspect of this area when it comes to marketing their tourism business's and that therefore should events like this begin to occur on a regular basis that would undoubtedly prove detrimental to the local tourism economy.

#### 17/100 Neighbourhood Plan steering group report

SP reported that the Questionnaires had been sent out and that grant funding had been received.

#### 17/101 Grant Application

It was considered that this application was made to support revenue funding therefore it was **RESOLVED** that no grant is made (proposed ML, 2<sup>nd</sup> JR)

17/102 Good Citizen Award 2017

KB read 2 nominations.

OBW  
ML

The Chair read out the names of the four nominees. The following members left the chamber having declared a non-pecuniary interest. Chair ML & SK (family) CG (nominee). KB took the chair. ~~Following reference to a sample of the citations~~ It was **RESOLVED** that Ralph Oliver is awarded the Good Citizen Award. This decision was reached on the Chair's casting vote. ML, CG and SK returned to the chamber and ML resumed the Chair.

17/103 Data Protection Officer for LPC.

It was **RESOLVED** that the Clerk as the Proper Officer will fulfil the role of Data Protection Officer for LPC (proposed SP, 2<sup>nd</sup> JR).

17/104 Skate ramps

The clerk showed an example of the St Columb skateboard ramp which measures 25 x 15 yds. CG tabled a written Proposal to provide a Skate Ramp/Mini Park in the village. CG wished to put together a working group to look into this. It was suggested that the PC ask the villagers whether they want skate ramps. CG asked for an agreement in principle for a skate ramp/park. SP suggested that the collection box for a skate ramp in the Village Shop looked pre-emptive. CG explained that the collection box could be for a skate ramp on her father's land. It was put up by one of her employees and has nothing to do with the Parish Council. She advised members that she had had several enquiries in the village shop and it appeared that the public were under the impression that the PC was not in favour of the project. JR explained that her boys had been waiting for the ramp for a long time. Previous councils had looked at this before and rejected the idea. A suggested site had proved unsuitable because of its nearness to the emergency exit. In the discussion that followed, it was suggested that the current basketball court could be resurrected to accommodate a skate ramp. It was **RESOLVED** in principle that the PC will support the provision of skate ramps and it was further **RESOLVED** to seek expert advice regarding the type of facility and a suitable place for its location (proposed KB, 2<sup>nd</sup> SK). In addition, it was **RESOLVED** that the search for a suitable place include the existing hard surfaced area, which should be professionally assessed for its suitability as a site for this facility (proposed KB, 2<sup>nd</sup> CG).  
**ACTION: CG** as a preferred site OBW ML

17/105 Goal posts

The Locum Clerk had understood the football pitch was used by a junior team and had obtained quotes for goal posts of youth size 21'x 7'. The Chair advised that the posts would be replaced by full size posts. A decision was therefore deferred until the next meeting when quotations for full size posts can be considered.  
**ACTION: Clerk**

17/106 Damaged culvert - SP gave her apologies at this juncture and left the meeting

Item deferred to next meeting

17/107 Planning

- A Planning correspondence. None
- i. A site visit at Bowden Solar Park Thursday, 12 October, 4.00 pm. – The Chair advised members that there were 2 site visits arranged, one on the 5 October and one on the 12 October. She said that she would attend the visit on the 5 October.
- ii. **PA17/02395/PREAPP**. Pre-application advice for detached bungalow and double garage - Land North West Of 12 St Cyriac St Cyriac Luxulyan Cornwall PL30 5QA.

ML

At this point it was realised that this application was not the Pre-Application that Mr Cole had referred to in the Public Session. The confusion over this incident will be addressed by the Clerk on her return. It was **RESOLVED** to support PREAPP/PA 17/02395 (proposed CG, 2<sup>nd</sup> SK)

MH left the chamber at this juncture

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

- i. **EN17/01666**. Status: Pending Consideration. Alleged engineering works, creation of a new access from Minorca Lane and stationing of at least three caravans on the site - Land West of Higher Menadue Bugle. Noted

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

D Applications for consultee comments.

- i. **PA17/07737** | EIA Screening Opinion Request for Proposed Variation of Condition 11 in respect of Solar Park Approved on Appeal APP/D0840/A/14/2217727 (Planning ref PA13/03710) | Land South Of A391 Near Bodwen Bugle Cornwall [Condition 11: Within 25 years and 6 months following the first date of electricity generation, or within 6 months of the cessation of electricity generation by the facility, whichever is the sooner, the solar photovoltaic panels, frames, foundations, inverter housings and all associated structures and fencing approved shall be dismantled and removed from the site.] Case Officer: Tim Warne. Determination Deadline: has been extended. **DEFERRED** to next meeting
- ii. **PA17/08074**. Sunville Lockengate St Austell Cornwall PL26 8RY. Erection of pitched roof, single-storey front extension - Mr and Mrs Culley It was **RESOLVED** to raise no objection to this application (proposed KB, 2<sup>nd</sup> CG)
- iii. **PA17/07621**. Proposal Modification and Discharge of a Section 106 Agreement for the conversion of barn to holiday cottage. Location Bokiddick Farm Lanier Bodmin Cornwall. Applicant M A And M J Northcott Grid Ref 205123 / 62225. No comment was offered as it was considered that this application is outside the parish.
- iv. **PA17/08134** | Extensions and Improvements | Catch 22 New Road St Blazey PL24 2SB. It was **RESOLVED** to support this application (proposed JR, 2<sup>nd</sup> SK)
- v. **PA17/01993/PREAPP** | Closed advice given. Pre-application advice for proposed erection of a new dwelling and the provision of a new vehicular access | Land NNE of Damarcris Treskilling Luxulyan. It was **RESOLVED** to SUPPORT this pre-application (proposed BR, 2<sup>nd</sup> FP).

#### 17/108 Highways & Flooding

A New Village Signs. It was **RESOLVED** to support the placing of new signs for the entrance to the village between the village and Gatty's Bridge and before Rosevale Gardens. Funds having been raised at the Village Shop (proposed KB, 2<sup>nd</sup> ML).

B Road between A391 and Lanivet. As discussed in the Public Session and commented on by the Ward Councillor. ~~It was RESOLVED that~~ CG, JR, and ML ~~will~~ <sup>wished to</sup> join the proposed working party.

C Damage to the Victorian drain. **DEFERRED** (see 17/106).

D Potholes. At the last meeting of the Council, consideration was given to the idea of members driving the parish roads and collating information on any highway issues of concern, FP tabled a copy of a Highway Risk Survey that he had produced and

CG, JR, ML  
wished to

circulated a copy to members and explained the reporting method. A working group could be formed at the next meeting.

17/109 Assets – reports and maintenance

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| A Cemetery. The Locum Clerk reported that the interment of the late Ralph Keam took place in the Parish Cemetery on the 5 September 2017. |
| B Footpaths. (See 17/95A)   |
| C Luxulyan Memorial Institute. ML reported that a Broadband connection would be installed next week.                                      |
| D Playing Field. <b>DEFERRED</b> to next meeting  |
| E Village Toilets. Key holders. New keys have been issued and the Clerk will hold a spare key.  |
| F Other matters for report – None   |

On consideration of the time, the Chair suggested that the meeting should close, ~~and that~~  
All items under agenda 17/110 to 17/112 are deferred to next meeting; **this was**  
**RESOLVED** unanimously.

17/110 Parish Matters – reports.

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|---|
| A Community Networks: St Blazey; China Clay |
| B Luxulyan CLT                              |
| C Luxulyan Parish Community Fund.           |
| D Luxulyan Valley Partnership               |
| E Street Sweeping / Knotweed                |
| F Village Hall Committee                    |
| G Other matters for report                  |

17/111 Correspondence & Invitations (complete list in Clerk's Notes)

17/112 Business for the next meeting

Alex Sauer will attend to discuss BayWa's proposed 5-year extension of Bodwen Solar Farm. Traveller sites in Cornwall. Welcome Packs.

17/113 Dates of next meetings

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| A Planning if needed 28 Sept 2017, 6.00 pm and the Ordinary Meeting 12 Oct 2017, 6.00pm, both at the Luxulyan Memorial Institute. |
| B Audit Panel. 5.00 pm, 12 October, LM Institute.   |

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

Mr Paul Roberts ~ Locum Clerk

Mrs C Wilson ~ Parish Clerk ~ 28 Sep 2017

9-11-2017  
MC  
MC - [Signature]