

LANREATH PARISH COUNCIL MEETING MINUTES

Date of Meeting

16 July 2024 commencing 19.30

Present

Cllr Sandie Christiansen, Cllr John Gundry, Cllr David Heard - Vice-Chairman, Cllr Shelley Honeyman, Cllr Peter Seaman - Chairman, Mrs Rebecca Warren - Clerk

Two members of the public.

The Chairman opened the meeting and welcomed everyone.

1. Apologies

Cllrs Peter Bartram and Stephanie Vickery.

2. Members of the Public are invited to address the Council

PCSO Cocks informed the meeting that in the period 1 to 30 June 2024 there were two reported crimes in the Parish – one of criminal damage, and an assault. In addition to this he was aware of the criminal damage at the Community Garden, and in regards to damaged property at the site he is liaising with Sandra Pipe regarding possible funding from Proceeds of Crime to assist with up to 50% of the cost of replacements. Upon his further enquiries it seems that no one had seen or heard anything, which is mainly because of the very secluded nature of the location, and the property next door being unoccupied. Perhaps something could be done with the perimeter hedges to improve visibility.

Regarding the razor wire at a site of unauthorised building in the Parish he has ascertained that whilst not illegal it is inadvisable, and the landowner would be liable if anyone was injured by it. Generally, the guidance is that razor wire should be used for high value sites, and be installed up high. He has called at the site to try and speak to the landowner, but no one responded. He has left a calling card, and will continue his efforts to speak with the landowner, who so far has failed to contact him.

He has driven around Grylls Park one evening in the Police Riot van, to check on accessibility and found it to be satisfactory, and he encountered no difficulty from parked cars. He advised that in the event of cars causing an obstruction they can be reported to the Police, but individual residents should not attempt to move or tow away vehicles as this is unlawful without the owner's permission.

Upon being advised that there is still no warning signage at Stonerush – to take care along the lane - he will attend and speak to the Manager there.

PCSO Cocks on being asked confirmed that there is a Rural Constable for Cornwall, and there is one for Devon – but only one for each County. After responding to some enquiries from Councillors, PCSO Cocks then left the meeting.

3. Disclosure of Interests – none.

4. To approve the minutes of the meeting held on 18 June 2024

Cllr Gundry proposed that the minutes be approved, seconded by Cllr Honeyman and agreed by those Councillors who had attended. Chairman signed the minutes.

5. County Councillor's Report – none.

6. Matters Arising

- Unauthorised building in the Parish – enforcement progress

Chairman reported that as of 28 June EN23/00334 remained at Step 4 of the enforcement investigation process. Regarding EN23/00589, having received no confirmation that the investigation has concluded, Chairman understands that this must still be in process – it was at Step 9 in May 'consideration of formal action'. As for the installation of razor wire at this location, whilst not illegal – as confirmed by PCSO Cocks – its use is undesirable and there may be exposure to a civil liability claim under the Owners Liability Act if a person is injured as a result of its deployment.

Following up on a query from members of the community who attended the June meeting, Chairman reminded the meeting that Pen Davas was granted a Certificate of Lawfulness for Existing Use or Development – rather than retrospective planning approval. This was on the grounds that it had been in residential use (C3a) for a period in excess of four years and was therefore immune from planning action.

To be reviewed at the next meeting.

- Lanreath Parish Council authorised bank signatories, and additional card and card reader authorisation

Clerk reported to the meeting that this is now resolved and Cllr Cave has the means to access the online accounts.

- Document Retention Policy

Vice-Chairman had provided the Chairman with a detailed review of the proposed draft Policy document. Chairman will now go through this and report to the September meeting.

- Flooding B3359

Clerk had emailed Will Glassup seeking details of the flood prevention works carried out – and sent details of site location, with assistance from Chairman – but no response as yet. Clerk will chase up.

- Works on the lane to Bocaddon by CORSERV – follow up of November 2023 meeting

Clerk reported that one warning sign and three reflective bollards have been installed. Road markings and one sign remain outstanding. Clerk tasked with keeping this under review and to report to the next meeting.

- Garden Group shed

Chairman reported to the meeting that the Gardening Group have challenged the need to move the shed, and also lack able-bodied members to affect the move. It has been reported that there was damp in the storeroom before the shed was

erected although this has reportedly got worse since the shed was put up. Given that the move was supported by Cllr Peter Bartram – who designed the building in the first place – it probably should be progressed. Chairman has been informed that a member of the community is prepared to move the shed at a cost of £80. Chairman proposed that this be funded from the Parish Council's 'unscheduled maintenance' budget. Cllr Gundry seconded, all agreed. Chairman will contact the Gardening Group.

- Millennium Green signage – dog fouling problem

Chairman has chased up this order, which is due for delivery soon. Will report to the next meeting.

- New benches for Millennium Green

Chairman has ordered these and they are due for delivery on 22 July. He will arrange to fit. Meeting then discussed what to do with the dedication plaques on the old benches – Chairman proposed that they be affixed to the new benches, seconded by Cllr Honeyman and unanimously agreed. As for the old benches, one is very shaky and unsafe, and the other is still reasonably serviceable. Chairman proposed that the unusable bench be disposed of, and the other be placed in the Community Garden. Seconded by Cllr Cave and agreed. Chairman tasked with removal and replacement of the old benches as appropriate.

- Repairs to play area seating roof

Chairman is hoping, weather permitting, to complete these works shortly.

- Parking problems as reported to Cllr Cave

PCSO Cocks had reported to the meeting regarding access at Grylls Park. Cllr Cave reminded the meeting that there were residents at Grylls Park who were concerned about allocated parking spaces, and whether they could be marked in some way to show to which property they belonged. She said that residents had been unable to locate deeds to check ownership. Chairman reported that he had been unable to find anything in the planning portal at Cornwall Council regarding the planning on the site. Chairman will contact CORMAC and try and establish if Cornwall Council are responsible for marking bays and if they could be marked as residents have suggested.

- Community Garden – vandalism

A crime number has been allocated following reporting of the incident to the Police, and PCSO Cocks has reported of his intention to liaise with Sandra Pipe regarding possible financial aid with replacing equipment damaged.

- Code of Conduct training record

Clerk confirmed that only two Councillors were to yet complete the training. She will keep under review.

- Weeds around the play area at the Village Hall

Chairman will attend to these.

- 7. Correspondence** – All correspondence received via email unless otherwise indicated, all circulated by the Clerk, or Chairman to Councillors.

Cornwall Council

- Weekly planning lists
- Town and Parish Councils: Slides from Cornwall Council Finance Briefing 3 June – 5 June
- Prior notification for proposed temporary recreational campsite (60 days) – 7 June
- Minutes for the East Sub-Area Planning Committee 10 June – 12 June
- Webinar opportunity: Compliance demystified: Planning and Development for Businesses 11 July – 12 June
- Agenda for the East Sub-Area Planning Committee 8 July – 26 June
- Agenda for Strategic Planning Committee 11 July – 28 June
- Review of Gambling Policy – 1 July
- Supplement: Committee Updates to the agenda for East Sub-Area Planning Committee 8 July – 5 July
- CAP, various: 8 June, 3 July

Other correspondence – any correspondence of community interest has been uploaded to the Parish website/linked to Facebook by Chairman and Cllr Gundry

- Rural Bulletins and Funding Digests: 11, 25, 28 June, 2, 3 July
- Police and Crime Commissioner's correspondence: 1, 4 July
- Volunteer Cornwall – 10 June
- Addressing LGB TQ+ Housing Discrimination and Resources Available – 11 June
- The Clean Cornwall Newsletter – 20 June
- Invitation to 10th 'Let's Talk Water' Webinar 25 July – 5 July

8. New Councillors – co-option.

Clerk has received no applications, and the deadline for submission was 5 July. Chairman reminded the meeting that all Councillors seats are due for election in May 2025 he suggested that the matter be held in abeyance until later this year. If in the interim anyone in the Community is interested in becoming a Councillor they can let a Councillor, the Chairman, or Clerk know.

9. Asset Inspection report

Cllr Honeyman had provided the Chairman with photographs, which were displayed for the meeting to view. Her report was that generally all was found to be in order. She was concerned that the Queen's Jubilee Green Canopy tree was choked with weeds, but she will attend to removing these – although the Gardening Group had said that they would look after the tree. The village signs are a bit overgrown, but perhaps a local resident could trim around to tidy them up. The sign on the gate of the field near the church still has an unauthorised Parish Council sign on it – Chairman will remove. Cllr Honeyman reported that the neat path cut through the grass from Grylls Park up to the Football Pitch looked very pleasant and provided access for walkers.

Regarding the low fence at the Community Garden, Sandra Pipe had suggested that this would need to be replaced, and provided a cost estimate – to be kept under review.

10. Possible location for allotments in Lanreath Parish

Chairman reported following his research that it should be noted that the Parish Council does not own any land that would be suitable for use as allotments. The Clerk confirmed that the play area land at Carlyon Close is owned by Kern Estates and Industrial Estate (Holdings) Ltd. Chairman informed the meeting that any land identified as being suitable would require coming to agreement with a landowner to either sell or lease land for this purpose. Grants may be available but would typically require matched funding and a robust business plan.

Parts of the Small Holdings and Allotments Act (SHA)1908 are still in force. In particular, section 23 of this Act lays a duty on certain councils to provide allotments. However, there is no time limit to when this duty should be fulfilled.

SHA Section 23(1) states that if the council of any borough, urban district, or parish are of opinion that there is a demand for allotments...in the borough, urban district, or parish...the council shall provide a sufficient number of allotments, and shall let such allotments to persons...resident in the borough, district, or parish, and desiring to take the same.

Section 23(2) provides that on a representation in writing to the council of any borough, urban district, or parish, by any six registered parliamentary electors or [persons who are liable to pay an amount in respect of council tax] resident in the borough, urban district or parish, that the circumstances of the borough, urban district or parish are such that it is the duty of the council to take proceedings under this Part of this Act therein, the council shall take such representation into consideration.

Where the population of a district or parish, according to the last published census, is under 10,000, the council's duty is limited to the provision of allotment gardens [Allotments Act 1950 s9(a)]. Where the population is 10,000 or upwards, the council's obligation is limited to the provision of allotment gardens not exceeding one-eighth of an acre [Allotments Act 1950]

On the Notes from Clerks and Councils Direct website the Chairman reported that when faced with a statutory demand, or otherwise wishing to provide allotments, the council must use its best endeavours to acquire suitable land. It has power to acquire land, freehold or leasehold, by agreement or, if necessary, by compulsion. It may also take a lease or tenancy of land for the same purpose. However, the council may find it impossible to acquire land on reasonable terms, in which case it cannot meet the demand for allotments. While in theory a failure to meet such a demand could be challenged by way of judicial review in the High Court, such a challenge is extremely unlikely. High Court proceedings are very expensive and the outcome is always uncertain. In any event, the council would have a defence by arguing that, taking into account the interests of the local community as a whole, the provision of allotments on unreasonable terms would not be the best use of the council's resources. Thus, if the only suitable land was designated for residential or other development, the price of the land would have to reflect that value and the cost of acquisition would outweigh the benefit to the community as a whole

There followed some discussion during the course of which Councillors expressed concerns regarding the cost of acquiring, and preparing land for allotments, parking requirements, and potential benefits to the wider community, the last being felt to be significant. The general feeling was that allotments would be desirable, but the impetus must come from a group of interested parties in the community, who could form an action group. Funding may be available from Community Levelling Up Programme, or Cornwall Council's Community Capacity Fund. There are also local allotments societies who could be approached for advice and assistance in setting up an allotment group in the Parish.

Standing Orders were suspended to enable a member of the public to address the meeting, on resumption of Standing Orders the meeting agreed that The Glebe, a field in the ownership of the Diocese, and lying behind St Marnarch's Church in the village could potentially be an excellent site for allotments and parking. Chairman and Cllr Gundry will promote and encourage interested members of the community to consider this by placing information on the Parish Website and link to Facebook.

11. Village Hall Report

None in the absence of Cllr Vickery.

12. Community Area Partnership (CAP) report

Vice-Chairman read out extracts from a report he had prepared following the SECCAP meeting held on 9 July. His report:

"Held at: China Fleet, Saltash – 6pm (to nearly 9pm)

Present: Some 35 to 40 attendees (including Catherine Thomson, Jane Pascoe, Hilary Frank, Adrian Cole, Kate Ewert, Armand Toms, Christine Whitty, Tim Burns, Colin Martin, Louise Wood, Jim Candy and others)

Summary of Significant Discussions/Points Arising:

Re-Appointments

Jane Pascoe and Hilary Frank were re-elected as Chair and Vice-Chair (respectively) of the SECCAP for the next year - Adrian Cole was also nominated for the role of Vice-Chair but Hilary Frank was voted in (by about 13 votes to 8 I think)

Working Groups

The Chair tabled a report on SECCAP action over the past 12 months.

Noted that the SECCAP had established a number of working groups as follows: Transport, Economic Development, Climate Change, Funding, Health and Deprivation.

The Chair emphasised that participation in these working groups is open to all Parish Councillors in the area who might be interested, whether or not they are appointed as representatives to SECCAP by their Parish Council.

Tamar 2050

Presentation by Les Allen, Programme Director, that covered intentions to "future proof" Tamar Crossings (including access to crossings – A38 for example).

It emerged that the expected lifetime of the Tamar Bridge is only a further 60 years at this point.

Cty Cllr Colin Martin queried what the impact would be of achieving the Cornwall Council (CC) objective of reducing car journeys in Cornwall by 30% by 2030 on Tamar Crossing revenues.

There was very limited discussion of proposed toll increases and the movement for abolition of the same.

It was mentioned that congestion on the A38 was as much a problem for local businesses and bridge users as the tolls, and it was noted that the tunnel part of the bridge would soon (from 24 July) be down to 2 lanes (1 each way) for a period of 3 months' maintenance work.

Planning Hearings Report

Louise Wood, Head of CC Planning, reported on CC planning hearing procedures.

Enforcement was not mentioned.

Cty Cllr Colin Martin asked how the planning department proposed to handle the new government's proposed freeing up of the planning application process. Louise answered saying they would have to deal with it as and when published, but for now she noted local community plans may need to be changed to accommodate central government initiatives.

Policing

A report was given on recent local policing issues by a member of Devon and Cornwall constabulary who was present.

Noted that a Rural Constable at recently been appointed for the area to focus on rural crime.

Voluntary Sector Forum (VSF)

Tim Burns reported on what the VSF does by way of coordinating voluntary sector work. He emphasised that the VSF can be a valuable resource for Parish Councils with relevant issues (including guidance on community developments and anti-social behaviour in particular).

Transport

Armand Toms reported on local A38 and public transport issues.

Climate Change

No real report on this from Catherine Thomson but noted that this is more of a network than a SECCAP working group.

Economic Development

Adrian Cole expressed disappointment that CC had not consulted with the SECCAP or the Economic Development working group when putting its Growth Strategy together.

There was discussion of the inherent tensions between CC's Decarbonisation Strategy and achieving more affordable housing and managing fuel poverty in the County.

Funding

The report on the Community Capacity Fund (CCF) and Community Levelling Up Programme (CLUP) funding was reviewed briefly. Noted that CCF had gone beyond allocation for SECCAP but that CC had topped this up with sufficient reserves that had been held back across the county.

Next Meeting

Tuesday 3 September in person at Looe – 6pm

Post-Meeting Discussion with Louise Wood (reported by Vice-Chairman)

Having not wanted to extend the duration of the meeting by raising enforcement problems when she was addressing the meeting I talked with Louise after the meeting. I mentioned that as planning enforcement is not a statutory obligation for local authorities it seems woefully under-resourced in Cornwall and elsewhere. She said she felt all local authority activities were under-resourced but that CC does try hard on enforcement with what it can afford.

She invited Lanreath Parish Council to refer any specific enforcement problems to her.

We discussed the merits of enforcement where an application would have been granted anyway. I was concerned to note that CC appear to adopt the approach that if there are no planning issues (which cannot be properly assessed in the absence of the formal application and approval, with conditions, process) no sanctions would be appropriate – indeed Louise said they have no sanction power (no fines, no prosecutions, ...) and I had to point out that CC can require demolition of unapproved developments, which she acknowledged.”

13. Climate Change

Cllr Cave provided a brief report regarding her further research into the Red Bus Hop-per scheme. She has spoken to the organiser who was very helpful and is happy to come to a Parish Council meeting to provide further information. The scheme operates regular routes and one-off trips and may be of use in encouraging people to leave their cars at home, and also as a social activity, meeting friends and neighbours for shopping trips etc. According to their organiser there are plenty of bus drivers available.

Full details on <https://www.redbus.com/city-buses/saltash>

There was some discussion regarding the Go Cornwall bus service in Lanreath, and the Community Bus, in particular what level of usage there was for the services provided. It was noted that the Community Bus is used for weekly shopping trips to Liskeard as well as to Truro. Chairman noted that bus drivers will be needed for the Community Bus when Derek Stephenson retires.

Chairman proposed that he would create a link to the Red Bus website on the Parish Website – Cllr Gundry seconded, all agreed.

Cllr Cave asked if the Parish Council’s insurer provided access to Parish On Line – Clerk will investigate. Cllr Gundry volunteered to prepare a report for a future meeting later in the year regarding Parish On Line as compared with the Cornwall Council Interactive Map.

Cllr Gundry confirmed having provided his individual response to the Cornwall Council Decarbonisation Report and circulated this to all Councillors, he will now submit it to the Decarbonisation website.

14. Community Garden Access

Chairman reported that the existing slope is slippery in wet weather despite remedial work by him consisting of putting stones down. There are conflicting interests on this - some residents support keeping the slope for ease of pushchair access etc – others

would prefer steps. Perhaps therefore it would be best that the slope could be maintained but a hand rail installed. The least expensive option would be to secure a rail to the boundary wall of the adjacent property with the owner's consent, but that property is currently unoccupied. The alternative is to install standalone posts and handrails (similar to outdoor mobility handrails) adjacent to the wall. This would require digging out to provide a suitable concrete foundation to secure the posts to. Estimate purchase and installation costs in the region of £500.

Vice-Chairman was able to inform the meeting that having assisted with a similar installation recently he could provide details of a supply and fit company.

After further discussion, Chairman proposed that he look into costings for supply and fitting of tubular steel handrails for the slope, Cllr Cave seconded, all agreed. In due course, when costings known, and approved, Clerk will then contact the owner to seek permission for installation.

15. Financial Report

Clerk had circulated June bank statements, bank reconciliation, and Year End figures, together with full details of expenditure since the last meeting, and anticipated expenditure before the next meeting, for approval. Chairman briefly took the meeting through the Year-to-Date budget figures and confirmed that so far this year there is an overall underspend, but there is likely to be an overspend on grass cutting by the end of the financial year.

Clerk added that there would be two additional payments to be made before the September meeting, and she requested that £2,800 be transferred to the current account to cover these and the other payments due.

Cllr Gundry proposed that the payments as detailed on the agenda, plus the two additional payments disclosed this evening, and the inter-account transfer request of £2,800 be approved, seconded by Vice-Chairman and unanimously agreed. Clerk so tasked.

16. Parish Problems

Cllr Cave reported that there is an abandoned motorcycle on the junction of the B3359 and the Penadlake turn, it has been there for a few days. Clerk will report to PCSO Cocks.

17. Any Other Business

Chairman referred the meeting to the letter received from Cornwall Planning (circulated to all Councillors) seeking consultee comments on PA24/04905 – an application for 10 affordable houses on the football pitch field. The letter had been received too late for inclusion in the agenda for this meeting, and so the Clerk had sought and obtained a deferment for submission of comments until after the scheduled September Parish Council meeting.

Chairman advised that in his opinion Lanreath Parish Council needs to consider community engagement on this planning application, and to consider engagement with the Football Club re: implications of pitch realignment. Also, to query with the Planning Officer as to why Sports England is not included as a Statutory Consultee. Further perhaps the Developer should be invited to attend a public meeting to respond to community queries on the proposed development or, failing that, be invited to respond to written queries from members of the community.

Clerk informed the meeting that the Developer's planning consultant had already contacted her, and she was able to email him direct.

Chairman proposed that there be an Extraordinary Meeting to agree a community engagement plan, this was seconded and unanimously agreed. Clerk confirmed that there had been a booking pencilled in for 30 July which she would confirm with the Village Hall bookings clerk.

18. Public Participation – one member of the public expressed concern about the community possibly being misled by the developer regarding PA24/04905, as had happened previously when shared ownership houses had been approved and then were all social housing. Member of the public further stated that in recent memory planning at Pelynt had been opposed by their Parish Council but went on to be approved by Cornwall Council. It was accepted that the Parish Council could not consider the application PA24/04905 until the September meeting.

19. Date and time of next scheduled meeting – Tuesday 17 September at 7.30 pm.

Extraordinary meeting 30 July 7.30pm. Meeting closed at 9.19 pm.

DRAFT