

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 2<sup>nd</sup> September 2019 at 7.15 p.m.

Present:

Cllrs M Blundy (Mayor), S James (Deputy Mayor), B Clemens, J Manser (part), C Moore, F Morris,  
L Paine, G Prowse, G Roberts, D Shephard and B Strick

Locum Town Clerk:

Mrs D James

Public Present:

3 members of the public were present

TC.91 Public Address at Council Meetings

A member of the public addressed the Council regarding planning application PA19/06463 – they advised the history of the application and that they hoped that the Council would support their application with the S106 restrictions.

TC.92 Apologies for Absence

Cllr Z Baxter

TC.93 Declarations of Interest

Cllr J Manser – 7 a iii) Nancherrow Project grant request – he is on the board

TC.94 Dispensations

Cllr J Manser – 7 a iii) Nancherrow Project grant request – he is on the board – dispensation already agreed – speak and vote

TC.95 Minutes

**Resolved:** That the Town Mayor signs as a true and accurate record the Minutes of the Ordinary Meeting of the Town Council held on 22<sup>nd</sup> July 2019.

TC.96 Matters Arising

Cllr James – 2 matters; the sealing of the documents in relation to the library transfer and the transfer fund. The Clerk advised those would be dealt with during the Clerk's report and briefings later in the meeting.

*Agreed to change the order of the agenda to cover the planning and neighbourhood plan matters for the public present – therefore items TC99 and TC100 were dealt with at this point in the meeting – however for ease of reading, the minutes are written in the order of the agenda.*

*Cllr J Manser left the meeting at 19:51 – after TC100 – and did not return until 20:21 before TC101 which was actually discussed after TC97 and TC98. He was therefore not present for TC97 and TC98.*

TC.97 Finance

a) Grants – to consider the following grant requests:

i. Pendeen Community Heritage - £500

Discussion took place.

**Resolved:** To award a grant of £250.00

To advise the group that they may apply, if they wish, to the local Cornwall Councillor who may be able to offer a grant from their Community Chest.

ii. St Just Yuletide Fair - £250

**Resolved:** To award a grant of £250.00

iii. The Nancherrow Project - £2000

*Originally deferred to await the return of Cllr Manser who was absent from the meeting, he returned at 20:21 and therefore this matter was discussed after TC102.*

Discussion took place regarding the use of the grant monies requested as there was some confusion about the use given my Cllr Manser and the use noted on the application.

**Resolved:** To award a grant of £2000 and to request a meeting with the group before the Town Council sets its annual budget to discuss the funding needs.

b) Accounts for payment:

To approve payment of accounts to be made and to note payments already made (if any)

**Resolved:** To note the payments already made.

**Resolved:** To approve the payments to be made.

c) To receive and note the quarterly accounts

Agreed to accept the quarterly accounts as presented.

Cllr Clemo wished to thank the Locum Town Clerk for her work on the accounts.

d) Banking:

i. To note the transfer made between accounts

Agreed to note the transfer made between accounts on 22<sup>nd</sup> July 2019.

ii. To consider the banking mandate and steps taken to address the issues agreed at the 22nd July meeting and ratify the actions

The Clerk and Cllr Roberts advised the Town Council of the steps taken to address security issues identified, as per the meeting in July. It was advised that this is a temporary measure to address the security.

**Resolved:** To ratify the actions taken; to remove 2 x ex members of staff and Cllr Clemens, to add Cllr Strick and the Locum Town Clerk as signatories, to add the assistant as a debit card holder (and signatory), to place the new authentication card in Cllr Roberts's name.

TC.98 Letters of Thanks – listed below and any others received at the time of the meeting

a) Shifting Horizons for the grant received

Noted.

TC.99 Planning

(a) Applications:

As part of the formal consultation process, the Council's comments are sought on applications received from Cornwall Council since the last meeting (*schedule sent to all Councillors*). Copies of the applications are available for inspection at the Town Council offices.

1. Application PA19/06071

Proposal Works to an Ash tree in a conservation area namely reduce crown as becoming too large, overshadowing a restricted location and interfering with neighbour's TV signal - Location 8 Carrallack Terrace St Just TR19 7LW *FOR INFORMATION ONLY*

Noted – information only item.

Cllr Sue James read the following statement:

*As both a Cornwall Councillor and Town Councillor for the St Just-in-Penwith Division, I wish to make clear that any views and opinions expressed today will not affect my decision making at a later stage of the planning process when I might have additional information and be in a different role.*

2. Application PA19/06097  
Proposal Construction of garage - Location 9 The Square Pendeen TR19 7DN

**Resolved:** No objections.

3. Application PA19/06190  
Proposal Two Storey Extension to West (Rear) Elevation to create enlarged kitchen/dining space and an additional small (4th) bedroom at first floor. New Re-configured slate covered roof over south wing and New Canopied Entrance on West Elevation - Location Porthnanven House Cot Valley St Just Penzance

**Resolved:** No objections.

4. Application PA19/06502  
Proposal Construction of front porch - Location 20 Carnyorth Terrace, Carnyorth, St Just

**Resolved:** No objections.

5. Application PA19/06463  
Proposal Outline planning permission with all matters reserved: Erection of an affordable self-build dwellinghouse and a domestic annexe - Location Land East of Pen Tregrahan, Botallack, St Just

Lengthy discussion took place; Objections had been lodged by AONB and World Heritage. There were no present locations for self-build in Cornwall. Cornwall Council are looking to address the matter and 2 plots have been identified in the St Just area. The area was a greenfield site.

**Resolved:** Strong objection.

6. Application PA19/06570  
Proposal Demolition of covered yard and construction of dwelling - Location Land West of Truthwall, Truthwall, St Just.

Lengthy discussion took place.

**Resolved:** Strong objection on the grounds of overdevelopment.

7. Enquiry reference proposal PA19/07096  
(NMA1) for increasing the floor height of the aviaries by 300mm (260mm) and reducing the overall height of the aviaries by 300mm to decision PA18/08918 dated 28.12.18 - Location Bosavern Cottage, Bosavern, St Just

Lengthy discussion took place.

**Resolved:** No objections.

8. Application PA19/08918  
Proposal Erection of a falcon breeding facility. Location Bosavern Cottage, Bosavern, St Just  
No comment – dealt with via the application above.

9. Application PA19/06879  
Proposal Conversion and extension of existing toilet/shower building to form holiday dwelling with variation of condition 2 (plans approved) of decision PA18/11602 dated 01/02/2019 Location Bosavern House B3306, Bosavern, St Just

Lengthy discussion took place.

**Resolved:** Strong objection on the grounds of overdevelopment.

10. Application PA19/06735  
Proposal Camp site with shower/toilet block plus machinery store on existing agricultural land - Location Lands End Radio Station, Higher Bosavern, St Just

Detailed plans had not been available for the application until the night before the meeting. Agreed to defer the matter until the next Council meeting.

11. Application PA19/01109

Proposal Replacement roof covering including raising of rear section and removal of one chimney.  
Location 11 Market Square, St Just

**Resolved:** No objections.

b) Decisions

PA19/04040

Outline planning permission with all matters reserved: One dwelling house – Location Land between 15 and 17 Hillside Cottages Trewellard Pendeen - Approval (T. Cl No Objection)

PA19/04487

Construction of first floor extension, alterations to ground floor extension and c/construction of decking area. Location Serica Penzance Road Pendeen - Approval (T. Cl. No objection)

PA19/04367

Construction of new agricultural building. Location Trevedra Farm, Sennen - Approval (T. Cl No objection)

PA19/04462

Single storey rear extension to existing annexe. Location Penty Tek, Joppa, St Just - Approval (T. Cl. No objection)

PA19/01618

Extension, alterations and associated works. Location Nanquidno Vean, Nanquidno, St Just - Approval (T. Cl. No objection Agree to Disagree)

PA19/03769

Listed building consent for the replacement of dilapidated roof structure. Location The Star Inn, Fore Street, St Just - Approval (T. Cl No objection)

PA19/03813

Listed Building Consent: Replacement of dilapidated roof structure. Location The Wellington Hotel, Market Square, St Just - Approval (T. Cl No objection)

PA19/04571

Proposed extensions Location The Byre B3306 Higher Bosavern, St Just – Approval (T. Cl. No objection)

PA19/04618

Replace old 3 chamber septic tanks with 2 new plastic septic tanks in a new location - Location Bosavern Farm, Bosavern, St Just - Approval (T. Cl. No objection)

PA19/05015

Replacement windows and doors to front and rear elevations. Location Chy Men 2 Lafrowda Terrace, St Just - Approval (T. Cl. No objection)

PA19/05239

Various works to trees in a Conservation Area. Location The Haven, Trewellard Pendeen Decided not to make a TPO (TCA apps) *For information only (T. Cl No objection)*

PA19/00946

Demolition of existing building and replacement with new dwelling and annexe on similar footprint. Location 21 Carrallack Terrace, St Just Approval (T. Cl. No objection)

PA19/04683

Conversion of existing barn to form dwelling house. Location Dowran Farm, St Just Approval (T.CI support)

PA19/03421

Use of land for parking spaces Location 18 The Turnpike, Tregeseal, St Just Approval (T. CI No objection)

PA19/05116

Demolition of porch within a Conservation Area and erection of a replacement porch Location St Just Library, Market Street Approval (T.CI No objection)

PA19/05132

Partial demolition of south elevation in order that it may be consolidated and reconstructed to match the current external appearance and make the dwelling safe for access Location 12 Boscaswell Village, Pendeen Approval (T. CI No objection with condition that a bat/owl/wildlife survey is completed beforehand)

PA19/05199

Erection of new lean-to white PVCu conservatory. Approval (T. CI No objection)

PA19/05233

Raised lawn and patio area to enable disabled child to play outside independently Location 1 Ballowall Terrace, Carn Bosavern, St Just Approval (T. CI No objection, supports application)

c) Appeals

None

d) Enforcement and correspondence:

To receive updates and consider matters to report (if any)

**Agreed:** by the Council that they would not meet the agent prior to any formal application being made to Cornwall Council (CC) and would wait until they received any application from CC.

e) Cornwall Council '5 day notices'

i. To confirm the decision for PA19/04798

**Resolved:** To ratify the decision of the majority of replies to the Clerk regarding the '5 day notice' re planning application PA19/04798 – to agree with the planning officers recommendation.

ii. To consider and agree protocol for future 5 day notices

**Resolved:** To accept the protocol as proposed. (*That the office will send to all Councillors a 5 day notice, when received from CC. The Clerk will respond to CC with the decision of the majority as long as 7 or more councillors respond.*)

TC.100 Neighbourhood Plan

A report had been sent to all Councillors. The final number of returns is 994. The next stage is to draft the plan. The Council agreed that they were hugely grateful to all those involved in the work on the Neighbourhood Plan.

TC.101 Mayor's Report

- St Just in Bloom Judging 25th July – the town was looking lovely, the judges made encouraging comments, and we await their decision in the next few weeks.
- Gorsedh 4th - 8th September – The event runs from Wednesday to Sunday.
- Mayor's Sunday 15th September – There will be a parade from the Miner's Statue (weather permitting). It will not be a very traditional church service and will feature contributions from local musicians.
- Peter le Mare – I have been approached by the Mayor of Penzance, who wish to mount a memorial plaque on an olive tree. I have proposed making a donation from the Mayor's allowance.

TC.102 Correspondence  
None

TC.103 Schedule of meetings  
To agree the schedule of meetings (incorporating new committees)

As the Terms of Reference did not state the date and time of the Committee meetings, the Office asked for a steer from the Council to enable them to draft a schedule.

**Agreed:** 5pm on Monday when there is not Council meeting. Subject to Neighbourhood Planning meetings.

TC.104 Clerk's Report

**IT** – most of the work has been done and the security issue with the wifi has been sorted. We are just waiting to obtain the 365 licences.

**Playground update** – the urgent repair works have been dealt with as identified in the annual report. The Council agreed that if the works on the sailboat springer and the play table are within the remit of the Clerk then the work can be done, the work will take a while for parts to arrive therefore confirmation from the Council on the amount is requested:

**Agreed:** The Clerk can agree the works at the cost of £523.00 +VAT.

Further works were required on the multiplay due to its condition identified during initial works.

**Agreed:** That the company seek alternative options and the Clerk reports back to Council when information is received.

**Parking enforcement** – following reports from the public, business owners and police, the Clerk contacted CC regarding the dangers of the parking issues, especially in the Square. CC will be arranging additional patrols.

**Climate and Environment Action Committee** – We have had 3 members of the public register an interest. The total number of those who register an interest could determine how the Council will 'co-opt' them onto the committee. A member of the public did wish to speak on this tonight; however I have spoken to them and my update answered their query.

**The Doctors surgery has requested a parking space** – I have advised that the car park is owned by Cornwall Council and any request must be made to them at this point.

TC.105 Information items and matters to report

Cllr Moore – has been approached by a member of the public about clay shooting in the area.

Cllr Morris – wished to request that the purchase of Christmas Trees was looked at soon by the Council and quotes were requested.

Cllr Clemens – The Police Liaison meeting that had been arranged was cancelled, by the Police department. He had attended the planning appeal on 21<sup>st</sup> August on behalf of the Council, the inspector had advised that the decision would take 6-8 weeks.

He has attended 2 meetings regarding The Levant 100 which is to be held on Sunday 20<sup>th</sup> October – all plans are going well.

Cllr Strick – Had attended the sustainability event which was well attended.

There will be a fundraising day on 21<sup>st</sup> September for a young person in Pendeen.

Pendeen Watch had received reports of glue and aerosol sniffing – it was advised that this is reported to the Police.

Cllr Prowse – Wished to advise that Cllr Clemens had presented the feelings and views of the Council well at the planning appeal meeting in August.

Cllr James – On behalf of the Mayor had attended; National Champion of Champions for In Bloom, they were very impressed with the community engagement and spirit. An arts and crafts sale and the Gorsedh Kernow planning meeting.

TC.106 Recommendations from Committees

To consider the recommendation from the Premises and Amenities Committee to obtain EPC's for the public toilets and library buildings.

The Clerk advised that the Office had sought advice regarding getting EPC's done, the advice was; as there have been no alterations to the heating, or the likes, for the library then the current EPC that was done in 2017 should be sufficient for the next 8 years and that it was not felt that the toilets needed an EPC.

**Agreed:** To review at a later date.

TC.107 Library – devolution – including sealing of documents

To consider/receive the following and agree any associated actions and expenditure

a) To receive updates from the Locum Town Clerk

The Clerk advised that information given was that under the Workplace (Health, Safety and Welfare) Regulations 1992 the number of toilets required for 1-5 employees is 1 and 6-25 employees are 2. Volunteers are included in those numbers as are members of the public. Therefore, the Council will need to be mindful when allocating duties to the volunteers and staff to not overstep the 5 employees' rule and a lock should be placed on the corridor door to prevent members of the public using the toilets. Adequate public facilities are located opposite the building.

b) To consider the current Town Council Offices lease, dilapidation, repair and decoration

Advise given: The Council need to consider the implications of the surrender deed, which means giving up the existing lease and adhering to the terms. CC have attended the Offices and completed a light touch survey/report. They are requesting a set sum from the Council to excuse them of their compliance of obligations.

**Resolved:** To delegate the matter to Cllr S James to discuss the proposed sum and matter with Cornwall Council.

c) To consider the surrender deed, acceptance of, and the sealing of the deed

Advise given: This will be subject to the clauses in the lease and if the Council sign, they are agreeing to surrender their lease and will have to leave the property.

**Resolved:** To leave the matter on the table for 2 weeks until the next Council meeting.

d) To note and consider the amendments to the Service Level Agreement

**Agreed,** given the items above, to defer the matter.

e) To receive and consider the amended transfer date

**Agreed,** given the items above, to defer the matter.

TC.108 Exclusion of the Press and Public

**Resolved:** That under Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, it is proposed 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(s).