

MINUTES of the MEETING of ST JUST-IN-PENWITH TOWN COUNCIL held in the Council Chamber, Council Offices, 1 Chapel Street, St Just on Monday 22 November 2010 at 7.15 p.m.

PRESENT

Councillor D Stevens - Mayor
Councillor M Thomas – Deputy Mayor

COUNCILLORS

Ms P S Angove	K McFadden
B F Angwin	N Mc Fadden – arrived at 7.19 p.m.
W F East	F Morris
Mrs S James	M Nicholls
C S McClary	Mrs S Olds

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Sue Walters, Development Management Manager (West)
Phil Brookes, Planning Officer, Cornwall Council Planning & Regeneration Service (West)

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Chris Goninan.

TC.210 PUBLIC ADDRESS AT COUNCIL MEETINGS

None received.

TC.211 MINUTES

RESOLVED:-That the minutes of the Extraordinary Meeting of the Town Council held on 2 November and the Ordinary Meeting of the Town Council held on 8 November 2010 be approved as an accurate record and signed by the Mayor.

TC.212 DECLARATIONS OF INTERESTS

Councillor Ms Angove declared a personal interest in planning application no. PA10/06415 at minute no. TC.224/10 (Planning) as a member of the Liberal Democrat Party to which the applicant was the local party Chairman.

Councillor Thomas declared a personal interest in planning application no. PA10/06415 at minute no. TC.224/10 (Planning) as a member of the Liberal Democrat Party to which the applicant was the local party Chairman.

Councillor Thomas also declared a prejudicial interest in planning application PA10/07324 at minute no. TC224/10 (Planning) as he was related to the applicant and agreed to withdraw from the meeting for consideration of the item.

Councillor Mrs James declared a prejudicial interest in planning application no.PA10/06415 at minute no. TC.224/10 (Planning) as the applicant and agreed to withdraw from the meeting for consideration of the item.

TC.213 REPORT OF THE TOWN MAYOR, DEPUTY TOWN MAYOR AND TOWN COUNCILLORS

The Mayor reported that he had attended the annual Remembrance Service at the War Memorial, St Just and a meeting of the Land's End Accommodation Providers to discuss the future of the Tourist Information Service in St Just on 11 November.

The Deputy Mayor reported that he had attended the Remembrance Sunday Service in Pendeen on 14 November and a meeting to discuss World Heritage Signage on 15 November which would be the subject of a report to the Council in due course. The Deputy Mayor also reported on the problem of coaches becoming stuck in Levant Road which had been raised by Councillor Goninan and that following discussion with Andy James, Regional Highways Engineer it had been agreed that width restriction signage would be placed at the top of the road advising vehicles of the restricted access to Levant Mine. This solution had the support of both the National Trust and Geevor Tin Mine.

The Deputy Mayor also reported that he had attended the Phoenix Project passing out ceremony at Penzance Fire Station on 19 November which had been completed by pupils from Cape Cornwall School.

Councillor Mrs James reported that she had attended the Remembrance Sunday Service at Pendeen on 14 November.

Councillor N McFadden reported that he had attended the Remembrance Sunday Service at St Just on 14 November.

TC.214 REPORT OF THE CORNWALL COUNCILLOR

In the absence of Councillor Goninan, the Town Clerk gave the monthly report on his behalf. The Health Adults Overview & Scrutiny Committee work in respect of the Single Issue Panel on Minor Procedures & Outpatients had been accepted by Cornwall Council and would be presented to the Royal Cornwall Hospitals Trust Board in December. The Cornwall & Isles of Scilly Primary Care Trust Board had already accepted the recommendations and were included in an action plan.

A meeting of the Geevor Partnership Board was held on 18 November.

Discussions were continuing in relation to the tenancy agreement for Balleswidden Stack.

A new Traffic Regulation Order for the parish had been agreed and was now with Cornwall Council's legal team. The next stage would be a period of public consultation. Councillor Goninan had advised the Town Council of the problem of coaches becoming stuck in Levant Road and he had asked the Deputy Mayor to bring the Council up to date on a possible solution which was agreeable to Geevor and the National Trust. This had been raised by the Deputy Mayor earlier on the agenda. Andy James, Western Area Highways Engineer continued to look at options for the B3306 and A3071 junction. Also the results of the trial Speed Visor at Truthwall had been published and Andy James was currently looking at the cost of fixing a warning visor for south bound traffic.

Councillor Goninan had also attended the meeting to discuss World Heritage Signage on Monday 15 November at the Town Council Offices with Deborah Boden, Andy James, Bill Lakin, Mike Simpson, Deputy Mayor and the Town Clerk to move the issue forward. Deborah Boden had made a presentation on the types of signage that could be used which had been the subject of a pilot study in the Tamar Valley.

Finally, Councillor Goninan reported that Cornwall Council's Cabinet had agreed the proposed Budget and that it would be considered by the full Council on 30 November, but he warned that there would be significant cuts.

TC.215 REPORT OF THE POLICE OFFICER

In the absence of the local Police the Town Clerk gave the Police report for the period covering 18 October to the 19 November 2010.

During that period there had been 12 Crimes reported which compared to 12 for the same period last year. These included one production of Class C Drug (Ketamine), one possession of Class C Drug (Ketamine), four breaches of an Interim Anti Social Behaviour Order, two assaults, two burglaries, one case of criminal damage and one theft.

The Mayor expressed concern at the lack of attendance by the local Police at Council meetings in recent months and the inability of the Council to raise questions directly with the Police Officers. Therefore it was

RESOLVED: That an email be sent to PS Marc Sayers advising him of the situation and requesting Police attendance at future meetings of the Town Council.

(Action by : Elaine Baker)

TC.216 CORNWALL COUNCIL PLANNING DEPARTMENT

Sue Walters, Development Management Manager (West) and Phil Brookes, Cornwall Council's Planning & Regeneration Service attended the meeting to respond to questions from the Town Councillors in respect of the planning process and as an opportunity to develop closer co-operation between the Council and Cornwall Council's Planning Service.

The Town Councillors outlined areas where they felt the current working practices were working well and those where it was felt improvements could be made. Councillor Mrs Olds said that it was important for the Council to receive the Planning Officer's comments in advance of the application being considered by the Town Council, as they helped to ensure a more consistent approach. The two way dialogue had also helped to improve the Planning Officer's knowledge of the local area and also Town Councillors' knowledge in the application of planning policies. It was acknowledged that the inconsistency in the application of the rules, particularly in Article 4 areas had been a concern to the Town Council. Ms Walters welcomed the comments but said that each application had to be considered on its own merits, taking into account additional issues including defending planning decisions at appeal.

Ms Walters referred to the Town Council's view in respect of trees and the pressure from the Council for Tree Preservation Orders (TPO) to be placed on trees within the area to increase their protection. She acknowledged the cumulative damage that could be caused in areas like St Just where trees were scarce and that in certain cases it may be expedient to place a TPO. Cornwall Council was taking the issue seriously and a training event was to be held in the New Year, organised by Cornwall Council's Tree Officer which she urged the Town Council to attend.

Councillor Angwin sought confirmation on the number of outstanding planning enforcement cases. Ms Walters confirmed that Cornwall Council had inherited a total of 800 enforcement cases. This figure had now been reduced to 140 within the former Penwith District area and she agreed to provide the Town Clerk with the actual figure in respect of outstanding enforcement cases within the parish.

Councillor Olds suggested that the planning process might be improved by obtaining planning consent for materials as part of the formal application process. In response, Ms Walters said that planning officers were now encouraging applicants to specify materials on their applications rather than have to submit a further application to discharge conditions at a later stage.

The Mayor commented on the number of applications that the Council received in respect of works for which planning permission was not required and for which applicants had paid a fee. He suggested that improved pre planning advice would reduce the frequency of such applications. In response, Ms Waters explained that the householder had the right to request a formal decision even though planning permission was not required and that in a number of cases this is why applications had been submitted.

In conclusion, Ms Walters advised the Town Council of a number of new initiatives that were being introduced over the next few weeks. On 1 December 2010 Cornwall Council was introducing a charge for planning advice which for householder applications would cost in the region of £30.00. With effect from 1 January 2011, a charge would also be made for pre-applications in respect of large scale projects, commercial / industrial / residential developments and the fee would be based on the size of the pre-application. A schedule of the scale of fees / charges would be sent to the Town Clerk when available.

A new planning "householder" team had also been established to fast track minor applications.

The Mayor, on behalf of the Council thanked Sue Walters and Phil Brookes for attending the meeting.

TC.217 COUNCILLOR REQUEST FOR ITEM TO BE PLACED ON THE AGENDA

To consider Payment for all Income Groups

Councillor East explained that his reason for putting the above on the agenda was to avoid a reoccurrence of the situation which had recently arisen whereby an Extraordinary Meeting of the Town Council had to be called to consider a request for financial assistance. Councillor East suggested that it may be beneficial to the Council to review, in advance, where requests for financial assistance may be made and to agree a limit on the S.137 budget.

In response a number of Town Councillors commented that the very nature of S.137 grants was that the need was unknown until an application was made and that it was impossible for the Council to determine in advance what requests would be made. It was the responsibility of Town Councillors to promote the grants within the local community so that local community groups and organisations know that funding was available.

The Mayor also commented that there were other acts which could be used by the Council to provide financial assistance.

TC.218 FORMER TELEPHONE EXCHANGE, ST JUST

The Council was asked to approve the executing of the transfer of the Former Telephone Exchange, St Just to the St Just & District Trust. A condition of the transfer was that in the event that the St Just & District Trust should cease to exist the property would be transferred to the Town Council for nil consideration.

RESOLVED: That Town Clerk be authorised to execute the transfer of the Former Telephone Exchange on behalf of the Town Council for return to Cornwall Council.

(Action by : Elaine Baker)

TC.219 CORNWALL FIRE & RESCUE SERVICE COMMUNITY SAFETY PLAN

The Council considered the detail of year 2 of the current three-year Cornwall Fire & Rescue Service Community Safety Plan.

RESOLVED: That, in view of the poor quality of the content of the document and questionnaire that Cornwall Council be advised that the Town Council will not be commenting on the document.

(Action by : Elaine Baker)

TC.220 CCTV CONSULTATION

The Council considered the detail of an inquiry that was currently being carried out by Cornwall Council's Communities Overview and Scrutiny Committee into Cornwall Council owned CCTV systems across Cornwall.

A number of recommendations had been made to the Cabinet on 14 October 2010 which included

1. A Three Centre Solution (Peak Time Monitoring), be approved as follows:
 - 1.1 Keep the existing 3 centres – Hayle, Newquay and Truro;
 - 1.2 Proactive monitoring of cameras takes place at peak times only;
 - 1.3 Remove some cameras based on risk; and
 - 1.4 Could be owned and run by Cornwall Council or owned by Cornwall Council and all aspects run by a third party.
2. Town and Parish Councils are consulted in relation to this option;
3. A system of fair and mandatory charging of stakeholders be put in place;
4. Negotiations be undertaken with towns with non Cornwall Council funded

CCTV systems, to explore possibilities for support which could be offered by the Council; and,

5. Recognise that capital replacement funding will be required and explore ways to identify funding to ensure CCTV systems are fit for purpose.

RESOLVED: That Cornwall Council be advised that the Town Council supports the recommendations made to Cornwall Cabinet on 14 October.

(Action by : Elaine Baker)

TC.221 CORNWALL COUNCIL (OFF STREET PARKING PLACES) ORDER 2011

The Council was advised that Cornwall Council was now seeking comments on a new Off Street Parking Order that would introduce consistency in car park charging across the county. The new order would harmonise the policies of the former district and borough councils.

RESOLVED: That Cornwall Council be advised that the Town Council supports the new car parking order but wishes to open discussions on the possibility of the Town Council taking over responsibility for the Lafrowda Car Park, St Just and Pendeen Car Park so that they can be retained as free car parks for the benefit of the local community.

(Action by : Elaine Baker)

Tc.222 REVISION OF THE VALIDATION LIST – CORNWALL COUNCIL

The Council was reminded that this item had been deferred for consideration from the Council meeting held on 18 October to give Councillors additional time to consider the content of the document. As part of the Killian Petty Review, Local Planning Authorities were required to review their local validation lists and comments were now being sought on the revised document.

RESOLVED: The Council noted the content of the revised local validation lists.

TC.223 FINANCE

- (a) Application for Financial Assistance

None received.

- (b) Accounts for Payment

RESOLVED: That the accounts to the value of £2,653.38 be approved for payment.

- (c) Letters of Thanks

None received.

TC.224 PLANNING

(a) Applications

PA10/05838 – Deferred from 08/11/10 Erection of low impact barn for agricultural use at Bartinney Downs, near Crows-an-Wra, St. Buryan. Applicant Mr. A. Jacobs as awaiting report from County Land Agent. **T CI Objection.**

Councillor Mrs James declared a prejudicial interest respect of the following application as the applicant and withdrew from the meeting for its consideration.

Councillors Ms Angove and Councillor Thomas declared a personal interest in respect of the following application as the applicant was also a member of the Liberal Democrat Party.

PA10/06415 Installation of solar and photovoltaic panels on dwelling and annexe at Higher Carnyorth Farm, Carnyorth, St. Just. Applicant Mr. & Mrs. R. James. **T CI supports in principle the use of this type of technology but is concerned about the proposed siting of the panels and suggests that the panels should be located on the roof of the extension or the ground so that they would be less intrusive.**

PA10/07149 Demolition of rear single storey extension and construction of two storey rear extension and single storey side extension at Stone Farm, 26, Bojewyan Stennack, Pendeen. Applicant Mr. Inger Ford. **T CI No objection**

Councillor Thomas declared a prejudicial interest in the following application as he was related to the applicant and agreed to withdraw from the meeting for its consideration.

PA10/07324 Removal of Conditions 1 and 2 of W1/65/P/20967, Condition 3 of W1/87/P/0125 and Condition 3 of W1/07/P/0284/FD at Kelynack Caravan and Camping Park, Crippas Hill, St. Just. Applicant Mrs. Grose. **T CI No objection.**

(b) Decisions

PA10/03586 Conversion of former dairy into residential accommodation and first floor extension at 23, Cape Cornwall Street, St. Just. Applicant Mr. & Mrs. R. Baker. **Approval** (T. Cl. No objection but did not feel that the French windows on 1st Floor were in keeping with design of the building).

PA10/03836 Construction of dwelling and associated works on land adjacent to 19, Lafrowda Close, St. Just. Applicant Mr. G. Clouter. **Approval.** (T. Cl. Supports the application but would like to see an amendment to the design so that it is in line with the adjoining property.

PA10/04817 Change of use from public house to private dwelling, replacement windows and doors, demolition of rear extension and installation of 4 rooflights on rear flat roof at 9, Bank Square, St. Just. Applicant Mr. Andrew Morris. **Approval.** (T. Cl. Support but would like to

see use of timber windows rather than upvc which is a more sympathetic design within a Conservation Area. **(Amendment for wooden windows confirmed by the Planning Officer)**

TC.225 INFORMATION ITEMS

(a) e-Planning Local Council Task & Finish Group

The Council confirmed the attendance of Councillor Ms Angove as the Council's representative at the second meeting of the group to be held on 16 December 2010.

(b) Sennen Feast

The Council received the invitation to attend Sennen Feast on 28 November 2010.

TC.226 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the identified paragraphs of Part I, Schedule 12A of the Act (as amended).

TC.227 ACHIEVEMENT IN SPORT AWARD (EXEMPT PARAGRAPH 1)

The Council reviewed the list of nominations which had been received in respect of the Council's new "Achievement in Sport Award" and agreed the recipient of this year's award which would be announced in the near future.

Meeting closed at 8.50 p.m.

Town Mayor