

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 8 March 2010 at 7.15 p.m.

PRESENT

Councillor M Nicholls - Mayor  
Councillor M Thomas – Deputy Mayor

COUNCILLORS

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

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Lindsey Butterfield, National Trust  
Phil Howell, St Just-in-Bloom

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Goninan.

TC.243 MINUTES

RESOLVED:-That the Minutes of the meeting of the Town Council held on 22 February 2010 be approved as an accurate record and signed by the Mayor.

TC.244 DECLARATIONS OF INTERESTS

Councillor Ms P S Angove declared a personal interest in minute no. TC.250 St Just in Bloom as a member of the West Cornwall Local Action Group.

Councillor B F Angwin declared a prejudicial interest in minute number TC.258 (a) Appraisal of Potential Rural Exception Sites for Local Needs Affordable Housing as a relative of one of the landowners of one of the sites identified and agreed to withdraw from the meeting for consideration of the item.

Councillor K McFadden declared a prejudicial interest in minute number TC.258 (a) Appraisal of Potential Rural Exception Sites for Local Needs Affordable Housing as a landowner of one of the sites identified and agreed to withdraw from the meeting for consideration of the item.

Councillor N McFadden declared a prejudicial interest in minute number TC.258 (a) Appraisal of Potential Rural Exception Sites for Local Needs Affordable Housing as a relative of one of the landowners of one of the sites identified and agreed to withdraw from the meeting for consideration of the item.

TC.245 ALLOTMENTS

Councillor Stevens reminded the Town Council that there were currently two allotment schemes being progressed. One at Bosavern Farm and the other at Kenidjack valley with the aid of the National Trust, both of which were progressing well. Councillor Stevens had received a sample lease agreement for the 10 year lease of the land at Bosavern Farm which he was currently discussing with the land agent. A meeting was also being arranged with a representative from highways to discuss issues relating to the access to the site and the hedge. A hedger had been identified to carry out the work to improve the visibility splay and quotations were being obtained for the provision of a hard standing and water supply on the site.

He advised the Town Council that Cornwall Council was concerned about the impact of individual sheds on the AONB and discussions were continuing on this aspect. A fallback position might be for eight larger sheds to be provided on the site which would be shared by five allotment holders.

The Town Council had already allocated £12,000 in its budget towards the cost of the allotment and an application would be made to the West Cornwall Local Action Group (WCLAG) to bridge the funding gap.

Lindsey Butterfield, National Trust explained that the Trust had been approached by the St Just Area Growers' Association to provide additional allotments. The Trust had identified additional land at Kenidjack valley, a south facing field, located just below the sewage works. The land was currently tenanted but the ESA had agreed in principle for the land to be used for allotments. However, the Trust was also concerned about the siting of sheds and their impact on the AONB. Up to 20 additional allotments could be provided and a grant application for £5,000 was being made towards the cost of fencing, providing water butts, gates, etc a decision was awaited. Ms Butterfield commented that it might be necessary to approach the Town Council for some additional funding if the funding application was not met in full. An element of the funding application required the provision of community activities / events. It was hoped that events held at the Count House would cover this aspect of the eligibility criteria and Councillor Stevens reported that all the local schools had shown an interest in the Bosavern Farm Project.

The Town Council expressed its thanks to Councillor Stevens and Ms Butterfield on the progress made in respect of both allotment schemes and confirmed that it would be willing to consider a request for additional funding if it was required.

RESOLVED: That the progress made in respect of the delivery of allotments at Bosavern Farm and Kenidjack valley, St Just be noted.

TC.246 THE FOULING BY DOGS (CORNWALL) ORDER, 01/2010 AND THE DOGS ON LEADS BY DIRECTION (CORNWALL) ORDER, 01/2010

As part of the consultation process, Cornwall Council was consulting the town and parish councils on the two proposed new orders which had been made under Part 6 Clean Neighbourhoods and Environment Act 2005.

RESOLVED: The Cornwall Council be advised that Council is concerned about the current level of dog fouling and roaming and welcomes any measures to redress the problems.

(Action by : Elaine Baker)

TC.247 TACKLING LONG TERM EMPTY PROPERTIES

The Town Council considered a letter from Cornwall Council's Public Health & Protection Service which sought information from the Town Council on properties which had been empty for in excess of six months which could be included in a new database which was currently being compiled.

RESOLVED: That the content of the letter be noted.

TC.248 CORNWALL COUNCIL'S AFFORDABLE HOMES PROJECT

The Town Council considered the detail of the planning brief in respect of Moorland Close, Pendeen. The Town Council on 22 February 2010 had previously agreed to "support in principle" the development of affordable homes on the site, (min. No TC.229/10 refers) and the document now before the Council sought its comments on the detail of the scheme.

The Town Council commented that in general terms it supported the scheme as described in the planning brief but was seriously concerned about the proposed local connection policy as set out in Appendix A to the document. Members of the Town Council commented that similar concerns had been raised by Sennen Parish Council in respect of the development of affordable homes in its parish and a new policy was being produced to reflect the parish's local needs.

RESOLVED : That

- (1) Cornwall Council be informed that the Town Council supports the scheme as described in the planning brief but that it has serious reservations about the definition of "local area connection"; and
- (2) the Town Clerk is asked to contact the clerk to Sennen Parish Council to seek further information on detail of their local area connection policy and to report back to the next meeting of the Town Council on 2 March 2010.

(Action by : Elaine Baker)

TC.249 NEW PARKING CHARGING POLICY

The Town Council was informed that Cornwall Council was currently developing a new parking charging policy and was being invited to take part in the consultation by completing a questionnaire which would be used to help formulate the new policy.

RESOLVED: That each Councillor be asked to complete the questionnaire on an individual basis.

TC.250 ST JUST IN BLOOM

Councillor Ms P S Angove declared a personal interest in this item as a member of the WCLAG.

Phil Howell, St Just-in-Bloom attended the meeting to seek the Town Council's support to a funding application to the West Cornwall Local Action Group towards additional planters and seating for the town.

RESOLVED: That a letter of support be sent to St Just-in-Bloom.

(Action by : Elaine Baker)

TC.251 PLANNING ENFORCEMENT MATTERS IN ST JUST & PENDEEN

The Town Clerk reported that the response from Cornwall Council was that there were currently 12 investigations of alleged beaches of planning control within St Just and Pendeen area.

Councillor McClary expressed some surprise at the low figure as it was his understanding that there were several hundred outstanding enforcement cases as at 31 March 2009 when the new unitary council came into being.

RESOLVED: That the Town Clerk be asked to seek further confirmation from Cornwall Council as to the exact number of cases within St Just and Pendeen as at 31 March 2009 and for the information to be brought back to the next meeting of the Town Council.

(Action by : Elaine Baker)

TC.252 UPPER GI CANCER SERVICE IN CORNWALL

The Town Council considered the request from Councillor Mario Fonk for a letter to be sent from the Town Council to the Acting CEO of the Cornwall and Isles of Scilly Primary Care Trust (PCT) and the Secretary for Health as part of the campaign to keep the Upper GI Service in Cornwall and to allow patients from Cornwall the choice of having their surgery in Truro if they so wish until such time as there is a final decision from the Independent Reconfiguration Panel's full review.

RESOLVED: That a letter of support be sent to the CEO of the PCT and the Secretary of State for Health.

TC.253 MINUTES OF THE WORKING PARTY

The Town Council considered the minutes and recommendation of the Working Party held on 23 February 2010.

RESOLVED: That the minutes and the recommendations contained therein be approved.

(Action by : Elaine Baker)

TC.254 FINANCE

(a) Applications for Financial Assistance

The Town Council considered an application for financial assistance under S.137 of the Local Government Act 1972 in respect of Shelter Cornwall.

RESOLVED: That a S.137 grant of £100 be awarded to Shelter Cornwall.

(b) Accounts for Payment

RESOLVED: That the accounts to the value of £289.50 be approved for payment.

(c) Letters of Thanks

The Town Clerk reported that a letter of thanks had been received from Pendeen Rovers AFC.

TC.255 PLANNING

(a) Applications

**10-0115-P** Change of use of land and construction of garage at Boslowen, Pendeen. Applicant Mr. John Williams. **(T Cl no objection)**

**10-0064-P** Demolition of outbuildings and construction of side, rear and garage extension to dwelling at 1, Lower Trewellard, Pendeen. Applicant Mr. & Mrs. C. Hall. **(T Cl objection)**

**10-0140-TCONS** Felling of one cupressus at Pine Lodge, Carrallack Lane, St. Just. Applicant Mr. David Johnson. **(T Cl objection)**

(b) Decisions

**10-0016-CLOPUD** Construction of porch at Carncroft, 50, Boscaswell, Pendeen. Applicant Mrs. Hilary Hearn –**Certificate of Lawfulness.**

**10-0125-CLEUD** Existing use of building as two separate dwellings at Nos. 6 & 6A Market Square, St. Just. Applicant Mrs. Z. Riley – **Certificate of Lawfulness.**

**09-0289-P** Change of use of existing dwelling and annexe to form 2 No. Self contained units at Flat 1, The Eyrie, 1, Market Street, St. Just. Applicant Mr R Draycutt. **Approval** (T. Cl. No objection).

**09-0817-P** Construction of dwelling at 10a Carn Bosavern Close, St. Just. Applicant Mrs. Marna Blundy. **Approval** (T. Cl. No objection).

**09-1308-HP** Construction of extensions and alterations at Eastbounds Cottage, Cape Cornwall, St. Just. Applicant Ms. B. Zurlinden. **Withdrawn by Applicant** (T. Cl. Strong objection).

**09-1355-P** Construction of one bedroomed dwelling at An Lethy, Boscaswell Downs, Pendeen. Applicant Mr. D. Trembath. **Approval** (T. Cl. No objection).

**09-1368-P** Installation of solar panels at Botallack Vean, Botallack, St. Just. Applicant The National Trust Count House. **Approval** (T. Cl. Support).

**09-1389-TCONS** Coppice of 3 sycamores at Carn Bosavern, St. Just. Applicant Cornwall Council – One Stop Shop. **Approval provided carried out within 2 years from date of notice.** (T. Cl. No objection).

**10-0012-HP** Construction of replacement garages and workshop at 2, Bollowal Place, Cape Cornwall Road, St. Just. Applicant Mr. N. Hayward. **Approval** (T. Cl. No objection and would also raise no objection to business use on the site).

TC.256 USE OF PLEN-AN-GWARRY

RESOLVED: That the application by Cornwall Council for the use of the Plen-an-Gwarry on Saturday 29 May 2010 be approved.

TC.257 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.258 ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS TO BE A MATTER OF URGENCY

- (a) Appraisal of Potential Rural Exception Sites for Local Needs Affordable Housing – St Just –in-Penwith Rural Priority Parish (Exempt paragraph 3)

Councillor B F Angwin declared a prejudicial interest in the item as a relative on one of the landowners of the site and withdrew from the meeting for consideration of the item.

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

Councillor N McFadden declared a prejudicial interest in the item as a relative on one of the landowners of the site and withdrew from the meeting for consideration of the item.

The Town Council considered the second draft March 2010 appraisal of potential sites for local needs affordable housing in St Just report which had been amended in the light of comments made by the Town Council at an informal meeting with officers from Cornwall Council held on 29 January 2010.

Cornwall Council was now seeking the Town Council's formal support to the amended report which would be followed by a public exhibition of the proposed sites on 30 March 2010.

RESOLVED: That the Town Council formally adopts the proposed exception sites for local needs affordable housing as identified within the second draft March 2010 report.

(Action by : Elaine Baker)

(b) Geevor Tin Mine

Councillor McClary informed the Town Council of two issues of concern at the mine which had been raised by the Pendeen Community Heritage. One related to the lack of meetings of the Geevor Partnership and the other the delay in the award of the contract for the extension to the Wheal Mexico Tour.

The Town Council was being approached to seek its support to a letter being sent to Cornwall Council to move the situation forward.

RESOLVED: That a letter be sent to Gill Steward, Corporate Director for Communities, copied to the Cabinet member for Stronger Communities and local Cornwall Councillor setting out the Town Council's concern at the lack of meetings of the Geevor Partnership and the delay in the award of the contract to extend the Wheal Mexico Tour.

(Action by : Elaine Baker)

Meeting closed at 8.15 p.m.

Town Mayor