

MINUTES of the TOWN COUNCIL MEETING of ST JUST-IN-PENWITH TOWN COUNCIL held in the Council Chamber, Council Offices, 1 Chapel Street, St Just on Monday 21 December 2009 at 7.15 p.m.

PRESENT

Councillor M Nicholls – Mayor
Councillor M Thomas – Deputy Mayor

COUNCILLORS

B F Angwin	N McFadden
Ms P S Angove	F Morris
W F East	Mrs S Olds
C S McClary	D Stevens

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Chris Goninan, Cornwall Councillor
Andy Golay, Planning Officer, Cornwall Council
Sally Newby, Community Network Manager, Cornwall Council
Ann Reynolds, Senior Archaeologist, Cornwall Council
Andrew Scott, Cornwall Council

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Sue James.

TC.176 MINUTES

RESOLVED: - That the Minutes of the meeting of the Town Council held on 23 November and 7 December 2009 be approved as an accurate record and signed by the Mayor.

TC.177 DECLARATIONS OF INTERESTS

Councillor Angwin declared a prejudicial interest in respect of minute no.TC.181 (Balleswidden and Springs Farm Mine Stacks) as the landowner of one of the sites and agreed to withdraw from the meeting for consideration of the item.

Councillor McClary declared a personal interest in respect of minute no.TC.189 (a) (Miner's Statute) as a member of the St Just and District Trust but agreed to take no part in consideration of the request.

Councillor Goninan declared a prejudicial interest in respect of minute no.TC.189 (a) (Miner's Statute) as a member of the Trust and agreed to withdraw from the meeting for consideration of the item.

TC.178 REPORTS OF THE TOWN MAYOR, DEPUTY TOWN MAYOR AND TOWN COUNCILLORS

The Mayor reported that he had attended the Over 50's Forum on 26 November, Sennen Feast on 29 November, Charity Fair at the Cape Cornwall Golf Club on 6 December and a meeting of the Town Council's Working Party on 7 December. The Mayor had also attended the annual legal service at Truro Cathedral with the Town Clerk and the Old Cornwall Society Christmas Party on 8 December. The judging of the annual shop window display competition had taken place on 17 December, together with the other Mayors in Penwith he had attended the Farmers' Market in Penzance on 18 December, visited Huelgoat, France for the twinning signing ceremony on 19 December and on 21 December had visited Poltair Hospital, Chy-Bygan and Benoni Nursing Homes.

The Deputy Town Mayor reported that he and the Town Clerk had attended the Penzance, Marazion and St Just Community Network meeting on 17 December.

Councillor Ms Angove reported that she had attended a meeting concerning the battery recycling scheme at County Hall, Truro on 20 December 2009.

TC.179 REPORT OF THE CORNWALL COUNCILLOR

Councillor Goninan updated the Town Council on the following issues:-

Cornwall Council's Health Adults Overview & Scrutiny Committee had met with the Chief Executive Officer, Chairman, plus the Medical Director and the Emergency Consultant of the Royal Cornwall Hospitals Trust, the Director of the Primary Care Trust to discuss their five strategic plan.

The Overview & Scrutiny Committee had established a Single Issue Panel to look into Minor Procedures and Outpatient Appointments. Councillor Goninan had been elected chair of the panel and asked for evidence to be passed to him

Discussions on a new Draft Management Agreement between Pendeen Community Heritage and Cornwall Council were continuing.

Councillor Goninan had attended a meeting with Andrew O'Brien and Chris Burlton regarding the delivery of affordable homes in St Just. Following receipt of the consultant's report a meeting would be held with the Town Council.

A meeting of the Champions for Older People would be held on 7 January 2010.

A report on Boswedden Lane was with the land owner.

Councillor Goninan also reported on the "Whose World is it?" song, the 50+ Forum Christmas lunch, shopmobility scheme and World Heritage Signage for the town. In respect of the World Heritage Signage it was agreed that consideration of this issue would be deferred until the next meeting on 11 January 2010.

(Action by : Elaine Baker)

TC.180 PLANNING REPRESENTATIVES

Andy Golay explained that he and Wendy Grocutt were the nominated "friendly link" officers to the Town Council under the new planning liaison arrangements with Cornwall Council. It was hoped that the new arrangements would help

alleviate previous problems and improve two-way communication between the two authorities.

Councillor Stevens asked why applications no longer had the planning history card attached to them which was very helpful to the Town Council when commenting on applications. Mr Golay undertook to ensure that the history card was attached in future.

Councillor Goninan agreed to take on board any concerns of the Town Council but commented that planning officers had to work within planning policy guidelines.

Councillor McClary asked how many planning enforcement matters remained outstanding within the St Just and Pendeen areas. Mr Golay agreed to investigate and provide the Town Council with a response.

In general terms the Town Council expressed its concern at inconsistencies in respect of planning decisions which were primarily concerned with planning decisions within conservation areas. The Town Council referred to the recently revised draft conservation area appraisal documents for the smaller villages around St Just which, despite having been amended in light of the comments received during the recent public consultation period, still contained a number of inconsistencies.

The Town Council thanked Mr Golay for attending the meeting and looked forward to working with him and Ms Grocutt in the future.

TC.181 BALLESWIDDEN AND SPRINGS FARM MINE STACKS

Councillor Angwin declared a prejudicial interest in this item as landowner of one of the sites and agreed withdrew from the meeting for consideration of this item.

Ann Reynolds, Senior Archaeologist, Cornwall Council outlined the detail of Natural England's Environmental Stewardship (HLS) Scheme which aimed to help preserve important historic features for the future such as Balleswidden Stack and the Wheal Earle engine houses. These buildings were iconic to the St Just Parish and therefore complied with the criteria under the HLS scheme. Natural England would provide 100% of the funding for all structural works, and would be supported by a ten year annual management maintenance agreement which would need to be administered by the Town Council.

The maintenance agreement would require the Town Council entering into a farm tenancy agreement with the landowners, which would be registered with the Rural Land Registry as a holding tenanted by the Town Council, once registered the formal application process for the scheme would begin. The Town Council would, in effect, become the nominal tenant.

Natural England would undertake the work associated with running the agreement, a project officer would be appointed to oversee the main body of the works with the Town Council responsible for the annual maintenance such as scrub clearance as the tenant for the life of the ten year agreement.

In response to concerns by some of the members of the Town Council, it was confirmed that once the agreement was in operation all structural work and the project officer would be funded by Natural England.

The Town Council would be responsible for the annual maintenance management, obtaining tenders, appointment of contractors etc although it was possible that the Natural Trust might be interested in carrying out some of the work. Councillors were assured that there would be no financial liability to the Town Council. Natural England would not commit to a project if it could not honour the agreement. Once an agreement was signed the money was guaranteed.

Ann Reynolds stated that the money for the HLS scheme needed to be spent in the next 12 to 18 months on the structural repairs.

Andrew Scott commented that the St Just area was blessed with a mining heritage and that to lose the buildings and structures would be a great loss to the local community. The agreement would bring additional money into the local economy and create a mini economic boom which was a positive outcome for the local community and lead to the protection of the area's mining heritage.

Members of the Town Council commented on the strength of local public feeling regarding the protection of these structures and felt that this was an opportunity for the Town Council to make a positive step towards their protection.

Following detailed consideration of the issues the Town Council

RESOLVED: That the Town Council supports in principle a Higher Level Stewardship Scheme for Balleswidden Stack and Wheal Earle engine houses, subject to further agreement on the detail of the scheme.

TC.182 COMMUNITY NETWORK PROGRAMME

Sally Newby, local Community Network Manager explained that the Community Network Programme comprised of two elements, the top ten community network priorities and local operational issues.

The top ten priorities would include issues which had a significant impact across the whole community network area such as improving the level of health services within the area. Operational issues would include those issues which were of importance to the local community such as anti-social behaviour.

The priorities identified by the Town Council would be incorporated into the draft programme. Once finalised the Town Council would be asked to approve the draft programme. The completed document would also be presented to the Community Network Town and Parish Forum.

Some members of the Town Council expressed concern at the inclusion of operational issues which they felt were better dealt with by the Cornwall Councillor in liaison with the Town Council. It was suggested that greater emphasis should be placed on issues such as the promotion of light industry within the local community, an increase in access to IT facilities and the availability of social and affordable housing linked to the needs of the local people.

Ms Newby welcomed the comments and the Town Council's views on its key strategic priorities of workspace development, retail development and the provision of social / affordable housing. However, it was also important to include operational issues such as parking enforcement and dog fouling as these were problems that affected the everyday lives of the local community.

Following detailed consideration of the issues it was:-

RESOLVED: That the Town Councillors be requested to forward details of their strategic or operational priorities to the Town Clerk to enable them to be incorporated into the draft Community Network Programme.

(Action by : Elaine Baker)

TC.183 HOUSEHOLD WASTE RECYCLING FACILITY (HWRF)

The Town Council considered its formal response to the second round of consultation on the list of preferred sites. The three preferred sites were Cattle Market, Longrock, Land to the south of Nancealverne School and Posses Lane.

RESOLVED: That Cornwall Council be advised that the Town Council supports Land to the south of Nancealverne School as its preferred option for the location of the proposed HWRF for Penzance, but agreed not to support any of the other proposed sites.

(Action by : Elaine Baker)

TC.184 CONSERVATION AREA APPRAISALS

The Town Council considered its formal response to the revised draft area appraisal documents which had been amended in the light of comments received during the public consultation exercise.

RESOLVED:-That Cornwall Council be advised that the Town Council notes the small revisions that have been made in respect of Article 4 Directions but remains disillusioned with the content of the documents as presented.”

(Action by : Elaine Baker)

TC.185 ST JUST TOWN GUIDE

The Town Clerk reported on the response which had been received from Burroughs regarding the production of the St Just Town Guide. Unfortunately, in view of the current economic downturn and production costs which had previously been based solely on advertising revenue, the company did not feel that it would be financially viable for it to produce a further edition of the publication on the same terms. However, if the Town Council was willing to extend the area to which the guide related and / or was prepared to make a financial contribution to the production costs then there may be some scope for the production of a new edition.

The Town Council felt that the matter should be raised with the Lands End Chamber of Commerce to seek its views on the production of a new guide.

Councillor Stevens also reported that Morgan Lewis, a local resident, produced the Lafrowda Programme and may be able to offer some assistance with the production of a new guide.

RESOLVED: that

- (1) The Deputy Mayor, in his capacity as Chairman of the Lands End Chamber of Commerce, be asked to raise the issue of the St Just Town

Guide with members of the Chamber of Commerce and to report back to a future meeting of the Town Council; and

- (2) That the Town Clerk be asked to arrange an informal meeting with Morgan Lewis and Town Mayor to discuss options for a future edition of the Town Guide and to report back to the Town Council at the appropriate time.

(Action by : Elaine Baker / Morley Thomas)

TC.186 ST JUST AND PENDEEN SURE START CHILDREN'S CENTRE

The Town Council considered the nomination of a Councillor to the advisory board of the St Just and Pendeen Sure Start Children's Centre.

RESOLVED: That Councillor Stevens be appointed as the Town Council's representative on the advisory board of the St Just and Pendeen Sure Start Children's Centre.

(Action by Elaine Baker)

TC.187 APPOINTMENT OF EXTERNAL AUDITOR

The Town Clerk informed the Town Council that Wayne Rickard had been appointed by the Audit Commission as the Town Council's new external auditor.

RESOLVED: - That the appointment of Wayne Rickard as the Town Council's external auditor be noted.

TC.188 MINUTES OF THE WORKING PARTY

RESOLVED: That the Minutes of the meeting of the Working Party held on 7 December 2009, together with the recommendations contained therein, and as amended by the inclusion of the following additional resolution, be approved as an accurate record and signed by the Mayor.

"(4) That a press release be issued advising the local community of the Town Council's decision to discontinue production of the "Just a Word" publication."

(Action by : Elaine Baker)

TC.189 FINANCE

(a) Applications for Financial Assistance

The Town Council considered requests for financial assistance under S.137 of the Local Government Act 1927 from Tanya's Courage Trust, Cornwall Rape and Sexual Abuse Centre and St Just and District Trust.

Councillor Goninan declared a prejudicial interest in respect of the request made by the St Just and District Trust, as a member of the Trust, and withdrew from the meeting for consideration of the item.

Councillor McClary declared a personal interest in respect of the request made by the St Just and District Trust but stated that he would take no part in consideration of the request.

RESOLVED: that

- (a) A S.137 donation of £100 be awarded to Tanya's Courage Trust;
- (b) A S.137 donation of £100 be awarded to the Cornwall Rape and Sexual Abuse Centre; and
- (c) Consideration of the application for financial assistance in respect of the Miner's Statue is deferred until the next meeting to enable clarification of the Town Council's previous decision on this issue.

(Action by : Elaine Baker)

(b) Accounts for Payment

RESOLVED: That the accounts to the value of £7,495.31 be approved for payment.

(c) Letters of Thanks

None received.

TC.190 PLANNING

(a) Applications

09-0817-P Construction of dwelling at 10A Carn Bosavern Close, St. Just. Applicant Mrs. Marna Blundy. (Amended application). **T CI No objection**

09-1276-TCONS Removal of lower limbs of one beech and removal of sycamore at Treganowan, Tregeseal Hill, Tregeseal, St. Just. Applicant Mr. Gerald Cox. **T CI No objection**

09-1308-HP Construction of extensions and alterations at Eastbounds Cottage, Cape Cornwall, St. Just. Applicant Ms. B. Zurlinder. **T CI supportive in principle to extension but would like to see a more sympathetic design of the fenestration to the link building.**

09-1313-TCONS Tree works to 3 No. sycamore trees at Carn Bosavern, St. Just. Applicant Cornwall Council. **T CI No objection**

09-1341-TCONS Lifting of canopy of ash tree in St. Just closed yard just off Church Square and Pilgrim Mews, St. Just. Applicant Cornwall Council. **T CI No objection**

(b) Decisions

09-1218-P Service line to Trewellard Farm, Pendeen. Applicant Western Power Distribution **withdrawn** by Applicant.

09-0976-P Removal of Condition 11 of 09-0433 to allow permanent residential accommodation at The Old Forge, Crippas Hill, St. Just for Cornwall Garden Services. **Approval (T. Cl. No objection).**

09-1108-HP Demolition of conservatory and construction of extension at 9, Foundry Close, Tregeseal, St. Just for Mrs. S. Stephenson. **Approval (T. Cl. No objection).**

(c) Sign, Market Square

The Town Clerk reported that Cornwall Council had confirmed that planning consent was not required for the erection of a small sign in Market Square (Min no. TC.81/09 refers).

RESOLVED: That a small sign be erected in Market Square concerning the use advertising boards.

(Action by : Elaine Baker)

TC.191 ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE OF URGENCY

The Mayor reminded the Town Council that it had annually approved an honorarium to Pendeen Silver Band in recognition of the duties the band undertook at Town Council functions.

RESOLVED: That under S.137 of the Local Government Act 1972 a donation of £300 is awarded to Pendeen Silver Band.

(Action by Elaine Baker)

TC.192 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.193 FOOTPATH CONTRACT (EXEMPT PARAGRAPH 3)

The Town Council considered the process for awarding the Local Maintenance Partnership (LMP) contract for 2010, and discussed additional works to some of the silver paths within the parish during the winter period to bring them up to gold path standard.

RESOLVED:- that

- (a) Scottworthy Estates be retained as the Town Council's preferred footpath contractor for the 2010 /2011 financial year; and
- (b) The carrying out of additional works to some of the silver footpath network during the winter months is approved within the existing approved budget 2009 / 2010.

(Action by : Elaine Baker)

Meeting closed at 9.35 p.m.

Town Mayor