

Cornwall Council report

Cllr Dick Cole

Time period: 25th January to 21st February 2016

1. Council meetings

I have attended a range of formal meetings at Cornwall Council over the last month. These included: Full Council, Strategic Planning Committee, Transport Planning Advisory Committee, Informal Planning and Development Group, China Clay Area Community Network, a meeting of Cornwall Councillors from the China Clay Area, the Cornish National Minority working group, and briefings on corporate safeguarding and partnership working.

In addition to the meetings listed above, I have had numerous informal meetings with council officers and others to discuss a range of issues. These have included the planning situation at Higher Fraddon and the operation of the Homechoice system in the China Clay Area. I also had a one-to-one meeting with the New Chief Executive Kate Keneally.

2. Other meetings

I have also attended the Annual General Meeting of the Indian Queens Pit Association, of which I am a trustee, as well as meetings of the South and East Cornwall Local Action Group and the St Austell Bay Economic Forum.

3. Penare Pig Farm, Higher Fraddon and associated AD plant

There are a number of updates relating to the above ongoing planning applications and related matters. These include the following:

- Pig farm application

As stated in my last report, the application for the redevelopment of the pig farm was agreed at November's meeting of the Strategic Planning Committee, subject to a range of conditions to be finalised by planning officers in consultation with the Chairman and Vice-chairman of the Committee, plus me.

This work is nearing completion but, at the time of writing, the conditions have not yet been signed off. As previously reported, the draft conditions will include the insertion of bio-filters or equivalent odour treatment measures into all the livestock buildings and enhanced measures to control surface water.

- Strategic Planning Committee

On 11th February, Cornwall Council's Strategic Planning Committee considered the two applications relating to the biogas plant at Higher Fraddon, namely the regularisation of the site as built (PA15/03073) and a

variation of the traffic movements to the site (PA15/05220).

The session took three hours and four local residents spoke at the meeting; Emily Martin, Helen Martin, Philip Potter and Anne Woolcock. Michael Hopkins spoke on behalf of the Parish Council, while David Manley and Darren Stockley represented Greener for Life. Obviously, I inputted as well.

It is fair to say that, as at the last meeting on the 19th November 2015, the members of the Committee were universally horrified about what has happened at Higher Fraddon in planning terms.

Councillor followed councillor in criticising the two proposals and there was particular anger at the "flawed" / "inaccurate" / "misleading" non-material amendments (agreed without any democratic or community consultation), which had (i) allowed the amount of feedstock imported into the site to be increased from just over 6,000 tonnes to 35,000 tonnes, and (ii) led to a larger number of 44-tonne vehicles assessing the site.

Numerous councillors set out their stalls early that they wished to refuse the first "Section 73" application to "regularise" the site which had not been constructed in accordance with plans (while lowering one of the three domes).

However, the planning officers argued that if councillors wished to refuse the application they had to find a reason specifically linked to the size and shape of the domes. It was also suggested that if the applicant appealed such a refusal, it would be difficult to defend the decision at an appeal hearing.

The officers also argued that while councillors might not be able to refuse the application on grounds such as traffic, etc, they were able, through a Section 73 application, to impose new conditions to control aspects of the application (including traffic).

Councillors also expressed concern about the proposed conditions, particularly those on traffic which many felt were unworkable.

The end result was that councillors voted to defer the application so that all the conditions could be reviewed – I think many were keen to see a reduction in the number of large vehicles in Higher Fraddon – and a revised application brought back to a future meeting of the Strategic Planning Committee.

The vote was 11 to eight in favour of this, but those people in favour of the deferral made it clear that they would not necessarily be supporting the application on its return.

Planning officers, the Chairman and Vice-chairman of the Committee, plus myself and other interested parties, will now be tasked to review and reconsider how such an application might be controlled through conditions.

The second application was to modify the traffic movements on the previous consent PA12/01700 and associated NMAs. It was noted that this proposal was therefore linked to a planning permission (which the applicants had failed to comply with) and which the applicants were not seeking to regularise, and therefore were unlikely to rebuild in a different form to comply with the previous consent.

Councillors understood this, and the fact that the issue of traffic was being considered under the auspices of the first (deferred) application. They also set out their concern at the extent of requested vehicle movements and voted to refuse the application. The vote was unanimous.

There is now likely to be much toing and froing before the application goes back to Strategic Planning and I will do my utmost to keep people informed.

- Higher Fraddon Community Forum

Since the last meeting of the Forum on 13th January 2016, Greener for Life have told me that they no longer wish to attend monthly meetings and would only be turning up on a quarterly basis. I am presently lobbying the company to take their community engagement role more seriously.

4. South West Water works at Trevarren

At the last Parish Council meeting, I reported that, following representations over a decade, South West Water will be undertaking works to end surcharges from the foul water sewer onto the highway through Trevarren.

I have continued to liaise with South West Water concerning the finalisation of the design of the realignment of part of the foul sewer and the construction of an associated attenuation tank. Since the last meeting of the Parish Council, the position of the tank has been modified and upsized to hold up to 280,000 litres of water.

South West Water's present timetable is still to commence construction works in March 2016.

5. Kelliers

I can report that the relevant Corporate Director has signed off the freehold transfer to St Enoder Parish Council. I will update members of the Parish Council when I have more information about the actual transfer of the land, but look forward to us being able to make improvements to this area and turn the Kelliers into a countryside area for local parishioners to enjoy.

6. Devolution fund

At the most recent Community Network meeting, councillors considered how the devolution fund of £608,000 across Cornwall could be used to assist parish councils to take over assets of services.

The funding available to the China Clay Network totals just over £27,000 and, at this recent meeting, it was discussed how the money could be used towards the costs of a Parish Council maintaining land no longer looked after by the unitary authority. I have added that some of the funding could be used towards the work on the Kelliers.

7. Indian Queens Recreation Ground

Following the submission of the application to Cornwall SITA Trust Ltd for funding towards the construction of a new play area in the Indian Queens Recreation Ground, I have been continuing to work with Amanda Kendall, the Clerk of St Enoher Parish Council, on plans to consult the local families on the layout of the suggested schemes.

I have spoken to the Indian Queens Under-5s and the Wesley Pre-School about feedback on what the Parish Council is proposing.

I have also organised a drop in session for children and parents to view and comment on the plans on 4th March. This will take place at the Indian Queens Victory Hall between 2.00 and 4.30.

8. Planning and related matters

I have been actively involved with a large number of ongoing applications, as well as related planning matters. Listed below are a few examples, though this list is by no means exhaustive:

- Pines Tip, Fraddon (PA15/00955)

This application for three wind turbines on Pines Tip will be considered by the Strategic Planning Committee on 10th March. I understand that the recommendation will be for refusal.

- Redevelopment and extension of Kingsley Village (PA15/04129)

The conditions for this application, which was consented at Strategic Planning Committee in October, have just been finalised. I have been asked to check the detail and it is likely that this application will be signed off this week.

- Mobile homes on the Kelliers (PA15/06186)

In January I reported that, following the refusal of the second (part-retrospective) application for mobile homes on the Kelliers (PA15/06186), a series of enforcement notices were served by the unitary authority in the first week of January 2016.

I have since been informed that the landowner has appealed against both the refusal of planning permission and the enforcement notices. I understand that the appeal will be heard through a hearing and, obviously, the Parish Council will need to prepare a detailed statement setting out the views of our authority.

- Former Post Office, Fraddon (PA15/08012)

This change of use application to turn the former Post Office in Fraddon into a takeaway is continuing to be quite controversial. I have requested that it be referred to the Central Sub-Area Planning Committee and understand that it will be considered on 14th March.

9. Highway issues: Requests for traffic schemes

I have reported before how Cornwall Councillors were asked to put forward traffic schemes to be considered as possible projects by Highways officers, though we were left under no illusions about the lack of funding within the authority.

Responses to these "member requests" were issued last week and I am very disappointed at the responses. Examples of the feedback are as follows:

Indian Queens Primary School Transportation Improvements ... "Whilst there is no specific funding available to carry out this work, the request will be retained on a list for consideration as part of any future development related issues."

Summercourt Crossroads - pedestrian crossing ... "It may be possible for pedestrian phases to be installed at signals, at marginal cost, as part of future maintenance work. Again, not aware of any significant proposed developments in this area. A pedestrian/vehicle count and review of accidents will be carried out to see if the location meets the numeric criteria set out in Cornwall Council policy."

Speed reduction measures at various locations ... "Since April 2013, there has been significant structural change within the Council, with the result that some funded programmes and the corresponding management teams, no longer exist. There are no longer any funded programmes aimed specifically at works of this type. Analysis of the accident records at these locations indicates a limited accident history and further investigation will be carried out by the Road Safety Team to assess whether this warrants more detailed attention. In the meantime, subject to the outcome of further analysis by the Accident Team, there is insufficient evidence to justify funding for measures at this location. However, as this location is in an area which may be considered for development in the future the requests will be retained on a list for consideration as part of any future planning or development related issues."

20 mph speed limit at Summercourt School plus associated works: "A meeting with the Planning Team did not reveal any proposed developments of sufficient scale in the Summercourt area which could generate circumstances to warrant financial support for this request. This will be retained on list for development officer consideration in the event of any large scale developments which arise. There is currently no funded programme of 20 mph zones or single stretches of road. Analysis of the accident records at this location identifies limited accident history and further investigation will be carried out by the Road Safety Team to assess whether this warrants more detailed attention."

I am not happy and I intend to challenge the limited nature of the responses that I have received.

10. Highway issues

Since the last meeting of St Enoder Parish Council, I have been following up on a number of highway-related issues. A few examples are listed below:

- Speed checks

In addition to the speed checks which I reported last month (Chapelton, Summercourt; Newquay Road, St Columb Road; and Sea View Terrace), I can report that a speed check has been carried out on Moorland Road, Indian Queens.

The findings are available on request.

11. Flooding / water run-off

During the recent bad weather, I have monitored a number of areas where flooding has been encountered in recent years. As well as the areas I mentioned at last month's meeting, I have also reported a range of problems with road drains at various points in Fraddon, Indian Queens and Summercourt, including Chapelton, as well as an overflowing road ditch near St Denis Junction. There also continues to be serious problems with an overflowing ditch at the entrance to Gaverigan Manor Farm.

I am continuing to follow-up these incidents with the relevant staff at the unitary authority.

12. Local playgroups

I continue to be in contact with both the Indian Queens Under-5s and the Wesley Pre-School. I have helped the Indian Queens Under-5s with an application for funding towards a hard surface in their outside area, and I twice met with members of the Committee of the Wesley Pre-School to assist with their project for a new Pre-School building.

13. Dog fouling

In recent weeks, there has been an upsurge in complaints about dog mess on local pavements and verges. The Wesley Pre-School has been running a strong campaign, with numerous posters on local telegraph poles, seeking that all dog owners pick up any mess from their animals. I have been in contact with the local dog warden who has been making a number of targeted visits and there will also be a street clean in the near future.

14. Council tax increase

At the Full Council meeting on 16th February, councillors on the unitary authority voted to increase council tax by 3.97%. This included a 2.0% uplift from the previous year, which central government has stated could be levied as long as the monies raised are used to fund adult social care.

I voted in favour of this increase, which is very important to mitigate the ongoing reduction in central government funding and rising costs.

15. Electoral Review Panel

Following the announcement that unitary authority has to commence a (two year) Boundary Review to consider the number of Cornwall Councillors and new division boundaries, I can now report that I have been appointed to the Electoral Review Panel, which is to be tasked to carry out the work.

16. Inquiries

Throughout the last two months, I have also helped numerous people with advice and guidance. Issues have included housing problems, speeding traffic, various enforcement matters and more.

17. Newsletter

My latest newsletter is at the printers and will be ready for distribution around the Parish in a few days.