



HAYLE TOWN COUNCIL

COUNCIL MEETING

THURSDAY 5 NOVEMBER 2015

Minutes of the Hayle Town Council meeting held at the Hayle Community Centre, Hayle on Thursday 5 November 2015 commencing at 7.15pm with a **Public Participation Session**.

PRESENT

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

Clerk Eleanor Giggall

7.15PM PUBLIC PARTICIPATION SESSION

All participants spoke regarding planning application PA15/04394 (Cranford's).

Russell Clarke of Angarrack reminded the town council that it had resolved to raise strong objection on a number of grounds when a planning application for the Marsh Lane site had been considered in 2011 (see Minutes 20 January 2011, PA10/04297). He added that problems at the Loggans roundabout and surrounding roads would increase if this retail development went ahead and also cited the GVA Grimley retail impact assessment report. He called on the town council to reject the application, as it had done in 2011.

Yvonne Bates of Angarrack pointed out that the application was only an amendment of the application that had been refused by Cornwall Council (CC)'s Strategic Planning Committee (SPC) on grounds of it being on a greenfield site and because of flooding issues. She said it would have a huge impact on Angarrack, with real fears of future flooding, noise and light pollution, an increase in traffic causing the use of Angarrack as a 'rat run' which would not be solved by the proposed calming measures. She added that the pedestrian crossing would also increase queuing, even onto the A30 roundabout. She also claimed that Debenhams had already planned to bring its staff from Truro. She objected to the application.

Mike Witheridge of Angarrack referred to the numerous letters of objection and few letters of support, in comparison to the reverse position of the application regarding the Rugby Club site and asked where the local support was for this application. He also said that it must conflict with the emerging Hayle neighbourhood plan which wanted to enhance the countryside and maintain the distinctness of the villages. Cornwall Wildlife Trust and comments from the public space officer regarding bio-diversity favoured objection and claimed there was insufficient evidence of compensation. It would also be very dangerous to cross the roads between retail parks and from them to Carwin Rise.

Derek Elliott of Angarrack called on the town council to use its local knowledge to make the brave decision to reject the application. He considered one new retail park to be acceptable, but that two would close shops in the town centres. He objected to this application being on a greenfield site when a brownfield site was available and also cited the dangers to pedestrians crossing roads. He said this application had no advantages over the Rugby Club application.

Carol Clarke of Angarrack claimed that this third application on the site was less detailed than previous ones, nearer to Angarrack and on a larger footprint. She doubted that many people knew about the pedestrian crossings and other plan details. She was also concerned about flooding, parking and traffic issues and commented that the staff car park for 80 cars made her doubt that the jobs would be for locals.

Geoff Pooley of Angarrack said that the application would have serious implications for everyone in Hayle and Angarrack and commented on the change in flood zone status of the site effected by the Environment Agency (EA). He said that although there had been no flooding there in living memory, the concrete of the new buildings and foundations would have a deleterious effect on the ability to absorb surface water and thereby increase the risk of flooding, especially for the Penmare area and Angarrack. Marsh Lane was named so for a reason! He added that the EA was known to make mistakes and gave examples. He also cited increased traffic and gridlock, both on the A30 and especially within Angarrack on Steamers Hill and Hatchers Hill, both steep, narrow and dangerous roads.

Paul Pellegrinetti spoke in favour of the 'right kind' of development as he was keen to keep Hayle viable for the future, even if it had to grow in size as he cared about the future of the town for current and future children. He had no objection to the staff car park as in his opinion many people would drive to work at the retail park even if they lived in Hayle.

Gail Willis also spoke regarding the viability of the town centres and the comparatively huge size of the future West Cornwall Retail Park should both planned developments go ahead. She was also very concerned about the pedestrian link to the existing West Cornwall Retail Park and the dangers that pedestrians would face. Encroachment towards Angarrack, with the staff car park being outside the actual development, was also cited.

Richard Glanville said that this area would be protected under the emerging neighbourhood plan and claimed that preparations for the land and construction of the buildings would require the removal, arrival and/or redistribution of 90,000m³ of soil/materials and therefore the plans were not viable.

7.41PM THE MEETING COMMENCED

119 CHAIRMAN'S ANNOUNCEMENTS (FOR INFORMATION ONLY)

There were none.

120 TO RECEIVE APOLOGIES

No apologies had been received.

121 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

Councillor Capper declared an interest in agenda item 9b (Minute 127b refers) as he was the Chair of Harvey's Foundry Trust and PA15/04394 on agenda item 10b (Minute 128b refers) as he was on the Rugby Club committee.

Councillors Bennett, Lello, Pollard and Coombe also declared an interest in agenda item 9b (Minute 127b refers) as they were trustees of Harvey's Foundry Trust.

Councillors Coombe and Pollard declared an interest in agenda item 10b (Minute 128b 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.'

122 TO APPROVE THE MINUTES OF FULL COUNCIL MEETING 15 OCTOBER 2015

It was resolved that the minutes of the full council meeting 15 October 2015 be taken as a true and accurate record, the Mayor signing each page before placing them in the record book.

123 TO DISCUSS MATTERS RAISED DURING PUBLIC PARTICIPATION 15 OCTOBER 2015

All matters had been dealt with on the night.

Councillor Pollard read out a response to Robert Jones' claims regarding the issue of possible flooding (at dwellings adjacent to 2 Caroline Row) from Jeremy Content from CC's Planning Department, which stated that the site was not subject to residual risk.

124 POLICE LIAISON

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

PC Kevin Silver had given his apologies as he had been called out on a job and could not present the report for October (see Appendix C).

It was resolved that the Clerk write to the police to thank them for taking a pro-active stance to the fireworks held on North Quay on Saturday 31 October.

It was resolved to note the report.

125 REPORTS OF OTHER COMMITTEES FOR APPROVAL

- a) To receive the report from the Resource Committee meeting 8 October 2015

It was resolved to receive the report so that actions could be carried out.

- b) To receive the report from the Amenities Committee meeting 22 October 2015

It was resolved to defer this item until the next Full Council meeting.

126 REPORTS FROM OTHER BODIES/WORKING PARTIES/EVENTS

Councillor Bennett reported that it had been useful and interesting to have Louise Dwelly from the Neighbourhood Task Force at the most recent neighbourhood plan meeting.

127 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.

[7.48pm Cllrs Bennett, Capper, Coombe, Lello and Pollard left the room.]

- b) To consider the grant application from Harvey's Foundry Trust brought forward from Resource Committee meeting 8 October 2015 due to the meeting becoming inquorate

It was resolved to approve the grant application and award the grant of £500 for the repair of the town clock.

[7.49pm Cllrs Bennett, Coombe, Lello and Pollard rejoined the meeting. Cllr Capper remained outside due to his interest in the following agenda item.]

128 PLANNING MATTERS

- a) To receive a presentation from a Cranford's representative regarding the proposed Retail Park development on Marsh Lane – Planning Application PA15/04394

Cranford's representatives were welcomed to the meeting and asked to give their presentation. Matt Parry and Bill Oakley spoke, Mr Parry began with the reasons their previous application had been refused by CC's SPC: i) the flood risk sequential test, ii) that it was on a greenfield site and iii) the Section 106; he stressed that it was not on highways or retail impact grounds.

It was explained that the situation now was:

- i) The site was outside flood zones 2 and 3 and therefore no sequential test to apply. The EA now had no objections to the planning application;
- ii) A green buffer would be implemented with a 'no build zone covenant'. There was no encroachment towards Angarrack, but rather the hedges had been left to screen the car park from Angarrack; however, they were willing to remove them and move the bund to the other side of the car park if required. Part of the Cranford's site was made up of scrapings from the construction of the A30 and the contaminated lorry park so it was not all greenfield. It was also pointed out that the Rugby Club application involved relocating the Rugby Club to a greenfield site on grade 3a and 3b agricultural land and would be twice the size as the Cranford's site. Cranford's had made no objections to the Rugby Club application.

- iii) Cranford's had given up one or two acres of land so that work could be done to the river by the EA to reduce flood risk. In addition, Cranford's had agreed to spend £30,000 to install a flow meter on the river which would check the flow and inform the EA immediately if a risk of flooding downstream arose, providing an early warning for Angarrack if necessary. Any flood water would just spill onto the wetland owned by Cranford's.

It was also emphasised that the tenants for the new development remained the same as the earlier application 11 months ago, as did the funding from Standard Life. There would be enough tenants for both retail schemes, which would attract jobs, inward investment and the relocation of the Rugby Club. Hayle Chamber of Commerce supported the Cranford's application. Mr Oakley added that the Rugby Club application was still an outline application with no named tenants and he questioned its viability. He also said that Cranford's supported the aim to relocate the Rugby Club.

The benefits to Hayle and Angarrack were given:

- The Cranford's application was full and detailed;
- Quality tenants including Debenhams, H&M;
- Jobs – 263 local people had registered an interest and there would be around 450 new jobs (not relocations from other stores);
- Specific benefits to Angarrack – a footpath; S106 traffic calming measures (traffic lights would improve the situation, as demonstrated by a modelled situation, and would cater for both retail schemes); public parking for the church and villagers; a no build buffer in perpetuity of 24.5 acres; a flow meter; a wetland area with onsite management and agreed offsite ecological enhancements (1.4 acres net loss);
- £250,000 to be used by the EA anywhere in Hayle to enhance any wetland areas;
- Highway improvements – Highways England and County Highways were now happy with the application;
- Inward investment of £34 million;
- £500,000 for town centre management for Hayle;
- Deliverability and certainty – Debenhams' intention to be trading by Christmas 2017 and their confirmation by email that they still wanted to be in Hayle and were only interested in the Cranford's site.

Mr Oakley finished by listing all the other retail park applications that had been approved by CC in the last 18 months, including five for Truro, two for Falmouth, one for St Austell, one for Fraddam, four for Newquay, and ones for Helston, Camborne and Bodmin. He said that none had yet been approved for Hayle and hoped that this application would be approved so that Hayle did not lose out.

Members of the public expressed frustration that they had been asked not to comment on the Rugby Club application, but that the Cranford's representatives had been allowed to do so. They were advised that it had only been commented upon where it had been necessary to counter objections to Cranford's application.

The Mayor allowed further comments/questions from members of the public which were responded to as follows:

- Probably around 30% of the units will be sited on the contaminated brownfield lorry park;
- The footpath had been requested by Councillor Capper and Bill Oakley had walked the route with him and saw for himself that it was already dangerous to pedestrians;
- The flow meter was not being installed due to the Cranford's application, which would not cause flooding to Angarrack, but had been suggested as an improvement which the developers could offer as part of the Section 106 and if people did not want the flow meter, Cranford's would not supply/pay for it. Debenhams would not move to a flood risk area and neither would funding be secured if flooding was a possibility;
- Excavation of the site would be necessary, but any soil removed would be moved further into the Cranford's site so would not be removed from the site increasing works traffic and no works traffic vehicles would be permitted to turn left (towards Angarrack) when exiting the site;
- A comment claiming that there could not possibly be new, additional jobs as a result of this application (quoting GVA Grimley's report, including para 4.11), was not answered;
- Further thought could be given to the design of the Loggan's Moor roundabout to prevent additional delays for vehicles leaving Angarrack;
- The claim that Debenhams had asked all its staff to transfer from Truro to Hayle was met with doubt that this was the case and the information that Debenhams wanted to build a flagship store in Truro as well as the one in Hayle was provided.

There were also further comments from members of the public in support of Cranford's application; one was concerned that the people of Angarrack were not considering the future of the whole of Hayle. Rob Jewell said that he believed that Hayle Town Councillors would retain their objectivity and asked all residents to be objective and see the benefits to the whole area for the short and long term. Carol Clarke said that she was concerned about the whole of Hayle and noted that the Cranford's scheme did not offer a bus to Hayle and was indeed a 'complete destination' with shops and restaurants, which would be a threat to established shops and restaurants in Hayle.

- b) To consider Planning Applications: PA15/04394; PA15/08353 and PA15/08517 (amended)

It was agreed that each councillor would comment on PA15/04394 once, in order around the table, and then there would be a short debate before voting on any proposal.

In the subsequent period of comment and debate the following views were expressed:

- it was wrong to isolate Angarrack, which would be the ultimate outcome of the development;
- existing restaurants in the town would lose business to those in the proposed development, which would be open late into the evenings; existing shops in the town would lose footfall and go out of business; the viability of the town centres would be jeopardised;

- the Chamber of Commerce supported the application;
- local shoppers currently have to travel far for more choice;
- there was a need for more employment opportunities for the people of Hayle and retail jobs were better than no jobs, which might reduce the number of town residents using the food bank;
- it would make Hayle as a whole a more popular destination;
- local shops were diverse and excellent and would not be threatened;
- the development was the price to pay for increased investment in Hayle;
- a survey had shown that 94% of respondents were for and only 6% were against the development; if people were happy with a planning application they did not usually write in support of it;
- the people of Angarrack had presented a good campaign against, but the benefits to the whole of Hayle had to be considered; a protected green buffer zone would be created between the village and the retail parks;
- there is nothing for or against the retail development in the emerging neighbourhood plan;
- despite previous doom-mongering regarding the Marks & Spencer and ASDA developments, Hayle was now more vibrant and there had been no evidence of any negative impact on the town; it had been shown that development could improve the town and the types of retail and restaurants on offer would be different and would attract a different clientele;
- the TV2 land designation would disappear and the land that would be covenanted as a 'no build zone in perpetuity' would have no protection from future development;
- towns adapt and change, as Hayle already had and would do further;
- the Cranford's development would encourage further traders to the town;
- the EA and Highways England/County Highways no longer objected;
- considering the potentially harmful cumulative impact of two new retail developments, one – with fewer disadvantages (the Rugby Club application) – should be tried first;
- the interests of all the people of Hayle, including those of Angarrack, should be represented;
- 60% of people who visit food banks work in retail jobs;
- the marsh had not flooded in living memory;
- the scheme would provide a safe path for pedestrians to and from Angarrack;
- the unsightly lorry park would be removed;
- habitat for wildlife would be improved with new ponds and there would be viewing platforms for the public's enjoyment;
- the Cranford's proposal was ready for implementation;
- there were no material planning reasons to turn the application down;
- the development was not sustainable, if so much work needed to be done and required so much money; it was important not to make things worse for future generations;
- the development would possibly reduce Hayle's attractiveness to visitors;
- the marshland was the only freshwater marshland in Hayle and it was important not to threaten its future;
- this was the least suitable site for retail development in the area;

- the improvements to the road network that would come with this development would allow developments in the town that already had approval (for example those on North Quay) to be realised.

It was resolved to support PA15/04394 with the voting as follows:

For: Councillors Bennett, Cocks, Coombe, Lawrence, Lello, Mims, Pollard and Rance.

Against: Councillors Coad, Farrar, Ninnes, Philp and Wills.

[9.24pm Cllr Capper rejoined the meeting.]

[9.25pm Cllr Capper left the meeting.]

It was resolved that Councillor Bennett represent Hayle Town Council regarding PA15/04394 at the CC SPC meeting on 19 November 2015.

For the resolutions on planning applications PA15/08353 and PA15/08517 (amended) see Appendix A attached.

- c) To review the proposed S106 agreements relating to the planning applications for both the Cranford's (PA15/04394) and Walker's (PA14/02920) developments at the West Cornwall Retail Park, Vanessa Luckwell, Community Liaison Officer to attend

Vanessa Luckwell reminded the meeting that the potential developers for both proposed retail sites had offered £500,000 in the Section 106 agreements. If both went ahead the total for Hayle would be £1million.

There was a debate regarding what the town council would like to see in the S106 and how the money on offer should be allocated. Suggestions ranged from a town centre manager, events to bring people into the town centres, public realm works, incentives such as discount schemes to attract people into the town centre shops, and to attract matched funding for larger projects. It was agreed that the money should be paid directly to Hayle Town Council for employment of a town centre manager and other projects to ensure the viability of the town centres and for the benefit for the people of Hayle.

It was resolved that the S106 money should be allocated to securing town centre management (for both centres) for the employment of a town centre manager and for projects and events that will promote sustainability and preserve the viability of the town, detailed proposals to be determined by the Town Council in due course, which may include the possibility of using some of the money to secure matched funding. Additionally, **it was resolved** that the S106 money be transferred to a Town Centre Committee, set up by the Town Council.

129 TO CONSIDER CORNWALL COUNCIL'S STREET TRADING REVIEW AND COMPLETE THE RELATED QUESTIONNAIRE

It was reported that CC had not informed Hayle Town Council when the town had been removed from CC's list of towns that required street trading licences. It was suggested that the Clerk contact Cornwall Councillor Lisa Dolley, Chair of the Licensing Committee, to ask why this had been the case.

The consultation information and questionnaire were discussed.

It was resolved to answer the questionnaire as per Appendix D (on file at the town council offices and available to view on request).

130 STANDING AGENDA ITEMS (FOR REPORTING ONLY)

a) Hayle Harbour Update

There was nothing to report.

b) Cornwall Council Update

It was reported that the question of who should pay for the barrier at the end of Penpol Creek was the cause of the delay in installation. Negotiations with ASDA were underway.

It was resolved to write to Cornwall Councillor Bert Biscoe and Mike Peters at CC's Highways Department to request installation of the barrier as soon as possible.

The bollard to stop drivers parking on the pavement outside McColls was being ignored.

The Libraries policy to work with communities had been approved. No libraries would close; if a library was not taken over by a community group an automated system would be installed. No changes had been made to the book fund. However, the issue of the One Stop Shops sited in libraries would not be solved by such action. It was noted that there was no statutory rule for having professional librarians running libraries, neither was there an official definition of what constitutes a library.

A report about the plants to be used for Isis Gardens was still outstanding, but was expected shortly.

c) Community Asset & Devolution of Services Update

The next meeting with CC's responsible officers would take place on Thursday 12 November.

It was noted that the repairs being carried out on the Plantation Wall were fantastic.

d) Healthcare Issues

It was reported that a response had been received from Joy Youart at Kernow Clinical Commissioning Group to Hayle Town Council's email sent as per the resolution from the full council meeting on 1 October 2015.

131 CLERK'S REPORT/CORRESPONDENCE/MEETINGS/INCIDENTALS

a) To consider the correspondence from Gwinear-Gwithian Parish Council regarding the issue of sewage discharges at Godrevy

It was reported that the beach at Godrevy had been closed on a minimum of five occasions in the summer of 2015, which was totally unacceptable. Cornwall Council had convened a meeting regarding the issue. The problem was that the storm outfall released water from the Red River which was full of effluent. Testing by the EA done 50 yards from the outfall showed the water

quality there to be acceptable and it was suggested that beach guards needed to move people to where the water was clean. It was pointed out, however, that this would be difficult due to the rocks and headland, past which there were no lifeguard patrols. It was also reported that brown water did not necessarily indicate sewage, but was due to the pigment of the earth in the area. It was also reported that the Godrevy storm outfall was not on South West Water's list of outfalls to be removed.

It was resolved to reassure Gwinear-Gwithian Parish Council that a joint solution was being sought by Cornwall Council and South West Water and to refer Vida Perrin, Clerk to the Parish Council, to Cornwall Councillor Joyce Duffin and to ask Gwinear-Gwithian Parish Council to ask South West Water to add the outfall at Godrevy to its list of outfalls to be removed.

- b) To consider the email correspondence from Councillor Mims regarding parking issues on Penpol Avenue

It was noted that double yellow lines had been suggested for this area in the past, but it was acknowledged that this would just move the problem elsewhere.

It was resolved to refer the issue to the local Cornwall Councillors.

It was also resolved to write to the head teacher at Penpol School to ask that parents be encouraged to park sensibly.

- c) To consider postponing the Full Council meeting of Thursday 5 May 2016 to Thursday 12 May 2016, immediately after the Annual Council meeting, in order to accommodate the Polling Station for the Police and Crime Commissioner Election as per the request from Cornwall Council's Deputy Police Area Returning Officer

It was resolved not to postpone the full council meeting of Thursday 5 May 2016.

It was resolved to suspend Standing Orders so that the meeting could continue past 10.30pm.

- d) To consider and note the correspondence from Ida Middlemiss Frost regarding the petition to install a pedestrian crossing across Lethlean Lane from the end of the Jubilee Path to the Recreation Ground

It was reported that installing a pedestrian crossing at this site had been discussed on numerous occasions. Cornwall Council had carried out a census in June and it had shown that footfall would have to increase 50-fold for the site to qualify for a pedestrian crossing. Mike Peters, CC Highways Department, had suggested some changes to improve the crossing, for example dropped kerbs and better road markings.

It was resolved to write to CC to ask for some improvements to the crossing, copying in Ida Middlemiss Frost.

- e) To consider the email correspondence from Jerry Harper regarding the new cycle route (from King George V Memorial Walk, via the Viaduct, past ASDA along Plantation Walk) through Hayle, now adopted as part of National Cycle Route 3

It was reported that a meeting with Mr Harper, Simon Murray of Sustrans and Councillor John Pollard to consider the issues regarding the new cycle route was scheduled for 13 November.

It was resolved to write to Mr Harper advising that Hayle Town Council was aware that this meeting would be taking place.

f) Meetings

The meetings list was on the table.

g) Incidentals

It was stated that the incidentals were available on request.

The meeting closed at 10.38pm.

Approved by the Council as a true record, at its meeting 19 November 2015

Town Mayor

Date