



DRAFT MINUTES OF A MEETING OF MAWNAN PARISH COUNCIL HELD ON THURSDAY, 17th SEPTEMBER 2009 IN MAWNAN METHODIST CHAPEL

PRESENT : Cllrs Gartside (Chairman), Barlow, Dearnley, Gibbons, Gilmore, Miss King, Mrs Loomes and Sadler.

580/05 PUBLIC COMMENT ON ITEMS ON THE AGENDA

There were no comments on items on the agenda.

581/05 TO ACCEPT APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllrs Mrs Lawry & Odell, and also from PC Cooke.

582/05 DECLARATIONS OF INTEREST

a) In Items on the Agenda

The following declarations of interest were made :-

- Cllr Gibbons – Personal and prejudicial interest in agenda item 584/05 (e) [*Boundary treatment at Penvale*]. He stated that he wished to make a personal statement with regard to this item, and it was agreed that this should be made immediately prior to the item's discussion.
- Cllr Gilmore – Personal and prejudicial interest in agenda item 588 (c) (i) [*Planning application for Roseland View*].
- All Members – Personal and prejudicial interest in agenda item 588 (c) (ii) [*Planning application for Norways Farm*].

b) Of gifts of a value of more than £25

There were no declarations of gifts of a value of more than £25.

583/05 TO CONFIRM MINUTES OF PREVIOUS MEETINGS

a) Meeting of Parish Council, 16th July 2009

It was proposed by Cllr Gibbons, seconded by Cllr Gilmore and

RESOLVED that the Minutes of the Parish Council Meeting held on 16th July 2009 be approved as a true record and be duly signed.

b) Meeting of Planning Committee, 30th July 2009

It was proposed by Cllr Gilmore, seconded by Cllr Sadler and

RESOLVED that the Minutes of the Planning Committee Meeting held on 30th July 2009 be approved as a true record and be duly signed.

c) Extraordinary Meeting of Parish Council, 4th August 2009

It was proposed by Cllr Gibbons, seconded by Cllr Mrs Loomes and

RESOLVED that the Minutes of the Extraordinary Parish Council Meeting held on 4th August 2009 be approved as a true record and be duly signed.

d) Meeting of Planning Committee, 10th August 2009

It was proposed by Cllr Gibbons, seconded by Cllr Miss King and

RESOLVED that the Minutes of the Planning Committee Meeting held on 10th August 2009 be approved as a true record and be duly signed.

e) Meeting of Planning Committee, 27th August 2009

It was proposed by Cllr Sadler, seconded by Cllr Gibbons and

RESOLVED that the Minutes of the Planning Committee Meeting held on 27th August 2009 be approved as a true record and be duly signed.

584/05 TO REPORT MATTERS ARISING FROM THE MINUTES NOT ON THE AGENDA

a) Change of Clerk

The Chairman stated that a shortlist of 5 candidates had been drawn up, with interviews scheduled for the following Tuesday, 22nd September 2009. He expressed the council's thanks to the current clerk, who would be available for handover advice during October 2009. A vote of thanks was proposed to the Clerk.

b) Planning training

The Chairman had attended the first of two Cornwall Council training sessions on behalf of the council, and reported that it had been very worthwhile.

c) Dog Bins

Some progress had been made with Cornwall Council, who had agreed to replace the broken bins, and empty the bin at Bosloe more regularly. The Clerk was asked to point out that the agreement with the National Trust at Bosloe was for a Dog Bin only, and not for a multi-use bin.

d) Local Government Ombudsman – Investigation into performance of Kerrier DC Planning Enforcement with regard to Helford River

A letter had been received, stating that the investigation would now be undertaken by Cornwall Council officers who were not ex-employees of Kerrier DC, and who would therefore be more appropriate.

e) Meudon Farm – Public Rights of Way

These had been greatly improved by County Farms and its new tenant farmer, and slurry problems should be much reduced in future winters. The Clerk was asked to ensure that clean access was maintained to the gateway to the path to Meudon Woods.

585/05 AGENDA ITEMS

a) Report back from an informal meeting of Falmouth & Penryn CNA (Community Network Area), 24th July 2009

This had been attended by Cllr Gibbons and the Clerk. It was reported that it appeared that the CNA's would have no decision-making powers, and that there would be very little finance available at a local level. Attendees had expressed their concern, therefore, as to whether the CNA's could possibly be effective in any way.

b) To consider whether the council wishes to pay for a wreath and/or the services of a bugler for the 2009 Remembrance Service

The Chairman stated that a wreath had been laid at the Memorial Cross in a short Service of Remembrance, on 11th November in previous years. He had this year been offered the services of a bugler for a nominal sum.

It was proposed by Cllr Gartside, seconded by Cllr Gibbons and

RESOLVED that the council should purchase a wreath, as in previous years, and also engage the services of a bugler.

Cllr Sadler asked that it be minuted that he voted against this motion.

c) To consider if the council has any issues which Julia Goldsworthy MP might address at her travelling surgery, Mawnan Smith, 8th October 2009

The Clerk stated that notices of the surgery had been placed on the notice board, in the Post Office and in the "Hammer'n'Hoe". Following debate, the Clerk was asked to submit the following list of items for discussion :-

- Affordable Housing provision locally.
- The quality of road services throughout the county.
- The handling of boundary treatment at Penvale [see agenda item 595/05 (e)].
- The Sustainable Communities Act [see agenda item 595/05 (l)].
- Why the travelling surgery should be held in the open air in October, rather than in the Village Hall, or elsewhere indoors.

d) To consider a possible project to make Mawnan Smith "The Fruit Garden of Cornwall"

The Chairman distributed a discussion paper which had been submitted by a member of the public. This paper urged the council to encourage local residents to plant fruit trees, and also asked the council to consider asking the Carwinion and Junior Playing Field Trusts to do the same. He added that Glendurgan Gardens already planned a new orchard.

Following discussion, it was agreed that this item be carried forward to the October council meeting. The Clerk was asked to write to thank the member of the public for his hard work in preparing the discussion paper.

e) To consider the council's response to the proposed boundary treatment around the two new dwellings at Penvale

Cllr Gibbons made the following personal statement, after which, having declared a prejudicial interest in the matter, he left the room for discussion of this agenda item :-

- There had been a condition attached to the decision notice for the proposed building of two new dwellings at Penvale. This condition stated that proposals for boundary treatment should be submitted and approved before building work commenced. There had already been a tree removed which appeared to be subject to a TPO, so he had requested details of the agreed boundary treatment from the Planning Authority. Many weeks passed, during which time building work commenced and existing shrub boundaries were removed. Eventually he had invoked his rights under the Freedom Of Information Act, and had now received a copy of the proposals regarding boundary treatment. The proposal was to erect a fence of between 1.5 and 1.8m in height around parts of the curtilage, which was totally out of keeping with the surrounding properties, and contrary to the Parish Council's planning observations regarding the retention of boundary shrubs and other planting. He considered that the Parish Council should raise this issue, as a matter of urgency, with the Planning Authority (Cornwall Council), and also with the developer.

Cllr Gibbons left the room, while this matter was discussed.

Following a lengthy discussion, it was proposed by Cllr Sadler, seconded by Cllr Barlow and

RESOLVED that :-

- The council should contact the applicant / developer in a low-key manner, and request a change in the proposed boundary treatment.
- The council should write to the Planning Authority and express its real concern, as a statutory consultee in the planning process, having submitted observations asking for boundary planting to be retained in the interests of the owners of neighbouring properties. It should question the process of discharging the condition with regard to boundary treatment without any further consultation, and without taking the Parish Council's observations into account.

Cllr Gibbons returned to the room.

f) To consider the council's response to the "Members Needs Survey / Representation on the Planning Liaison Panel & Outside Groups" documents from CALC

Details of this had been circulated prior to the meeting. Members commented on the documents, and asked the Clerk to complete these on behalf of the council.

g) To consider the proposals in the "Draft Protocol for Local Councils" issued by Cornwall Council Planning Department

Cllr Gilmore, as a current member of the CALC/Cornwall Council Planning Liaison Group explained the documents, which had been circulated prior to the meeting. The proposal was a response to complaints from Town and Parish Councils that planning applications were now being determined by officers in the majority of instances, and on occasion against the observations of local council consultees. The paper proposed strengthening the ability of local councils to :-

- Hold discussions with officers prior to determination
- Request that consideration be given to dealing with certain applications by Planning Committees

The council was reassured by the content of the document, which responded well to concerns it had about the planning process in the new Cornwall Council.

h) To consider a proposal from South West Coastal Path works in Mawnan Parish, from Cornwall Council

Cllrs Loomes and Gartside stated that there was an area of the SWCP, where it crossed the fields belonging to the Meudon Hotel, where, through use, it was now inland of the coast by many yards, and a long way from the definitive route. The route had been examined with an officer of Cornwall Council, who had agreed to carry out the major works to reinstate it on the definitive route.

Cornwall Council had also asked the Parish Council to arrange for the grass to be cut along the definitive route, the cost to be reimbursed via LMP. A quotation for approximately £70 (including VAT) had been obtained.

It was proposed by Cllr Sadler, seconded by Cllr Barlow and

RESOLVED that Cornwall Council be congratulated on their speedy response, and that the grass cutting quotation be accepted.

i) To consider whether the council wishes to respond to the “Strengthening Local Democracy” document from NALC

Copies of a summary document had been distributed prior to the meeting.

It was proposed by Cllr Gilmore, seconded by Cllr Gibbons and

RESOLVED that the council should not respond to the document, as scrutiny would be carried out by the principle authority in any case.

j) To consider a request for grant funding from the MCA Hall

The Chairman stated that the MCA Hall building was already funded indirectly by the Parish Council via the Carwinion Trust / Carwinion Playing Field, although it was recognised that the MCA Hall was in need of maintenance, as were the portions owned by the Carwinion Trust. The Memorial Hall was grant aided by the council, and although the MCA Hall was used less, it was felt that its presence was beneficial to the parish.

Following discussion, it was proposed by Cllr Gartside, seconded by Cllr Barlow and

RESOLVED that the Clerk should write to the MCA Committee, and arrange to send them a 2010/11 grant application pack when these were distributed.

k) To consider a request for grant funding from Cornwall Air Ambulance Trust

In line with the council’s S137 Grant policy, it was proposed by Cllr Barlow, seconded by Cllr Gartside and

RESOLVED that the Clerk should respond to the request, and state that, regretfully, the Parish Council only normally considered grant funding requests from within the parish.

1) To consider the council's response to an Email from "unlockdemocracy.org.uk" regarding the Sustainable Communities Act

A copy of the document had been distributed prior to the meeting, and it was considered that this item should be one of those submitted to Julia Goldsworthy MP, for comment at her travelling surgery.

586/05 CORRESPONDENCE

The Clerk reported on correspondence received, a schedule of which is attached to the minutes as a record.

587/05 REPORT FROM CORNWALL COUNCIL WARD MEMBER

Cllr Hatton reported on the following matters :-

- Planning Matters – While a new county-wide ethos concerning the way planning applications were determined was being encouraged from “the top”, there were still differences in interpretation between the delivery areas and sub-areas, based upon historic operation across the districts. Scrutiny was still inconsistent, and there were no less site meetings than there had been in the old Kerrier DC days. He had no doubt that things would eventually change for the better, however.
- Waste Incinerator proposal – SITA was appealing against the decision not to go ahead with the proposal.
- Affordable Housing – Cornwall Council had submitted a bid for a £30m PFI-based scheme.
- Highways Capital Projects – There appeared to be funding only for maintenance at present.
- Mawnan Speed Visor – He was aware that this was still not operating at most times of the day, and had taken this up with Highways. It was agreed that the Clerk should also pursue this matter on behalf of the Parish Council.
- BT telephone pole replacement – It was planned to carry out some activities in the coming weeks.

588/05 PLANNING APPLICATIONS

a) To Note Planning Decisions received from the Planning Authority

The Clerk reported on decisions received, details of which are attached to the minutes as a record.

b) To Note Planning Enforcement Complaints received by the Planning Authority

The Clerk reported on complaints notified to the council, details of which are attached to the minutes as a record.

c) To Consider Planning Applications Received From the District Authority

i) PA09/01032/F – Mr & Mrs W McLean, Roseland View, Maenporth Road, Maenporth – Conversion of existing domestic garage into a self-contained unit
Having declared a prejudicial interest, Cllr Gilmore left the room. The Clerk was asked to organise a site visit, followed by a Planning Committee meeting, towards the end of the next week. Cllr Gilmore returned to the room.

ii) PA09/01129/F – Mr R Sadler, Norways Farm, Carlidnack Road, Mawnan Smith – Extension to existing agricultural barn

Having declared a prejudicial interest, Cllr Sadler left the room.

OBSERVATIONS : No objections

Cllr Sadler returned to the room.

- iii) **PA09/01141/F – Mr T Adams, The Nest, Maenporth – Erection of replacement domestic garage with annexe accommodation over**

OBSERVATIONS : No objections

589/05 FINANCE AND PAYMENT OF ACCOUNTS

a) Payment of Accounts

It was proposed by Cllr Gartside, seconded by Cllr Barlow and

RESOLVED that accounts totalling **£1,415.55**, already paid in August, be ratified. A schedule of these is attached to the minutes as a record.

It was proposed by Cllr Gartside, seconded by Cllr Barlow and

RESOLVED that accounts totalling **£3,286.71** be approved for payment in September, and duly signed. A schedule of these is attached to the minutes as a record.

590/05 REPORTS FROM COMMITTEES AND REPRESENTATIVES

a) Police Report

PCSO Huddlestone reported that there had been 4 reported crimes in the two months since the July meeting, compared with 5 in the same period in 2008. PC Cooke had also investigated reported problems with nuisance behaviour, and had visited a number of youngsters at their homes. This was disappointing, following a period of relative stability. Thanks were expressed to the Police, by members, for having an informal word with the workmen on the Penvale construction site, concerning the use of bad language.

b) Public Rights Of Way

Cllr Mrs Loomes reported that arrangements were in hand for a delivery of road scrapings from Cornwall Council, which it was planned would be spread to raise the level of the path to avoid future flooding.

c) Carwinion Playing Field Trust

Cllr Gibbons reported that the trees behind the buildings were being cut back, the major potholes in the car park were to be filled in, with the gate latch also being repaired.

d) Mawnan Fun Run

Cllr Gilmore reported that this would take place on the morning of Sunday 4th October, and that volunteers were sought to act as marshals.

591/05 DATE AND TIME OF NEXT MEETING

The next meeting of Mawnan Parish Council would be held on Thursday, 15th October 2009, commencing at 7.30pm, in the Memorial Hall.

COMMENTS FROM THE PUBLIC

a) Change of Clerk

Members of the public expressed their thanks to the Clerk for his work on behalf of the local community, over the last few years.

b) Air Ambulance

Members of the public urged the council to reconsider its decision with regard to grant funding.

c) Speeding on Grove Hill

This was reported to still be a problem, even at times when the Speed Visor was operational, with motorists exceeding the speed limit up the hill.

d) Remembrance Service

The council was asked to investigate moving its service to Remembrance Sunday, rather than 11th November, and also whether the service should be held in Mawnan Memorial Hall, rather than at the Millennium Cross.

Signed : 15th October 2009
Chairman

DRAFT