

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 25 January 2010 at 7.15 p.m.

PRESENT

Councillor M Nicholls – Mayor
Councillor M Thomas – Deputy Mayor

COUNCILLORS

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

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Chris Goninan, Cornwall Councillor
Penny Stokes, Cornwall Council
PCSO Andrew Tonkin, Devon & Cornwall Police

APOLOGIES FOR ABSENCE

None.

TC.194 MINUTES

RESOLVED: - That the Minutes of the meeting of the Town Council held on 21 December 2009 be approved as an accurate record and signed by the Mayor.

TC.195 DECLARATIONS OF INTERESTS

Councillor Angwin declared a prejudicial interest in respect of minute no.TC.201 (Balleswidden and Wheal Hearle Agri-environment Scheme) 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.209 (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 K McFadden declared a prejudicial interest minute no.210 (a) in respect of planning application 09-1357-P (Trewellard Arms Hotel) as the applicant was known to him and agreed to withdraw from the meeting for consideration of the item.

Councillor Goninan declared a prejudicial interest in respect of minute no.TC.209 (a) (Miner's Statute) as a member of the Trust and agreed to withdraw from the meeting for consideration of the item.

TC.196 REPORTS OF THE TOWN MAYOR, DEPUTY TOWN MAYOR AND TOWN COUNCILLORS

The Town Mayor made no report.

The Deputy Mayor made no report.

Councillor Mrs James reported that she had attended a meeting of the Centre of Pendeen on 5 January 2010.

TC.197 REPORT OF THE CORNWALL COUNCILLOR

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

Cornwall Council's Health Adults Overview & Scrutiny Committee held a meeting on 5 January which confirmed that the Upper Gastrointestinal Cancer Surgery had transferred on 4 January to Derriford Hospital but the Cancer Specialist Nurse that was part of the service had not taken up post. Subsequent correspondence had revealed that no appointment had been made. Councillor Goninan hoped that things would be resolved soon. Also the recommendation was that Treリスケ and Exeter Hospitals would become the two centres in the south west for Gynaecological Cancer Surgery. This would be going out to public engagement / consultation shortly.

Geevor

Real progress had been made with regard to the Jerry Harvey lease which it was hoped would be signed at the beginning of March.

Affordable Housing

Councillor Goninan had met with Andrew O'Brien and Chris Burlton, Cornwall Council's Affordable Housing Team to discuss the consultant's report on potential sites in St Just.

Older People's Champions

An initial meeting had been held on 14 January with the launch of the project on 18 March.

Boswedden Lane

The report was in the hands of the land owner, and no further progress had been made since Councillor Goninan's last report to the Town Council.

Christmas Day Lunch

Councillor Goninan reported on the success of the Christmas Day lunch for the elderly. The day had proved very successful with 30 people attending lunch at the Pengarth Day Centre in Penzance. Three attended from St Just.

Shopmobility

A project / action plan was being developed in respect of a funding application.

Strategic Partnership Planning for Older People's Board

Councillor Goninan had attended a meeting of the board on 21 January and confirmed that he would be pressing for more support centrally to the Older People's Forum in Cornwall and the delivery of Disabled Facility Grants.

AONB

A meeting had been held to discuss issues that could be relevant to the preparation of the local chapter of the new Cornwall AONB Management Plan

TC.198 **REPORT OF THE POLICE OFFICER**

PCSO Andrew Tonkin gave the Police report for the period from 23 November 2009 to 25 January 2010. During that period there had been 18 reported crimes which compared to 26 for the same period last year.

Reported crimes included four crimes against damages to dwellings, one damage to a property, one production of Class B drug, six assaults (ABH), three burglaries; two shoplift offences and one case of the theft.

Other reported items of interest included the St Just / Pendeen area pubwatch, four persons being banned from all pubs in the Lands End Area Pubwatch Scheme, two persons warned of their behaviour in local pubs, one person given an Acceptable Behaviour Contract to monitor their behaviour in local pubs, any breaches would result in a ban. The PACT meeting had taken place on 14 January which indicated that the priorities for the area were traffic related offences / vehicle obstruction & parking and dog fouling.

Councillor McFadden reported on the lack of enforcement in respect of cars parking illegally on Fore Street Hill and causing access problems. PCSO Tonkin acknowledged the situation but stated that enforcement was now the responsibility of Cornwall Council and that unfortunately there was a lack of Enforcement Officers to deal with the current situation. The Police could only deal with obstruction issues and they needed to be present when the obstruction was occurring.

In response to a question regarding on street parking problems in Regent Terrace / Bosorne Road, PCSO Tonkin reported that a meeting had been held with the St Just Football Club and Town Council regarding the problems and that the Town Council was in correspondence the Area Highway Engineer, Cornwall Council in attempt to alleviate the problems.

TC.199 **COUNCILLOR REQUEST FOR ITEMS TO BE PLACED ON THE AGENDA**

Car Parks

Councillor N McFadden requested that in view of the fact that Cornwall Council was currently carrying out a review of its car parks he requested that a further letter be sent to the Council reaffirming the Town Council's wish to take on responsibility for the maintenance of the Lafrowda Car Park, St Just and the

Boscaswell Downs Car Park in Pendeen and for them to be retained as free car parks.

RESOLVED: That the Town Clerk be requested to send a further letter to Cornwall Council reaffirming the Town Council's wish to take over responsibility for the car parks, and that a copy of the letter be sent to Councillor Andrew Wallis, Chairman of the Panel and Councillor Chris Goninan.

(Action by : Elaine Baker)

Salt / Gritting

As a result of the recent bad weather, Councillor N McFadden asked the Town Council to consider providing salt / grit bins for the local community to help tackle the problems of icy roads and pavements.

At the request of the Town Clerk the Town Council agreed to defer consideration of this issue until the next meeting pending clarification from CALC and Cornwall Council on the legal and insurance positions.

Speed Visor

In response to the request made by Councillor Stevens for the installation of a speed visor between Truthwall / Botallack, PCSO Tonkin reported that he had contacted Cornwall Council's Highways Team and that a site visit was due to take place in the next few weeks. If all was suitable then a speed visor could be installed in the next 4 / 5 weeks. However, if it was found that additional poles were needed on which to place the visor there would be a further delay.

TC.200 DRAFT CONSERVATION AREA APPRAISALS FOR THE SMALLER VILLAGES

Penny Stokes, Cornwall Council referred to the Town Council's formal response to the consultation period (min no.TC.184/09 refers) and commented that she was disappointed that it could not support the draft conservation area appraisal documents. In order for the documents to become a material consideration in the planning process a letter of support was required from the Town Council before the draft appraisal documents were considered by Cornwall Council.

The Government placed a duty on Cornwall Council to produce appraisal documents for all designated conservation areas, which were used in the case of planning appeals within conservation areas.

Members of the Town Council expressed their concern at the inconsistencies and flaws within the draft documents and as such stated that they could not support them as presently written. Although individual members of the Town Council had made representations on an individual basis as part of the public consultation process, it was the support of the Town Council that was required to complete the process towards formal adoption of the draft documents.

Ms Stokes said that she was happy to look again at the areas of concern and to make amendments to the documents if the Town Council so wished. To leave the situation as it was at present, without approved Conservation Area Appraisal documents, would weaken Cornwall Council's position in the appeal process.

Following detailed consideration of the issues the Town Council

RESOLVED: That a special meeting of the Town Council be convened to look again at the draft conservation area appraisal documents and to make a fuller response to Cornwall Council setting out the Town Council's specific concerns regarding their content.

(Action by : Elaine Baker)

TC.201 BALLESWIDDEN AND WHEAL HEARLE

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.

Councillor East reported that he and the Deputy Mayor had attended the site visit on 21 January 2010 with representatives from Natural England and Cornwall Council. Despite the weather, the site visit had given those attending the opportunity to look at the condition of the two sites and had discussed issues such as public accessibility, grazing of cattle, required works to the Balleswidden Stack considering the state of disrepair and the problems of surface water at Wheal Hearle. Councillor East felt that it was good that the money was being spent locally and would help to protect the areas mining heritage.

Following detailed consideration of the issues it was:-

RESOLVED: That the progress made in respect of this project be noted.

(Action by : Elaine Baker)

TC.202 BOSAVERN FARM

Councillor Stevens reported that he and Councillor Thomas had been invited to a meeting with Ivan Annibal, Rose Regeneration and representatives of the "Save Bosavern Farm" Group to discuss the viability of retaining the farm as a community farm for local residents. He expressed some concern at the organisation of the day which had resulted in some confusion as to which Town Councillors had been invited to attend and for what purpose.

The Town Council was advised that one key element of the proposal by the "Save Bosavern Farm" Group was to be able to offer small scale horticulture / education on the site which local schools could pay for, the installation of a wind turbine on the site and the sale of produce which could generate additional income.

Councillor Stevens reported that the group wanted the Town Council to take a lead on the development of the project and to purchase the site. He had explained that the Town Council had not adopted a formal position regarding Bosavern Farm, and indeed, would need to see a sustainable business plan before it could consider one.

He also commented that as a result of these discussions the position with regard to the delivery of the allotments had become unclear. The Town Council's understanding was that the allotment scheme was outside of any further considerations on the farm and that they would proceed irrespective of the progress of the farm project.

Councillor Thomas supported the comments and endorsed the need for a business plan to support profitability and viability of the proposed scheme.

Following detailed consideration of the issues it was:-

RESOLVED : That

- (1) the work currently being undertaken in respect of the community farm project at Bosavern Farm be noted;
- (2) Councillor Stevens be asked to reply to Rob Poole, Cornwall Council regarding the delivery of the allotment scheme at Bosavern Farm; and
- (3) that Councillors Stevens and Thomas be nominated as the Town Council's representatives at all informal discussions in respect of the community farm project.

(Action by : Dave Stevens / Elaine Baker)

TC.203 WORLD HERITAGE SITE SIGNAGE

Councillor Goninan reported that although the area had been designated with world heritage status no road signage had been erected in recognition of this award. Councillor Goninan suggested that a meeting be arranged with Cornwall Council to take the matter forward.

RESOLVED:-That a meeting be arranged between the Town Council and Cornwall Council to progress the matter.

(Action by : Chris Goninan / Elaine Baker)

TC.204 CORNWALL COUNCIL (OFF STREET PARKING PLACES) ORDER 2010

The Town Clerk reported that in view of the cancellation of the meeting on 11 January the Town Council had not been able to comment formally on the order to bring together the orders of the former district councils. The new order proposed an average 5% increase in parking charges across Cornwall, no change to the class of vehicle or operating times in car parks and the introduction of a consistent policy respect of charging Blue Badge holders. Residents discount cards would be discontinued in Restormel and Caradon areas.

RESOLVED: That the provisions of the new order be noted.

(Action by : Elaine Baker)

TC.205 ENFORCEMENT ISSUES IN ST JUST AND PENDEEN

The Town Clerk reported on the response that she had received from Cornwall Council regarding the position in respect of outstanding enforcement issues within St Just and Pendeen (min no.TC.180/09 (Planning Representatives) refers).

The Town Clerk confirmed that since 1 April 2009, complaint investigations had continued on the same basis with decisions made on whether any breach in planning control had taken place and whether it was expedient to take enforcement action.

However, the Town Clerk asked any Councillor who had a question in respect of an individual case to forward details and an update would be provided from Cornwall Council.

Councillor McClary expressed concern that his original request of wishing to know the total number of outstanding enforcement issues had not been provided.

RESOLVED: That the Town Clerk be asked to contact Cornwall Council to obtain information on the total number of outstanding enforcement cases within St Just and Pendeen.

(Action by : Elaine Baker)

TC.206 WEST CORNWALL LOCAL ACTION GROUP

The Town Council considered the nomination of a member and substitute member to the West Cornwall Action Group.

RESOLVED: - That Councillor N McFadden be nominated as the Town Council's representative to the West Cornwall Action Group.

(Action by :Elaine Baker)

TC.207 20 MPH SPEED LIMIT ON CAPE CORNWALL ROAD

The Town Council considered a request from a Mrs Winterbourne, local resident for the introduction of a 20 MPH speed limit in Cape Cornwall Road, St Just.

Members of the Town Council suggested that there was often a difference between a perceived view of the speed of vehicles and their actual speed. In any event it was unlikely that a 20 MPH limit would be introduced as special regulations were required to bring it into force and these were usually accompanied by other speed control measures.

RESOLVED: That the Town Council notes the request for the introduction of a 20 MPH speed limit in Cape Cornwall Road but cannot support it.

(Action by : Elaine Baker)

TC.208 MINUTES OF THE INTERNAL AUDIT COMMITTEE

The Town Council considered the minutes, and the recommendations contained therein of the Internal Audit Committee held on 7 January 2010.

RESOLVED: - That the Minutes of the meeting of the Working Party held on 7 January 2010, together with the recommendations contained therein, be approved as an accurate record and signed by the Mayor.

TC.209 FINANCE

(a) Applications for Financial Assistance

The Town Council considered requests for financial assistance under S.137 of the Local Government Act 1972 from St Just Football Club, Sennen School, Armed Forces Weekend, Marazion and St Just and District Trust which had been deferred for consideration from the last

meeting held on 21 December 2009.

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 £1,000 be awarded to the St Just Football Club towards improvements to the facilities at the club;
- (b) no financial contribution be awarded to Sennen School and the Armed Forces Weekend to be held at Marazion;
- (c) consideration of a financial contribution the Pendeen Rovers AFC be deferred until the next meeting pending receipt of the clubs accounts; and
- (d) consideration of a financial contribution to the St Just and District Trust in respect of the Miner's Statue be deferred until the next meeting to enable the Town Council to reconsider its former decision not to support the project (min no 2800 of the meeting of the Town Council held on 23 June 2008 refers).

(b) Accounts for Payment

RESOLVED: That the accounts to the value of £1,131.11 be approved for payment.

(c) Letters of Thanks

The Town Clerk reported that letters of thanks had been received from Tanya's Courage Trust, Cornwall Rape and sexual Abuse Centre and Pendeen Silver Band.

TC.210 PLANNING

(a) Applications

09-1355-P Construction of one a bedroomed dwelling at An Lethy, Boscawell Downs, Pendeen. Applicant Mr. D. Trembath. **T CI no objection.**

09-1357-P Construction of 4 no. Holiday Units at Trewellard Arms Hotel, Trewellard Road, Pendeen. Applicant Mr. & Mrs. Hutchins. Councillor K McFadden declared a prejudicial interest in this item and withdrew from the meeting for consideration of the item. **T CI supports the application.**

09-1368-PB Installation of solar panels at The Count House, Botallack Vean, Botallack, St. Just. Applicant the National Trust. **T CI supports the application.**

09-1389-TCONS Coppice of 3 No. Sycamores at Carn Bosavern, St. Just. Applicant Cornwall Council – Penzance One Stop Shop. **T CI no objection.**

09-1340-LB Confirm status of nos. 6 and 6A Market Square, St. Just as 2 separate dwellings. Applicant Zelah Riley. **T CI no objection.**

10-0012-HP Construction of replacement garages and workshop at 2, Bollowal Place, Cape Cornwall Road, St. Just for Mr. N. Hayward. **T CI no objection and would raise no objection if there was business use on the site.**

(b) Decisions

09-1203-CLOPUD Installation of roof light at 11, Falmouth Place, Carnyorth, St. Just. Applicant Mr. T. Wood. No Application-Certificate of Lawfulness.

09-1198-P Construction of dwelling on plot adjacent to The Old Net Factory, St. Just for Councillor P.S. Angove. **Approval (T. CI. Support, but would like to see Chimney added to the design of the house).**

09-1313-TCONS Tree works to 3 No. Sycamore trees at Carn Bosavern, St. Just for Cornwall Council. **Withdrawn by Applicant (T. CI. No objection).**

09-1276-TCONS Removal of lower limbs of 1 No. Beech and removal of 1 No. Sycamore at Treganowan, Tregeseal Hill, Tregeseal, St. Just for Mr. Gerald Cox. **Approval provided work carried out within 2 years of date of notice (T CI. No objection)**

09-1233-P Construction of replacement dwelling at Boswedden Vean, Wheal Cuning, St. Just for Mrs. Helen Casley. **Approval (T. CI. Support).**

TC.211 ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE OF URGENCY

St Just Town Guide

The Town Mayor reported that a second quotation had been received in respect of the costs associated with the production of a 4th edition of the St Just Town Guide.

The majority of the costs would be offset by selling advertising space within the guide to local businesses, but it was suggested that an amount be set aside in the 2010 / 2011 budget in respect of production costs. This quotation was lower than

that submitted by the company which had produced the previous guides and offered best value.

Previous editions of the publication had proved popular with tourists visiting the area and the Town Council supported its continued publication.

RESOLVED : That

- (1) in accordance with the Council's Standing Orders on Contracts that the quotation from More White Space be accepted;
- (2) the allocation of £2000 in the 2010 / 2011 budget be approved towards production costs; and
- (3) the Town Mayor be authorised to secure advertising for inclusion in the 4th edition of the St Just Guide publication.

(Action by : Monty Nicholls / Elaine Baker)

West Penwith Crime Prevention Group

The Town Council considered an invitation to attend the next meeting of the West Penwith Crime Prevention Group on 11 February 2010.

RESOLVED: That the attendance of the Town Mayor be approved.

TC.212 **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.213 **EXTENSION OF CONTRACT FOR THE POST OF CLERICAL ASSISTANT (EXEMPT PARAGRAPHS 1 & 2)**

The Town Clerk advised the Town Council that the Clerical Assistant's current contract of employment was due to finish on 28 February 2010.

RESOLVED:-That the Town Council approves the continuation of the employment of the current post holder on a permanent contract with effect from 1 March 2010.

(Action by : Elaine Baker)

Meeting closed at 9.13 p.m.

Town Mayor