



HAYLE TOWN COUNCIL

COUNCIL MEETING

THURSDAY 16 JULY 2015

Minutes of the Hayle Town Council Meeting held at the Hayle Community Centre, Hayle on Thursday 16 July 2015 commencing at 7.15pm with a **Public Participation Session**.

PRESENT

Councillor G Coad (Mayor)

Councillors J Bennett, B Capper, J Coombe, N Farrar, R Lello, B Mims, J Ninnes, O Philp and C Polkinghorne

Town Clerk Eleanor Giggall

7.16PM PUBLIC PARTICIPATION SESSION

Paul Pellegrinetti queried the reason given by Cornwall Council (CC) for the removal of a piece of play equipment from the Recreation Ground. He said that it had been neither broken nor in a state of disrepair. He was told that there would be updated information in September after the next meeting between Hayle Town Council (HTC) and CC regarding the Recreation Ground.

[7.18pm Councillor Ninnes joined the meeting.]

Mr Pellegrinetti also raised the issue of dog mess and said that it was particularly bad at the moment. He praised Councillor Farrar's previous engagement with the public on this issue. He asked that bins be sited in areas that had no bins and that enforcement follow if the situation did not improve. He was advised that dog mess was taken seriously by the Town Council but that it was a national problem which was difficult to enforce: if dog owners notice that someone is watching them they pick up the mess. Attention was drawn to a current Facebook request for local opinions on whether or not dogs should be banned from the Recreation Ground (other than on a lead on the path through it), although there were comments that even bans did not stop some dog owners: dogs were still seen on beaches from which they were banned.

[7.19pm Councillor Capper joined the meeting.]

Harry Blakeley informed the meeting that it was the 10th anniversary of the Hayle Residents' Association and they were seeking a junction on the A30 at Tolroy. He was informed that it was HTC's policy to advocate for this junction and it did so in all relevant consultations with CC, although it was unlikely that it would be built in the near future if it remained the responsibility of the Highways Agency. Mr Blakeley was advised that the best the Residents' Association could do would be to support the Hayle Neighbourhood Plan, which also advocated a junction at Tolroy.

7.24PM THE MEETING COMMENCED

44 CHAIRMAN'S ANNOUNCEMENTS (FOR INFORMATION ONLY)

Councillor Bennett announced that the Hayle Harbour Advisory Committee had received £10,000 from the Department for Communities and Local Government to establish a Coastal Community Team in Hayle. He also confirmed receipt of a grant of £8,000 for the Neighbourhood Plan.

The Mayor announced that the reason the swimming pool had not opened was because of unclear water and that everything possible was being done to rectify the situation, including involving experts in pool management. He asked Councillors and members of the public not to speculate on what was happening but to rely on the Town Clerk's official updates, which would be made whenever new information was available.

45 TO RECEIVE APOLOGIES

Apologies were received from Councillors Cocks, Pollard, Rance and Wills.

46 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

Councillor Coombe declared an interest in agenda item 6d (Minute 49d refers) and made the following statement: - 'In commenting on these applications I should make it clear that my comments are based on the information currently available and do not commit me to taking the same position if the matter is discussed at the Cornwall Council Planning Committee and full information is available.'

Councillors Bennett, Capper, Coombe and Lello all declared an interest in agenda items 6a and 6b. They would speak to the items at the Chairman's discretion, but would leave the room when discussion of proposals and voting took place.

47 TO APPROVE THE MINUTES OF FULL COUNCIL MEETING 2 JULY 2015

It was resolved that the minutes of the Full Council meeting 2 July 2015 be taken as a true and accurate record, the Mayor signing each page before placing them in the record book.

48 TO DISCUSS MATTERS WHICH WERE RAISED DURING PUBLIC PARTICIPATION 2 JULY 2015

There were none.

49 PLANNING MATTERS

It was agreed that agenda item 6b be taken first as the outcome of the discussion might inform agenda item 6a and that proposals for resolutions for both agenda items would be made together after the discussions so that Councillors who had declared an interest needed to leave the room only once.

- a) To consider and comment upon the correspondence from Helen Bishop-Stephens of Harvey's Foundry Trust regarding the proposal for a variation to the S106 Undertaking and Agreement relating to the site for the display of the Goonvean Engine

It was reported that nothing had been agreed between Harvey's Foundry Trust and Peveril Securities and that the email from Gary Cartmell had been unhelpful at that stage of negotiations.

There was some support for keeping the engine whole and retaining the original site for display, but it was explained that this was not a viable option due to the extreme difficulty of rebuilding the engine and the historic fact (supported by the World Heritage Office) that the engine would never have been assembled whole in Hayle. It was emphasised that the proposed new site was the nearest available to where the engine parts would have been shipped from and it would be visible to the public, especially to those exiting the ASDA car park. It was reported that Peveril Securities had offered £100,000 in mitigation for the change in display site and that some of the money would be used to display two major engine parts and that some would help the Trust to carry out other charitable projects. Harvey's Foundry Trust was happy with the variation to the S106 and the new location proposed for the Goonvean Engine, although the leasehold/freehold (the Trust's preferred option) aspect was still being negotiated.

- b) To re-consider PA14/12215 regarding the proposal for the one unit store at Foundry Yard following receipt of new information in the form of a GVA Retail Impact Study report (Jeremy Content, Planning Officer, to present and answer questions on the report)

The Mayor invited Jeremy Content to present the report and answer questions.

Before speaking about the GVA Retail Impact Study Jeremy Content reported that the appeals inspector had roundly trounced CC for its decision regarding ASDA's application for a 60/40 retail split and had awarded costs against CC. This decision was based on the GVA evidence and would be important for future similar applications in the town. He also clarified that ASDA was not allowed to sell items from outside the store building or the lobby area and that this was in breach of its permission.

In answer to a question Mr Content said that CC would expect a new full retail assessment and sequential testing if ASDA applied for planning permission to build a mezzanine floor in the store.

He also clarified that the GVA retail impact assessments were based not on scientific data, but on GVA's expertise in the sector, which was built on current evidence collected from its multiple national assessments.

The GVA assessment regarding PA14/12215 was based on one unit (not the original three) and in the light of the recent ASDA decision it would be unlikely that CC could recommend refusal for the application. There was a discussion regarding car parking in general and disabled parking spaces in particular. Mr Content agreed to look into the issue of relocation of the proposed disabled parking spaces.

Regarding agenda item 6a (Minute 49b):

It was resolved to raise no objections, with the following conditions:

- i. Three hours' free parking for all, matching the arrangements at the ASDA car park;
- ii. The disabled parking spaces to be relocated closer to the entrance to/exit from the store;
- iii. Only one external sign, which is to be of a subdued metallic material (see ASDA's sign), not internally illuminated and of a similar size to those in the plan drawings, to be allowed;

- iv. Clear pedestrian and vehicular (where practicable) access from the store, under the Viaduct to 'Bookers' Yard to Foundry Farm to be created; and
- v. Harvey's Foundry Trust's proposals regarding the siting of the Goonvean Engine (see Appendix B) to be implemented.

Regarding agenda item 6b (Minute 49a):

It was resolved to support Harvey's Foundry Trust's proposals and decisions regarding the S106 Agreement relating to South Quay, Hayle Harbour and the Goonvean Engine (see Appendix B).

[8.32pm Councillors Bennett, Capper, Coombe and Lello re-joined the meeting.]

- c) To note the correspondence from Cornwall Councillor Edwina Hannaford regarding the change in sending paper copies of planning applications to local councils

It was reported that this matter had been discussed at the inaugural Cornwall Town and Parish Council Mayors' Meeting, that no-one in attendance had been in favour of the proposed changes and that they had planned to write to Councillor Hannaford.

The advantages and disadvantages of the proposed change were discussed and there was a general agreement that the introduction of the change was rushed and that not enough notice had been given to Town and Parish Councils to allow for budgeting and Precept setting. It was noted that Hayle Town Council already had the necessary equipment to view applications on a large screen, but that other smaller councils would struggle to do so.

Concern was also raised about how members of the public would access planning application documents as they would no longer be able to view paper copies at the Town Council office, although it was noted that people rarely came to view documents unless they related to very large applications and the Clerk had been notified that paper copies would still be made available for large applications such as the recent ones for new retail parks adjacent to the West Cornwall Retail Park.

Some concern was also expressed regarding additional pressure it would put on the Clerk's team, especially if documents had to be downloaded prior to the meeting to allow for CC's website being unavailable during meetings as it was notoriously unreliable. It was recognised that the website was being overhauled currently to minimise unavailability, but it was agreed that files should also be made available in a single zip file per application for quick download if necessary.

There was also a discussion regarding the short timescale allowed for submitting the Town Council's comments on planning applications to CC and how that might be addressed.

It was resolved to support the change in principle, but to request a delay of three months to allow for a trial period and that all files per application be made available in a single zip file on the Cornwall Council website to allow a speedy download.

It was resolved that the Clerk investigate a mechanism for changing the agenda to allow for more recent applications to be discussed so that none is missed because of the time restrictions for comments.

- d) To consider Planning Applications: PA15/05438; PA15/05458; PA15/05060; and PA15/05480

For the resolutions on individual planning applications see Appendix A attached.

- e) To note the results of previous applications

It was resolved to note the results of previous applications.

It was resolved to complain to Planning Enforcement at Cornwall Council regarding ASDA placing items for sale outside the building and in the lobby, contrary to ASDA's trading permissions.

50 FOOTPATHS

- a) Maintenance Update

A cut to Clifton Slope in the next few weeks had been requested following a complaint from a member of the public.

Formal quotations for the maintenance and repairs to the Jubilee Bridge (Footpath 51) had been sought from a number of qualified contractors.

It was reported that a footpath (102/35/2) in Angarrack, from Riverside to Back Lane had become nearly impassable due to growth from hedges on a local property. It was noted that a local authority (CC) could ask people to cut their hedges and that if they refused the authority could cut them and invoice the hedge owner for the costs. The Clerk agreed to report the matter to Cherry Trees and to ask them to trim and to make the footpath passable.

51 HAYLE NEIGHBOURHOOD PLAN UPDATE

It was reported that the latest consultation was now finished and the Steering Group was looking at turning the results into policies. There would be a meeting on Saturday 18 July and the consultant would attend the following meeting to go through the draft policies.

[9.27pm Councillor Capper left the meeting.]

It was reported that money allocated for the transportation plan had been for a) an assessment regarding the proposed link road and b) an overall assessment of traffic in Hayle. The first had gone ahead, but the second would be delayed to find a replacement transport consultant as the report received for a) had been neither sufficiently detailed nor numeric.

52 CONSULTATION: TO CONSIDER AND COMMENT UPON THE PLAN PROPOSAL FOR ST IVES NEIGHBOURHOOD DEVELOPMENT PLAN (PA15/00012/NDP)

It was reported that the relevant maps had not been available on CC's website, although they had been on St Ives Town Council's own website. There was a discussion regarding the plan proposal and how its policies might affect Hayle.

It was resolved to note the plan proposal for St Ives Neighbourhood Development Plan (PA15/00012/NDP).

[9.47pm Councillor Coombe left the meeting.]

53 TO DELEGATE AUTHORITY TO DETERMINE QUOTATIONS IN RESPECT OF SCHEDULED MONUMENT RAILWAY BRIDGE, SM CO 987, SITUATED ON FOOTPATH 51 (DEADLINE FOR QUOTATIONS: 10 AUGUST 2015)

It was resolved to delegate authority to determine quotations in respect of Scheduled Monument Railway Bridge, SM CO 987, situated on Footpath 51, to the Mayor, Deputy Mayor, Chair and Vice Chair of the Resource Committee and the Town Clerk.

The meeting closed at 9.54pm.

Approved by the Council as a true record, at its meeting 20 August 2015.

Town Mayor.....

Date.....