

**Minutes of the Meeting of St Mawgan-in-Pydar Parish Council  
held in Mawgan Porth Village Hall**

On

**Wednesday the 10th day of August 2016**

That followed a presentation and discussion by Esther Richmond and assisted by  
D Sleeman of the Local Devolution Fund, on behalf of the Newquay and St Columb  
Community Network at 7.00 pm

Present: Cllrs L McKenzie (Chairman), W Corbett, G Jennings, S Jones and Keith Atkinson.  
Cllr S Gardner arrived later.

In attendance: Mrs Angela Hayne (Parish Clerk), Cllr J Fitter (CC), 1 member of the public

158/2016     Apologies – received from Cllrs D Carter, R Cawley, S Jennings

Cllr M Raby has resigned from the council; Cllr McKenzie thanked him for his services to the parish council.

159/2016     Police Report – Received from PCSO Malcom Burgess.

Apologies received from PC Lenton and PCSO Parry

PCSO Burgess advised that there had been 3 crimes reported in the last month: 1 x criminal damage - a neighbour dispute over a hedge, which has been resolved, and 2 x theft – one at an hotel and the other at the airport. This was compared to 6 crimes at the same time last year.

PCSO Burgess also advised that the police at St Columb have been monitoring the parking at Carloggas as often as time allows, and have found no issues since the last council meeting. However, PC Lenton is liaising with Cllr Fitter on a regular basis on this subject.

160/2016     Member's interests

- a) Declarations of interest from members relating to items on the agenda:  
7a (iii) Cllr L McKenzie – regarding Application for reserved matters:  
PA16/03104
- b) Written requests for dispensations or interests – none received.
- c) Written statements from members expressing interests in an agenda item – none received.

161/2016     Public Participation

Standing order 3e was suspended to allow Mr Griffiths (in attendance) to enlighten the PC on the proposed access to planning application PA16/05931.

Cllr Gardner questioned - as a point of order - Cllr K Atkinson's right to remain on the PC whilst not residing in the Parish. Cllr L McKenzie responded to assure Cllr Gardner that upon checking with the regulatory body he is entitled. Cllr K Atkinson confirmed he too had checked his position regarding his entitlement.

(According to the regulations: 'he' will be qualified if 'he' has either during the whole of the twelve months before the day on which 'he' is nominated as a candidate, or the day of the election, resided in the locality or within three miles of it or occupied as owner or tenant any land or premises therein or had his principal or only place of work there' (Local Government Act, 1972, s79).

Cllr Gardner questioned - as a point of order - the rationale for including in the July minutes the full Code of Conduct findings considering minutes are usually a concise description of council meetings. Cllr L McKenzie responded that due to the seriousness of the nature of the Censure, it was included to ensure that parishioners not attendant at the July meeting, were fully informed of the content and sanctions imposed upon Cllr Gardner.

Cllr Gardner stated that he was abstaining from voting to resolve to accept the minutes, and suggested that matters were a foregone conclusion. Cllr G Jennings categorically denied this, and stressed that at no time were matters on the Agenda pre-determined. She stated that although working groups informed the PC of their findings, it was up to individual councillors to make their own judgement.

Cllr Gardner left the meeting at this juncture.

162/2016 Minutes of the last meeting – Proposed by Cllr S Jones and seconded by Cllr G Jennings and **resolved** to accept the minutes of the meeting as a true record and were duly signed by the Cllr L McKenzie.

163/2016 Clerk's report – The report had been circulated prior to the meeting.

164/2016 Planning – New applications – to discuss and decide on response to Cornwall Council.

- i **PA16/06067** – Applicant: Mr Mathew Golay. Proposed extension over existing - garage and rear garden room extension. Location: 13 Lanherne Avenue, Carloggas, St Mawgan, TR8 4EL. Cllr W Corbett proposed and Cllr K Atkinson seconded and it was **resolved** that the council have no objection to this application.
- ii **PA16/06190** – Applicant: Mr and Mrs R Marland. Lawful development certificate for proposed formation of rear dormer to provide en-suite. Location: Beaumar, Tredragon Road, Mawgan Porth, TR8 4DQ. Cllr W Corbett proposed and Cllr K Atkinson seconded and it was resolved to note.

Cllr L McKenzie left the room at this juncture.

- iii **PA16/03104** – Applicant: Mr J Barlow. Application for reserved matters (appearance, landscaping and layout) following outline approval for construction of 10 holiday chalets. Location: Merlin Golf Club. The PC had requested an extension of time for the possibility of additional landscaping to be explored, however the applicants had declined this suggestion. The Planning Group had taken the matter up with the Landscape Officer at Cornwall Council, but she has yet to hear back from the case officer who is now on holiday. Cllr W Corbett proposed and Cllr K Atkinson seconded and it was resolved to defer a decision until this discussion has taken place.

Cllr L McKenzie returned to the room.

- iv **PA16/06606** Proposal ELM (T1) – Applicant: Mr Alan Quartly. Application to reduce height from 18m to 12m and thin crown because of excessive shading and low amenity value. Restrict further growth to prevent damage to the boundary dry stone wall and bank. Location Ball Cottage, Ball Lane. Cllr W Corbett proposed and Cllr K Atkinson seconded and it was **resolved** to leave the matter to the discretion of Cornwall Council's tree officer.
- v **PA16/06470** – Applicant: Mrs Lorna Condliffe - The Riviera Lodge Inn, Mawgan Porth Hill, Mawgan Porth, TR8 4BA. Certificate of Lawfulness for a Proposed Development, namely the demolition of business premises to be replaced by seven holiday units and one residential unit with associated works, approved under decision no. PA12/02093 (commencement of material operations by digging of foundations). The applicant has dug a short length of trench on the site in order to claim a material start to the development has been made and so preserve the planning permission granted in 2013. However, it seemed to the PC that it was unclear that this was in fact a legitimate start. Before foundations could be dug the existing pub and house needs to be demolished; the areas on which the three blocks of houses are to be constructed levelled; and the site accurately set out. As none of these operations have taken place it was proposed by Cllr W Corbett and seconded by Cllr K Atkinson and **resolved** to raise the matter with the case officer.
- vi **PA16/06951** – Applicant: Mr A Watson. Proposal Proposed demolition of existing sub-standard dwelling and construction of one 4 bedroomed house and garage Location Sea View Bungalow, New Road, Carloggas, St Mawgan. Cllr W Corbett proposed and Cllr K Atkinson seconded and it was resolved to raise no objection to this application.

165/2016 Any other planning applications received from Cornwall Council by the time of the meeting. None received.

166/2016 Advices and decisions by Cornwall Council – circulated prior to meeting.

- i. **PA16/03748 - APPROVED** Applicant: Mr R Chapman Location: Land Near Trevenna Cross St Mawgan Cornwall. Proposal: Extension of existing farm building, establishment of forage store and sand school.
- ii. **PA16/04893 - GRANTED (CAADs and LUs only)** Applicant: Mrs Lucy Petersen Location: Porth Farm. Access To Porth Farm, Mawgan Porth, Newquay.. TR8 4BP Proposal: Certificate of lawfulness existing use: The residential use of the mobile home and ancillary residential use of the existing buildings. Cllr W Corbett proposed and Cllr K Atkinson seconded and it was **resolved** to write to the case officer questioning how a full residential use of the buildings and caravans could have been granted when the applicant had only claimed that they had been used seasonally during the main holiday period.
- iii. **PA16/04144 - REFUSED** Applicant: Mr Ian Miller Location: Fourwarnes, Gwel An Mor, Trenance Mawgan, Porth. TR8 4DW. Proposal: Construction of semi-

basement and rear ground floor extension with associated rear garden landscaping to provide an additional bedroom and study.

- iv. **PA16/02573 WITHDRAWN** Applicant: Mr Richard Turner Location: Land South East of Tywarbyn, Ox Lane, St Mawgan, Cornwall. TR8 4EU. Proposal: Demolition of an existing dilapidated double garage and rear store, to create a 2 Bedroom dwelling within the grounds of Tywarbyn.

Standing order 3e was suspended for this next item to be heard.

- 7d Cllr Fitter advised that two local residents had queried the height of the replacement dwelling currently under construction at Odd Spot and this is being checked by the Enforcement Section. Cllr L McKenzie thanked Cllr Fitter on behalf of the PC.

Standing orders were resumed.

167/2016 Working groups

- (a) Amenities – report circulated. Cllr L McKenzie had noted concerns about the grass in the burial ground, but this has now been addressed by the contractor. The Clerk is to contact Sovereign regarding the delay of replacement fixings for the play equipment.
- (b) Transport and rights of way – to receive report if any. None received.
- (c) Beach and Environment - to receive report if any. None received.

168/2016 Churchyard wall – the PC has not (to date) been informed if M Farmer has started work on the repairs.

169/2016 Local Council Administration Charles Arnold Baker 10<sup>th</sup> Edition – Cllr W Corbett proposed and Cllr K Atkinson seconded and was **resolved** to purchase a copy from SLCC for the sum of £73.60

170/2016 Accounts – Cllr G Jennings proposed and Cllr W Corbett seconded, and it was **resolved** to approve payment of accounts as listed below:

Name	Details	Amount
A Hayne	Clerk's Salary – July	£636.00
	Home as office	15.00
	Travelling expenses	16.00
	Expenses: stamps	13.20
	Replacement Computer (HP 15-AH150S A)	448.97
	Microsoft Office 365 (1-yr subscription)	39.00
	Windows Recovery Media	<u>35.00</u>
		1203.17
DMH Solutions Ltd		70.80
Bubb Maintenance	July: Maintenance	£980.00
	Expenses (May & June)	49.99
	July: Footpaths	<u>360.00</u>
		1389.99

M Farmer	Beach Cleaning - July	765.00
A Prowse	St Mawgan Toilet Clean - July	210.00
Reef Water Solutions	Legionnaires test and service - July	35.00
Vodafone	Mobile phone - July	17.85
D Vickery	Bus Shelter cleaning 1 <sup>st</sup> and 2 <sup>nd</sup> quarter	200.00
<b>TOTAL</b>		<b>£3891.81</b>

171/2016 To note and discuss if appropriate the correspondence received since the last meeting

Cllr K Atkinson mentioned the beautiful display in the window boxes at St Mawgan Community Hall. The clerk is to write a formal letter of thanks to Mrs Whittington for her efforts in this regard.

172/2016 Notice of items for the next meeting

1. Standing Orders – 5 day notices
2. Code of Conduct – Cllr Gardner requests that the following motion is put before the Parish Council - to agree and create a Policy and Action Procedure outline for acting on Code of Conduct decisions (in accordance with Standing Order 16.d)
3. Data Protection (£35 licence) - Move to apply
4. Financial Risk Assessment – Move to adopt
5. General Risk Assessment Review – Move to adopt.
6. Salary scale – Move to recommend new pay scale backdated to May 2016.
7. Bus Shelter - Contract renewal

Meeting closed at 8:12pm

Date of next meeting: 14<sup>th</sup> September, at St Mawgan Community Hall at 7.30pm

Signed as true record of the meeting

Chairman's signature..... 14<sup>th</sup> September 2016.