



REPORTS FOR SEPTEMBER 2011 MEETING



Devon & Cornwall

Constabulary

AGENDA ITEM 6.1

STITHIANS PARISH COUNCIL MEETING

TUESDAY 19th SEPTEMBER 2011

Since the last meeting on 16th August there have been seven crimes recorded as follows;

An Assault ABH at the showground. The owner of a very expensive engine discovered a drunken male urinating against a wheel of the machine and in pushing the male away, the urinating male fractured an ankle.

Following the incident, the 'victim's' wife assaulted the wife of the engine owner, resulting in a Common Assault.

Theft from a Motor Vehicle where an unlocked unattended van in Crelow Lane was entered and a disposable lighter was taken.

The Public is reminded to secure their vehicles.

Damage to Dwelling in New Road where an obscene word was sprayed onto a garage door.

This was not directed towards the householder and appears to have been part of a series of graffiti which was caused by two young males visiting the village during the VW Festival. They have not been identified but were seen in suspicious circumstances.

Two Common Assaults also at the show ground resulting from a family altercation. No further action was requested by the parties involved.

A female was arrested for Drink Driving in the Longdowns area. She has been charged and bailed to court.

Following a report of damage to the Public Toilets enquiries were commenced which revealed that a male who had been outside the pub heard a commotion within the toilets. He crossed the road and saw through the rear frosted window, someone swinging a long bar. He banged on the window and saw four young men exit the toilet at speed who jumped the adjacent wall, running into the woods behind.

The member of the public cannot positively identify any of the youths despite initial hopes that he could. The incident was apparently reported to the Police but no incident record can be found nor an associated crime which would have been the natural result of the call.

In spite of the enquiries, the Offenders have not been identified.

As Council is aware, progress on the teen shelter bid is progressing and I am keeping the young people informed of developments.

The Non Urgent call number 08452 777444 has been replaced with the much simpler 101 which is a national initiative.

The 101 number is effective immediately.

PCSO 30143 Andy Huddleston.

AGENDA ITEMS 11.1 to 11.4

Clerk's Reports for Meeting on 20th September 2011

Summary of Decisions Required (Details in report):

1. To note the Parish Council's current financial position as detailed in the report.
2. To note information provided on the SLCC Conference in Falmouth on 29th June, "Cornwall Conversations" on 11th July and Requirements to achieve Quality Status .

Report:

11.1 Council's Current Financial Position:

Appendices 1, 2 and 3 to this Report show the Council's financial position as at 13th September. There are no significant variances at present which have not already been explained to Members. Members will note that the second instalment of the Precept has been received from Cornwall Council. I would take this opportunity to inform Members that I have now had the audited accounts returned from the District Auditor with no comment whatsoever – another successful audit!

If Members have any queries on the accounts, I shall, of course, be pleased to address them at the meeting. **The appendices to this report can be obtained from the Clerk or from the Financial Reports Page of the website.**

11.2 SLCC Conference, Plymouth:

I attended this conference in Plymouth on 29th June. The subjects covered were of varying degrees of interest but the most useful aspect, as is usually the case, was the opportunity to network with one's peers.

The first session dealt with Time Management and, whilst amusing in places, conjured a picture in my mind of an elderly relative sucking eggs. A lot of it was merely common sense and the comment amongst most delegates made reference to an ideal world – which we all know does not exist when it comes to e-mails and telephone calls.

The second session was on Localism was presented by the newly appointed Portfolio Holder at Cornwall Council, Cllr Ray Tovey, ably assisted by the also newly appointed Devolution Manager, Rob Andrew, a long-standing officer of Cornwall Council who I have known for many years in several different roles. Both of these appointments were, however, unknown to most of those present, myself included, before the presentation. Cllr Tovey outlined his remit to support Service Devolution and to champion the Big Society and Localism as well as developing the leadership role of Cornwall Councillors. He apologised for the previous “wasted” two years when various aspirations of devolving services had not materialised and stated that Cornwall Council was now “ready to talk” but did warn that if they became inundated, some requests may have to be put on hold whilst those already in the pipeline were dealt with. All very well presented but the proof of the pudding..... Rob Andrew then gave a brief presentation reiterating that he was ready to talk. Where possible, he said, finance would follow function and they were almost in a position to know costs. He advised that 20 packages were presently on-going and lessons would be learnt from these. It was a very informative presentation from both but I couldn't help thinking about smoke and pipes – time will tell!

The third session was essentially an advertising campaign by the sponsors of the event, Proludic Play who placed great emphasis on their ability to obtain grants for play equipment, presumably expecting them to be used to purchase theirs which quite frankly did not impress me. They had little information available that could be taken away and, although I requested some, I'm still waiting almost three months later.

The first session after lunch was “The Big Society” and detailed how two Councils were responding to the government's initiative, basically by engaging the community through various groups – there was nothing revolutionary and I was so impressed that I cannot now recall the names of the two councils – I didn't take notes and there was no handout.

The last session was “Facing up to Facebook” which again did not impress me as the presenter assumed everyone used Facebook on a regular basis and couldn't comprehend why so many of us were questioning him about what he was saying and asking him to explain what he meant. I like to think I know my way around Facebook but a lot of what he said went above my head. And many of those present did not use it at all so I can't imagine what they thought.

Although there is a lot of negativity in this report, the conference was nevertheless useful in several aspects in that there were several snippets that I found useful and, of course, the networking. But if I'd had a crystal ball with me, I'd have had my lunch and gone home to do something more productive.

11.3 “Cornwall Conversations” – 11th July 2011:

This event was to be attended by the Chairman, Cllr Miss J Tisdale and myself but, because of a Tisdale family commitment, I found myself there on my own.

It was a meeting with Alec Robertson, the Leader of Cornwall Council and several of the Portfolio Holders held in the Council Chamber.

After a brief introduction in which he said that Cornwall Council was committed to Devolution (presumably he hopes that if he says it often enough, someone will start to believe him – we still have to get a simple thing like cutting the grass in a churchyard devolved!), he invited each of the Portfolio holders to briefly outline their roles. Some were briefer than others! And some were of more interest to those present than others.

First up was Graeme Hicks (Transportation and Policy) who tried, not very successfully, to explain how the Client/Contractor split was going to operate under the recent reorganisation. He then went on to list the myriad of functions for which he was responsible. It's a heck of a big portfolio for one person.

Next was Neil Burden (Children's Services) who gave details of schools, academies, children's homes and adoption and fostering.

Carolyn Rule (Health & Well-being and HR) outlined her involvement all health matters including public health, building relationships with GPs and managing HR in the context of the recent reorganisation.

The next one to introduce herself was Joan Symons (Culture & Leisure) who said that she was responsible for all things cultural including Leisure and Adult Education. She outlined proposals to put all Leisure Centres administered by Cornwall Council into a Trust like Carn Brea and stated that there would be no closures. She is also Chair of the Cornish Language Board.

Lance Kennedy was next. His Portfolio is Community Safety & Public Protection which includes Fire, Police, Crime & Disorder, Domestic Violence, Anti-social Behaviour, Dog Fouling and Emergency Management. He was at pains to point out that Cornwall Council was one of the few in the country that had not cut the Domestic Violence Budget. Neither he, nor anyone else for that matter, said where cuts had been made.

Chris Ridgers (Economy & Regeneration) then outlined his responsibilities. He pointed out various achievements including superfast broadband, Innovation Centres at Pool, Tremough and Treliske and the new Stadium for Cornwall, although I would question whether they all can be classed as achievements at the present time. He also alluded to Convergence Funding, Tourism and the Airport.

Jim Currie (Corporate Resources) was next, stating that he was responsible for Committee Support, Legal & Democratic Services, Procurement, Property and Finance. He advised that it was policy to purchase locally where possible but I have to say that I haven't seen much evidence of this when it comes to consumables that Parish Councils might use such as stationery – I can obtain it much cheaper locally than their (non-local) supplier can.

The next introduction was from Julian German (Waste Management, Climate Change and Historic Environment) who extolled the virtues of the new waste management contract and the proposed incinerator and advised that his portfolio also included the Maritime Service.

Last but not least was Ray Tovey, the recently appointed Portfolio Holder for Localism and Devolution. He wants to “up the ante” on Devolution and investigate ways of working in partnership with Town and Parish Councils. After two years of “going nowhere” he was of the opinion that CC were now well placed to start dialogue with Town and Parish Councils.

So, ten out of a possible thirteen members of the Cabinet were present. Those missing were Steve Double (Alternative Service Delivery and Shared Services), Armand Toms (Adult Care and Support) and Mark Kaczmarek (Housing and Planning). No mention was made of them – not even apologies.

Introductions over (about half an hour after the start of the meeting), it was time for questions and comments from the floor, of which there were many. Having asked Alec Robertson before the meeting if he had received the comments from Stithians Parish Council and James Biscoe on a personal basis and being told that he had, I saw little point in raising them again.

Matters raised:

- *Climate Change Targets*: Julian German hedged around this issue, mentioning the Carbon Management Plan and the fact that it would mean “a lot of partnership and joined up working.” He sang the praises of the recently-opened Solar Farm at Wheal Jane.
- *Arm’s Length Company*: Graeme Hicks (GH) didn’t appear to know a lot about how this was going to work other than it would be Cornish (strange that, as it’s in Cornwall!) and run efficiently (would we expect anything less?)
- *Cabinet System leaves a lot to be desired*: Alec Robertson stated that the matter of Cabinet and Scrutiny was to be debated. What he didn’t say was when.
- *How will the new structure for highways services work?*: Basically GH didn’t have a clue – he waffled a lot but said very little.
- *What about the Client/Contractor split?*: Ditto!
- *Does Cormac still exist?*: Yes.
- *Student Housing in Falmouth*: It was alleged that landlords are evicting long-standing tenants in favour of students as they were more lucrative. No-one could answer this one as Mark Kaczmarek wasn’t there. Ray Tovey (RT) noted the concerns and said he was willing to talk to Falmouth Town Council.
- *Consultation*: Several of those present jumped on this bandwagon saying that consultation documents are too long and consultation periods are too short. The recent “Connecting Cornwall” was cited as a case in point in this respect and it was also pointed out that the second document had taken little cognizance of previous consultation responses, so why bother?. The point was also made that Parish Councillors are volunteers and want short and succinct documents, not War and Peace. Alec Robertson (AR) referred to an inherited culture of “death by consultation” and said that the matter was being addressed. I’m not holding my breath. GH referred to “Strategic Plans” and incorporating comments in the “Implementation Plan” but I’m afraid this was lost on most of those present.
- *Eco Towns*: the point was made that these, wherever they might be, would need adequate infrastructure to serve them.
- *Waste Transfer by Ship*: JG stated that this was being investigated.
- *Car Parks*: When asked why the take-over of car parks by Town Councils was proving so difficult to negotiate, GH stated that the income was needed by CC for highways etc. he had no answer to the observation that car parks need maintaining as well. But towns need the income to run the car parks. AR was of the opinion that car parks should be run by Town Councils. RT said “come and talk to us” but several people said that they had tried but had reached a financial impasse. This matter probably caused the most debate of the evening with all sorts of variations on the same basic theme above.

- *Richard Lander School*: In answer to a question about its future, AR stated that the site was to be sold for best value for the benefit of the area.
- *Toilets*: Cubert PC advised careful scrutiny of any agreements over public toilets as theirs was to clean for a certain number of years but that Carrick (as it was at the time) would take them back at the end of that period. I don't remember anyone saying which portfolio covered toilets but AR said that he didn't think CC, as Carrick's successors, would wish to enforce this condition – I can't think why!
- *2003 Licensing Act*: It was pointed out that the Act "barred" Parish Councils from consultation on licensing applications. Lance Kennedy advised that the Licensing Committee has agreed that PCs should be interested parties and therefore able to comment. He referred to a White Paper on the Police Reform Bill published that very day changing this to enable PCs to make representations.

Alec Robertson closed the session with the usual thanks and said that he hoped there would be an on-going dialogue with parish Councils and that he hoped to hold these meetings every six months or so. He invited any further comments to be e-mailed to www.cornwall.gov.uk/conversations

Ray Tovey advised of the address for Devolution: devolution@cornwall.gov.uk

Sue Swift, on behalf of CALC, had the final comment, saying that Parish and Town Councillors are volunteers who care passionately for their area and hoping that the Leader and Cabinet Members will listen to them and maintain the dialogue started this evening.

I have to say that many valid points were raised and copious notes were taken by Cabinet Members but the cynic in me says that a lot of puddings will have to be consumed before any proof is forthcoming and that when (or should that be if?) the next meeting takes place in six months' time the same matters will still be causing the same concerns. I hope I am proved wrong – could they possibly have got their act together at long last – they've only been at it for just over two years! Once again, my breath may be bated but it is certainly not being held.

11.4 Quality Council Status:

At your last meeting I was instructed to report on exactly what was needed in order for a Parish Council to achieve Quality Status.

In order to achieve Quality Status, Parish Councils must demonstrate that they have reached the standard required by passing several tests. These are:

- *Electoral Mandate* - Councils will be required to show that at least two-thirds of councillors were elected. 'Elected' can mean either at a contested or uncontested election. However, they must have stood for election.
- *Qualifications of the Clerk* - the Clerk must have obtained the CiLCA Qualification as a minimum.
- *Council Meetings* - Councils will be required to publish draft minutes of meetings within two months of it taking place and make them available for inspection by any elector in the parish, as a minimum. They must also demonstrate that they meet regularly, include Public Participation and display notices of meeting three clear days in advance.
- *Communication and Community Engagement* - Councils will be required to have a website which provides a list of council members and officers, details of how they can be contacted and which also provides access to the annual report. Councils will also be required to have an email address that is publicly available. Councils now have the option of either producing their own newsletter or contributing to a community newsletter. The information that is required to be included in the

newsletter has not changed nor has the requirement that the newsletter is made readily available at public sites.

A Community Engagement strategy must have been formulated.

- *Annual Report* – The Council must publish an Annual report
- *Accounts* - the last available statement of accounts must receive an unqualified opinion from the external auditor in order to qualify for Quality status
- *Code of Conduct* - Councils will be required to have formally adopted Section 12 (2) of the Code of Conduct which concerns the prejudicial interests of councillors and public participation.
- *Promoting local democracy and citizenship* - Councils will be required to demonstrate that they work proactively to support local democracy and citizenship. A specific guidance note is available showing the kinds of activities you may wish to consider. However, the note is intended to be illustrative only and we would encourage councils to be innovative.
- *Terms and Conditions* - Councils with a paid clerk will be required to provide evidence that they have adopted (as a minimum) the NALC/SLCC Terms and Conditions agreement and provide evidence in the form of a statement that they have issued all paid members of staff with a contract of employment.
- *Training* - Councils will be required to provide a training 'Statement of Intent' which shows that the council has identified key areas of training need for both staff and members.

Members will see from this that at present we fall short on quite a few matters but there is one that cannot be addressed until 2013 – the small matter of the number of elected Members – we have precisely three at present!

The above is merely a summary and there are both mandatory and discretionary elements to an application for Quality Status. The DCLG have produced a booklet, A Guide to Becoming a Quality Council, which is freely available.

I trust the above is sufficient for Members' needs at present.

JV Calvert,

Clerk

13th September 20

AGENDA ITEM 12.1

<u>Application No. and Applicant(s)</u>	<u>Address</u>	<u>Proposal</u>	<u>Date Received from Cornwall Council</u>	<u>Date Passed to Planning Portfolio Holder</u>	<u>Stithians Parish Council Recommendation</u>	<u>Date Returned to Cornwall Council</u>	<u>Date Decision Notification Received from Cornwall Council</u>	<u>Decision of Cornwall Council</u>	<u>Date of Cornwall Council's Decision</u>
PA11/00732 Mrs V Alloway	Siruthal Farm, Hemiss	Retention of Cafeteria Building after 3 years of temporary permission.	04/02/11	07/02/11	Invalid Application – Not considered	Observatio ns submitted 18/02/11			
PA11/01263 Mr A Bostock	Polkanuggo Farm	Erection of Wind Turbine	11/03/11	11/03/11	NOT SUPPORTED	20/04/11	01/09/11	REFUSED	31/08/11
PA11/02823 Mr & Mrs A Poor	The Paddocks, Penhalvean	Stationing of mobile home & construction of septic tank	20/04/11	20/04/11	NOT SUPPORTED	20/05/11			
PA11/02454 Mr P Badcock	Tregolls Cottage	Construction of Dwelling & Associated Works	20/05/11	20/05/11	NOT SUPPORTED	22/06/11	31/08/11	WITHDRAWN	N/A
PA11/04727 Mr Mark Wiltshire	Stithians Boarding Kennels	Erection of Wind Turbine on 15m monopole tubular tower	17/06/11	17/06/11	Support	21/07/11	01/08/11	Approved with Conditions	01/08/11
PA11/04627 Mr & Mrs M Heap	Little Trebost Trebost Lane	Construction of two storey rear extension	22/06/11	22/06/11	Support with Conditions	21/07/11	29/07/11	Approved with Conditions	28/08/11
PA11/03662 Messrs Symons & Thomas	Carn Farm	Conversion of barn to form 2 dwellings	29/06/11	29/06/11	Support with Conditions	21/07/11	31/08/11	WITHDRAWN	N/A
PA11/05148 Mr B French	Bluebell Cottage Crellew Lane	First floor extension to dwelling	29/06/11	29/06/11	Support with Conditions	21/07/11	Not Received	Approved with Conditions	03/08/11
PA11/03520 Mr J Popplewell	The Old Telephone Exchange Trebyhan Park	Change of use to single storey dwelling and construction of rear and front extensions	05/07/11	05/07/11	Support with Conditions	21/07/11	Not Received	Approved with Conditions	12/08/11
PA11/05280 Mr & Mrs P Spooner	Little Trebarveth, Foundry	Construction of replacement single storey extension	11/07/11	11/07/11	Support	05/08/11	12/08/11	Approved with Conditions	11/08/11
PA11/05413 Mr Thurstan Hoskin	Glen Crellew, New Road	Certificate of Existing Lawful Use of the property as a	14/07/11	14/07/11	Support	05/08/11	Not Received	Approved	05/09/11

<u>Application No. and Applicant(s)</u>	<u>Address</u>	<u>Proposal</u>	<u>Date Received from Cornwall Council</u>	<u>Date Passed to Planning Portfolio Holder</u>	<u>Stithians Parish Council Recommendation</u>	<u>Date Returned to Cornwall Council</u>	<u>Date Decision Notification Received from Cornwall Council</u>	<u>Decision of Cornwall Council</u>	<u>Date of Cornwall Council's Decision</u>
		dwelling							
PA11/05823 Mr F Lavers	Land at Whitehouse Farm, Longdowns	Erection of an agricultural building for storage	26/07/11	26/07/11	Not Supported	16/08/11	08/09/11	REFUSED	07/09/11
PA11/05918 Ms R Johnson	Penhalurick Barton, Penhalvean	Conversion and extension of 2 redundant agricultural buildings to form 2 dwellings including formation of access and parking area and installation of sewage treatment plant	27/07/11	27/07/11	Not Supported	07/09/11			
PA11/05903 Wendron Cricket Club	Wendron Cricket Club WENDRON PC	Erection of Wind Turbine	25/07/11	25/07/11	No Comment	07/09/11			
PA11/06053 Mr B Johns	Adj 7 Roseline Estate WENDRON PC	Erection of Wind Turbine	01/08/11	01/08/11	Not Supported	08/09/11			
PA11/06764 Mrs C Mitchell	Samburu, Foundry	Construction of extension to form self contained annexe accommodation	18/08/11	18/08/11	Support with Conditions	07/09/11			
PA11/07192 Mr J Ravey	Higher Lezereca Farm Lezereca Porkellis WENDRON PC	Installation of a 50kW wind turbine, access road and ancillary associated development	N/A	12/09/11					

AGENDA ITEM 12.3(a)

PA11/05280 – Mr & Mrs P Spooner – Little Trebarveth, Foundry - Replacement Extension

Decision Required:

To support or oppose.

Recommendation:

Support.

REPORT:

Councillor Tisdale and I visited the site on 4th August and met with the applicants Mr and Mrs Spooner.

Little Trebarveth is a long, narrow, granite built house built into an embankment. The house is probably circa 200 years old. The application is to replace an existing single storey extension with a new construction contained within the same footprint (25sq.m). The current extension is a store room built into the embankment at the end of the cottage. The existing inner wall being stone, also acting as a retainer for the embankment, whilst the outer wall being of single concrete block construction, probably built more than 50 years ago.

The proposal is to excavate the embankment within the extension and build a new retaining wall thus giving clearance for a new inner wall, the current outer wall will be demolished. The new building will be a timber frame construction with the outer walls finished in sand/cement render and painted to match the existing house. The roof will be fibre cement slates to match the existing house roof and will include some three velux style roof lights. The intended new building will encompass a toilet, shower room and utility facilities.

The extension will not be visible from the main road and there will be little outward difference to the existing. The whole house is sited close to the stream, but above neighbouring properties and is not within the flood plain.

It is recommended that this planning application be supported.

Cllr R Nicholls

4th Aug 2011

Clerk's Note:

The following response was submitted on 5th August:

Subject to ratification at the September meeting, Stithians Parish Council supports this application.

For Members' further information I would advise that Cornwall Council approved this application on 11th August.

AGENDA ITEM 12.3(b)

PA11/05413 – Glen Crelow, New Road, Stithians, Truro, Cornwall TR3 7BL - Certificate of Existing Lawful Use of the property as a dwelling.

Decision Required:

To support or oppose.

Recommendation:

Support.

REPORT:

Councillor Nicholls and I visited the site on August 4th. The application is for a certificate of lawfulness for the continued use as a dwelling. We are unaware of exactly why this is needed, but it obvious from our site visit that this has been used as a dwelling for some considerable time.

We know that part of the property was used as a business until 1991, but prior to this it was also used as a residence, ancillary to that business. We believe that after the owners retired, it was not put back into sole residential use and the necessary planning consent for change of use was not obtained. However, it has since then, been in use solely for residential purposes and therefore we see no reason not to grant the certificate.

Cllr P Tisdale

4th August 2011

Clerk's Note:

The following response was submitted on 5th August:

Subject to ratification at the September meeting, Stithians Parish Council supports this application.

For Members' further information I would advise that Cornwall Council approved this application on 5th September.

AGENDA ITEM 12.3(c)

PA11/05823 - Erection of an agricultural building for storage. Land At Whitehouse Farm Longdowns Penryn Cornwall TR10 9DW – Mr F Lavers.

Decision Required:

To support or oppose.

Recommendation:

Oppose.

REPORT:

Councillor Nicholls and I visited the site on August 10th 2011 and I have today spoken with the applicant Mr F Lavers.

There was a previous application in January 2011 for a similar building on this site under application PA10/0038, which was refused on March 30th 2011 for the following reasons:

'1 Due to the size of the agricultural unit, compared with the size of the proposed building, it has not been demonstrated that the size of the building is essential to the needs of the agricultural enterprise. The proposed development will therefore be contrary to Policy 11 of the Cornwall Structure Plan 2004 and Policy E9 of the Draft Kerrier District Local Plan 2004.

2 The proposed building by reason of its size and height would be detrimental to the visual amenities of the area resulting in a building that creates an over bearing appearance within a rural location. The proposed development will therefore be contrary to policies 1 and 2 of the Cornwall Structure Plan 2004, Policies ENV1, ENV17, B.EN14 and E9 of the Draft Kerrier District Local Plan 2004, Policies SS3, SS18, SS20 and EN1 of the Regional Planning Guidance 10, Policies SD3 and ENV1 of the Draft Regional Spatial Strategy for the South West 2006-2026 and Government guidance contained within Planning Policy Statement 7: Sustainable Development in Rural Areas.'

Although the building in this application has been reduced in size, we are of the opinion that there is still no substantial difference to this application than the previous one, and therefore it still does not demonstrate that a building of this size is warranted for such a small enterprise and we therefore recommend we do not support it.

Cllr P Tisdale

15th August 2011

Clerk's Note:

The following response was submitted on 16th August:

This response is subject to ratification at the September meeting of Stithians Parish Council. Stithians Parish Council is of the opinion that, although the building in this application has been reduced in size from that submitted under PA10/0038(which was refused), there is still no substantial difference between this application and the previous one, and therefore it still does not demonstrate that a building of this size is warranted for such a small enterprise. The application is not therefore supported. SPC would request, however, that if CC are minded to support this application on the grounds that the size is now acceptable, it be located in a more discreet position in the field.

For Members' further information I would advise that Cornwall Council REFUSED this application on 7th September.

AGENDA ITEM 12.3(d)

PA11/05918 – Ms R Johnson – Penhalurick Barton. Penhalvean – Conversion and extension of 2 redundant agricultural buildings to form 2 dwellings, including formation of access and parking area and installation of sewage treatment plant.

Decision Required:

To support or oppose.

Recommendation:

Oppose.

REPORT:

Councillor Tisdale and I visited the site on 19th August 2011 and met with the applicant Ms R Johnson.

Penhalurick Barton is sited some 600m from the main road at Penhalvean and comprises of a stone built farm house, a number of redundant granite agricultural buildings and some steel framed agricultural barns and outhouses. One large steel framed barn is currently being used for an equestrian business. Planning permission has already been granted for 4 holiday units, whilst it is claimed that work regarding drainage has commenced it would appear that no further progress has been made due to lack of finance. This application is for the conversion of a former piggery and a large 2 storey granite agricultural building, both redundant, into 2 residential units of 2/3 bedroom size. Permanent occupation is being sought as this would make them more viable for raising finance or for selling purposes.

The large, substantial, 2 storey granite agricultural barn, was seen to be in generally poor condition, with one section of wall partially collapsed. The building is wedged between 2 steel framed agricultural barns, one of which is less than 1 m from the outer wall and is currently in use for horses and livery. There is currently no upper floor. The building is sited on slopping ground hence current access to the upper floor is via a side access door circa 1.5m above ground level via and a series of granite steps. Being wedged between two other buildings presents a problem for windows; so the proposed design makes much use of the front of the building for windows. In fact the current design shows one window actually opening into the neighbouring barn.

The second building is a former piggery, more recently used as boarding kennels. It is a small (interior dimensions circa 9m X 3m) single storey granite building in fair condition. In order to make the building into a usable size, it is proposed to add a timber clad extension which in effect more than doubles the size of the building.

Whilst the site is not visible from the road we have a number of concerns relating to this application:

- Vehicle access is via a long single track lane with no provision for passing places. Given the proposed volume of traffic i.e. the main house, 4 holiday lets, 2 additional residences and the equestrian business.
- The close proximity of a residence to a building containing animals, i.e. less than 1m.
- The over development of the site.
- It is considered that the piggery is too small for use as a dwelling given that an extension to more than double its size is needed to make it usable.

Whilst we are of the opinion that the barn may well be suitable for conversion we consider the piggery is too small and not suitable for use as a residential dwelling.

Cllr R Nicholls

Sept 5th 2011

Clerk's Note:

The following response was submitted on 7th September 2011:

This response is subject to ratification at the September meeting of Stithians Parish Council. Stithians Parish Council does not support this application for the following reasons:

- Vehicle access is via a long single track lane with no provision for passing places. Given the proposed volume of traffic i.e. the main house, 4 holiday lets, 2 additional residences and the equestrian business, this is considered to be inadequate.
- The close proximity of a residence to a building containing animals, i.e. less than 1m.
- The proposals constitute over-development of the site.
- It is considered that the piggery is too small for use as a dwelling given that an extension to more than double its size is needed to make it usable.

AGENDA ITEM 12.3(e)

PA11/05903 - Erection and installation of 11Kw wind turbine, Wendron Cricket Club, Under Lane, Wendron TR13 0EH

Decision Required:

To support or oppose.

Recommendation:

Not to comment.

REPORT:

Councillor Nicholls and I visited the site on August 19th 2011.

The proposal is for an 11kW wind turbine at Wendron Cricket Club. As the site is adjacent to our Parish boundary we are consultees. However, as we believe that it will not be visible from our Parish, we therefore feel it is unnecessary to make any comment.

Cllr P Tisdale

6th September 2011

Clerk's Note:

A "No comment" response was submitted on 7th September.

AGENDA ITEM 12.3(f)

PA11/06053 - Erection and installation of 24.5 m 11 kW wind turbine, 7 Roseline Estate, Carnkie, Wendron TR13 0XA

Decision Required:

To support or oppose.

Recommendation:

Oppose.

REPORT:

Councillor Nicholls and I visited the site on August 19th 2011.

As the site is on high ground and adjacent to our Parish boundary, we believe that it will be visible from our Parish and we therefore feel it is necessary to make comment.

The application is for a wind turbine with an overall height of 24.5 metres (just over

80 feet). The site is at the rear of a small housing estate on the Carnkie road. It is located close to other properties, and not far from public footpaths and bridleways. We feel that if this application were to be approved, it would have both a visual, and audible, impact on the residents of the nearby properties and to walkers and riders using the public rights of way.

The location plan included with the application is both misleading and insufficient, as it fails to show the surrounding built up area or the close proximity of the public rights of Way, especially on the eastern side.

Due to its height and location we believe that it will be visible from Stithians Reservoir, which is designated as an area of great landscape value, as well as Rame and Longdowns.

Should the application be supported, we would have preferred to have seen a monopole construction rather than a trellis type, as this has less visual impact than the one shown.

For these reasons, we do not support this application.

Cllr P Tisdale

19th August 2011

Clerk's Note:

The following response was submitted on 7th September 2011:

This response is subject to ratification at the September meeting of Stithians Parish Council.

As the site is on high ground and adjacent to the Parish boundary, SPC is of the opinion that it will be visible from Stithians Parish and therefore feel it is necessary to make comment.

SPC feels that, if this application were to be approved, it would have both a visual and audible impact on the residents of the nearby properties and to walkers and riders using the public rights of way.

The location plan included with the application is both misleading and insufficient, as it fails to show the surrounding built up area or the close proximity of the public rights of way, especially on the eastern side.

Due to its height and location SPC believes that it will be visible from Stithians Reservoir, which is designated as an area of great landscape value, as well as Rame and Longdowns.

Should the application be supported, SPC would prefer to see a monopole construction rather than a trellis type, as this has less visual impact than the one proposed.

In view of the perceived impact as stated above, however, SPC does not support this application.

AGENDA ITEM 12.3(g)

PA11/06764 - Construction of extension to form self contained annexe accommodation. Samburu, Foundry, Stithians TR3 7BU. Mr & Mrs G Mitchell.

Decision Required:

To support or oppose.

Recommendation:

Support.

REPORT:

Councillor Nicholls and I visited the site on September 6th 2011 and met with the applicants Mr & Mrs Mitchell.

The proposal is to build a self contained annexe for the mother of Mr Mitchell who requires daily care. The applicant has sought advice from the planning department under reference no. Preapp11/00758.

While we support the application in principle, we have reservations regarding the roof. The neighbouring building is a bungalow similar in design to the applicants. We feel that the roof as designed is out of character with both buildings and is also above the roof line of the current building. We would request that the design is altered to blend in with the existing roof line and appearance of both properties.

We would also request that a legal agreement is attached to the consent ensuring that the extension remains tied to the property.

We would therefore recommend that, subject to the above conditions and that any flood prevention measures are met, members support the application.

Cllr P Tisdale

September 6th 2011

Clerk's Note:

The following response was submitted on 7th September:

This response is subject to ratification at the September meeting of Stithians Parish Council.

Stithians Parish Council supports this application in principle but has reservations regarding the roof. The neighbouring building is a bungalow, similar in design to the applicant's and it is felt that the roof of the extension as designed is out of character with both buildings and is also above the roof line of the current building. It is requested that the design is altered to blend in with the existing roof line and appearance of both properties.

It is also requested that a legal agreement is attached to the consent, if granted, ensuring that the extension remains tied to the property so that it cannot be sold as an individual residence.

Subject to the above conditions and compliance with any flood prevention measures considered necessary, the application is supported.

AGENDA ITEM 12.3(h)

PA11/07192 - Installation of a 50kW wind turbine, access road and ancillary associated development - Higher Lezerea Farm, Porkellis TR13 0HP.

Decision Required:

To support or oppose.

Recommendation:

Oppose.

REPORT:

Councillor Nicholls and I visited the site on September 14th 2011.

As the site is on high ground and adjacent to our Parish boundary and could be visible from our Parish, we therefore feel it is necessary to make comment.

The application is for a wind turbine with a hub height of 36.4 m with 9.6 m blades making an overall height of 46 metres. The site is just below the 175 meter contour to the east of Farms Common on the B3297 Helston to Redruth road. This results in the tip of the turbine blade being 221 metres above sea level. As the majority of the land between the site and Stithians Parish is upwards of 170 metres, and approximately 5 kilometres from the site, we believe it is very unlikely that it will be visible from anywhere within the Parish, with the possible exception of the blade tips from Longdowns.

From the site we could only just see the tips of the Roskrow Turbines which are 70 metres high, which at around 150 metres above sea level, makes the tips around the same height.

We do, however, have serious concerns about the very close proximity of the proposed turbine to the Wendron Mining District World Heritage Site. We are also seriously concerned about the cumulative effect that these sporadic and uncoordinated turbine developments are having on the Tourist Industry. As the majority are being built on hilltops in open countryside they are having a serious detrimental visual impact on the horizons and countryside which many tourists come here to enjoy.

For these reasons, we do not support this application.

Cllr P Tisdale

14th September 2011

AGENDA ITEM 12.5

Clerk's Report for Meeting to be held on

20th September 2011

ENFORCEMENT

Decision Required:

1. That this report be accepted and its content noted.
2. To take whatever further action Members consider necessary in the light of the content of the report and any other information received.

Report:

Progress, or lack of it, as the case may be, is reported below.

Higher Nanpean Farm (CS/JH/EN08/00069):

I reported to your last meeting that, notwithstanding the fact that Liz Dunstan had informed me that the case was now being reviewed by yet another officer in the Legal Department, Chris Tofts, she had informed me subsequently that the officer dealing with the case, Jackie McGowan, was due to return from long-term sick leave on 25th July. Mrs Dunstan had advised me that she had a diary note to check on progress on 1st August. Having heard nothing further, I requested an update on 7th September.

Kennall Mill (GR/EN10/03560):

I am informed that a surveyor has visited the site and that he has confirmed that the building is in a poor state requiring major works. He has also confirmed that there is a colony of bats present in the building and has liaised with conservation specialists regarding this matter. It is illegal to disturb this colony but they advise that a window of opportunity will arise during September and October and a contractor has been engaged during this time to carry out the necessary repair works to the building. Glen Reed has once again requested the Cornwall Council's Conservation team to contact the owner direct with a view to the long term preservation of the building and will endeavour to keep me informed of any progress. In the meantime the Conservation team are maintaining a watching brief.

Four Acres, Carn - Mr J Burton (KAS/EN11/00068):

Having heard nothing further on this matter, I requested an update on 7th September. I now have some confidential information which I shall impart to Members as appropriate at the meeting.

Hatchintan (KAS/EN11/00670):

The site has been revisited and a note left on the entrance to the land to which no reply is yet forthcoming. The Case Officer is not concerned that the placement of the caravan will set a precedent as it is not used, only stored on the land. CC would allow a caravan incidentally for the use of the land for horticulture but there is no evidence of this. The Officer hopes to have more information for your next meeting in October.

Struthal Farm, Longdowns (KAS/EN11/01669):

I reported to your last meeting that the matter of the caravans had been registered and would be investigated. Having heard nothing further, I requested an update on 7th September.

Regarding the operation of the café without planning permission, I have already informed Members that no enforcement action will be taken whilst there is a planning application under consideration. Members are also aware that I have questioned whether it is, in fact, under consideration in view of the fact that it no longer appears on the website and that I have been informed that the application is currently invalid. The Case Officer met the applicant on site back in March and ran through a number of issues that needed to be addressed to enable the application to be progressed. There appears to have been little progress since. I have asked when a planning application is expected. I reported to the June meeting that on 21st June a message was left for Mrs Allaway to update the

Planning Officer and that if he didn't hear anything "in the next few days" a letter would be sent out advising that the application would be returned. As I reported to your last meeting, I asked for an update on 6th July. Having heard nothing further, I requested an update on 7th September, to which I have had a response to the effect that the Case Officer is waiting to hear from the owner.

Crane Garage, Longdowns:

This matter is now being dealt with by Andy James/Dave Vincent of Cornwall Council and will be reported as appropriate under the Environment and Highways.

Caravans and Creation of New Access at Tregolls Cottage (KAS/EN11/01538):

CC have visited site twice, however on both occasions dogs were loose and the owner was not present. The Case Officer has only observed one caravan that looks as if it could be in use, but she has written to former complainants for confirmation that the caravans are in use they have not replied. She has written to the owner for an appointment and when she has been to site will provide a further update.

Caravans at Calamankey Farm (KAS/EN11/01730):

I was informed on 28th July that a file had been opened on this matter, and in response to my questions was informed that there are 16 caravans allowed on site at any one time, all with permission for holiday use only, but with no condition limiting occupancy from the end of April to October. The only stipulation is that they should not be used as permanent residential accommodation, so when the site is visited CC are going to have to ascertain whether the occupiers have an address somewhere else and how long they have been on the site. With regards to the yurt this will require planning permission if they want to retain it.

I have heard nothing further and therefore requested an update on 7th September, although I suspect they may be waiting until after the students return to college before visiting the site.

Erection of an Extension – Glenwood, New Road (KAS/EN11/02097):

Whilst visiting Glen Crelow in connection with a planning application, your Chairman and Cllr Nicholls observed a large extension under construction next door at Glenwood. I subsequently reported the matter, which has been registered, but I do not expect to hear anything further before your meeting.

Erection of Various Buildings – Field adjacent to Stithians Boarding Kennels:

I was instructed at the July meeting (Minute 12/07/11(2)) to report this matter but unfortunately overlooked it until 8th September when I finally got round to reporting it.

Any further information concerning the above received after the publication of this report will be reported verbally to your meeting.

JV Calvert,

Clerk

13th September 2011

AGENDA ITEM 12.6

Clerk's Report for Meeting to be held on 20th September 2011

Decision Required:

That this report be accepted and its content noted.

Report:

12.6 LICENSING:

Having checked Cornwall Council's website, there are no current applications affecting Stithians.

For Members' information, the link is:

www.cornwall.gov.uk/default.aspx?page=21173

12.6.1. Stithians Showground:

On 14th July I sent the following to Yvonne Toms:

Now that the show is over, I hope you will be able to address a few matters of concern to the PC – I've been waiting until after the show before applying finger to keyboard.

1. The matter of the revised hiring agreement for the showground has been dragging on now for what seems an eternity. Can you tell me when it might be finalised, please?
2. Some considerable time ago, you undertook to provide the PC with a schedule of events to be held on the showground and to ensure that it was regularly updated. If my memory serves me correctly, I believe Paul Gluyas was delegated to do it but it has never materialised. The PC have instructed me to request that it be provided, please.
3. I am also instructed to enquire how many and which of the events held at the showground necessitate the closure of the adjacent footpath 25.
4. Lastly, the PC would like to know why footpath 25 is closed for a week for the show when the show itself only lasts one day. Members request that it be closed for the one day only.

She replied on 21st July as follows:

Everything is in hand – just taking time.

The list of events is always on our website, though there has been a cancellation and one small additional booking. Waiting for up to date information from Paul.

I only apply to close the footpath from Thursday before Show to Tuesday after and it is never closed longer than this. This year it was not closed until the Saturday and open on Tuesday a.m. anyway. When this takes place is down to manpower and when the fence is actually delivered. I am not aware of anyone else applying to do so.

Regards,

Yvonne.

JV Calvert,

Clerk

13th September 2011

AGENDA ITEM 12.7

TRAINING ON ECOSETTLEMENTS - CORNWALL COUNCIL

ST CLAIRE, PENZANCE 23 8 11

DECISIONS REQUIRED:

A To note and adopt the contents of this report.

B To promote follow-on actions where necessary to achieve the agreed objectives.

REPORT:

- 1 The event was attended by Cllrs J Tisdale and J Biscoe as agreed by Council.
- 2 Other Councils represented were St Just, St Day, Carharrack, Pendeen and Hayle
- 3 Event was held at the Committee Rooms at St Claire and was run by three CC officers from Strategic Planning and a pre-recorded contribution by another officer. This turned out to be a voice over to a power point presentation.
- 4 Enquiries the previous day had elicited no agenda or plan of what was to be discussed but eventually a copy of the Sustainable Homes Code was forwarded electronically. In the event this had little if any bearing on what was discussed at the meeting.
- 5 The vending machine did not provide tea contrary to the assertion in the programme reminder.
- 6 Essentially the evening was a test run for a board game which presumably the Strategic Planning officers had developed. The spiel was that this was a process to assist councils in dealing with planning in the face of government loosening planning regulations. There was reference to predicting change. To me it would seem more appropriate for Councils to manage change rather than just reacting to what arrives or trying to guess what will happen.
- 7 Two scenarios were played out whereby on the one hand there was greater devolution of economic management to local councils (which seems to be the new euphemism in vogue now for Parish And Town Councils, CC did not seem to feature in this paradigm) and where there was greater central government management of the economy. The premise seemed to be that markets and other systems had broken down (even currency so it was a pretty extreme set of assumptions).
- 8 This was then to give rise to an idyllic eco friendly workers paradise where energy is generated from solar panels, heat comes from burning biomass, water is saved from roofs and recycled from washing machines, three electric cars serve a whole village on Bodmin moor, irrigated allotments bloom, village halls work as markets, people swap skills for vegetables and everyone lives happily ever after. It was suggested that the mythical village should be renamed as a Kibbutz which didn't draw much response.
- 9 Under the central government scenario you got bonus points (pseudo currency) for having made choices which Gov agreed with which could be spent to make more similar choices. The wrinkle came when Government imposed a tax on anyone who did not have a completely useless digital energy monitor which tax destroyed

everything built up. Quite realistic that. Asked what the Government was going to do with the proceeds of this tax, suggestions included start a useless war in some foreign place, and give it all to a load of bankers who had lost their money by bad management due to government having relaxed the banking regulations. Also quite realistic Politicians change the goalposts and then scoop the benefits and waste them.

- 10 There were some interesting side conversations. One was about street lighting. People were less in favour of switching off street lights when they had been asked to consider who benefits from this. Does Council tax go down pro rata? No just CC have more money to..... see above about government.
- 11 Why have electric cars and not electric bikes? If you want to improve local communications is it more cost effective than having cars at all just to improve the footpaths network which are usually the shortest distance between two points?
- 12 Where were the anaerobic digesters? It was not the Stithians delegates who asked this. Where were the wormeries? Where were the shire horses? One lady was especially in favour of these as she was sure one could eat them having first frozen surplus down in her freezer.
- 13 CONCLUSION; The eight delegates and three officers assembled at Penzance to test drive a home made training tool supposed to assist us to learn about low carbon living. The tool developed was modest in its capacity as it was not overly representative of reality, possibly because those who developed it have modest experience of managing economic development processes under the prescribed conditions. Did our evening's entertainment add to the store of knowledge and skills of the participants or Officers? I hope that the contributions which Stithians delegates made were helpful. Was this a good use of scarce resources? It was although whether it was the best use of scarce resources could be debated.

Thanks

Cllr James Biscoe
ENVIRONMENT HIGHWAYS
AND FOOTPATHS
24th August 2011

Cllr Miss Joanna Tisdale

AGENDA ITEM 13.1

CLERK'S REPORT FOR MEETING TO BE HELD ON

20th SEPTEMBER 2011

PROVISION OF ADDITIONAL CEMETERY SPACE

DECISIONS REQUIRED:

- 1. To note and approve the content of this report.**
- 2. To approve the layout as shown in Appendices 1 and 2 of the report.**

3. That a planning application be submitted based upon the afore-mentioned Appendices.

REPORT:

A meeting of the Cemetery Working Party took place on Friday 12th August when I presented a suggested layout based on previous discussions. It was agreed at that meeting that I should produce a further drawing based upon discussions that had taken place and circulate it to members of the Working Party for agreement before sending a copy to the affected residents in order to receive their comments prior to consideration of the proposals by the full Council at this meeting.

The plan as finally agreed by the Working Party appears in Appendix 1 to this report. This was delivered by hand to the residents on 18th August along with proposals for treatment of the entrance to the access road (Appendix 2) and accompanied by the letter in Appendix 3. **Appendices 3 to 10 can be obtained upon application to the Clerk.**

The proposals were delivered to 1,2,3,4,5 Old Vicarage Close, 1,2,3,4 The Old Vicarage the White Cottage – 10 properties in all.

At the time of writing this report, I had received four responses as follows:

3 The Old Vicarage (Appendix 4 with my reply at Appendix 5)

1 Old Vicarage Close (Appendix 6)

4 Old Vicarage Close (Appendix 7 with my reply at Appendix 8)

5 Old Vicarage Close (Appendix 9 with my reply at Appendix 10)

Members will see from this correspondence that there are still some matters of concern and may wish to discuss them at the meeting but it is my opinion that they have been addressed as well as they can be whilst still providing a suitable cemetery. The main concern appears to be the car park. Members will see from my letter to the residents that they have been made aware of this meeting and they may well be represented.

I made Members aware in my report to the July meeting of exactly what was required for the submission of a planning application, which is the next step once the final layout is agreed. Members are therefore asked, subject to any further discussion at the meeting, to approve the proposals shown in Appendices 1 and 2 of this report, which will then be used as the basis of a planning application.

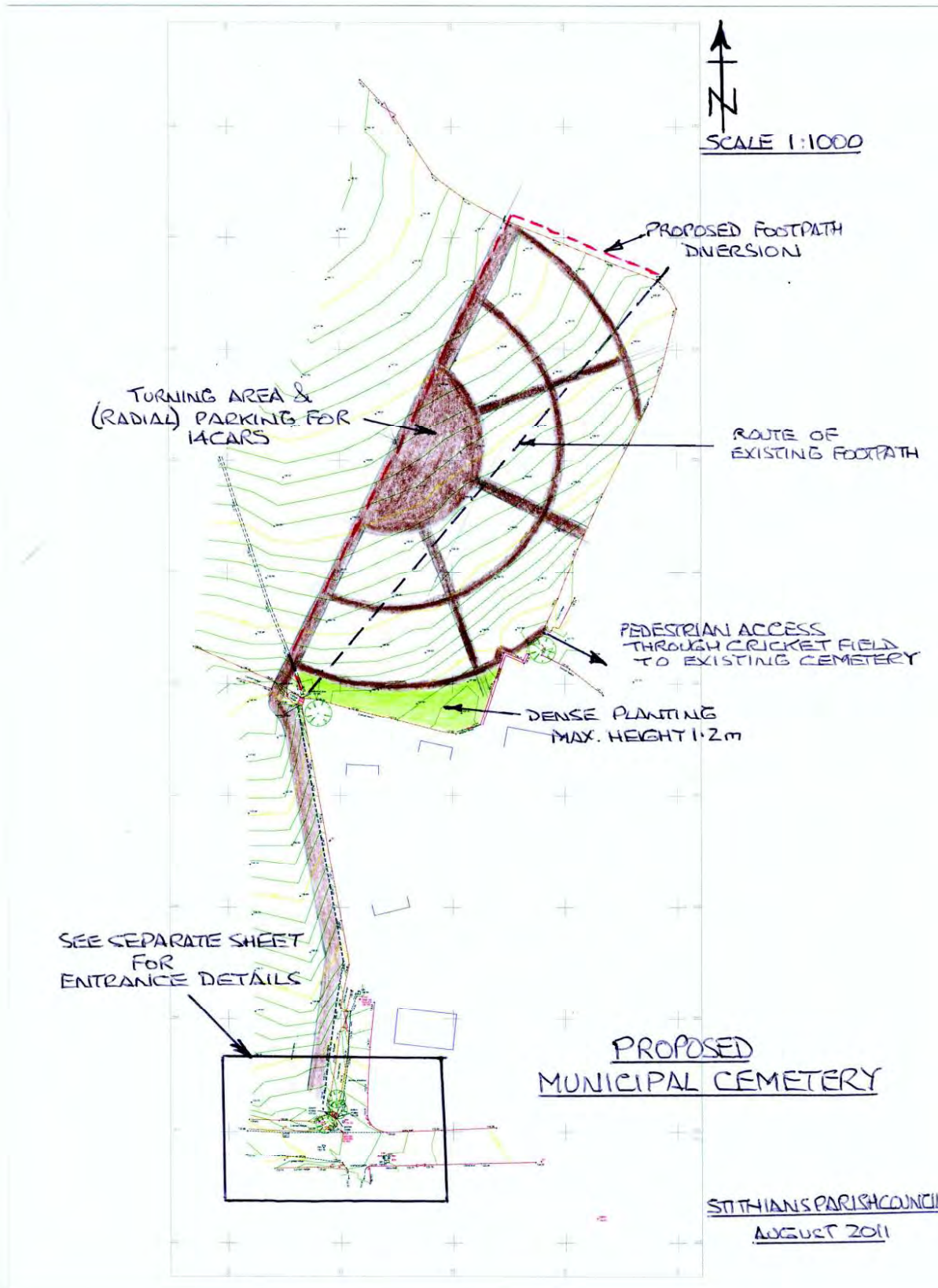
Obviously, no further negotiations over the purchase of the land can or should be entered into until such time as planning permission is granted.

JV Calvert,

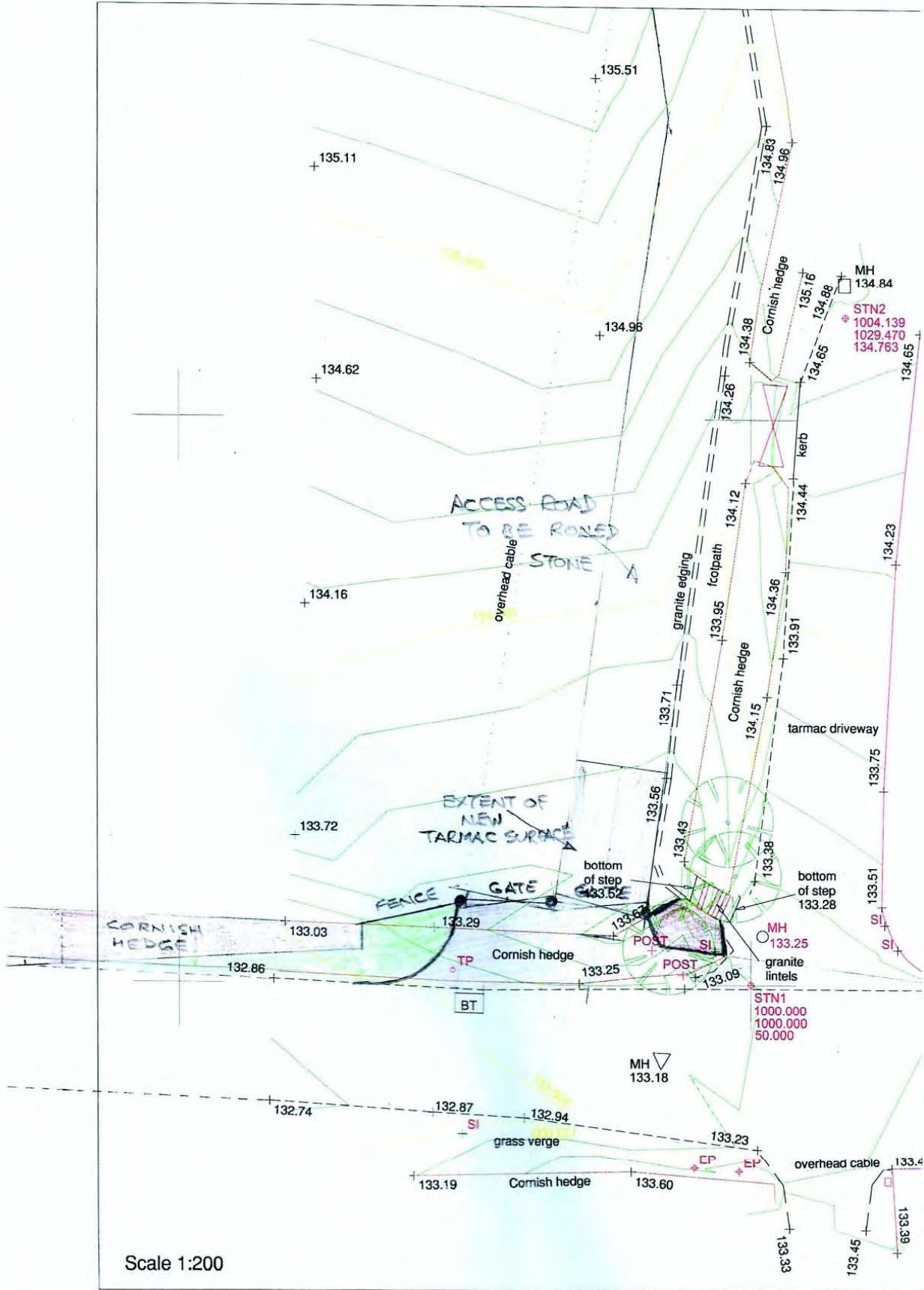
Clerk

13th September 2011

Appendix 1 to AGENDA ITEM 13.1



Appendix 2 to AGENDA ITEM 13.1



AGENDA ITEM 14.1

FOOTPATHS HIGHWAYS AND ENVIRONMENT REPORT SEPTEMBER 2011 PARISH COUNCIL MEETING

DECISIONS REQUIRED:

- A To note the report and approve the content thereof.**
- B To publicise evidence gathering for the two footpath modification orders for Footpath 25 as detailed in the report as soon as possible.**
- C That the Clerk be asked to write to Tony Stevens at Brook Villa requesting that he trim his trees to improve sight lines on the road.**
- D Ask the Clerk to write to the Agricultural Association requesting information on the closure of FP25 by the WESES for three days for their steam rally and asking that in future SAA require those hiring the showground to ensure that the Public Right of Way is not interfered with in the course of their events as a condition of the hire agreement.**
- E To agree that SPC enter into an agency agreement with Cornwall Council to maintain the old churchyard until the end of the current financial year with the option to extend the arrangement if suitable terms can be agreed.**
- F That the Clerk issue the call for bids for refurbishing the fingerposts and milestones work as soon as possible after approval of the documents by Cornwall Council.**
- G That the Clerk be asked to write to the owners of Polkanuggo Farm asking them to ensure that users can pass along Bridleway 32 freely with particular reference to the arrangements pertaining to their farm yard.**
- H That the Clerk be asked to chase Coastline housing about maintaining the Crelow Hill boundary of Collins Parc.**

REPORT:

- 1 At a meeting on 18th August the Cornwall Council team offered terms for an agency agreement to maintain the old churchyard which the Clerk advised came within the terms offered by our contractor. CC will cut the grass once more as it will take that long to get the agreement in place. SPC will then take over the maintenance on the basis of keeping it cut to an agreed level (as opposed to a number of cuts) for the remainder of the current financial year. The agreement will be renewable subject to acceptable terms being offered for its extension as CC not yet sure what funds they**

might have available for this next year. *Clerk's Note: This agreement was received at 14.47 on Wednesday 14th September and extends to some 12 pages. Your Chairman has agreed to accept its consideration as an urgent item as I shall be unable to report upon it before the deadline for publishing the agenda.*

- 2 CC have advised that there is a 90% chance of four road maintenance schemes being done by end of the current financial year, Pelean Cross to Foundry, Foundry to South Road, New Road and Crelow Hill. The risk arises from the possibility of other schemes running over budget.
- 3 Grit and salt bins: a consultation is due in October on this. It is likely that CC will propose filling them once a winter and that additional salt would then be PC responsibility. It has been suggested that CC might like to deliver spare salt to PC in advance of inclement weather and that SPC might then also offer it for sale to householders for private use. CC not sure if this is a sound scheme but thinking about it.
- 4 The scheme to resolve the issues at Tregolls funded from the CC Members budget looks set to go ahead.
- 5 Street lighting and illuminated highways signs are better controlled and we have a contact to get issues attended to.
- 6 The street light at Tretheague has gone awol, CC have agreed to look into what happened with a view to returning it as it was put there on account of the dangerous bridge.
- 7 Coastline have cut the hedges inside Collins Parc but not the Crelow Hill hedge despite a request and a reminder from the Clerk. Suggest copying subsequent reminders to their CEO and Highways.
- 8 A survey of the highways and non highways signage in the parish has been completed and handed to CC who will study and discuss what remedial works can be done to highways signage (including white lining) and whether the proliferation of business signs can be controlled.
- 9 The Clerk wrote to Stithians Agricultural Association about their closure of FP 25 for a whole week for the show and has reported the response under Agenda item 12.6.
- 10 The West of England Steam Engine Society closed FP25 where it runs through the showground for three days. I propose that the Clerk enquire from Mrs Toms as to whether a closure order had been obtained from CC.
- 11 Toilets are operating. The photovoltaic switch on the lights has gone wrong and will be replaced. Meanwhile the additional electricity occasions no additional cost as it is unmetered and all are economy bulbs.
- 12 I attended a meeting at Delabole as SPC representative on renewable energy. Very little of interest other than enquiries to some of the stallholders which provided the information that anaerobic digestion was estimated to yield 20% per annum while the alternative renewable no more than 10% at best. Cornwall Council have no idea how many sites exist where water was previously used for a power source, the potential which they have for energy generation. Someone at Tremough was said to have been doing some work on this but no further information has come to light as

yet. The organisation of this event was a bit hit and miss the programme only being available the day before and there being no breaks in the presentations all day. I have reported separately on the matter under Agenda item 18.5.

- 13 Fingerposts and Milestones: CC have been sent the draft tender by the Clerk for consideration but there has been no response to date.
- 14 CC officers agreed to assist with identifying the landowners involved in FP25 and FP 52 so that they can be contacted and have been sent details of the routes in question.
- 15 FP25: the proposal is two fold, first that the entrance the footpath up Kennall Farm driveway which has operated for fifty years be formalised and, secondly that the footpath should run into Kennall Woods (part of the Mining World Heritage Site) as far as their boundary at Kennall Vale in Ponsanooth. This will give Stithians people access to the Nature Reserve via PRoW rather than having to go to Ponsanooth and walk back from there. This should be achievable and obviates a lot of the issues which were encountered when the previous attempt was made to get an omnibus solution to several footpaths issues all at once leading all to fail. I have evidence forms and will be glad to issue them to anyone willing to provide evidence to support this proposed modification order. Please let me know of willing and able people and I will get the forms to them.
- 16 FP 52 Mill Lane needs the leat to be repaired as this is damaging the bridleway hence the need to contact the riparian landowners. Cornwall Council have agreed to assist with this and been sent the necessary information so that the landowners can be identified.
- 17 Cornwall Council will look into the matter of getting one of their staff trained to do playing field safety inspections and then offer this as a paid service to parishes, hopefully more economically and efficiently than the existing private sector alternatives.
- 18 The sweeper lorry operated through Stithians on 1st September. Its operation is being monitored.
- 19 The white lorry and ancillary vehicles seem to have moved from Foundry, possibly on a permanent basis.
- 20 SWW have repaired the bridleway gate at the entrance to the waterworks but done nothing yet about their misleading permissive path signage.
- 21 Bridleway 32 where it crosses Polkanuggo farm yard has a gate across it. This is OK however the barricades set along the bottom of the gate to control their pigs are not. The owners came and moved them when I passed that way recently but obviously they are not there full time. Moving the barricades allows their pigs to run where presumably they are not supposed to run or the owners would not resort to barriers. The Clerk is asked to write to them asking them to ensure free passage for users of this PRoW at all times.
- 22 An outbreak of spray can graffiti struck Stithians village over the August Bank Holiday weekend. Both Stithians bus shelters, some private garage doors, some street and highways signs and some cars were spray painted. The Police are said to have

identified the perpetrators as being from the Showground where the VW Jamboree and Country Fair were being staged.

23 There has been no meeting of historic churchyards project.

Thank you

Cllr James Biscoe

FOOTPATHS HIGHWAYS AND ENVIRONMENT PORTFOLIO HOLDER

Additional Report to AGENDA ITEM 14.1

**Clerk's Supplementary (URGENT) Report for Meeting to be Held on
20th September 2011**

STITHIANS CHURCHYARD GRASS CUTTING

SUMMARY OF DECISIONS REQUIRED (Details in Report):

- 1. To note the report and approve the content thereof.**
- 2. To consent to the signing of the document included as Appendix 1 to the report by the Chairman and its return to Cornwall Council for their signature.**

REPORT:

As Members are aware, negotiations have been taking place with Cornwall Council whereby Stithians Parish Council can take over the cutting of the grass in the Churchyard.

A draft Agreement was received from Cornwall Council on Wednesday 14th September which was not quite as the Portfolio holder and I thought it should be. We therefore made several amendments and returned it the next day for (hopefully!) their approval.

I received a phone call from Andy James at 13.30 on Friday 16th September in which he advised that he was in agreement with all the amendments proposed. The agreed document is therefore included as Appendix 1 (**A copy can be obtained upon application to the Clerk**) to this report and I trust that Members will agree to it being signed by the Chairman and returned to Cornwall Council.

JV Calvert

Clerk

16th September 2011

AGENDA ITEM 14.2

**Clerk's Report for Meeting to be Held on
20th September 2011**

TOILETS

SUMMARY OF DECISIONS REQUIRED (Details in Report):

- 1. To note the report and approve the content thereof.**
- 2. To approve the payment of £70 to Michael White for work done at the toilets.**

REPORT:

Members will recall that at the May meeting, various work was agreed to be carried out by Michael White. In the intervening period, this has had to be revised and he has now carried out the following:

1	Toilet roll holder Ladies	£10
2	Clean all interior paintwork	£10
3	Repaint cistern boards ladies (2)	£20
4	Paint disabled toilet door both sides	£10
5	Paint floor by gents urinal	£5
6	Paint disabled floor	£5
7	Fit window catches 1 ladies 1 gents	<u>£10</u>
Total payment due		<u>£70</u>

He has submitted an invoice in this sum and I trust Members will agree to its payment.

The following work remains to be done:

A	Make good small defects in walls and paint where repaired	£10
B	Secure urinal to wall with three metal pipe clips	£10
C	Fit soap dispensers, ladies and gents	£10
D	Fit window catch to Ladies	£5
E	Stain window frames and paint gents door	<u>£5</u>
Total		<u>£40</u>

I expect this to be completed soon and to be able to present an invoice to the October meeting.

On the evening of Saturday 10th September, part of the pipe that flushes the Gent's urinal was pulled off. The Police are aware of the incident and, although, there is a suspect, there is no concrete evidence that he caused the damage. We still have the pipe, however, and a repair should be able to be effected at reasonable cost. I hope to be able to report further at your meeting.

JV Calvert

Clerk

15th September 2011

AGENDA ITEMS 15.1 – 15.2

Clerk's Reports for Meeting to be held on 20th September 2011

PLAYING FIELD PORTFOLIO

Decisions Required:

1. To note and approve the content of the Report on the Playing Field meeting and Appendix 1, particularly noting and agreeing the financial implications contained therein.
2. To note information provided relating to the Youth Shelter.
3. To confirm the amount of money to be contributed by the Parish Council to the Teen Shelter Project.
4. To agree that the Parish Council (Clerk) will be the named applicant for the Teen Shelter Project.
5. To agree a lead Parish Councillor as a named point of contact for the Teen Shelter Project.

Reports:

15.1 Playing Field Meeting:

The attached notes (Appendix 1) of the Meeting with the Playing Field Caretaker held on 13th September form the basis of this report and Members are asked to approve them and any financial implications contained therein.

15.2 Youth Shelter:

Vanessa Luckwell and Mark James met Andy Huddlestone in August to discuss how they could help progress the Teen Shelter Project with the following results:

1. They collated all the relevant information gathered up to this point so as to see what could be progressed.
2. Vanessa will now look at funding opportunities by undertaking a grant search and contacting potential funders.
3. Andy will continue to speak to the young people in the village so that they are aware of the progress being made and to gain further evidence of support for the project should that be necessary.
4. Funding applications will be written in due course.
- 5.

They request the following from the Parish Council:

1. Confirmation of the amount of money they wish to contribute.
2. Agreement that they will be the named applicant (so that they can fill out the applications, giving a contact name and address).
3. A named point of contact (a lead Parish Councillor that they can work with and contact for any potential information they may require).

They will, of course, keep the Parish Council informed of progress at all stages of the application and project (responses from funders, building schedule etc)

Appendix 1 to AGENDA ITEM 15.1

NOTES OF PLAYING FIELD PROGRESS MEETING HELD ON

TUESDAY 13th SEPTEMBER 2011

Present:

(NP) Councillor N Potter – Playing Field Portfolio Holder

(JB) Councillor J Biscoe – Assistant Playing Field Portfolio Holder

(JVC) John Calvert - Clerk

(TM) Tyrone Martin – Playing Field Caretaker

Apologies:

None

Notes of Meeting:

As has become normal practice, the notes of the previous meeting, in this case, 12th July 2011, were used as an agenda with any other items included at the end or as necessary.

1. Pavilion:

JVC advised that the quotation in the sum of £68.59 submitted by TM for replacing the left hand door jamb and cladding and for a metal plate on each side of the door to reinforce it in the area of the door knob and lock had been accepted at the July meeting of the PC and that TM had done the work. TM presented his invoice for the work. Although the Rugby Club had indicated that they would quote for replacing the door nothing had been received.

2. Fencing to Ennis & Carbis:

TM had established that eight panels were needed and was to submit a revised quotation for the work as some of the old posts could be re-used.

3. Dog Fouling in the New Playing Field:

As before, TM is continuing to monitor the situation and fouling does not appear to have worsened.

4. Litter Bins:

JVC advised that he had asked TM to replace the bin in the Skateboard Park, which he had done. Invoice for £20 to be submitted.

5. Signage:

It was noted that a new sign was needed in the Skateboard Park. JB to see if he has a picture to forward to TM for quotation.

6. Annual Safety Inspection:

Awaiting information from Cornwall Council on their capabilities and charges.

7. Life Expectancy of Play Equipment:

The following information still applies:

Slide:

Successive inspections have advised that the slide is at the end of its useful life and have pointed out that the general condition is "not good with excessive wear on the steps, step fixings and fish plate detail". This inspection was no different and, although wear is evident, the site inspection once again gave no cause for alarm save the fact that there was evidence of corrosion on the handrails but nowhere near as bad as the report would lead one to believe. The report advocates immediate replacement as it has reached the end of its useful life. There is no doubt that this is one of the most popular pieces of equipment and whilst there is also no doubt that it will need replacement at some point in the future, those present felt that there is still some life left in it as long as it is monitored weekly and well maintained.

Carousel:

This is another piece of equipment that the inspector has taken a dislike to because of its age. She has suggested that it ought to be replaced by 2014 but, like the slide, it is extremely popular. As long as it is well maintained, it should be OK for longer.

See Saw:

This is something else that the Inspector says should be replaced. She has identified rust on the side panels, but our site inspection did not agree. She also found wear in the linkage which, whilst present, is not excessive and will be closely monitored. This is another popular piece of equipment.

8. Caretaker's Inspection Reports:

Action Taken re Work identified in Inspection Report dated 7th July 2011:

The content of this report was discussed and the following actions agreed:

- *Fence Needs Repairing:*
This is the fence to Ennis & Carbis reported in Item 2 of these notes.
- *Trees Damaged & Stays Broken:*
JB and TM to investigate two dead trees. It was not felt necessary to replace them
- *Sputnik – Re-varnish Two Seats:*
JVC had accepted a quotation from TM. Invoice to be submitted.
- *Safety Surface Repairs:*
JVC to order three tubs of wet pour compound.
- *Sky Saw:*
TM had tightened top bolts.
- *Tennis Court:*
Moss cleared and white lining done.

Inspection Report Dated 9th September 2011:

- *Fence Needs Repairing:*
This is the fence to Ennis & Carbis reported in Item 2 of these notes.
- *Leak at Water Meter:*
JVC had reported this.
- *Toddler Swings – Movement of Chain Bracket to Wood Frame:*
JVC had accepted a quotation from TM. Invoice to be submitted.
- *Safety Surface Repairs:*
JVC to order three tubs of wet pour compound.
- *Toddler Equipment – Damaged Post:*
This was actually a rotten slat. TM was instructed to repair it and submit an invoice as the amount would not be excessive.

9. *Other Matters:*

a) *Tennis Court:*

JB to investigate the feasibility of obtaining a padlock key for TM.

TM to quote for removing gate and re-fixing chain link fence.

b) *Use of Playing Field for Royal Celebration:*

It was noted that those who had organised the royal wedding celebration hoped to use the playing field for an event to celebrate the Queen’s Jubilee in 2012.

c) *BMX Track:*

The branch hanging off a tree had been removed and the track strimmed as necessary.

d) *Rugby Pitch Grass Cutting:*

This was not considered an issue at present.

10. *2011 Annual Safety Inspection:*

The list of actions identified at the previous meeting was considered. Those actions that had been completed were removed along with those where none was considered necessary:

<u>Equipment</u>	<u>Fault</u>	<u>Risk</u>	<u>Action</u>
Swings	Chains do not conform to ISO1834	Low	Change when worn
Swings	Cross bar to headstock loose	Low	Pack with washers
Swing Safety Surface	Grass growing over surface	Low	Trim as necessary when safety surfacing repaired
Litter Bin damaged	Repair	Low	Done but old post needs

			removing
Multi Climber Surface	Grass growing over surface	Low	Trim as necessary when safety surfacing repaired
Picnic Table	Screws loose & projecting	Low	Tighten screws
See Saw surfacing	Wet pour surfacing damaged	Low	Repair
Tower & Slide	Timber rotting	Low	Trim & fix caps to tops of uprights. Invoice Required.
Cransley Seats	Ground fixing missing	Low	Needs a bolt
Igloo Surfacing	Grass growing over surface	Low	Trim as necessary when safety surfacing repaired
Igloo Surfacing	Extent is less than required	Low	Decide on further action
Scale Swing	Item is rusting in places	Low	De-rust & paint
Scale Swing Surface	Wet pour surfacing damaged	Low	Repair
Sputnik Surfacing	Wet pour surfacing damaged	Low	Repair
Toddler Multiplay	Entrapment under top of slide	Low	Install wood to fill gap
Toddler Multiplay Surface	Surface needs repair	Low	Cut out & replace
Toddler Multiplay Surface	Edges have shrunk	Low	Repair edges

It was agreed that TM would address the remaining actions identified, do those that are maintenance issues and provide quotations for the others. Surfacing repairs will be labour only as the repair compound will be purchased separately.

The annual safety inspection report's findings relating to the Skateboard Park and BMX Track, all of which are low risk. were considered. The following works were agreed:

1. TM to repair various areas with epoxy mortar, particularly on the grind box and invoice.
2. TM to repair the vertical end of the grind box with quick drying mortar and invoice.
3. TM to grind off projecting bolts on the various railings.
4. Nothing identified at the BMX Track.
- 5.

11. Next Meeting:

The date of the next meeting was agreed as Tuesday 11th October 2011 at 2pm.

John Calvert,

Clerk

13th September 2011

AGENDA ITEM 16.1

Clerk's Report for Meeting to be held on

20th September 2011

CODE OF CONDUCT

Decision Required:

1. That this report be accepted and its content noted.
2. To ratify the action of the Clerk in responding to Cornwall Council as detailed in the report.
3. To take any action considered appropriate following consideration of Cllr Biscoe's report and the other appendices to this report including deciding upon attendees for a meeting proposed by CALC.

Report:

Members are aware that the current Government are, in their infinite wisdom, intending, as part of the Localism Bill, to abolish the Standards Board and the Code of Conduct for Members. Most people in the public sector see it as a retrograde and potentially dangerous step and, of course, CALC, NALC, SLCC etc. have all made their views known. It may not happen, as the Localism Bill has not yet had its final reading but I reckon it'll take a lot to change their minds and I'm not holding my breath.

In the meantime, Cornwall Council are wondering what to do about it and have circulated the consultation document below. Typically, it came out in July after most PCs had met for the last time before taking a summer break (that way, they don't get as many responses, I suppose, but I'm not a cynic!).

I made Members aware of the communication below by e-mail on 10th August and sought approval of my proposed response, with which all who responded agreed. I now seek ratification of that response. The response appears at the end of the letter.

All Town and Parish Councils in Cornwall

Your ref:

My ref: SM/KN/26880

Date: 19 July 2011

Dear Clerk

Future of the Code of Conduct

As you will be aware the Localism Bill which is currently proceeding through the House of Lords will, if enacted as currently drafted, remove the National Code of Conduct for elected and co-opted members. The Bill provides that councils will have the option to adopt a voluntary code of conduct regarding their members' behaviour. However, subject to regulations being made, it is likely there will be a need to register and declare financial and other interests and it will be a criminal offence to fail to comply with the requirements set out in the legislation, including the regulations. It is likely that such offences will be investigated by the police.

While the Localism Bill at this time will remove the requirement to have a Code of Conduct; section 16 of the Bill, as it is currently written, puts a duty on a relevant authority, which includes town and parish councils, to promote and maintain high standards of conduct by members and co-opted members of their authority. There is then a discretion whether to adopt a code of conduct relating to member behaviour. It is suggested that there is a clear benefit in having a written code in complying with the duty to promote and maintain high standards of conduct.

With the abolition of the current standards regime, there will no longer be a statutory duty for Cornwall Council to promote member standards other than within Cornwall Council. In relation to the town and parish councils, Cornwall Council will not be obliged to deliver training on ethical governance or the Code of Conduct. Cornwall Council will also have no duty to support any town or parish council that adopts a local code of conduct. However the Standards Committee for Cornwall Council is currently considering whether to offer assistance in future and would be grateful for a response to the attached short questionnaire in order to help inform its further discussions on the future of ethical governance and Codes of Conduct within Cornwall.

It is appreciated that many of the towns and parishes are currently on a recess through the month of August, however it is hoped that a response to this letter can be prepared by the Chairman and the Clerk as, given the time constraints, responses would be appreciated by 19 August 2011. Any responses received after that date might still be taken into account in the further consideration of this issue by the Standards Committee if it is possible to do so.

It is important to note that at this stage it is not known whether Cornwall Council will adopt a local Code, maintain its existing Standards Committee, absorb any of its functions into another committee or retain the existing Committee but with a different size, composition or terms of reference.

Thank you in advance for responding to this letter. Please return the questionnaire by email or post to the address below. If you have any concerns regarding the information contained herein, please do not hesitate to contact me.

Yours sincerely

Simon JR Mansell MBE Principal Legal Officer Corporate Governance

Cornwall Council Standards Committee
New Code of Conduct regime Questionnaire

Question	Response
1. Do you plan to adopt a voluntary Code of Conduct?	Yes
2. Do you plan to adopt a local framework for dealing with allegations of breaches of your voluntary Code of Conduct?	Yes
3. If you do intend to adopt a voluntary Code of Conduct and a framework for dealing with allegations, do you plan to appoint an independent person to oversee the administration of the Code?	Possibly
4. If so, do you envisage that this will be an officer from your own council or an independent person from outside of your council?	Don't know yet
5. If Cornwall Council was to adopt a Code of Conduct and a framework for dealing with allegations, would you be interested in receiving a copy of this information?	Yes
6. If you intend to adopt a Code of Conduct, would you be looking to Cornwall Council to assist with any of the administration and support issues rather than providing them yourself and if so which? If Cornwall Council is asked to provide any of these services to you it is unlikely that they would be free of charge. The Council's hourly charging rate is currently £82.47 plus VAT.	Not at those prices!
7. Would you be interested in an advice service in relation to ethical standards for an annual fee of say £200-£400? Please bear in mind in your response that the amount of assistance available under such an arrangement would very likely	No

<p>reflect the Council's hourly charging rate as the Council would probably need to operate this on a self-funding basis. If such a facility was put in place it would be limited to ethical standards issues.</p>	
<p>8. Would you consider using Cornwall Council's experienced staff to carry out any investigations and related work?</p> <p>As background, investigations might range from say 10 hours for the very simplest, of which there are few, to several dozen hours or more for those which are more complex. The Council's hourly charging rate is currently £82.47 plus VAT.</p>	<p>Couldn't afford to!</p>

Councillor Biscoe has prepared a supplementary report which is attached as Appendix 1 to this report which Members may wish to consider. He refers to CALC, etc who are very much on the case and lobbying for a Code of Conduct to be maintained.

Also attached for Members' further information are two Legal Briefing Notes from NALC and a report prepared by Sarah Mason of CALC, all of which demonstrate the lobbying which is taking place. Members will note that it is the intention of CALC to hold a meeting at the end of September/early October to discuss the nature of the proposed changes as outlined in the Bill and hopes that councils will send representatives to join in the discussion. At the time of writing this report, I had not heard any more about a meeting but sent a reminder to Sarah on 8th September.

I suggest, therefore, that no further action is necessary until the Localism Bill is enacted and it is known exactly what the implications are but, as always, I shall be guided by Members.

In the meantime, Members may wish to decide now who should attend the proposed CALC meeting

JV Calvert

Clerk

8th September 2011

Appendix 1 to AGENDA ITEM 16.1

LOCAL GOVERNMENT CODE OF CONDUCT

- 1 The circular SM/KN/26880 of the 19th of July from Simon Mansell to all Clerks refers.
- 2 What does HMG seek to achieve by abolishing the code of conduct? Do they think that local government is so upright and honest by its very nature that it does not need a code of conduct and that having one is therefore a waste of money? Do they not care if local government descends into a morass of free for all shady deals, backhanders and influence peddling? I have to admit that their approach to the planning system seems to infer that a more free market approach is preferred by the current government. Is this a good thing?
- 3 If statutory regulation is removed what recourse will there be when actions are proposed or taken which others consider inappropriate, in planning terms because they have a negative impact on the environment or economy, in code of conduct terms because they bring Councils into disrepute? The answer is the courts. Look at licensing. That was significantly weakened by the previous government with the result that any dispute has to be taken to the Magistrates Court, which is where licences were originally issued from? Why do I see the Stars and Stripes waving in the breeze behind all this? I saw something in the news today about someone wanting to abolish all consumer protection legislation. Why did an image of m' learned friends rubbing their hands spring to mind I wonder?
- 4 My suggestion is that we should have a code of conduct for all local government in Cornwall (including Cornwall Council!). It should largely be the same as at present but without the odd bits about public and private conduct which arose from the Ken Livingstone case. A Councillor is a Councillor is a Councillor and what ever they do relates to their function as a Councillor. A Councillor who is drunk and abusive in a public place brings his office into disrepute whether he is there in his official capacity or his private capacity. A councillor who beats their spouse at home or in public brings their office into disrepute.
- 5 Getting Cornwall Council to advise and assist will clearly be expensive and unlikely to be used. There is an alternative. Cornwall Association of Local Councils. If we, as a Parish Council want advice on technical matters we turn to CALC of which we are Members and have been well served by them on several occasions to my knowledge. Not every Council is a Member of CALC. If the source of assistance and advice is CALC that will encourage the Councils which are not members to join. Alternatively non Members can be charged at a higher rate than Members? CALC has access to and uses NALC resources to support its local staff. CALC may have to expand its resource base to take on this additional function.
- 6 As an adjunct to this it has long been an anomaly that a code of conduct exists for Members but not for Officers. This issue needs to be considered. The code should

be very similar to that for Members if not the same. There may be one or two adds and subtracts needed in the details. However as a general principle Members and officers should be guided in their work by the same standards. The supporting agency for Officers might be SLCC rather than CALC? Or perhaps the two organisations should combine their efforts on this issue?

7 The questions attached:

7.1 Do you plan a voluntary code of conduct? This implies that whether Members sign up or not will be voluntary. It needs to be obligatory.

7.2 Framework for dealing with breaches, see my comments about CALC and SLCC above. If this looks incestuous who regulates lawyers and accountants and Doctors, nurses etc?

7.3 Do you plan to appoint an independent person to oversee? See comments about CALC above. I would expect that they would have staff dedicated to this.

7.4 See above

7.5 Yes but it would be better if they developed the thing collaboratively with all Councils rather than handing it down like the oracle at Delphi. Will they charge for this?

7.6 No, see comments about CALC

7.7 No, see comments about CALC. When I have met standards previously the work was farmed out to a lawyer anyway?

7.8 No. See comments about CALC

8 The comment about responses received after the 19th of August is interesting. Does it mean that comments which the recipient approves of may be taken into consideration while those which go against the ideas of the recipient may not? This is the same slippery slope as pre application discussions about planning applications. Either there is a deadline or there is not. Either there is a planning system or there is not. I recall one of my brothers visiting America and commenting that there everything is a deal. You negotiate with taxi drivers, restaurants, hotels, policemen, judges everyone. If this is the model that life in the UK is to adopt then we had better forget teaching people to type and concentrate on haggling 101 and how to find a good lawyer? Invest in insurance companies now!

The remaining Appendices may be obtained upon application to the Clerk.

AGENDA ITEM 16.2

CONSULTATION ON DRAFT NATIONAL PLANNING POLICY FRAMEWORK

DECISIONS REQUIRED:

A To agree the content of this consultation response, making revisions if necessary

B To task the Clerk with forwarding the agreed response of SPC to the Department of Communities and Local Government before the 17th October deadline.

REPORT: To reduce printing costs, the Appendices are not attached but can be obtained from either the DCLG website or the Clerk.

- 1 Curiously this document (included as Appendices 1 to 4 to this report) did not come to us through Cornwall Council or even the Department of Communities and Local Government but through Joy Thomas who was sent it as a result of being on the Open Spaces Panel. Has it been circulated to all parishes? If not that surely is a significant omission.
- 2 The Government have trumpeted that they have reduced 1,000 pages of former policy and guidance to 50 pages. It is nearly 60 pages and is attended by 102 pages of impact assessment and more pages of a summary and questions. I am sure that it will generate a lot of additional clarification and litigation which will quickly replace the last 1,000 pages with some fresh ones, and probably a good number of the old ones as well. Politics is involved here.
- 3 There are two fundamental parts to what is proposed.
 - 3.1 The presumption in favour of sustainable development. This amounts to saying that if there is no compelling contra argument that sustainable development is assumed to be OK and approved. The nearest analogy that I can think of is changing innocent until proven guilty to guilty until proven innocent. The boot has moved from the foot of the developer having to prove the value and benefit of their proposal to those against a development having to prove why it should not go ahead. The market is to be listened to more assiduously than heretofore. What this seems to say is that if enough money is offered to develop some bit of land where ever it might be that should be listened to.
 - 3.2 That planning authorities are required to bring forward an additional 20% of land over and above that which they have in their existing plans for development.
- 4 There is, embodied in the proposals, an assumption in favour of growth. What growth amounts to is not defined but based on our former experience with Andy England the senior planner from CC it boils down to building things of one sort or another. The nearest analogy I can think of is a parody on the major tenet of government in Orwell's Animal Farm. There the rule was two legs good four legs bad. What seems to be the rule proposed here is concrete good grass and other greenery bad.
- 5 There is an indirect indication of the approach adopted by the statement on page 17 that every £1m of construction will generate 21 jobs although whether these are permanent or transitory is not considered.
- 6 The word sustainable in all its various manifestations is worked to death. Despite this no definition is adopted by the proposals that I can discern. Some suggestions about what was proposed in an earlier consultation on this are listed as an annex but no definition appears to have been adopted.

- 7 There are repeated references to local councils (seemingly the euphemism for Parish and Town councils) needing to have an up to date plan and that if such plans are not up to date that they will be disregarded and the presumption in favour will apply. I could not find any determination of what constitutes up to date. Are such plans meant to run for five years or a year or six months? Or is this a handy get out of jail free card to impose developments?
- 8 Deep in the impact assessment 102 pages the target that as much as possible of all development should be on brownfield sites is discarded. I could find no rationale for this apart from saying that some planning authorities have more available than others and that it might run out. The point about brownfield sites surely is that they are recycled development land which can be recycled again and again if necessary. Once Greenfield becomes developed and then brownfield land it never reverts to Greenfield and is so therefore a loss of economic capital. Even more stunning is the repeated statement that where housing is concerned brownfield sites support an average of 41 units to the hectare while Greenfield sites only support 27 housing units to the hectare. Thus the consumption rate of Greenfield site for housing is nearly double that of brownfield.
- 9 The concept of rural exception sites is also abolished although planning authorities can retain a similar concept if they want to.
- 10 There is a whole section on the reduction in consumption of peat by the agriculture and horticulture industries because it is a non renewable resource and so on for several pages. They do accept that the likely consequence is an increase in imports which would increase its costs and add negative transport impacts but seem unconcerned by this consequence. The idea that land is also a non renewable resource is not seemingly considered.
- 11 It is noted on page 26 that policy does not alter law and that law is always superior. It is for this reason that I foresee that this change of policy is likely to spark off a plethora of legal challenges, judicial reviews and the like to get clarity and determination of what is meant and intended. Thus the 1 000 pages resulting from the former policy will quickly be replaced by even more, probably more complex materials.
- 12 Then on page 43 of the impact assessment (hardly the most prominent place for this) is stated; ***"The Government's objective is that planning should help deliver the prudent and efficient use of resources in ways that reduce use of non renewable resources; do not lead to unacceptable impacts or pollution; and respect the needs of future generations."*** (emphasis added).
- 13 If the statement of the Government's objective is true how does the proposed policy perform in terms of achieving the objective? Read it again, ".....the prudent and efficient use of resources in ways that reduce use of non renewable resources, do not lead to unacceptable impacts of or pollution and respect the needs of future generations".
- 14 Paragraph 144 of the framework document states; "A local planning authority (*herewith the differentiation between Planning Authority, Cornwall Council and Local Councils,*

presumably parish and town councils) should regard the construction of new building as inappropriate in Green Belt. Exceptions to this are;

- Buildings for agriculture and forestry
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the **original** building (their emphasis)
- The replacement of a building provided the new building is not materially larger than the one which it replaces
- Limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan or
- Limited infilling or the partial or complete redevelopment of previously developed sites (excluding temporary buildings) whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within the existing development.

15 Paragraph 167 of the same document states:

“ Protect Valued Landscape

167 Local planning authorities should:

- Set out a strategic approach in their local plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure
- Maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as heritage coast, and improve public access to and enjoyment of the coast
- Take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality, except where this would be inconsistent with other sustainability considerations or the Local Plan’s growth strategy and where poorer quality land is unavailable or unsuitable
- Give great weight to protecting landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. Planning permission should be refused for major developments in designated areas except in exceptional circumstances where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

—the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy
—the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
—any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”.

16 SUMMARY

Government is seeking to kick start the economy by allowing consumption of capital in the form of land. While this may act as a short term stimulus it is at the expense of long term economic development, otherwise known as sustainability. Previous governments have done similar things, consumption of North Sea oil revenue for instance (whereas the Norwegians put their into an endowment fund which is now, and will for ever, drive their economy), selling off state owned utilities, water, electric, gas, telephone, shepherding thousands of people into higher education to get them off unemployment registers thereby diluting the value of higher education, putting tens of thousands onto disability in one form or another for the same reason and, of course, loosening banking regulation to stimulate 'growth' through that mechanism. What has been the net result of these various ploys? Short term pseudo prosperity while the capital of the economy has been consumed decreasing its current and future capacity?

17 RECOMMENDATIONS

A That the objective identified from the document and reported at paragraph 12 above, with a few words added combined with the slightly modified contents the two sections of the documents reported in my paragraphs 14 and 15 above would make a sound basis for development planning in Cornwall.

B The Objective would read:

The objective is that planning should help deliver the prudent and efficient use of resources in ways that reduce use of non renewable resources; do not lead to unacceptable impacts or pollution; and respect the needs of future generations to achieve economic and social progress through the minimum possible sustainable growth. Seeking the prudent and efficient uses of non renewable resources, including land, will make the growth of development sustainable.

C The modifications which I propose to paragraphs 167 and 144 are as follows:

Paragraph 167 currently says “Take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local

planning authorities should seek to use areas of poorer quality land in preference to that of higher quality ...”.

This in national terms means classes 1, 2 and 3 land of which there is very little in Cornwall.

I suggest therefore that it read:

Take into account the economic and other benefits of agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality....”.

This would mean that the relative rather than the absolute quality and utility of land would be taken into account. Let us be clear that most people, not even senior politicians, do not only visit or live in Cornwall for the benefit of superior maternity care or the shopping in Port Isaac.

Paragraph 144 should have the words Green Belt deleted where ever they occur.

Seemingly we cannot just designate the whole County as Green Belt under the new rules but I see no reason why we cannot adapt and adopt sections of the proposed framework and use them to inform the development and management of the implementation of our local plans.

If we adopt these criteria from paragraphs 144 and 167 they will enable us to achieve the eminently desirable objective from page 43. In addition we will have a means for guiding the formulation (and revision) and subsequent management of development which is more useful than a cut and dried plan which can be thrown into disarray by the least change of one or more of its parameters.

Thank you

Cllr James Biscoe

FOOTPATHS HIGHWAYS AND ENVIRONMENT PORTFOLIO HOLDER

AGENDA ITEM 16.3

RESPONSE OF STITHIANS PARISH COUNCIL TO CORNWALL COUNCIL CONSULTATION ON REVISION OF THE LOCAL VALIDATION LIST FOR PLANNING APPLICATIONS

DECISIONS REQUIRED:

A To consider and amend if necessary and agree this report.

B To ask the Clerk to send the agreed response to Cornwall Council to reach them before the deadline of the 21ST October 2011.

REPORT: To reduce printing costs, the Appendices are not attached but can be obtained from either the Cornwall Council website or the Clerk.

- 1 Cornwall Council, as the Planning Authority, circulated a consultation document with a time period from 26th August to 21st October which for many Councils is a one meeting time window. Copies of the consultation documents are included as Appendices 1 to 3 of this report.

2 HOUSEHOLDER APPLICATIONS

- 2.1 Agricultural holding certificate. The wording of this is unclear. It could be improved by stating that none of the land involved in the application is subject to an agricultural rental or lease tenancy.
- 2.2 The number of copies of plans required in this document is unclear. This can be improved by saying 3 copies of each plan. It would be helpful if plans which are to be sent electronically to Parish Councils, are not blueprints or drawn on coloured backgrounds, as when printed on a PC, they not only use excessive ink, but also become difficult to read when viewed on a PC.
- 2.3 Flood Risk assessment: states that this is required if the property is within flood zones 2 or 3 or is within 20 metres of the top of a river bank. We have recently processed two applications where these conditions apply but no flood risk assessment has been required. Is this new?
- 2.4 Tree survey. This needs not only to detail existing and trees to be lost but proposals for replacing any lost trees with new trees of as great maturity as possible (i.e. seedlings and whips are less preferred than more mature replacements).
- 2.5 Ecological survey refers to bats and barn owls and other species. This needs to explicitly include plant as well as animal species.
- 2.6 Foul drainage, required where an extension creating additional bedrooms is proposed at a property not on a main drainage system.

3 TREE WORKS

- 3.1 Detailed description of works needs to include provision of replacement trees where trees are lost with new trees of as great maturity as possible (ie seedlings and whips are less preferred than more mature replacements).
- 3.2 Information on existing trees should also include height and diameter at breast height which is the standard measurement for trees to give an objective measure of their maturity.

4 NON HOUSEHOLDER APPLICATIONS

- 4.1 The items in the list are not numbered which makes referring to them difficult.
- 4.2 Air quality assessment; refers to AQ management areas but does not show where they are listed. Refers (curiously under air quality) to including proposals for new car parking where over 300 spaces. This seems a high threshold. Usually

one house has one or two spaces for cars so this would equate to between 150 and 300 houses worth.

- 4.3 Archaeological assessment; "The scope and degree of detail of written justification will vary according to particular circumstances." No guidance given.
- 4.4 Biodiversity; Needs to include plant as well as animal species. Reference is made to "any other land and buildings with a biodiversity interest. Houses, industrial units shops etc do not qualify as biodiverse.
- 4.5 Conversion of rural buildings to residential use; Refers to redundant rural buildings but gives no guidance on what equates with redundant. Is it redundancy arising from technical or economic forces? There have been instances of old buildings being replaced with modern ones in order to release the old ones for conversion. This makes the statement of efforts made to secure a suitable business reuse open to misuse.
- 4.6 European Marine Sites; Does not say where these are identified. Refers to Plymouth Sound and estuaries. Is this limited to estuaries associated with Plymouth Sound (which surely is in Devon?) or all estuaries? Not clear. Should this include the Fal Estuary?
- 4.7 Flood Risk assessment; "Required for and for all proposals for new developments located in Flood Zones 2 and 3 as designated by the EA" An FRA will also be required for any development other than minor development in a designated critical drainage area." Does not state where these are identified and listed. Refers to Flood Defence Consent from the EA for works over or near to a watercourse.
- 4.8 Foul sewage and utilities assessment; "If an application proposed to connect a development to the existing drainage system then details of the existing system should be shown." Is this the public sewage system or private or both? Needs clarifying. Also, "A foul drainage assessment... transporting and treating sewage..." Better if it said ...transporting, treating and disposal of sewage so that its ultimate destination is also considered.
- 4.9 This section also refers to other utilities but no reference is made that I can see to other services such as schools, busses, doctors and the like. These need to be included.
- 4.10 Geological survey; "Major applications (more than 10 dwellings or site area exceeds 1000 square metres)...." Does this draw the line between minor and major for other issues than a geological survey as well? Needs clarifying.
- 4.11 Hedgerow survey. "Major and minor applications..." needs to specify a minimum length of hedge. Also refers to protected species of animals, needs to include plants.
- 4.12 Heritage assessment; "When a development affects a designated heritage asset, (listed building, registered park...." Where are parks registered other than National Parks? No guidance provided.
- 4.13 Land stability assessment; Refers to cliffs, mining activity or quarries but has no reference to steeply sloping land of which there is plenty in Cornwall. Needs guidance.
- 4.14 Landscape and visual impact. Refers to appendix A which is not seen.
- 4.15 Landscape assessment; "Where proposed development will have a significant impact on the landscape." Needs definition. Presumably every wind turbine would be included, any building on the skyline, or above a certain scale? "The

assessment should examine the natural and cultural influences....” Suggest this include agricultural as well.

- 4.16 Landscape scheme proposals; Needs to include a mechanism for monitoring if the schemes have been implemented. Landscaping takes some years to mature in most cases and in some has failed and no further action been taken.
- 4.17 Noise impact assessment; Refers specifically to wind turbines. Needs to include roads, factories, hotels, restaurants, car parks. A hint given by the where to look for further guidance column which suggests guidance on commercial kitchen extract systems.
- 4.18 Open space, sport, recreation and green infrastructure; “All types where a proposed development may have possible impacts on existing open spaces, green infrastructure or access to open space.” Needs to include PRoW’s.
- 4.19 Retail impact assessment; Applies to “Applications for main town centres uses that are not in a centre and not in accordance with an up to date development plan”. What this group of words means is not clear but the information which is required to meet it is, or comes very close to being an economic impact assessment which is a departure from previous planning considerations which we have always been told do not include economic assessments.
- 4.20 Summary; Applies to “Major applications where the supporting information exceeds 100 pages.” A curious definition of major, but where met a summary of not more than 20 pages long is required.
- 4.21 Transport assessment; “Where the proposed development has significant transport implications “Presumably then vehicle movements, bus services, parking, refuse collection and deliveries? PRoW Impact?”
- 4.22 Tree survey implications; Needs to add “a scheme for the replacement of any removed trees to make the impact on the tree population as near to zero as possible.
- 4.23 Application for Hedgerow Removal Notice; “Certain hedgerows are protected in a similar way to Tree Preservation Orders.” Needs to add where this information can be found.
- 4.24 Application for prior notification of demolition; “The demolition of certain buildings....” Needs to say where this information can be found as to which buildings require this.

5 SUMMARY AND CONCLUSIONS

- 5.1 It is not clear how these validation processes and procedures relate to the new National Planning Framework. If that analysis has been undertaken by the Planning Authority it is not stated here. This is an omission which needs to be remedied.
- 5.2 The rubrick for the consultation cites speeding up of the process as one of the objectives. Delay is undesirable but it is surely a better measure if it is added to increasing the percentage of applications which are successful. Thus not only is it quicker but better.
- 5.3 The rubrick refers to improving consistency of processing, which is desirable, however it also needs to improve thoroughness. As cited earlier in this report we as a Parish Council get a significant number of applications where the validation process has clearly been inadequate as can be ascertained by

untrained volunteer Parish Councillors. This does not speak highly of the thoroughness and efficiency of the validation process?

5.4 The rubrick speaks of promoting the use of pre application discussions and advice with planning staff. No reference is made to the benefits arising from this. Presumably it should improve the number of applications which are approved and reduce the time taken to achieve that? It also refers to pre application with statutory and non statutory consultees, including thereby Parish Councils. No guidance is given as to how such consultations should be conducted, what information should be provided or the consequences of such discussions. Pre application officer consultations always result in a letter stating the advice given with the disclaimer that is it only an officer's opinion and that the Planning Authority will not be bound by it. This would be a helpful procedure for Parishes as well and should be adopted where such pre application discussions are held without the benefit of outline planning consent having been applied for.

5.5 The word 'should' is used throughout this document in places where must or similar terms would be more appropriate.

5.6 It also states "The following should be provided unless these would not influence or be affected by the proposed development;

- All the buildings roads and footpaths on land adjoining the site including access arrangements
- All public rights of way crossing the site
- The position of all trees on the site and those in adjacent land....
- The extent and type of any hard surfacing
- Boundary treatment including walls and fencing where this is proposed

This would be improved if it read:

The following must be identified:

- All the buildings.....
- All public rights of way....
- The position of all trees....
- Boundary treatments....
- All water courses on and adjoining the site
- Soakaways and other provision for the management of run off from the existing and proposed site
- Arrangements for the management of foul drainage on and adjoining the site including mains drainage, septic tanks, cesspools and sewage processing systems

5.7 Ownership certificate; States that under Section 65(5) of Town and Country Planning Act 1990..... CC must not entertain an application. This surely would better say must not validate any application.... It then says "An ownership certificate A B C or D must be completed stating the ownership.... Surely the word 'stating' should be replaced by 'certifying' as this is a certificate?

5.8 Design and access. A design and access statement must accompany applications..... (unless any part of a dwelling house or its curtilage falls within a conservation area or World Heritage Site) "Surely these are more important in those areas than those without these designations?

Applications for listed building consent.... should address; the special architectural or historic features, the particular physical features.... the

- buildings setting” .Would read better if it said Applications for listed building....should address how the proposed development will impact upon;
- 5.9 The Local Lists. “Applicants should be aware that a request post-validation for further or supporting documentation will have no bearing on validity. Nevertheless, an application could still be deemed as valid, and then be refused on the grounds of inadequate information, if the documentation was subsequently found to be inaccurate or insufficient to support the proposal” Gobbledegook at its finest surely? If the validation process is efficient it will ensure that all the necessary information is presented before the application is declared valid. If subsequently it is found that the information provided is inaccurate or insufficient validation of the application will be revoked until the information deficiency is remedied?
- 5.10 There is clear duplication between the National and Local Lists. Why specify the same items twice? This will merely confuse.
- 5.11 “The local list will require (better ‘requires’) the submission of plans for the majority of applications.” It would be helpful to list the exceptions.
- 5.12 Existing and proposed elevations; “These should indicate, where possible, the proposed building materials...” delete where possible and substitute ‘must’ for ‘should’.
- 5.13 “Applications for listed building consent may need to be accompanied....” Delete ‘may’.
- 5.14 Reviews; “...and any amendments (other than minor amendments)...” Need to define what is minor here.
- 5.15 No reference is made to the signature of applications. With electronic applications clicking on a box causes an X to appear as a result of which the application is deemed to have been signed. This is a poor substitute for a signed and dated application form. That it has not yet been challenged in court is surprising where there is scope for significant damage or loss if an application is processed which, in fact, does not have the approval of the person or organisation in whose name it is made.
- 5.16 The tendency throughout this document is to refer the applicant back to either planning officers or to another source of advice. This is good but is also an admission that it is not possible for good applications to be made by applicants without the benefit of local knowledge of conditions, history, policies and administrative systems. This largely negates the idea of producing these documents which are promoted as a guide to making successful planning applications.
- 5.17 We apologise that this report is several pages long but the issues are important and numerous. We have left aside issues of language and typography.

Thank you

Cllr James Biscoe
Portfolio Holder Footpaths Highways & Environment
Cllr P Tisdale
Chairman of the Council
JV Calvert
Clerk
15th September 2011

AGENDA ITEM 17.2

Parish Council Article for the Stithians Times

Decision Required:

**1. To approve the article prepared by the PRO for publication in the Stithians Times.
Report:**

The Public Relations Officer has prepared the following article and seeks Members' approval to its publication in the Stithians Times.

Parish Councils are sometimes seen by outsiders as tedious talking shops where little gets done and where little power can be wielded. But there's no doubt that the government's ever increasing emphasis on localism means the importance of Parish and Town Councils will rise in the coming years.

The role that Stithians Parish Council plays in the community is well demonstrated in two current major issues affecting the community. The first was the proposed erection of a wind turbine some 60 metres high at Polkanuggo Farm near Longdowns. It provoked a lot of thought and a lot of discussion among Councillors. Eventually they voted against it because of worries about noise affecting nearby people and because of the visual impact. The Chairman of the Parish Council, Councillor Pete Tisdale presented the Parish Council's objections to Cornwall Councillors at a meeting of the Planning Committee and was questioned at length before they voted the proposal down by a large margin. This is probably not the end of the story but shows that we do have some influence.

The second issue has been the proposed new cemetery. This problem has been around for a decade and it's been very hard to find somewhere for the burial of those who want to retain their link with Stithians after death. A site has been found, though as you might expect, it's not to the liking of everyone. It's not an easy decision for Councillors to make but with few spaces left in the present cemetery it's a case of either no burials in the parish or finding somewhere new. Once the final proposals are agreed by the Parish Council, a planning application will be submitted to Cornwall Council and if accepted, the land will be bought and managed by the Parish Council. We realise that some people might be unhappy about some aspects of the proposed cemetery but sometimes difficult decisions have to be made and compromises reached. Several years ago, in response to a survey, the parish voted for a new cemetery and that's why the search began. The proposed site is not the Parish Council's preferred option but it is, in the Council's view, the best that could be negotiated.

If the above has whetted your appetite then we have a place on the council. It's a way to have an impact on life in the parish and you would be very welcome to join us.

John V Calvert,

Clerk.

12th September 2011

AGENDA ITEM 18.3

MINING VILLAGES REGENERATION GROUP COMMUNITY NETWORK MEETING

THURSDAY 4TH AUGUST 2011 AT MILLS HALL CARHARRACK

DECISIONS REQUIRED:

- A To note and accept the report**
- B To agree to prepare a report for each MVRG meeting to be circulated via the Clerk in advance of each meeting**
- C To consider the offers from Tony Mugford and Cornwall Council for doing annual play equipment inspections against the current service provider and recommend to the Playing Field Portfolio Holder.**
- C To note the date and venue of the next meeting, Richard Jory Building, Pulla Cross, Gwennap 6th October 2011 at 1315hrs**

REPORT

- 1 The meeting was attended by the Chairman, the Clerk and Cllr James Biscoe
- 2 Mineral Tramways, it was agreed to write Cornwall Council and ask them to reactivate the management mechanisms put in place for the Mineral Tramways and to express concern at the lack of maintenance and upkeep being undertaken on the assets which were expensively created in the recent past. Whether the tramways are created as PRoW's was unclear. It was thought that they are multi use trails put in place through a PRoW creation order.
- 3 Abolition of the code of conduct. Parishes represented had different ideas on this. Generally all agreed that having a code of conduct is a good thing and that they did not want it to be administered by Cornwall Council. It was agreed that the Secretary write to CC advising this as the position of those Councils represented at MVRG that day, Stithians, Carharrack, Gwennap, St Day, Portreath and Lanner.
- 4 Inspection of Play equipment. Gwennap use Tony Mugford of Playing Place and agreed to forward contact details to all Parishes to try his service out if they want. He does four inspections a year for a total annual sum of £90 plus VAT which seems reasonable and accepted by Gwennap insurers.
- 5 Future of bus service. All parishes agreed that removal of the existing bus services would be particularly bad for rural parishes from the points of view of employment, education, social services and service delivery such as health. It was agreed that the Clerk write to Cornwall Council putting this as the corporate view of the parishes represented at the meeting.
- 6 Historic churchyards, Alan Blamey the Clerk for Gwennap agreed to provide the data for Frogpool open churchyard in the correct format of which he would be advised by Janet Ivey. It was agreed that all churchyards in the MVRG area should be

incorporated as time goes on, closed, open, C of E and other denominations. This would encourage genealogists and other users

- 7 It was agreed to produce and circulate in advance of each meeting a report from each parish and that the agenda item would change to read Reports from each parish rather than priority projects.... This recognises the changing function of MVRG from being a mechanism to facilitate start up of projects and programmes to being an advocacy group for the member Parishes.
- 8 Next meeting on 6th October at Richard Jory rooms at Pulla Cross at 1315hrs.

Cllr James Biscoe

ENVIRONMENT HIGHWAYS AND FOOTPATHS PORTFOLIO HOLDER

AGENDA ITEM 18.5

CORNWALL RENEWABLE ENERGY CONFERENCE JULY 29TH 2011 DELABOLE

DECISIONS REQUIRED:

- A To note and endorse this report**
- B To ask the PRO to bring the pertinent points to the attention of Parishioners through Spotlight, SPC website and other media as the opportunity presents**

REPORT

- 1 As agreed by Stithians Parish Council at its June meeting I attended this event at Delabole on Friday the 29th of July
- 2 While the event was much advertised the contents and timetable were only revealed at the last moment in the Western Morning News and on Cornwall Council website
- 3 The organisation of the event was unusual in that the speakers and so on went on continuously while an exhibition also went along but there were no breaks. Adrian Lea advised that this was in order to allow the catering facilities to provide service on an ongoing basis rather than under pressure at breaks. I am sure the catering staff appreciated the consideration . It meant that people wandered in and out pretty much at random.
- 4 The debate scheduled for 'lunchtime' when there was no lunchtime was perhaps well located as there was on debate as I know debates. People were asked to table written questions during the earlier sessions. Tim German then selected which questions would be discussed, clearly being familiar with several of the questioners, paraphrased their question, asked one of a panel of panel of four to comment on the question, asked the questioner for any response, closed them off if they made more

than two points and moved on. What was so frightening about a debate on renewable energy to warrant such measures?

5 I asked the following;

5.1 What is the cost per unit energy produced by the various technologies

5.2 What is the return per Pound invested in each of the technologies

5.3 What is the number of water mill sites in Cornwall and what is their estimated potential energy production.

The panellists (not the same ones as for the 'debate') could not give me answers and I was advised to go and ask the people running the stands in the exhibition.

I could not get an answer to the first question as everyone hedged themselves about with every site is different, depends what technology you are using, how much wind blows, what sort of manure you have and so on.

The second question was more productive. More than one wind and solar vendor suggested that their technology gives about 10% return per year. The anaerobic digestion people unequivocally said 20% because you get additional benefits from their technology. Fertiliser, heavy metal recovery and so on. They seemed not to have met the notion of a saving in beach cleaning costs of sewage were processed this way but have now.

The third question was referred to Adrian Lea which I will chase up with him. I spoke with a woman from Cornwall Environmental Consultants, which seems to somehow be associated with Cornwall Nature Conservation Trust although it has changed its name. She told me that someone from Tremough had been working on flows at Kennall. I met someone from Exeter University who promised to try and find out who this was and put me in touch with them. He agreed that assessing sites for hydro energy production is a useful thing for students to do as part of their studies.

6 The fraught matter of the Feed in Tariff was discussed. People were concerned that if they sign up for current schemes that Government might change its mind. A woman from the Treasury sought to assure everyone that what is signed up for is signed up for and that they are still paying on old schemes even today. Others were more sanguine as the Government has set a benchmark for electricity production at 3 pence. While the market is open the buyers (the grid and the big producers) are naturally reluctant to exceed the Government benchmark. Thus effectively the prices even for existing schemes have been slashed.

7 There was an aspect of the Feed in Tariff which I did not understand and could not get explained. There seems to be a payment for production whether you consume the energy yourself or not. This seems to mean that you can consume your own electricity and yet still get money back. I suspect that in fact you are better off consuming the cheaper EDF electricity (EDF were sponsors of the event amusingly) and selling your expensive green electricity to the grid but this was pooh poohed

- 8 When the matter of the effect of the FiT on household electricity bills was raised (it means that everyone pays more) it was flatly stated that someone has to pay for it by the lady from the Treasury. What I did not understand was why this is the consumers and not the producers of non renewable energy. This was the purpose behind my question about the cost per unit of energy from the different technologies. Some years ago the then DTI produced a useful table showing how much energy cost from coal, gas, LPG and so on. I have tried to get updated figures but they are somehow never available.
- 9 There was discussion about solar panel farms. Alec Lea stated that they (CC) have developed guidance which has been widely adopted throughout the UK to safeguard the most valuable and versatile land. This is a problem as little land in Cornwall is graded Class 1 or 2 because the classification relies on soil type and slope and takes no account of its location, utility or capacity to generate income. I will take this up with him as it means that most land in Cornwall is classed low and so according to their guidance would best be under solar panels. I did not get the opportunity to ask about the costs of restoring land or roofs adapted for solar panel or wind farm use back to their original functions. I am aware for instance that a windmill requires a substantial block of concrete as a foundation. If this is not removed along with the access road etc the land is not fit for use in agriculture. It would be helpful if planning consents for this sort of use had conditions requiring the land to be restored to agricultural use when the other use ends. It will end, there will not always be wind farms or solar panels any more than there will always be mine engines in their houses.
- 10 There was discussion about community energy production. A gent from the much lauded Torbay was produced who seemed not to understand the idea of discounted cash flow and net present value so that 'making' 1,5 million or some such figure on an investment of 25 million over thirty years seemed to be the wonder of the age. The figures I give may not be exact quotes but the general idea is correct. The alternatives, such as buying some Government stock and putting that in the bank for 30 years had not been considered War Loan at 3,2% is quite attractive today? The notion that Local Government is there to represent and administer seemed not to be well understood either. Government should not be in business any more than business should be in Government!
- 11 Cornwall Council displayed some of their new Nissan Leaf cars. Surprisingly as their supplement in the WMN referred to it, nobody seemed to know that Honda are producing a fuel cell powered electric car one of the great beauties of which is that hydrogen can be extracted from..... Biogas derived from anaerobic digestion! It can also refuel using a home energy station using mains gas if you are lucky enough to be on the gas grid. What is not given in the publicity of course is any economic comparison.
- 12 I missed the last three speakers, an asset manager from the Coop bank, an organic farmer and James Humphreys who I note is now proclaimed as Director of Rural Division, Partner at Rural Surveyors Smiths Gore.

13 SUMMARY

This event had the appearance of seeking to assure people that the Government and Cornwall Council know what they are doing about the environment and the economy and that (to summarise heavily) if we are all good and only do our washing during the day using energy from the solar panels on our roof, use energy efficient light bulbs and get ourselves and our houses nicely insulated that everything will be OK.

The lack of hard, or even moderately durable information on the economics of the courses of action being promoted somewhat detracted from achieving what seemed to be the objective for this observer.

I would like to think that a few conversations and some strategic questions might make appropriate ripples in some useful ponds but that is a long term business so I am not holding my breath.

Thank you

Cllr James Biscoe

FOOTPATHS HIGHWAYS AND ENVIRONMENT PORTFOLIO

AGENDA ITEM 19.1

COMMUNITY NETWORK MEETING

THURSDAY 4TH AUGUST 2011 AT MILLS HALL CARHARRACK

DECISION REQUIRED:

To note and accept the report

REPORT:

- 1 The meeting was attended by the Chairman, the Clerk and Cllr James Biscoe and, as usual, it followed the meeting of the Mining Villages Regeneration Group reported under item 18.3 on the agenda
- 2 Robin Miller from CC gave an update on Cornwall Conversations. This seemed to want to gather a lot of data from parishes for not very well defined reason. Asked he could not state what the purpose of this exercise is to be. He seemed to want to talk to MVRG as a means of killing several parish birds with one stone
- 3 Dave Vincent from CC gave a presentation about the new set up of Highways and Environment under the Unitary. More than two years into the process they are starting to get to grips with the many functions under environment but seem in the early stages still. The excuse of having insufficient funding was promoted. That the predecessor organisations managed to undertake the functions within their budgets begs the question as to whether the Unitary is indeed more efficient and economic than the County plus six Districts as it is not saving money and not providing the same services. We are asked to bear with them although how long this would be

necessary for was not clear. The whys and wherefores of contacting CC were discussed. One day some one may have the bright idea of a call entre asking what the issue is and referring the caller to the relevant department rather than trying to solve issues themselves. He will be coming to a meeting at Stithians before our next Council meeting so further enlightenment may be forthcoming.

- 4 Play area inspections; CC agreed to provide a quote for doing annual inspections. They do their own inspections and could provide this as an income earner. Whether it is cheaper than Tony Mugford remains to be seen.
- 5 Mineral tramways; the MVRG position was raised. Mark Kaczmarek arrived as the meeting was drawing to a close and announced that a meeting is planned for September or October but could not be drawn further.
- 6 Bus services; MVRG position was presented as per the prior meeting.
- 7 Active partnering. Mark James apologised for leaving this off the agenda. In essence he concluded that CC had been ill advised to start this process without knowing what is involved. That CC are in discussions with four councils, mostly Town Councils about devolution of service provision. There is a new devolution team working on this and other issues.
- 8 Issues for the next meeting; Review of the Definitive Footpaths Map and review of the Footpath Maintenance Partnership.
- 9 Next meeting 6th of October at Richard Jory Rooms Pulla Cross.

Cllr James Biscoe

ENVIRONMENT HIGHWAYS AND FOOTPATHS PORTFOLIO HOLDER

AGENDA ITEM 20

Clerk's Report for Meeting to be Held on 20th September 2011

Correspondence Received

SUMMARY OF DECISIONS REQUIRED (Details in Report):

- 1. To note the reminder from Cornwall Council of the necessity to maintain an up to date register of Members' Interests and to consider whether any amendments are necessary.**

REPORT:

Since the last meeting, the following correspondence has been received:

<i>Date</i>	<u>Type</u>	<u>From</u>	<i>Subject</i>	<u>Action Taken/Requested</u>
<i>19th Aug</i>	Letter	Cornwall Council	Members' Interests	See Section 1 of Report

1. Cornwall Council are once again reminding Members of the necessity to maintain an up to date Register of Members' Interests and I am asked to remind Members to consider whether or not their declarations are up to date. I would further remind Members that, within 28 days of becoming aware of any changes to the interests specified, written notification must be given of that change.

JV Calvert

Clerk

13th September 2011

AGENDA ITEM 22

Authorisation of Payments – September 2011

Decision Required:

- 1. To approve payment of the sums shown in the report totalling £6,519.66 along with any sums in the additional report to be tabled at the meeting.**
- 2. To approve payment of any additional expenditure agreed by resolution during the meeting.**

Report:

The table below shows, as usual, invoices received since the last meeting as well as the usual monthly and other payments to be made. Figures in parentheses relate to the explanatory notes below the table.

Invoices received between the date of circulation of this report and the date of the meeting will be reported at the meeting as appropriate in a report tabled at the meeting.

<i>Type</i>	<i>Date</i>	<i>Payee</i>	<i>For</i>	<i>VAT</i>	<i>Total Amount</i>	<i>See Note</i>
Ch	12/08	<i>Bowling Club</i>	Remainder of Monies Due		810.00	(1)
Ch	20/09	<i>Clerk</i>	<i>September Salary</i>		1053.36	(2)
Ch	20/09	<i>Clerk</i>	<i>July Expenses (Appendix 1)</i>		43.06	(3)
Ch	20/09	<i>Clerk</i>	<i>August Expenses (Appendix 2)</i>		68.86	(3)
Ch	20/09	<i>HMRC</i>	<i>Clerk's Tax & NIC under PAYE (Sept)</i>		507.07	(4)
Ch	20/09	<i>T M Services</i>	<i>Playing Field Caretaker – Sept</i>		516.67	
Ch	20/09	<i>T M Services</i>	<i>Cemetery Maintenance – Sept</i>		52.00	
Ch	20/09	<i>T M Services</i>	<i>Lower Churchyard - Sept</i>		60.00	
Inv	11/09	<i>T M Services</i>	<i>Repairs to Pavilion Door</i>		68.59	(5)
Ch	20/09	<i>M White</i>	<i>Toilet Cleaning – Sept</i>		75.45	
Ch	20/09	<i>M White</i>	<i>Litter Picking – Sept</i>		123.05	
Inv	10/09	<i>Roger Strick</i>	<i>Footpath Maintenance - Aug</i>		242.66	
Inv	18/08	<i>SWW</i>	<i>Toilets – Monthly Invoice</i>		14.55	
Inv	01/09	<i>SWW</i>	<i>Toilets – Monthly Invoice</i>		9.83	

Inv	31/07	<i>LA Phillips</i>	Toilet Consumables	<i>2.00</i>	11.98	
Inv	31/08	<i>LA Phillips</i>	Toilet Consumables	<i>6.54</i>	39.26	
Inv	16/07	<i>P Williams</i>	PF Grass Cutting - March	<i>23.69</i>	142.12	
Inv	16/07	<i>P Williams</i>	PF Grass Cutting – Apr, May, Jun	<i>74.80</i>	448.00	
Inv	16/07	<i>Stithians Centre</i>	Use of Hall for July Litter Pick		18.00	
Inv	01/08	<i>ADT Security</i>	Pavilion Alarm Maintenance	<i>32.10</i>	192.58	
Inv	11/08	<i>Audit Commission</i>	External Audit	<i>80.00</i>	480.00	
DD	01/08	<i>EDF Energy</i>	Electricity - Toilets	<i>2.18</i>	45.83	
DD	3/10	<i>SWW</i>	Water Supply – Playing Field		18.75	
DD	02/10	<i>PWLB</i>	Playing Field - Loan 2		694.63	
DD	02/10	<i>PWLB</i>	Stithians Centre – Loan 3		783.36	
TOTALS				<i>£221.31</i>	£6,519.66	

Notes:

- Members will recall that under Minute 21/07/11, it was agreed to inform the Bowling Club of the Council's intention to release the sum of £810 at such time as it was needed. This I did and was informed by the Treasurer that most of the funding was in place and that the £810 was therefore needed. A cheque was therefore signed by the Chairman and Cllr Nicholls on 12th August in the sum of £706 as the sum of £104 due under the terms of the MOU for the use of the Bowling Green and Clubhouse was deducted.
- This is the Clerk's gross salary (£1,442.63) less the Income Tax and NI Contributions due from the Clerk under PAYE for the month of September.
- It should be noted that this figure includes for miscellaneous, telephone and travelling expenses. A detailed breakdown of all expenses is appended to this report (Appendix 1).
- This is payment to HMRC of the Clerk's Income Tax and the NICs from both the Clerk and the Parish Council as Employer. The actual amount due from the PC is £117.80, the remainder being the sums deducted from the Clerk's salary. As Members are aware, payments to HMRC are now made quarterly and this payment will be added to those previously authorised for July and August and paid in October making a total payment of £1,521.61. Payment is due by 19th October.
- These are the repairs authorised under Minute 19/07/11.

JV Calvert,

Clerk

13th September 2011

The Appendices to AGENDA ITEM 22 can be obtained upon application to the Clerk

Addition to AGENDA ITEM 22

Additional Authorisation of Payments – September 2011

Decisions Required:

Members are requested to approve the additional payment shown in the table below in the sum of £334.00.

Report:

Since the Agenda was circulated, the following invoices have been received:

<i>Type</i>	<i>Date</i>	<i>Payee</i>	<i>For</i>	<i>VAT</i>	<i>Total Amount</i>	<i>See Note</i>
Invoice	15/09	Glebe	<i>Rent for Playing Field</i>		<i>300.00</i>	
Invoice	18/09	TM Garden Services	<i>Fix Litter Bin</i>		<i>20.00</i>	<i>(1)</i>
Invoice	18/09	TM Garden Services	<i>Varnish Sputnik Seats</i>		<i>14.00</i>	<i>(1)</i>
Totals					<i>£334.00</i>	

1. These invoices are detailed in the Appendix to Agenda Item 15.1.

JV Calvert,

Clerk

20th September 2011
