

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 19 September 2016 at 7.15 p.m.

PRESENT

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

COUNCILLORS

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

TOWN CLERK

Elaine Baker

ALSO IN ATTENDANCE

Cllr Mrs S James – Cornwall Council
Nikki & Liam McFadden – Cornwall Garden Services
Sharon Olds – Local resident

TC.101 APOLOGIES FOR ABSENCE

There were no apologies for absence

TC.102 DECLARATIONS OF INTERESTS

The Town Mayor, Cllr T McFadden and Cllr D Roberts declared non-registerable interests in respect of minute no. TC.112(a)/16 (Pre-application Advice) in which the applicant was seeking the Town Council's informal view on a potential planning application to extend the industrial site at Carnyorth, and agreed to withdraw from the meeting for consideration of the item.

Cllr N McFadden declared a registerable interest in respect of minute no. TC.112(a)/16 (Pre-application Advice) as the applicant seeking the Council's informal view on a potential planning application to extend Cornwall Garden Services site at Carnyorth, and agreed to withdraw from the meeting for consideration of the item.

Cllr Clemens declared a non-registerable interest in minute no. TC.111(a)/16 (Grant Applications) as a trustee of Pendeen Silver Band which regularly used Pendeen Parish Hall and agreed to withdraw from the meeting for consideration of the item.

Cllr Clemens also declared a non-registerable application in respect of minute no. TC.112(b)/16 (Applications) in respect of PA16/06443 as the applicant was a personal friend and agreed to withdraw from the meeting for consideration of the application.

Cllr D Roberts also declared a non-registerable application in respect of minute no. TC.112(b)/16 (Applications) in respect of PA16/06443 as the applicant was a personal friend and agreed to withdraw from the meeting for consideration of the application.

Cllr Morris declared a non-registerable application in respect of minute no. TC.112(b)/16 (Applications) in respect of PA16/07585 as the applicant was a neighbour and agreed to withdraw from the meeting for consideration of the application.

Cllr Mrs McQueen declared a non-registerable interest in minute no. TC.111(a)/16 (Grant Applications) as the Chairman of Pendeen Parish Hall & Theatre was a personal friend and agreed to withdraw from the meeting for consideration of the item.

TC.103 DISPENSATIONS

There were no dispensations granted.

TC.104 MINUTES

RESOLVED: That the minutes of the Ordinary Meeting of the Town Council held on 5 September 2016 be approved as an accurate record and signed by the Town Mayor.

TC.105 MATTERS ARISING

In respect of minute no. TC.99/16 (Matters for Report), the Town Clerk reported that the issue of unauthorised activity on land at the rear of Leswidden Clay Works had been lodged with Planning Enforcement and that the matter was being investigated.

TC.106 REPORT OF THE TOWN MAYOR, DEPUTY TOWN MAYOR AND TOWN COUNCILLORS

The Town Mayor reported that together with the Deputy Mayor and the Town Clerk he had attended a meeting on 25 August 2016 with officers from Cornwall Council regarding devolution matters.

The Deputy Mayor reported that he attended a reception held by the NCI on 9 September 2016.

TC.107 REPORT OF THE CORNWALL COUNCILLOR

The Town Council received Cllr Mrs James's monthly report of county matters as follows:

Highways matters seemed to be making controversial headlines at the moment: Cllr Mrs James pointed out that many of the larger road schemes were projects that had been many years in the making and had Government and/ or other grant monies attached to them. They were as big a surprise to many of the 2013 intake of Councillors as they had been to the public as they had been approved more than four years ago. However, latest proposals regarding the extension of resident parking permit schemes and the increase in the charges for such schemes was a current and very controversial idea being put forward by the Cabinet but lacking broad councillor support. Proposals would go out for public consultation in the autumn and could see many residents in Penzance and St Ives having to pay as much as £80 a year for street

parking.

Cllr Mrs James had also discovered, through her recent drop-in surgery, that conveyance search requests to the West Land Charges Office were taking longer than usual due to a high level of sickness in the team. She had been advised that results were taking 25 working days to process whereas normally it was 5 to 6 working days.

Finally, Cllr Mrs James had attended the public consultation event concerning the proposed re-establishment of a Heliport in Penzance.

TC.108 TIN COAST PROJECT

The Town Clerk and Cllr N McFadden gave the Council an update on the development of the Tin Coast project and version 5 of the draft Destination Management Plan which had been previously circulated to Councillors via email.

The Town Clerk reported that as significant progress was being made the Council needed to consider becoming a formal partner of the project which would possibly include increasing input into the project.

Cllr N McFadden commented on the progress being made and the significance of the project to the local economy in the medium to long term and stated that it was important that the Town Council became a partner in the project.

Following detailed consideration, the Town Council RESOLVED: That

- (a) the Town Council becomes a formal partner of the project with immediate effect;
- (b) Cllr N McFadden be confirmed as the Town Council's representative on the group; and that Cllr T McFadden be appointed as a substitute member to attend meetings in the absence of Cllr N McFadden; and
- (c) the Council continues to receive regular reports on the development of the project and that all requests for assistance are brought to the full Council for approval.

(Action by: Town Clerk & Cllr N McFadden)

TC.109 ST JUST & DISTRICT TRUST

The Town Clerk reported that she had recently been advised by the Chair of the St Just & District Trust that the Trust was in the process of becoming a Charitable Incorporated Organisation. As the building had originally been transferred from the Council to the Trust, the Town Clerk advised that she had sought legal advice from Cornwall Council on the possible implications for the Council. The Clerk also referred to a couple of potential issues regarding the cost of transfer back to the Council in the event that the Trust failed and para.3 Objects of the proposed new constitution which stated "*activities to include preservation, maintenance.....etc.*" of the Plain-an-Gwarry which was under the ownership of the Council.

Cornwall Council Legal Services had advised that the change from an unincorporated body to an incorporated body was akin to a change of trustee's. The charity was

continuing but with a new management structure and, as such, the right of pre-emption might fall away following incorporation as the charity in its incorporated form was not the same legal entity as that entered into with the original transfer. The legal advice was that a separate stand-alone right of pre-emption should be drawn up between the Town Council and the new incorporated Trust. Cost would be in the region of £600 - £800 depending on the negotiations but it would not be unreasonable for the Council to ask the Trust to contribute to the Council's legal costs given the fact that the matter had arisen due to the actions of the Trust.

RESOLVED: That

- (a) Cornwall Council's Legal Services be engaged to act on behalf of the Council to draw up a new stand-alone pre-emption agreement between the Council and the Trust at a cost of between £600.00 - £800.00; and
- (b) St Just & District Trust be asked to make a contribution towards the Council's legal costs.

(Action by: Elaine Baker)

TC.110 PUBLIC SEATING & STREET FURNITURE

The Town Clerk reported that no further quotations had been received regarding the maintenance of the Council's street furniture and that only one quotation had been received from P N Hancocks at a cost of £1,940.00.

RESOLVED: That the quotation from P N Hancocks at a total cost of £1,940.00 for the repair and maintenance of the Council's street furniture be accepted.

(Action by: Elaine Baker)

TC.111 FINANCE

(a) Financial Assistance

In accordance with their disclosure of interests Cllr Clemens and Cllr Mrs McQueen withdrew from the meeting for consideration of the following item.

The Town Council received the report by the Town Clerk which set out a request for grant funding from Pendeen Parish Hall & Theatre towards the cost of installing two new wall kettles.

RESOLVED: That a grant of £1,000.00 be made to Pendeen Parish Hall & Theatre.

(Action by: Elaine Baker)

(b) Accounts for Payment

RESOLVED: That the accounts to the value of £16,180.44 be approved for payment.

(Action by: Elaine Baker)

(c) Letters of Thanks

There were no letters of thanks.

TC.112 PLANNING

(a) Pre-application Advice

In accordance with their disclosures of interest the Town Mayor, N McFadden, T McFadden and 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 item.

Liam McFadden, Cornwall Garden Services attended the meeting to seek the Town Council's informal view on a potential planning application to extend its current business site at Carnyorth.

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 a formal planning application.

Mr McFadden explained that it was proposed to extend the current site by approximately half an acre and tabled a plan of the proposed location. The land would be used for additional car parking, there would be a small increase in the workforce to 33 staff and there would be no change to the current exemption / licences on the site. The Council expressed its informal support to the possible expansion of the Carnyorth site in preference to the Leswidden site and commented on the state of the site, improvements to the access by reducing the effect of dust on neighbouring properties and future expansion opportunities.

(b) Applications

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

PA16/07585 Alteration to the boundary to the approved domestic curtilage and erection of a domestic garage at East Levant Engine House caravan, Levant Road, Trewellard, Pendeen. Applicant: Mr. Phil Osborne. **(T C objection, design not in keeping with the adjacent engine house.)**

PA16/07774 Prior notification of proposed development by telecommunications, namely the replacement of 3 No. old antennas for 3 No. new antennas (like for like) at the same height and bearings on the existing 45m tower and the installation of 1 No. SAMO cabinet together with supporting bracketry, feeder cables, cable gantry and ancillary development thereto at Arqiva Services Ltd. Communications Mast 141612 Carn Bean, Trewellard Hill, Pendeen. Applicant: EE and Hutchison 3G EE and Hutchison 3G c/o Arqiva. **(T Cl No objection)**

PA16/08038 Lobby and store extension on the north street elevation, replacing existing storage sheds at Mariners Cottage, 8 Botallack, St. Just. Applicant: Mr. W. Keillor. **(T Cl No objection)**

PA16/08094 Single storey side extension at Little Noon Cress, Bosorne Terrace, St. Just. Applicant: Mr. Mathews. **(T Cl No objection)**

PA16/07852 Remove Beech tree at Carvorrow, 13, Carrallack Terrace, St. Just. Applicant: Mrs. Ethel Angwin. **(For Information Only).**

In accordance with their disclosure of interests Cllr Clemens and Cllr D Roberts withdrew from the meeting for consideration of the following application.

PA16/06443 Proposed housing development (two detached open market and two affordable on land south of Church Farm, Pendeen. Applicant: Mr. N. Semmens. **(T Cl Objection on the grounds of design and inappropriate use of materials / lack of granite facing on new units)**

PA16/08287 Existing use of land as a caravan site for stationing a caravan – use as a self-contained residential unit and its cartilage at 21, Falmouth Place, St. Just. Applicant: Ms. Z. King. **(No comment)**

PA16/08267 Variation of Condition 2 and removal of Condition 4 in relation to Decision Notice PA15/05968 dated 20/08/2015 at Trevedra Camp Site, Trevedra Farm, Sennen. Applicants: Mr. and Mrs. John Nicholas. **(T Cl agreed with Planning Officer's comments)**

(c) Decisions

PA16/06165 Proposed construction of dwelling with detached garage at Fisherman's Rest, Nancherrow, St. Just. Applicant: Mr. Clive Williams. **Approval** (T. Cl. No Objection).

TC.113 BT TELEPHONE BOX CONSULTATION

The Town Clerk reported that BT was consulting on its current programme of intended public payphone removals and that the payphone at Carnyorth was in the list of removals as it had only been used to make 9 calls within in the last year. Cornwall Council was co-ordinating responses from local councils with a deadline of 28 October 2016. The Town Council decided to make no comment / objection to the proposed removal.

TC.114 APPLICATION TO USE THE PLAIN-AN-GWARRY

RESOLVED: That the application to use the Plain-an-Gwarry and electricity supply on Saturday 8 October 2016 from Hedgepigs and Hoglets for its Hedgehogs hibernation event be approved.

(Action by: Elaine Baker)

TC.115 AUTOMATIC ENROLMENT - PENSIONS

The Town Clerk advised the Council that its staging date for the automatic enrolment of its staff into a pension scheme was April 2017. However, it was confirmed that the Council's employees who would be legally required to be offered entry into a scheme were already in a pension scheme. As to future employees, the Town Clerk reported that the Council on 1 October 2007 had resolved "*that all employees of the Town Council shall be members of the Local Government Pension Scheme*" and the Town Clerk reported that she had received confirmation from Cornwall Council that, as such, all new employees of the Council would be accepted entry into the Cornwall Pension Fund. The Town Clerk reported that the Pension Regulator would be advised accordingly.

Action by: Elaine Baker

TC.116 MATTERS FOR REPORT

The Town Clerk reported that an invitation had been extended to the Council to hold one of its Council meetings in the Free Church to provide councillors with the opportunity to view the new facility following completion of the renovation works.

The Town Clerk provided the Council with details of the St Just in Bloom presentation evening which was being held on 7 October 2016 at 6.30 p.m. in the British Legion to which all councillors had been invited.

The Town Clerk provided details on two vacancies on the Cornwall Planning Partnership: one clerk and one councillor vacancy and outlined the application process, and details of CALC open meeting on 6 October 2016 at New County Hall, Truro. Cllr Morris expressed an interest in submitting an application in respect of the councillor vacancy on the Planning Partnership which was supported by the Town Council. The Town Clerk agreed to forward further details on the application process to Cllr Morris.

(Action by: Elaine Baker)

Cllr Mrs McQueen welcomed the installation of new swings by Cornwall Council at the St Just recreation ground.

TC.117 EXCLUSION OF PRESS & PUBLIC

RESOLVED – that under Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, that, because of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the business specified in the

following item.

TC.118 REGENT BARN, BOSORNE ROAD, ST JUST

Cllr Mrs James sought the Town Council's informal view on a highway matter regarding a potential stopping up order of the public highway.

TC.119 FEAST ANNUAL AWARDS 2016

The Town Council considered nominations for this year's annual Feast awards for Citizen, Junior Citizen of the Year and Achievement in Sport Awards.

Meeting closed at 9.05 p.m.

Town Mayor