

Minutes of the Ordinary meeting of St Erth Parish Council held on Tuesday 6 March 2018, in The Vestry Rooms, Fore Street, St Erth, commencing at 7.00pm.

Councillors present: K. Buzza, Mrs. W. M. Chappell, E.B. Jenkin, Ms. J. Kersey, P. Rodda, A. Spencer-Smith and E.T. Taylor (Vice-Chairman in the Chair)

Others present: 3 members of the community, CC Lionel Pascoe and Peter Rylett (Clerk to the Council)

Apologies for absence: Councillor M.J. Hanley (Chairman)

156/17-18 Declarations of interest

None.

157/17-18 Community participation

One item was raised:

1. Planning application PA18/00918: Construction of two dwellings and formation of new vehicular access: Land east of Vicarage Gate, including an unlawful caravan.

The resident stated that the original planning application had shown a caravan on the site but this no longer appeared on the application before the Council tonight. He was also concerned about the apparent lack of enforcement action on the caravan.

158/17-18 Action required on matters raised during community participation

1. Planning application PA18/00918: Construction of two dwellings and formation of new vehicular access: Land east of Vicarage Gate, including an unlawful caravan.

The Clerk advised that the original application showed one of its boundaries 'overlapping' the adjoining SSSI (St Erth Sand Pits) and so the Local Planning Authority (LPA) had required the applicant to submit an accurate plan.

The revised plan had re-orientated the layout of the proposed dwellings and the caravan no longer appeared on that drawing.

The enforcement action being taken by the LPA related to the caravan towards the top of St Erth Hill and it was understood that an Enforcement Notice had been served in mid-February.

159/17-18 Planning and Listed Building applications

a) PA17/12111: Construction of new 4 bedroom dwelling replacing existing two storey building/workshop on site: Tresanton, 7 Water Lane.

RESOLVED - that St Erth Parish Council supports this application.

b) PA18/00918: Construction of two dwellings and formation of new vehicular access: Land east of Vicarage Gate.

RESOLVED - that St Erth Parish Council objects to this application because the proposed development of two dwellings will:

1. have a detrimental impact on traffic and pedestrian safety by adding to the level of on-street parking on this part of the Vicarage Gate estate road which is already congested;
2. result in the loss of pavement and therefore increase the risk to pedestrians walking to and from the children's play area and allotments; and
3. not be in keeping with the layout and local distinctiveness of the Vicarage Gate estate as it is overdevelopment of the plot.

The Parish Council requests that County Highways visit the site to see the problems which currently exist.

c) PA18/00852: Tree 1 - Crown reduce and remove branch interfering with power cables and Tree 2 - reduce: Poppy Cottage, School Lane (The Parish Council was notified but not invited to comment).

d) PA18/01051: Demolition of existing mid C20 building and retaining wall and construction of roof covering to existing farm yard: Treloweth Farm, 10 Treloweth Lane; and

e) PA18/01052: Listed Building Consent for the demolition of existing mid C20 building and retaining wall and construction of roof covering to existing farm yard: Treloweth Farm, 10 Treloweth Lane.

RESOLVED - that St Erth Parish Council raises no objections to these applications.

160/17-18 Minutes

Councillor Ms. Kersey had asked, and the Clerk had agreed, to add the following words to minute 151/17-18, item 2. ".....and which had made that part of the public footpath continually impassable for over two to three months".

RESOLVED - that, subject to the inclusion of those additional words, the Chairman signs, as a true and correct record, the minutes of the ordinary meeting held on 6 February 2018.

Councillor Buzza asked the Clerk to provide an update on the outcome of previous applications and the Clerk reported that:

- PA17/12089: Outline consent for the construction of up to 55 dwellings, provision of access, allotments, village green, community orchard and associated ancillary works: Land east of Treloweth Lane - *negotiations ongoing and application undetermined.*
- PA17/11727: Proposed garage for domestic use: Killanoon, 12 Tolroy Road, St Erth Praze (revised) - *application approved.*
- PA18/00253: Removal of condition 2 in respect of Decision Notice W1/88/P/0591 in order to allow full residential use: 52 Strawberry Hill, Tolroy Manor Holiday Park, St Erth Praze - *application approved.*
- PA17/11072: Continued use, consolidation of existing permissions and proposed year-round use of land as holiday park: River Valley Caravan Park, Relubbus - *application approved.*
- PA18/00918: Construction of two affordable dwellings, one open market dwelling and associated works: Land east of Vicarage Gate - *application to be referred to CC Planning Committee in March.*

161/17-18 Reports from Councillors/Clerk on other meetings held during the previous month

1. Councillor Taylor reported that he had met with Wills Bros. to discuss a forthcoming planning application for a non-material amendment to alter drainage arrangements, which would be considered at the April meeting of the Parish Council.

He had also taken the opportunity to raise the issue of the lack of notification for the current road closures, which had only been received the previous day and had complained that this was simply not enough notice - a view which the Council endorsed.

Councillor Taylor had also followed up on the Parish Council's complaint concerning the current situation with traffic 'management' arrangements at the A30/Station Approach junction which were considered to be dangerous.

The Clerk confirmed that he too had followed up these concerns with Wills Bros., Cornwall Council, the CC Divisional Member, the Police and the MP.

Concerns were also expressed about the operation of the traffic light system operating from Station Approach into Treloweth Lane and that there was no obvious sign that this system was being monitored.

On consideration of the points discussed, the Council

RESOLVED - that the Clerk:

- a) writes to Wills Bros. and Cornwall Council to confirm that one day's notice of a road closure or any new traffic 'management' arrangement etc. is totally inadequate; and
- b) confirms to all parties that the situation at the A30/Station Approach junction is still dangerous despite calls for improvements.

2. Councillors Spencer-Smith and Buzza reported on the main points discussed at the meeting of the Community Network Panel held on 5 March 2018 as follows:

- a talk about the operation of the Community Network Panel;
- a presentation by Cormac on its volunteering system and access to its community tool kit and box trailer;
- thanks from the Hayle Day Care Centre Manager for the financial support received and the leg surgery facility helping to save money for the NHS;
- a presentation by the Director of the Hayle Marine Hub promoting offshore renewable energy and support for businesses to move into the Marine Park;
- an update on Neighbourhood Plans;
- two new standing items on CNA agenda - updates from Cornwall Council and updates from Town/Parish Councils; and
- that the CNA Link Officer would be reviewing opportunities for economies of scale across the CNA.

3. Councillor Buzza had attended Cornwall Council's Planning Conference on 27 February. The main theme had been about the positive approach of the LPA to development and the way that was being guided by Neighbourhood Planning. He had attended three workshops: a presentation on the strategic approach by Highways; Neighbourhood Planning; and the Community Infrastructure Levy and S106 Agreements.

Overall, he felt that the evening had been worthwhile and would forward the slides from the event when received.

The Council thanked the Councillors for their reports and agreed that an item be included on appropriate future Parish Council agenda for items for the following CNA agenda.

162/17-81 Neighbourhood Plan (NP)

The Clerk, (in his capacity as NP Project Manager), reminded the Council that the Examiners draft report had been checked for factual accuracy etc. and returned to the Examiner who had subsequently returned his final report. Both reports had been shared with all members of the Steering Group as well as Parish Councillors and comments invited.

The Parish Council now had the opportunity to consider all comments received and 'challenge' any of the Examiners findings. Following that, the Vice-Chairman, Mrs Casey and the NP Project Manager would meet with Cornwall Council (the Local Planning Authority (LPA)) to establish whether it felt able to agree with any of those changes.

Both Councils were aware that if the LPA agreed with any substantive changes but the Examiner felt unable to accept them and modify his report, another round of consultation would be required.

The Council considered and agreed that the suggested 'challenges' set out below be made to the Examiner's Report and discussed with the LPA:

"POLICY HI 1 - Sites for new housing

In order to eliminate conflict as has happened previously it was felt that GP 4 needed expanding for Boscarnek and Little Mill sites. The most recent development within the settlement boundary at Well Field Close, which had a Traffic Management Plan agreed with Cornwall Council only, caused an almost daily conflict between residents and the developers which led to the need for monthly meetings between representatives of the Parish Council, Residents Association and the developer.

Discussion between the parties, which included St Erth Parish Councillors, for the previous development at Ercus Way, enabled traffic to be managed to reduce conflict, particularly with regard to routes taken and times of deliveries.

The Examiner, in his Final Report stated:

"In terms of the criteria, as I referred to in my comments on Policy GP 4, I consider that the construction traffic is a matter that can and should be dealt with by way of a planning condition. The acceptability of that submission will be a matter for Cornwall Council to determine and I do not know whether the Council's consultation arrangements include consulting Parish Councils on details submitted to comply with planning conditions, but I would commend that approach to Cornwall Council, bearing in mind the sensitivity of the issue within the Parish."

Agreed that the following condition be added in Policy HI 1 after criterion v.b. but that if Cornwall Council was not willing to accept or there was a need for further consultation, to request Cornwall Council to adopt the Examiner's commendation and delete HI 1 i.

In order to minimise any adverse impact on residents, approval for development on the two allocated sites at Boscarnek and Little Mill should be subject to a condition requiring the developer to discuss and agree with the Parish Council how construction traffic during development will be managed to meet criteria given in GP 4 i. and ii. prior to its

submitting a Traffic Management Plan, as part of the Construction Management Plan to the Local Planning Authority.

POLICY HI 2 - Separation of settlements

The “deleted” second paragraph was mostly covered by the final paragraph of OS 2 and its criteria, and the final paragraph was covered by the “now” second paragraph of HI 2 which applied equally to home extensions, so there was no need to include the final paragraph.

POLICY HT 1 - Phasing development

Outside the settlement boundary was covered, as the Examiner said, that through the three identified sites, provision would be reviewed in 5 years’ time with other reserved sites put forward if required.

Original wording: “No development applications will be supported on unidentified sites until all allocated and identified affordable led housing sites have been brought forward for development and the claimed additional need has been proven”.

Agreed that the suggested wording be:

No development applications will be supported on unidentified sites **outside the settlement boundary** until all allocated and identified affordable led housing sites have been brought forward for development, **or have been found to be impracticable to develop**, and the claimed additional need has been proven.

POLICY HT 2 - Local housing need

Original wording: “In order to establish that the proposed development will meet a genuine need to live in the Parish, potential occupiers of the affordable housing element of a proposed development should fall within the area local connection criteria set out by Cornwall Council. When this has been satisfied, the application will be supported provided that the proposal meets the requirements of the housing policies of the Plan”.

Agreed suggested amendment to policy wording:

Approval of a proposed development will normally be subject to a condition that priority be given to potential occupiers of the affordable housing element who meet a genuine need to live in the Parish in accordance with the area local connection criteria set out by Cornwall Council until this need is met.

But if Cornwall Council was not willing to accept or there was need for further consultation, then delete Policy HT 2.

POLICY ED 10 - Support of farming

Original wording: “Proposals for farm diversification projects, including those relating to employment, tourism, recreation and community services, energy production and food processing need to demonstrate that farming remains the primary business, and these ancillary uses are needed to maintain the farm as a viable business”.

Agreed suggested amendment to policy wording:

Proposals for farm diversification projects, including those relating to employment, tourism, recreation and community services, energy production and food processing will

be encouraged where these ancillary uses are needed to maintain the farm as a viable business.

If Cornwall Council was not willing to accept or there was a need for further consultation, then delete the paragraph.

At the conclusion of the consideration of the report, the Council, on behalf of the Council, thanked Mrs Casey for her continuing commitment to the Plan process.

163/17-18 Highways England Consultation

Councillor Spencer-Smith had provided a link for Councillors to view a consultation by Highways England on its proposals to improve the A30 between Chiverton and Carland Cross.

Although the Parish Council had not been a consultee, the link had been provided so that Councillors could comment, on an individual basis, if they wished to, by the deadline of 12 March.

Following consideration, the Council thanked Councillor Spencer-Smith for the link and asked the Clerk to establish whether any of the other councils in the CNA had responded.

164/17-18 Receipts and Payments for February 2018

RESOLVED - that the payments due be authorised.

The following had been received

Cemetery fees	£650.00
Allotment rents	£190.00
Reimbursed bank charge	£5.00
Community Chest Grant	£800.00
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TOTAL	£1,645.00

The following had been paid by Direct Debit or Standing Order

Utility Warehouse	£18.69	Electricity - Vestry Rooms
Chris Bray	£840.00	Grass cutting - parks, churchyard and cemeteries
SeaDog IT	£18.95	Website hosting fee
Google	£23.76	Gmail account
South West Water	£22.50	Water - Public Conveniences
British Gas	£25.00	Electricity - Public Conveniences
NEST pension scheme	£101.61	Employer contribution of £56.45 and employee contribution of £45.16
BT	£99.00	Quarterly phone bill - Vestry Rooms
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TOTAL	£1,149.51	

The following payments were due as at 28 February 2018

P Rylett	£1,507.85	Clerk's salary (net pay - see Note 1 below)
P Rylett	£209.33	Clerk's expenses (see Note 2 below)
HMRC	£494.67	PAYE and NI
Cormac Solutions Ltd.	£1,000.00	Interim payment pending finalisation of outstanding account (see Note 3 below)
Microtest Ltd.	£79.37	Repairs to photocopier
TOTAL	£3,291.22	

Note 1

The gross monthly pay was £1,515.83 + £366.00 for Neighbourhood Planning work undertaken in February.

The net pay of £1,507.85 was the amount payable following deductions of tax and national insurance and with a deduction from the net pay for the employee's contribution to the NEST pension scheme of £45.16 as shown above.

Note 2

The sum of £209.33 was comprised of:

Home Office Payment	£18.00	
Reimbursement of:		
Telephone calls	£0	
Postage/stamps	£0	
Consumables	£75.04	Copier ink
Office equipment	£59.20	Lanyards and ID holders for Councillors and Clerk
Expenses	£0	
Mileage	£57.09	Bodmin to deliver photocopier for repair and service

Note 3

The Council will be aware from previous reports that some invoices from Cormac for cleaning and re-stocking the Toilets have been disputed due to fluctuations in the monthly charge. To complicate matters further, invoices had also been received during the period when the toilets had been closed for modernisation and had received no cleaning at all.

Inevitably, there has been a flow of correspondence between the Clerk and Cornwall Council's Accounts Section to resolve the matter (and some payments have been made) but the latest cumulative account is still considered to be inaccurate.

At the Clerk's request and in consultation with the Chairman of the Council and the Chairman of the Governance Committee, it has been agreed that the Clerk and the Chairman of the Governance Committee will review all invoices received and all payments made to establish the actual amount owing before the end of the financial year.

It is fair to say, however, that Cormac has continued to clean and restock the Public Conveniences during this time and so an interim payment of £1,000.00 is recommended while the review is being undertaken.

165/17-18 Business Plan

The Council noted the current version of its Business Plan.

166/17-18 Agenda items for a future meeting

There were none.

167/17-18 Resolution to continue to sit

The Council, having sat continuously for three hours,

RESOLVED - to continue to sit in order to complete the business on the agenda.

168/17-18 Exclusion of the Press and Public

To consider passing the following resolution:

RESOLVED - that in accordance with S.1 (2) of the Public Bodies (Admission to Meetings) Act, 1960, the Press and Public be excluded from the meeting during the consideration of the following business owing to the confidential nature of that business.

169/17-18 Chenhalls Road Cemetery

The Chairman stated that a recorded vote would be taken on this matter. The Council then considered the report of the Clerk which included information from Cornwall Council and legal advice from its own Solicitor. The Council discussed the potential advantages, disadvantages and the 'unknowns' of transferring the cemetery to Cornwall Council for future maintenance and that there were three potential options on how to proceed, namely:

1. The Parish Council could, "*under the statutory procedure*" transfer all responsibility for the cemetery to Cornwall Council (in the knowledge that Cornwall Council "*is looking to*" transfer it back to the Parish Council under a Service Level Agreement (SLA); or
2. The Parish Council could transfer the responsibility for the cemetery, except for grass cutting, which would then have to be agreed separately with Cornwall Council - probably an agreement relating to the minimum number of grass cuts per annum; or
3. The Parish Council could do nothing and thereby, by default, keep responsibility for all aspects of maintenance in the future.

Following discussion, the Chairman proposed and it was seconded "that the Parish Council retains responsibility for all aspects of the maintenance of this cemetery in the future" and there being no amendments, it was put to the vote.

The votes were recorded as follows:

Voting for the proposition: Councillors Taylor, Mrs. Chappell and Rodda - total 3
Voting against the proposition: Councillors Buzza, Spencer-Smith and Ms. Kersey - total 3
Abstaining from voting: Councillor Jenkin - total 1

There being an equality of votes, the Chairman exercised his casting vote in favour of the proposition and accordingly, it was

RESOLVED - that the Parish Council retains responsibility for all aspects of the maintenance of this cemetery in the future.

170/17-18 A30 (T) Hayle and St Erth Scheme Development Progress

The Council considered the report of the Clerk which contained a response from Mr Edwards of Cornwall Council, the notes of Cornwall Council’s meeting which had considered the progress report and a copy of the presentation slides also considered at that meeting, which had been emailed previously to Councillors.

Following consideration, the Council

RESOLVED - that the Clerk:

1. request a copy of the Road Safety Audit; and
2. the A30 (T) Hayle and St Erth Scheme Development Progress be requested as an agenda item for the next meeting of the Community Network Panel.

The Chairman closed the meeting at 10.50pm

Signed by

Chairman.....

Date.....

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