

Luxulyan Parish Council **DRAFT** Minutes  
Ordinary Meeting, THURSDAY 11 APRIL 2024  
6.00 pm, at Luxulyan Memorial Institute

**PRESENT:**

Cllr Keith Bilston, Cllr Helen Francis, Cllr Michael Grindley, Cllr Bob Hatton, Cllr Margaret Higman, Cllr Sarah Kemp, Cllr Francis Payne, Cllr Carl Tonkin.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson, Lockengate Ward Member Cllr Peter Guest, Luxulyan Ward Member Cllr Colin Martin, and eight Members of the Public.

**ABSENT:**

Cllr Michaela Linfoot (Chair), Cllr Dan Cordy (Vice-chair).

**ABBREVIATIONS:**

Councillors may be abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Cornwall Assoc. of Local Councils (CALC), Footpath (FP), Community Land Trust (CLT), \*\*\* 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.

**NOTE ON NUMBERING:**

The prefix will follow the Municipal Year which begins in May. January-April will carry the 23/ prefix. At the May 2024 meeting the first item on the Agenda will be 24/01.

**MINUTES:**

*The meeting began at 6.00 PM.*

23/170 Apologies

A In the absence of the Chair and Vice-chair, the council **RESOLVED** (proposed MG, 2<sup>nd</sup> SK) that Cllr Bilston would chair the meeting and the Chair welcomed all.

B Apologies were received from ML, DC.

23/171 Declarations of interest or requests for dispensation.

None.

23/172 Public Session

C Eight people reported on the dangerous GOLD footpath 408/14/1 which the council reported to CC's Countryside service in Oct 2023 and nothing has yet been done. The steps need to be reinstated, the path above Bridges Mill levelled, and perhaps a handrail installed. Cllr Martin has requested a site visit with the officer(s) from Cornwall Council to discuss a schedule of urgent works.  
ACTION: Cllr C Martin.

D A representative of LEGGS (Lux Environmental Green Glebe Space) came to request the third annual lease payment of £400. She brought LEGGS' balance sheet. After these initial three years of requesting help from the parish council, LEGGS hopes to be self-sufficient, able to generate funds to cover its expenses.

*Item 23/175.C was brought forward. See the decision at that minute.*

E A member of the public came to explain that he could not get help from the normal

channels at Cornwall Council about an 8-foot fence that had been built next to his property which is above the height restriction for boundary fences. Having contacted Cornwall Council, he was told to contact the Enforcement department. He was told by Enforcement that they don't have the budget to enforce fencing issues and they could not help him. He has come to the parish council try to find out what to do. Cllr Martin said that this was not acceptable and will take his case to Cornwall Council himself.  
ACTION: Cllr C Martin

*Cllr Martin's report was brought forward. See his report at 23/175.D.*

F The Appeal for PA23/00781 (Two detached dwellings at Beswetherick) was brought forward and discussed at length. The CLT has written to the Chief Executive of CC, Kate Kennally, requesting urgent help from CC's legal department and Cllr Martin is following this up. The parish council wrote a strong objection to the application and the planning authority also robustly refused it. See the council's decision at Minute 23/177.A.i.

*Seven members of the public left the meeting.*

### 23/173 Meetings and governance

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| A | The council <b>RESOLVED</b> that the minutes, as read, of the meeting held on 14 March 2024 are a true and correct record (proposed HF, 2nd CT) and they were duly signed.   |
| B | The council <b>RESOLVED</b> (proposed SK, 2nd MG) that it would renew its membership in CALC for 2024-25 at £630.35 incl VAT.  |
| C | The council <b>RESOLVED</b> (proposed KB, 2nd CT) that the Clerk would take the SLCC online training course 'Water Compliance and Legionella Control' on 24 <sup>th</sup> April, £50 + VAT.  |
| D | The council <b>RESOLVED</b> (proposed MG, 2nd HF) that the Clerk would take the SLCC online training course 'Managing Village Halls' on 30 <sup>th</sup> April, £45 + VAT.   |
| E | Postage. The Clerk was concerned about cost of 1 <sup>st</sup> class postage. Some councillors require paper copies. After discussion it was <b>AGREED</b> that the Clerk would renew the Email Form so councillor can decide which documents they need posted to them and which they can read on email.<br>ACTION: Clerk  |
| F | At the Annual Meeting of the Parish Council in May, the parish council will elect the Chair for the next year. It was <b>RESOLVED</b> (proposed SK, 2 <sup>nd</sup> MG) that councillors may send their nominations for Chair and Vice-chair to the clerk ahead of the May meeting. Nominations must be seconded. They may also be proposed and seconded on the night. |

### 23/174 Finance

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| A | KB reported that, as he is not a bank signatory, and in the absence of the members of the Audit Panel, he completed the internal control check for the 4th quarter, and all is correct.  |
| B | The council reviewed the 2023-24 Year-end accounts documents: <i>Financial Briefing Note, Budget Comparison, Cash Flow, Bank Reconciliations</i> for each month and Year-end, <i>Pie chart</i> for website, <i>Payments for website, Asset register, External audit figures with explanation of variances</i> . It was suggested that the item on the Pie Chart labelled 'Reserves' could be better labelled 'Un-budgeted items'. The Clerk will explore this. It was <b>RESOLVED</b> (proposed SK, 2nd KB) to receive the Year-end documents as a correct record. After the AGAR for the external audit is signed, the Clerk will place the |

appropriate accounts documents on the website.

*Cllr Martin gave his apologies and left the meeting.*

C	The Clerk recommended dates for the <i>Notice for the Period for the Exercise of Public Rights</i> . These were confirmed by the council as: 19 June to 30 July 2024.		
D	The council <b>AUTHORISED</b> payments for April 2024 totalling £2,796.29 (proposed SK, 2nd BH).		
	<u>Description</u>	<u>Amount with VAT</u>	<u>VAT</u>
	Clerk's salary and expenses	£1,247.81	£5.83
	HMRC payment	117.97	-
	Clerk's Pension	50.05	-
	Playground inspections	150.00	-
	Public Conveniences, electricity	33.41	1.59
	CALC Annual Subscription	630.35	89.30
	Granite Towers postage	52.70	-
	SLCC training 'Legionella Control'	60.00	10.00
	SLCC training 'Managing Village Halls'	54.00	9.00
	GRANT LEGGS 3rd year of lease	400.00	-

23/175 Reports

A	Report on Actions. Happily, the electoral office has confirmed that the Polling Station at Danish Crown Car Park will be available for the 2 <sup>nd</sup> May election.
B	Chair's report. None this month.
C	<p>Cornwall Councillor Peter Guest's report to the Parish (Lockengate Ward)</p> <p>I'm fresh back from a cracking weekend in my home city of Liverpool, so, if I inadvertently slip back into my Scouse accent while speaking tonight, I apologise in advance and will provide subtitles!</p> <p>I would like to start this report off by addressing certain rumours that have been flying about regarding Alun Griffiths, the contractors for the A30 Link Road to St Austell. Not surprisingly given the horrendous weather that we have been experiencing, the overall project has fallen behind schedule, particularly in the preparatory and background work that goes on. Given this situation, Griffiths took the decision to put all works on hold for a couple of weeks in order to catch up on the logistics and background work. Can I re-assure you that the rumours of them going bust and pulling out of the project are groundless [if you will pardon the pun] and they will be resuming work shortly. It is a minor setback, but they are confident that they can soon get back on schedule once the sun comes out. I had a brief meeting with the Contractors yesterday [Wednesday 10th April] and can confirm that work has now resumed.</p> <p>As usual, March has been a pretty busy month and as always, my main focus has been on residents casework, which as I have often said is the bread and butter of my work and often both the most rewarding and frustrating. To support and advocate for our residents is the most important part of my role.</p> <p>One success story that I'm pleased to confirm is the re-instatement of the Polling Station at Ebenezer. Thanks to the combined efforts of the Parish Council, myself and especially Cllr Helen Francis. Cornwall Council have agreed to retain this polling station, primarily for the residents of Lockengate etc and it will be used for the Police &amp; Crime</p>

Commissioner Elections during the first week of May.

You may have heard of the recent R.T.A. at Reperry. Late last year we installed some traffic calming measures. As a result of this latest incident, I'm currently working with our Highways Team and we are looking to see if there is anything else that we can put in place to make that particular stretch of road safer for all.

On Saturday, I attended the opening of TR7, the new indoor skate park on Victoria Industrial Estate. It has been funded to the tune of approximately £115k by the Shared Prosperity Fund, a proportion of which has been match funded. The place was packed out and attracted a fair bit of press coverage. Not only will it be an indoor facility for skaters to go to when the weather isn't great, they will be running after school clubs, female only sessions and courses for all ages and abilities including bespoke courses for disabled people. There is also a small shop on site selling skating paraphernalia and serving light refreshments. It's going to be a great asset to the Parish and well worth a visit.

A couple of weeks ago, I was in Exeter at the Police & Crime Commissioners Office for the launch of a new initiative called 'Criminal Justice and You.' This is a catch all system put in place by Alison Hernandez to support and advise both victims of and witnesses to crime. It is an invaluable tool for those unfortunate enough to need to use it and full details can be found at [www.bit.ly/cjandyou](http://www.bit.ly/cjandyou). It is run by the Devon and Cornwall Criminal Justice Board and is considered an essential guide for victims and witnesses. If you would like some more information on this, please feel free to contact me.

I did a quick bit of totting up before I wrote this report, and so far this month, I've attended and sat on 11 different committees. Among them was a particularly controversial application to build a golf course and 19 holiday chalets in Lostwithiel that came before our Strategic Planning Committee. This attracted a lot of attention and the chamber was packed out with supporters and opponents on the day. After a long and heated debate, the application was refused and the majority of the attendees went away happy. Planning applications can be contentious at times and unfortunately, it isn't enough to take them to the Planning Committee because they are unpopular. There have to be valid planning reasons either for or against to argue against Planning Officers decisions. In this particular case, there were strong reasons to oppose this development. Sadly, that is not always the case, especially given our current housing crisis.

In the next week or so, it is expected that the Community Chest Fund will become live again. This is a small fund given to each County Councillor to issue small grants to local Community Groups. Once I get the green light, I will let you know and can then invite applications from our area.

Moving nearer to home, I recently met up at The Bugle Library Of Things with Sophie Hosking and Emma Trethewey. They are both Directors within Cornwall Council and we discussed a project that is currently going through the process of getting a grant through the Community Capacity Fund. If successful, this will greatly benefit the residents of the whole of the Division providing mobile outreach services. The grant application is progressing well and next week along with Jo [the main driver behind this scheme] I will be meeting our M.P. Steve Double to explain the scheme and hopefully get his support for this project.

I keep in touch with the Clerk and the Chair on a regular basis, but, if something does crop up, please don't wait for the next meeting, either drop me a line or give me a call

at the time.

Peter | [cllr.peter.guest@cornwall.gov.uk](mailto:cllr.peter.guest@cornwall.gov.uk) | 07947 826627

- D Cornwall Councillor Colin Martin’s report to the Parish (Luxulyan Ward)
- He is in contact with the Chief Executive about the issues at Beswetherick housing development.
  - Footpath 25 was recently added to the definitive map with support from the Luxulyan Valley Partnership. Unfortunately, the footbridge over the river is unsafe and the footpath is closed. Cllr Martin has been reassured that repairs are a high priority.
  - Cllr Martin spoke on the shortfall to CC’s budget and it appears that there will be a £90 million shortfall next year.
  - The £3.5 million sent by central government to help with potholes has been absorbed by CC because the Highways budget has been reduced by £3.5 million.

23/176 Considerations

- A The CLT held its spring quarterly meeting on 4<sup>th</sup> April. It decided to send a letter to the Chief Executive of Cornwall Council about the delays at Beswetherick housing estate.
- B As the cost of dog waste bins is very high, Cllr P Guest offered to get some information on how to lower the cost. The decision has been **DEFERRED**.
- C The council **RESOLVED** (proposed SK, 2nd FP) to grant £400 from the Bodwen Solar Park Fund to LEGGS (Lux Environ Green Glebe Space) for the third year’s lease of the land.
- D The council **RESOLVED** (proposed BH, 2nd MH) that it would support Treverbyn’s response to the survey about the Cornwall Council Gypsy, Roma and Traveller Strategy.

23/177 Planning

- A Correspondence. Planning decisions are reported in Clerk’s Notes.
- i. Appeal **APP/D0840/W/23/3335794** for **PA23/00781** | Two detached dwellings with car parking and garages. | Land At Southern End Of Beswetherick Field Beswetherick Field Luxulyan Cornwall PL30 5FB.  
Also see Minute 23/172.D.  
The council discussed the application and **RESOLVED** (proposed BH, 2nd CT) to delegate submission of the following comments to the Clerk and FP:  
\*\*\* Luxulyan Parish Council and the Luxulyan CLT Ltd have been in conversation with Cornwall Council and the Cornwall CLT for many years about the proper completion of the affordable houses at Beswetherick; that is, the last three affordable houses, the pavements and the street lights. The Parish Council is further disappointed that the Enforcement Notice (SERVED ENFORCEMENT: EN20/00457 | Alleged breach of condition 5 of planning approval C2/08/01791 - failure to provide street lighting | Beswetherick Field Luxulyan | Status: Notice Issued) has resulted in no action on the part of the developer.  
The Parish Council fully supports the Luxulyan CLT in its wish to complete the three remaining affordable houses. The letter in Appendix 4 of the Planning Appeal Statement is disingenuous.  
The Parish Council would like to confirm that it continues to OBJECT to PA23/00781 as it did in its consultee comment, submitted 16 March 2023. Many parishioners are very concerned about this appeal and have made recent representations to the Parish Council against the open market homes. Only affordable homes would be acceptable on this plot. Only affordable homes on this plot would conform with

Luxulyan’s Neighbourhood Development Plan.

The Parish Council unanimously requests that you REJECT this appeal.

**B Applications for consideration since the posting of this Agenda.**

**i. PA24/01729 | Demolition of existing stable block to replace with 4 bed dwelling and adjoining 1 bed annex. Double garage, 2no log cabins and solar panelling. | The Mill Prideaux Road St Blazey Par Cornwall PL24 2SR.**

The Clerk reported that this application arrived since the agenda and the case officer has granted an extension for consultee comments after the May meeting. The council requested a site visit and the Clerk will arrange this.

ACTION: Clerk

**23/178 Highways & Flooding**

**A** Cllr Guest reported on a serious traffic incident at Reperry. Measures were taken to calm traffic at Reperry and it was thought for some time that these measures were sufficient; however, Highways will be investigating the incident to see if any further measures might be taken.

**B** Mud and standing water has been reported on footpath 408/15/2 at the end of the school playground. In the first instance, the Clerk will contact South West Water because a SWW pipe runs along that footpath.

ACTION: Clerk

**23/179 Assets – reports and maintenance**

**A** Playing Field. Playing Field inspections for March 2024 were received and **NOTED**. BH asked after the climbing rings on the Junior Multiplay. The Clerk has not found anyone to fix them. SK will ask locally. As soon as the ground dries, the Clerk can organise the top up of the bark mulch.

**B** Cemetery. Nothing to report.

**C** Footpaths. See Minute 23/172.A.

**D** Luxulyan Memorial Institute. As he was present, C Austin gave a short report on the Institute. The Institute is solvent but might need some financial help in future with maintenance and replacement of the heaters, which are not efficient.

**E** Village Toilets.

**i.** The council **RECEIVED** and discussed a report from FP, “The case submitted for public consultation to support the alteration and modernisation of Luxulyan public toilets; Part One.” FP reported on the sorry state of the sewage drains from Gents and the Disabled toilet. After discussion, it was **RESOLVED** (proposed SK, 2<sup>nd</sup> FP) that a professional would be hired to report on the drains and let us know whether the toilets should be closed.

ACTION: Clerk

**ii.** After considering various rates from various electricity companies, the council **RESOLVED** (proposed SK, 2<sup>nd</sup> CT) to accept a 36-month contract with British Gas Lite. With an estimated usage of 320 units per year, the cost would be £248/year compared with £304 for the next best rates.

**23/180 Parish Matters – reports**

**A** Luxulyan Parish Community Fund. There is a meeting next week. HF and SK will attend.

B Luxulyan Valley Partnership. The next meeting is 24<sup>th</sup> April. Neither ML nor CT can attend. The council **RESOLVED** (proposed MG, 2<sup>nd</sup> SK) that BH will represent the council at this meeting.

C Village Hall Committee. The AGM will be 15th April. MH cannot attend so MG will attend as council representative.

23/181 Correspondence & Invitations (complete list in Clerk’s Notes)

Purple Gecko Events sent their thanks for another run which passed through Luxulyan parish on Sat, 6<sup>th</sup> April, in the wind and rain of storm Kathleen. They used the Cemetery car park for refreshments. They promised to be considerate of people wanting to park and visit the Cemetery and they took away their rubbish.

23/182 Business for the next meeting

AGAR (Annual Governance and Accountability Return) for external audit.

23/183 Dates of next meetings.

A Thurs, 9 May 2024 — three meetings at the Luxulyan Memorial Institute.

i. *Annual Parish Meeting* (Meeting of the Electors) at 6.00 pm.

ii. *Annual Parish Council Meeting*, immediately afterwards. The Chair is elected and the councillors are appointed to committees and to represent the Council on outside bodies.

iii. *Ordinary Meeting* of the Parish Council, immediately after the Annual Meeting.

B An extraordinary meeting may be called by the Chair if needed for planning or other business. An agenda would be posted 3 clear days before.

*The meeting closed at 8.35 pm and the Chair thanked everyone for attending.*

*Mrs C Wilson ~ Parish Clerk ~ 30 April 2024*

**SIGNED:**

**THESE ARE DRAFT MINUTES.**

Chair: \_\_\_\_\_ Date: \_\_\_\_\_