

**Minutes from the FULL MEETING of PORTREATH PARISH COUNCIL
on Monday 7th February 2022, held at Mary's Church Hall, 6:30pm**



Councillors: Chairman Mr. I. Stewart, Mr. M. Hitchen, Mrs. S. Nash, Mrs. G. Tull, Mr. P. Kessell and Mr. R. Symonds
Cornwall Councillor Dave Crabtree (until point indicated)
4 Members of the Public
Lucy Jose, Clerk to the Council

9083 Chairman's Welcome

The Chairman welcomed those present to the meeting and explained procedures for the meeting. Highlighting the council's caution regarding Covid 19, the Chairman explained the scheme of Emergency delegation would remain in place. The Chairman asked that attendees continue to follow guidance, hand face, space, fresh air. The Chairman explained the procedure for public participation highlighting the three minutes per person speaking with a maximum of 15 minutes public participation in total.

9084 To confirm the minutes of meetings held on Monday 10th January 2022

Cllr. Kessell proposed that that the minutes for the meeting held on 10th January 2022 be signed as constituting an accurate record of proceedings. This was seconded by Cllr. Nash put to the meeting and carried unanimously.

9085 To Receive Apologies

Apologies were recorded from Cllrs Jose, J. Tull and Goodwin.

9086 Declaration of Interests

- Cllr Stewart declared an interest in planning application PA21/12592.
- Cllr Kessell declared an interest in planning application PA21/12616.
- Cllr Hitchen declared an interest on planning application PA22/00178.

9087 To Witness Councillor G Tull signing the Declaration of Acceptance of Office Book (which was not possible at the time of taking office due to the restrictions placed upon the council by Covid-19 safety measures)

Cllr. Gillian Tull signed the Declaration of Acceptance of Office Register, witnessed by the Clerk & Proper Officer Lucy Jose.

9088 Public Participation Session, when members of the public may raise matters with Councillors, (limited to 3 minutes per speaker with a maximum of 15 minutes in total)

A parishioner addressed the meeting questioning the development of the golf course at Gwel an Mor. The Clerk confirmed that there were no live planning applications for Gwel an Mor at Present.

The Chairman informed the meeting that councillors were in the process of arranging a meeting with the directors of Gwel an Mor to discuss their plans for the future and to restore the good communication that was in place prior to Covid 19.

The Parish Representative who attends the Police Liaison meeting reported that the PLG meeting is scheduled for Monday 21 February 2022 and from the brief interim report supplied by the sector Inspector, it was advised that two offenders were arrested in Redruth for a series of theft from vehicle crimes. They await a court date.

9089 To receive the report of Cornwall Councillor Dave Crabtree, authorise any actions and consider any associated expenditure

CC Crabtree addressed the meeting stating that he had met with Cllr. Kessell and MP George Eustice to discuss the sand build up against the coastal defence at Portreath, CC Crabtree confirmed he was awaiting a response from the Environment Agency.

CC Crabtree commented on the recent 5-day notice protocol for a development on Hillside, commenting that he felt that the cost of sending this to planning committee for decision did not warrant his support on this proposal, and that the appropriate time to object would be when a full application comes before the council.

CC Crabtree confirmed that PC Thorne had set up a community group for Illogan and Portreath for the speedwatch scheme and currently has the paperwork required to join the scheme. CC Crabtree offered to act as the coordinator for the group and suggested that in order to have sufficient volunteers combining Portreath and Illogan together would be advisable.



9090 **Planning**

(a) To give consideration as consultees to:

- i) Proposed conversion of ground floor of premises to form office units and conversion of and extension of upper ground floor to form a dwelling to include provision of an additional car parking space at Railway Terrace, Portreath Redruth TR16 4LD (amended design following approval under PA21/00151)

Pampered Paws, Tregea Terrace, Portreath – PA21/12616

Cllr. Kessell declared an interest in this proposal and left the meeting.

The meeting discussed concerns regarding the proposed proximity to the Incline and the potential for the proposed to block the view of the incline. Agreeing that the World Heritage officer would lead with their comments, members of Portreath Parish Council **RESOLVED** to support this proposal on the proviso that the World Heritage Officer is satisfied with the proposed development. (Proposed by The Chairman, seconded by Cllr G Tull, carried unanimously.)

Cllr. Kessell re-joined the meeting.

- ii) Proposed Single Storey Extension

Lelant House, Nancekuke, Redruth – PA21/12690

Following short discussion Members of Portreath Parish Council **RESOLVED** to support this proposal. (Proposed by The Chairman, seconded by Cllr Kessell, carried unanimously.)

- iii) Retrospective permission to remove old damaged stone wall with fence and replace with 6” block built wall, to be rendered and painted

Roselyn, Penberthy Road, Portreath – PA21/12592

The Chairman declared an interest in this proposal and left the meeting, requesting that Cllr. G. Tull led discussion on the proposal.

Cllr Nash expressed concern that the height of the wall was a safety issue for passing pedestrians including those attending the school and preschool, exemplifying a number of near miss incidents with vehicles entering and leaving the property.

Councillors discussed the height of the wall querying the allowed height of a front wall. Several councillors suggested that the impact of the wall was no more intrusive than a hedge of the same height.

Cllr Nash proposed that Members of Portreath Parish Council object to the proposal on the ground of pedestrian safety and that the wall was not in keeping with other properties on Penberthy Road. This was seconded by Cllr. G. Tull and put to the meeting. The motion was defeated with 2 votes in favour and 3 votes against.

A counter proposal was presented to the meeting, Cllr. Kessell proposed that members of Portreath Parish Council raise no objections to the proposal. This was seconded by Cllr. Symonds put to the meeting and passed with 3 votes in favour and two votes against.

Cllr Nash requested that their vote be recorded as voting against the motion passed and that they have serious concerns for the safety of pedestrians if the proposed is allowed.

The Chairman re-joined the meeting.

- iv) To construct a block 2no. C2 flats for residential care

Fairfield House, Bridge – PA21/12765

Following discussion regarding the potential flood risk the Chairman proposed that members of Portreath Parish Council support the proposal on the condition that the surface drainage plan is deemed sufficient by the Environment agency.

This was seconded by Cllr G. Tull Put to the meeting and carried unanimously.



v) Single storey front extension

27 Tregea Terrace, Portreath – PA22/00175

Councillors discussed if the proposal would have an impact on the character of the historic terrace. Councillors concurred that the World Heritage Officer would raise concern with the planning officer if this was not a favourable addition to the property.

Cllr Kessell proposed that members of Portreath Parish Council Support the proposal. This was seconded by Cllr. Symonds, put to the meeting and carried unanimously

vi) Replacement Dwelling

North Coast Holiday Cottages, Burleigh Cottage, Redruth – PA22/00178

Cllr. Hitchen declared an interest in this proposal and left the meeting.

The Chairman outlined the proposal commenting on the planning history for the property.

Following short discussion, the meeting **RESOLVED** to support the proposal.

(Proposed by Cllr. Kessell, seconded by Cllr Tull, carried unanimously.)

Cllr Hitchen Re-joined the meeting.

(b) To give consideration as consultees to any planning applications received since the preparation of this agenda

None

(c) To give consideration to any planning applications referred to the council under the 5-day notice protocol

The Clerk confirmed that a 5-day notice had been received for planning application PA21/10082 had been received and that following email consultation with councillors the council had responded with option 3 to request that the decision was taken to the planning committee. On this occasion CC. Crabtree felt this was not the best course of action, and the decision to approve the outline application was made by the planning officer.

(d) To note any planning appeals

- **PA20/10946, 1A Greenfield Terrace**

Cllr. Hitchen proposed that the clerk write to the planning inspectorate reiterating the councils support for this proposal. This was seconded by Cllr. Kessell, put to the meeting and carried unanimously.

(e) To receive the report of planning decisions and correspondence and authorise any actions

The meeting noted that planning applications PA21/10082 & PA21/11912 had been approved and PA21/09113 had been refused during the month of January.

The Clerk reported the supportive response from Redruth Town Council regarding the request for support where planning and developments that may cause flooding in the Portreath Stream.

The Clerk commented that they had also sent similar requests had also been sent to Illogan Parish Council and the Cornwall Council Planning department.

The Clerk suggested the Council make contact with Environment Agency the lead on the Flood Alleviation Project for the Portreath Stream to seek advice on how to respond to planning applications that may have a flooding impact on the Portreath Stream. The meeting concurred that this would be a good way forward and asked the Clerk to make contact with the project lead.

9091 To receive the following reports, authorise any action and consider associated expenditure

(a) Finance

i) To receive report on the balance of the bank account

The Clerk reported that on the 1st February 2022 balance of the current account stood at £29,398.88 and the balance of the Savings Account stood at £30,221.99. The Bank statements were signed by the Chairman.

- ii) To approve the bank reconciliation for the month of January 2022
The Clerk presented the Bank reconciliation for the month of January 2022 to the meeting. This was approved by councillors and signed by The Chairman.
- iii) To receive the Payment Schedule for the period 1st January 2022 – 31st January 2022 and authorise payment of invoices received and payments scheduled for 1st February 2022 – 28th February 2022
Out lining the payment schedule the clerk displayed detailed payments totalling £4573.37 for the period 1st January 2022 – 31st January and payments totalling £8557.75 for the period 1st February – 28th February 2022.

Cllr. Symonds proposed that the clerk line up payments as listed in the schedule. This was seconded by Cllr. Kessell, put to the meeting and carried unanimously.

- iv) To note any income received
None

(b) Finance and Staffing Committee Report

- i) General Report
The Clerk outlined the work of the committee to date and explained that the financial regulations were currently being reviewed and that a budget review working group would be held shortly, with a planned Finance & Staffing Committee meeting scheduled for the 21st March 2022.

The meeting agreed the date for a Zoom working group meeting to be the 15th February at 7pm.
- ii) To note the increase of interest rate from Unity Trust effecting the savings account, 'Instant Access Savings' from 0.0% to 0.15%, form the 17th December 2021
The meeting noted the increase of interest rate from Unity Trust effecting the savings account, 'Instant Access Savings' from 0.0% to 0.15%, form the 17th December 2021.

(c) Clerks Report

- i) General report
 - **Chynance Bollards:** The Clerk explained that a number of residents had requested the key to open the bollards and that Highways had not been particularly helpful with suggestions for the management of access, so the Clerk confirmed that they had directed residents back to the highways department to arrange the removal of the bollards by the area steward for access to their properties as required for maintenance.
 - **Gwel an Mor Site Visit:** The Clerk apologised for the many changes to the dates of the meeting and confirmed that 22nd February was the best date for Gwel an Mor representatives at present. The Clerk asked Councillors to confirm their availability to attend on this date asap.
 - **Projector and Screen:** The Clerk asked for a volunteer to source a modern projector and screen to replace the dated and cumbersome equipment that was currently used. The Clerk confirmed that this was a budgeted expense and hopes that this could be accomplished prior to the next meeting of the council. Councillors concurred that Cllr. Goodwin was best placed for this task.
 - **Hours:** The Clerk outlined, that currently they have over 2 weeks holiday remaining and predict ending the year with 30 hours over contracted hours. The Clerk confirmed that they will take most of half term off to use some of the outstanding holiday.
 - **Training:** The Clerk confirmed that they had attended FOI and Data Protection training during the last month. Both courses have highlighted a work that needs to be undertaken, however if time is budgeted for this they should be reasonably straight forward to carry out as support is available from CALC and SLCC.

- **Contractors:** The Clerk suggested a review with all contractors prior to the final year of their contracts.

The Clerk recommended that a working group be formed to look at contracts and work with contractors, to see where there are gaps look at how they could be improved or amended prior to retendering for the contracts ahead of 2023/24. Cllrs, Kessell, Tull and Stewart expressed interest in being part of the working group.

CC Crabtree left the meeting.

ii) **Platinum Jubilee**

The chairman outlined the clerks report. The meeting discussed possible locations for the beacon lighting, including the band stand in the car park, the former Crazy golf, and the harbour.

Following lengthy discussion Cllr. Kessell proposed that the Clerk purchase the Jubilee Beacon from the referred supplier and associated accessories as required for successful event. This was seconded by Cllr. Hitchen, put to the meeting and carried unanimously.

The meeting **RESOLVED** that the venue for the beacon lighting should be on the pier at the end of the Harbour with the grassed area on the small beach used if the weather is unfavourable. (Proposed by the Chairman, seconded by Cllr. Tull, carried unanimously.)

The Clerk confirmed that they would work on an action plan for the event alongside representatives of the Portreath Improvements Committee who have taken a lead on the planning for the whole Jubilee weekend.

9092 Update on projects for the year 21/22, authorise any action and consider associated expenditure

a) **Former Public Toilets**

i) **General update**

The Chairman summarised the options for the future of the former toilets and indicated that Portreath Improvements Committee (**PIC**) were keen to pursue the option for them to take on the building and rebuild a modern shared community space.

ii) **Update on the feasibility study for the passing of the former toilet building the PIC, for use as a joint community venture, including office space of the Parish Council, authorise any action and consider associated expenditure (proposal for Portreath Improvements Committee attached)**

- **Address from Portreath Improvements Committee (PIC)**

A Representative of the PIC addressed the meeting outlining the proposal that had previously been circulated, and highlighted the social, economic and environmental benefits of the PIC taking over the building to the community.

The representative commented that the PIC preferred the option of a long-term lease and that the council would retain ownership of the land.

- **Further considerations**

The referring to the project at the WAAF site explained that should this project go ahead the next step would be to put in place a Head's of Terms document outlining timescales for the project and covering legal details with the PIC.

The Chairman highlighted the legal costs to both the council and the PIC and questioned if the PIC would pay all legal fees for the project. Representative of the PIC concurred that this would need to be discussed.

The Clerk confirmed that the 21/22 budget for the project is £4500.00 and the 22/23 budget is £2000.00. The Clerk reminded Councillors that money from the 21/22 budget could not be rolled over to 22/23.

- **To consider if the benefits of passing the asset to PIC on a long lease for less than full market value meet the criteria for social, economic or environmental benefit set in the Local Government Act 1972 s.127 (2) & (5): Local Government Act 1972: General Dispersal consent (England) 2003; disposal of land for less than best consideration that can be reasonably obtained**

Cllr. G. Tull proposed that following careful consideration of the proposal from Portreath Improvements Committee that this council do consider the proposal to meet the relevant criteria for passing the asset to PIC on a long lease for less than full market value meet the criteria for social, economic or environmental benefit set in the Local Government Act 1972 s.127 (2) & (5): Local Government Act 1972: General Dispersal consent (England) 2003; disposal of land for less than best consideration that can be reasonably obtained, and that a working group be formed to look at the next steps for the project. This was seconded by Cllr. Hitchen, put to the meeting and carried. Cllrs. Nash, Kessell and Stewart abstained from the vote.

- **Next Steps**

PIC representatives questioned the full market value of the land. The Chairman confirmed that this was commercially sensitive information, however the land was of significant value.

Following further discussion regarding Heads of Terms for the transfer of land to the PIC Cllr. Symonds proposed that the council draft a Heads of Terms document. This was seconded by Cllr. Tull, put to the meeting and carried. Cllrs. Nash, Kessell and Stewart abstained from the vote.

b) Public Toilets

The Chairman outlined a number of maintenance issues that had arisen in the toilets over the last month. The Chairman confirmed that all work had either been completed or were awaiting parts or a contractor to complete.

Discussion followed regarding the potential to charge for the toilets. The Clerk and Chairman confirmed that when this had previously been considered councillors had expressed that they wished for the facilities to remain free to use, however commented that if councillors wished to revisit this, they should request this being added to the agenda for a future meeting.

c) Neighbourhood Development Plan (NDP)

The Chairman updated the meeting stating that the draft report from the examiner had been received and commented upon and that the examiners report was now with Cornwall Council for amendment to the plan. The Chairman commented the next steps for the project was the public referendum.

d) Signage

The Chairman updated members on the Welcome to the parish signage. The Chairman informed the meeting a contractor had been chosen to install the signs and that with the assistance of the Clerk would be he would be completing the excavation licence shortly.

e) WAAF Site

- i) General update
None

- iii) Update on the proposals for the future of the WAAF Site, authorise any action and consider associated expenditure

- **General Update**

The Chairman confirmed that he had sourced 3 quotes from solicitors to look at the Heads of Terms document.

The Chairman commented that he had identified a number covenants in the transfer details of the WAAF site to this council. The Chairman commented that this included were financial covenants which may mean monies may have to be paid to Cornwall council if

'events' trigger them. The Chairman commented that gaining planning permission may be classed as an 'event'. The Chairman commented that CC Crabtree was working towards this council being able to retail the whole net sale fee as with the former toilets, however this could not be relied on.



Highlighting the cost of solicitor's fees, the Chairman commented that he had queried if Classic builders would pay the councils legal fees, and indicated that the response had been positive. The Chairman informed the meeting that to meet the financial regulations a valuation would need to be secured and exampled the cost of such works.

The Clerk reported that the initial community engagement had seen a generally positive response, however 66% of the people who got in touch directly for further information on the project were looking primarily for affordable properties to purchase, rather than rent.

The Clerk Confirmed that they are keeping a register of community engagement regarding the potential affordable housing development.

The Clerk reminded members that this year there is no approved budget for this project and that the budget for the project for 2022/23 is £2000.00.

The Clerk referred to correspondence received regarding the project objecting to the development of land which is a rich wildlife habitat, that had been transferred to the council from Cornwall Council for use as a community woodland, wildlife and education facility. The Clerk outlined the objectors' other concerns regarding sustainability of the location for affordable housing, stating that there was no bus service to the area, no facilities within walking distance and no amenities close by so residents would be reliant on cars for transport. The Objector also highlighted the pressure on the local school and the impact on the wider parish with regards to overcrowding. The Clerk confirmed a further correspondence had been received from the Objector suggesting that any development should be kept to 1-bedroom properties for young people whose impact would not be felt by the schools and highlighting a report commissioned by the council which suggested the land was contaminated, and highlighted the right of way across the land.

Discussion moved to the council project managing, building and running its own affordable development. Councillors questioned if the council had the funds or expertise for such a venture.

Councillors questioned if other organisations had been approached regarding the project. The Chairman confirmed that Cornwall Council had been approached, however had shown little interest in the land and had not contacted the council in several months despite being chased.

The Clerk suggested contacting Cornwall Community housing trust to see if they would be interested in the land.

Questioning if the council had met its requirements to carry out due diligence the Chairman asked if there were any councillors willing to pursue other avenues.

The Clerk advised that the council should not be hasty in a decision, and that if they felt other options needed to be explored, they should first look into these before agreeing Heads of Terms with the organisation.

Cllr Kessell agreed to follow up some alternate options.

- **To note receipt of the Head of Terms from Nick Hewitt- Borman giving exclusivity for the project to the partners Coastline housing and Classic Builders.**
The meeting noted receipt of the Heads of Terms document giving exclusivity for the project to the partners Coastline housing and Classic Builders.

Councillors agreed to fully investigate all options before entering an agreement of exclusivity.

- **To approve to expenditure to appointment of a solicitor to study the Head of Terms Document**

Following the previous discussion Councillors felt it was not appropriate to approve such spending at this point in time.

9093 To receive various items of correspondence, authorise any action and consider associated expenditure

a) Correspondence circulated by email

None

b) General correspondence

- Complaint from Parishioner regarding alleged development of Common Land
The Clerk outlined the advice given to the complainant, commenting that Cornwall Council were responsible for the queries in the complaint and that they had passed the details of the relevant departments that the complainant should contact to address their concerns.

c) Correspondence received since the preparation of this agenda

- Objection to development of the Former WAAF Site (referred to earlier in these minutes (ref: 9092, e, ii)
- Interest and support in the potential affordable housing development at the former WAAF Site referred to earlier in these minutes (ref: 9092, e, ii)
- Response from Redruth Town Council agreeing to alert Portreath Parish Council to developments within their parish that may have an impact on flooding of the Portreath Stream referred to earlier in these minutes:

9094 To give consideration to any applications received for grants/donations

None

9095 To agree the date of the next meeting, Monday 7th March 2022, 6:30pm

The Chairman thanked everyone for their attendance and participation and closed the meeting at 20:40.

7th March 2022

Chairman – Cllr. Ian Stewart