



## HAYLE TOWN COUNCIL

**COUNCIL MEETING**

**THURSDAY 1 OCTOBER 2015**

Minutes of the Hayle Town Council Meeting held at the Hayle Community Centre, Hayle on Thursday 1 October 2015 commencing at 7.15pm with a **Public Participation Session**.

### **PRESENT**

Councillor G Coad (Mayor)  
Councillors B Capper, D Cocks, J Coombe, N Farrar, I Lawrence, R Lello, B Mims, J Ninnes, O Philp, C Polkinghorne, A Rance and B Wills

Clerk Eleanor Giggall

### **7.16PM PUBLIC PARTICIPATION SESSION**

Robert Jones spoke about his emails to Hayle Town Councillors, Cornwall Councillors and officers regarding the two new dwellings adjacent to 2 Caroline Row (planning applications PA12/09161, PA13/01763 and PA14/07889) and his claim that the properties did not comply with flood risk requirements that include climate change in 100 years' time. He wanted Hayle Town Council (HTC) to support his case and added that this was a consumer issue as the purchasers of said properties would be buying them in good faith that such requirements would have been met and it would be the people of Hayle who would suffer. He asked Councillor Coombe (as a Cornwall Councillor) to involve himself in the case, but Councillor Coombe was unwilling to be involved unless Councillor Pollard, in whose ward the dwellings were situated, agreed. Councillor Coombe reported that Councillor Pollard had been to the Planning Department at Cornwall Council (CC) and was seeking information regarding this issue.

Some Councillors were concerned that CC, with all its expertise, had not answered Mr Jones' basic technical questions regarding flood risk requirements for Hayle, including climate change in 100 years' time. Mr Jones was informed that this issue could be included on a future agenda if the Town Council agreed it wanted to discuss the issue further.

Justin Harris, who lives in Hollows Terrace, also spoke regarding the same new dwellings. He said that CC had not been forthcoming with answers regarding many questions local residents had regarding the relevant planning applications, such as those regarding certificates and land ownership. He said that CC cherry-picked the questions they chose to answer and only gave 'in our opinion' answers, not answers relating to verifiable legislative information. Naomi Harris added that no one was helping them with their complaints regarding this development, which had been ongoing for 12 months. HTC was asked for its support in the case against CC.

### **7.27PM THE MEETING COMMENCED**

**90 CHAIRMAN'S ANNOUNCEMENTS (FOR INFORMATION ONLY)**

The Mayor announced the news of the death of Brian Pocock, Chairman of Gwinear-Gwithian Parish Council.

The unanimous refusal by the Strategic Planning Committee at CC for the Linden Homes planning application PA15/02777 was reported. The Mayor added that the appeal on the original application was still in progress.

It was reported that Hayle Swimming Pool was at the top of the leaderboard in the M&S Energy Fund competition when voting closed on 30 September 2015. Thanks were offered to all those who had volunteered to promote the Pool's entry.

**91 TO RECEIVE APOLOGIES**

Apologies were received from Councillors Bennett and Pollard.

**92 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS**

Councillor Coombe declared an interest in agenda item 15a (Minute 104a 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.'

**93 TO APPROVE THE MINUTES OF FULL COUNCIL MEETING 17 SEPTEMBER 2015**

**It was resolved** that the minutes of the Full Council meeting 17 September 2015 be taken as a true and accurate record, the Mayor signing each page before placing them in the record book.

**94 TO DISCUSS MATTERS RAISED DURING PUBLIC PARTICIPATION 17 SEPTEMBER 2015**

All matters had been dealt with on the night.

**95 POLICE LIAISON**

- a) To receive and note the monthly report for September 2015

Tri-Service Officer Andy Hitchens gave his apologies as he had been called out on a job and could not present the report for September (see Appendix C).

Members were concerned to hear that the Boxx nightclub appeared to have extended its opening hours until 5am.

**It was resolved** to contact Cornwall Council's Licensing Department to find out if it is true that the opening hours of the Boxx have been extended from 2am to 5am.

**It was resolved** to note the report.

**96 FIRE SERVICE LIAISON**

- a) To receive and note the quarterly report

Due to the absence of Tri-Service Officer Hitchens (see Minute 95) there was no report for September.

**97 REPORTS OF OTHER COMMITTEES FOR APPROVAL**

There were none.

**98 REPORTS FROM OTHER BODIES/WORKING PARTIES/EVENTS**

It was reported that Foundry Day had been a great success. Thanks were offered to Councillors Coombe and Pollard for their donations which had made the event possible. £300 had been raised, some of which would go towards next year's event and the remainder to Hayle Day Care Centre for the loan of the tables.

**99 ACCOUNTS**

- a) To approve the Income and Expenditure of the Council 2015/2016 as listed on Appendix B

**It was resolved** to approve the Income and Expenditure of the Council 2015/16 as listed on Appendix B.

**100 TO CONSIDER AND COMPLETE THE NATIONAL ASSOCIATION OF LOCAL COUNCILS' BUSINESS RATES ON PUBLIC CONVENIENCES SURVEY**

**It was resolved** that the Clerk complete the survey on the Town Council's behalf and include the Town Council's comment that it makes no money from managing the public conveniences, which are there only for the convenience of the public and in fact are a cost to the Town Council. In the light of this, the Town Council would like to know how it can be expected to pay business rates for them.

**101 TO CONSIDER CORNWALL COUNCIL'S PILOT WASTE INCENTIVE NEIGHBOURHOOD SCHEME AND TO DECIDE WHETHER TO EXPRESS AN INTEREST IN TAKING PART**

It was questioned how CC were expecting to measure the efficacy of the scheme, which appeared to have no real content. It was reported that no members of the public had lobbied the Town Council about waste reduction incentives.

**It was resolved** to note the scheme and take no further action on it.

**102 TO CONSIDER AND COMMENT ON CORNWALL COUNCIL'S GAMBLING ACT 2005 DRAFT REVISED STATEMENT OF PRINCIPLES**

The draft revised statement of principles was considered and the minor amendments noted.

**It was resolved** to support the amendments as they tighten up the risk assessments and to comment that the Town Council feels strongly that Hayle should be protected from gambling as the town has a high proportion of vulnerable and poor citizens, groups which research has shown are the ones most negatively impacted by gambling.

**103 TO CONSIDER WHETHER CRIMINAL CHECKS SHOULD BE UNDERTAKEN ON HAYLE TOWN COUNCILLORS IN THE LIGHT OF CORNWALL COUNCIL'S RECENTLY REVIEWED PROCEDURE**

Concerns were raised about where the line should be drawn regarding criminal convictions that might prevent someone becoming a Hayle Town Councillor, as a DBS check would bring up both minor and serious convictions; there would also be data protection issues regarding the results of a check. It was agreed that as Town Councillors did not take part in regular controlled activity with young or vulnerable people, there was no requirement for them to submit to an enhanced DBS check.

The Clerk confirmed that HTC's current policy (last amended in 2013) was to carry out DBS checks where a risk assessment found this to be necessary; the lifeguards and the Town Clerk had been checked in accordance with the policy, but it was noted that the gardeners (when taken on by HTC) and workers at the recreation ground kiosk might fall within its scope.

There was a discussion about carrying out bankruptcy checks on Councillors, but the general consensus was that this should remain an issue of trust.

**It was resolved** not to carry out DBS checks on Councillors and to continue to use risk assessments as appropriate.

**104 PLANNING MATTERS**

- a) To consider Planning Application: PA15/08180

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

**105 STANDING AGENDA ITEMS**

- a) Hayle Harbour Update
  - i) The Clerk circulated letters received in response to HTC's enquiries regarding Hayle Harbour.
  - ii) It was reported that the Mayor had spoken at the Strategic Planning Committee meeting regarding HTC's requests regarding the Foundry Yard planning application to reduce three retail units to one. Three hours' free parking was not accepted, but the disabled parking spaces would be moved nearer to the entrance of the unit and there would be pedestrian (but not vehicular) access under the viaduct and to Foundry Lane. Planning issues regarding signage would come before HTC for its comments in a separate planning application.
  - iii) It was reported that there would be news regarding the construction of the bridge across Penpol Creek in the near future.

- iv) There was a discussion about complaints from residents of Carnsew Meadow regarding flooding due to a higher tide since the installation of the new sluice gates. Councillor Coombe said he was already aware of and investigating the situation. It was reported that potential flooding at the properties in question had been considered at the planning stage and that action had been taken then to ensure that the buildings would not be liable to flooding. Councillors agreed that the water level was now higher, but that even at the highest tides it was not high enough to cause flooding.

b) Cornwall Council Update

- i) Concern regarding the future of Hayle Library and various possible actions to raise awareness among the public were discussed. It was reported that a petition had already been started and a 'dress up as your favourite literary character' day was suggested. CC Cabinet's decision to cut 44% (£1.8m) from the libraries' budget before all Cornwall Councillors had been able to discuss possible arrangements regarding the future of libraries was criticised. It was suggested that CC had empty buildings across the county which it could sell to raise money for libraries, for example the Frank Johns Centre in Hayle.

**It was resolved** to add to the agenda for the next Full Council meeting a discussion of ways Hayle Library could be protected and to invite Jane Haskings from Hayle Library, Mr and Mrs Pooley and Mr Witheridge, who had all shown interest in the issue, to the meeting.

It was suggested that this be announced on Facebook/Twitter and at the Civic Service on 11 October.

- ii) Roberts Jones' concerns regarding the new dwellings adjacent to 2 Caroline Row (Planning Applications: PA12/09161, PA13/01763 & PA14/07889) were discussed.

**It was resolved** to write to Simon Mansell at CC to try to get answers to Mr Jones' two technical questions:

- 1) What is the ground floor level to Ordnance Datum of the approved development?
- 2) What is the calculated Design Still Tidal Water Level for Hayle (AOD), including for climate change, for the lifetime (100 years) of the dwellings?

and **it was further resolved** to put this issue on a future agenda.

- iii) Councillor Coombe reported that a bollard had been placed in the pavement outside the chemist. The railings for the bottom of Penpol Creek, by the Viaduct, would be installed when the department responsible for payment had been settled. He had chased the department responsible for the re-instatement of Isis Gardens and reported that the planting scheme was in hand. The new rubbish bin for Ellis Park was due to be installed there the following day.

It was reported that complaints had been received about empty beer bottles being left in and around the youth shelter in Ellis Park and it was suggested that the shelter should be removed to discourage anti-social behaviour in the park. The Clerk undertook to place this issue on a future agenda

- c) Community Asset & Devolution of Services Update

It was announced that the next meeting would take place on Thursday 8 October 2015.

- d) Healthcare Issues

There was nothing to report.

#### 106 CLERK'S REPORT/CORRESPONDENCE/MEETINGS/INCIDENTALS

- a) To consider Councillor Coad's requests to discuss 'the poor service from the police 101 number, especially for the many areas without a police station enquiry office' and to write to the Police and Crime Commissioner

**It was resolved** to note Councillor Coad's requests and the correspondence resulting from the resolutions made the Mayors' Meeting of 15 July 2015.

- b) To consider the correspondence from Cornwall Council to Falmouth Town Council (copied to Hayle Town Council for information) regarding the Antisocial Behaviour, Crime and Policing Act 2014 – Beach Dog Control, Cornwall

**It was resolved** to note the correspondence.

- c) Meetings

It was agreed that the Amenities Committee meeting be rescheduled for Thursday 29 October 2015.

5/10/15	6.00pm	Hayle Enterprise Zone Meeting	Hayle Community Centre
8/10/15	9.00am	Open Spaces Asset Transfer Meeting	Assembly Room, Hayle Community Centre
8/10/15	7.30pm	Resource Committee	Assembly Room, Hayle Community Centre
11/10/15	2.30pm	Civic Service and Parade	Commercial Road Car Park
12/10/15	7.15pm	Hayle Twinning Association	ASDA
14/10/15	2.00pm	Hayle Harbour Advisory Committee	PEI
15/10/15	7.15pm	Full Council	Assembly Room, Hayle Community Centre
19/10/15	7.30pm	Hayle And District Chamber of Commerce	PEI

21/10/15	10am	Towans Partnership	Hayle Community Centre
21/10/15	9.30am	CALC Larger Councils Meeting	Bodmin
29/10/15	7.30pm	Amenities Committee (RESCHEDULED)	Assembly Room, Hayle Community Centre
5/11/15	7.15pm	Full Council	Assembly Room, Hayle Community Centre
12/11/15	7.30pm	Amenities Committee	Assembly Room, Hayle Community Centre

d) Incidentals

It was stated that the incidentals were available on request.

The meeting closed at 9.07pm.

Approved by the Council as a true record, at its meeting 15 October 2015

**Town Mayor** .....

**Date** .....