

SITHNEY PARISH COUNCIL

Chairman: Philip Martin

Clerk to the Council
Mrs. Pauline Williams
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52/12

MINUTES OF AN ORDINARY MEETING OF SITHNEY PARISH COUNCIL HELD AT SITHNEY SCHOOL ON TUESDAY 5th MARCH 2013 AT 7.30PM

Present:-

Cllr. P. Martin - Chairman
Cllr. R. Ashmore
Cllr. B. Deacon
Cllr. I Paterson – Vice Chairman
Cllr. T. Martin
Cllr. A. Pascoe

Parish Clerk Mrs. Pauline Williams, Cornwall Councillor Loveday Jenkin and 11 members of the public,

1. APOLOGIES FOR ABSENCE - Cllr. P. Bickford-Smith (previous meeting), Cllr. E. Williams and Cllr. M. Morgans (illness)

A minutes silence was held in respect to former Chairman, Randall-Morris MBE who died recently.

2. ACCEPTANCE OF MINUTES - Cllr. Pascoe asked for an amendment item 19 delete 'had volunteered'. Subject to the amendment the Minutes of the Parish Council Meeting held at Trannack School on 5th February, 2013 were proposed by Cllr. Paterson seconded by Cllr. Deacon and unanimously approved

3. DECLARATIONS OF INTEREST FOR ITEMS ON THIS AGENDA –

Cllr. P. Martin declared a non registerable interest in Affordable Housing Item 21.

Cllrs. Pascoe and Deacon declared a non registerable interest in item 17b) as members of Sithney and Lowertown over 60's club and left the room when the item was discussed.

Cllr. Pascoe declared a disclosable financial interest in item 18 and left the room when the item was discussed.

4. TO CONSIDER ANY APPLICATIONS FOR DISPENSATIONS UNDER SECTION 33 OF THE LOCALISM ACT 2011 - None

5. MATTERS ARISING FROM PREVIOUS MINUTES

Overgrown trees at Trevarno Front Lodge – The area from the Mill House to the Quarry still needs to be trimmed.

Collapsed drain Tregathenan near turning to Truthall – A letter had been received from Cornwall Council. A site visit was carried out on 14th February. Whilst it was felt the scheme addressed the original problem, that of preventing ground water from discharging onto the highway, they acknowledged that the efficiency of the gully and the system was not checked. It was felt that the reinstated verge on the approach to the scheme was correct at the time, but had been damaged since the heavy rain in November. They thanked the local resident for their help. The matter will be looked at again in the new financial year and prioritised with other drainage schemes. The rural maintenance gang will attend to the highlighted problems with the ditches in the area.

Update Pengoon Farm – The CLUED should be submitted this week, failing this enforcement action will be taken.

Update Wheal Bramble, Gansey Farm – Mandy Smith will visit shortly.

Damage to Cornish Hedge between Truthall Manor and grass triangle at bottom beyond the bridge – New Generation had advised Cllr. Bickford-Smith that they were to submit an Insurance Claim; however, the land agent for the Trevarno Estate said they have asked for a copy of the witness statements and photographs, as New Generation alleged that there are no works outstanding. Cllr. Pascoe has kindly agreed to let the Clerk have these and Cllr. P. Martin said that his brother had witnessed the incident and was willing to submit evidence.

Trevarno Farm – alterations following closure of Trevarno Estate - It is understood that all the works are covered by permitted development. A planning application for the Railway and Trevarno Skincare are expected shortly.

An Gwelvos – Report of Post Box Trevarno Estate – Lee Viner says that there is no development on the site.

Flooding/Drainage problems at An-Vownder-Goth - Cllr. Williams not being present there was no report.

Mud on road at Penpraze – No progress to date

Flooding problems Old Piggery, Prospidnick - A site meeting had been held between Cornwall Councillor Loveday Jenkin, Thane Osborne, the owner and CC Officers including Martin Clemo. It had been agreed that work would take place to the Leat on the corner which it is hoped will alleviate the amount of water missing the drainage system. As a result of the meeting works have been carried out in the field adjacent to Long Barn and the one opposite which it is hoped will alleviate problems further downstream.

Lane Chynhale to Crowtown – CC is meeting shortly with the Trevarno Estate and will get the few low branches cut.

Pot holes near the bend at Gwavas near the bottom of Lonon Hill – Adrian Hosking has instructed the rural maintenance gang to attend to these.

Ditches needing clearing from Trannack School towards Lowertown and Gwavas, including Lonon Hill and other hills- Adrian Hosking has instructed the rural maintenance gang to attend to these.

Smoke from chimneys of caravans parked behind the stables in New Road on the Nancegollan to Moffits

Corner Road – Zoe Ford, Enforcement Officer, had been in touch with the Clerk seeking further information which will be given.

6. PUBLIC PARTICIPATION – Several residents of Sithney Parish and shopkeepers from Helston/Porthleven attended in respect of the change of use of Hilltop Garage to a Pasty Takeaway. It was felt that whilst the site was a Brownfield site, the development proposed was too great. It was felt that there would be a resultant increase in traffic and associated noise and fumes, litter blowing and smell. There was concern about the times that the business would be open and whether it would encourage anti social behaviour on the site. Some residents said it should be sited on an industrial estate and could become another 'Kingsley Village' type development. The owner of Hilltop Bungalow pointed out that the drive through was very close to his access gate and only eleven feet from the properties bedroom

window. Due to the prevailing wind the cooking smells would blow straight into his property. He also felt there would be noise and light pollution to his property. Shopkeepers felt it could kill trade in Helston and Porthleven. Concerns about traffic safety entering and leaving the site were expressed.

7. POLICE REPORT – A report had been received from PC Richard Wearne stating that there had been no crimes reported in February, compared to one last year. There is no news of a replacement PCSO as yet.

8. CHAIRMAN'S COMMENTS – Cllr. P. Martin said that the PC still has around 200 Millennium Maps unsold. He knew of someone who would try and sell them, but it was felt the price would need to be reduced. The Clerk stated that she had taken advice from CALC who stated that they could be written off from the inventory/risk assessment as they have no value and then could be disposed of. It was agreed this should be an Agenda item at the April meeting.

Cllr. Martin thanked Cllr. Deacon for representing the Parish Council at former Chairman Randall-Morris's funeral.

9. COUNCILLORS' QUESTIONS AND COMMENTS – Cllr. Deacon and Paterson said they had been asked to raise problems being encountered by residents, chapel goers, funeral and wedding cars with the turning area beside Craig House been partially obstructed. Cllr. P. Martin said this was a private matter and not subject to Parish Council jurisdiction.

Cllr. Pascoe said that the stepping stones in the river at Lowertown, that form a footpath, had moved as the result of an increase in the river flow due to the rain. The Clerk was asked to contact the Rights of Way section at Cornwall Council and ask for them to be reinstated.

Cllr. Paterson reported that he had attended the 65th AGM of CALC. He said that there would be a 2% increase per elector on 2012/13 and a 2% increase in the office charge to £71.40. CALC is in the process of registering as a Company limited by guarantee which will mean protection of a £1 limit of liability to each Council, should be completed by June/July 2013.

10. CORNWALL COUNCILLOR'S COMMENTS – Cornwall Cllr. Loveday Jenkin had:-

- Dealt with a number of highways, enforcement and planning issues within the parish.
- Attended Feb 6th Corporate Resources OSC which discussed proposals to sell off land associated with the Running track and Carn Brea Leisure Centre. There is a rally for the Leisure Centre on Saturday
- Attended the Helston and Lizard Community network meeting where future working of the network was discussed and transport issues highlighted as well as a useful presentation on Community Resilience Emergency plans (including flooding)
- Observed the meeting of the Shadow Health and Wellbeing Board on February 7th.
- Attended Feb 12th Extraordinary Council Meeting about the Local Plan where 43,250 new houses were proposed. She had supported the 38,000 that had been proposed by the Planning Policy Advisory panel as she thought that would be defensible at public inquiry as it was the low figure in the previous public consultation. However, she felt that there needed to be effective use of our existing housing stock before encouraging speculative building.
- Attended Feb 13th Cabinet. New discretionary rate relief guidance approved to commence in 2014. The old system will remain for this year. The Cornish Mining World Heritage site management plan was also adopted. A decision on the Carn Brea leisure centre site sell off was deferred
- Attended Feb 14th site meetings in Trevarno area with highways and drainage officers to look at solutions to flooding. Trevarno Estate has agreed to do some works to reduce run off of silt from their fields and CC Highways are looking at repairing the culvert to reduce overtopping of water on to the road.
- Attended Youth bus sessions at Nancegollan on 6th and 20th February
- Briefly attended Lowertown Community Group – she said that she was pleased that the book exchange in the telephone box and the village map are almost ready to be launched.
- Attended Communities OSC 21st Feb where a recommendation to full Council to promote the use of Sustainable Communities Act was agreed.
- Attended Extraordinary Cabinet on 4th March when the invitation to submit the final tender for a strategic partner for support services was agreed.
- Attended Cornwall Council on the 26th February at which the budget for Cornwall Council was set. She expressed concern about the resultant cuts in services and serious job losses that this will lead to. It was carried by 52 votes to 49 with 3 abstentions.

Cornwall Councillor Loveday Jenkin said she would be involved tomorrow in the National Heritage Lottery officials visit to view the proposed site for the Kresen Kernow – New Archive for Cornwall.

11. PLANNING

Pre Apps

PA13/00408. Redundant Barn, Trevarno Estate, Sithney, Helston TR13 0RU. Proposed conversion and alterations to barn to form dwelling. To be considered

PA12/03200. Merther Farm, Merther Lane, Sithney, Helston. TR13 0RP Construction of one affordable dwelling. Advice Given.

PA13/004808 Proposed conversion and alterations to barn to form dwelling – Redundant Barn, Trevarno Estate. Pending consideration

Planning Applications To consider recommendations to planning applications received: -

PA13/008701 The Blacksmiths Shop, Tregathenan Sithney TR13 0RZ. Removal of condition 5. Conversion of former blacksmiths to holiday accommodation and erection of an extension.

The Planning Officer is recommending refusal because the applicant has not provided financial or marketing information demonstrating that the use for holiday purposes is not viable.

The PC object to this application on the basis of lack of financial and marketing information being supplied to prove a holiday property is not viable.

PA13/01121 Cudna Bungalow, Crowtown, Helston TR13 0AD. Erection of dwelling. Mr & Mrs. Williams. The PC had no objections.

PA13/00129 Bargas Farm, Nancegollan, Helston TR13 0AR. Infilling of redundant rail cutting to create amenity land and farm storage area. Mr. M. Mudge. The PC object to this application. The access is narrow and unsuitable. Access would be over the footpath.

PA13/00487 Hilltop Garage, Sithney Common Hill, Sithney. Helston. TR13 0RH. Change of use from sale and repair of motor vehicles and sale of fuel to manufacture of Cornish pasties, and retail of Cornish Produce, including a pasty drive-through takeaway and associated amenity area. Helston Pasty Company Ltd.

The PC object to this application on the following basis:-

- The access to the site is on the brow of a hill at the major road junction of the Penzance Road (A394) with the Hayle/Camborne Road (B3302) it is felt that this could cause confusion and distraction to motorists on these main roads and cause queues of traffic on the Penzance or the Hayle Road. Motorists are often confused by local traffic using the single track road only a few yards from this major junction (down the side of Hillcrest cottage) as they are focused only on the major road.
- In view of the traffic usage at this junction it would be preferable to see a commercial operation which has less traffic flow than the previous garage use, not more as this proposal is implying. It was felt that this proposal will make the road junction a more dangerous junction than it already is.
- When the garage was in operation there were problems with the road usage involving deliveries, signs and the parking of cars obstructing motorists of a clear view of the junction.
- There is concern about additional traffic being put on to an existing busy road. where traffic is traveling at and beyond the national speed limit.
- There is concern about the safety of traffic entering and leaving the site on this busy junction.
- There were concerns that people may congregate on the site late at night with the resultant noise and possible anti social behaviour. Who will 'Police' the site and users?
- There is no evidence of any soundproofing being put on site for the benefit of residents.
- It was felt that the impact on the adjoining bungalow would be unacceptable due to the fumes from queuing traffic, traffic noise, litter, and smell from cooking, possible unsocial hours, litter, and the proximity of the access road to the gate of Hilltop Bungalow. The drive through part of the application is eleven feet from the neighbour's bedroom windows. It was felt there could also be light pollution affecting this property.
- Concern was expressed about the impact on shops in Porthleven and Helston.

PA13/00585 5 The Sidings, Nancegollan, Helston. Erection of live work unit. Mr. Williams - Cllr. Paterson proposed, Cllr. P. Martin seconded and Cllr. Deacon voted in favour of the application. A counter proposal was put forward by Cllr, Pascoe, seconded by Cllr. T. Martin and Cllr. Ashmore voted to refuse the application. There being a tie the Chairman used his casting vote and voted to support the application. Therefore the PC supports this application.

It was proposed by Cllr. Paterson seconded by Cllr. Pascoe and carried that the above decisions be transmitted to Cornwall Council as the PC views.

Decisions – Approved

PA12/11808 Treharris, Sithney, Helston TR13 0RN – extension to existing dwelling to create an annexe.

PA12/11816 Trannack Cottage, Lowertown, Helston TR13 0DA. Proposed rear extension with the installation of 2 dormers and roof lights.

OTHER PLANNING MATTERS:

The Agenda for West sub-area Planning Committee for 4th March, 2013 had been received.

A Meeting had been held with Andy England, Assistant Head of Planning and Regeneration for Cornwall Council, on 27/2/2013 to explain how the Council should deal with Pre Apps and general enquiries by applicants prior to them submitting a Planning Application. It was agreed that this should be dealt with on the June PC Agenda and an explanation put on the PC Notice Boards

PA13/01374 Erection of an agricultural shed, Boscadjack Farm, Coverack Bridges TR13 0LZ – Catherine Bray has confirmed that this comes under the Town and Country Planning (General Development Order 1995) which grants general planning permission (Permitted development rights) for certain types of agricultural development. CC have 28 days to decide whether prior approval will be required. No one is consulted on these applications

PA13/01469 Erection of agricultural building, installation of septic tank and alteration to existing vehicular access – OS field 5324 Trannack. The PC is not consulted on agricultural applications.

12. PUBLIC RIGHTS OF WAY –

Footpath 230/11/3 Crown Town to Moffits Corner –It is understood that the hole and barrier have been in situ for over 10 years. Cormac have inspected the site, and it is not believed that the hole is mining related. The barrier is to remain for safety reasons. Dan Senior, Countryside Officer (Information) is to speak with Colin Bayes to see what action is proposed.

Repair / replacement of footpath signs. Cllr Paterson stated that Cornwall Council as Highway Authority is required to mark all Public rights of way at the point that they leave a metalled public road (Countryside Act 1968 s27). He stated that the following need to be attended to:-

The sign at the western end of Sithney Footpath 18 / 2 (230/18/2) next to Truthall Bridge has been uprooted and needs to be reinstated.

The sign at the western end of Sithney Footpath 17 / 2 (230/17/2) opposite Truthall Manor is missing leaving a rather dangerous and unsightly jagged broken post alongside the stile.

The sign at the southern end of Sithney Footpath 9 / 5 (230/9/5) next to Chanter's is missing and needs to be replaced.

The Clerk was asked to contact Rights of Way and ask for the work to be carried out.

The Clerk was asked to check if the PC will receive the LMP grant for 2013/14.

13. REGENERATION/BT PHONE BOXES – Cllr. Ashmore said the invitations to the official opening of the Lowertown Library telephone box are awaited.

14/15. LOCALISM/ CODE OF CONDUCT – Cllr. Paterson said he had nothing to report.

16. REPORT OF THE CLERK & CORRESPONDENCE

E mail Julie Girling MEP – re fishing discards, non compliant pork,

Rural Services on Line 4/2, 11/2, 18/2, 25/2.

Rural Services on Line Rural Opportunities Bulletin February, 2013. Rural campaign starts to bear fruit

Town and Parish Council Newsletter Edition 12

Confirmation of Precept at £14,679.44 sent 6/2/2013

Hard copy of Draft Sustainable Energy Action Plan for a Green Cornwall – consultation open to 10th March

Community South West –opportunity to win see www.communitysouthwest.co.uk for further details £1,500 towards a community project or event.

CALC The Week Issue no. 2

Following the Clerk reporting that the drain by the notice board at Coverack Bridges was very silted up CC have emptied it.

The Clerk reported that the PC Notice Board at Trannack has been damaged probably by a vehicle. It has caused damage to the side of the board and the beading holding in the glass. The glass in this board already has a hole in it and a large crack, which whilst stable, it would seem a good opportunity to have the glass replaced and damage repaired. The Clerk asked if she could ask Mr. Sanders, who treated the boards and thus has the paint, to carry out the repairs to the board. It was proposed by Cllr. Paterson, seconded by Cllr Pascoe and carried unanimously that Mr. Bob Sanders be asked to carry out the work.

The notices for the Parish and County Elections have been received. Nomination packs will be available from the Clerk and CC offices at Camborne after 13th March. The last date for return of the forms to CC, not the Clerk, is noon on 5th April. It is not advisable to leave delivery until the last moment in case of error or query on the forms.

The Clerk advised Council that she would be taking Annual Leave on Thursday 14th and Friday 15th March, Thursday 21st and Friday 22nd March and Thursday 28th March.

17. FINANCE

a) To consider the following accounts for payment:

It was proposed by Cllr. Paterson, seconded by Cllr. Deacon and carried unanimously that the following accounts be paid:-

| | £ | |
|--|--------------------------|-------|
| Mrs. Pauline Williams, Clerk (£535.22) | | |
| Salary | 419.52 | |
| Mileage | 14.50 | |
| Office Allowance | 20.00 | |
| Computer Depreciation | 10.00 | |
| Telephone Calls | 2.90 | |
| Petty Cash | 68.30 | |
| Post Office (for HMRC) | Income Tax – Clerk | 0.40 |
| Trannack CP School | Hire hall Dec & Feb 2013 | 30.00 |
| Information Commissioners | Data Protection Renewal | 35.00 |

b) To consider the following applications for donations:

Applications had been made from Cornwall County Playing Fields Association – Not agreed, Cornwall Blind Association – Not agreed, Helston and the Lizard Community Halls Network – Not agreed.

It was resolved that in pursuance of the power conferred by Section 137 of the Local Government Act 1972, and being of the opinion that the expenditure satisfies the requirements of that section, and is in the interests of the area or its inhabitants and will benefit them in a manner commensurate with the expenditure this Council approves the following payments:-

Cornwall Air Ambulance. Cllr. Pascoe proposed, Cllr. Paterson seconded and it was carried that £200 be donated.

Sithney and Lowertown over 60's committee. It was proposed by Cllr. Paterson, seconded by Cllr. T. Martin and carried that £200 be donated. (Cllr. Pascoe and Deacon left the room whilst this was discussed having declared interests.)

South Kerrier Heritage Trust. It was proposed by Cllr T. Martin, seconded by Cllr. R. Ashmore and carried that £40 be donated.

18. Mr. Philips seat at Coverack Bridges - It was agreed that three quotes be obtained for the work from Mr. Bob Sanders, Mr. R. Pascoe and Mr. Anthony Tregoning (Halwin). Cllr. Paterson kindly agreed to give the Clerk a specification.

19. SPEED VISOR RESULTS – Cornwall Councillor Loveday Jenkin said she had not had time to chase this yet. She had asked for some remedial traffic calming work to take place but had heard nothing further. Cllr. Paterson asked if the PC could meet the cost of a device that gives the vehicle speed, speed limit and tells the motorist to slow down. The Clerk agreed to investigate.

20. REVISION OF STANDING ORDERS – Deferred until April meeting

21. UPDATE ON PROPOSED AFFORDABLE HOUSING IN CROWNTOWN – results of meeting held on 7/2/2013

- Will Morris had met with the agent and a Highways Engineer to discuss how a potential new access might work if the scheme was sited closer to the school. Different ideas were considered including extra parking for school users and traffic calming. Highways felt that the new access was acceptable subject to resolving some technical points but reiterated that even if the traffic calming measures, stemming from the public consultations, were implemented there was no proof they would be successful. A meeting has taken place between the Agent and a developer, and it is understood that the results were positive on both sides. It is hoped that a Planning Application can be prepared shortly. The developer will be advised that any scheme must be submitted to the community to ensure it fits the brief.

22. TIME AND DATE OF NEXT MEETING - Tuesday 2nd April, 2013 at 7.30p.m. at Trannack School