

Dear Councillor

You are summoned to attend a **Meeting** of **St Austell Bay Parish Council** to be held on **Thursday 14 December 2023** at **6.00 pm** in **The Pattern Hall, Charlestown Road**.

Julie Larter

Julie Larter
Clerk
7 December 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 16 November 2023

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

Pages 4-7

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) PA23/09503 – Rashleigh Arms, Quay Road: Listed Building Consent for the installation of a public access defibrillator to the south east elevation

(ii) PA23/07802 – Ocean House, Porthpean: Proposed change of use of garden to allow for the siting of temporary two holiday accommodation units

(iii) PA23/09793 – Duporth Estate: Works to trees covered by a TPO, T3, T4, T5, T6, T20, T21, T22, T23, T32, T50 (various works)

(iv) PA23/08941 – 10 Manor Farm Road: Application for tree works in a TPO: Reduce Oak tree crown to previous growing points

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

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. Biodiversity

To consider the council's duties under the Environment Act 2021 and agree a Biodiversity policy

Pages 8-11

10. Legionella Testing

To consider quotes

11. The Pattern Hall

(i) To review scale of hire charges

(ii) To consider the provision of a public access defibrillator

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- 12. St Austell Bay Neighbourhood Plan**
To note the updated Community Actions Appendix *To follow*
- 13. Boundary of Church Road/Foundry Parc**
To consider residents' concerns regarding the safety of trees along the boundary
- 14. Working Parties**
History Working Party
To receive an update on historical interpretation boards
- 15. Highways Matters**
(i) To note any response to the council's Freedom of Information request to Cornwall Council regarding residents parking schemes
(ii) To note any Highways concerns
- 16. Financial Matters**
(i) To consider obtaining an SSL certificate for the council's website
(ii) To note current position and authorise payments *Appendix (i)*
Appendix (ii)
- 17. Parish Councillor Vacancy**
To co-opt to fill the current councillor vacancy
- 18. Meetings/Training Attended**
To receive an update from meetings or training recently attended by members or the Clerk
- 19. Correspondence**
To note correspondence received since the last meeting *Page 13*
- 20. Dates for the Diary**
To note any forthcoming dates for members' diaries
- 21. Dates of future Parish Council Meetings**
18 January, 22 February, 21 March, 18 April, 16 May, 20 June, 18 July, 5 September, 17 October, 21 November, 19 December 2024

MINUTES of a MEETING of ST AUSTELL BAY PARISH COUNCIL held on THURSDAY 16 November 2023 at 6.00pm in The Pattern Hall, Charlestown

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

In attendance: CC, Julie Larter (Clerk), 3 members of the public.

(23/090) Apologies for Absence

Apologies were received from Cllr Trudy Reynolds and Cllr James Mustoe, CC.

(23/091) Minutes of a Meeting the Parish Council held on 19 October 2023

It was **RESOLVED** that the minutes of 19 October 2023 should be signed as an accurate record of the meeting.

(23/092) Matters to Note

The Clerk reported that Cormac had begun laying wood chips on the public rights of way in Chandlers Walk, Mill Lane, the footpath from Crinnis Road to Quay Road and on the new section of the South West Coast Path behind Coastguard Cottages. A replacement fingerpost will also be installed in Crinnis Road.

(23/093) Declarations of Interest on Items on the Agenda

There were no declarations of interest.

(23/094) Chairman's Announcements

The Chairman had no announcements to make.

(23/095) Cornwall Councillor's Report

Cllr Mustoe's report had been previously circulated and a copy is available on the parish council's website.

(23/096) Public Participation

A member of the public expressed his interest in agenda items 8 (i) relating to the Pier House and (b) relating to The Nest.

(23/097) Planning Applications and Related Matters

(a)

(i) PA23/07023 and 07024 (LBC) – Pier House Hotel and Harbourside Inn: Proposed refurbishment and alteration works following fire damage (amended plans)

It was **RESOLVED** that the Clerk should respond to the planning authority (Cornwall Council) stating that it has no objections.

(ii) PA23/08941 – 10 Manor Farm Road: Application for tree works in a Tree Preservation Order (TPO): Reduce Oak tree crown to previous growing points
This application was deferred pending sight of the tree officer's report.

(iii) 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

The Clerk reported that the planning officer is seeking to address some of the points raised by the conservation officer and that amended plans are likely to be submitted. The council did not therefore have any comments to make at this stage.

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

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

No update was available from the planning officer, and a resident expressed his concern about the current situation including agreed S106 payments. The Clerk was asked to contact the planning officer to say how concerned residents are.

(23/098) 80th Anniversary of D-Day

The Regatta Committee do not wish to organise the event given its close proximity to Charlestown Regatta week, but are be willing to set up the structure and provide gas.

It was **RESOLVED that the parish council would organise a beacon commemoration on 6th June and Terry Butler, former Chairman of the Regatta Committee will be asked to light it.** Cllr Sue Leach will liaise with Charlestown Harbour and complete the necessary paperwork.

(23/099) Legionella Testing

The Clerk has obtained 3 quotes. Cllr Bull suggested she may be able to find someone to undertake a risk assessment for this. The matter was deferred for further consideration next month.

(23/100) St Austell Bay Neighbourhood Plan

Councillors reviewed the Community Actions Appendix. Cllr Leach commented that many of the actions were well underway and offered to update the document. It was agreed not to start any new actions until those currently underway have been completed.

(23/101) Working Parties

History Working Party

Councillors reviewed the latest draft of the board. It appears the board is now complete, but Cllr Reynolds is meeting Andy Trudgian on 17 November to finalise. Councillors wished to record their thanks to all involved in the project.

(23/102) Highways

(i) Residents Parking Scheme

A meeting took place on 6 November attended by Cllr Richard Pears (Cornwall Council Portfolio Holder for Transport), Cllr James Mustoe, CC, Rachael Tatlow (Highways Manager, CC), Annan Birkett (Cormac Design Team), Zoe Hall (Strategic Parking Manager, CC), Helen Nicholson and Sarah Scoltock (Community Link Officers, CC), Cllrs Bill Leach and Jackie Bull to discuss a possible residents parking scheme on Duporth Road. Cornwall Council appears to be adamant that it will not be possible to implement a scheme as it doesn't conform with the council's policy on residents parking. Councillors were not prepared to accept this answer and it was **RESOLVED that the Clerk should submit a Freedom of Information Request to Cornwall**

Council requesting sight of the original policy and the date it was approved together with any proposed amended policies; examples of where it has been implemented together with any examples of where the policy has been over-ridden, and to ask to whom the parish council has to speak to challenge the policy.

(ii) Adoption of Rashleigh Road

Vistry has commissioned remedial work to the road in preparation for adoption by Cornwall Council. This will necessitate access restrictions for residents but they have been informed. Cllr Foster said that this work has now begun.

(iii) Any other Highways Concerns

White lining was not reinstated following resurfacing work to the road from Trenarren to Lobbs Shop. The Clerk has chased Highways.

(23/103) Financial Matters

(i) 2024/2025 Budget

A budget for 2024/25 was set and it was **RESOLVED to submit a precept demand to Cornwall Council of £55,817.51.**

(ii) It was noted that the Local Government Pay award for 2023-24 has been agreed together with an increase in The Real Living Wage.

(iii) The current financial position was noted and the following payments authorised

BACS	A & A Maintenance	Painting Pattern Hall and repairs	£2020.00
	Light Up		
BACS	Charlestown	Grant	£250.00
DD	EE	Mobile phone monthly charge	£4.64
DD	BT	Telephone and internet	£61.21
DD	Lloyds Bank	Credit card	£61.06
DD	South West Water	Monthly charge water for toilets	£1.34
DD	Firstport Ltd	Foundry Parc Amenity Area annual charge	£142.20
BACS	ITEC	Monthly printing charges	£41.95
		Stationery, cleaning products and toilet	
BACS	Lyreco	rolls	£250.40
BACS	Wallgate	Annual service contract for hand washers	£1197.00
BACS	Cornwall ALC	Training	£108.00
BACS	CWS	Waste disposal	£26.38
BACS	Royal British Legion	Wreath for Higher Porthpean	£20.00
		Clerk's training, reference book and	
BACS	SLCC	annual membership	£353.91
BACS	A & A Maintenance	Cutting PROW	£2900.00
BACS	Staff/CPF/HMRC	Salaries and oncosts	£3714.71

(23/104) Meetings/Training Attended

31 October – Cllrs Wright and Foster attended planning training

31 October – The Clerk attended training on public rights of way

6 November – Chairman and Cllr Bull, together with the Clerk attended a meeting to discuss a proposed residents parking scheme for Duporth Road

8 November – Cllr Whitehouse attended planning training
9 and 16 November – The Clerk attended briefings on Martin’s Law
11 November – Cllr Reynolds laid a wreath on behalf of the parish council on Armistice Day
15 November – The Clerk attended training on managing village halls

(23/105) Correspondence

A list of correspondence had been previously circulated.

(23/106) Dates for the Diary

22 November – Community Area Partnership Meeting to discuss SWW’s proposed desalination plant at Par
6 December – Cllr Foster to attend planning training

(23/107) Dates of future Parish Council Meetings

14 December 2023; 18 January, 22 February, 21 March, 18 April, 16 May, 20 June, 18 July, 5 September, 17 October, 21 November, 19 December 2024.

The meeting closed at 7.10 pm

Biodiversity Policy

Background

In accordance with the duty imposed on town and parish councils by Section 40 of the Natural Environment and Rural Communities Act 2006, updated by Section 102 of the Environment Act 2021, St Austell Bay Parish Council, herein after referred to as the Council, which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.

This duty also means that town and parish councils can spend funds in conserving biodiversity.

Definition

According to DEFRA (Biodiversity 2020), biodiversity is in the variety of all life on Earth. It includes all species of animals and plants – everything that is alive on our planet.

Biodiversity is important for its own sake and has its own intrinsic value. A number of studies have shown this value also goes further. Biodiversity is the building block of our ecosystems that in turn provide us with a wide range of goods and services that support our economic and social wellbeing. These include essentials such as food, fresh water and clean air, but also less obvious services such as protection from natural disasters, regulation of our climate, and purification of our water or pollination of our crops. Biodiversity also provides important cultural services, enriching our lives.

Aims and Objectives

The object of this policy is to work towards conserving and enhancing the biodiversity of the Council's area.

The full council and any committees of the Council will consider sustainability, environmental impact and biodiversity when making decisions and will develop and implement policies and strategies required.

In particular, the Council will aim to improve the biodiversity of the area in the following ways:

- Consider the potential impact on biodiversity represented by planning applications;
- Manage its land and property using environmentally friendly practices that will promote biodiversity;
- Support local businesses and council operations in the adoption of low impact/nature positive practices;
- Encourage and support other organisations within the parish to manage their areas of responsibility with biodiversity in mind;
- Support residents and local organisations activities to enhance and promote biodiversity.

Actions

Planning Applications

The Council will:

- When commenting on planning applications, support site and building design that benefits biodiversity through the conservation and integration of existing habitats or provision of new habitats;
- Support protection of sensitive habitats from development and will consider whether the development would mean the loss of important habitats for wildlife in respect of all applications;
- Consider what each proposed development might make in terms of biodiversity net gain;
- Include policies in support of biodiversity with the neighbourhood plan.

Land and Property Management

The Council will

- Carry out a biodiversity audit of its holdings;
- Consider the conservation and promotion of local biodiversity with regard to the management of its open spaces. This will include adopting beneficial practices with regard to cutting and removal of vegetation, application of chemicals and timing of maintenance work, paying attention to the Government's regulations for plant protection products;
- Take special care in the specification of grounds maintenance contracts to ensure that the work, whilst reaching acceptable standards, does not harm the natural environment;
- Source sustainable materials when procuring supplies for the Council's use;
- Consider biodiversity issues and the implementation of changes when managing its buildings

Local Community

The Council will

- Raise public awareness of biodiversity issues, including through its website;
- Where feasible, involve the community in biodiversity projects on its land including for example tree planting, wildflower meadows, birdbox making.

Partners

The Council will work in partnership with other organisations to protect, promote and enhance biodiversity within the parish.

It will review any local nature recovery strategies.

Biodiversity Action Plan

Site/Objective	Action	Outcome	Target (Years)
Entire parish	Undertake a biodiversity audit	Set a benchmark to monitor improvements	1
Protect and support biodiversity	Encourage suitable planting to support biodiversity	Connect and diversify habitats to meet the needs of a variety of wildlife species	Ongoing
Regatta Playing Field	Sympathetically maintain hedging The council recognises that whilst it is preferable to use environmentally friendly pesticides, there may be occasions where chemical weedkillers may need to be used for safety reasons	Food sources and cover Encourages insects	Ongoing
Other open spaces	Encourage residents to remove litter and pick up after dogs Leave some areas unmown The council recognises that whilst it is preferable to use environmentally friendly pesticides, there may be occasions where chemical weedkillers may need to be used for safety reasons Work with Cornwall Council on verge management	Sustain and enhance natural habitats Encourages insects Encourages insects Protecting/enhancing habitats	Ongoing
The built landscape	Ensure that planning consultations are considered against the requirements of the Neighbourhood Plan	Protecting/enhancing habitats	Ongoing

	Encourage hedgehog/small animal highways with permeable boundaries	Extending habitats	
Increase community awareness of biodiversity	Engage with residents Create page on website to include photographs	Promote biodiversity	Ongoing
Support Community Projects	Support hedge/tree planting in any appropriate areas Engage with local schools to develop young people's awareness of the environment around them Consider events and offer volunteering opportunities to support biodiversity, working with local organisations	Extending habitats Promote biodiversity	Ongoing

The Pattern Hall

The scale of charges for hiring The Pattern Hall has not increased since the council first started letting the hall in 2015. They currently stand at

Hall

£10 per hour, £30 per half day/evening, £60 per day

Meeting Room

£7.50 per hour, £15 per half day/evening, £30 per day

There is a 10% discount for residents of the parish and also for block bookings (6 sessions or more).

Cllr Sue Leach and the Clerk met on 22 November to review the charges. Following careful consideration, their recommendation is that the charges should be increased as follows:

Hall

£12.00 per hour, £35 for half day/evening, £70 all day

Meeting Room

£8.00 per hour, £17.50 per half day/evening, £35 all day

The 10% discount will remain unchanged.

In addition to the increased charges, it is recommended that the council introduces a £10 caretaking fee for one-off bookings, where the hirer does not have a key.

Charges are to be reviewed annually.

In setting out the new charges Cllr Leach and the Clerk were mindful to keep the rates affordable.

It is recommended that the new charges should take effect from 1 April 2024, but the Clerk will write to hirers in the new year to make them aware of the new rates.

Julie Larter
Clerk
5 December 2023

Correspondence Received

The following correspondence has been received since the last meeting

- Consultation on Cornwall Council Off-street Parking Order
- Keep Britain Tidy newsletter
- Cornwall Landscape newsletter
- Consultation on Cornwall Council's EV Charging Infrastructure Strategy
- Notes from a recent mid-Cornwall CAP meeting
- Details of training opportunities
- Consultation on the Peninsula Transport Rail Strategy