

29/9/08 2827 Meeting of the Town Council was duly convened and held in the Council Chamber at 1 Chapel Street St Just on Monday 29th September 2008 at 7.15 p.m.

Present: Councillor M Nicholls – Town Mayor

Councillor M Thomas – Deputy Town Mayor

Councillors Mrs S James, Ms S Angove, B F Angwin, B Rees, W East, C McClary, K McFadden, N McFadden, D Stevens together with the Town Clerk (Mrs E George).

Press

Police (2)

1 member of the public

1.APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs S Olds.

2.DECLARATIONS OF INTEREST

Councillor K McFadden declared an interest in agenda item 10 (i).

Councillor C McClary declared an interest in planning application 08/1207/P.

3.REPORT OF THE TOWN MAYOR

The Town Mayor gave a verbal report of his appointments since the last full meeting of the Town Council.

4th September – Twinning meeting at Penzance (Bendigo and Grass Valley)

7th September - Mayors Sunday and the Botallack Fair

10th September – Working Party meeting

10th September – St Just and Pendeen Liaison Group meeting

16th September – St Just and Pendeen Children Centre

18th September – Plymouth Britain in Bloom Awards

4. REPORT OF THE DEPUTY TOWN MAYOR

Nil.

5. REPORT OF TOWN COUNCILLORS

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Councillor Rees reported his attendance at the Liaison Group meeting on the 10th September and an Executive Committee meeting of CALC and judging for Quality Council Status.

Councillor Angwin reported his attendance at the Liaison Group meeting and the Bendigo Twinning Association at Penzance.

6. REPORT OF DISTRICT COUNCILLORS

Nil.

7. REPORT OF THE COUNTY COUNCILLOR (SA)

Councillor Angove reported that there is a possibility that the County Council may make a legal challenge to the recent announcement of Post Office closures.

8. REPORT OF THE POLICE OFFICER

The Police Officer reported that there had been 9 reported crimes compared to 19 for the same period last year. There had recently been high profile speed checks on the A3071 and issues of illegal parking .

9. CONFIRMATION OF THE MINUTES.

The Minutes of the meeting of 1st September 2008 and 15th September 2008 were confirmed and signed.

10. MATTERS ARISING FROM THE MINUTES:

a)One Cornwall – update

Councillor Angove informed the Town Council that the new Chief Executive has been appointed to the Unitary Authority. He would soon be taking up his position. A draft protocol for working with Parish and Town Councils was in process.

Councillor McClary enquired if planning applications would be advertised in the local press under the new Authority. Councillor Angove stated that the readership and circulation varied considerably and this was the problem.

The Clerk reminded the Council that Sally Newby from Penwith District Council had agreed to come and talk with Councillors on the subject of Community Networks on Monday 20th October 2008 at 7.15 p.m.

b)Community Land Trust (SJ)

Councillor James reported on the meeting of the above Trust on 8th September 2008.

A copy of the minutes is available on request to Sue James. The Group would be looking at the options available in the light of the current financial situation. The

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Trust would require local people to become trustees and a Constitution would need to be established as well as identifying a custodian for the Trust. The next meeting is scheduled for 15th October.

c)Strategic Housing Land Availability Assessment – Methodology Scoping Report –proposed response from the Town Council (SJ) (copies circulated)

Councillor James made the above response in the form of a proposal that suggested that a publicity period of 3 months be built into the process of a Land Availability Assessment giving Town and Parish Councils time to work within their communities to identify suitable land. As a consequence the deadline for returning the form at Appendix 2 should be put off to one month after the end of the publicity period.

The consultation document arrived with Town and Parish Councils when most Councils are in the process of Recess for the Summer holiday period hence making it difficult to schedule a time for discussion when most Councillors could give their time to the matter.

On a proposal by Councillor McClary followed by the unanimous vote of the Council it was resolved that Councillor James' proposal be submitted to Martin Cookman the Planning Policy Team Leader at Carrick and Greg Clouter at Penwith District Council as directed on the document.

d)Proposed Post Office Closure Programme.

Penwith District Council had written to confirm that seven post office branches in Penwith will close, namely: Alverton, Lelant, Madron, Morrab Road, Nancledra, Paul and Stennack. Noted.

e)BT consultation – removal of Phone Kiosks – from PDC for information.

The District Council had enclosed a copy of the Final Notification which has been sent to B.T. and the Secretary of State as required by the regulations. Noted.

f)Town Council's Twinning Committee – update (MN)

The Mayor informed the meeting that the scheduled meeting of the above Committee was planned for 8th October in the Council Chamber St Just.

g)Matthew Taylor M.P. letter re proposed incinerator

The above M.P. had written to state that he is receiving increasing support from the Parish and Town Councils across Cornwall setting out the case for a public inquiry.

He had also included a copy of a letter from Baroness Andrews, Parliamentary Under Secretary of State.

h)Concern at Cot/Tregeseal streams ecosystem – response from National Trust

The Clerk reported receipt of a detailed response from the National Trust giving considerable details of all the measures taken prior to the Japanese knotweed eradication programme and the advice and support that was given by the Environment Agency and English Nature. Initial trials were also taken.

The Town Council expressed its gratitude for the information contained in the letter.

As there were no obvious answers to the public concerns at this point in time the Town Council instructed the Clerk to contact the Environment Agency, South West Water and the National Trust to meet with the Town Council to discuss these concerns and to identify if an ongoing problem exists and what, if anything, can be done to alleviate the concerns that currently exist in relation to this matter.

i)CCC – response re proposed stopping up of highway at Bosorne Road/Regent Terrace, St Just.

The County Council legal department had written to confirm that the application by the Highway Authority to the Magistrate's Court on 3rd October 2008 will no longer take place as a result of the Town Council's decision to withdraw its consent to the application. Noted.

j)Battery Collection Scheme – Council participation? (info circulated)

The Council resolved that it wished to be involved in this recycling scheme and instructed the Clerk to enquire from 2 retail outlets in St Just and 1 in

Pendeen if they were willing to act as collection points. Subject to acceptance by the 3 retailers, the Clerk to order 3 tubes as specified from the County Council's Waste Management Officer.

k)Heath Project – consideration of – as result of recent meeting

The Council discussed this item in considerable detail following a meeting with the Save Penwith Moors Group and Natural England (The Heath Project). Concerns were expressed on the proposed fencing, possible danger of cattle to public, lack of monitoring of the project, further consideration be given to more traditional methods of controlling gorse and bracken.

On a proposal by Councillor McClary seconded by Councillor S Angove the Council resolved – Whilst acknowledging the need for some form of management of Kenidjack Common, the Town Council feels that the proposals as put forward by the Heath Project, particularly regarding the erection of fencing, stiles and gates, will have an adverse effect on access and tourism. (8 in favour, 2 against, 1 abstention).

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The Clerk to inform the following of the above decision: A George, M.P., Rt. Hon. Hilary Benn – Secretary of State for Environment, Food and Rural Affairs, Mr I McNeil Cooke and Mr C Wetherill (Save Penwith Moors Group,) The Heath Project – Natural England, Mr J Brookes, National Trust.

l)Council nominations for Citizen of the Year – 1. Senior. 2. Junior

To ensure uninterrupted progression of the meeting, the Council resolved to deal with this matter at the end of the meeting.

The Council resolved to go INTO COMMITTEE

1. Senior Award.

The Council made a unanimous (joint) Senior Award to be presented at Feast Sunday.

2. Junior Award.

The Council make a unanimous (joint) Junior Award to be presented at Feast Sunday.

The Clerk to invite those nominated above to the Feast Service and make the necessary arrangements for the engraving of the shields and salvers as in previous years.

The Council resolved to come OUT OF COMMITTEE –

m) Allotment Provision – update (DS)

Councillor Stevens informed the Council that he had identified some suitable land at Bosworlas that the owner was prepared to negotiate to sell to the Council for allotment provision. It was conveniently situated on a south facing slope in a sheltered valley and had the benefit of a definitive footpath directly alongside. The footpath would require work to upgrade it somewhat but it was a path that had previously been identified by the County as a valuable inland route and was considered for contract funding. Two parcels of land were available. Penwith District Council had indicated that they may provide £3000 funding for this project. Along with the Town Council's existing budget provision this could bring the possible total funding available from all sources to £70,000. Various costings would need to be made for, valuation, planning, sheds provision, water supply, possibly parking provision and toilet facilities together with the development and security of the site.

The Clerk was instructed to make enquiries from the District Valuer on the possibility of a valuation and the cost of that service, to enquire on the basic principle of the scheme from the Planning Department at Penwith and to make enquiries from County Highways on the progress, if any, on the upgrading of the footpath mentioned above. Report back to the Town Council at the next meeting.

On a proposal by Councillor McClary seconded by Councillor Thomas the Council resolved to move forward with this project.

11. FINANCE

a)Applications for financial assistance
Section 137 of the 1972 Local Government Act.

1. The Plen Project – M.A. Bloomfield.
(Geo-physical survey)

The Council resolved to grant £350 to the Plen Project for the above survey which is being undertaken to attempt to locate "The Devil's Spoon" which is said to be located under the site.

b)Letters of thanks
Nil.

c)Accounts for payment

The following accounts were approved for payment:

Totalling £ 1625.37

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d)Second Instalment of Precept for 2008/9

The Clerk reported receipt from the District Council of the second instalment of the current year's Precept.

e)Notice of Completion of Audit – Audit Commission and Auditors Report

The Clerk informed the Council of this satisfactory audit with no items to bring to the Council's attention concerning the accounts.

The Auditor pointed out the requirement for a complete Risk Management Review by the Town Council's Internal Audit Committee. Guidance on the procedures was available in the NALC Guidance and Accountability publication. A review of all procedures of the Town Council including

financial and other risks was required at least annually. The Clerk suggested the Internal Audit Committee meet to discuss the above requirement in the near future. Noted.

12. PLANNING

Councillor Thomas made the following statement: "In commenting on this application 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 the District Planning Committee and full information is available."

a) Applications

08-1207-P

Construction of replacement dwelling and associated works at Peacehaven, Boscawell Downs, Pendeen for Arcostudios Ltd. Penzance. T.CI. supports.

08-1208-P

Conversion, alteration and extension of existing outbuilding to provide annexed accommodation at Ocean View, 16 Carnyorth, St Just for Mr Eric Dudley. T.CI. No obj.

08-1255-TPO

Lopping of 2 No. Ash Trees at 22 The Turnpike, St Just for Mrs M Sedgeman. T.CI.No obj.

08-1244-HP

Replacement of windows and doors with upvc at 11 Carn Bosavern Close St Just for Mrs Olds. T.CI. No obj.

08-1261-P

Change of use from Builders Store/Garage to Domestic Store/Garage at Brea Barn, St Buryan for Mr Anthony White. T.CI.No obj.

08-1287-CAC

Demolition and re-building of upstream concrete masonry parapet at Nancherrow Bridge for Cornwall County Council. T.CI. No obj. Council strongly suggests the use of locally sourced granite/silver grey felspar matching that in West Penwith. (Prop.CM,seconded BFA)

13. APPLICATIONS TO USE THE PLAIN AN GWARRY

1. Celtic Strongman Challenge 2009 – 29th August 2009 (Provisional booking)
2. Ash Tree Actors – Saturday 3rd October.

The Town Council resolved to grant both of the above applications for use of the Plain an Gwarry.

14. MEMBERSHIP OF OUTSIDE BODIES (SA)

Councillor Angove raised the matter of the Town Council's representation on outside bodies. The Town Council previously had two Councillors appointed from the AGM to Age Concern Committee – both representatives were no longer Councillors. Councillor Thomas proposed that Councillor Angove be appointed as the Town Council's representative and Councillor East was asked if he would agree to being the second appointment, to which he agreed. The Clerk to write to the Age Concern Committee Chairman accordingly.

The second representation discussed was the Council's representation on the P.A.C.T. panel. Initially two Councillors who are no longer on the Town Council, were appointed to be representatives. Councillor Sue James is currently the Council's representative on the Group. The Clerk was instructed to write to the Neighbourhood Beat Manager to enquire about the appropriate amount of representation required and report back to the next meeting.

15. ST JUST CRICKET CLUB (Recognition of achievements) (CM)

Councillor McClary brought the matter of the recent considerable achievements of the St Just Cricket Club and stated that he felt a civic recognition in the form of a parade and reception should be considered.

The Council agreed and the Working Party of the Council was asked to meet in the near future to discuss and arrange as considered necessary.

16. ST JUST CRICKET CLUB – participation in the Cockspur Cup and Sky TV (NMc)

Councillor Neil McFadden brought this matter to the attention of the Town Council also believing that recognition for this seasons achievements should be considered by the Council.

As Agenda item 15 (above) had resulted in a decision, Councillor McFadden added his support to the decision.

17. LAND AT BOSCASWELL DOWNS(NMc)

Councillor McFadden asked for an update on this subject.

The Mayor responded by stating that the Pendeen School's gardening club were working successfully on the land and there was an increased interest from the pupils. The land had been tidied of weeds and litter and was being enjoyed as a recreational space.

Councillor McFadden asked for the amount of funding for this project to be capped. The Clerk informed him that this land was the responsibility of the Town Council and the Council retained control over it. After considerable discussion it was agreed to put the matter to a vote. Councillor Neil McFadden proposed and Councillor Kevin McFadden seconded that a letter be sent to Pendeen School capping the amount of funding. 4 voting in favour of this proposal and 5 against - therefore the proposal was lost.

18. CORRESPONDENCE:

a)Letter from local resident re Balleswidden Chimney – concern at condition

The Clerk stated that she had received a letter from a local resident concerned that this prominent landmark on the approach to St Just was deteriorating rapidly and he believed would fall down if not conserved in the near future.

The Clerk was instructed to write to the Cornwall Archaeological Unit and bring these concerns to their attention.

b)Geevor Grand Opening of Hard Rock Museum

Notification had been received of the opening of the above facility on Saturday 11th October at 11 a.m. Noted.

c)PDC – letter re possible further consideration of Young Citizen of the Year due to lack of response

The Council agreed to adhere to their previous decision to support Councillor Goninan's nomination.

d) Letter from local resident re Use of Defibrillators in rural areas

This letter was read to the Town Council and they instructed the Clerk to write to the Primary Care Trust and enquire on the availability of defibrillators and trained personnel in rural areas.

e) PDC- supply of Christmas Trees

The Clerk reported that the District Council had offered to supply Christmas trees as usual and requesting an order, also informing the Council that responsibility for erection, decoration and dismantling was that of the Town Council. The Clerk had ordered one tree for Pendeen and one for St Just, as usual.

The Council confirmed the actions of the Clerk in this matter.

f) Communities and Local Government – the making and enforcement of byelaws – a Consultation (comments by 20th November).

The Clerk informed the Council of this current consultation regarding the process that would be required for making local byelaws. It would, in the future, make it easier for minor Local Authorities to make byelaws relating particularly to their own areas. Noted.

g) CCC – Wildlife and Countryside Act 1981 – The County of Cornwall (Varying of part of footpath 73 St Just) Modification Order 2008. Confirmed Order

The Clerk informed the Council that the inaccuracy in this footpath had now been corrected by the Modification Order and this was a satisfactory result. Noted.

19. PUBLICATIONS:

The following publications had been received and were available from the Town Clerk's Office on request:

- a) Cornwall Link – newsletter
- b) Local Council Review – official journal of NALC
- c) PAROW – minutes and agenda
- d) Outreach
- e) Childrens Hospice South West – newsletter
- f) The Selus – Church magazine
- g) Penwith Minutes and Agendas
- h) Clerk and Councils Direct
- i) Family Information Service information

j)Your Cornwall – newsletter.

20. MATTERS OF REPORT

1. Councillor Rees reported the faded 30 mph signs at Nancherrow.
2. Councillor Rees reported obstruction of the highway by parked vehicles continuing at Carn Bosavern.
3. Councillor Angove stated that she was seeking a volunteer to assist her with grant allocations in the area.
4. Councillor East enquired on the location of the Cornish cross that had been damaged and removed following an accident at Tregaverah junction. Councillor Angwin stated he believed it was in safe custody awaiting reinstatement.

There being no further items of business the Town Mayor closed the meeting, thanking the members for their attendance.

CONFIRMED THIS 27TH DAY OF OCTOBER 2008.

Town Mayor.....

