

Cornwall Council report

Cllr Dick Cole

Time period: 22nd January – 25th February 2018

1. Council meetings

During the last month, I have attended a range of meetings relating to my duties as a Cornwall Councillor.

These included: Full Council (2), Economic Growth & Development Overview and Scrutiny Committee, a scrutiny inquiry day on “positive parking” through the above scrutiny committee and related preparatory sessions (2), Electoral Review Panel (3) and associated preparatory meetings and discussions (3), national minority working group, China Clay Area Network meeting, a meeting of group leaders, a briefing for the last Full Council meeting, plus member briefings on integration on the budget, housing delivery, children’s services and the impact of universal credit.

In the same period, as well as a number of informal meetings with council officers and others, I attended three meetings of St Enoder Parish Council.

2. Electoral Review Panel

As I reported last month, as the vice-chairman of the Electoral Review Panel, I have spent a very significant amount of time on the work to prepare a scheme of 87 divisions for the next round of elections to the unitary authority.

The final recommendations were agreed at the Full Council meeting on 13th February and have been submitted to the Local Government Boundary Commission for England (LGBCE). The LGBCE will publish its formal proposals in early May, when the work of the Panel will recommence.

As reported previously, I can confirm that the Council’s proposal for our area is a division which links St Enoder Parish with the village of St Dennis.

3. Other meetings and activities

I have attended the Annual General Meeting of Indian Queens Pit, plus meetings of ClayTAWC (where I am Chairman) and the South and East Cornwall Local Action Group.

4. Higher Fraddon appeal

I represented St Enoder Parish Council at a planning hearing at Roche Victory Hall on 7th February, at which Fraddon Biogas Ltd sought to modify two aspects of the biogas plant at Higher Fraddon (consented at a previous appeal).

In summary, the condition agreed by the previous appeal inspector stated that the types of HGVs accessing the site must be agreed in writing through Condition 14. But the operators wanted this to be left very open-ended, to potentially allow larger HGVs, and not to specify the principal use of the "duoliner" vehicle, as they had previously pledged. In addition, they requested that Condition 14 be modified to allow an increased number of smaller vehicles to the plant.

I can report that the inspector has ruled in favour of Fraddon Biogas Ltd and agreed the changes.

The operators also submitted an appeal for costs, i.e. that Cornwall Council should pay the costs of Fraddon Biogas Ltd as they had been "unreasonable."

This was rejected and, in the supporting text, there was some limited criticism of the appellants as follows:

"I do not believe that the Council's stance has been unreasonable as such. It has responded to complaints received from the local community, the local councillor and the Parish Council. I believe the previous Inspector in framing condition 14 did have in his mind the use of the Duoliner – indeed he saw during his site visit (as I did) the use of this vehicle in operation. I have no doubt whatsoever that the appellant at the 2016 appeals made great play about its benefits. I can therefore fully understand why the Council has sought to negotiate its use as the primary vehicle. I find no criticism in that as the vehicle, by the applicant's own admission, is more efficient, quieter and has greater manoeuvrability. I was impressed by a particular comment from a local resident who whilst acknowledging the swept path analysis undertaken by the applicant's consultants, nevertheless pointed out that the HGVs would need to utilise much of the carriageway width with some of the larger HGVs also needing to 'oversail' the adopted carriageway to negotiate the 90 degree bend. I saw some evidence of this during my site visit with rutting of grass verges at several points along the highway.

"11. Whilst the local highway authority did not raise objection on highway grounds, the local planning authority is charged with considering wider amenity and convenience issues in addition to technical highway matters. I have no doubt that pedestrians in particular have to be particularly watchful of traffic using this lane. I do not believe that the Council can be criticised in the stance that it has adopted, which was a precautionary stance in all respects. Evidence is not confined to hard technical evidence; planning is bound by both objective and subjective assessments."

5. Toldish appeal

I can confirm that I have finalised and submitted a statement on behalf of St Enoder Parish Council for the appeal against Cornwall Council's refusal of a planning application for caravans near Toldish, described as a "traveller site."

This appeal will be decided at an informal hearing, which will take place at Fraddon Village Hall on 14th March.

6. Full Council; 20th February

At this meeting, the unitary authority agreed a council tax increase of 4.99%. I voted for the increase, which has been made necessary by the ongoing reduction in funding from central government. Indeed, local government has had to withstand greater reductions in central funding than any other area of the public sector, and many will have seen the reports of how Northamptonshire County Council has "run out of cash."

I was also a signatory to a motion to address issues around the holiday lets and local taxation, which has gone forward for further consideration in an amended form.

7. Fair funding campaign

As a group leader on the unitary authority, I have also been backing the Council's "fair funding" appeal, which is publicising how Cornwall's public services are massively underfunded. This is especially topical, given the severe pressure on council finances, which has caused the latest increase council tax noted above.

8. Highway matters

I am still chasing up on a host of highway issues and will update in more detail in my next monthly report. This will hopefully include more information about the funding for localised highway improvements that has been promised by the unitary authority.

9. Police and Crime Commissioner

At the Clay Network meeting on 12th February, I made a series of representations to the Commissioner and policing colleagues who accompanied her to the meeting. I raised concerns about areas such as the China Clay Area getting its fair share of coverage and challenged any reduction in the number of local PCSOs.

10. Inquiries

During the last month, I have helped numerous people with guidance on a vast array of issues.