

MINUTES of the ORDINARY MEETING of ST JUST-IN-PENWITH TOWN COUNCIL held in the Council Chamber, Council Offices, 1 Chapel Street, St Just on Monday 20 February 2017 at 7.15 p.m.

PRESENT

Cllr K McFadden - Town Mayor
Cllr D Stevens - Deputy Town Mayor

COUNCILLORS

Mrs M Blundy	Mrs G McQueen
B Clemens	F Morris
Mrs F Cock	D Roberts
N McFadden	G Roberts
T McFadden	Mrs G Salmon

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Cllr Mrs James – Cornwall Councillor
Sharon Olds – PA17/00750

TC.251 APOLOGIES FOR ABSENCE

There were no apologies for absence.

TC.252 DECLARATIONS OF INTERESTS

The Town Mayor, Cllr N McFadden and Cllr T McFadden declared a non-discloseable interest in min. no TC.260/17(a) (Applications) in respect of PA17/00817 as the applicant or related to the applicant and agreed to withdraw from the meeting for consideration of the item.

Cllr Clemens declared a non-discloseable interest in min. no TC.260/17(a) (Applications) in respect of PA17/01263 as he was related to the applicant and agreed to withdraw from the meeting for consideration of the item.

Cllr G Roberts declared a non-discloseable interest in min no. TC.259(a)/17 (Financial Assistance) as the Town Council's representative on the Pengarth Day Centre. Cllr G Roberts also declared a non-discloseable interest in respect of minute no. TC259(b)/17 (Accounts for Payment) as one of the payees on the schedule of payments and agreed to withdraw from the meeting for consideration of both items.

The Deputy Town Mayor declared a non-discloseable interest in min. no TC.261/17 (Potential Freehold Acquisitions) as landlord of one of the tenants affected by the proposal and agreed to withdraw from the meeting for discussion in relation to the purchase of the Council Office building.

TC.253 DISPENSATIONS

There were no dispensations granted.

TC.254 MINUTES

RESOLVED: That the minutes of the Ordinary Meeting of the Town Council held on 6 February 2017 be approved as an accurate record and signed by the Town Mayor.

TC.255 MATTERS ARISING

There were no matters arising from the minutes.

TC.256 REPORT OF THE TOWN MAYOR, DEPUTY TOWN MAYOR AND TOWN COUNCILLORS

There were no Town Councillor reports.

TC.257 REPORT OF THE CORNWALL COUNCILLOR

Cllr Mrs James gave her monthly report of county matters as follows: -

Health and Social Care remained a dominant issue, both in Cornwall and nationally and would feature in tomorrow's Full Council meeting. Some Town Councillors would be aware that the Government's response to the crisis in funding that affected the provision of Adult Social Care was to allow Councils to increase Council tax, without the need for a referendum, either 2% for 3 years or 3% for 2 years. The 2nd option being a later offer, after the provisional budget had been agreed, and as altering the budget still would not fix things, and given that many local people were just about managing, the administration was proposing to stick with the original budget. However, there would be an amendment before Council tomorrow proposing adoption of the latest offer from Government and raise Council Tax locally by a further 1% which would make the total increase just under 5%.

Cllr Mrs James's last report had expressed her disappointment at not getting a debate on Health and Social Care, given the level of public concern being expressed over the Sustainability and Transformation Plans (STP). The questions that she and others raised had clarified that because of the Devolution Deal in Cornwall the Council was considered to be a partner to the STP process making the development and Governance arrangements more complex than for other local authorities. At the Council meeting on 21 February, Cllr Mrs James had a motion before Council, which the Chairman of the Council had indicated could be debated and Cllr Mrs James hoped the outcome would be that Cornwall would add to the pressure being put on Government to increase the national funding pot for Health and Social Care and that Cornwall would get a fairer share.

Cllr Mrs James drew Councillors attention to the fact that with far less of a fanfare than the Adult version, the Sustainability and Transformation Plan for Children's Health and Social Care, going under the name of "One Vision" had been released. Details were on her website or the Cornwall Council website and consultation events were expected in the summer. Cllr Mrs James also understood that another plan, regarding Mental Health was to follow.

Due to a local organisation not being able to deliver a project Cllr Mrs James had received Cabinet member approval to allocate £1,500 of her Community Chest fund, before the spending deadline, to assist with the Devolution of St Just Library. This amount was in addition to the £4,943 allocated from the Devolution Fund through the Community Network and she hoped it would enable the Friends, now a Community Interest Organisation with charitable status, to return to the Town Council for further support.

Using the initial Coastal Communities funding, Cllr Tom McFadden and Cllr Mrs James had been involved in selecting two local people to collaborate in designing hosting websites to build the Tin Coast website. This would begin to bring the project and aspirations alive but would also require work on how the partnership would operate as agreements would have to be reached on initial content and desired functionality and then who and how it would be updated.

At the Town Council's last meeting there had been some conversation regarding the Leat in Pendeen. Whilst progressing ownership, and ultimate responsibility for the land might be challenging, Cllr Mrs James had had a discussion with David May, Cornwall Wildlife Trust (CWT). Subject to confirmation, he had suggested that the CWT would be willing to conduct a wildlife survey and that they could assist with volunteers to help with another pond and area management day, similar to that previously held in 2015. There was also a possibility through the Penwith Landscape Partnership, to get the area into a formalised programme where volunteers were supported by the CWT to manage the area.

TC.258 PLAIN-AN-GWARRY – APPLICATION TO ENGLISH HERITAGE

The Town Council considered a report by Adam Sharpe, Cornwall Archaeological Unit which it was proposed would be used as supporting documentation to an application being made to English Heritage for Scheduled Ancient Monument Consent for further repair works to the perimeter wall of the Plain-an-Gwarry and other associated works. The report had been updated following a recent meeting between representatives of the Town Council, English Heritage and the Archaeological Unit when the previous works had been inspected.

RESOLVED: That the Town Clerk be authorised to make an application to English Heritage for Scheduled Ancient Monument Consent for further repairs to the Plain-an-Gwarry as set out in the report.

(Action by: Elaine Baker)

TC.259 FINANCE

(a) Financial Assistance

In accordance with his disclosure of interest Cllr G Roberts withdrew from the meeting for consideration of the following item.

The Town Council considered a report by the Town Clerk which set out a request for financial assistance from the Pengarth Day Care Centre towards its transport costs.

RESOLVED That the award of a grant of £900.00 be approved.

(Action by: Elaine Baker)

(b) Accounts for Payment

In accordance with his disclosure of interest Cllr G Roberts withdrew from the meeting for consideration of the following item.

RESOLVED: That the accounts to the value of £3,127.46 be approved for payment.

(Action by: Elaine Baker)

(c) Letters of Thanks

There were no letters of thanks.

TC.260 PLANNING

(a) Applications

PA17/00733 New dwelling and integral garage at Penninnis, Boscawell Downs, Pendeen. Applicant: Mrs. L. Maddams. **(T CI No objection)**

PA17/00583 30% thinning of the canopy of trees around the property. Removal of branches as per photographs at Wintara, Botallack, St. Just. Applicant: Mr. Andrew Buckingham. **(For Information Only)**.

PA17/00877 Conversion of barns to form two dwellings and a detached garage (amended location of garage structure in regards to PA16/00825). Applicants: Mr. and Mrs. D. Atkinson. **(T CI No objection)**

PA17/00613 Retention and completion of single storey flat roof extension to rear, Juliet balcony from dormer. No access to flat roof at 10, Boscawell Terrace, Pendeen. Applicant: Mrs. Victoria Barnett. **(T CI No objection)**

In accordance with their disclosures of interest the Town Mayor, N McFadden and T McFadden withdrew from the meeting for consideration of the following application.

In the absence of the Town Mayor, the Deputy Town Mayor took the Chair.

PA17/00817 Non material amendment (1) for minor increase in height and alterations to doors and windows on 2 elevations to PA16/05171 construction of annexe at the Old Forge, Crippas Hill, Kelynack, St. Just. Applicants: Mr. and Mrs. N. McFadden. **(T Cl No objection)**

PA17/00750 Amended design of earlier Planning Consents: PA14/11608 and PA16/01007 for boundary clarity to adjacent property known as Ty Gwenn, and for construction of 3-bedroom dwelling including forming new vehicular access at Carvean, 22, Fore Street, St. Just. Applicant: Mr. T. Olds. **(T Cl No objection)**

In accordance with his disclosure of interest Cllr Clemens withdrew from the meeting for consideration of the following application.

PA17/01263 Proposed first floor rear extension and formation of car parking to front garden at 19, Hillside Cottages, Trewellard, Pendeen. Applicant: Mrs. M. Trembath. **(T Cl No objection)**

(b) Decisions

PA16/10514 Proposed extension to create a bedroom on first floor and enlarged dining/study area on ground floor at The Cottage, Kelynack, St. Just. Applicant: Mrs. Treby. **Approval** (T. Cl. No Objection).

PA16/11906 Replace old wooden doors on front elevation with new rosewood composite style doors at 33-34 Cape Cornwall Street, St. Just. Applicants: Mr. and Mrs. Slade. **Approval** (T. Cl. No Objection).

PA16/12126 Application for the formation of enlarged car park at Levant Car Park, Levant Road, Trewellard, Pendeen. Applicant: National Trust. **Withdrawn** (T. Cl. Strong Objection – Unnecessary intrusion in the landscape).

TC.261 POTENTIAL FREEHOLD ACQUISITIONS

The Town Council considered the freehold acquisition of the Council Offices (£165,000), Lafrowda Car Park (£100,000), together with the transfer of St John's Terrace Car Park, Pendeen, public conveniences, bus shelters, recycling centres and street lighting (situated in the car parks) in St Just and Pendeen. Total one-off capital cost of £265,000.

Cllr Mrs James reported that she had only become aware of the Council's proposal to purchase the Council building when she had received a copy of the agenda. However, she expressed her concern at the potential purchase, given the fact that at the last meeting, the Council had declined to support the Community Energy Plus project due to the pending election. Therefore, Cllr Mrs James was surprised that the Town Council was considering taking such an important decision at this time. Cllr Mrs James also questioned, given the number of local community buildings in need of support, whether there would be public support for the purchase of the Council Office building. In response, Cllr N McFadden commented that *"it was too good a deal to miss"*.

Given the issue of declared interest the Town Council AGREED to separate the two decisions.

The Town Clerk requested that it be formally recorded in the minutes that to proceed to a formal decision at this time was contrary to the professional advice of the Town Clerk & RFO as the decision could potentially expose the Council to an unacceptable level of financial risk, the impact of which had not been fully assessed and evaluated. At present there was a lack of information regarding adequate financial provision for potential ongoing loan repayments, revenue costs, structural surveys and levels of contingency which needed to be fully taken into account as part of the decision-making process to ensure that the Council acted with due diligence at all times.

Firstly, the Town Council discussed the issue regarding the freehold purchase of Lafrowda Car Park (£100,00), which included the freehold transfers of Pendeen Car Park, public conveniences, recycling centres, bus shelter and street lighting at both locations at nil cost to the Town Council.

The Town Council considered the issue with the majority view in favour of proceeding with the purchase. There was a discussion on the issue of business rates in respect of the public conveniences, Council building and Lafrowda Car Park. The annual total cost for business rates in 2017 was £22,150. St John's Car Park was exempt from business rates as it was a free car park, unlike Lafrowda Car Park which was "free at the point of use". The Town Mayor commented that if the Council's decision was to purchase the car park, then it was likely that it too would be exempt from business rates as there would be no assumed income as the Town Council would ensure that it remained a "free" car park, as no assumed level of income would be paid to Cornwall Council in lieu of parking meters. The majority Council view was that the local community would be supportive of the purchase and therefore it was: -

RESOLVED: That Cornwall Council is advised that the Town Council approves to an "in principle" agreement to proceed with the freehold purchase of Lafrowda Car Park at a cost of £100,000, together with the freehold of transfer at nil cost to the Town Council of St John's Car Park, Pendeen, public conveniences, recycling centres, bus shelters and street lighting at both locations, subject to the successful completion of negotiations between the Town Council and Cornwall Council.

The Town Clerk asked if the Town Council wished Cornwall Council's Legal Services to act on its behalf during the legal process. The Town Council instructed the Town Clerk to seek commercial quotations for legal services from Stephen Scown, CVC and Coodes Solicitors and to report back to a future meeting on costs.

At this point in the proceedings, and in accordance with his disclosure of interest, the Deputy Mayor withdrew from the meeting for the discussion on the freehold purchase of the Council Office building.

The Town Council discussed the freehold purchase of the Council Office building at a cost of £165,000. Some Town Councillors expressed concern as to the level of community support for such a purchase and felt that the local community should be consulted prior to a formal decision being taken. However, there was a majority view that given the low price this was an opportunity that should not be missed.

RESOLVED: That Cornwall Council is advised that the Town Council approves to an “in principle” agreement to proceed with the freehold purchase the Council Office building at a cost of £165,000 subject to the successful completion of negotiations between the Town Council and Cornwall Council.

(Action by: Elaine Baker)

TC.262 MATTERS FOR REPORT

The Town Clerk reported that the Annual General Meeting of the St Just Twinning Association was to be held at 7.00 p.m. on 23 February 2017 at Tremorran, Botallack, St Just. All Town Councillors were welcome to attend.

Cllr Clemens reported on the problems of vehicles accessing Pendeen Playing Fields. The Town Clerk reported that the issue had been resolved.

It was AGREED that the issue of the Council’s defibrillator would be placed on the next agenda for discussion.

(Action by: Elaine Baker)

TC.263 INFORMATION ITEMS

None received.

Meeting closed at 8.05 p.m.

Town Mayor