

**Minutes of the Meeting of St Mawgan-in-Pydar Parish Council held in Mawgan Porth Village Hall
on Wednesday the 10th day of February 2016 at 7.30pm**

- Present: Cllrs E McKenzie (Chairman), R Cawley (Vice Chairman), W H J Corbett, B Cawley, G Jennings, S Jennings, S Tavener, S Gardner, D Carter and M Raby
Mr Paul Roberts (Locum Parish Clerk), Cllr J Fitter (CC) and 6 members of the public
- 028/2016 Apologies – Cllrs K Atkinson and S Jones
- 029/2016 Police Report – PCSO Burgess was pleased to report that no crimes were recorded in January. He also gave a brief report on his recent village school liaison visit.
- 030/2016 Member's interests
Declarations of interests
Cllr R Cawley DPI item 20
Cllr S Gardner DPI Items 7 (a) v, 14 & 15
Cllr G Jennings DPI item 7 (a) iii
Cllr S Jennings DPI item 7 (a) iii
- 031/2016 Requests for dispensations for DPI's - none
- 032/2016 Written statements received – from Cllr S Gardner & Helen Walker for item 7 (a) iv and from Cllr G Jennings for item 7 (a) iii
- 033/2016 Public participation
A member of the Public spoke on a planning matter regarding Areas of Special Character (ASC) in the light of a forthcoming planning application for a detached dwelling on open land at Trenance. He expressed his and other resident's concerns regarding the Local Planning Authority's (LPA) apparent failure to recognise ASC policy when dealing with recent applications. He urged the Parish Council to enter into formal discussion with the LPA in an attempt to resolve this issue.
- 034/2016 Minutes of the last meeting – Proposed Cllr R Cawley, seconded Cllr B Cawley, and **Resolved** to accept the minutes of the meeting as a true record of the meeting and they were signed by the Chairman.
- 035/2016 Clerk's report – as circulated. In addition, the Clerk reported that:
(a) he had received the Maintenance Partnership Agreement from Cornwall Council
(b) regarding the question of the receipt of donations from private individuals and businesses to help towards the cost of beach cleaning and the provision of toilets in St Mawgan, the Clerk advised that the method of payment should be left to the Donor. There should be no pressure from the Council to request payment or set out a preferred method of payment.
- 036/2016 Planning – New applications – discuss and decide on response to Cornwall Council
- (i) PA15/12036 - Certificate of Lawfulness for the continued use of the barn as a separate self-contained dwelling house. New Farm Bungalow, New Farm, St Mawgan. Mr & Mrs Hazell
Resolved to make no comment
- (ii) PA15/12109 – Application for outline planning permission for the removal of existing wooden dwelling and replacement with a 4 bed detached house with detached garage. The Ranch, Trevarrian, Mawgan Porth Hill, Mawgan Porth, TR84AJ. Mr George Watson.
Resolved to object to the application on the grounds of an inappropriate development in open countryside. Voting 9 in favour. Cllr S Gardner abstained

Cllrs G Jennings and S Jennings left the chamber for this item

- (iii) PA15/11986 – Extend use of field OS7750 from 28 days to use from Easter to 30 September each year. Construction of timber frame building on field OS7350 to be used as reception/café, to be used solely in conjunction with existing caravan/camping site. Bostaran, Tregurrian. - Mrs Gwendoline Jennings, Watergate Bay Holiday Park.
It was **Resolved** to defer a decision to allow the Planning Case Officer to further research the planning history of the site.
Voting 6 in favour with 2 abstentions.

- (iv) PA16/00354 – Proposed dwelling – C2/09/01648. PA13/00195, extension of time. Beaumar, Tredragon Road, Mawgan Porth. Mr & Mrs Marland
Resolved to raise no objections

Cllr S Gardner left the chamber for this item and removed his recording device

- (v) PA16/00458 – Creation for an access for Langweath House. Langweath House, Lanvean, St Mawgan. Professor K Atkinson.
Resolved to support the application

The Clerk read out a statement tabled by Cllr Gardner setting out his and Helen Walker's support for the application. Having consulted with the Chairman, the Clerk omitted paragraphs 3 to 7 (inclusive) as the Council should not be drawn into any discussion on the use of private property between the land owner and residents.

Comment [LM(1): Were you going to say it and other comments available on the CC website?

- (vi) PA15/11574 - The rag slate roof to be removed from front slope and to be replaced with new Delabole slates. 2 existing roof lights to be replaced with Conservation type Velux roof lights. The Delabole slate to the rear is to be repaired and a single Conservation roof light is to be installed above the new first floor shower room. The existing timber shed with felt roof is to be refurbished. The Corner Cottage, Porth Farm Cottages, Mawgan Porth, TR84BP. Mr & Mrs T Z Duane
Resolved to raise no objection

037/2016 Any other planning applications received from Cornwall Council by the time of the Meeting:

- i) PA16/00941 – Certificate of Lawful Development in respect of rear extension constructed under permitted development rights in 2012 – The Old Post Office, St Mawgan – Mr J Crabtree.
Resolved to make no comment
- ii) PA16/00907 - Land at Trenance – erection of detached dwelling at OS 185012 – 67780 Trenance, Mawgan Porth.
The Clerk reported that an extension of the consultation period had been granted. It was agreed that the application will be placed on the March PC meeting agenda.

038/2016 Advices and decisions by Cornwall Council – if any (as circulated) - None

039/2016 To discuss planning enforcement issues – to refer any new issues and updates – if any - None

040/2016 Working Groups –
Beach and Environment – no reports
Amenities - Cllr W H J Corbett reported that he was looking into various types of timber to provide the post supports for the fencing around the Play Area in order to

give the longest possible life to the structure.

Transport and Rights of Way – no reports

- 041/2016 To receive reports from meetings - Cllr G Jennings circulated a report on the proceedings of the Newquay and St Columb Community Network Panel. It was agreed to place the Local Devolution Fund item on the agenda for the March PC meeting.
- 042/2016 To note and discuss if necessary any correspondence received since the last meeting -
 (a) Public Consultation Draft – Cornwall AONB Management Plan 2016 -2021 passed to Planning Group for comments.
 (b) Improving Mobile Signal Coverage in Mawgan Porth - email received from Technology Delivery – Networks. It was agreed that the Clerk asks the correspondent for more details of the scheme.
- 043/2016 Clerk vacancy – After discussion
 It was **Resolved** to adopt the Contract of Employment with final checks to be made on leave entitlement calculation and pay scales.
 It was **Resolved** to accept the Job Description as circulated.
- 044/2016 Staffing Committee –
 i) **Resolved** to form a Staffing Committee in accordance with Standing Order (handling of staff matters) – 20 (b) consisting of the Chairman, Vice Chairman and past Chairman. It was agreed that Cllr W H J Corbett would take up the role of past Chairman while Cllr K Atkinson was indisposed.
 ii) **Resolved** to adopt the Staffing Committee Terms of Reference as circulated
- Cllr S Tavener left the chamber for this item**
- 045/2016 Code of Conduct –
 i) The Clerk tabled a Decision Notice concerning a breach of the code of conduct that has been found against Cllr S Tavener for comments he made in his emails dated 24 October 2015, addressed to the outgoing Parish Clerk Miss Donna James. The breaches were listed as: failure to treat with respect, intimidated or attempted to intimidate others and brought his office into disrepute.
 ii) It was **Resolved** to take no further action as Cllr Tavener has already sent a written apology to Miss Donna James and agreed to attend a Code of Conduct training session; this was the recommendation of the Independent Panel.
 iii) The Clerk advised members that Code of Conduct training has been arranged for Wednesday 17th February at 7pm and urged all members to attend this refresher session – Venue to be advised.
- Cllr S Gardner left the chamber for agenda items 14 and 15**
- 046/2016 Street Lighting – Amendment to Cornwall Council’s provision for St Mawgan village
 The Clerk advised members that he had received information from a parishioner that the street lights situated on Church/Rectory lane had been removed from the Cornwall Council ‘list’ and that responsibility for maintenance and electricity costs had been handed to the landowner. The Clerk stressed that there was no record of any correspondence from Cornwall Council on file regarding this matter and the Officer dealing with this case had stated that the landowner who is also a Councillor had confirmed that he was going to discuss the matter with The Parish Council.
 Following discussion regarding the transparency of the decision making process and the fact that any action taken regarding these street lights has a direct bearing

Comment [LM(2): May have a . . . ?

on the Definitive Map Modification Order application for this Byway. It was **Resolved** that the Clerk writes to Cornwall Council and requests that the street lights be reinstated on its lists, and it resume responsibility for costs relating to maintenance and electricity. In addition, the Clerk is to express the Parish Council's concern that action to withdraw the lights was taken without proper consultation.

- 047/2106 Definitive Map Modification Order Application WCA537 Addition of a Byway St Mawgan.
The Clerk reported that the Council had received notification from the Countryside Access Records Officer that he had prepared a report for "exceptional circumstances" and it has been presented to Cornwall Council's delegated officer panel; a decision is expected at some point this year.
Members expressed their concern that matters reported under agenda item 14 above could adversely affect this application. It was **Resolved** that the Clerk writes to the Countryside Access Records Officer to inform him of the action taken by the Highways Street Lighting Section.

Comment [LM(3)]: I can see why you have put this here, but technically it was an outcome from the previous item.

- 048/2016 St Columb Treatment Works- The Clerk advised that the Mayor of St Columb had published a letter on Face Book that he had written complaining about a series of sewage leaks and requested that South West Water (SWW) take urgent action to update the system. It was **Resolved** that the Clerk writes to SWW to support the Mayor's stance, and to express the Parish Council's concern over the effect that any leaks into the Menalhyl river would have serious effect on sea water quality and conditions on Mawgan Porth beach.

- 049/2016 Donations and Grants – it was **Resolved** to make the annual grant of £500 to support Mawgan Porth Village Hall and the annual grant of £500 to St Mawgan Community Hall.

- 050/2016 Internal Control Check – **Resolved** that Cllr S Jennings will carry out the check in March

- 051/2016 **Resolved** to extend the Meeting by 15 minutes to enable the Agenda business to be completed

Cllr S Gardner left the meeting at this juncture
Cllr R Cawley left the chamber for this item

- 052/2016 Accounts – **Resolved** to approve the accounts as per schedule; cheques to be signed at the end of the meeting

P R H Roberts -	Locum Clerk's remuneration January 2016	£500.00
Bubb Maintenance –	Maintenance Jan	£800.00
	POL Expenses Dec/Nov15	<u>£34.29</u>
		£834.29
A Prouse -	Toilet Cleaning January	£216.75
Vodafone -	Mobile telephone January	£17.85
Reef Water Solutions -	Legionella test January	£35.00
SLCC Enterprises Ltd -	Clerk vacancy advert	£108.00
Mawgan Porth Village Hall –	Annual grant 2016	£500.00
St Mawgan Community Hall -	Annual grant 2016	<u>£500.00</u>
Total		£2711.89

- 053/2016 Exempt business – It was Resolved to invoke Standing Order 3(d) that in accordance with the Public Bodies (admission to meetings) Act 1960 as amended by S100 Local Government Act 1972 the press and the public be excluded from the meeting during the consideration of the following matters on the grounds that they may involve the likely disclosure of exempt information.
- (a) St Mawgan Toilet Cleaning Contract renewal
 - (b) Pay banding/scale for P/T Clerk – deferred to next meeting

There were no members of the public present at this juncture.

Exempt business omitted

- 054/2016 Items for next meeting: -
- Footpath maintenance contract
 - Local Devolution Fund update
 - Maintenance Partnership Agreement

Signed as a true record of the meeting

Chairman.....

8th March 2016