

Minutes of the Extraordinary Meeting of Gwinear-Gwithian Parish Council held on Wednesday 24<sup>th</sup> September 2014 at the commencing at 7.00pm.

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

|                       |                                       |
|-----------------------|---------------------------------------|
| <u>Others present</u> | 25 members of the public              |
|                       | 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 Cllr A Crocker, Cupples and Smith.
- 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”.*

The Chairman advised member of the public of the following points:-

- i. The meeting was to consider whether or not a Judicial Review enquiry was required into the process taken and whether that was correct and not the decision, he therefore advised that he did not wish to go over reasons for supporting or objecting to the application.
  - ii. The Chairman noted a number of leaflets had been circulated in the public domain which used the Parish Council’s email address at the bottom for contact which included the Clerk’s name. He said that the way in which the leaflets had been put together they appeared to come from the Parish Council. He stated that this was not the case and that in future members of the public should think carefully when constructing such leaflets as this can cause harm to reputations and unnecessary anxiety to Parish staff.
  - iii The Chairman advised the meeting that he had been informed prior to the meeting that a member of the public had lodged a Judicial Review on behalf of the local objectors regarding Lanyon Solar Farm.
- d) Public Participation.
- i. Charles Hall spoke in behalf of the local objectors advising that it was felt that they should lodge a Judicial Review due to the time constraints and this has taken place today. He noted that the case for a Judicial Review had not been lodged against Good Energy, the landowners or anyone else locally, only against the Secretary of State and he asked for continuing support from local residents and the Parish Council.
  - ii. Cathy Woolcock advised she was the Chair of Governors for Gwinear School and raised concerns about some of the comments made in a leaflet which was being circulated locally. She stated she realized this was not from the Parish Council but raised concerns about some of the comments made regarding the school and the possible risks to pupils.
  - iii. Adam Young stated that the rest of the community wanted the school to make further investigations regarding safety.
  - iv. Rosemary Harry said that more research was required and that the source and findings of that research needed to be made clear to local people.
  - v. Cathy Woolcock said that parents needed to satisfy themselves to the safety of their children.
  - vi. Mrs Leggo said that she agreed with Cathy Woolcock’s comments.
  - vii. The Chairman felt that the leaflets both for and against and any comments within them was a matter for the school to deal with.
  - viii. Mrs Leggo asked whether the objectors could state their grounds for lodging a Judicial Review but this was declined.
  - ix. the Chairman advised this would be made public by the High Court in due course and as there were no further comments closed public participation.

2. To consider the Lanyon Solar Farm appeal decision and the Judicial Review process and agree the way forward
- i. The Chairman felt that as the local objectors had already started proceedings for a Judicial Review that the Parish Council should consider either noting this or approve support for the local objectors in the Judicial Review process.
  - ii. Cllr Roberts asked whether supporting the local objectors would mean a financial contribution.
  - iii. The Chairman felt that the meeting could support the local objectors during the process but that did not necessarily need to mean any financial implications to the Parish Council and that the matter would need to back to Full Council for further discussion and approval if we were minded to offer any financial support.
  - iv. Cllr Pascoe proposed that the Parish Council adds its support to the local objectors lodging a Judicial Review
  - v. Cllr Homes stated that he had consistently supported the Lanyon application and that had not changed. He said that there were reasons why he felt that the PC should not support the local objectors:-
    1. Cornwall Council felt there were no grounds to lodge a Judicial Review
    2. The PC does not know the full grounds for lodging the Judicial Review
    3. The PC has limited resources and reserves to support thisCllr Homes proposed that the Parish Council does not support the local objectors for the 3 reasons stated above
  - vi. Cllr Roberts advised that he did abstain from the original vote on the application but even still he does feel that that as the PC objected to the application originally it should follow through on its decisions and support the local objectors.
  - vii. Cllr Rowe said that he agreed with Cllr Homes for the same reasons.
  - viii. Cllr Pascoe stated that he was not proposing financial support at this time
  - ix. Cllr Pocock felt that the local resident's lodging the JR was probably a good thing and they would do an excellent job.
  - x. Cllr Roberts felt that he could not support the Parish Council taking the decision to Judicial Review but since this had already been put forward by local objectors he saw no reason not to support them.
  - xi. The Chairman asked for a seconder for the counter proposal put forward by Cllr Homes, Cllr Rowe seconded, and a vote was taken with 2 in favour and 5 against. The proposal was not carried.
  - xii. The Chairman asked for a seconder for Cllr Pascoe's proposal, Cllr Tovey seconded with 5 in favour and 2 against. The proposal 'that the Parish Council adds support to the local objectors' was RESOLVED.

The Chairman closed the meeting at 7.25pm.