

Dear Councillor

You are summoned to attend a **Meeting** of **St Austell Bay Parish Council** to be held on **Thursday 19 October 2023** at **6.00 pm** in **The Pattern Hall, Charlestown Road.**

Julie Larter

Julie Larter
Clerk
13 October 2023

07873 383400
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Please note that under the Openness of Local Government Bodies Regulations 2014 this meeting may be recorded

AGENDA

1. Apologies for Absence

2. Minutes of a meeting of the Parish Council held on 7 September 2023

Pages 4-9

To resolve that the minutes of the above meeting be signed as a correct record of the meeting.

3. Matters to note

To receive a verbal update from the clerk on matters progressed since the last ordinary meeting

4. Declarations of Interest

(a) Pecuniary Interests

Declare those interests which have been declared on your Register of Financial Interests relevant to the agenda of the meeting. Whenever the item is being discussed, including public participation, you must leave the room and not take part in the discussion or decision.

(b) Non-registerable Interests

You must declare Non-registerable Interests at the start of the meeting or whenever the interest becomes apparent. Then when the matter is being discussed, even during public participation, you must leave the room and not take part in the discussion or decision.

(c) Dispensations

To consider any requests for dispensations relating to items on the agenda

(d) Gifts and Hospitality
To declare any gifts or hospitality

Please call the Clerk before the meeting if you have any queries about these matters.

5. Chairman's Announcements

To allow the Chairman to make any announcements

6. Cornwall Councillor's Report

To receive a report from Cllr James Mustoe, CC

7. Public Participation

The Chairman will invite Members of the public to address the meeting.

15 minutes will be allocated for public participation (this can be extended at the Chairman's discretion). Each person addressing the Council will be allocated a maximum of two minutes.

8. Planning Applications and Related Matters

(a) To consider responding to the following planning applications and any planning applications received after publication of this agenda

(i) PA23/05811 – Porthpean House, Porthpean Beach Road:
Proposed restoration of walled garden and development to include 8 lodges for family holidays and Porthpean House wedding occasions

(ii) PA23/07684 – 15 Ridgewood Close: Construction of single-storey rear extension and associated landscaping works

(iii) PA23/07223 and 07372(LBC) – 143 Charlestown Road: Proposed double garage with loft storage over

(iv) PA23/07288 – 63 Bay View Road, Duporth: Application for tree works in a Tree Preservation Order: Crown raise and crown reduce *Fagus Sylvatica*

(v) PA23/07546 – Charlestown Car Park: Application for tree works in Conservation Area – felling of a Thorn.
(This application is for notification only)

(b) To receive an update on the following planning applications

(i) PA23/04387 – Land South East of Rashleigh Road, Duporth: Plot substitution and re-plan of Phase 4 of approval 06/02039, which increases the number of units on the south-eastern portion of the site from 5 to 10 dwellings with non-compliance of Condition 2 in relation to Decision Notice PA16/07812 dated 02/02/2017

(ii) PA22/09849 – Former Lovering Clay Dry: Proposed demolition and redevelopment of Clay Dry to provide 15 dwellings and associated works without compliance with condition 2 of decision notice PA19/07235 dated 08/06/2020

- 9. Social Media**
To note any progress with a Facebook account for the parish council
- 10. Campdowns Cemetery**
To determine whether to submit a bid to acquire the tenancy of the building
- 11. 80th Anniversary of D-Day**
To consider whether to light a beacon as a tribute to those who took part in the D-Day landings *Appendix (i)*
- 12. Cornwall Council Review of Polling Places**
To respond to a consultation from Cornwall Council *Appendix (ii)*
- 13. Working Parties**
(i) Regatta Field Working Party
To receive an update
(ii) History Working Party
To receive an update on historical interpretation boards
- 14. Highways Matters**
(i) *To note the situation regarding residents' parking schemes*
(ii) *To consider any nominations for the Community Network Highways Scheme*
(iii) *Application for a Modification Order to add a Footpath to the Definitive Map at Charlestown: To note that the Order has been made*
(iv) *To note any Highways concerns*
- 15. Financial Matters**
(i) Legionella Testing
To consider a quote for regular Legionella testing in the public toilets and at The Pattern Hall
(ii) Grant Funding Request
To consider an application from Light Up Charlestown *To follow*
(iii) *To note current position and authorise payments* *Appendix (iii)*
- 16. Meetings/Training Attended**
To receive an update from meetings or training recently attended by members or the Clerk
- 17. Correspondence**
To note correspondence received since the last meeting *Page 10*
- 18. Dates for the Diary**
To note any forthcoming dates for members' diaries
- 19. Dates of future Parish Council Meetings**
16 November, 14 December 2023

**MINUTES of a MEETING of ST AUSTELL BAY PARISH COUNCIL held on
THURSDAY 7 September 2023 at 6.00pm in The Pattern Hall, Charlestown**

Present: Cllrs Bill Leach, Sue Leach, Nick Foster, Jackie Bull, Chrissie Wright, Richard Whitehouse.

In attendance: Cllr James Mustoe, CC, Julie Larter (Clerk), 4 members of the public.

(23/053) Apologies for Absence

Apologies were received from Cllrs Trudy Reynolds and Sandie Bailey.

(23/054) Minutes of a Meeting the Parish Council held on 20 July 2023

It was **RESOLVED** that the minutes of 20 July 2023 should be signed as an accurate record of the meeting.

(23/055) Matters to Note

The Clerk reported on Cornwall Council's new recycling scheme which is due to be rolled out across the county in January 2024. A public drop-in will be held at the Pattern Hall on 7 November 2023.

(23/056) Declarations of Interest on Items on the Agenda

There were no declarations of interest.

(23/057) Chairman's Announcements

The Chairman welcomed Cllr Whitehouse to his first parish council meeting.

(23/058) Cornwall Councillor's Report

Cllr Mustoe reported on Cornwall Council's new waste recycling scheme, complaints about the cleanliness of the public toilets at Porthpean beach and his efforts to chase up about the proposed residents parking scheme in Duporth. Cllr Mustoe's full report is on the parish council's website.

(23/059) Public Participation

A member of the public spoke on his objections to planning application PA23/06626. He expressed his support for PA23/06613 as he was acting for the applicant on this particular application.

(23/060) Planning Applications and Related Matters

(a)

(i) PA23/06418 – Rockpools, Porthpean Beach Road: Proposed new office, balcony extension, entrance porch, first floor balcony 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.

(ii) PA23/06626 – Land east of Trevean, Porthpean Beach Road: Reserved Matters application for access, appearance, landscaping, layout and scale following outline approval PA21/11667 dated 19/07/2022 for the construction of a single dwelling and associated work

It was **RESOLVED** that the Clerk should respond to the planning authority (Cornwall Council) stating that the parish council objects to the application for the following reasons:

- The size of the proposed dwelling is too large for the plot and represents over-development.
- The size and scale of the property and the subsequent remaining small amount of amenity space will diminish the character of Lower Porthpean.
- Overlooking – privacy of neighbouring properties will be compromised.
- Concerns over access.
- Concerns about the impact on trees.
- It contravenes Policies D1 and D5 of the St Austell Bay Neighbourhood Development Plan.

(iii) PA23/06613 – Land East of Lobbs Shop Cottage, Porthpean: Retention, alteration and extension of existing timber shed to provide chicken coop

It was **RESOLVED** that the Clerk should respond to the planning authority (Cornwall Council) stating that the parish council objects to the proposal for the following reasons:

- Site access is dangerous being so close to a road junction and there is a lack of visibility when exiting the plot.
- This is not a suitable location for keeping poultry and the parish council has great concerns about the welfare of the birds. The applicant lives a considerable distance from the plot of land. Poultry requires regular care and monitoring and in the current climate crisis, excessive travel makes the proposition environmentally unsustainable.
- Poultry attracts vermin and flies which could impact on the Grade 2 listed property opposite.

(iv) PA23/07023/07024 (LBC) – Proposed refurbishment and alteration works to Grade II Listed building following fire damage

It was **RESOLVED** that the Clerk should respond to the planning authority (Cornwall Council) stating that the parish council supports these applications.

(b) An update on the following planning applications was given

(i) PA23/04387 – Land South East of Rashleigh Road, Duporth: Plot substitution and re-plan of Phase 4 of approval 06/02039, which increases the number of units on the south-eastern portion of the site from 5 – 10 dwellings with non-compliance of Condition 2 in relation to Decision Notice PA16/07812 dated 02/02/2017

It was noted that a public drop in session had been held on 31 August and the parish council is awaiting amended plans from the developer.

(ii) PA22/09849 – Former Lovering Clay Dry: Proposed demolition and redevelopment of Clay Dry to provide 15 dwellings and associated works without compliance with condition 2 of decision notice PA19/07235 dated 08/06/2020

It was noted that the planning officer has received the following email from the agent:

1. *The public access Plan terminates at the pond and his client is happy that the plan represents the extent of the access – for the reasons set out previously, access to the chimney is not considered desirable to the amenity of those living on the site or especially necessary, or particularly convenient given the level changes and small size of the "window". In addition the client notes that the*

area of the chimney is out of sight and therefore is particularly concerned about the anti-social behaviour on the site. The applicant therefore wishes to keep the plan as submitted.

2. *As a last resort the applicant is prepared to amend the roof ridges (only relevant to some of the buildings) and expressed a view that this should be conditioned rather than requiring a new application.*

The planning officer is minded to agree the access plan as submitted and regarding the amended detail to address the appeal decision, amending the roof ridges would reduce some of the harm identified by the inspector in his opinion.

Councillors noted the report from the planning officer but felt that the chimney belongs to the community and they should have access to it. Public access is part of Charlestown's heritage. The Clerk was asked to ask the planning officer for an update on public access and the interpretation area.

(iii) PA23/05399 – Charlestown lakes and woodland: Application for Certificate of Lawfulness for the use of the lakes and surrounding woodland for recreational purposes.

It was noted that this application has been withdrawn.

(iv) PA22/08067 – Seascape, Porthpean Beach Road: Proposed garage, snug, porch and store

It was noted that this application has now been approved.

(23/061) Social Media

Cllr Foster drafted a Facebook page but this was rejected as he already has a personal Facebook account. Cllr Foster has spoken to another parish council for advice and will pursue the matter with Facebook.

(23/062) Council Policies

(i) It was **RESOLVED to adopt the draft Lone Worker Policy as previously circulated to councillors.**

(ii) The parish council's Standing Orders and Financial Regulations were reviewed and amended.

(iii) The parish council's Pension Discretion Policy was reviewed.

(23/063) Memorial Bench

It was **RESOLVED that the parish council would fund a plinth to facilitate the family of former staff member Brian Reynolds installing a bench above Hallane beach in his memory.**

(23/064) Working Parties

(i) Regatta Working Party

The Clerk reported that she was informed over the summer that there could be £20,000 S106 available which could be used to make improves to the Regatta Field. There was a very tight timeline for expressions of interest, so she applied for the funds in consultation with the Chairman and Terry Butler. The proposal is to spend up to £25,000 on drainage work and improvements to the football pitch. The Clerk, Chairman and Terry Butler met with a contractor to discuss undertaking water percolation testing and has received a quote. Cormac has now stated that they may be able to make some suggestions regarding improvement works and the Clerk is awaiting feedback from them.

The Regatta Working Party met on 5 September following a viewing of Campdowns Chapel and a view was expressed that the chapel (or half of it) may suit the Regatta's storage requirements, thereby enabling the shipping container in the Regatta field to be removed. There are 2 public open days to view the chapel, 21 September 10.00-12.00 and 28 September 2.00-3.00. Councillors were invited to attend either of these as the parish council had expressed an interest in acquiring the building in March. During the working party meeting Syd Allen gave an informative talk about mine shafts in the field and surrounding areas. He suspects there has been a fall between the adit and the field, and also that if it is possible to clear the entrance to a shaft on the east beach, this may help matters.

(i) History Working Party

The Clerk explained that she had applied for Listed Building Consent for the interpretation board and to affix the QR code boards, but it appears that local councils have Permitted Development Rights and permission would not be needed.

The narrative on the interpretation boards is nearly finalised and the working party is just waiting 2 high definition photographs.

A draft cover of the walking booklet was circulated and the design agreed. It was **RESOLVED to accept the cost of £165 for the 11 walk designs.**

(ii) Climate Crisis and Environment

The Diggers and Doers have recommenced their work after the summer and have requested some daffodil bulbs and a mattock. It was **RESOLVED to make £50 available for either daffodil or native wild flower bulbs together with the cost of a mattock.**

(23/065) Highways

(i) Residents Parking Scheme

A letter from a project manager at Cormac had been received 7 September which set out the reasons why a residents parking scheme on Duporth Road was against Cornwall Council policy. However following discussions with the former Portfolio Holder for Transportation, Cormac has agreed to a pre-consultation costing £8975 to be funded by the parish council. The parish council would also have to fund work and construction costs if it was agreed that a scheme could go ahead. Cormac would not vary the existing terms and conditions of residents parking schemes so the consultation would go out to the whole parish, not just Duporth Road residents. Councillors were extremely unhappy about this decision and are to compose a list of questions that the Clerk will forward to Cllr Mustoe to pursue on its behalf.

(ii) A request for a small amount of double yellow lines to the north of Foundry Drive entrance had been received and it was **RESOLVED to make a request under the Community Network Highways Scheme for the provision of 2 car spaces to be lined on visibility and safety grounds.**

(iii) Any other Highways Concerns

The Clerk reported that work is due to commence imminently on Footpath 9 in Trenarren next month.

The Clerk was asked to report overgrown hedges and tree canopies on Duporth Road to Cormac.

(23/066) – Financial Matters

(i) Grant Funding

It was **RESOLVED to make a grant of £250 to Kathy Still towards the publication of a book about men from Porthpean who lost their lives in the First World war.**

Public Toilet Refurbishment

(ii) Replacing the flush system

It was **RESOLVED to ratify the decision made in August when the parish council was not meeting to replace the existing flushes with a contactless system.** Replacement had not been included in the original quote as it was not considered necessary at the time.

(iii) It was noted that the Clerk under her power of delegation, she had instructed Healthmatic to undertake emergency repairs to the door locking system.

(iv) Coronation Tree

It was **RESOLVED to ratify the decision made in August when the parish council did not meet, to replace the Coronation Tree in Foundry Parc, following vandalism of the original.**

(v) It was noted that the annual audit has now been completed by BDO LLP and no matters requiring attention were identified.

The Clerk reported that following July's decision to purchase a new energy contract, she had signed the direct debit mandates with EE which was not in accordance with the council's Financial Regulations, as the order was electronically generated, and it was not possible to obtain a hard copy for councillors to sign.

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

(vi) The current financial position was noted and the following payments were authorised:

DD	EE	Mobile phone	£18.60
DD	BT	Telephone and internet	£61.21
DD	SWW	Monthly water/disposal charge for public toilets	£123.50
DD	Lloyds Bank	Credit card	£256.28
DD	SWW	Monthly charge for water for toilets	£123.50
DD	Blenheims	Foundry Parc estate service charge	£14.22
DD	SSE	Electricity for hall	£242.57
DD	SSE	Electricity for toilets	£141.75
SO	JB and JK Kneale	Lease	£212.50
BACS	Vision ICT	Email account	£21.60
	Cornwall Waste		
BACS	Solutions	Monthly waste collection	£26.38
BACS	Lyreco	Toilet consumables and stationery	£348.86
BACS	Scribe	Accounting software renewal	£673.92
BACS	Duchy Defibrillators	Annual Monitoring fees, Duporth Bay unit	£228.00
BACS	ITEC	Printing charges	£22.14
BACS	APS Construction	Public toilet renovations	£13,609.92
BACS	Staff/HMRC/CPF	Salaries and oncosts	£3086.16

(23/067) Meetings/Training Attended

30 July – The Clerk attended a briefing from Cornwall Council on the introduction of their new waste recycling scheme.

(23/068) Correspondence

A list of correspondence had been previously circulated and in addition the following had been received

- Affordable Housing newsletter
- Details of an on-line briefing on Cornwall Council's proposed budget
- Request for suggestions for the new road south east of Rashleigh Road
- Details of a "Lets talk" webinar with South West Water

(23/069) Dates for the Diary

2 October – Cllr Wright attending Addressing Conflict training

31 October – Cllrs Whitehouse, Foster and Wright attending Planning Enforcement and Appeals training

8 November – Cllr Whitehouse attending Introduction to Planning training

21 November – Cllrs Whitehouse and Wright attending Code of Conduct training

(23/070) Dates of future Parish Council Meetings

19 October, 16 November, 14 December.

The meeting closed at 7.46 pm

Correspondence Received

- Invitation to make comments on Cornwall Council's draft budget for 2024-2025
- Invitation to attend air quality engagement events
- Agenda for the Annual General Meeting of Cornwall Association of Local Councils
- Details of the Climate and Environment Alliance
- Details of a Challenge Poverty week
- Cornwall Council's Town and Parish Council newsletter