

**Minutes of the Annual Meeting of St Mawgan-in-Pydar Parish Council held in
St Mawgan Community Hall on Wednesday 11 May 2011 commencing at
7.30pm**

Present: Cllrs W H J Corbett (Chairman), K Atkinson (Vice Chairman), M E Errington, S P Harding, L McKenzie, C R Mitchell, W Old, M Raby, S Tavener & E A Thompson

In Attendance: In excess of 60 members of the public, Cllr J Fitter & Mr. L Lee (Parish Clerk.)

Election of Chairman & Vice Chairman

Resolved to re-elect Cllr W Corbett as Chairman to the Council

91/2011 Resolved to re-elect Cllr K Atkinson as Vice-Chairman to the Council

92/2011 Apologies were received from PCSO M Burgess & PCSO A Parry

93/2011 Police Report

The Chairman had been advised of one crime in the previous month, the theft of a child's bicycle from Mawgan Porth

94/2011 Riviera Lodge

Mr Beynon of Alan Leather Associates gave a short presentation on revised proposals for development of this site. They are said to be less visually impairing, having been broken down into 2 or 3 smaller units, some with reduced heights & some single storey. Mr Beynon will arrange for full details to be sent to the Chairman & Clerk

95/2011 Declarations of Interest

Cllr Corbett – Personal Interest in item 17c – Church Lane gate

Cllr Atkinson – Personal interest in items 10.a.ii – Planning application

PA11/01429 & 10.b.ii- Planning application PA11/01267

Cllr. McKenzie – Personal interest in item 10.a.ii

Cllr. Mitchell – Personal interest in item 17c

Cllr. Old Personal interest in item 17c & Prejudicial interest in item 17a

– Footpath between Little acre & Long Lane

Cllr Raby – Prejudicial Interest in items 9i. Councillor Vacancies &

10.b.ii

Cllr. Thompson – Personal interest in item 17c

96/2011 Public Speaking

Use of www.mawganporth.co.uk domain name.

A member of the public expressed concern that the Domain Name www.mawganporth.co.uk was being used to promote the holiday park rather than the village. He was advised that Domain names can be purchased & used like any other asset. Cllr. Tavener also owns similar domain names & would be willing to make one available if anyone

wished to use it to promote Mawgan Porth. The PC does, of course have its own website www.stmawganparishcouncil.org.uk

St James's Well

Mrs Vickery expressed concern at the loss of the pond and inquired as to a completion date for the works. Mrs Young-Jamieson also expressed a general concern at the appearance of the area. The chairman suggested he liaise with Mrs Young-Jamieson to ensure she was content with the works.

Denzell Downs Wind farm application

Cllr Fitter recommended that the PC defer its response to CC regarding the Denzell Downs Wind farm application until it had the opportunity to view new reports that have only just been provided. Several members of the public spoke against the application, with particular objections to noise levels (particularly AM noise), visual impact on the area, safety issues regarding the strobe effect on traffic, the fact that the site is within 7km of another windfarm & the adverse effect on tourism. There was also strong feeling that the public consultations were inadequate & that the applicants had not acknowledged the strong negative feeling of the public.

Church Lane

The item that attracted the vast majority of the public to the meeting was the gate that has recently been erected across Church Lane. Mrs Cawley, representing these parishioners, presented a petition expressing dismay at the apparent attempt to shut off an ancient right of way together with various documents obtained from the Land Registry. Ms Johnson provided copies of a Parish Council minute from 1907 referring to the lane as a right of way. Mrs Martin stated that the lane had always been a right of way in her lifetime. Ms Head stated that she had been advised by Cornwall Council that streetlights can only be erected on a public right of way. A reference was also made to case law providing justification for the PC to apply to Cornwall Council for a Modification Order to the Definitive Rights of Way Map.

Mr Gardner, the new owner of the lane, stated that he did not wish to close the lane to pedestrians, and would be prepared to discuss its use by riders. However, he objected to use of the lane as a rat-run by motor vehicles. The clear sentiment of the majority of those present was that a right of way along the lane was long-established and that the PC should take all necessary steps to preserve it.

The Chairman brought public participation to a close & it was **resolved** to deal with item 17c 'The gate' immediately after a short break. See minute 106/2011. Only 13 members of the public remained after this item.

97/2011 Minutes of Meeting 13 April 2011

Resolved to accept the Minutes of the meeting held on 13 April 2011 at 7.00pm as a true record of the meeting and they were signed by the Chairman.

98/2011 Clerk's Report

The Clerk's report had been circulated prior to the meeting. Cllr. Thompson asked for an update on the unlawful caravan & horsebox at Mawgan Porth. The Clerk advised of recent correspondence with the enforcement officer & will chase CC for action & to a response to questions on procedure. Cllr Thompson also asked when the work at the 'St Eval' junction would be carried out, as there had been several more complaints. Cllr. Fitter will ask if Highways can make it a priority.

99/2011 Planning

- a. New Applications – to discuss & decide on response to Cornwall Council
 - i. PA11/02764 Lanvale House, St Mawgan. Conversion of builder's office & store into summer house & garden store. (Extension of time for application C2/05/01012). Mr G Talling
Resolved not to object subject to the original planning conditions continuing.
 - ii. PA11/01429 Higher Denzell Farm Road From Junction South East Of Trevilledor To Junction North Of Whitewater Farm St Mawgan Newquay Cornwall TR8 4HG. Five wind turbine generators with a maximum tip-height of 100 metres above existing ground level, access tracks, improved access off the public highway, underground electrical cables, crane hardstandings, electrical switchgear building and ancillary equipment. - Mr Simon Pipkin REG Windpower

Objections from Mrs Charlesworth, Mr and Mrs Lockett and Ms Barry were read out by the chairman who also referred to Development Plan policies in relation to new wind farms. Cllr Tavener spoke at length against the application and members of the Planning Working Group also expressed concerns. It was resolved to object to the application on the grounds, inter alia, that: the proposed turbines, by virtue of their size, would have an unacceptable impact upon the Watergate/Lanherne AGLV and the coastal AONB; the development of a new wind farm at this location was contrary to Policy 7 of the Cornwall Structure Plan 2004 and the 7 km separation distance from existing wind farms advised by GOSW; approval of the present scheme would establish the acceptability of the larger 100 metre turbines in the general area and would be likely to lead to an 'upgrading' scheme at the existing wind farm which would be difficult to resist and which would compound the adverse visual impact of the two wind farms; the development would lead to further blight to the living conditions of local residents through noise and flicker which might also constitute a danger to road safety. Cornwall Council would be advised immediately of the PC's decision and a further short extension of time requested to provide detailed objections.

All but 2 members of the public left after this item.

- iii. PA11/02968 St Mawgan Methodist Chapel Penpont St Mawgan Newquay Cornwall TR8 4ET St Mawgan Methodist Church Construction of an extension to replace existing porch, comprising entrance hall and disabled persons' toilet.

Resolved not to object.

b. Advices and decisions from Cornwall Council

- i. PA11/00498 Cornwall Council Property Services, Newquay Airport Trebarber, St Mawgan. Proposed 4.99 MW Solar Farm, 'Kernow Solar Park'. Confirmation that planning permission was granted on 18 April
- ii. Cllr. Raby left the meeting before this item. PA11/01267 Saffron Close Trevenna Cross St Mawgan. Mr & Mrs M Raby. Proposed increase height of existing farm barn. No increases in footprint. Change of roof design amended from approved to mineral slate pitched. Further to the April meeting, the planning officer had advised of his intention to refer the application to the County Land Agent in regard to its agricultural justification. However, he had subsequently received additional advice from the applicants with suggested amendments to the scheme. In view of the size of the proposed building, and the fact that the applicants are primarily building contractors rather than farmers, it was felt that the application should still be referred to the County Land Agent. This was particularly the case where the application involved the family of one of the PC's members and a transparent approach was desirable. Cllr. Raby returned to the meeting.

- c. To discuss enforcement issues - No new issues of concern
- d. Affordable Housing – Identification of suitable sites.

It was Resolved to put appropriate notices in the Parish Magazine. The Planning Working Group will draw up the notices.

100/2011 Vacancies in Council

Cllr. Raby left the meeting before this item & returned afterwards. A notice is currently on display for the vacancy created as a result of Cllr. Barry's resignation. The PC currently has three expressions of interest from, Mr Alan Bettles, Mrs Gwen Jennings & Mr Maurice Raby. The PC went into closed session to discuss this item. It was **Resolved** to co-opt Mr Alan Bettles to the Council in respect of the vacancy created by the resignation of Cllr. McLuskie. The Clerk will provide him with a Declaration form to complete in order that he may take his place on the council.

At this stage the PC decided only to determine urgent items due to the lateness of the hour.

101/2011 Appointment of Councillors to Working Groups & Internal Control

Resolved that Cllr. Harding would carry out regular Playground inspections. Other posts deferred until the June meeting.

102/2011 Appointment of Representatives to Organisations

Deferred until June meeting

103/2011 Year End Accounts 2010/11

NOTED the Internal Auditor's Report and that no issues had been found.

Resolved to approve The Statement of Accounts & Asset Register having been previously circulated and signed by the Chair and the Clerk.

RESOLVED to approve the Governance Statement contained in the Annual Return 2010/11. Parts 1 & 2 of the Annual Return were signed by the Chair and the Clerk.

Agreed that the cover offered by Zurich Insurance Plc was sufficient and at a great discount compared to the PC's existing Insurer . RESOLVED to contract the new policy for a 5 year period.

RESOLVED to continue to maintain the bank accounts as they stand with the Lloyds Banking Group

104/2011 The Newquay & St Columb Community Network Forum

A report had been received & emailed to councillors earlier in the evening. Cllr Thompson advised that Phil Browning (CC Senior Environmental Crime Enforcement Officer tel. no. 01726 223519) spoke about Dog fouling/dog control orders & fixed penalties for owners of dogs. He is pleased to talk to Parish Councils about a day's training that can be given to Parish Council employees to help with this. Advice on 'Tidy Villages' can also be given. Cllr. Errington has requested that he no longer represent the PC on this forum due to a conflict with his working time.

105/2011 Amenity Area Working Group Report

- a. Burial fee review – Deferred until June
- b. St James' Well – See public participation
- c. Convent trees – Deferred until June

- d. Unsafe trees in Playing Field – Resolved that Cllr Old would contact the appropriate utility company to address this issue as there are Wires within the immediate area.
- e. Updating of the TPO list for the parish – deferred until June
- f. Bench opposite Hawkey's shop – Addition of lettering – deferred until June
- g. Gate at Community Hall – deferred until June

106/2011 Beach & Environment Working Group Report

- a. Business contributions towards beach cleaning – Deferred until June
- b. Disabled Access – Correspondence Kneivitt Consulting Engineers – deferred until June
- c. Boulders on beach – Jolyon Sharpe (Beach Ranger) & EA to visit beach tomorrow morning.
- d. Dog bin emptying - deferred until June

107/2011 Transport & Rights of Way Working Group Report

- a. Footpath 7 between Little Acre (Airport Road) & Long Lane- Footpath signs removed. – Deferred until June
- b. Weight restriction in St Mawgan –CC response – Deferred until June
- c. Church Lane – New gate. See public participation. **Resolved** to write to Cornwall Council for a potential definitive map modification order.
- d. Tredragon Road junction
Cllr Errington described the problems of obscure visibility at this junction
Resolved to raise this issue with Cllr. Fitter
- e. To raise any issues for the Council's attention - None

108/2011 Other Reports – to receive reports from meetings – None

109/2011 Accounts

Resolved to pay the following accounts

T Michell	Maintenance April	£991.81	
L Lee	April salary & expense	£568.25	
Jayne Herbert	Annual Webhosting & updates	£170.00	
Mrs I Bruster	Fountain caretaking 2010/2011	£ 50.00	
W Corbett	Re-imburement for work carried out on behalf of the PC		
	Mr K Snell	£378.00	
	Materials	£ 77.68	
	Digger Hire	£ 50.00	£505.68

M Farmer	April Beach Cleaning	£533.33
K Abraham	Internal Audit 2010/2011	£125.00
MPVH	April Hire	£20.00
Total		£2964.07

110/2011 Correspondence for information

- a) EA – Provision of weekly bathing water data – circulated
- b) Newquay Cornwall Airport Local Development Order Consultation – Update circulated
- c) Cornwall Area of Outstanding Natural Beauty – May Newsletter circulated
- d) RAF flight information at Newquay Airport

The Chairman read out details received from Cllr Fitter regarding movements at the airport under its agreement with the M.O.D. There had been 3 qualifying flights in February & 16 qualifying flights in March, of which only 2 were jet aircraft.

111/2011 Correspondence - for discussion & decision

St Columb Major TC – Invite to Mayor making Ceremony Thursday 26 May at 6.30 p.m. – Chairman's apologies sent.

112/2011 Any Other Business – to advise of agenda items for the next meeting.

A lot of items have been held over until June due to length of time taken up by public participation.

It was requested that the 'Ball Lane' path be added to the June agenda.

It was noted that a Pergola screen was being erected on the walkway at 'Autumn Tints'

The meeting closed at 10.15pm

Date of next meeting – 08 June 2011
at Mawgan Porth Village Hall at 7.30pm

Signed as a true record of the meeting

Chairman.....

08 June 2011