

MINUTES of A MEETING of ST AUSTELL BAY PARISH COUNCIL held on THURSDAY 12 SEPTEMBER 2019 at 6.00pm in THE PATTERN HALL, CHARLESTOWN

Present: Cllrs Bill Leach, Malcolm Neill, Trudy Reynolds, Peter Tombs, Sue Leach, Sue Osbrink, Peter Tombs, Richard Hallows

In attendance: Cllr Tom French, CC: Julie Larter (Clerk); 54 members of the public.

(19/072) Apologies for Absence

Apologies were received from Cllr Dave Nicklin.

(19/073) Minutes of a Meeting of the Parish Council held on 15 August 2019

It was **RESOLVED** that the minutes of the meeting be signed as a true record of the meeting.

(19/074) Matters to Note

The Clerk reported that an additional microphone for the hearing loop has now been installed in the hall. Labels have been attached to the street trees in Charlestown Road and last month the clerk and councillors had a site meeting with Mid Cornwall Landscapes who are preparing a quote for 2 additional trees further up the road as previously discussed. The Clerk intends speaking to Cormac to see if a joint funding arrangement can be agreed if the parish council wishes to undertake the project.

The Clerk together with Cllr Reynolds are in the process of meeting designers to progress an interpretation board at Trenarren and are hopeful to have quotes for consideration next month.

(19/075) Declarations of Interest on Items on the Agenda, Gifts and Hospitality

There were no declarations of interest on matters arising on the agenda.

(19/076) Chairman's Announcements

The Chairman stated that he would be deferring agenda item 12 until next month as he felt it important that a representative from Wainhomes be present for the discussion. The Chairman said that he would be re-ordering the agenda by bringing forward agenda item 13 and amalgamating it with agenda item 9.

(19/077) Public Participation

The Chairman asked members of the public which agenda items they would like to speak on and said that they would have an opportunity when that agenda item was being discussed.

(19/078) Cornwall Councillor's Report and Anti-Social Behaviour in Charlestown

Following recent serious incidents of anti-social behaviour in Charlestown, Cllr French contacted Helen Toms, Cornwall Council's officer for Anti-Social Behaviour for advice. Ms Toms then spoke to the Licensing Officer and Inspector Edward Gard of Devon and Cornwall Police. Inspector Gard has called a meeting on 19 September. Representatives from the parish council, St Austell Brewery, Charlestown Harbour Ltd together with residents' representatives have been invited to attend. Recent incidents have included under-age drinking, drugs and loud

music. Cllr French said that this type of behaviour is not acceptable in our community. He went on to say that Newquay had a problem with anti-social behaviour a number of years ago and various stakeholders have been working closely together and there is no longer a problem. He suggested that it may be helpful to invite someone from the Safer Newquay group to come and speak to our community.

The Chairman said that following a serious incident in the curtilage of the Lusty Pirate on 7 September, the tenants (who are currently abroad) sent the Chairman a statement which they asked him to read out:

"We condemn the actions of all those involved in the assaults that took place in Charlestown on Saturday night and we wish those affected by these horrendous incidents a speedy recovery.

We are unable to offer any first hand information as we were out of the country on Saturday and still are.

Multiple messages were exchanged between the venue and the entertainer and the question of security was discussed. It was assessed that security would not be required as the event had not been well publicised and previous events had attracted low attendance.

We did not know that there would be gangs of youths drinking their own alcohol in Charlestown on that night. We now know that this has happened previously before our business opened.

Our staff confiscated alcohol from those attempting to drink their own (including vodka, Prosecco and whisky) whilst on our benched grass area, but did not feel that it was appropriate to do so in the other public areas.

During the clean up on Sunday, multiple tins, bottles and multi packs of alcohol purchased elsewhere were found around the property and kept.

Customers attempting to purchase alcohol at the bar who appeared to be underage were asked for ID and those that were unable to produce ID were refused service.

We have been handed the names of 3 individuals allegedly involved in one of the assaults and these have been passed to the Police.

A few decades ago the St Austell Chamber of Commerce successfully campaigned for and introduced a town centre alcohol ban following alcohol related anti-social behaviour and we would like a similar initiative to be considered for Charlestown."

An employee from the Lusty Pirate said that no risk assessment had been carried out prior to the event and there were between 160 and 170 underage drinkers in the garden. Staff found empty bottles of alcohol of types that are not sold in the Lusty Pirate. Youths kept entering the restaurant but initially this did not cause any problems. The DJ playing the music was asked to play music to suit the clientele in the restaurant. There were 3 members of staff on duty on Saturday evening, all aged between 18 and 26 years. The member of staff said that the event was not ticketed and there was no age limit. Staff couldn't control people coming in. Staff asked people to leave. No-one from the Lusty Pirate telephoned the Police. One member of staff witnessed an assault.

The Chairman asked whether any adults had accompanied the young people.

Cllr Neill asked whether the member of staff was aware that this was the same DJ that was at the Rashleigh event on 26 July. The member of staff said that he was not in Cornwall at the

time of the Rashleigh event, but he thought that the tenants must have been aware of the history of the DJ.

Cllr Hallows asked the member of staff whether at any time staff considered pulling the plug on the music but the member of staff said that there was no-one there with the authority to foreclose.

Cllr Morris expressed his surprise that no risk assessment had been undertaken by the tenants.

The Chairman then invited members of the public to speak.

A member of the public said that events at the Rashleigh on 26 July were not acceptable, this antisocial behaviour is a community issue and needs a community response. The member of the public said that the management team from the Rashleigh had been very helpful. He said that he has written to St Austell Brewery (and has copied the parish council in to this correspondence) as he feels the Brewery is responsible. In his opinion it is not acceptable to fuel people with alcohol and then close premises and withdraw security as this leaves residents exposed. The situation needs better management. Security should be maintained until patrons have left the village. The Brewery's response was to offer to put up more signs asking people to leave quietly. The member of the public felt that the Police had been useless in the situation and licensing enforcement may be the next step as they can take action on premises that break conditions.

A member of the public said that there is some good practice in Charlestown and the former tenants of the Pier House have been very receptive. The Lusty Pirate is very dynamic being a new business and new tenants. The community needs to enforce the village protocol. There is no room for complacency.

A member of the public said that Charlestown was the "Jewel in St Austell Bay". He agreed with an earlier speaker that measures need to be taken. He said that a multi-agency group meets regularly to discuss issues in St Austell town and this has been very successful. The Town Council has also installed CCTV which is a shared system with Newquay Town Council. He said that the Town Clerk would be happy to meet with representatives from the community to explain the scheme. The member of the public admitted that Police response times are currently slow. He said that he was shocked that a member of the public was beaten up and suggested writing to the Police and Crime Commissioner. He advised that a proactive approach should be taken and it may be necessary to increase the precept to buy some PCSO time.

A member of the public said that the anti-social behaviour was fuelled by alcohol and residents are on the front line. Pubs earn a living from Charlestown being the drinking capital of St Austell and she questioned whether this is what residents really want. She said that she emails St Austell Brewery on a weekly basis regarding The Harbourside and asked why the village has to put up with this. She was concerned that the event at the Rashleigh may have given the impression it was raising money for Charlestown Regatta as it was held the night before the start of Regatta Week.

A member of the public gave a first hand account of incidents on Saturday evening. She said she had been left feeling shocked, shaken and angry. This episode was a culmination of a terrifying series of incidents which have been chipping away for a number of years, but residents keep getting slapped back. Something needs to be done. She said the irony is that we have been failed by the authorities that are supposed to be looking out for us. Saturday's incident was drug and alcohol fuelled and got out of control. The member of the public said that she first became aware of a situation on Saturday night when she and her husband were walking their dogs. The music was deafening and in her opinion the event was doomed to fail.

The tenants of the Lusty Pirate acted irresponsibly and should be brought to account. She said that she was aghast as the place was overrun with underage drinkers, there was shouting and swearing and smashed bottles in the road. Her husband challenged the youngsters. There were 30 or 40 people spilling onto the steps and walking inside carrying alcohol. Her husband challenged them about their age. A female member of staff spoke to the young people. The matter goes right to the top and the buck stops with the licence holder. This is irresponsible management that has put the member of staff here tonight in the lions' den. The female member of staff refused to challenge people on the night and no-one took control. The member of the public thanked the member of staff present at the meeting for his honesty and kindness. She said that this was abhorrent behaviour from the group of young girls and at no time did a member of the staff dial 999.

A member of the public said it was possible to over-complicate things. The tenants had showed a lack of judgement and should have known that under-age persons would be attending. He said that residents don't want under-age drinkers in the village. It is up to establishments to manage their entertainment.

A member of the public said that the Festival of Sail went beautifully well, there was no trouble, no shouting and it didn't attract the wrong sort.

A member of the public referred to a party held at Pond House a few weeks ago which got out of control. He had his kitchen window broken the same evening which was distressing for his family. This had been an unsupervised event and it is the nature of children when they have nothing to do – they look for opportunities. We need to think what we can do to support our young people.

The Chairman said that it appeared that there wasn't enough supervision for events at the Rashleigh and Lusty Pirate. He said we need to work together to see what we can do for the future.

A member of the public confirmed that the Lusty Pirate event was not ticketed.

The Chairman said that the Clerk had written to Penrice School and invited them to send a representative to tonight's meeting. He said that the school needs to have a conversation with parents regarding the out of hours activities of their children.

Cllr Morris said that there was a collection of things that went wrong on Saturday evening. The event was poorly planned, poorly managed and the licence needs to be looked at. Recently young people have tried to get onto Duporth beach. Parents need to take responsibility for their children. Licensing has failed and the Police have failed.

A member of the public said she felt that there is no deterrent and a visible presence is needed.

Cllr Hallows proposed and it was **RESOLVED that the Clerk should write to Cornwall Council and ask them to review the licence for the Lusty Pirate.**

Cllr Hallows said that under the terms of its licence, music at the Rashleigh should have finished at 9.30 pm. Most conditions at the Lusty Pirate had been breached and the Licensing Committee have the power to act. The member of staff from the Lusty Pirate present at the meeting confirmed that the Police have stated that they will review the terms of the licence upon the return to this country of the tenants.

Cllr Hallows said that events should have a proper risk assessment, should be more selective about the choice of entertainment and it should be a requirement that security should be present until dispersal has taken place, not when an event finishes.

A member of the public said that he felt there was a disconnect between the Police and the Lusty Pirate – there was no joined up action. He said that he will be writing to Fiona Cannon, the Licensing Officer stating what has happened and ask the Licensing Committee for their comments.

A member of the public asked whether it would be possible to have an anti-social behaviour summit.

Cllr Morris said that businesses are making money from events in the village and they should be responsible for safety. He questioned where the Police were. He said we need an assigned PCSO, given that alcohol, food and entertainment are situated within a confined area.

Cllr Hallows said that it is important to collect evidence in the village. He has drafted wording for reporting cards that could be distributed to residents in card format. Completed cards could be dropped off at a central point and will build a picture of what is happening. He said that the council should also go to the Licensing Committee and ask them to review the terminal hours of all businesses as he felt that midnight is too late. He said that if authorities can't do anything we may have to consider employing our own security.

The Chairman said that Cllrs Hallows and Neill will represent the parish council at the multi-agency meeting on 19 September and he asked residents to forward any suggestions they have to the councillors prior to the meeting.

It was **RESOLVED that a working party should be set up to look at the issue of anti-social behaviour in Charlestown. The group is to be led by Cllr Hallows and will include Cllr Neill and one other Charlestown ward member. The working party will also include Patrick Wharton, Debs Best, Andy Low, Amie Basi and Antonia Shields.** The working party were tasked to bring ideas forward to next month's meeting.

The Chairman thanked members of the public for their attendance and also the member of staff from the Lusty Pirate for his honest account of events.

(19/079) Planning Applications and Related Matters

(a)
(i) PA19/06955 and 06956 (LBC) – 1 Church Road: Internal alterations, replacement windows and widening of existing vehicular access

The applicant outlined the rationale behind the application and thanked Cllrs Tombs and Reynolds for undertaking a site visit.

It was **RESOLVED that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council has no objections to the proposal as long as it is not considered to be incremental harm.**

(ii) PA19/06858/59 (LBC) – 82 Charlestown Road: Raise roof height over kitchen and extend flat room extension for bedroom above and demolish existing stone wall at rear
Members deferred a decision on this application, pending receipt of the Conservation Officer's report.

(iii) PA19/07146 – The Courtyard, Manor Farm Road: Variation of conditions 2 and 3 of decision notice PA17/02392 dated 06/02/2018

It was **RESOLVED** that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council accepts the change in wording relating to the condition for over 55's occupancy and the change from zinc cladding, but it doesn't support the change from stone facing to render. Councillors would welcome a meeting with the developers to see if some of the external proposals could be ameliorated.

(iv) PA19/07235/6 (LBC) – Former Lovering Clay Dry: Proposed demolition and redevelopment of Clay Dry to provide 15 dwellings and associated works

It was **RESOLVED** that the Clerk should respond to the Planning Authority (Cornwall Council) stating that the parish council has no objections to the proposal but asks that the following conditions be attached to any approval.

- 1. That the most southerly section of the Linhay be cleared of all debris in order to expose the tramway and the entrance to the tunnel and that sympathetically designed railings should be erected around it for public safety.**
- 2. The developer should be required to negotiate with Charlestown Harbour Ltd to make the footpath at the head of the dock fit for purpose in order to take some of the pedestrian traffic off a section of Quay Road which will become increasingly busy.**

Furthermore, the council wish to reiterate its previous concerns about inadequacy of the steep access road.

In light of recent incidents of anti-social behaviour in the locality, we would ask for further consideration to be given to the roofed open-ended viewing area, whilst still allowing public viewing into the Linhay.

The Chairman thanked the applicant and architect for the working with the parish council and residents to bring forward the current scheme, the approach was very welcome.

(b) The situation regarding the following planning applications was noted:

(i) PA19/00570/PREAPP Strategic Planning Overview for Development in Charlestown

The officer's report was noted. Members said that they had sought a strategic overview in good faith based on expert advice but that this appears to have been £1,000 of public money wasted.

(ii) PA19/01454 and PA19/01455 (LBC) – 2 Quay Road: Proposed dormer window in place of rooflights (to serve the bathroom)

There was nothing further to report.

(iii) PA19/05219 – The Round House, Charlestown Harbour: Change of use of former harbour master's office for retail use as wedding venue

There was nothing further to report.

(iv) PA19/03884 – Charlestown Harbour: Proposed siting of a demountable timber workshop for boatbuilding and repair

There was nothing further to report.

(19/080) Neighbourhood Development Plan

Cllr Sue Leach reported that the final version of the Local Landscape Character Appraisal will be received at the end of September. The traffic survey has been completed and the strategic group are awaiting the results. The SG is trying to source a traffic consultant and asked if

anyone knows one to let Cllr Osbrink know. Regular workshops have been taking place over the summer and policies are now in their 2nd or 3rd draft. The evidence base is growing and information is on the NDP website. It is hoped to have a draft Neighbourhood Development Plan by 31 December but it will take another 12 months before the document gets adopted.

Cllr Leach explained that the SG is currently looking at areas within the parish to designate as Local Green Spaces which will afford these areas extra protection. These are sites that are often used for recreation or are valued for their wildlife habitat, aesthetic appearance, community cohesion, or contribute towards a healthy lifestyle. Spaces already identified are the Regatta field, Campdowns Cemetery, Porthpean Golf Club (the area within our parish), Porthpean Sailing Club, the football field in Church Road, Penrice School playing field and the Ropewalk. Cllr Leach asked if anyone had any additional areas they would like to be considered.

(19/081) Tree Warden's Report

Cllr Reynolds reported that the Woodland Trust is offering free trees to schools and community groups. Applicants must have the landowner's permission before applying for the trees and she asked if anyone had any ideas of suitable areas for planting, to ask the landowner to get in touch with Cllr Reynolds so that the parish council can consider making an application.

(19/082) Climate Change Working Party

Cllr Hallows reported that he, Cllr Reynolds and Pat Smith met on 27 August. A document written by Cllr Hallows had been circulated prior to the meeting, the contents of which were noted and it was **RESOLVED to accept the proposals contained within the document.**

(19/083) Land Ownership in Charlestown

Peter Crawford, Land Manager for Wainhomes was unable to attend the meeting and the matter was deferred until next month.

(19/084) Regatta Playing Field

A draft Memorandum of Understanding had been previously circulated and it was **RESOLVED to accept the terms of the Memorandum of Understanding.** The Clerk is to ask for the map to be updated to show the hatched area. Once the Regatta Committee agree the terms also, the Clerk is to write to Cornwall Council to make them aware of the existence of the document.

It was **RESOLVED that the following Terms of Reference be adopted:**

The purpose of the group will be to work in partnership with the Regatta Committee to discharge the responsibilities set out in the agreement between Cornwall Council and the Regatta Committee dated 24 August 1992.

Membership will comprise 3 councillors, one to be the Chairman of the parish council.

The Chairman will nominate 2 other councillors each year at the Annual Meeting of the Parish Council.

The working party will work within the remit of the Memorandum of Understanding dated (xxx).

A report will be provided to the parish council following each meeting of the working party.

The working party is authorised to spend up to £500 on any one project. Expenditure exceeding this amount will need authorisation from the parish council.

(19/085) Charlestown Cliffs

The Clerk reported that the Cliff Stability Survey conducted in June had concluded that the cliff on the eastern side of the harbour is not in good condition and recommends that remedial action is taken within one year. Cormac's recommendation is to reinstate the wall at the base of the cliff with concrete, and cement and net the cliff face above. It is estimated that the work will cost in the region of £50,000 and adjoining landowners will be asked for contributions. Charlestown Harbour Ltd has indicated that it will make a contribution as has the South West Coast Path Association. The report has been sent to Cornwall Council together with the recommendation. If approved, the work is likely to commence next spring. In the meantime Cormac will put temporary bollards on the seaward side of the access road to prevent vehicles from using this area as this could put pressure on the cliff.

The Clerk went on to say that because of the outcome of this survey, improvements to the steps on South West Coast Path on the western side of the harbour may be on hold until the condition of the cliff there is ascertained.

(19/086) Highways Matters

It was noted that some of the stones in the roundabout at the bottom of Charlestown Road have been dislodged and the Clerk was asked to contact Highways and ask them to rectify the matter.

(19/087) Review of Policies

This matter was deferred until next month.

(19/088) Financial Matters

(i) It was noted that the Annual Audit has now been completed and no matters were raised by the external auditor.

(ii) It was **RESOLVED to appoint Linda Coles as the council's internal auditor for the current financial year.**

(iii) The Clerk asked the council to consider purchasing a financial software package. The Chairman, Cllrs Osbrink and Reynolds and the Clerk have taken part online demonstrations from 2 companies and it was **RESOLVED to purchase Scribe Accounting software.**

(iv) The Clerk asked for permission to obtain a credit card for use on parish council purchases. It was **RESOLVED that the Clerk could apply to Unity Trust Bank for a credit card.** The Clerk stated that a system of control checks will be put in place.

(v) Current balances were noted and the following payments authorised

DD	E-On	Electricity for the hall	£36.51
DD	Cornwall Council	Business Rates for toilets	£74.00
DD	SWW	Water for hall	£18.50
DD	ITEC	Monthly photocopy charges	£19.76
DD	BT	Telephone and internet	£59.99
DD	SSE	Electricity for toilets	£105.97
BACS	Fowey Systems	Annual fire alarm service for hall	£156.00
BACS	Cornwall Signs	Repairs to Regatta Field noticeboard	£330.00
BACS	Blenheims	Foundry Parc Community Area Charge	£155.80
BACS	Information Commissioner	Registration renewal	£35.00
BACS	Complete Business Solutions	Toilet rolls	£41.51
BACS	Lyreco	Toilet rolls and cleaning products	233.95

BACS	Lyreco	Printer paper	£42.60
BACS	Bin Shop	Recycling bins for hall	£45.70
BACS	T Reynolds	Reimbursement for printer cartridges (NDP)	£22.01
BACS	Argos Fire Protection	Fire extinguisher service	£51.84
BACS	Mrs J Larter	Expenses	£325.05
BACS	Staff/HMRC/CPF	Salaries and oncosts	£2789.68

It was noted that the second half of the precept has now been received.

(19/089) Training/Meetings Attended

29 July – Cllrs and the Clerk met with the architect and applicant regarding the Clay Dry planning application

30 July – Cllr Reynolds and the Clerk attended Cornwall Council’s training regarding litter, fly tipping and dog fouling. It was noted that the Clerk and Cllr Reynolds are able to cascade the training and Cllr Hallows has now received the training. It was **RESOLVED that the parish council would take part in the scheme.**

1 August – The Chairman together with various councillors and the clerk helped to judge Charlestown carnival

14 August and 3 September – The Chairman, Cllrs Neill and Tombs together with the Clerk attended a meeting of the Regatta Working Party

27 August – Cllrs Hallows and Reynolds met with Pat Smith regarding the Climate Change Working Party

28 August – Cllrs Neill, Tombs and Reynolds together with the Clerk met with Mid Cornwall Landscaping to discuss the possible replacement of 2 street trees in Charlestown Road

28 August – Cllrs Tombs and Osbrink together with the Clerk attended a site meeting at 1 Church Road

Weekend of 31 August and 1 September – The Chairman, Cllrs Morris, Leach and Neill together with the clerk volunteered for CHSW to help with car parking for the Festival of Sail

(19/090) Correspondence Received

A list of correspondence had been previously circulated and the following items had subsequently been received:

- Correspondence regarding yellow lining outside West Polmear Court
- Correspondence commenting on how well the temporary traffic lights at the bottom of Duporth Road had controlled traffic during temporary roadworks
- Cornwall AONB newsletter
- Invitation to attend Cornwall Council’s Planning Conferences

(19/091) Dates for the Diary

19 September – ASB meeting in St Austell Police Station (Cllrs Hallows and Neill to attend)

25 September – Cornwall Council’s Dog Fouling, Littering and Fly Tipping training (Cllr Osbrink to attend)

26 September – Community Governance Review public meeting (Cllr Neill to attend)

10 October – Regatta Working party

(19/092) Dates of Future Meetings

17 October, 21 November, 19 December 2019

The meeting closed at 8.36 pm

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Chairman

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Date