



## MINUTES OF THE SECONDARY COUNCIL MEETING HELD IN PORT ISAAC SCHOOL

**MONDAY, 25<sup>th</sup> MARCH 2019 following the Parish Meeting**

| Present: | Cllr. Raynor (Chairman)<br>Cllr. Coles (Vice Chairman)<br>Cllr. Kirkman<br>Cllr. Williams  | Cllr. Bell<br>Cllr. Collings<br>Cllr. Penny | Cllr. Cleave<br>Cllr. Dawe<br>Cllr. Webster<br>Mrs Thompson (Clerk) |
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| Minute   | AGENDA ITEMS   |   | Action  |
|          | <u>Chairman's Welcome and Public Forum</u> – the Chair welcomed those present.   |   |   |
| 75/2019  | <u>Apologies for Absence</u> – Cllrs. Phelps and County Cllr. Mould.   |   |   |
| 76/2019  | <u>Members' Declarations</u> –<br>a. <i>Registerable Declarations of Interests</i> – Cllr. Bell asked for his membership of the Labour Party to be included in his Declaration of Members' Interests.<br>b. <i>Non-registerable interest</i> – none.<br>c. <i>Declaration of Gifts</i> – Members were reminded they must declare any gift or hospitality with a value in excess of fifty pounds.<br>d. <i>Dispensations</i> – none.  |   | Clerk   |
| 77/2019  | <u>St Endellion Neighbourhood Development Plan</u> –<br>a. <i>NDP Review</i> – Minute 62a/2019 refers. Cllr. Bell said he was a firm supporter of the NDP and wished to ensure there are no loop holes in the process. Cllr. Coles said he did not believe the proposed resolution was necessary as the Parish Council had always been responsible for the NDP. Cllr. Raynor said this was just to clarify the situation so there were no misunderstandings. Cllr. Webster arrived at this point.<br><br>It was <b>RESOLVED</b> to clarify that the Full Council takes responsibility for the NDP and the Clerk, as the PC's Proper Officer, is the interface with outside persons / organisations. The voting was six for the resolution and two against (Cllrs. Coles and Williams).<br><br>Cllr. Collings said he thought there was a discrepancy between the various reports with regards to the number of houses that could be built. Cllr. Williams explained the ACOM housing needs assessment was a desktop study with no regard to our ANOB designation. Our allocation under the Cornwall Local Plan is zero. The NDP allows for infill of up to two houses and 'rounding off' inside the settlement boundary, anything other than this would be outside the settlement boundary and would be an exception site for no more than ten affordable properties per site. These are the NDP Housing policies. Cllr. Bell asked that the provision for affordable housing developments of up to 10 dwellings per site on exception sites just beyond the Port Isaac / Trelights settlement boundaries should be given equal prominence in the NDP to the CC Local Plan minimum requirement of zero dwellings because of our AONB status. |   |   |

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|         | <p>Noted the NDP can be viewed on the PC's website. Cllr. Bell said there are a number of errors with the links within the NDP on the website. The Clerk said that Mr Evans had acknowledged the errors and said they would be corrected in the version of the Plan he is currently 'working up'.</p> <p>b. <i>NDP Regulation 14</i> – Cllr. Raynor read the requirements, which are:</p> <ol style="list-style-type: none"> <li>i. Publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area: <ul style="list-style-type: none"> <li>• details of the proposals for a neighbourhood development plan;</li> <li>• details of where and when the proposals for a neighbourhood development plan may be inspected;</li> <li>• details of how to make representations; and</li> <li>• the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised.</li> </ul> </li> <li>ii. Consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and</li> <li>iii. Send a copy of the proposals for a neighbourhood development plan to the local planning authority.</li> </ol> <p>Mr James Evans, NDP Consultant advised: <i>It is your plan so there is nothing stopping changes. <b>However they have to be justified and link back to consultation.</b> My advice would be to retain the NDP as is for Reg 14, and if changes are sought, these are evidence through the Reg 14 consultation process and the changes are undertaken after this consultation in response (if they are appropriate). If changes are done now, it would not have any hook to a public consultation process. Ie the only changes that have happened since SEA/ HRA stage are those responding to the comments from statutory and non-statutory consultees raised through that process.</i></p> <p>Mr Evans had clarified: <i>It's not part of our work to produce a layman's guide to the NDP, and most other groups do not do it. Really at Reg14 people need to review the plan as a whole. I think you would need to advertise it with a short publicity that urges residents etc. to review the plan as a whole as in effect this will be the last chance to seek changes before it is formally submitted to Cornwall Council.</i></p> <p>It was <b>RESOLVED</b> to provide a copy of the 'worked up' NDP to all the properties on the Electoral Roll. Cllr. Williams asked for it to be minuted that she considered this to be a gross waste of paper.</p> <p>A decision about setting up and membership of a Working Party / Steering Group to manage the NDP process was devolved to the April meeting.</p> <p>c. <i>Working Group Objectives and Timescales Document</i> – March Public Forum refers. Members to consider a request to remove the name of Mrs Bell from the document. It was <b>RESOLVED</b> to remove the document from the website and to ask Mr Evans and Mr Slatter to redact <b>all</b> the names from the document and the St Endellion consultation statement.</p> | Clerk |
| 78/2019 | <p><u>Parish Council Retail Premises</u> –</p> <ol style="list-style-type: none"> <li>a. <i>New Road Shop</i> – Minute 60a/2019. Mr Daniel Sproull had been asked to draw up an extension to the lease on the shop to the end of 2020.</li> <li>b. <i>The Main Catering Kiosk</i> – Minute 73a/2019 refers. Mr Daniel Sproull had been asked to draw up a lease, to include a clause that there should be 'no use of a deep fat fryer' as the kiosk is of wood construction. He had raised a number of questions and Members <b>AGREED</b> to the following: <ol style="list-style-type: none"> <li>i. <u>Rent</u> – six months' rent would be paid in advance and from then on the rent would be paid monthly.</li> <li>ii. <u>Legal Expenses</u> – the Parish Council will pay the legal fees in return for the tenant changing the window opening.</li> </ol> </li> </ol>  | Clerk |

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|         | <p>iii. <u>Car Parking</u> – the tenant will be allowed to park one car on the hard standing, at their own risk. A plan indicated will follow.</p> <p>iv. <u>Opening Hours Restrictions</u> – 8am to 6pm. Anything outside of this timescale will be considered by Members on an ad hoc basis.</p> <p>v. <u>Insurance (Clause C2.1 a)</u> – Members understood the tenant would pay a share of the building cover. The tenant must have their own public liability insurance and cover the contents of the kiosk.</p> <p>vi. <u>Traders' Licence</u> – tenant must hold this licence.</p> <p>vii. <u>Signage (Clause B7.2)</u> – Members request details prior to signs / planters being installed / placed.</p> <p>viii. <u>Decoration (Clause B5)</u> – the inside of the kiosk is of a finished unpaintable surface, nor would Members wish the tenant to treat the exterior wood.</p> <p>ix. <u>Clause 7.1</u> – there should be no partitioning.</p> <p>x. <u>Use of the Property (Clause B10)</u> – item [e] Members agree that subject to a plan of approval the tenant may add seating / picnic tables, planters. Item [h] does this cover the prohibition of a 'deep fat fryer'?</p> <p>xi. <u>Special Letting Terms (Clause G6)</u> – delete 'within the common parts'.</p> <p>It was <b>AGREED</b> the Clerk would provide Mr Josh Grills and Ms Teri-Louise Fulton with the dates when the St Endellion School PTA would be holding their Summer Fayre and pop-up cafes.</p> <p>c. <u>Any Other Issues</u> – none.</p> | <p>Cllr. Williams</p> <p>Clerk</p>                |
| 79/2019 | <p><u>Playing Field</u> –</p> <p>a. <u>Play Equipment Repairs</u> – Minute 48a/2019 refers. Cllr. Raynor reported that repairs to the play equipment had been well received.</p> <p>i. <u>Re-instate fine amount on dog bin sign</u> – Cllr. Bell to provide Cllr. Raynor with an example of a sign would ensure the dog ban order is valid. Cllr. Raynor to then order a suitable sign.</p> <p>ii. <u>Other</u> – none.</p> <p>b. <u>H&amp;S Inspections</u> – Members considered the latest operational inspection records for the play equipment from Cormac, previously emailed. A copy of the report had been sent to Mr Phil Burnard.</p> <p>c. <u>Shelter</u> – it was <b>RESOLVED</b> to accept a quotation from Mr Julian Harris for two benches at a cost of £800. Cllr. Williams to liaise with Mr Harris.</p>  | <p>Cllrs. Bell / Raynor</p> <p>Cllr. Williams</p> |
| 80/2019 | <p><u>Public Conveniences</u> –</p> <p>a. <u>All Public WCs</u> –</p> <p>i. <u>Legionella Sampling</u> – Cormac had provided the monthly reports for New Road and Roscarrock WCs.</p> <p>ii. <u>Compliance Testing</u> – Ms Sonia Armstrong, Cormac had advised the following tests need to be completed:</p> <ul style="list-style-type: none"> <li>• EICR (electrical report) requires annual testing. Cllr. Raynor said this had been done within the last six months. No further action.</li> <li>• Wallgates (if any) require annual servicing. Healthmatic carry out an annual service for the Wallgates.</li> <li>• Legionella Risk Assessments (2 yearly) and sampling (6 monthly). NOTE – the sampling is included in the cleaning contract.</li> </ul> <p>iii. <u>Any Other Issues</u> – none.</p> <p>b. <u>New Road WCs</u> –</p> <p>i. <u>Moxi Unit</u> – 267b[i]/2018 refers. Cllr. Coles said the units are now reporting correctly. AS Parking will be emptying the machines from now on.</p>   | <p>Clerk</p>                                      |

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|         | <ul style="list-style-type: none"> <li>ii. <u>Replacement Toilet Pans</u> – Members declined to take any action i.r.o. pursuing a claim through Ward Williams as it was unlikely to succeed.</li> <li>iii. <u>Electricity Supply</u> – Members <b>RESOLVED</b> to renew the contract with British Gas for three years.</li> <li>iv. <u>Any Other Issues</u> – none.</li> </ul> <p>c. <i>The Main WCs</i> –</p> <ul style="list-style-type: none"> <li>i. <u>Any Issues</u> – hydroseeding around the new toilet block was due to be carried out today.</li> </ul> <p>The Clerk to request that the Cleaner always uses the moxi 'log-in' system</p> <p>d. <i>Roscarrock WCs</i> – Members considered:</p> <ul style="list-style-type: none"> <li>i. Update regarding the signing of the lease – Mr Sproull explained that in order for the lease to be excluded from the Landlord and Tenant Act, the Clerk needs to sign a Statutory Declaration confirming that the Council understands it is excluding the Landlord and Tenant Act. There was some discussion regarding whether it was appropriate for the lease to be excluded (as above). The Clerk to provide Cllr. Bell with the relevant emails and he will then speak to Mr Daniel Sproull.</li> <li>ii. Moxi Units cannot be used at this location as they do not communicate with WiFi. Manual readings will need to be taken.</li> <li>iii. Investigation of the water usage deferred until the lease has been assigned to the Parish Council.</li> </ul> <p>e. <i>Port Gaverne WCs</i> – Cllr. Raynor had signed the lease. Noted the new contact for the National Trust is Ms Julie Greenaway.</p> | <p>Clerk</p> <p>Clerk</p> <p>Clerk / Cllr. Bell</p> |
| 81/2019 | <p><u>Cemetery</u> –</p> <p>a. <i>Any Issues</i> – none.</p>   |   |
| 82/2019 | <p><u>Public Rights of Way (PROW)</u> –</p> <p>a. <i>Lobba Steps</i> – Minute 8d/2019 refers. Cllr. Williams said she understood that the SW Coast Path Association will be carrying out repairs, which it is hoped will include repairs to the Lobba Steps.</p> <p>Noted the Clerk had obtained a list of possible funding sources from the Coastal Communities Trust. Copy previously circulated via email. Cllr. Williams had obtained an application form.</p> <p>b. <i>Footpath from Trewetha</i> – Minute 51b/2019 refers. Members to receive an update following discussion with the landowner by Cllr. Bell.</p> <p>c. <i>Overgrown Hedge</i> – County Cllr. Mould advised she had been contacted by a resident of Mayfield Drive regarding an overgrown hedge, that has a hole cut into it, adjacent to 7 Mayfield Drive. Members are of the opinion that this is the responsibility of Cornwall Housing. The Clerk to report to them.</p> <p>d. <i>Lane from Co-op to Tintagel Terrace</i> – the Clerk to request A1Tree and Grounds Ltd. to cut the hedge back, twice a year.</p> <p>e. <i>Any Other Issues</i> – none.</p>   | <p>Cllr. Bell</p> <p>Clerk</p> <p>Clerk</p>         |
| 83/2019 | <p><u>Car Park Matters</u> –</p> <p>a. <i>Additional Car Park Ticket Machine</i> – Minute 52a/2019 refers. The third terminal had been added to the PC's web office, however, there is a problem with the collection reports, and Cale Briparc had been asked to rectify this. Part of the problem appears to be the SIM card isn't working properly. The Clerk to obtain a new card.</p> <p>b. <i>Advertisements</i> – Minute 36c/2019 refers. Cllr. Webster will put an advertisement in the TRIO explaining that advertising space is available on the PC's car park notice board.</p> <p>c. <i>Any Other Issues</i> – none.</p>  | <p>Clerk</p>  |

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| 84/2019 | <p><u>Land Registration</u> – Minute 53a/2019 refers. Members received an update:</p> <p>a. <i>Trelights Village Green (TVG)</i> – more supporting evidence is required as detailed in Mr Daniel's Sproull's email of 3<sup>rd</sup> August 2018.</p> <p>The original email from Mr Sproull had been re-circulated by the Clerk.</p> <p>Noted Mr Martin Wright, Common Land and Village Greens Registration Officer, CC had provided a copy of the register sheet and map, which shows the PC as owning the TVG. Mr Sproull advised this was useful, but insufficient to prove the PC's ownership.</p> <p>b. <i>Bus Shelter</i> – the Lease in respect of the bus shelter was entered into w.e.f. 4<sup>th</sup> March 2019 for a period of 25 years. No further action.</p> <p>c. <i>The Main</i> – Minute 263a[iii]/2018 refers. Mr Martin Wright, Common Land and Village Greens Registration Officer, CC advised The Main is not listed on the Register of Common Land.</p> <p>NOTE – Cllr. Coles had clarified with Mr Sproull that in order to achieve first registration at the Land Registry, the Land Registry requires a certificated copy of the plan upon which the title is based. Further action deferred until the Cornwall Records Office re-opens in 2019.</p> |       |
| 85/2019 | <p><u>Date of Next Meeting</u> –</p> <p>a. <i>Full Council Meeting</i> – 8<sup>th</sup> April 2019.</p> <p>b. <i>Secondary Council Meeting</i> – TBC. Note – fourth Monday in April and May are bank holidays.</p>  |       |
| 86/2019 | <p><u>Meet the Planners</u> – Cllr. Kirkman had attended this event and provided Members with a list of planning officers covering St Endellion area.</p>   |       |
| 87/2019 | <p><u>PA19/01309, 7 Tintagel Terrace, Port Isaac</u> – revised plans had been received and Members <b>RESOLVED</b> to uphold their previous objection on the mass and scale. The Clerk to advise Mr Jack Bromley, case officer.</p>   | Clerk |
| 88/2019 | <p><u>Doc Martin Filming</u> – Ms Ellie Parson had written on behalf of Mr Johnny Bamford (Locations Manager for Doc Martin 9) regarding filming at the Main in Port Gaverne on the morning of Monday 8<sup>th</sup> April. It was <b>RESOLVED</b> to grant permission and to request a donation of £800, which will cover the cost of the benches.</p>   | Clerk |
| 89/2019 | <p><u>Meeting Closed</u> – 20.09pm.</p>   |       |

Signature: ..... (Cllr. Raynor)  
Chairman

Date: 8<sup>th</sup> April 2019