

# WENDRON PARISH COUNCIL

www.wendronparishcouncil.org.uk

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Minutes of the Ordinary Meeting of Wendron Parish Council held on Monday March 10, 2014 at 7:30pm in the Community Hall, Burras.

<b>Present:</b>	Cllr Mrs M.Warren (Chairman)	Cllr Mrs D.Mitchell
	Cllr P.Davidson	Cllr Mrs S.Moyle
	Cllr G.Gibson	Cllr Mrs M.Nute
	Cllr Mrs S.Hook	Cllr Mrs C.Radbone
	Cllr R.Maddern	Cllr A.Tremayne
	Cllr C.Mitchell	Mr C.Chapman (Clerk)

**Visitors to the meeting:** CCllr Dr Jenkin, Mr Bott, Mr and Mrs Neville.

The Chairman welcomed members and visitors to the March meeting.

## 1 APOLOGIES FOR ABSENCE

PCSO Whitford and Cllr van den Berg sent their apologies for absence.

## 2 DECLARATIONS OF INTEREST

### in items on the agenda

There were no declarations of interest in items on the agenda.

### of gifts (received as a result of being a member of the Council) of a value greater than £25

There were no declarations of gifts of a value greater than £25.

## 3 CONFIRMATION OF THE MINUTES OF THE LAST MEETINGS

Cllr Mitchell proposed, Cllr Mrs Moyle seconded, all others in favour that, with the addition of the hand-written amendment, the minutes of the Ordinary Meeting held on Monday February 10, 2014 are a true record and the Chairman signed them as such.

## 4 MATTERS ARISING AND NOT COVERED ELSEWHERE IN THIS AGENDA

Members noted that part of the wire fence across the southern causeway needs either a new straining wire or simply rewiring to the posts

## 5 CORNWALL COUNCILLOR'S COMMENTS

CCllr Dr Jenkin reported that, since the last meeting

- she had attended the HX1 public drop-in consultation and work-shop. (She suggested that the phrase *Trewennack by-pass* does not properly describe the modification of the Falmouth-Helston strategic route, not least because of the number of communities on the Lizard and west of Helston served by this road)
- yet another serious accident at Edgcumbe lends further weight to the identified need to reduce the risk to road-users on this stretch of the A394. She asked for near-misses on this length of the highway to be reported to her
- individual Member's Highways Budgets have been discontinued: however, suggestions for Highways' improvements from ward members will be considered by the department
- she has dealt with flooding issues at Trewennack and Trenear
- Natural England has produced a written description of the Carnmenellis Landscape Character which may be of use in planning issues and which will certainly form part of Crowan's Neighbourhood Plan

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- an Enforcement Report on issues raised in recent years relating to Polgear Cottage will be forwarded to the Council in the near future
- the mobile library consultation process remains open until June: those who use the mobile library are strongly encouraged to complete the survey form
- a short-list of three possible appointees for the Headship of Halwin School has been prepared: each of them has been asked to make a presentation to governors, parents and interested parties on March 21.

## 6 POLICE REPORT

Through the Clerk, PCSO Whitford reported that three crimes (incidences of theft, criminal damage and common assault) were reported to the police during the month of February.

## 7 PUBLIC PARTICIPATION

Mr Bott stated that he was present to seek the Parish Council's support for his clients', Mr and Mrs Neville's, planning application. He told members that

- the existing site consists of a number of elements: a shop, park-homes, static holiday caravans and a 28 day camping site
- the present financial climate has led to a decline in numbers of holiday makers and a consequent loss of income for Mr and Mrs Neville
- there is an identified need for low-cost housing throughout Cornwall
- their proposal is to replace twenty holiday caravans with eight park-homes
- the needs of residents are served by buses which stop nearby on the A394 and by the on-site shop
- there will be minimal impact on the area: the site is well screened.

## 8 PARISH MATTERS

### The purchase of a defibrillator

The Clerk reported that he had heard nothing further from Wendron Cricket Club about this matter.

### The purchase of a notice-board for Edgcumbe

The Clerk reported that he had heard nothing further from Bear Joinery about this matter.

### The replacement of the gates into Wendron cemetery

The Clerk reported that he had tried in vain to contact Tristan Kessell, the blacksmith, about this matter.

### Public Rights of Way

Members considered an invitation to renew partnership working with Cornwall Council with the offer of a grant of £4,959.00 (or 100% of the eligible costs whichever is the lower). In the year to March 31, 2014 Wendron Parish Council's costs for cutting Public Rights of Way amounted to £5,597.92 and a grant of £4,979.00 from Cornwall Council was claimed. Cllr Mrs Moyle proposed, Cllr Mrs Nute seconded, all others in favour that Wendron Parish Council should accept Cornwall Council's invitation to renew partnership working.

## 9 PARISH COUNCIL MATTERS

### Co-option of Councillors

The Clerk reported that he had received no expressions of interest in standing for co-option as a Parish Councillor.

## 10 FINANCE

The Clerk presented Councillors with a statement of Wendron Parish Council's financial position as at March 10, 2014. A copy of that statement is attached to these minutes.

Members noted the following account which was paid on the authority of the Chairman

	<b>GROSS</b>	<b>NET</b>	<b>VAT</b>
Randle Thomas LLP (disbursements)	£ 350.00		

It was proposed by Cllr Mitchell, seconded by Cllr Mrs Hook, all others in favour that Wendron Parish Council has noted and approved payment of the above account.

The following accounts were presented for consideration

	<b>GROSS</b>	<b>NET</b>	<b>VAT</b>
HM Revenue and Customs	£ 456.25		
Malcolm D.Wearne (topsoil Burras)	£ 156.00	£ 130.00	£ 26.00
Gareth Mitchell (bus shelters and bubble-up)	£ 91.00		

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Colin Chapman		
Salary (February)	£ 569.28	
telephone	£ 27.96	
office expenses	£ 42.39	
travelling	£ 62.45	
use of home	£ 25.00	
	total	£ 727.08

It was proposed by Cllr Mrs Warren, seconded by Cllr Mrs Hook, all others in favour that the above three accounts should be paid.

The following receipt was noted

Pendle Funeral Services (Mrs Townsend)	£ 445.00
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## 11 PLANNING

### Applications

PA14/00020 Mr Peter Thorne – Proposed solar array/covered area (amended proposal and extension of club house – Wendron Cricket Club, Underlane. Cllr Mrs Warren proposed, Cllr Tremayne seconded, all others in favour that this application should be returned with the following observation *Wendron Parish Council supports this application*

PA14/01192 Mr and Mrs C & M Neville – Change of use of land for the stationing of 8 residential caravans (park homes) in lieu of 20 static holiday caravans – Retanna Holiday Park, Underlane. Cllr Mrs Warren proposed, Cllr Mitchell seconded, all others in favour that this application should be returned with the following observation *Wendron Parish Council supports this application*

PA14/01301 Ms J.Hills – Retrospective rebuilding of previously demolished outhouse – 2, Yellow Wort, Carnmenellis. Cllr Mrs Warren proposed, Cllr Mrs Nute seconded, all others in favour that this application should be returned with the following observation *Wendron Parish Council supports this application*

PA14/01811 Mr Andy Goodman – Siting of temporary modular unit – Nine Maidens Centre. Cllr Mrs Warren proposed, Cllr Mrs Mitchell seconded, all others in favour that this application should be returned with the following observation *Wendron Parish Council supports this application.*

### Decisions

PA13/11064 GRANTED (CAADs and LUs only) – Lawful Development Certificate in respect of existing use of land for the stationing of mobile dwellings i.e. caravans and converted vehicles. Transient not permanent nature – Crasken Round, Helston Relief Road – *noted*

PA13/11197 APPROVED – Change of use of an existing outbuilding to accommodation and construction of a two storey link corridor to integrate the outbuilding into the main house – Higher Lezerea Farm, Porkellis – *noted*

PA13/11663 WITHDRAWN – Construction of detached 3 Bedroom Holiday Unit within existing complex at Little White Alice – Little White Alice, Carnmenellis – *noted*

PA14/00138 APPROVED – Erection of an agricultural building for storage of forage crops, tractor and to split wood as a winter fuel source – Boquoio Cottage, Farms Common – *noted*

PA14/00225 APPROVED – Proposed first floor extension including a balcony, and internal alterations – Lower Boswin Farm, Porkellis – *noted*

PA14/00562 Screening Opinion - EIA Not Required – Screening Opinion in relation to PPA pre-application for a mixed use urban extension to Helston, comprising approximately 400 dwellings, community/commercial uses, creation of access, public open space and associated infrastructure – Land West of Trewennack – *noted*

PA13/11197 APPROVED – Change of use of an existing outbuilding to accommodation and construction of a two storey link corridor to integrate the outbuilding into the main house – Higher Lezerea Farm, Porkellis – *noted*

PA14/00225 APPROVED – Proposed first floor extension including a balcony, and internal alterations– Lower Boswin Farm, Porkellis – *noted*

## 12 REPORT OF CLERK AND CORRESPONDENCE

### Correspondence

**Police and Crime Commissioner** invitation to a public surgery and to an open public meeting – *noted*

**Clerk and Councils Direct** newsletter – *noted*

**Trewennack Horticultural Society** acknowledgement of and thanks for donation – *noted*

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**13 CHAIRMAN’S AND COUNCILLORS’ COMMENTS**

Members noted that there is a great deal of litter along either side of the road and spreading onto Rame Common near Hilltop Farm in Carnkie.

There are deep and dangerous ruts just off the carriageway between Yellow Wort and the cemetery.

An individual, who wishes to sponsor the little traffic island in Penmarth for advertising purposes, was referred to Cornwall Highways.

**14 MATTERS FOR INCLUSION AT FUTURE MEETINGS**

No matters for inclusion at future meetings were tabled.

**DATE AND TIME OF NEXT MEETING**

Monday April 14, 2014 at 7.30pm in the Community Hall, Burras.

Signed ..... Chairman

Date .....

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Minutes of a Closed Session of Wendron Parish Council held on Monday March 10, 2014 following the Ordinary Parish Council Meeting in the Community Hall, Burras.

<b>Present:</b>	Cllr Mrs M.Warren (Chairman)	Cllr Mrs D.Mitchell
	Cllr P.Davidson	Cllr Mrs S.Moyle
	Cllr G.Gibson	Cllr Mrs M.Nute
	Cllr Mrs S.Hook	Cllr Mrs C.Radbone
	Cllr R.Maddern	Cllr A.Tremayne
	Cllr C.Mitchell	Mr C.Chapman (Clerk)

## CONFIDENTIAL

### **1 TO CONSIDER A RESPONSE TO A LETTER FROM CORNWALL COMMUNITY LAND TRUST CONCERNING THE SITE FOR LOCAL NEEDS AFFORDABLE HOUSING AT RAME CROSS**

The Clerk read aloud a letter from Ms Helen Downing of the Cornwall Community Land Trust concerning comments expressed by members of the public at the recently held public meeting. These appeared to be based around two key issues: the impact the site will have on the existing properties/residents adjacent to the site and road safety concerns regarding the increase in volume of traffic using the road past the site. Members noted that the preferred original scheme as envisaged by the informal advisory committee and presented to and agreed by the Council foresaw six dwellings (though members of the informal committee felt that eight would, just, be acceptable). The scheme presented by Cornwall Community Land Trust is for twelve/fourteen dwellings. Following extensive discussion, it was agreed to write back to Ms Helen Downing stating that Wendron Parish Council will support the construction of the equivalent of six Local Needs Affordable Homes (and in particular a mixture of intermediate bungalows and, possibly, two blocks of four one bed-roomed flats) but will not consider any proposals to increase this number until those dwellings have been constructed and let for a minimum of four years.

It was further agreed to pursue a proposal to make the triangle from Rame Cross down to London Wells and then eastwards to the A394 the subject of a one-way traffic flow scheme.

### **2 TO CONSIDER THE CONTENTS OF A LETTER FROM RANDLE THOMAS LLP**

The Clerk read aloud a letter from Randle Thomas LLP which outlined the progress made to date with the Land Registry adjudication following the purchase of land at Carnkie and the subsequent claim for adverse possession by Mr and Mrs Robins. He then outlined the problems he has experienced with DAS, which acts on behalf of Aviva, in the matter of legal costs. In short, DAS agreed on February 21, 2014 that, with effect from that date, Wendron Parish Council is covered under its insurance policy for losses up to £100 per hour of a solicitor's time. The matter was reported to DAS on September 9, 2013 with a request that Randle Thomas should continue to act for the Council and an indication that time was of the essence (the initial bundle of documents, including witness statements, was required to be lodged with the Land Tribunal by December 3, 2013). Additionally, DAS will not pay interim accounts: it will only pay a lump sum if the case is lost. The Clerk explained that this leaves Randle Thomas LLP in the intolerable position of having to underwrite Wendron Parish Council's legal expenses up and until the trial is over. Unsurprisingly, Randle Thomas LLP will not do this: the firm expects all its accounts to be paid promptly by Wendron Parish Council, but will, with effect from February 21, 2014 charge its time out at £100 an hour rather than the customary rate of £180 an hour. The Clerk asked Members to bear all this in mind when item 3 is discussed.

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As far as the case itself is concerned, the Clerk reported that it appears that Mr and Mrs Robins are claiming adverse possession of the land because they have parked vehicles and dumped waste materials on it for a number of years – and erected a single strand of barbed wire around part of the perimeter following the hearing before the Planning Inspector under the Commons Act 2006 Schedule 2 (2) in early 2012.

Cllr Gibson stated that it was his opinion that the matter is down to Randle Thomas LLP, who should not have completed the purchase of the land while the claim for adverse possession was outstanding. Cllr Mrs Nute explained that, in the absence of a caution on the land, the claim for adverse possession could not have been foreseen and that Randle Thomas LLP had acted properly, but Cllr Gibson remained adamant.

**3 FINANCE**

To approve payment of the following account

	<b>GROSS</b>	<b>NET</b>	<b>VAT</b>
Randle Thomas LLP	£ 4,881.60	£ 4,068.00	£ 813.60

It was proposed by Cllr Mrs Nute, seconded by Cllr Mrs Hook, Cllr Gibson against, Cllr Davidson abstaining, all others in favour that the above account should be paid.

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