

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 March 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
	Mrs G Salmon

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Cllr Mrs James – Cornwall Councillor
Mrs Ginny March & other representatives – Friends of St Just Library
Mr Roger Carter – PA17/01726

TC.280 APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr T McFadden.

TC.281 DECLARATIONS OF INTERESTS

Cllr F Morris and Cllr G Roberts declared a non-discloseable interest in min. no. TC.280/17 (Proposed Base Installation at St Just Cricket Club) as club members and agreed to withdraw from the meeting for consideration of the item.

The Deputy Mayor declared a non-discloseable interest in min. no. TC284(a)/17 (Applications) in respect of PA17/01794 as the applicant was a friend and he agreed to withdraw from the meeting for consideration of the application.

TC.282 DISPENSATIONS

There were no dispensations granted.

TC.283 MINUTES

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

TC.284 MATTERS ARISING

In response to a question from Cllr Mrs Blundy, the Town Clerk reported that Cornwall Council, as owner of the building, had given landlord approval to the siting of the defibrillator on the outside of the building. However, confirmation was awaited from the Planning Service as to whether planning consent was required.

TC.285 REPORT OF THE TOWN MAYOR, DEPUTY TOWN MAYOR AND TOWN COUNCILLORS

The Town Mayor reported that he had recently attended the memorial service for John Harry, and a meeting of Centre of Pendeen on 14 March.

The Deputy Mayor reported that he had attended the Shrove Tuesday – hurling event at St Columb Town Council.

Cllr Mrs Blundy reported that she had attended the Memorial Service for John Harry.

Cllr Clemens reported that he had attended the West Penwith Community Network Panel meeting on 16 March 2017, and commented on planned changes to community policing and the role of PCSO's.

Cllr Mrs Cock reported that she had attended the memorial service for John Harry and a recent meeting of the Twinning Committee, and confirmed that a group would be visiting from Nevada City at the end of April and would be visiting Geevor Tin Mine.

TC.286 REPORT OF THE CORNWALL COUNCILLOR

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

As the Health & Social Care Sustainability and Transformation Plan process continued the Health & Adult Social Care Overview and Scrutiny Committee had delivered a "not fit for purpose" verdict after taking extensive evidence. The full report would be available soon but the conclusion was as follows: -

"Therefore, as a result of our considerations, concerns and research and the compelling information provided to us, we conclude that the Outline Business Case was not fit for purpose as a public document although it met NHS England requirements. The engagement process was poor and ill judged.

The Full Business Case must answer our concerns and have solid, clear, evidence for any proposals.

The role of scrutiny is as a critical friend, and we request that as the Full Business Case is drafted, interim reports are brought at relevant intervals. These reports should include financial information."

Last week Cllr Mrs James was honoured, as Vice-Chair of Housing, to attend the "Cutting of the turf" event at Tolvaddon, with the Cabinet member for Housing to launch the building of 38 new Council homes. There would also be three self-build plots available. This was part of Cornwall Council's pilot to have homes constructed off-site and could result in a factory being built in Cornwall to help accelerate the programme of building homes for local people at a more affordable price but at higher specification.

Cllr Mrs James had also been involved in Cornwall Council's programme to encourage young people to register and vote in the upcoming and future elections. She had attended Cornwall College, Camborne and Helston Community College. The young people were interested but felt that they did not know where to go to find out facts that would help them come to informed decisions. They did not feel councillors or MPs tried to communicate with them in an interesting or relevant way.

Cllr Mrs James reminded the Council that Cornwall Outdoors were hosting an open day at Carnyorth Outdoor Activity Centre on Wednesday 5 April, between 10am and 4pm to engage with the local community. Visitors would have the opportunity to try out the climbing tower and to find out more about the various activities on offer at the centre. There would also be face painting and refreshments. There would be a small charge of £1 for under 18's and £3 for adults to climb. All proceeds would go to St Julia's Hospice and to support the Lafrowda festival. Volunteers from the groups benefiting would be helping on the day.

Regarding the Town Council's aspirations for freehold purchases of both the Council building and the local toilets and car parks, Cllr Mrs James reported that the matters were going before Cornwall Council's Strategic Devolution Group on 21 March. As background, Cornwall Council had limited devolution resources and the team had been prioritising the larger devolution packages which produced the larger savings. In a statement issued by the team last year, St Just had not been included in the early tranches for devolution. However, putting the Council's aspirations before the Strategic Devolution Group could bring matters forward. Cllr Mrs James stressed that, if approved, it was the start of processes within Cornwall Council, authorising information packs to be produced to allow due diligence before final transfer decisions to proceed were made. Therefore, it was unlikely that detailed packs would be produced before the elections on 4 May. The Town Clerk confirmed that following the meeting the Town Council would be advised of the group's decisions and given an indication of timescales.

Finally, Cllr Mrs James had been approached about the condition of the St Just skate Park and she was hoping officers could update her on potential Council funding streams prior to meeting the young people to discuss their fundraising plans at the Outdoor Activity Centre on 5 April. Cllr Mrs James was happy for a representative of the Town Council to also attend the meeting. This would be an informal meeting to listen to the young people. Any action would likely be after elections in May.

TC.287 LOCAL MAINTENANCE PARTNERSHIP (LMP) 2017 / 18 – ELIGIBLE FUNDING & RETENTION OF CONTRACTOR

The Town Council considered the acceptance of the grant offer of £6,820 from Cornwall Council for the cutting of public rights of way within the parish as part of the LMP for 2017 / 18, and the suspension of standing orders to enable the retention of the Council's existing contractor to undertake the contract.

The Town Clerk advised the Council that Scottworthy Estate Services had indicated that it was willing to continue as the Council's preferred contractor for the LMP. However, regarding the South West Coast Path element (which was also to be considered at meeting), the contractor had indicated that the amount of grant being offered was insufficient given the access to the path and additional health & safety issues due to

the terrain and therefore was not willing to carry out that element of the contract. The Town Clerk commented that the Council had three options: -

- Tender for both contracts on the open market;
- Accept the LMP element only; or
- Provide additional funding from the Council's budget to cover the additional costs incurred by the contractor.

The Town Council expressed its support for continuing with Scottworthy Estate Services as its preferred contractor and

RESOLVED: That

- (1) the grant offer of £6,820 from Cornwall Council for the LMP 2017 / 18 be accepted, and
- (2) Standing Orders on Contracts be suspended to enable the re-engagement of Scottworthy Estate Services as the Council's preferred contractor to deliver the LMP in 2017.

(Action by: Elaine Baker)

TC.278 SOUTH WEST COAST PATH – LOCAL MAINTENANCE PARTNERSHIP (SWCP) 2017 / 18 – ELIGIBLE GRANT FUNDING & RETENTION OF CONTRACTOR

The Town Council considered the acceptance of £331.97 of grant funding from Cornwall Council for the cutting of specific lengths of the SWCP during 2017 / 18.

RESOLVED: That

- (1) The grant offer of £331.97 from Cornwall Council be accepted;
- (2) Standing Orders on Contracts be suspended to enable the re-engagement of Scottworthy Estate Services as the Council's preferred contractor to deliver the LMP in 2017; and
- (3) The Scottworthy Estate Services be paid £600.00 for the SWCP element of the LMP in 2017, and that the additional cost be met from the Council's budget.

(Action by: Elaine Baker)

TC.279 GRASS CUTTING AGREEMENT 2017 / 18

The Town Council considered the acceptance of the grass cutting contract with Cornwall Council for the Closed Churchyard, St Just in 2017 / 18. Under the terms of the agreement the Council would receive £81.24 from Cornwall Council by way of a contribution towards the annual maintenance costs. As in previous years, the Town Clerk reported that the maintenance work would be carried out by Far West Garden Services as part of the grass cutting contract.

RESOLVED: That acceptance of the agreement be approved and that the Town Clerk is authorised to sign the agreement on behalf of the Town Council.

(Action by: Elaine Baker)

TC.280 PROPOSED BASE STATION INSTALLATION AT CIL208095 – VF12958 – TEF50856 – ST JUST CRICKET CLUB, CAPE CORNWALL ROAD, ST JUST

In accordance with their disclosures of interest Cllr F Morris and Cllr G Roberts withdrew from the meeting for consideration of the following item.

The Town Council considered a letter from Sinclair Dalby Ltd. dated 6 March 2017 which sought the Town Council's views on a proposal for the installation of a base station by Vodafone Ltd. and Telefonica (UK) Ltd. at St Just Cricket Club.

RESOLVED: That Sinclair Dalby Ltd is advised that the Town Council supports the erection of the base station at the Cricket Club which will improve the local infrastructure. However, the Town Council also requests that, if not already undertaken, neighbouring properties are also consulted.

(Action by: Elaine Baker)

TC.281 NEIGHBOURHOOD PLANNING – AREA OF DESIGNATION

The Town Council considered the submission of a formal application to Cornwall Council for an "area of designation" as the initial stage in the development of a neighbourhood plan for the parish. The Town Council was advised that under the terms of the scheme the "area of designation" had to be the whole parish area.

RESOLVED: That the Town Clerk is authorised to submit a formal "area of designation" application to Cornwall Council as part of the neighbourhood planning process.

(Action by: Elaine Baker)

TC.282 FREEHOLD ACQUISITION – ACCEPTANCE OF QUOTATION FOR LEGAL SERVICES

The Town Council considered the acceptance of a quotation for legal services for the freehold acquisition of the Council building and Lafrowda Car Park (including Pendeen Car Park, together with public toilets, recycling facilities, streetlighting and bus shelters at both locations).

Details of the quotations had been previously circulated to Town Councillors as set out below: -

(1)	Coodes	£1,500 - £2,000 (plus VAT & disbursements)	Based on all titles being registered at Land Registry, no land searches, no transfer of titles, no occupational tenancies, no business transfers and no ancillary documentation.
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- (2) Nalders
(Two quotations)
- | | | |
|-------------------|-------------------|---|
| Council Building | £2,066.23
VAT) | (incl. Additional charge payable to Landlord for registration of notice of transfer – cost to be advised when lease provided. Possible additional stamp duty and registry charges if new lease. |
| Lafrowda Car Park | £1,656.23
VAT) | (incl. Comments as above. |
- (3) Stephens-Scown
(Two quotations:
fee estimate or
fixed fee)
- | | | |
|--------------|--|--|
| Fee estimate | £3,250 - £3,500
(Plus VAT &
disbursements) | Additional expenses: £500 – 750 per site for conveyancing searches; £36 telegraphic transfer fee; Stamp Duty £300 for Council building transfer (if assessed separately); if linked £2,750 & up to £50 minor expenses. |
| Fixed Fee | £3,950 (Plus VAT &
disbursements) | |

RESOLVED That the “fixed fee” quotation from Stephens-Scown be accepted as it represents best value as full financial disclosure was still awaited from Cornwall Council.

(Action by: Elaine Baker)

TC.283 FINANCE

(a) Financial Assistance

The Town Council considered the re-submission of the grant application from the Friends of St Just Library (FoSJL) in respect of running costs for the management of the library following the devolvement of the service from Cornwall Council to the group.

The Town Council was informed that the group had been granted CIO status by the Charity Commission, and that the application now included financial projections over a three-year period, as previously requested by the Council.

FoSJL was seeking a three-year financial commitment from the Town Council to support its running costs, commencing in November 2017. The need for the application now was that Cornwall Council required a commitment from the group that it had the necessary funding in place to support the service.

The FoSjL estimated that its annual total running costs would be in the region of £13,000.

The Town Council was advised that the group was looking to the Council to agree to a £6,500 commitment over a three-year period. This figure included the £2,500 previously paid by the Town Council to Cornwall Council to support the Tourist Information Service. The FoSjL maintained that if the Town Council was to support its request then the group would be able to meet its annual revenue costs.

The Deputy Mayor commented on the robust business plan that had been submitted as part of the application, and in view of this proposed and it was seconded by Cllr N McFadden that a grant of £7,500 be awarded for the next three years, and that a member of the Town Council be appointed as a corporate trustee on the FoSjL Board of Trustees.

RESOLVED That

- (1) That the payment of a grant of £7,500 be approved for the following three financial years 2017-18, 2018-19, & 2019-20, subject to review in years two and three to confirm the continued financial viability of the project; and
- (2) That one Town Councillor is appointed as a corporate trustee on the Board of Trustees.

(Action by: - Elaine Baker)

(b) Accounts for Payment

RESOLVED: That the accounts to the value of £16,012.98 be approved for payment.

(Action by: Elaine Baker)

(c) Letters of Thanks

There were no letters of thanks.

TC.284 PLANNING

(a) Applications

PA17/01895 Erection of new lean-to conservatory on front elevation at 1, Pleasant Terrace, St. Just. Applicants: Mr. and Mrs. Harvey. **(T Cl No objection)**.

In accordance with his disclosure of interest the Deputy Town Mayor withdrew from the meeting for consideration of the following application.

PA17/01794 Felling of Ash (T1) felling of Cherry Tree (T2) and reduction of canopy of Ash Tree (T3) at Rosewell, Cot Valley, St. Just. Applicant: Mrs. Alexandra Maund. **(T Cl Agreed with the Tree Officer's comments).**

PA17/01726 Proposed annexe accommodation (on site of garage) and kitchen extension to cottage at Trevean, 8, Falmouth Place, St. Just. Applicant: Mr. Mark Coe. **(Strong Objection - on the grounds of over development of the site. Annexe not attached to the main building at some distance and therefore should be treated as a new build not an annexe. Due to ground levels concern at the height and scale of proposed development and impact on neighbouring properties).**

PA17/02055 Proposed entrance porch at Tor Barn, Higher Bojewyan, Pendeen. Applicants: Mr. and Mrs. D. Adams. **(T Cl No objection).**

PA17/02267 Proposed rear two-storey extension at 6, Vounder Glaze, St. Just. Applicants: Mr. and Mrs. M. Strick. **(T Cl No objection).**

(b) Decisions

PA17/00365 Conversion of redundant farm building to a dwelling with associated amenity space at Bollowal Farm, Bollowal, St. Just. Applicant: Mr. Archelaus Thomas. **Approval** (T. Cl. No Objection).

PA17/00369 Proposed conversion of two redundant barns to form two residential annexes at The Vicarage, Church Road, Pendeen. Applicant: Mr. I. Sharpe. **Approval** (T. Cl. Support).

TC.285 ST JUST IN BLOOM

The Town Council considered a request from St Just in Bloom to use the display cabinet in Bank Square as an awards display case and for the Town Council to cover the cost of necessary works to make the cabinet "fit for purpose".

RESOLVED: That the request from the St Just in Bloom group to use the display cabinet in Bank Square as an awards cabinet be approved, and that the Town Council meets the cost of any necessary works up to a maximum of £500.00.

(Action by: Elaine Baker)

TC.286 DATA PROTECTION & DOCUMENT MANAGEMENT POLICIES

The Town Council received draft Data Protection and Document Management Policies for approval in accordance with the recommendations of the Internal Audit Committee.

RESOLVED: That the Data Protection and Document Management Policies be approved and published on the Council's website.

(Action by: Elaine Baker)

TC.287 MEETING DATES 2017 / 18

RESOLVED: That the timetable of Council meetings for 2017 / 18 be approved and published on the Council's website.

(Action by: Elaine Baker)

TC.288 MATTERS FOR REPORT

The Town Clerk advised those Town Councillors who were considering standing for re-election that Cornwall Council had given advanced notification of details of Code of Conduct training following the election on 4 May 2017. The training would take place from 2 – 4 p.m. on 23 May at St John's Hall, Penzance. Town Councillors were reminded that all Councillors were required to undertake training within six months of being elected. The Town Clerk confirmed that 12 places had been provisionally booked.

Cllr Mrs Blundy reported on a potential carers pilot scheme and an event being organised locally for volunteer carers.

TC.289 INFORMATION ITEMS

None received.

Meeting closed at 8.12 p.m.

Town Mayor