

MEETING NO. 1023

Minutes of the FEOCK PARISH COUNCIL MEETING held on Monday 10th October 2011
at Feock Parish Council Office at 7.15pm.

Members Present:

WARDS	CARNON DOWNS	DEVORAN	FEOCK
	Mrs S E Felton	Mrs S M Baker	Mrs A D Smeath
	J H H Langdon	B L Ashdown	C J B Taylor
	R E Richards	Mrs E M West	K Hambly-Staite

In Attendance:

A. Truan, Clerk to the Council
Mrs J Major, Assistant Clerk
Cornwall Councillor Currie
Mrs J Silcox- Reporter
3 Local Electors

CHAIRMAN: Councillor Mrs S E Felton

During the public session:

There were no matters raised by residents on this occasion.

9496 MINUTES

Councillor Mrs West proposed that the minutes of the council meeting held on 5th September 2011, as circulated, be confirmed as a true record, and signed by the Chairman. This was seconded by Councillor Mrs Smeath and carried by the meeting.

9497 MATTERS FOR REPORT

REPORTS FROM MEMBERS

Councillor Langdon reported there was some concern among residents in Carnon Downs that surfacing works to Carnon Downs Roundabout were not yet complete. The Clerk explained this matter had already been referred to Cornwall Council.

REPORTS ON PREVIOUS AND ONGOING BUSINESS

The Clerk explained further to minute 9483 that three people had visited the office in the last week to discuss outline proposals for development in the area where clearly their proposals would not meet existing planning criteria for approval. There was some real confusion about the new "presumption in favour of approval" proposed by the Government. In the circumstances, Members might feel it appropriate at some point, particularly if matters became worse, to formally refer the problem to the Planning Authority. **Members noted the report.**

The Clerk explained there had been no negative feedback so far on the cancellation of the proposed Parish Plan Steering Group meetings in October. To the contrary, a few residents had mentioned that it was preferable that meetings be delayed until information that is more substantial is available on both the Localism Bill, and the proposed Neighbourhood Plan. **Members noted the report.**

Further to minute 9486, the Clerk reminded Members there were still some outstanding Declarations of Members Interest. **Members noted the report.**

The Clerk explained that arrangements were in hand to fill the current vacancy on the council for the Devoran Ward. It was also his sad duty to report that Councillor Mrs Woolcock had tendered her resignation as Member for Carnon Downs Ward. Her letter of resignation was read in full.

Councillor Langdon proposed the parish council write to Mrs Woolcock to thank her for the major contribution she made to the work of the parish council over eight years including work on

the Design Guide, Roads and Transport issues, and other matters that have affected residents quality of life. This was seconded by Councillor Mrs Smeath and carried by the meeting.

The Clerk explained, with regard to all previous reports regarding Footpath 46, that the formal Order had now been received and this had been copied for Members information in the information pack for this meeting.

9498 CURRENT REPORTS FROM COUNTY COUNCILLOR AND POLICE

CORNWALL COUNCILLOR

Cornwall Councillor Currie reported that he was very heavily committed currently to his budget for Cornwall that would once again bring benefit to Council Tax payers in terms of little or no increase for the next financial year.

Councillor Currie explained he looked forward to the proposed meeting with CC Tovey. While Localism had been somewhat delayed it was now very likely, under the auspices of Councillor Tovey, that matters would move forward.

It was noted that as Councillor Currie was now a member of the Planning Committee he would discharge his duties in the normal way.

The Chairman thanked Councillor Currie for his attendance and report.

DEVON AND CORNWALL POLICE

Members considered written reports from PCSO Care highlighting local Police activities during September 2011 as set out in Appendix D, and a letter from the Police Authority setting out new arrangements to replace Police Liaison Meetings with more pro-active engagement activities.

The Chairman asked that PCSO Care be thanked for his report.

With regard to the letter from the Police Authority **Councillor Langdon proposed the parish council continue to raise issues directly with the local Policing Team and that any future strategic issues are referred to the Police Authority directly. This was seconded by Councillor Baker and carried by the meeting.**

Members noted that PC Alley Relf had now returned to work and would continue to work with the parish council in the normal way.

9499 APOLOGIES

Apologies were received from Councillors Brock, Groves and Bell.

9500 PLANNING DETERMINATIONS

A full list of applications determined by Cornwall Council since the last council meeting is set out in Appendix A.

The Clerk reported there were no issues to be resolved under the planning protocols as all of the approvals this month had been relatively straightforward. Applications 255 and 237 had now been formally withdrawn as a result of previous discussions under the protocol arrangements which continued to work very satisfactorily.

9501 PLANNING APPLICATIONS FOR CONSIDERATION

Decisions on all applications considered for consultation by the parish council at this meeting are set out in Appendix B attached together with progress reports on previous applications under review through the planning protocols.

9502 PLANNING APPEALS AND ENFORCEMENT

The Clerk reported Enforcement action relating to the Construction Management Plan at Creekside, West Pill Road.

With regard to engineering operations at Rosemellin Cottage, Feock, it was noted they would remain unlawful unless a planning application is submitted.

Further to reports regarding possible contravention of Planning Conditions at Carnon Downs Caravan Park, it was noted that complaints had been registered and were being followed up.

Enforcement action was still being taken forward due to contravention of planning policy at 37, St John's Terrace, Devoran, and, with regard to previous complaints regarding the slipway and shed at Smelter's Rest, Devoran a Contravention Order had now been issued.

9503 PLANNING CORNWALL CENTRAL DIVISION

The Clerk reported proposed changes to administration arrangements in the Planning Central Division. Given that these were generally announced at a recent training session, the Clerk explained he had written to the Head of Planning for the Central division for clarification in case the excellent protocol arrangements for Planning might be affected in any way.

It was noted that the intention within Cornwall Council is to roll out the existing Householder Team in the West of Cornwall to take on the previous Carrick Area. At this point the new arrangements were in their embryonic stages and much depended on expressions of interest from individual members of staff. Much also depended on where the most convenient work base might be for those staff who will be engaged. It was possible, for instance, that some case Officers would continue to work from Truro so contacts would not be lost. It was also possible, given the new telephone system being implemented, that the parish council would also notice very little difference.

Given the parish council's very unique working relationship with Cornwall Council Planning Officers, the LDO, and possibly a future Neighbourhood Plan, the Head of Planning had suggested that we meet directly with the new Operations Manager to ensure no difficulties arise.

The Clerk explained, given the excellent direct relationships that had developed with Planning Division Officers, he would endeavour to continue to foster this relationship and meet with the new Manager as soon as possible.

Councillor Mrs Smeath proposed the Clerk meet with the Planning Operations Manager as soon as possible to ensure the continuity of existing working relationships and the continued success of the planning protocol arrangements. This was seconded by Councillor Richards and carried by the meeting.

9504 COMMUNITY NETWORK MEETING SEPTEMBER 2011

The Clerk and Chairman reported on the outcomes of the Community Network meeting in September attended by 5 CC members, 3 representatives from Feock Parish Council, 2 from St Erme, 2 from St Just-In Roseland, one each from Grampond and Ruanlanihorne and 6 Officers. The agenda for the meeting having included items relating to Community Profiles, the Planning Core Strategy and an update on Police concluded that:

- The Cornwall Council Community Intelligence Team is available to provide Community Statistics where available, including Census information that will be published next March.
- With regard to the Core Strategy, the CC Planning Advisory Panel would be considering a further document for consultation over the winter. A final draft will be prepared by the spring with the finished document being completed by the end of 2012.
- Housing growth will be discussed as part of the consultation process. The latter remains largely undefined in terms of how many houses are necessary, the justification for those numbers, the form and type of housing that needs to be built, who will live in the new houses and the correlation between housing and other local services including the NHS.
- Feock representatives are concerned about the potential impact of the Core Strategy on its area, the very small consultation responses from residents in Cornwall (only 369), links to potentially largely undefined CC Strategies for Transport, Tourism, NHS and the needs of local populations. The parish council is also concerned about the lack of influence from communities and particularly parish councils in the process so far.
- The National Planning Policy Framework is being looked at in the context of the Localism Bill, and Neighbourhood Plans
- Policing is reacting as positively as it can to financial cuts and statistics are being monitored to give early warnings of serious problems that might arise.
- With regard to reorganising the Community Network (not on the agenda) there was some disquiet that this should be done without reference to how the Community Network should operate. It was agreed that the Localism Manager would produce a paper for the next meeting for discussion.

The Chairman expressed the view that Core Strategy and Planning matters would need to remain at the forefront of the parish council's discussions with Cornwall Council at future Network meetings, direct discussions with Officers, and through consultation. In the meanwhile the parish council would need to do everything possible to ensure that its own views of Localism and its relationship with its own Communities are not compromised.

Members noted the report

9505 JUBILEE CELEBRATIONS

Councillor Mrs Baker reported following meetings of the Jubilee celebrations Working Party set up by the council under minute 9488. Councillor Mrs Baker confirmed that the group recommended to council that

- The parish council proceed with the production and ordering of mugs to celebrate the Queen's Jubilee in 2012 within an overall budget of £2500.
- That mugs be presented by the Chairman and Vice- Chairman of Council free to children of the parish at the most appropriate village events to be agreed in due course.
- That mugs be ordered for sale to local residents at a price to reflect cost plus a marginal admin cost and VAT.
- That the design of the mugs incorporate images to reflect the work undertaken by the parish council for local communities
- That draft designs be agreed by the council prior to ordering
- That future meetings of the Working Party be arranged as necessary and appropriate.

Following some discussion **Councillor Richards proposed the above recommendations from the Jubilee Celebrations Working Party be agreed as set out. This was seconded by Councillor Hambly-Staite and carried by the meeting.**

9506 LOCALISM BILL

The Clerk reported that the Localism Bill was still with Parliament and likely to receive Royal Assent during November. The Bill would affect the parish council in various ways

- Planning changes were proposed of which Members were already aware. The parish council is in the process of making arrangements to meet the developing issues including a Spatial Plan and the continuance of direct and meaningful relationships with planning personnel.
- Changes to Housing provision, including the deferral of decisions to local communities. A Strategy will be embodied in the Cornwall Core Strategy and there is great potential for exercising influence locally through a Neighbourhood Plan. Once again the parish council is in tune with this issue at present.
- Creating incentives for economic growth including Regulations to amend Business rates, the introduction of small business tax breaks, and possibly a scheme for Rates Discounts. It is understood that Consultation papers will follow.
- There will be powers in future for communities to call for referendums and the devolvement of local services to local communities. More information to come on that also.

It was noted that the parish council is clearly abreast of the major issues arising from the Bill and was responding positively and within its capacity at present. The Clerk explained it would be important for the parish council to make sure it continues to promote its own view of Localism and also continues to improve the manner in which it works with local communities to ensure its future autonomy.

Following some discussion, **Councillor Richards proposed the council thank the Clerk for his report on the progress of work associated with the Localism Bill and that the parish council continue to develop its role and activities as planned over the last three years to ensure that it meets the challenges. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

9507 MEETING WITH CC CABINET MEMBER FOR LOCALISM

The Clerk explained that this meeting had been arranged as part of the parish council's ongoing liaison with Cornwall Council on Localism that had not progressed far since 2008 when the parish council originally defined its objectives. Originally, it was proposed that the council meet with the Leader of Cornwall Council following the Cornwall Conversations initiative during the summer. Matters had now moved on to a direct dialogue with the Cabinet member for Localism.

The Clerk referred to an issues report considered by the council in August and set out in Appendix E on which it was intended to focus the forthcoming meeting. The Clerk also referred to a set of notes which had been prepared for the meeting summarising once again

- The parish council's views on Localism
- The Parish Plan as the focus for all the parish council's activities
- Successes which the parish council has enjoyed because of being autonomous motivated for its communities, independent, and efficiently organised.
- Future perspectives for the parish council and its current priorities
- The understanding and support necessary from Cornwall Council to enable the parish council to move forward.

Following some discussion **Councillor Richards proposed the parish council continues to support its overall objectives for Localism as set out in 2008 and in numerous dialogues with Cornwall Council over the past three years, and that the Cabinet Member for Localism be asked to support the parish council's philosophy both with regard to getting things done for local communities and improving what is a very ineffective Community Network arrangement. This was seconded by Councillor Taylor and carried by the meeting unanimously.**

9508 NEIGHBOURHOOD PLAN

The Clerk explained that further to the parish council's agreement to proceed with a Neighbourhood Plan under minute 9485 progress had included

- Information gathering and attendance at a number of meetings with the Head of Planning and the Cornwall Council Planning Forum. There was now a large wealth of information available to members.
- Informal talks with professional planning officers who might support the project both as residents and professionally.
- Expression of interest in any future funding bid arrangements which might be available from Cornwall Council
- Initial work to outline the overall project in terms of overall key objectives, maximising community involvement and interest, and resourcing.

The Clerk advised the parish council that at present the Regulations associated with the Localism Bill were not yet available, that the consultation on the proposed new Planning Framework was still on-going, and that the Sarah Newton MP had agreed to meet the parish council soon so she might lobby the Minister for change. It was also important not to rush the project too early because a badly planned project could easily be disastrous. **Following some discussion Councillor Mrs Smeath proposed the council thanks the Clerk for his report and that the parish council continue to develop the Neighbourhood Plan with Cornwall Council directly in the most constructive and planned manner possible. This was seconded by Councillor Richards and carried by the meeting.**

9509 DIARY DATES 2012

Members considered a report, previously circulated, setting out proposed dates for council meetings for 2012. **Councillor Mrs Baker proposed the dates for meetings for 2012 be agreed as set out in Appendix F. This was seconded by Councillor Langdon and carried by the meeting.**

9510 BRIBERY ACT 2011

Members considered a legal briefing from NALC introducing and setting out potential offences under the Bribery Act 2010 and the potential impact on local councils. **Members noted the report.**

9511 CODE OF PRACTICE ON LOCAL AUTHORITY PUBLICITY

Members considered a legal briefing from NALC setting out the implications of the Code of Practice for Local Authority Publicity. **Members noted the report.**

9512 REQUESTS FOR FINANCIAL ASSISTANCE

Members considered written requests for financial support. The Clerk confirmed that both requests could be covered by the legislation relating to such grants. Following some discussion, **Councillor Richards proposed the parish council financially support Spectrum and Cornwall County Playing Fields Association in the sum of £100 each for the current financial year. This was seconded by Councillor Mrs Smeath and carried by the meeting.**

9513 ACCOUNTS FOR PAYMENT

The Clerk circulated the attached list at Appendix C showing accounts for payment for October 2011 amounted to £7164.00, and income of £47839.00. Councillor **Langdon proposed the accounts be approved for payment and cheques signed accordingly. This was seconded by Councillor Mrs Baker and carried by the meeting.**

9514 S100A, LOCAL GOVERNMENT ACT 1972

Councillor Mrs Smeath proposed that the press and public be excluded from the discussion of the following items on the basis of the likely disclosure of exempt information under the Local Government Act. This was seconded by Councillor Richards and carried by the meeting.

9515 MARKET HALL SITE, DEVORAN.

The Clerk presented a progress report on the acquisition of the Market Hall site, Devoran.

It was noted that

- Borrowing approval had now been received in the sum of £210,000.00 which also extended the date for drawing down monies to September 2012
- Discussions with Devoran School, the local Pre-School and the council's solicitors had led to the conclusion that the council can only practically contract with the Pre-School.
- Subsequent meetings had been arranged with the Education Authority to ensure that formal support is provided for Improvement and Business Plans to support the eventual contractual arrangements that will be necessary.
- Agreement has been reached that if the Pre-School cannot meet the challenges then alternative providers will be sought.
- Discussions have been held concerning potential Heads of Terms, and the logistics relating to formal separation of spaces from the housing elements of the site.
- Discussions have been held to form the basis for eventual allocation of long-term maintenance responsibilities.
- A detailed surveyors report was now in the course of preparation to ensure that the parish council is fully aware of liabilities and the costs of all works before making a final decision on the acquisition of the site, possibly in December.

Members noted the report and thanked the Clerk for the progress report.

9516 LOCAL HOUSING

The Clerk presented a further progress report on the proposed scheme for housing development in Carnon Downs promoted by the council over two years ago.

It was noted that, following agreement between the parish council, the developers, planning officers and others, negotiations had been going with the owners of the site.

Consequently the joint working group had worked on a scheme which would meet the parish council's original objectives of

- An area based approach
- Mixed development to incorporate affordable homes
- The provision of open spaces on the site (dedicated to the parish council)
- Retention of Bissoe Road as a "country" road.
- Involvement of the parish council in design and layout and subsequent public consultation

The Clerk explained that matters were now rapidly approaching the point where planning permission would be sought. Further meetings were planned of the joint project team to reach agreement before submission. In the meanwhile, an outline of the proposals was available for members to review.

Members considered the outline sketch of proposals for the site. Following some discussion,

Councillor Richards proposed that as the outline development proposals were encouraging the joint working party continues to work to reach a conclusion on this scheme, and that more formal plans be considered by the parish council prior to formal planning and public consultation. This was seconded by Councillor Mrs Smeath and carried by the meeting.

9517 DATE OF NEXT MEETING: 14th November 2011, Parish office at 7.15pm.

APPENDIX A

**PLANNING DECISIONS MADE BY CORNWALL COUNCIL
SINCE THE LAST MEETING 5TH SEPTEMBER 2011**

APPROVALS

251. MR & MRS M. FOLLETT, MIZZENTOP, TROLVER CROFT, FEOCK.
Proposed window in east elevation-**The Parish Council could see no material planning considerations that should lead to a refusal-Meeting 13th July 2011**

253. MR & MRS H. BECK, COQUITLAM, 14, WELLINGTON PLANTATION, FEOCK
Construction of a proposed garage to front of property and conversion of existing double garage to new bedroom, ensuite and cloakroom-**The Parish Council had no objection to these proposals -1st August 2011.**
254. MR J. MITCHELL, APPLEWOOD, TREVILLA ROAD, FEOCK.
Crown lift two protected Ash trees and two protected Sycamore trees-**The Parish Council had no objection to these proposals- 1st August 2011.**
256. MR S. BERRYMAN, 15, CHYCOOSE PARC, POINT, DEVORAN.
Works to one Oak tree-**The Parish Council had no objection to these proposals-1st August 2011.**
259. MR M WESTGARTH, PONSMAN COTTAGE, WEST PILL ROAD, FEOCK.
Alterations including first floor extension at rear and replacement of existing slate roof to main cottage with thatched roof-**The Parish Council could see no material planning considerations that should lead to a refusal of these revised proposals-Meeting 8th August 2011.**
260. MR & MRS B. CLARK, 25, BELMONT TERRACE, DEVORAN.
Demolition of existing ground floor kitchen, with stores and bathroom over and construction of new kitchen/dining room extension with study and bathroom over, with formation of new steps from the rear lane down to the yard- **The Parish Council could see no material planning considerations that should lead to a refusal of these proposals-Meeting 8th August 2011.**

WITHDRAWN

255. MR P. RUSSELL, LAND TO REAR OF SQUIRREL COTTAGE, TROLVER CROFT, FEOCK
Three bedroom dwelling with gardens and car parking-**Planning application withdrawn before being presented to the Parish Council-Meeting 8th August 2011.**
237. MR I. LILICRAP, CARRICK COURT, RESTRONGUET POINT, FEOCK.
Replacement dwelling and creation of self-contained annexe-**The Parish Council had serious concerns regarding this application. The Parish Council agreed to work with those concerned to establish new development which would be acceptable to the Parish Council-Meeting 13th June 2011**

REFUSALS

NONE

APPENDIX B

PLANNING APPLICATIONS CONSIDERED ON 10TH OCTOBER 2011

272. MR J. SHIPLEY, MIDSLOPES, ROPEWALK, PENPOL.
Demolition of existing dwelling and garage and erection of new dwelling and garage.
The Parish Council has some reservations regarding the siting of the development in the corner of the site, but on balance is happy to support these proposals subject to a satisfactory landscaping scheme to be agreed under the planning protocols.
273. MR A. MILES, COPPER OAKS, 18, WELLINGTON PLANTATION, PENELEWEY, FEOCK.
Fell six protected trees- **The parish council has deferred determination of this application to the Trees Officer with a recommendation for replanting.**

274. MR L. BUTLER, TANGLEWOOD, PENELEWEY, FEOCK.
Works to one Beech tree-**The Parish Council has deferred determination on this application to Cornwall Council's Trees Officer with a recommendation for replanting.**
275. MR & MRS WHERRY, TRAMWAYS, GREENBANK ROAD, DEVORAN.
Proposed construction of extension and new site entrance-**The parish council is concerned to see the Cornish hedge fronting the road retained or reinstated, and is unable to support the proposals for the proposed extension to the front which is not subservient to the existing building, will run outside the existing building line, and be contrary to the local street scene. The council will be happy to resolve these matters under the planning protocols.**
276. MR & MRS A. PEARCEY, SOUTHERNHAY, OLD CARNON HILL, CARNON DOWNS.
Proposed garage together with extension of existing garage and utility-**The Parish Council has no objection in principle to these proposals, but would wish to see appropriate landscaping works undertaken to limit impact on the street scene. These matters can be resolved under the planning protocols.**
277. DR J. CRAN, SAFFRON MEADOW, THE OLD TRAM ROAD, DEVORAN.
Installation of sixteen photovoltaic panels on agricultural land to rear of Saffron Meadow.
The Parish Council is happy to support these proposals, subject to the use of non-reflective glass.
278. MR D. TURNER, ROSCOWNANS, OLD KEA.
Listed building consent for the erection of a single storey sun lounge and alterations to the pitch of the roof (amended to application LB7/0949/10/R)
The Parish Council is happy to continue to support these proposals
279. MRS MANN, CARRICKSTARNE, LA VAGUE, FEOCK.
Crown reduce two protected Ash trees and remove one limb from one protected Cherry tree.
The Parish Council has deferred determination of this application to Cornwall Council's Trees Officer.
280. MRS R. PERKINS, LOE WALL, LOE BEACH, FEOCK.
Conversion of garage to additional family accommodation-**The Parish Council supports these proposals, subject to a condition that the additional accommodation be limited for family use only.**
281. MR S. JOHNS, NANCASSICK BARN, KING HARRY ROAD, FEOCK.
Two storey extension-**The Parish Council supports these proposals as set out.**
282. TRETEC LTD, 29, TREVALLION PARK, FEOCK.
Fell one protected Monterey Pine tree-**The Parish Council has deferred determination of this application to Cornwall Council's Trees Officer, but would only like to see this tree felled if absolutely essential.**

PROGRESS OF PREVIOUS APPLICATIONS UNDER THE PLANNING PROTOCOLS

- 262 5, CHAPEL TERRACE, DEVORAN
Parish council concerns regarding the setback, eaves, and ridge height are being resolved through agreed amendments with the Case Officer, following which an approval will be issued.
- 267 3, CARNON VALLEY
The Parish Council could not make a judgement because of lack of information. Now confirmed that the Case Officer will be issuing a refusal.