

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 5 September 2016 at 7.15 p.m.

PRESENT

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

COUNCILLORS

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

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Cllr Mrs S James – Cornwall Council
James Clark - Senior Associate, Foot Anstey LLP
Richard Marsden – Lawrence Associates PA15/05214
Ed Persee – EJFP Planning Ltd.
Stephen Semmens – Semmens Coal, Gas & Oil Supplies
Mike & Ellen Roberts – Applicants PA16/07357
Employees of Cornwall Garden Services
Local residents

TC.88 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Mrs Blundy and Cllr Mrs Salmon

TC.89 DECLARATIONS OF INTERESTS

The Town Mayor, Cllr T McFadden and Cllr D Roberts declared non-registrable interests in respect of minute no. TC.95(b)/16 (Applications) regarding planning application PA15/05214 as either being related to the applicant or an adjoining business, and agreed to withdraw from the meeting for consideration of the application.

The Town Mayor and Cllr T McFadden declared non-registrable interests in respect of minute no. TC.95(b)/16 (Applications) regarding planning applications PA16/06570 & PA16/07383 as both applicants were business customers and agreed to withdraw from the meeting for consideration of the application.

Cllr N McFadden declared a registrable interest in respect of minute no. TC.95(b)/16 (Applications) regarding PA15/05214 as the applicant and agreed to withdraw from the meeting for consideration of the application

The Town Mayor, Cllr T McFadden and Cllr N McFadden declared non-registrable interests in respect of minute no. TC.94(b)/16 (Accounts for Payment) as either the payee or related to the payee of one of the invoices for payment on the schedule.

Cllr D Roberts declared a non-registrable interest in respect of minute no. TC.95(b)/16 (Applications) regarding planning application PA16/07357 as he was related to the applicant and agreed to withdraw from the meeting for consideration of the application.

TC.90 DISPENSATIONS

There were no dispensations granted.

TC.91 MINUTES

RESOLVED: That the minutes of the Ordinary Meeting of the Town Council held on 1 August 2016 be approved as an accurate record and signed by the Town Mayor.

TC.92 MATTERS ARISING

There were no matters arising from the minutes.

TC.93 THE CORNWALL COUNCIL (FOOTPATHS No.186 (PART), 184 (PART) AND AN UNRECORDED FOOTPATH, ST JUST-IN-PENWITH (CHYROSE) PUBLIC PATH DIVERSION ORDER 2016

The Town Council received the above Order made on 17 August 2016.

TC.94 FINANCE

(a) Financial Assistance

The Town Council received the report by the Town Clerk which set out a request for grant funding from Shared Ground towards its Nexus arts project.

RESOLVED: That a grant of £100.00 be made to Shared Ground.

(Action by: Elaine Baker)

(b) Accounts for Payment

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

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

RESOLVED: That the accounts to the value of £10,547.91 be approved for payment.

(Action by: Elaine Baker)

(c) Letters of Thanks

There were no letters of thanks.

TC.95 PLANNING

(a) Pre-application Advice

Ed Persee, EJFP Planning attended the meeting to seek the Town Council's informal view on a potential development opportunity on land adjacent to The Radjel Inn, Pendeen in advance of the submission of a formal planning application.

The proposal was for a small development of open market housing which would be sympathetic in design to the local area. The Town Council commented on the style of the buildings and the use of materials, such as locally sourced granite.

In giving its view the Town Clerk commented that this was an informal opinion and that the Council's formal view would be reserved until such time as it considered the planning application.

Mr Persee thanked the Council for its comments and confirmed that he would return to a future meeting when a potential design layout had been produced.

(b) Applications

PA16/06428 Creation of new link extension from house into the yard to create new bedroom and bathroom. This would involve the demolition of an outbuilding at 15, Levant Road, Trewellard, Pendeen. Applicant: Mr. Lloyd Bennett. **(T CI No objection)**.

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

In the absence of the Town Mayor the Deputy Town Mayor took the Chair for the following application.

PA16/06570 Application for demolition in a conservation area of two brick chimney stacks at Trewellard Arms Hotel, Trewellard Road, Trewellard, Pendeen. Applicants: Mr. and Mrs. Hutchings. **(T CI Objection)**.

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

In the absence of the Town Mayor the Deputy Town Mayor took the Chair for the following application.

Richard Marsden, the applicant's agent and James Clark, Foot Anstey on behalf of Stephen Semmens made statements to the Town Council in support of and objection to the application.

PA15/05214 Retention of earthworks and change of use of land to landscape contractor's business, comprising storage of topsoil, aggregates, logs, turf and reclaimed materials, together with ancillary sales, screening of topsoil and crushing of concrete, stationing of bins to store wood, plastics, compost and glass, stationing of a skip to hold any waste products that may arise from the activities, stationing of associated administration cabin and maintenance and parking of associated vehicles. Retention and completion of engineering operations, including the formation of earth bunds, re-profiling of the land and provision of gravel stone surface on access track to Leswidden Fuel Depot, St. Just. Applicant: Mr. T.N. McFadden. **(T Cl Objection on grounds of inappropriate development site. T Cl wished to formally record its concern regarding the lack of planning officer & AONB Unit comments on this particularly contentious application).**

PA16/07328 Introduction of 1 x Pay and Display Machine and related instruction signage at The Count House, Botallack, St. Just. Applicant: National Trust. **(T Cl No objection).**

PA16/07329 1 x Instruction sign (explaining how to use the Car Parking Machine etc) and 1 x Welcome and Orientation sign is a timber mounted flat panel sign at The Count House, Botallack, St. Just. Applicant: National Trust. **(T Cl No objection).**

PA16/07331 Introduction of 1 x Pay and Display Machine and related instruction signage at Cape Cornwall Car Park, St. Just. Applicant: National Trust. **(T Cl No objection).**

PA16/07332 2 x Instruction signs for Pay and Display Machine at Cape Cornwall Car Park, St. Just. Applicant: National Trust. **(T Cl No objection).**

PA16/07335 Introduction of 1 x Pay and Display Machine and related instruction signage on land south west of Levant Beam Engine Museum, Levant Road, Trewellard, Pendeen. Applicant: National Trust. **(T Cl No objection).**

PA16/07336 1 x Instruction sign (explaining how to use the Car Park Charging Machine etc) on land south west of Levant Beam Engine Museum, Levant Road, Trewellard, Pendeen. Applicant: National Trust. **(T Cl No objection).**

Cllr Mrs McQueen requested that her name be formally recorded in the minutes as having abstained from voting on the above National Trust applications.

In accordance with their disclosure of interest the Town Mayor and Cllr T McFadden withdrew from the meeting for the following application.

In the absence of the Town Mayor, the Deputy Mayor took the Chair for consideration of the following application.

PA16/07383 Demolition of garage and construction of new dwelling and associated works at rear of 6, Cape Cornwall Street, St. Just. Applicant: Mr. Paul Woolcock. **(T Cl Objection – agreed with the Planning Officer’s comments)**.

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

PA16/07357 Re-submission of withdrawn Application No. PA16/02520 for the construction of new dwelling house, garage and associated works on plot between Tregeseal Row and Old Sunday School, Tregeseal Row, St. Just. Applicant: Mr. M. Roberts. **(T Cl No objection)**.

PA16/07634 Certificate of lawfulness existing use: Use of land as domestic garden ancillary to the dwelling at Trenmeyneck, Crippas Hill, St. Just. Applicant: Mr. Keith Giddens. **(No comment was made on this application)**.

(c) Decisions

PA16/03631 Removal of Condition 4 (occupancy restriction) attached to Decision PA15/04747 dated 16/07/15 for construction of two single storey holiday units at Highfield Stables, Nancherrow, St. Just. Applicant: Mr. Wayne Tieken. **Refusal** (T. Cl. No Objection).

PA16/05171 Construction of annexe at The Old Forge, Crippas Hill, St. Just. Applicants: Mr. and Mrs. N. McFadden. **Approval** (T. Cl. Agreed with Planning Officer’s comments over ridge height).

PA16/05950 Replacement of old wooden windows and doors with new rosewood pvcu windows and doors at 8, Bosorne Road, Applicant: Ms. Jackie Hankins. **Approval** (T. Cl. No Objection).

PA16/05989 Two storey side extension to existing dwelling at The Stables, New Road, St. Just. Applicants: Mr. and Mrs. D. Tague. **Approval** (No comment was given by the Town Council as Planning Application `was determined during recess).

PA16/07085 Application for a non-material amendment for the omission of plant room windows/replacing double doors with single, reduction in roof pitch and roof slates to be fixed with clips and nails in respect of Decision Notice PA15/05968 – Replacement toilet and shower block at Trevedra Campsite, Trevedra Farm, Sennen. Applicants: Mr. and Mrs. John Nicholas. **Not acceptable as amendment** (No comment was given by the Town Council as Planning Application was determined during recess).

TC.96 COMPLETION OF EXTERNAL AUDIT

The Town Clerk reported that the external audit of the Council’s finances for the year ended 31 March 2016 had been completed by Grant Thornton UK LLP and that no issues had been raised.

TC.97 INTERNAL AUDIT

RESOLVED: That the meeting scheduled for 12 February 2017 be brought forward to 3 February 2017.

(Action by : Elaine Baker)

TC.98 DEVOLUTION MATTERS

The Town Mayor, Deputy Town Mayor and Town Clerk updated the Council on developments in respect of devolution matters following the meeting with officers from Cornwall Council on 25 August 2016.

The main points arising out of the meeting were as follows:-

- Agreement that Cornwall Council would undertake repairs to the zip wire at Pendeen Playing field in advance of the completion of the title transfer to the Council;
- That the agreed grant of £750.00 from Cornwall Council by way of contribution to the costs of the new play equipment be authorised without further delay;
- That lease options to be forwarded for the current building as the existing lease expired on 16 September 2017;
- That a market valuation figure to be provided to the Council for the Council Office building;
- New Service Level Agreement for current 2016 / 17 financial year to be produced for public conveniences and car parks based on agreed £22,000 total cost for toilets together with specified cleaning regime and maintaining car park contribution at £14,600,. Details of an extended Memorandum of Understanding post 31 March 2017 to be produced for consideration by the Town Council. In addition, Town Council to be provided with confirmation of freehold purchase price of car parks;
- On-site meeting to be arranged between Cornwall Council and Town Council to discuss ongoing cleaning problems at Lafrowda Car Park toilets;
- Nancherrow Centre – Management Committee to receive new lease for 30 years effective from 1 December 2016; and
- Town Council to receive an update from Cornwall Council on the current position regarding discussions between Cornwall Council and the Friends of St Just Library.

The Town Clerk also updated the Council on the latest position regarding the ongoing discussions between Cornwall Council and the Friends of St Just Library.

The Town Clerk also sought the Council's decision on the re-engagement of Cornwall Council's Legal Services to act on its behalf regarding the Heads of Terms for the public conveniences and car parks.

RESOLVED: That the re-engagement of John Saville, Legal Services, Cornwall Council to act as the Council's legal representative regarding Heads of Terms for the public conveniences and car parks be approved.

Action by : Elaine Baker

TC.99 MATTERS FOR REPORT

Cllr Roberts reported on recent potential unauthorised activity on land to the rear of Leswidden Clay Works. The Town Clerk reported that she would bring the matter to the attention of Cornwall Council's Enforcement Team.

(Action by : Elaine Baker)

TC.100 INFORMATION ITEM

None.

Meeting closed at 8.25 p.m.

Town Mayor