



HAYLE TOWN COUNCIL

COUNCIL MEETING

THURSDAY 15 MARCH 2018

Minutes of the Hayle Town Council Meeting held at the Hayle Community Centre, Hayle on Thursday 15 March 2018 commencing at 7.15pm with a **Public Participation Session**.

PRESENT

Councillor N Farrar (Mayor)

Councillors S Benney, B Capper, P Channon, P Nidds, A Rance and A Roden

Clerk Eleanor Giggall

7.15PM PUBLIC PARTICIPATION SESSION

Vivienne Simons, a Pulsack Court resident spoke in objection to planning application PA18/01437 (see Appendix C). Her main reasons for objecting were that she would experience a significant loss of light and privacy. She had not objected to the original application which had been granted permission, but this proposal was for a much bigger, two storey house. She said that residents of Pulsack Court would like a site visit from planning officers but was advised that she needed to contact Cornwall Council (CC) with this request.

Jenny Hosking, resident at number 2 Pulsack Court spoke in objection to the same planning application, added that she was also speaking on behalf of Sarah Smith, the resident at number 1, and read a statement from Sarah Smith (see Appendix D). The issues raised were regarding the potential loss of light and privacy and that the proposed building would dominate the court. Neither resident had objected to the previous application for a smaller property.

Jenny Hosking explained that there had been an old two storey building at that location, but the actual site of the proposed building had never been built on previously as it had been a bull pen and deliberately left as not built upon in order that light would be allowed in to numbers 1, 2 and 4 Pulsack Court. She added that granting permission for this application would create a precedent for number 4's owner to build another storey (which had previously been refused). The plans appeared to be two houses in reality as it had two staircases and two front doors and the owner had previously wanted to build two houses on this site. She also asked for planning officers to carry out a site visit as the plans were not a true reflection of what was actually there.

Kevin Moseley, the agent acting on behalf of the applicant for PA18/01437 then spoke. He gave a short history of the site and said that it was not appealing in its current condition. He added that there had been no objections to the earlier application which had been approved. In November 2017 pre-application advice had been sought for a two storey building and the comments from the planning department had been generally positive and he said that this proposal would accord with the policies of the Cornwall Local Plan (CLP) and the National

Planning Policy Framework (NPPF). He said that the dwelling would be built of sympathetic materials and in character and would be a significant visual improvement of what was currently on site. Neighbours' worries had been heard, but the planning officer considered the size appropriate and acceptable. He said that the windows would face across to number 4, but that it would be over 22 metres away, which would be acceptable according to the CLP. The building would be set at a 90 degree angle from the other buildings and this would mean that the neighbours' windows could not be looked into. Mr Moseley did not think that the neighbours would be as badly off as they feared and said that Google Earth showed that there was very little shading in the course of the day, although maybe a little shading as the sun went down.

Mark Delves, the applicant for the same application, spoke in support of the application, saying that he and his three sons had been born in Cornwall, one would attend a local school and that he had other family in the area and wanted the proposed building so that his elderly parents would be able to stay with him. He added that he would use local labour and suppliers of materials.

David Raymer spoke regarding the many potholes throughout the town and water which had been running outside hospital for at least the last two months. During the recent cold spell a dangerous patch of ice had formed at the side entrance to the hospital. The water was still running; Mr Raymer did not know if it was a leak or a burst pipe. He asked the town council to chase CC to get something done about the potholes in the town and to use all the pressure it could. He reported that, as many would know, June Allen had died; she had been a trustee of the Hayle Youth Project and Mr Raymer asked councillors to consider standing to be a trustee.

Councillors advised people to report potholes to CC via their website or telephone. CC were obliged to deal with them, at least temporarily, within 48 hours.

John Bennett asked councillors to take a positive view of taking on the South West coastal path maintenance. The clerk informed him that it was only sections of the path that were under consideration.

In response to a request from Kevin Moseley the mayor agreed to bring forward the discussion and vote regarding planning application PA18/01437 to after agenda item 7.

7.37PM THE MEETING COMMENCED

214 CHAIRMAN'S ANNOUNCEMENTS (FOR INFORMATION ONLY)

There were no announcements.

215 TO RECEIVE APOLOGIES

Apologies had been received from Councillors Blakeley, Coad, Cocks, Mims, Polkinghorne, Pollard and Wills.

216 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

Councillor Channon declared an interest in planning application PA18/01305 (agenda item 12a, minute 226a refers) and said that he would leave the room during the discussion and vote.

217 TO APPROVE THE MINUTES OF FULL COUNCIL MEETING 15 FEBRUARY 2018

It was resolved that the minutes of the full council meeting 15 February 2018 be taken as a true and accurate record, the mayor signing each page before placing them in the record book.

218 TO DISCUSS MATTERS WHICH WERE RAISED DURING PUBLIC PARTICIPATION 15 FEBRUARY 2018

No members of the public had been present.

219 TO RECEIVE A PRESENTATION FROM STUART COLEMAN, UPSTREAM THINKING – FARM ADVISER, CORNWALL WILDLIFE TRUST, REGARDING ITS HAYLE ESTUARY NITRATE REDUCTION PROJECT

The mayor welcomed Stuart Coleman and invited him to give his presentation.

Stuart Coleman introduced himself and said he had been a farm adviser and land manager for many years. The project was looking at problems and potential solutions and how they might affect Hayle residents. He then gave his presentation (see Appendix E).

The Hayle catchment covered a substantial area (seven or eight parishes) and therefore there were substantial potential problems for Hayle as everything that entered a water course ended up in the Hayle Estuary. The Hayle parish was an exception as it was urban and the receiving community with other parishes being rural and ‘donator’ communities. The Hayle estuary was the driver for the project.

Mr Coleman said that this was a small, modestly funded project but that he hoped to get further funding for a larger project.

In a question and answer session the following information was elicited:

- Cornwall Wildlife Trust was a charity and not a statutory body, so it could only advise on better practices on farms etc. This worked very well and they were getting results based on a goodwill working arrangement and grant support to help fund improvements. There was a case for a longer term Hayle catchment project, which would lead to less soil on roads, fewer blocked drains and ditches and less algae growth in the estuary.
- Connections between water courses and the Millpond were unknown, but Stuart Coleman would investigate. The clerk informed him that the town council were obtaining samples. It was agreed that both parties were keen to work together and Mr Coleman suggested that the council lobby local MPs, especially during the next two years as there would be changes to funding in the near future.
- The Environment Agency was the responsible authority for the estuary and there were a number of other agencies responsible for different bodies of water/water sources.

- Stuart Coleman would send the town council a copy of his report, which would identify the problems and possible solutions. He added that his work was funded by South West Water.
- The only thing he and the Cornwall Wildlife Trust were seeking from the town council was its support for the project and further support and resources for a larger project.
- The issues locally were considered diffuse pollution as the nitrates came from a variety of sources including grassland and crops, muck and sewage. Unfortunately this type of pollution was harder to deal with.
- Regulations regarding run-off were being broken, usually because of inappropriate choice of crops and method of harvesting of crops. There was a need to improve natural barriers and methods of ploughing, but it was difficult for harvesting machinery to work at ideal angles. An added problem was that the food and horticulture business had changed and they harvested whatever the weather to meet the demand of the supermarkets. Councillors were advised that complaints could be reported Stuart Coleman and he would pass them on to the appropriate authority.
- Although faster flow of water helped avoid nutrients being left in silt sediment, where (potentially toxic) plants then grew in warm weather, dredging the sand in the estuary to increase the speed of water flow would not necessary help as the situation at the estuary was not a simple one, due to tidal waters causing other complications.

Mr Coleman agreed he would let the town council know about his reports and when he needed its support. The mayor thanked him for his presentation and for answering councillors' questions.

220 HAYLE NEIGHBOURHOOD PLAN

- a) To approve the final Hayle Neighbourhood Plan for release to referendum

The mayor welcomed John Bennett, Chairman of the Hayle Neighbourhood Plan Steering Group (NPSG) and invited him to give his presentation (see Appendix F).

The inspection process was complete and the Inspector had given her permission for the Plan to go to referendum. Mr Bennett summarised the policies that had been accepted, amended and/or deleted (because they were already in the CLP).

The referendum was likely to take place on 24 or 31 May 2018. It would be a full vote, including postal votes.

He believed that a short postcard was more likely to be read by the public than a long document, hence the choice of A5 postcards which would be printed on both sides for publicity.

It was noted that it would cost £35-40 to produce a copy of the Neighbourhood Plan and this is why the budget was relatively high for production of copies, which would be required for distribution to interested parties in the future. It would not be unreasonable to charge developers and other similar parties for copies.

It was understood that it would be illegal for the council to support the Neighbourhood Plan, but not illegal for an individual councillor to support the plan and encourage people to vote in favour of it. It was, however, perfectly acceptable for the town council to encourage people to use their vote as long as they did not encourage how they voted.

The mayor thanked John Bennett for his presentation.

Councillors agreed with the clerk that John Bennett should design the publicity material as he has done all the work so far and was best acquainted with how to summarise the plan's main policies.

Councillor Roden was informed that involving the local press had already been planned; John Bennett accepted his offer to proofread material.

It was resolved that Hayle Town Council supports the changes made to the Neighbourhood Plan by the Steering Group and supports proceeding to a referendum. The council also supports the pre-referendum publicity plan, including a mailing to every elector. The town clerk is delegated the authority to approve minor changes to the plan if required by Cornwall Council during the checking process.

221 PLANNING APPLICATION PA18/01437

As per the decision of the mayor during Public Participation planning application PA18/01437 was discussed. For the resolution see Appendix A.

222 REPORTS OF OTHER COMMITTEES FOR APPROVAL

- a) To receive the report of the Resource Committee meeting 25 January 2018

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

223 ACCOUNTS

- a) To approve the Income and Expenditure of the Council 2017/2018 as listed on Appendix B

It was resolved to approve the Income and Expenditure of the Council 2017/2018 as listed on Appendix B.

- b) To note the findings of the councillor internal audit on 20 February 2018 relating to the period 1 April 2017 to 30 September 2017

It was resolved to note the finding of the councillor internal audit on 20 February 2018 relating to the period 1 April 2017 to 30 September 2017.

- c) To permit the finance officer to be authorised to give instructions to Barclays Bank PLC to obtain account information and to make funds transfers between bank accounts in the town council's name. This authority excludes making third party payments and borrowing instructions

It was resolved to permit the finance officer to be authorised to give instructions to Barclays Bank PLC to obtain account information and to make funds transfers between bank accounts in the town council's name. This authority excludes making third party payments and borrowing instructions.

224 TO REVIEW AND APPROVE POLICY DOCUMENTS: FINANCIAL REGULATIONS, STANDING ORDERS AND INTERNAL CONTROLS

It was reported that most of the amendments to the policy documents had been made to the Financial Regulations. The clerk and Councillor Capper had considered the amendments the previous day and a couple of further minor amendments had been made as a consequence. It was explained that there was a pressing need for the thresholds for purchases by the clerk, obtaining quotations and going out to tender to be raised. Further explanation of minor changes was given, including the requirement for quicker decisions on payments, which were safeguarded by a clear paper trail. Councillors were happy to accept Councillor Capper's recommendations.

It was resolved to approve the revised Financial Regulations, taking into account the amendments made by Councillor Capper.

Regarding Standing Orders the clerk agreed to check the NALC documents and the legal requirement relating to filming being permitted or not permitted.

The following sections/paragraphs were also discussed:

- 3 (c) – it was agreed to adopt the wording in bold;
- 3 (j) – it was agreed to keep the requirement to stand ‘at the chairman’s discretion’;
- 4 (d) (v) – the clerk agreed to investigate the suggestion that all councillors be given full voting rights on all committees. It was suggested that substitute members for committees could be nominated annually when the list of committee members and representatives on other bodies was decided; and
- 15 (b) the bold wording was preferred.

It was resolved to approve the revised Standing Order, subject to the above amendments, following clarification by the clerk.

It was noted that the only change to the Internal Controls was to amend the name of the external auditors.

It was resolved to approve the revised Internal Controls.

225 TO REVIEW AND APPROVE THE MANAGEMENT ASSESSMENT SCHEDULE

It was resolved to approve the Management Assessment Schedule.

226 PLANNING MATTERS

- a) To consider Planning Applications: PA18/01164; PA18/01431; PA18/00978; PA18/00980; PA18/01181; PA17/09994; PA18/00895; PA18/00896; PA18/01437; PA18/01305 and PA18/01551

[9.19pm Councillor Channon left the room during the discussion and vote regarding PA18/01551 and then rejoined the meeting.]

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

- b) To note the results of previous applications

There were none.

227 FOOTPATHS

- a) To consider the principle of extending the existing Local Maintenance Partnership to include the South West Coast Path as per the invitation from Cornwall Council

Both the clerk and councillors were disappointed that this request had been made by CC after the budget for the precept for 2018/2019 had been finalized and were unhappy that CC was trying burden the town council with another expense and additional workload. The clerk agreed with comments made by John Bennett in public participation that the South West Coastal Path was not currently well-maintained, but added that the cuts would only apply to certain sections of the path.

It was noted that the town council already subsidised the current Local Maintenance Partnership heavily. The clerk could add this new cutting schedule to the current contract with Cormac for probably not too high a price and that she had already made arrangements to meet with Tom Marks to discuss the issue. It was noted that Cormac would probably already be aware of the grant sum CC was offering.

Councillors were in agreement that if the cutting schedule was not achievable for the price CC was offering, the town council could not take it on, or continue if it became more expensive or the grant was reduced if the town council did agree to take it on. It was also noted, however that a well-maintained coastal path would attract walkers and other visitors to the town.

It was resolved to refuse to extend the existing Local Maintenance Partnership to include the South West Coast Path as per the invitation from Cornwall Council.

The meeting closed at 9.38pm.

Approved by the council as a true record, at its meeting 5 April 2018

Town Mayor

Date