

Minutes of the Ordinary Meeting of Gwinear-Gwithian Parish Council held on Monday 8<sup>th</sup> September 2014 at the Parish Office, Unit 3 Bosprowal Business Units, Penhale Road, Carnhell Green, Camborne commencing at 7.00pm.

<u>Present</u>	Councillors	D Cupples	T Homes
		Mrs S Negus	L Pascoe
		B Pocock (Chairman)	M Roberts
		S Rowe (Vice Chairman)	M Smith
		J Tovey	

Others present Mrs Vida Perrin, Clerk to the Council

1. Routine matters

- a) Safety Procedure – The Chairman advised the meeting of the fire exits, location of toilets and asked that mobile phones be switched to silent during the meeting.
- b) Apologies for absence were received and accepted from Cllrs A Crocker and J Crocker.
- c) To receive personal and prejudicial interests (including the details thereof) and preapproved dispensations in respect of any items on this Agenda. There were no preapproved dispensations in respect of any items on this Agenda.
  - i. *Cllr Pascoe declared that “In commenting on any item on this agenda I should make it clear that my comments are based on the information currently available and do not commit me to taking the same position when the matter is discussed at Cornwall Council and full information is available”.*
- d) Public Participation.
  - i. Mr Thurnell-Read asked that the Parish Council contact the Police to ask them to restart the community speedwatch scheme.
  - ii. Cllr Cupples advised that he and Cllr Homes were still waiting for the Police to take their pictures and issue them with a licence to undertake speedwatch. The Clerk agreed to contact the Police.
  - iii. Mr Thurnell-Read asked the Parish Council to consider displaying information from the Police report on the notice boards. The Clerk agreed to ask the Police for permission and if so display the report when there was adequate room to do so on the notice boards.

Cllr Cupples proposed that item 6c be discussed at this point in the meeting and that the public present be allowed to speak during this item only, this was seconded by Cllr Negus with all in favour. The proposal was RESOLVED. Item 6c is in agenda order for the purposes of the minutes.

2. Minutes

- a) To confirm the Minutes of the Ordinary Meeting of the Parish Council held on 11<sup>th</sup> August 2014. Cllr Negus proposed the minutes be accepted as a true and accurate record of the meeting. Cllr Rowe seconded with all in favour and the proposal was RESOLVED.
- b) Business arising from the Minutes. None.

3. Presentation

Presentation by Mr David Simmons of Riviera Produce regarding a possible planning application.

- i. Mr Simmons presented draft plans of the proposed scheme which included a unit of around 10,000sq ft which would be screened by earth bunding and the sewerage would be dealt onsite. The height would be around 9.4 to the ridge and 5.7 to the eaves and the building would be sunk to ensure the height is kept to a minimum. The building will also accommodate solar panels on the roof.
- ii. Cllr Roberts asked for details on the entrance and Mr Simmons advised that the visibility from the entrance would be very good.
- iii. Cllr Pocock asked that a report on the amount of vehicle movements, routes to be used for vehicles and an assessment of the impact on those on the villages within the vicinity of the site be provided with the planning application. Cllr Pocock advised Mr Simmons that as part of the Parish Council's Infrastructure Needs Assessment the reconfiguration of Horsepool crossroads was being considered.
- iv. Cllr Pascoe asked that Mr Simmons consider talking to other local companies as part of their research before submitting a planning application
- v. Mr Simmons advised that the current site will be mothballed but that the residential caravans will stay on the current site and that a planning application should be ready by the end of the year.

4. Reports

- a) Report from the Police Neighbourhood Beat Manager. Noted.

- b) Verbal reports from Parish Councillors/representatives
  - i. Cllr Pascoe advised that he had received confirmation of an appeal for Treeve Lane.
  - ii. Cllr Roberts advised that he and Cllr Smith held a NP stall at the Connor Downs Dog Show.
  - iii. Cllr Cupples advised that he still continued to get verbal complaints regarding overgrown hedges. The Clerk advised that she had passed the complaints to Cornwall Council and they would be the ones to contact private homeowners to get them to cut them back.
  - iv. Cllr Homes advised that he and Cllr Pascoe as CC rep attended an Appeal Hearing regarding a development on Trenawin Lane.
- c) Written reports from Parish Councillors/representatives. None.

5. Correspondence received

- a) Invitation regarding Cornwall Council's budget discussions 2014 & Budget Engagement discussion dates. Noted.
- b) CC - Letter reference closure of Peters Point steps. The meeting agreed to investigate whether appropriate signage was in place.
- c) Email from local resident ref Gwithian Beach Access. The meeting agreed to forward the information from Cornwall Council.
- d) Cornwall Council Leisure Options Consultation - <http://www.cornwall.gov.uk/leisure-and-culture/leisure-resources-strategy/>. Noted.
- e) South West Resilience Campaign with reference to South West Peninsula's transport network. Noted.

6. To consider planning matters

- a) PA14/0777 Replacement extension and alterations including raising the ridge height by approximately 1m - 54A Gwithian Towans Gwithian Cornwall TR27 5BT Mr & Mrs Butterfield - *Planning Zone Officer - Cllr M Smith*. Cllr Smith gave his report and Cllr Roberts proposed the Parish Council does not object to this application, as the final appearance of the property will be in line with the Gwithian Towans Design Guidelines; however this application should not amend any occupancy restrictions that applied to the property when it was granted original planning approval. The Parish Council would like to thank the applicant for taking into consideration the Design Guide. The proposal was seconded by Cllr Tovey with all in favour. The proposal was RESOLVED.
- b) PA14/06705 Erection of two dwellings in the gardens of Roseworthy Chapel Roseworthy Chapel Roseworthy Hill Roseworthy TR14 0DX Mr & Mrs J Crocker. Cllr Cupples proposed that there be no objection with the following conditions:-
  - a) that the Highway Authority agrees with the current entrance
  - b) that a suitable flood risk assessment is undertaken
  - c) that the new dwellings are tied to the existing dwelling
 Cllr Tovey seconded with 7 in favour, 1 against and 1 abstention. The proposal was RESOLVED.
- c) Planning Correspondence – Appeal decision notice reference Lanyon Solar Farm.
  - i. Cllr Roberts asked the Clerk if she had received any further information from Lanner PC regarding Judicial Reviews and the Clerk advised that she had only contacted them again the day before.
  - ii. Cllr Pocock said that the application had always been a difficult one for the Parish Council who had been split on the decision and that the community was also split with just as many people in favour of the application as against. He stated that the Parish Council was there to serve the public and as the Parish Council's meetings are open to the public it was down to Parishioners to attend and voice their views. He said that the next possible step may be a Judicial Review (JR) but that this would need to be put forward under points of law which had not been adhered to and that it was for Parishioners as well as the PC that needed to make the decision on whether or not a Judicial Review was the right way forward as it could be public money that would be used. Cllr Pocock felt that the right way forward would be for the Parish Council to take professional advice and hold a special meeting towards the end of September to make a decision.
  - iii. Adam Young said that if a JR wasn't successful it could be taken to the Court of Appeal.
  - iv. Gail Farina commented that digging works on site were already underway.
  - v. Diana Hall said that the advice she had been given was that a JR would be more successful if the Parish Council took it forward rather than individuals and that they could get protected costs.
  - vi. Cllr Pocock said that there would no more weight given to a PC than a group from the community and that protected costs were not guaranteed and even with protected costs there would still probably be a financial cost
  - vii. Cllr Pascoe advised that there are 6 conditions attached to the decision which still need to be signed off with Cornwall Council before works commence.

- viii. Adam Young said that the Court of Appeal tend to look more at the community issues rather than points of law.
- ix. Cllr Pascoe said that part of the issue was the lack of policy in place and that no replacement for the Penwith Plan has been formally approved.
- x. Cllr Pocock stated that this put greater emphasis on the Neighbourhood Plan process and the need to continue with the NP which should be approved next year.
- xi. Rachel Rodda advised that she lives In St Erth and that there are similar issues to this one across the area. She stated that this Parish was not alone and should ensure it talks to other P&TC which will give their support and possibly resources and funding. She commented on the reaction from Cornwall Councillors via the webcast at their last meeting and agreed the decision has gone against CC draft policy but that there could be support from Cornwall Councillors.
- xii. Cllr Pocock advised that at the appeal hearing he had mentioned the fact that if this proposal and the proposed solar farm in St Erth go ahead the two parishes would then have a combined total of renewable energy which would equate to about 10% of the whole of Cornwall alone but that this does not appear to have been mentioned in the Inspectors report.
- xiii. Gail Farina suggested that the grade of the land at 3a was shown as insignificant on the Inspectors report.
- xiv. Cllr Pocock said that current providers of renewable energy had stated that they were looking outside of Cornwall for projects for the future due to the current level of land being used for renewables.
- xv. Adam Young said that the sites in Gwithian were also on good agricultural land.
- xvi. Cllr Pocock said that that land was grade 3b and was signed off by both the community and the PC.
- xvii. Cllr Roberts said the issue was that there was no real policy from CC and that they took each one on their merit and taking the previous one into account each time – i.e. cumulative impact.
- xviii. Diana Hall said that CC did have a policy for development on grade 3a land.
- xix. Cllr Pocock said that it had not been formally approved and adopted and that was the issue.
- xx. Steve Emsley asked if the PC would wait until they had taken professional advice before making a decision
- xxi. Cllr Pocock felt that was the best way forward and that they would need to hold a meeting before the end of September.
- xxii. Diana Hall stated that that would not leave much time for the public to do anything.
- xxiii. Cllr Pocock advised that they had to give 3 clear days notice for a meeting and leave time to get professional advice but that the Parishioners could still continue getting advice and a case together themselves if they so wish.
- xxiv. Peter Channon asked if the PC would be writing to CC regarding their inadequacy.
- xxv. Cllr Pocock felt that there would be a number of organisations the PC would write to once they had received professional advice.
- xxvi. Peter Channon advised he had wrote a letter to CC and copied the PC in.
- xxvii. Cllr Pocock advised that all correspondence received from Parishioners had been circulated to all Parish Councillors but that it must be remembered that the PC are only an interested party in the process not a legal party.
- xxviii. Peter Channon felt that Localism needed to play a part in any decision.
- xxix. Cllr Homes felt that Eric Pickles could only call in a appeal before a decision is made and that he had missed that opportunity.
- xxx. Shaun Barber asked if the Parish Council had listened to the people that were in support of the application as well as against and that people did not feel they could come to the Parish Council.
- xxxi. The Clerk stated that the Parish Council had taken note of the 15 letters of support, 13 letters of objection, 2 neutral comments and the petition with 111 people in support and a subsequent petition with a similar number in objection. The Clerk also noted that the Parish Council holds every meeting in public and anyone can attend the PC meetings and that every meeting always has a period where the public can speak during public participation.
- xxxii. Maraget Bacon felt that the village was not kept informed by the applicant at the beginning of the process.
- xxxiii. Adam Young said that he felt that a lot of parents were angry with Gwinear School who had supported the application in the Schools name.
- xxxiv. Peter Channon advised that you can also write to the Inspectorate and raise your objections.
- xxxv. Rachel Rodda felt that Eric Pickles could call in the application
- xxxvi. Duncan Thurnell-Read said that people should lobby the local MP.
- xxxvii. Cllr Pocock advised that George Eustice had already written letters regarding the decision.

xxxviii. Cllr Pocock proposed the Parish Council seek professional advice and hold an extraordinary meeting of the Parish Council on the evening of the 24<sup>th</sup> September which would be open to the public to discuss the advice given and make a final decision regarding the way forward, this was seconded by Cllr Pascoe with all in favour. The proposal was RESOLVED.

7. Other matters requiring decisions of the Council

- a) Receipts and payments: to approve the statement for the period from 15<sup>th</sup> July 2014 to 11<sup>th</sup> Aug 2014 and the payments due:

Summary	Amount
Recreation / Street Scene	2.13
Cemetery Fees	238.00
Agency Services	701.70
Administration	11.30
TOTAL	953.13

The following payments are now due:

Summary	Amount
Salaries / PAYE & NI	2265.26
Administration	811.21
Projects / Capital Schemes	15.95
Recreation / Street Scene	941.12
Hall Hire / Office Space	153.48
TOTAL	4187.02

Cllr Rowe proposed that the payments be approved. Cllr Tovey seconded with all in favour and the proposal was RESOLVED.

- b) To consider a request for a wooden shed at allotment Plot 3. Cllr Homes proposed the request be accepted, Cllr Tovey seconded with all in favour. The proposal was RESOLVED.
- c) To consider planning training for councillors. Cllr Smith proposed he and Cllr Tovey attend, Cllr Tovey seconded with all in favour. The proposal was RESOLVED.
- d) To receive information regarding changes to the Cornwall Local Plan. Noted.
- e) To receive and approve the monthly Bank Reconciliation & Income & Expenditure Statement for the first quarter of the 2014/15 accounts. Cllr Pascoe proposed the monthly Bank Reconciliation & Income & Expenditure Statement for the first quarter of the 2014/15 accounts be approved, this was seconded by Cllr Tovey with all in favour. The proposal was RESOLVED.
- f) To discuss the service given to the Parish Council by Bet Slade-Elmes and agree the way forward. Cllr Tovey proposed flowers of £25 be purchased, seconded by Cllr Roberts with all in favour. The proposal was RESOLVED. Cllr Rowe agreed to liaise with the Clerk regarding the purchase flowers.

8. Late or urgent items not on the agenda

- i. The Clerk advised that a Highways representative had contacted her regarding holding a meeting with Cllrs to forward plans from the Gwinear-Gwithian Infrastructure Needs Assessment, the meeting agreed that Cllrs Roberts, Pocock and Pascoe meet with the representative on behalf of the Council as they had been working on the project in the past.
- ii. Cllr Homes advised that a local resident had asked that consideration be given to asking for a EM test when the applicant for Lanyon digs the road for the cabling and it was agreed to pass the message to the applicant.

9. Agenda items for future meetings

- a) Raised in public participation. These had been dealt with earlier in the meeting.
- b) Raised by members. None.
- c) Late items notified to the Clerk. None.
- d) Allotment meeting Monday 22<sup>nd</sup> September 2014 at 6.30pm

The Chairman closed the meeting at 9.04pm.