

# BREAGE PARISH COUNCIL

Mrs Carol Macleod

Clerk to the Council

Tel: 01326 574781

E-mail: [breageparishcouncil@btconnect.com](mailto:breageparishcouncil@btconnect.com)

Website: [www.breagepc.org.uk](http://www.breagepc.org.uk)

92/13

Parish Rooms

Breage

Helston

TR13 9PD

---

## MINUTES ORDINARY PARISH COUNCIL MEETING HELD IN THE PARISH ROOMS

BREAGE ON TUESDAY 3 SEPTEMBER 2013 AT 7.00 P.M.

Present: Cllr Mrs J Anthony (Chairman)  
Cllr T Ackland  
Cllr A Best  
Cllr Mrs T Board  
Cllr S Caddick  
Cllr T Coleman  
Cllr Mrs P Darby  
Cllr P Greenough  
Cllr Ms C Rashleigh  
Cllr Mrs R Wyvern Batt

Mrs C Macleod (Clerk)  
PC2651 Richard Wearne  
7 Members of the Public

The Chairman welcomed everyone.

### 1. FIRE EVACUATION PROCEDURE

The Clerk read out the Fire Evacuation Procedure.

### 2. APOLOGIES FOR ABSENCE

There were apologies for absence from Cllr Bradford who was on holiday and Cllr Higginson who was attending a family celebration in London; from Cornwall Councillor Cllr Keeling who had other council commitments and from PCSO Whitford.

### 3. DECLARATIONS OF INTEREST

a) Cllr Mrs T Board's permanent declaration of interest in accordance with LGA 2000: My beneficial interest in Breage Parish Council owned land registered V.G.621 Praa Green, is that my adjoining property has gate access.

**b) To note declarations of interest in accordance with LGA 2000 - Members and officers to declare non-registerable interests or disclosable pecuniary interests (including details thereof) in respect of any items on this agenda and unless you have the benefit of a current and relevant dispensation in relation to these items you must:**

(i) not participate, or participate further, in any discussions of these items at the meeting;

(ii) not participate in any vote, or further vote, taken on these items at the meeting; and

(iii) remove yourself from the meeting while any discussion or vote takes place on these items, to the extent that you are required to absent yourself in accordance with the Council's Standing Orders or other procedural rules.

Where a Member has a non-registerable interest in an item that does not benefit from a valid dispensation and that interest only arises from the Member's participation in or Membership of a body whose objects or purposes are charitable, philanthropic or otherwise for the benefit of the community the Member may, (with the permission of the Chairman of the meeting or until such time as the Chairman directs the Member to stop) address the meeting to provide such information as they reasonably consider might inform the debate and decision to be made before complying with b).

There were none.

**c) To take consideration of written requests for dispensations**

There were none.

**d) Members to give consideration as to whether their Register of Interest forms are fully up to date**

The Chairman asked Councillors to please take note of this and ensure that their forms are up to date.

### 4. TO CONFIRM THE MINUTES OF THE ORDINARY PARISH COUNCIL MEETING ON 6 AUGUST 2013

The Chairman led Council through the minutes page by page to check for accuracy.

**It was proposed by Cllr Ackland, seconded by Cllr Board and unanimously resolved with one abstention that the minutes of the Ordinary Parish Council Meeting on 6 August 2013 with three amendments be signed as a true and correct record.**

The amendments were: page 79/13, item 9b), lines 9 and 11 – remove the name ‘Moston’ and replace with ‘Lawson’; page 80/13, item 9i), line 4 – remove the name ‘Pete’ and replace with ‘Graham’; page 85/13, item 10g), line 6 after ‘he had passed to’ add ‘Hayley Jewels’.

## 5. CHAIRMAN’S ANNOUNCEMENTS

The Chairman announced that a card and a cheque for £100 had been received from the daughters of CPT. Colin Walker, N461. She read out the following:

*‘An event like June 2, 2013 requires months of hard work from dozens of people. When it is such a resounding success gratitude is hard to express. Please accept this token from Nancy and I as an attempt to show how deeply we felt in appreciation of a truly moving and memorable event.*

*‘How we loved our Dad and how much we feel towards our new “Praa Sands Family”, from the organizers to the band to the clotted cream – the words nor this token can truly express!*

*‘We would hope that the Community of Praa Sands and their Community Centre may find a useful place to use this.*

*‘With deep fondness*

*‘Coleen and Nancy*

*(daughters of Colin Walker)’*

It was proposed by Cllr Anthony, seconded by Cllr Wyvern Batt and unanimously resolved that a cheque for £100 be paid to Praa Sands and District Community Centre as requested in the card.

## 6. POLICE REPORT

### a) To receive and discuss any police report received and other police matters

PCSO Whitford had been unable to attend and PC Wearne read out the report:

‘There were 7 crimes reported to the Police in the period of August 2013

‘Breakdown as follows:

‘Breage:

Resist – or Obstruct Constable – Ongoing investigation – Police Bail

Criminal Damage to Property – Ongoing investigation

‘Praa Sands:

Theft from Motor Vehicle – Ongoing investigation

Section 4 Public Order offence – Ongoing investigation

Assault (domestic) – Ongoing investigation

‘Ashton:

Attempt Theft (lead flashing) – No further lines of enquiry

‘Godolphin Cross

Harassment – (domestic related) – Caution

‘Over the September period Police will be proactive on traffic issues (seat belts mobile phones). During the summer period excess speed has been highlighted in areas of the patch. Road Policing Unit with Neighbourhood team will be proactive during September and will be dealing positively.

‘If you have any crimes you would like to report please telephone 101, or should you have any concerns which you would like to discuss please call me on 01326 555158, this is an answer machine service, please leave a message and I will get back to you. Alternatively, please email the team at [helston@devonandcornwall.pnn.police.uk](mailto:helston@devonandcornwall.pnn.police.uk).’

PC Wearne added that the Praa Sands theft was from an insecure vehicle, that re. the attempted theft at Ashton further security had been put in place and that the Godolphin incident had been Face book related.

The Chairman thanked PC Wearne and asked if there were any questions from Councillors.

Cllr Best asked about the pub burglary at Breage and was told that it would be on next month’s repo. Pc Wearne said there had been another incident at the Duke of Leeds pub, Leedstown and it was thought that they were opportunist incidents.

There was no evidence of connection.

Cllr Ackland spoke of concern about the changed speed limit signs through the villages and the lack of introductory notices.

PC Wearne explained that this comes under Cornwall Council, not the Police.

Cllr Wyvern Batt expressed concern over children skateboarding on the Godolphin Road practically every evening. Cllr

Greenough added that PSCO Whitford was aware of it.

It was hoped that this would quieten down once the children returned to school.

Cllr Coleman asked about the car, just outside Breage in the ditch for some long time, and now with wheels missing.. PS

Wearne said that Cornwall Council had been asked about it three times.

The Chairman asked the Public if there were any questions but there were not.

PC Wearne left the meeting at this point as he had other meetings to attend.

## 7. PUBLIC PARTICIPATION

a) Each member of the public is entitled to speak once only in respect of business itemised on the agenda or in respect of something they wish to bring to the Parish Council’s attention for inclusion on a future agenda and may speak for a period of time which is at the Chairman’s discretion

b) A question asked by a member of the public during this public participation session shall not require a response or debate

- c) The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for oral response or to the Clerk for a written or oral response
- d) A record of the public participation session shall be included on a separate page in the minutes of the meeting  
Public Participation was held here from 7.15 to 7.25 p.m.

## 8. REPORT FROM CORNWALL COUNCILLOR

As Cllr Keeling was not present his report was read out by the Clerk.

'Traditionally a holiday period August; but the inevitable meetings and business as usual matters have had to be dealt with making it far busier than usual. A public meeting at Nancegollan with the objectors and supporters of the Helston Railway proposals to build a new platform and enhance the area for visitors raised various issues of neighbourliness and inconvenience for the people of Prospidnick. The many comments gathered at the meeting will be used to formulate a decision on the proposal in due course.

I also met, publicly, with the people of Hendra Close, Ashton about the condition of the road surface and footways with the close. Though the roads with the estate are private the residents have formed a residents association and through this formal body it will be easier to secure help and possible funding to bring the roads up to a better and acceptable standard. Planning Committee meeting on Tuesday the 27<sup>th</sup> had the two contentious Praa Sands applications before them with a refusal on Penwerris Rise and a site panel visit to Sea Acres on the 16<sup>th</sup> September at 2 pm and I will be there with other members of the committee. On further planning matters there will be an imminent decision notice on PA12/00049, the stationing of a caravan and associated use of land, The Caravan Trewithick Road, Breage. The Engine House Access application, PA13/05101 decision notice will be returned; the application is invalid for legal reasons and will be subject to further submissions.

'Budget meetings are being held both at county hall and the community networks. The Helston and Lizard area is on the 20<sup>th</sup> September at the Town Hall from 6:30 pm. The continuing central government austerity programme will inevitably impact on local government and some difficult decisions regarding resources and providing local services will have to be taken to ensure the vulnerable and most needy in our society are looked after.

'Other matters include a surgery, reference the New Housing complex at St. Breaca is to be held by Devon and Cornwall Housing towards the end of September, for the benefit of the people of Breage Parish in need of housing and to answer questions and give advice, date and times to be published soon. Please encourage people in housing need in your villages and hamlets to attend.

'I am very keen to put my Councillor's Community Chest to good community use and invite further applications and inquiries from parish councils and community groups alike. So far I have authorized a number of grants including: Volunteer Cornwall for work in Breage Parish, a grant towards "The Silly Boys Theatre" a production being put on by the Praa Sands Community Centre in October, a grant towards the repair and restoration of an ancient adit/well in Germoe Parish and a grant towards the newly formed Sithney Community Group. Further pledges include some partial funding towards refurbished toilets for Praa Sands Community Centre.

'The "Preparing for an Emergency in the Community" training for the 3 parish councillors representing the parish councils in the electoral division is on the cards for this month and I have contacted the Council's Emergency Planning Officer who will provide help and support the parish councillors. It is considered good practice for communities to plan for, or respond to emergencies in their locality and how they may assist the Emergency Services and all other agencies. I will publish some dates via the parish clerks in due course.'

The Chairman asked if there were any questions arising from Cllr Keeling's report that the Clerk could forward to him.

Cllr Greenough raised concerns over Planning Application PA13/5101, saying that he felt it had not been handled well at all. On the 6 August the Parish Council had resolved to object and at 00.45 on 7 August the Clerk had e-mailed the objection to Kirsty Smith. The Parish Council received thanks for its comments from Kirsty Smith, the same day, at 14.31 and was asked if it would agree to disagree. Kirsty Smith, in her e-mail requested to meet with Cllr Keeling before 14th to discuss the application but it was clear from Kirsty asking the Parish Council to agree to disagree that her decision had already been made.

On 7 August, 21.21, Cllr Anthony asked Cllr Keeling to read the officer's report from the refused application and ended by asking that this application be properly considered.

Councillors unanimously replied to Kirsty Smith that they did not agree to disagree and, as already detailed in the first sentence of the original objection, asked that the application go to full planning. This was acknowledged with a thank you on 15 August. Cllr Keeling was also informed on this date of the Parish Council's decision and Cllr Anthony, at 11.10, informed him that the Parish Council wished for the application to go before the Planning Committee. The same day, at 16.52, Cllr Keeling replied that he was aware of all the Parish Council's concerns and stated that the decision to go to the Planning Committee or to delegated had not yet been made. He also stated that the Planning Officer was in receipt of the Parish Council's views.

16 August – Cllr Anthony informed the Parish Councillors of her communication with Cllr Keeling and of the request to go to Planning Committee with this application.

On 20 August, 13.35 there was a message from Kirsty Smith to Cllr Keeling asking him to confirm that the application could be decided under delegated powers. At 19.14 Cllr Keeling replied, 'Yes of course – I thought I had done this yesterday'. Nothing was received by the Parish Council and then someone saw on-line that the application had received conditional permission through delegated powers. The Cornwall Councillor had not mentioned this and it was felt there had been a breakdown between the Parish Council and Cornwall Council.

Cllr Greenough again expressed his concern about the manner in which the outcome was obtained. In particular he felt that the Case Officer appeared to disregard the Parish Council's comments and felt that the decision had already been made as the tone of her report from the site visit inferred. He was also astounded that the Cornwall Councillor – given a chance to confirm the decision to approve under delegated powers did not mention the very strong desire of the Parish Council for this not to happen.

Further discussion arose and Councillors expressed their concern as to why the Parish Council had not been notified of the decision to go to delegated powers and as to how the application had been signed off on-line with again, no notification to the Parish Council. The Parish Council had been very precise and the not to agree to disagree had been a unanimous decision. It was felt to be extremely unfortunate that no further communication had been received.

After lengthy discussion, **it was proposed by Cllr Greenough, seconded by Cllr Best and unanimously resolved that that Cllr Keeling be asked for the reasons, in writing, why the application did not go to the Planning Committee and why the Parish Council's request for this process was ignored.**

Following on to Cllr Keeling's reference in his report that the 'PA13/05101 decision notice will be returned; the application is invalid for legal reasons and will be subject to further submissions', the Parish Councillors were very strong in expressing the belief that the applicant should have fees refunded and a further application made. The validity of the application was raised. It was requested that Mr Shelley be permitted to answer a question. There were no objections to this. Mr Shelley was asked about the validity on the application as all along he had been saying that it was not valid. He explained that the application was registered as valid even though he had raised question about it from the start. The application is unlawful and a nullity and as a result he has taken specialist advice and will be writing to the Chief Executive, Cornwall Council. After further discussion **it was proposed by Cllr Greenough, seconded by Cllr Best and unanimously resolved that Cllr Keeling be asked that the Parish Council feels that as the application is now classed as invalid it is unlawful and a nullity and in response to this the Parish Council feels that the applicant should have their fees refunded and be invited to make a further application so that the application can be fully considered with proper expert consultation on what surface would be necessary. Cllr Keeling should be asked to inform the Parish Council of the procedure that will now follow and also be asked if there is any update on the Cornwall Motel as no planning application has yet appeared?**

The Public was asked if there were any questions for Cllr Keeling but there were none.

## 9. PLANNING

### a) **TO CONSIDER PLANNING APPLICATIONS RECEIVED FROM CORNWALL COUNCIL**

#### **PA13/05783 – Mr K K Hunt – Glenree, I Middle Row, Ashton, HELSTON, Cornwall TR13 9RX**

Construction of porch and conservatory. Conversion of garage to master bedroom with en-suite – time extension granted

Cllrs found the external door from the master bedroom strange but otherwise had no problems with the application. **It was proposed by Cllr Ackland, seconded by Cllr Greenough and unanimously resolved that the application be supported.**

#### **PA13/06738 – Mr Brent Rosevear – Rosevear Engineering, Rosevear Units, Trewithick Road, Breage**

Erection of storage building for vehicles, plant and equipment – time extension granted

Councillors had no problems with the applications as it was a local business and the building was well set back and tucked away concealing the 5.3m height.

**It was proposed by Cllr Coleman, seconded by Cllr Ackland and unanimously resolved that the application be supported.**

#### **PA13/07144 – Mr N J Bolitho – Huthnance Farm, Pengwedna, Nancegollan, HELSTON, Cornwall TR13 0AZ**

Certificate of lawfulness for the continued use of log cabin as dwelling house

Discussion arose as to whether the cabin is classed as a caravan or a building. There was an enforcement order in the past but it was not pursued and was closed. Concern was expressed that on the application the building had been listed as a dwelling. Cllr Ackland felt there was no problem as the cabin had been there from 2006 to 2013 and was completed hidden. Cllr Best said that he had no objection as a lodge but if it was legalised as a dwelling it would set a precedent for development.

The Clerk advised that the applicant's agent was present and wondered if he had any explanations. Council was asked if anyone objected to the agent speaking and no-one objected.

The agent advised that when Kerrier DC inspected for enforcement on 6 July 2006 as an initial visit nothing further was done. If it is a building it would be lawful after 4 years but if it is a caravan, after 10 years. It had been written off in 2010.

Cllr Best still felt that it is a caravan as it had been assembled from 2 pieces on a concrete pad on site and bolted to the pad.

The Chairman felt that the Parish Council would not be able to resolve the matter unless more information was received from the Planning Officer and that Council's comments be delayed until the current status of the cabin is known.

Much further discussion arose but Councillors did not have any definite knowledge of the cabin.

**It was proposed by Cllr Greenough, seconded by Cllr Best and resolved with two votes against that the Planning Officer be contacted, more information obtained and a request that the Parish Council's comments may be delayed until this information is received.**

PA13/07302 – Miss A Chessun – Wheal Vreagh Farm, Wheal Vor, Breage, HELSTON

Continuation of use of land for the stationing of caravans and tents for holiday purposes

Cllr Wyvern Batt said that she did not remember applications for the washing services. It was stated that there have been enforcement cases.

Cllr Darby said that the area started off as a camping and caravan field but was increased to 5 pitches after a couple of years and the sign changed to a caravan site. This application is for 11 tents, 7 Euro tents, 7 mobile caravans + 3 more to come.

Cllr Anthony said she is unfamiliar with the site and asked about Highways access and licensing.

Cllr Best asked what the length of occupancy is but this was not known.

Cllr Darby felt that numbers should be limited and Cllr board that it should be seasonal – just for the summer.

Cllr Caddick spoke about the Mine Head and the shed that was the Captain's residence, an important structure. This was demolished by Holman and the road there now serves as access where there is a lot of dumping. It was originally an agricultural holding but has been changed to residential.

Cllr Greenough said that he could not support the application and **he proposed, with Cllr Best seconding and it was unanimously resolved that the application should not be supported and objection raised re. the increase in numbers – that the length of occupancy should be clearly stated and numbers limited, that are no licences and conditions and that people have been met who are residential at the site.**

**b) TO CONSIDER PLANNING APPLICATIONS RECEIVED AFTER PUBLICATION OF THE AGENDA UP TO 12 NOON ON 30 AUGUST 2013**

PA13/06702 – Mr & Mrs Wass – Pengersick Farm, Pengersick Lane, Praa Sands, PENZANCE

Demolition of existing garage and erection of replacement dwelling

Cllr Rashleigh raised the matter that there are no details of building materials, no survey for flooding – to be confirmed at a later date.

Cllr Board felt that the application to be incomplete and was very concerned that such an application has been submitted in the environs of Pengersick Conservation Area that Kerrier Council approved in 1989 to protect the setting of the Grade I Listed Building, Pengersick Castle. The surrounding farm buildings, principally Grade II were considered of National importance. She added that the garage was once a piggery, built of concrete blocks – hence the unusual length. The walls were later heightened and the conservatory later added. The proposal is to demolish the garage and on the footing to replace with a large modern. Two-storey high dwelling with no concession to reflect the association with the neighbouring farmhouse, the other listed buildings or their importance with each other as united by being built from the ruins of the ancient Manor House. English Heritage oversees to ensure the preservation of the whole from undesirable development. It is part of Cornwall's history. The piggery converted to garage and conservatory are not Listed. The demolition would enhance the environs but the possible future replacement would not. The proposal to use the Piggery footings has no relation to a conversion to a dwelling. Cllr Board also expressed concern that the ridge height was not given, as were no details of the materials for the roof. The walls, doors and windows are not specified. No design plans are included for the sewerage. Cllr Board believed the application should be rejected.

The Chairman explained that objections been received from the Pengersick Historic and Education Trust and read them out:

*'Yet again this application has been registered and interested parties notified on the cusp of the Parish council's scheduled monthly meeting, thereby affording very little time for local representations to be considered, adequately formulated and presented to the Parish council in a timely manner for their consideration.'*

*'The proposed development is within the Conservation Area yet of a highly modernistic design and therefore, the Trustees consider wholly inappropriate to its proposed location, being in such close proximity to a national heritage building (Pengersick Castle) and thereby insensitive to its surroundings; no attempt has been made to design the building in keeping with its location nor apparently for the materials proposed to be used of local matching stone/slate, etc.'*

*'Trustees would wish to comment on the apparent overdevelopment in an area where there is already a high concentration of habitable units.'*

*'Finally, the applicants are citing that this new build will become their permanent home – what then is proposed to happen to the farmhouse which the applicants purchased a few years ago, at the time assumed to be as their permanent home?'*

*'In the absence of sufficient time to comment adequately and in full on this application the Trustees would wish to object to the same.'*

**It was proposed by Cllr Board, seconded by Cllr Rashleigh and unanimously resolved that the application not be supported and the following objections be listed: that it is an incomplete planning application with no details of building materials, no details of windows and doors, no ridge height, no flooding survey, no sewage design plan and that it is overdevelopment within the Conservation Area, modern and out of character with the surrounding area and buildings especially Pengersick Castle.**

PA13/07397 -Mr & Mrs Stuart and Eva Bainbridge – Glynn Cottage, Higher Road, Breage, HELSTON TR13 9PL

First floor rear extension with rear steps and landing to external entrance on new first floor

Cllr Rashleigh had been invited to look at the rear of the cottage and explained that the current roofing was very strange and that she felt that the proposed work would sort this out and better suit the cottage. There had been no objections from the neighbours either side. **It was proposed by Cllr Caddick, seconded by Cllr Ackland and unanimously resolved that the application be supported.**

c) **PA13/5101 – Mr G Anstee – Engine House Cottage, Poldown, Breage HELSTON**

Retrospective application for the provision of a new access

This application was discussed at the August meeting and the following comments sent to the Officer:

1. There is no surface water run-off management scheme. This cannot be addressed by a condition before any work commences (as suggested by the Natural Environment Officer and proposed in the Officer's report to Committee on the refused application PA10/03123) as the unauthorised work has been completed.
2. There would be a serious adverse impact on neighbouring properties resulting from an increased risk of flooding from surface water run-off in an area that is already identified as being susceptible to surface water flooding.
3. There is no Flood Risk Assessment with the application.
4. In the previous refused application the Natural Environment Officer (Hydrology) stated that the proposed surface treatment should not be used on such a steep gradient, and a condition (11) was proposed by the Officer that no work should commence until "full details of both hard & soft landscape work have been submitted and approved". None of this has been provided in this retrospective application.
5. The case for this additional access no longer exists following refusal of planning application PA10/03123 as the property access should only be serving one dwelling - Engine House Cottage. There is also an existing access to the north of the property that is a safer access onto the Carleen-Sithney road that can be used without adversely impacting on neighbouring properties and the local environment.
6. The unauthorised work has created a serious adverse visual impact on this protected environment - a World Heritage Site, and the Conservation Officer should have been consulted on this application.
7. No information has been provided regarding the boundary treatments/landscape works, which was a condition (9 & 11) contained in the Officer's report on the previous application. These detailed conditions were obviously believed necessary and required that before work commenced details of all boundary treatments would have to be approved "in the interests of visual and residential amenity and in accordance with the aims and intentions of Policy 2 of the Cornwall Structure Plan".
8. Councillors expressed concern that this is a retrospective application following a refused application for the work that has now been done.
9. It was asked that you please note that Block Plan 03 is showing Engine House Cottage in the wrong position.
10. Mr Anstee attended the meeting and spoke of his wish that the water run-off be further investigated as he felt the water was not coming from his property but no Flood Risk Assessment was included in his application.

Subsequently, the following reply was received from the Planning Officer:

Thank you for the Parish Council's comments with regard to the above application.

I recognise that the Council does not support the above application and therefore as your recommendation is in conflict with the Officer's opinion (myself). Please take this email to be the start of the 5 day consultation period under the Local Council Protocol (under this protocol I would appreciate a response from the Parish Council by Thursday 15 August 2013).

I appreciate your comments which will be included in my report; however I am looking to recommend approval of the above application.

In response to the Parish Council's comments:

Voting Councillors resolved with one abstention to object to the application for the reasons listed below and asked that should the Planning Officer support the application that it please be taken before the Planning Committee.

My comments:

1. You may recall the excessive rainfall Sunday daytime and evening and flash floods on Monday morning, having this weather opportunity I visited the site at 8am on Monday to view the access and look for any additional flooding to this lane. I attach my report with photographs which show there is no water run off from the access. The new access road is built above an adit (as shown in the construction photographs provided as supporting information) this former mine entrance is over 12 foot deep I assume this has taken some of the water.
2. There are no constraints for this site with regard to flooding. I appreciate from the objection letters that this lane floods in conditions of extreme rainfall hence my site visit.
3. A flood risk is not required for the application as there are no flooding indications recorded within our constraints for this area.
4. The Hydrologist may not have supported the surface however the installed surface was as recommended by the Highways Officer. The Hydrologist did not recommend refusal of the proposed surface but control by condition. In the absence of water run-off there is no requirement for a controlling condition. Hard and soft landscaping is not a requirement for this access application.
5. The Planning Committee public report states that following concerns for the existing access the Highways Development Management Officer amended plans were received for access from this lane, which was supported. The north access was not proposed due to it being too narrow for service vehicles; it lacks passing places and has poor visibility. The Highways Officer has no highways objections to this application.
6. Whenever development is proposed there will inevitably be an impact on the character of the surrounding area. However, the fact that there is a change in the appearance of the land by this new drive and access, does not mean that the impact is harmful. There is merely a change of appearance. On balance it is not considered that the impact on the area a World Heritage Site to be so significant as to justify refusal of permission.

7. There is no requirement for boundary treatment or landscape-work to this access application, although from my site visit soft and hard landscaping is in hand and the surrounding fencing complete. The Cornwall Structure Plan is no longer current planning policy for development.
8. It is not unlawful to build without planning permission. The Enforcement Team considered that the engineering operation to form the access track required planning permission and invited the applicants to make an application. Contrary to neighbour objection there is not enforcement notice for this site with regard to the created access.
9. The site location plan is correct, the plan to which you refer the block plan has a cross on the garage to Engine House Cottage, the cottage not in this plan.
10. A flood risk is not required for the application as there are no flooding indications recorded within our constraints for this area.

Under these circumstances, please can you confirm that on this occasion that we can agree to disagree?

**The Clerk had contacted the Parish Councillors who had voted and every one of them did not wish to agree to disagree.**

**This was passed to the Planning Officer but needs to be confirmed at this meeting by resolution.**

**It was proposed by Cllr Rashleigh, seconded by Cllr Wyvern Batt and unanimously resolved that the Parish Council voted unanimously not to agree to disagree with the Planning Officer's decision on PA13/5101 – Mr G Anstee – Engine House Cottage, Poldown, Breage HELSTON, Retrospective application for the provision of a new access.**

d) **PA13/05669 – Mr & Mrs C Lock – Westward Ho, Main Road, Ashton, HELSTON TR13 9SD**

Construction of two replacement dwellings, new septic tank, new access and drive

This application was discussed at the August meeting and the following comments sent to the Planning Officer: Breage Parish Council, with one abstention because the Councillor had not seen the plans, objected to the application as it was considered to be overdevelopment and out of character with the surrounding area. One single storey building would be preferred. Councillors were adamant that there are not 2 dwellings on the site, only 1. Council also objects to the additional new access that would take a chunk of the adjacent field. The present access is felt by Council to be perfectly good and safe. Council also objects to the change of agricultural use to domestic. There was apparently a preapp for this application and Council felt it would have been helpful if the Parish Council had known about this.

Council found it strange that the plans show a turning area for delivery vans when two turning areas have already been included.

The Officer contacted the Clerk and explained that he wished to refuse the application on 2 of the matters the Parish Council had raised: the out of character overdevelopment and there only being one dwelling. He asked if the Parish Council would be happy with that.

The Clerk contacted the Councillors who had voted and 10 of the 11 were happy for the Officer to refuse on those two matters.

**This to be confirmed at this meeting by resolution.**

**It was proposed by Cllr Coleman, seconded by Cllr Ackland and unanimously resolved that that the Parish Council were happy for the Officer to refuse permission on two matters: the out of character overdevelopment and there only being one dwelling for PA13/05669 – Mr & Mrs C Lock – Westward Ho, Main Road, Ashton, HELSTON TR13 9SD, Construction of two replacement dwellings, new septic tank, new access and drive.**

e) **TO RECEIVE ADVICE FROM CORNWALL COUNCIL OF CONDITIONAL PLANNING PERMISSION**

**PA13/05733 – Mr Oldfield – Newcroft, Herland Road, Godolphin Cross, HELSTON**

Proposed replacement garage

**PA13/5101 – Mr G Anstee – Engine House Cottage, Poldown, Breage HELSTON**

Retrospective application for the provision of a new access

f) **TO RECEIVE NOTICE FROM CORNWALL COUNCIL OF REFUSAL OF PLANNING PERMISSION**

**PA13/05669 – Mr & Mrs C Lock – Westward Ho, Main Road, Ashton, HELSTON TR13 9SD**

Construction of two replacement dwellings, new septic tank, new access and drive

**PA13/05453 – Mr A Allan – Caravan, Clover Meadow, Higher Road, Breage, HELSTON TR13 9PL**

Certificate of Lawfulness for the continued use of a residential caravan

g) **TO RECEIVE NOTICE FROM CORNWALL COUNCIL THAT PRIOR APPROVAL IS NOT REQUIRED**

**PA13/06701 (AF/TEL/DEM) – Mr D Parry – Avoncroft, Wheal Vor, Breage, HELSTON, Cornwall**

Prior notification for the construction of agricultural building for general storage

h) **TO RECEIVE REPORT ON THE WEST SUB-AREA PLANNING COMMITTEE MEETING HELD ON TUESDAY 27 AUGUST 2013**

**PA13/03988 Revised Application for approved PA10/05608 - Mr R Tippett - Breakers, Penwerris Rise, Praa Sands,**

**PENZANCE**

Retention and completion of a dwelling to include increase in height, addition of a dormer window on rear elevation and amended design of hip roof with increased massing on gable ends

Cllr Anthony reported that this application had been refused. The Councillors had been unhappy that this was yet another retrospective application where the applicant had agreed to do one thing and had then done something else.

The Committee was adamant that this needs to stop as it is a blatant flouting of the regulations and makes a mockery of planning decisions and the whole system. This had been a good result for this application and it has shown that the Planning Committee is noticing what is happening. The Legal Advisor suggested that in refusal an enforcement order be attached which was done.

**PA13/05259 - Mr A Ballard - Sea Acres, Castle Drive, Praa Sands, PENZANCE**

Demolition of dwelling and detached garage. Construction of 2 no. Dwellings and associated works

Cllr Anthony reported that Cllr Bradford had spoken against this application on behalf of the Parish Council and Cllr Board had spoken as an objector.

It had been decided to hold a site meeting as the Councillors wished to see the site and assess things for themselves. This was felt, by Councillors, to be a good result.

**i) ENFORCEMENT/PLANNING PROBLEMS**

**To resolve to finalize reply to Phil Mason, Head of Planning and Regeneration and to copy to Edwina Hannaford, Portfolio Holder Environment, Heritage & Planning and Jeremy Rowe, Portfolio Holder Devolution & Localism re. enforcement/planning problems**

The Chairman explained that a letter was originally written to Phil Mason in April to which Hayley Jewels had replied. A further letter had been sent and at the last meeting it had been agreed that a further letter be sent as it had been felt that the Parish Council's concerns had not been addressed. Replies had been received from the Portfolio Holders. Councillors had all had sight of the new draft letter:

*Further to your letter dated 17 July, Breage Parish Council has discussed your reply to its two previous letters of 3 April and 24 June and is disappointed that you have not addressed and appear to have missed or glossed over the main area of concern.*

*As previously explained the Parish Council noted Hayley Jewel's comments on the day to day issues encountered by the Enforcement Team, however it still remains that you have not responded to our serious concerns that Cornwall Council is not adhering to its stated enforcement Objectives and Policy.*

*Interpreting the concerns expressed about the need to be more proactive (or taking the initiative in other words) with reported breaches as an expectation that every planning application should be followed up is not helpful. It is clear that the vast majority of applicants is responsible and adheres to the conditions of planning permissions. However, when a breach is discovered and reported, the Parish Council and members of the public expect that this should be followed up swiftly and visits made and cases resolved within the timescales outlined in Cornwall Council's enforcement objectives and guidelines. As these cases are in the minority this should surely be achievable.*

*The point you make about relying on the public to raise awareness of breaches is at the heart of Breage Parish Council's concerns. Members of the public **are** reporting breaches of planning control and in those cases which defy conditions attached to planning permissions they are seeing developments going through to completion, or near completion, without any apparent meaningful intervention by Enforcement, at which point a retrospective planning application is submitted. Whilst under current legislation this is not 'illegal', this surely does not have to prevent Cornwall Council from discouraging this behaviour by taking action.*

*Our views on this have been reinforced very recently by the West Planning Sub-committee when refusing a retrospective planning application for work carried out not in accordance with the plans or conditions of the permission. As it happens this application was one of the examples we gave when we first wrote to you on this matter. The Planning Committee was **very** critical of the lack of timely and appropriate enforcement action and was concerned at the worrying trend of increasing numbers of cases of developers not adhering to the plans and conditions in planning permissions, building something different and then seeking retrospective planning permission for the changes. Members' views were very strong with statements that this is blatant flouting of the planning rules and that this is making a farce of Planning Committee decisions.*

*Planning regulations and conditions attached to planning permissions are surely there for good reason - i.e. protecting the environment, visual amenity, residential amenity etc. and when the public sees these being defied, without being seen to be challenged and then just swept away on the submission of a retrospective application the credibility of the planning system is compromised.*

*Although thankfully these cases are not at present in the majority, the possibility should be considered that if the planning/enforcement system is thought to be ineffective the number of these cases will increase, adding to the case load of Enforcement which would be in no-one's interests.*

*The guidance on Cornwall Council's website does not yet appear to have been updated and in the absence of information on the local enforcement plan referred to in your letter, Breage Parish Council is unable to comment on or determine whether this addresses its concerns.*

*As part of the Localism Agenda, Breage Parish Council would hope that Cornwall Council will listen to and take notice of the concerns of local councils and work together to overcome issues that are of great importance to the public, such as this. Breage Parish Council therefore hopes that you will fully consider the matters raised in this letter and those of 3 April and 24 June, review the situation and respond positively to the issues raised.*

**It was proposed by Cllr Anthony, seconded by Cllr Coleman and unanimously resolved that the above letter be sent to Cllrs Edwina Hannaford and Jeremy Rowe with thanks for their previous positive and encouraging responses.**

**j) To discuss Cllr Rashleigh's suggestion that an Enforcement Councillor be selected for each area in the Parish**

Cllr Rashleigh felt that each village area should keep up-to-date with enforcements. Cllr Best felt that the Parish Council should keep on top of the bodies dealing with these matters and there should be no need for Enforcement Councillors within the Parish. Further discussion arose and suggestion was made that Hayley Jewels and John Keeling be invited to come to a meeting to answer the Parish Council's questions. It was felt that an up-to-date list needed to be obtained so that a log of what needed to be asked when meeting Hayley Jewels and John Keeling could be made.



Cllr Anthony proposed that she obtain an up-to-date list of outstanding enforcements, i.e. cases still open, from Hayley Jewels plus regular up-dates, this was seconded by Cllr Coleman and unanimously resolved.

k) **To receive report on preapplication informal meeting regarding further amended design to:**

PA12/10523 – Mr S Whittingham – Riverside Bungalow, Townshend, HAYLE. TR27 6AS

Demolition of Mundic Bungalow and construction of a replacement dwelling

Amended design to Planning Approval PA10/07567

The Chairman reported that a good number of Councillors had attended and found this very useful. Cllr Greenough and Board had asked about disabled access and Mr Whittingham felt he should look at that and perhaps include a ramp. It was felt by Councillors who had attended to be a better design than the previous one.

## 10. FINANCE

a) **To receive and approve 3 month Financial Statement**

Cllr Caddick confirmed that he had checked the 3-month statement. **It was proposed by Cllr Caddick, seconded by Cllr Ackland and unanimously resolved that the 3- month Financial Statement be approved and signed.**

The Chairman signed the 3-month statement.

b) **BT Internet 24 month Renewal**

Councillors have been contacted and 10 have agreed that the BT internet contract be renewed and the Clerk has confirmed this with BT but this **needs to be confirmed by resolution at this meeting**

**It was proposed by Cllr Best, seconded by Cllr Ackland and unanimously resolved that the BT internet contract be renewed for 24 months.**

c) **To resolve to confirm the date of the Accounts Team pre-budget/precept meeting as Thursday 17 October 2013 and to confirm the date of the Precept/Budget meeting date be confirmed as Thursday 21 November 2013 to be held in the Parish Rooms at 7.00 p.m.**

**It was proposed by Cllr Ackland, seconded by Cllr Wyvern Batt and unanimously resolved to confirm the dates of the meetings as listed above.**

d) **To receive suggestions for inclusion in 2014/2015 Precept/Budget**

Councillors are requested to submit suggestions to the Clerk before the meeting on 17 October

The following suggestions were listed:

1. Renewal of the lettering on the plaque marking the shute at the bottom of Shute Hill, Breage.
2. Praa Green – Cllr Board felt that the Green does not receive a fair amount of the budget.
3. An Emergency contingency.
4. 2014 First World War 100 year commemoration.
5. The Chairman explained that the Cemetery looks in a sorry state when entering and that this must be sad for folk attending funerals to view. The Cemetery walls need repair and painting and the wooden gates need a good deal of work. The wooden fence needs to be treated with preservative. The Clerk has asked the Handyman for estimates. Cllr Best offered to meet with the Handyman to discuss these matters. Council were happy for him to do this.
6. Streetlighting.

e) **To resolve to approve September payments**

no.	Name	cheque	Service/item	Net	VAT	Total
82	SSE Contracting		Non-routine maintenance Streetlights	£58.05	£11.61	£69.66
			Routine Maintenance Streetlights	£166.43	£33.29	£199.72
		103259		<b>£224.48</b>	<b>£44.90</b>	<b>£269.38</b>
83	R W Beard		2 cuts Cemetery/B&G greens/Field	£388.00		£388.00
			Cemetery path	£30.00		£30.00
		103260		<b>£418.00</b>		<b>£418.00</b>
84	e-on	dd	Electricity Streetlights July	<b>£232.54</b>	<b>46.51</b>	<b>£279.05</b>
85	Viking	103261	Inks/stamps	<b>£332.96</b>	<b>49.14</b>	<b>£382.10</b>
86	BT	dd	Mobile	<b>£17.50</b>	<b>£3.50</b>	<b>£21.00</b>
87	CALC	103262	Training	<b>£20.00</b>	<b>£4.00</b>	<b>£24.00</b>
88	BT	dd	Broadband	<b>£50.80</b>	<b>£10.16</b>	<b>£60.96</b>
				<b>£1,296.28</b>	<b>£158.21</b>	<b>£1,454.49</b>
89	Mrs C L Macleod	103257	Salary August			
90	PO Ltd (HMR&C)		PAYE	£284.00		£284.00
90	PO Ltd (HMR&C)		Employer's NI	£143.58		£143.58
		103258		<b>£427.58</b>		<b>£427.58</b>
91	Mrs C L Macleod	103263	Travel 10mils @53p	<b>£5.30</b>		<b>£5.30</b>
92	Mrs C L Macleod	103264	Petty cash reimbursement	<b>£10.42</b>	<b>£1.48</b>	<b>£11.90</b>
93	D R Treloar	103265	Caretaker salary August	<b>£29.60</b>		<b>£29.60</b>
				<b>£1,769.18</b>	<b>£159.69</b>	<b>£1,928.87</b>

Cllr Best confirmed that he had checked the payments. **It was proposed by Cllr Best, seconded by Cllr Coleman and unanimously resolved that the payments as listed above be passed for payment.**

f) **To acknowledge receipts**

Cemetery fees: £66

The Clerk advised that a further £355 in Cemetery fees had been received. Cllr Best asked that the £100 donation for PSDCC be included so that it could be paid out next time.

The receipts were acknowledged.

g) **Clerk to provide Bank balances**

Current Account reconciled: £5,199.25; Tracker Account: £21,456.45; Petty cash: £88.10; Total including Petty cash reimbursement: £26,755.70

## 11. FOOTPATHS

- a) Invoices have been submitted to Cormac re. SWCP cutting charges £2,558.47 and LMP footpath cutting charges £3,084.74

This money was received on 2 September.

- b) Cllr Darby reported that path 64 was overgrown even though the path has been cut twice. Cllr Coleman said that re-opening the path had not been a good idea as it is difficult to walk and not well used. **Cllr Darby proposed contacting Dan Senior to see if Cornwall Council would help. This was seconded by Cllr Coleman and unanimously resolved.**

## 12. STREET LIGHTING

Cllr Ackland reported that the facts figures had all been sent in to Mr Shailes and a reply was awaited.

## 13. CEMETERY AND CLOSED GRAVEYARDS

- a) **To resolve to approve to grant permission to erect a memorial to the late Frederick and Frances Johns, Section 1, Row 16 grave 305.**

**It was proposed by Cllr Ackland, seconded by Cllr Best and resolved with one abstention to approve permission to erect a memorial to the late Frederick and Frances Johns, Section 1, Row 16 grave 305.**

- b) **To retrospectively resolve to grant permission to erect a memorial to the late Margaret Elizabeth Knox, Section 1, Row 19, grave 356**

The Clerk explained that this stone has already been installed – it was reported to the Clerk by a Parishioner. There is an heraldic design – a flag? - in the top left hand side that was not shown on the application. One of the Councillors believed this to be a Northumbrian flag. The Clerk has written to the stone mason. **It was proposed by Cllr Rashleigh, seconded by Cllr Board and unanimously resolved that this application be deferred to the next meeting.**

- c) **To discuss and decide action to be taken re. the incorrect layout of grave 356**

The Clerk explained that Mr Knox had asked her if he could put thin pieces of wood round the edges of the grave – she had presumed to hold up the soil and had said that it would need to be below grass level and that she would ask the Council. She had intended to raise it at this meeting. However, Mr Knox has actually put in the wooden battens that are quite wide and filled in the area with white chippings and has also put white chippings either side of the headstone. This of course encroaches the adjacent grave areas. Cllr Darby felt that if the chippings were permitted to remain others would want the same. It was agreed that the extensions to the sides were a Health and Safety hazard. **It was proposed by Cllr Anthony, seconded by Cllr Wyvern Batt and unanimously resolved that Mr Knox be advised that the work he has done on grave 356 is not acceptable under current regulations and the chippings would have to be removed.**

## 14. HELSTON & LIZARD COMMUNITY NETWORK

- a) **To receive a report on the meeting held on 21 August 2013**

Cllrs Howard Bradford and Simon Caddick attended the meeting. In the absence of Cllr Bradford the Chairman gave the main points of his report:

*Cllr Bradford said that CC Keeling opened the meeting at 2.15pm. There was no agenda and Cllr Bradford asked if there would be minutes of the meeting. Maxine Hardy said that she would be taking a few notes.*

*He found the meeting very informal and Cllr Keeling and Ms Hardy did their best to explain things but he couldn't understand their rationale or why there has to be this structure and extra layer. It seemed to him to be another 'filter' level which moves Parishes further away from access to Senior Cornwall Council Officers, not bringing them closer, and in his opinion would give more control 'upwards' rather than devolving it downwards thus going against the very spirit of Localism.*

*Cllr Bradford stayed until 3.40pm when he had to leave for a another (pre-notified) appointment but came away more confused than ever, with no idea of what Cllr Keeling or Ms Hardy wanted, expected or were actually offering. With no Terms of Reference, no clear structure or objectives it was not clear what this arrangement could achieve or when it would all happen.*

He was concerned that the suggestion was that they would be better placed and better able to do 'it' for the Parish Council (whatever 'it' is) and do it quicker and better, with better access to Senior Officers than the Parish Council has or is able to make. Cllr Bradford said that in his short time with Breage Parish Council he couldn't think of anything that we have not been able to pursue reasonably well, albeit not without great difficulty sometimes, and never quickly, with or without the help of Cllr Keeling. In expressing his doubts Ms Hardy's snap reply was that if Breage didn't want to join the Network or go to the meetings or had no use for it, then it didn't matter at all and the meetings would still go ahead without Breage.

In summary, Cllr Bradford felt that this arrangement would be slow and unwieldy and an unnecessary layer of overheads in these difficult financial times and he could not see and was not shown any real benefits to the Parish Council or Parishioners. It was not therefore in his opinion the way forward.

The Chairman asked Cllr Caddick if he had a report to give. Cllr Caddick felt that Cllr Bradford had not wanted to attend the meeting and that he had even forgotten that he was the Parish Council's representative. He also wished for it to be noted that Cllr Bradford had left the meeting early. He felt that Cllr Bradford had spoken negatively at the meeting. He said it was a pilot meeting and an opportunity for two-way dialogue, perhaps about matters such as Enforcement. He said that the two-hour meeting should have been half-an-hour. He felt that the Parish council could go forward as matters like Finances could be raised. He said that there was no need for clear understanding.

Cllr Best, who had knowledge of past meetings felt that they were a waste of time. He could not see the need to go through the Network when the Parish Council could directly approach Enforcement, etc. There had been nothing in black and white and it appeared to be a way for people in Cornwall Council to keep their jobs. Cllr Best was against the meetings.

Cllr Anthony strongly believed that there should be Terms of reference and could see no benefits.

Cllr Greenough said that he could not support the Network in its present format and felt that the Parish Council should take no further part.

Cllr Ackland said that previous Councillors, before Cllrs Bradford and Caddick had attended these meetings and not a lot had been achieved. He reminded Council that the Councillors attending have no mandate from the Parish Council to vote on its behalf.

**It was proposed by Cllr Ackland, seconded by Cllr Best and resolved with two votes against that Cllrs Bradford and Caddick attend one more meeting. Cllr Anthony asked that it be held at the One-Stop-Shop rather than in the Parish Rooms. This was agreed.**

## 15. CODE OF CONDUCT

a) The Standards Committee would welcome comments on the Code of Conduct no later than **Friday 4 October 2013**.

**To make comments on the following and resolve that they are to be sent to Simon Mansell, Legal Officer CC:**

- The application of the Code;
- The General Principles as set out in the Code, are these sufficient, would you like to see any removed, if so which ones, would you like to see any added, if so on what subject;
- The requirement to register and declare interests, do you consider that the requirement to register and declare interests is appropriate, have you adopted and do you agree with the operation of paragraph 3.5A;
- Sensitive interests and dispensations;
- Disclosable Pecuniary Interests, while it should be noted that these are set by central Government the Standards Committee would be interested to hear your views on them;
- Non-Registerable Interest, do you consider this covers enough interests, or too many;
- Comments on the Code in general.

The Chairman asked if Councillors had considered these matters and they had not. This item was therefore deferred to the October meeting and Councillors were asked to come to the next meeting with their comments.

## 16. RURAL FAIR SHARE CAMPAIGN

**To resolve to discuss the request that a petition aiming to ensure public services at all levels in rural areas receive a fair share of Government Funding, including Local Government Funding be circulated**

The Rural Services Network is a membership organisation devoted to safeguarding and improving services in rural communities across England. Last year our work with MPs, on behalf of our member authorities, managed to secure an improved financial settlement for rural authorities. The Rural Fair Share Campaign is comprised of over 100 cross-party MPs from rural areas

Cllr Best felt that the MPS were not looking after Breage Parish and asked why the Rural Fair Share should be supported.

**It was proposed by Cllr Greenough, seconded by Cllr Ackland and resolved that the surveys be taken and passed for signature on a voluntary basis, then returned to the Clerk for forwarding.**

## 17. REVISED BATHING WATER REGULATIONS

a) **To discuss the letter that has been received explaining what the text for the notices will be and how Praa Sands will be affected by the new regulations that implement the Revised Water Bathing Directive**

There appeared to be no change from the previous notices. Councillors were reminded that the poster does not show the sewage discharge from Haulfryns. It was felt that a disaster had to happen before anyone would be worried about it.

**18. CHRISTMAS MEAL ARRANGEMENTS**

- a) To resolve to agree the venue, it is the turn of the Coach & Horses - and date, Thursday 12 December 2013 for the Parish Council's Christmas Meal  
It was proposed by Cllr Ackland, seconded by Cllr Greenough and unanimously resolved that the Christmas Meal be arranged for 12 December 2013 at the Coach and Horses, Rosudgeon.

**19. MESSENGER MAGAZINE**

Message received from the Editor of The Messenger Magazine (Parish of Breage with Godolphin & Parish of Germoe) asking if Breage PC wishes to include a report each month as Germoe PC does

It was generally felt that as the minutes were on the notice boards each month and appeared on the website there was no need for this. However, the Chairman volunteered to look into this, to see what work was involved and if it would be worth doing.

**20. REPORT FROM CLERK**

a) The Clerk had received a reply from Tom Marks about the entrance to the War Memorial graveyard, Breage. He had visited the site and found the path safe. However he will get a price for resurfacing and let the Parish council know how Highways are going to proceed.

b) The Pengersick Castle visit will be on Thursday 19 September at 6.30 p.m.

c) The CC Budget Consultation event is on 20 September, 6.30 to 8 p.m. approx. in Helston Town Council Guildhall.

d) A reply had been received from Paul Daddow, re. the requested additional waste bins:

*I have looked into the Parish Council's request for additional bins and can confirm the following:*

1. *CARLEEN - There is a post mounted litter bin opposite the bus stop, which I appreciate is not ideally located. With this in mind, I am prepared to remove this bin and site a larger freestanding bin on the grass verge adjacent to the bus stop, where it can be secured into the ground. Please let me know if you feel this would be beneficial and I will arrange for the installation to be carried out.*

2. *PRAA GREEN - There are already bins at the eastern end of the green at the entrance to the footpath that leads to Praa Green and another one on the Castle Drive entrance to the green. I consider this to be adequate provision for the area and cannot authorise installation of another bin at this time.*

**It was proposed by Cllr Ackland, seconded by Cllr Board and unanimously resolved that a request be made for the Carleen bin to be removed and replaced by a freestanding bin on the grass verge adjacent to the bus stop.**

The fact that people do not use the current bins at Praa Sands was repeated.

e) The Clerk had received a quote of £75 + VAT - £90, from Trelawney, the current fire alarm servicing. The quote from Fire Crest was £95. **It was proposed by Cllr Coleman, seconded by Cllr Greenough and unanimously resolved that Trelawney should remain responsible for servicing the fire alarm in the Parish Rooms.**

f) As the Parish Council had expressed concern about the parking problems for the footballers at Ashton Amenity Area and that so far the Trustees had been unable to attend a Parish Council meeting the Clerk asked if she should contact the Trustee Chairman. It was noted that permission had been given to the footballers to park at the rear of the Lion and Lamb but it was not known if this was a permanent arrangement. The Clerk was asked to make contact.

g) A request has been received from the Jubilee Sailing Trust. I explained that grants have to aid members of the Parish and received the following:

*Thank you for such a prompt and informative response.*

*I have just run a quick search on our system and can see that in the past 3 years 3 people from Breage alone have sailed or are due to sail. One of which is wheelchair bound following a Stroke, this person is due to embark on the adventure of sailing from Jersey to Poole from the 16-20 September this year alongside 17 other people with physical disabilities and 21 able bodied people. The crew will all be working side by side as equals to sail Tenacious from port to port getting involved in every aspect of running the ship.*

*The cost to take part in this voyage is £525 per person which the Jubilee Sailing Trust has already subsidised by 30% with the help of grants and trust funding.*

*We are able to offer additional bursary funding of up to £300 with the help of grants from parish councils such as yours, should a Parish council wish the funding to be restricted so that the funding is only available from somewhere such as Breage this is something that we are more than happy to support.*

*I would be extremely grateful if you would re-evaluate my application with the information provided above but I fully support and understand the restrictions on the Parish and if you still feel that this grant will not be considered I am happy to accept this.*

It was asked if it was possible to do this for one person. The Clerk replied that a swing had been purchased for one of the autistic residents at the Carleen home and CALC had confirmed that this was permissible. It was agreed that this request be added to the list for the Accounts Team meeting.

h) The Clerk reported that she has requested that the Cornish hedge in Pellor Road is trimmed and the verges at the sides of the footway from the Garden Centre towards Breage are cut.

i) The Clerk had received a complaint re. Elysian Fields the B & B on the A394 Ashton re. the signage and its use as a B&B and Cream Tea stop and made enquiries via CC. She received the following reply: *The matter has been formally registered for investigation and allocated to the Officer whose details are shown below. Once the matter has been investigated and*

assessed the Officer will determine the appropriate course of action and will endeavour to contact you with this information within 13 weeks from the date of this letter.

j) The Clerk had I received message from the website re. camp site Rock Haven – Rocky Lane Germoe.

Are you aware of the advertisements for a camp site at Rock Haven which has had no planning permission? The enforcement officer of Cornwall council visited, ensured one remaining caravan was removed within 30 days and pointed

the owner to the proper way to seek planning permission. Although there have been several advertisements and visitors over recent years, the officer claims not to be able to stop adverts but only stop people staying until planning permission is granted.

There was a previous attempt at deception via the Camping Club that insists that neighbours were consulted and refused permission once it was discovered they had not. The permission they received for an "agricultural building" was interpreted as permission for a club house for his clients.

Cllr Greenough supplied information and the Clerk contacted the Officer to see if he could expand on matters. The following was received: EN13/01645 – Case closed – Change of use justification from Officer.

k) The Clerk gave reminders of training details: Code of Conduct for Cllrs Greenough, Higginson and Wyvern Batt – on 2 October, 6.30 – 9.00 p.m., Helston Guildhall. Chairmanship for Cllr Wyvern Batt – on Monday 16 September, 7-9 p.m., Falmouth Town Council Offices.

l) Cllr Higginson has volunteered and been accepted to be the Poppy Organiser for Breage Parish.

m) Sea Acres site meeting is on 16 September at 2.00 p.m.

n) Godolphin Closed Cemetery was cut on 21 August 2013.

o) The Praa Sands Raft Race – it had been reported to the Clerk that car parking signs had been displayed saying that all car parking was £5 when Mrs Hodges was only charging £3. The music was very loud with inappropriate lyrics for young children. These matters have been reported to the organisers.

p) Cllr Higginson had provided details of the Lower Polladras Road – what had been said by Cornwall council, etc. The Steward has been asked to look at it.

q) There is to be an evening of music and song on 26<sup>th</sup> October in Carleen Village Hall, 6 p.m. doors open 6.00 p.m., concert at 7.30 p.m. £10 including pasty supper in aid of Breage Christmas Lights. Porthleven Town Band & Four Lanes Male Voice Choir. Parish Councillors are invited to attend. Some tickets have been left with the Clerk.

r) Cllr Higginson has asked if he may on occasions when no-one is available at his business, keep his mobile phone on vibration mode during the Council meetings. No-one had any problems with this.

s) Permission had been asked for the initial Emergency Planning meeting to be held in the Parish Rooms. **It was proposed by Cllr Anthony, seconded by Cllr Wyvern Batt and unanimously resolved that the initial Emergency Planning Meeting be held in the Parish Rooms.**

## 21. MEMBERS' REPORTS TO THE COUNCIL AND REPORTS FROM OUTSIDE BODIES

Cllr Caddick asked if anything had been heard about the enforcement he had requested 2 months ago regarding the gate posts at the end of the lane near Loth Lorien and the extensions to the building. Cllr Best remembered this.

Carleen Village Hall

Cllr Darby reported that there will be A Flea Market on Saturday 7<sup>th</sup> and the Village Show the following Saturday, 14<sup>th</sup>. There will be a Quiz on 21<sup>st</sup>.

Cllr Rashleigh wished for update on PA12/00049. The Chairman advised that Cllr Keeling had informed her that the decision was imminent.

Cllr Rashleigh asked about the knotweed in Breage Playing field as she felt that it had not been treated and it urgently needed to be done as it was growing very quickly. Cornwall council had advised that it had been dealt with last year and she asked if a date could be obtained. The Clerk advised that Cornwall Council only do the treatment as a favour as the field is owned by the Parish Council. Mr Beard would probably have a licence to carry out the treatment but the Handyman was not permitted to use the strong chemicals without training which costs over £300. No firm decision was made as to how to proceed.

Cllr Best raised a point of order. He felt that the pre-application meeting report item should not have been on the open agenda as Councillors who had not attended the meeting could be prejudiced. He gave an example of what he meant by this. Further discussion arose and it was suggested that Cllr Best could withdraw from the meeting when a full application came in. The Chairman said that nothing untoward had been dealt with and if it had been that would not have been reported back. Cllr Greenough understood Cllr Best's concern but felt that if the preapp was not reported there was no point to the preapp meeting. **It was proposed by Cllr Best, seconded by Cllr Greenough and unanimously resolved that CALC be approached to give a ruling on whether the pre-application report item should have been on the agenda at a full council meeting.**

Erosion Praa Sands

**Motion received from Cllr Board to erect a small fence and sign at the sand dune in front of Praa Green which is falling due to children and others trampling it**

Cllr Board had supplied numerous photographs showing the damage being caused. She said that fencing was first put along the bottom in 1984 after the marram grass planting on the barren slope, to try and stabilise the slopes. Unfortunately in 1989 the winter sea storm took away the sand dune frontage. Kerrier carried out works- machinery on the beach – to realign the slope to be able to plant marram grass to stabilise the dune. There was no fence at the bottom as the sea took it away in 83/84. The marram grass took a long time to establish. A lot of the frontage land had washed into the bay. The

photographs illustrate the run up the sand dune, denuded of marram grass, on Breage Parish Council land and adjacent on Mr Coward's land washed into the bay and asked how best it was thought that the damage could be prevented, i.e. how children and dogs could be prevented from running up and down hence her proposed motion. The chairman felt that involving Colin Bayes and Steve Schotel could be an idea as they had been very helpful with the help in replacing the Green fencing. Comment was made that it is a beach area and people use it. It was wondered if a notice would be sufficient. It was suggested that Colin Bayes be rung.

**It was proposed by Cllr Anthony, seconded by Cllr Darby and unanimously resolved that Colin Bayes and Steve Schotel be contacted and the matter talked through before the motion to erect a fence was considered.**

Cllr Board reported that the basketball area and paths have not yet been cut and that the road sweeper does not sweep at the bottom of Pengersick Lane and the gulleys therefore get full of debris which is washed down when it rains. The brambly overhang at Trean has not yet been cut back.

## 22. CORRESPONDENCE

CC – Neighbourhood Plans – the latest news – sessions on 2 & 3 October – Truro/Camborne/Bodmin  
 NSALC – Putting Communities First – workshops 19 September 2013, Bristol  
 BF Adventure – Summer news  
 rsnonline – news 13 August 2013  
 Department for Communities & Local Government – Post Office Enterprise Fund  
 CALC – Help to secure cheaper fuel prices for Cornwall  
 Coastline – Coastline Chronicles  
 rsnonline – Rural Vulnerability Service – Transport  
 SLCC – News Bulletin  
 Water Future – Proposals and Changes 2015 – 2020  
 Water Future – Newsletter August 2013  
 rsnonline – What makes a Community Sustainable – 10 September 2013  
 Chester fit - Have a Field Day  
 TDP – plastic benches  
 Julie Girling MEP – August 2013 newsletter  
 Julie Girling MEP – Stop press  
 rsnonline – news 19 August 2013  
 rsnonline – Broadband August 2013  
 CC – 2<sup>nd</sup> Town & Parish Council Annual Summit – 21 September 2013, Kingsley Village Exhibition Hall, 9.30 a.m.  
 rsnonline – news 27 August 2013  
 Energyshare – Energyfunder workshop – 5 September 6 p.m. Newquay  
 rsnonline – Spotlight on Young People  
 Julie Girling MEP – Gibraltar Update  
 rsnonline – Rural Opportunities Bulletin August 2013  
 Signpost – West Cornwall News  
**To note any correspondence received since the agenda was published**  
 Cornwall AONB Tir Teg  
 rsnonline – news 02 September 2013

## 23. TO RECEIVE ADVANCE NOTICE OF ITEMS FOR NEXT AGENDA

The deferred items from this agenda.

## 24. TO CONFIRM THE DATE AND TIME OF NEXT MEETING

**ORDINARY PARISH COUNCIL MEETING TUESDAY 1 OCTOBER 2013 AT 7.00 P.M.**

## 25. EXCLUSION OF PRESS AND PUBLIC

**To resolve that members of the Press and Public be excluded from the meeting on the grounds that the agenda items below be discussed, due to the likely disclosure of exempt information as defined in Part 1, schedule 12A of the Local Government Act 1972**

As all Members of the Public had left there was no need for this resolution

## 26. TO AGREE AND SIGN CARETAKER'S PART-TIME CONTRACT 7 September 2013 to 6 September 2014

The Clerk had amended the Caretaker's contract as instructed at the last meeting, in that the grass at the Parish Rooms would be cut twice a month from may to September, the grass would be raked up and put in a compost bin at the rear of the Parish Rooms and the Caretaker would be paid £40 a month from 7 September 2013.

The matter of providing a compost bin was discussed and the Chairman said that she had one that could be used. A rake would need to be supplied.

**It was proposed by Cllr Greenough, seconded by Cllr Darby and unanimously resolved that the Caretakers amended contract be agreed and signed and that a compost bin and rake be provided.**

**There being no further business the meeting closed at 10.40 p.m.**

# **BREAGE PARISH COUNCIL**

## **MINUTES OF PUBLIC PARTICIPATION DURING THE ORDINARY PARISH COUNCIL MEETING**

### **HELD ON 3 SEPTEMBER 2013 IN THE PARISH ROOMS BREAGE**

At 7.15 p.m. the Chairman invited members of the public to put forward any concerns they had, or issues they wished to make known to the Parish Council, in regard to any items on the agenda.

Mr Shelley spoke about the Engine House application and was pleased to be able to give an update. He said that he was shocked by the Planning Officer's decision. He had been away in London. All along he has stated that the application is not valid. This now appears to have been accepted. He was very concerned about the Planning Officer's and Hydrologist's comments. The Planning Officer saw the site when there had been just one day of rain and appeared to have based her decision on that. The misunderstood gradient 1:20 and then 1:16 had actually been measured by a neighbour and is 1:6 at the first part of the slope. The surface has not yet been compacted so the observed conditions were not the operating conditions. The surface will go hard and water will wash down the slope. There is no information on the plans as to how to deal with the surface water. In spite of the herringbone design there will be a run-off to the gulleys and large soakaway tanks will be needed for the water to drain into. There has been no proper Engineering assessment and the word of the Planning Officer has been taken. The site was not viewed. He would now ask Cllr Keeling not to go with the Planning Officer's decision but to look at the engineering. Mr Shelley hopes that there will be no surface water and that he and his neighbour do not get flooded.

Mr Rayment is still concerned about the lack of enforcement regarding the parking in Trewartha Road, Praa Sands. A month before the Raft Race he had written asking for something to be done but on the day the place was littered with cars and there was no enforcement of the parking restrictions. Over the weekend a people carrier was parked on the yellow line and the footway and yesterday at 4 p.m. there were 5 cars on the yellow line - one of the owners lives in Trewartha Road. He asked if the Parish Council could invite Cornwall Council to disband the enforcement unit and put it out to a company that is able to issue ticket penalties.

Public Participation ended at 7.25 p.m.