

Cornwall Council report

Cllr Dick Cole

Time period: 23rd November 2015 to 24th January 2016

1. Council meetings

I have attended a range of formal meetings at Cornwall Council over the last two months.

These have included: Full Council (2), Cabinet, Scrutiny Management Committee, Planning Policy Advisory Committee (of which I am Chairman) and three associated briefings / pre-agenda meetings, Constitution and Governance Committee, China Clay Area Network meeting, a meeting of PAC Chairpersons and the Cabinet, a meeting of Group Leaders with the Local Government Boundary Commission, and a number of member briefings on (i) the recent local government funding settlement, (ii) the council's treasury management strategy, (iii) social care, and (iv) broadband coverage, plus two additional briefings in advance of Full Council meetings.

In addition to the meetings listed above, I have had numerous informal meetings with council officers and others to discuss a range of issues including the planning situation at Higher Fraddon and the lack of bus services in Summercourt.

2. Other meetings

I have also attended the Annual General Meeting of the Indian Queens Under-5s, as well as meetings of ClayTAWC (China Clay Area Training and Work Centre) at St Dennis, of which I am Chairman, the Rural Sub-group of the Local Enterprise Partnership, the South and East Cornwall Local Action Group, the St Austell Bay Economic Forum, and the Liaison Group for the incinerator.

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:

- Higher Fraddon Community Forum

Since November's meeting of St Enoder Parish Council, there have been two meetings of the Community Forum which took place on 16th December 2015 and 13th January 2016.

The full minutes of the meetings are available on request.

Issues raised at the meetings continue to include the progress with the planning applications and feedback from statutory bodies, as well as complaints about the number of vehicles accessing the site of the biogas

plant, the speed of traffic, smells and poor levels of communication from Greener for Life.

- Meeting with Highways England

Members of the Parish Council will recall that the two planning applications for the biogas plant were deferred at the November meeting of the Strategic Planning Committee. One of the reasons for the deferral was to explore an alternative access to the site from the A30.

A subsequent meeting was held with Highways England at the Cornwall Council Offices at Bodmin on 21st December 2015. I chaired the meeting. Also present were two representatives of Highways England (Alexis Field, Sally Parish) and one from their contractors Kier (Dave Ewings), three representatives from Cornwall Council (Nigel Doyle, Jeremy Edwards and Jim Holt) as well as Steve Double MP and his wife Ann, Dan Johns from the pig farm (plus a planning consultant for JMW Farms Ltd; Russell Dodge), David Manley (Greener for Life) and two representatives from the Higher Fraddon Residents Group; Anne Woolcock and Bella McCarthy.

At the meeting, the representatives of Highways England made it clear that they considered the A30 to be an important corridor to promote economic growth, which they wished to turn into an "expressway." They also made it clear to us that they were not keen for additional junctions to be created.

They did however acknowledge that new junctions could be allowed in very exceptional circumstances, but advised that any justification would be very, very difficult to achieve. In spite of the Highways England view on a new access, they agreed to send additional information about their perspective on the trunk road network to local representatives.

Alexis Field from Highways England did visit Higher Fraddon after the meeting and I showed her around and explained the nature of the concerns of local people.

- Problems with the flare

In early December, there were a range of technical problems at the biogas plant which caused an "emergency" flare to be activated on numerous occasions. The resultant noise and vibration from the flare caused significant upset for local residents and their complaints prompted the Environment Agency to intervene.

The Environment Agency informed Greener for Life that they were not compliant with their environmental permit and served an enforcement notice. In an email in mid December 2015, the Agency stated it would require the company "to make improvements to rectify the noise issues" and they have "advised the company that they should minimise activities at the site that could lead to the flare being used ..."

At a Forum meeting on 16th December 2015, representatives of Greener for Life confirmed that they would be minimising feedstock fed into the biogas plant for a four-six week period to sort out the issues with the flare.

A new flare has now been installed and Greener for Life are monitoring how it performs.

- 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. The planning officers were given delegated authority to finalise the conditions – in consultation with the Chairman and Vice-chairman of the Committee, plus me.

I have commented in detail on the draft conditions which will include the insertion of bio-filters or equivalent odour treatment measures into all the livestock buildings and enhanced measures to control surface water.

This work is ongoing and it is likely that the conditions will be finalised over the next couple of weeks.

4. Bus services between Summercourt and Truro

Since the open meeting in Summercourt's New Memorial Hall in late summer, I have been in regular contact with Alex Carter of First Kernow about the continuing lack of bus services linking Summercourt to Truro.

He has been assessing the various options, exploring how he could divert either the 90 or 93 services to serve the village. I understand that it is his view that it is not possible to redirect the 93 service (which also goes through Indian Queens / Fraddon and Mitchell) throughout the day, because of the impact on timings. He is instead proposing to mainly use the 90 service for a new Summercourt service.

I have received the following update from Mr Carter, which is as follows:

"Following our pledge to restore a regular frequency bus link between Summercourt and Truro, we have examined various timetable options built around our current network in the area.

"The one which works best operationally for FIRST is to divert the 'fast' 90 route via Summercourt. This service currently operates from Newquay via Quintrell Downs and Dairyland direct to the A30, then picks up the main route to Truro. It does not serve Trispen/St Erme village.

"The intention on journeys to Truro would be to run to Summercourt traffic lights, first serving the stop at Beaconside, then turn right at the lights and head out via Chapel Town to rejoin the A30.

"On journeys from Truro to Newquay, because of the exit arrangements off the A30 dual carriageway, the bus would slip off at the Summercourt

turn, and then left over the bridge to the village traffic lights (allowing passengers to alight at Beaconside). It would then turn right at the lights, and head to Chapel Town where the bus would reverse near Clock Garage. It would then return to the lights, turn left, pick up as required at Beaconside, and then continue north on its journey to Newquay, via Dairyland and Quintrell Downs.

"This service operates hourly in each direction, Mondays to Saturdays. We acknowledge that there is a limited peak time facility on the 90, and we will look to divert some service 93 journeys (these run via Fraddon) at these times.

"I am presently working with Cornwall Council to finalise a revised timetable, though we do not anticipate provision of evening or Sunday journeys on these routes for Summercourt.

"These changes need to be properly registered with the Traffic Commissioner, and it is anticipated the agreed changes will be introduced in early April 2016.

"The Truro service described here would be additional to the two hourly St Austell-Summercourt-Newquay 25 service currently operated by us and financially supported by Cornwall Council, as well as the services provided by Summercourt Travel."

I have tried to keep local people informed about this situation and I did place the above information on a leaflet, which I delivered around Summercourt village.

5. South West Water works at Trevarren

Parish councillors will be aware that I have been making representations on behalf of the residents of Trevarren for over a decade, because of the regular surcharge of waste from the foul water sewer onto the highway through their hamlet.

Last year, I reported that South West Water were considering two options to ameliorate the flooding problems in Trevarren.

I can now confirm that South West Water has agreed plans to realign a section of the sewer near Trevarren and to add an attenuation tank into the system. This tank would be capable of holding 240,000 litres of water and it would control the water flows into the sewer system leading towards the Rosewastis pumping station further to the east.

South West Water are presently finalising the scheme and I am in contact with some residents on the western side of Trevarren who are seeking guarantees that the scheme has been appropriately designed to eliminate all risk of local flooding.

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

6. Grant application for new play equipment in the Indian Queens Recreation Ground

On behalf of St Enoder Parish Council, I have completed and despatched an application for funding from Cornwall SITA Trust Ltd towards the construction of a new play area in the Indian Queens Recreation Ground.

The application will be assessed and judged at a meeting on 22nd April 2016.

Other funding for the project will come from a one-off community payment from the developers of the solar farm at Burthy near Fraddon (secured through a legal undertaking linked to their planning application), and a contribution from a local developer in lieu of not providing a small play area on a local housing site (secured through a Section 106 agreement). I will detail the full funding package in the future when the full project costs have, hopefully, been secured.

I have been working with Amanda Kendall, the Parish Clerk, to liaise with two providers of play equipment who are presently revising schemes and associated quotes for the new play area, assuming an anticipated budget costs of £120,000.

These designs will then form the basis of a consultation with the local community (including Indian Queens Primary School and the playgroups) to guide what the final scheme will look like. This consultation will include a drop in session for children and parents, presumably at Indian Queens Victory Hall.

7. Kelliars

At the July meeting of the Parish Council, I reported that I had formally requested the freehold of The Kelliars be transferred to St Enoder Parish Council, instead of being leased as previously agreed following the refusal of the unitary authority to honour the Parish Council's arrangement with the former Restormel Borough Council.

I can now report that having spoken to the relevant portfolio holder and senior council officers, a fresh report has been written with the recommendation of a freehold transfer of the land to St Enoder Parish Council.

This has been forwarded to the relevant corporate director for final sign off. I have spoken to him and he has confirmed that the recommendation has his full support.

It has taken a lot of work, spread over six years, to get to this point, but I am very pleased that we will soon be able to finalise the transfer, and we can then focus on making improvements to this area, turning it into a countryside area for local parishioners to enjoy.

8. Devolution fund

Cornwall Council has set up a devolution fund totalling £608,000 to assist those town and parish councils, and local organisations, taking over assets and services from the unitary authority and/or to promote partnership working. 19 Community Network Panels.

I will be attending a meeting next week to discuss how the funding allocated to the China Clay Area should be spent.

9. Fairview Park, St Columb Road

In the period leading up to Christmas, I liaised closely with Kingsley Developers and Cornwall Council about the transfer of the land (on which a play area had not been provided) to St Enoder Parish Council. I can confirm that a solicitor acting on behalf of the developer has been in contact with the Parish Council to commence the transfer.

In association with this, a sum of £16,000 will also be passed to Parish Council and, as previously agreed, the Parish Council will use an element of this money to tidy up and landscape the area. As previously agreed, the remainder of the funding will then go towards the provision of play equipment in the Indian Queens Recreation Ground (see section 6 above).

10. Lindsay Fields, Fraddon

The owner of the land to the rear of Heather Meadow and Lindsay Fields, in Fraddon, has started the next phase of the estate which presently would comprise 23 housing units of which 13 would be affordable.

I have been contacted by a number of residents with concerns about boundary treatments between Lindsay Fields and Princess Park to the east, and I have asked the developer to meet with them to discuss their concerns.

A number of residents have also reported concerns about water management in the area, which the developer has been attempting to manage. Looking to the future, I have asked the planners at the unitary authority and the developer to meet together to discuss in detail how surface water would be dealt with as the next stage of the development goes ahead.

I can also report that the developer will soon be transferring the open and landscaped area, associated to the previous phase of the scheme, to the unitary authority for future maintenance, etc.

11. Entrance to Heather Meadow, Fraddon

However, I am getting increasingly frustrated at how difficult it is proving to get Cornwall Council to tidy up the landscaped area at the entrance into the Heather Meadow estate. I have asked that Cormac's environmental team tidy the area up, but the ownership technically lies with highways

section and, because of funding cuts, they are only carrying out maintenance where there is a health and safety issue. I am trying to broker a deal to end with this impasse, but it is proving ridiculously difficult.

12. 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:

- Five dwellings near Manor Drive, Fraddon; planning appeal (PA15/00763)

As requested at a previous meeting, I produced a statement on behalf of the Parish Council, setting out opposition to this development, which was not policy compliant and did not include adequate affordable housing or at an appropriate sale price.

- Pines Tip, Fraddon (PA15/00955)

I have continued to keep in close contact with the relevant planning officers with regard to this application for three wind turbines on the western edge of the clayworks in our Parish.

This application had been on the agenda of the Strategic Planning Committee for November 2015 with a recommendation for refusal, but it was pulled from the agenda because the applicant stated that they wished to submit further information to address the concerns of the planning officers. Legal advice was sought and this stated that it would be premature to make a decision on the application.

This application will be going back to the Strategic Planning Committee within the next couple of months, following the recent reconsultation when the Parish Council restated its objection to the scheme.

- Kingsley Village, Fraddon (PA15/04129)

Following the decision to approve the redevelopment of Kingsley Village at the October meeting of the Strategic Planning Committee, I have been in regular contact with the case officer about the relevant wording for the conditions. At the time of writing, Cornwall Council and the applicant are still in negotiation about elements of these conditions and they have yet to be signed off.

I have also been continuing to seek clarification that the new owners (Consolidated Property Group) of the complex will definitely continue to provide a Post Office at the site.

I have received a letter from CPG which clearly states that, subject to "agreement with the Post Office," a Post Office will be a feature of the site going forward.

In terms of the actual siting of the unit, the letter stated:

"I can confirm that CPG are in discussion with the Post Office and Marks and Spencer and seek to achieve the relocation of the existing facility within the redevelopment as a valuable service to the local community. The decision on whether to accommodate the post office within Marks and Spencer or in a new pod unit has yet to be taken as Marks and Spencer's fitting out plans have not been finalised."

- Former Post Office, Fraddon (PA15/08012)

The change of use application to turn the former Post Office in Fraddon into a takeaway is proving quite controversial, with many people worried about the traffic and parking aspects of the proposal. Because of this, I have requested that it be referred to the Central Sub-Area Planning Committee for consideration. I do not have a date for the committee meeting yet.

- Wheal Remfry Clayworks, Fraddon (PA15/09670)

I have liaised closely with the planning officer on this "prior approval" under Class 17B of the General Permitted Development Order for the "processing, crushing and screening of aggregates" within the pit.

This was not a planning application as such, but a form of permitted development on which the local planning authority could nonetheless impose conditions.

I sought legal advice from within the authority that this application was being dealt with appropriately within planning legislation and I therefore, in consultation with the Parish Council, focussed on reviewing and seeking improvements to the proposed conditions.

In particular, I successfully requested:

- Additional noise monitoring.
- Further detailed information about the access road into the site from the Gaverigan roundabout.
- Improved road markings where a footpath crosses the access road.
- Enhanced screening at the entrance into the site and by the access road.

- Mobile homes on the Kelliers

Following the refusal of the second part-retrospective application for mobile homes on the Kelliers (PA15/06186), enforcement officers have been continuing their investigations into the site. I can confirm that a series of enforcement notices were served by the unitary authority in the first week of January 2016.

13. Full Council: 15th December 2015

Following a four-hour meeting of the Planning Policy Advisory Committee (PAC) at Cornwall Council on 17th November, the latest version of the Cornwall Local Plan was agreed by members on Full Council on 15th December.

This followed the first stage of the Examination in Public in May 2015, when a government inspector instructed the Council to make a series of changes to make the document "sound," and therefore adoptable.

A number of changes were made which included increasing Cornwall's housing target for the period 2010-2030 to 52,500. This was agreed because councillors knew that a lower figure would not be acceptable to the Inspector and it would stall the process.

The Council was also forced to reduce affordable housing targets to meet certain "viability tests" which means that the new target in Clay Country will only be 25% for allocated or infill sites. Obviously, this will make it more difficult to provide appropriate levels of affordable housing on future developments.

I was the only councillor to table an amendment at the meeting, when I moved that the so-called "eco-community" of 1,200 properties near St Austell be removed from the document. I told the meeting that the Planning Policy Statement which specified that Clay Country must have an eco-town had been withdrawn and councillors could therefore legitimately reconsider the allocation.

I also reminded them that the level of housing proposed for the China Clay Area – including the eco-community – was allowed to go forward, it would mean that the housing stock of Clay Country would increase by 87% over four decades (from 1991 to 2030), the highest level of growth in the whole of Cornwall.

It was extremely disappointing that only eight councillors supported my proposal; the four MK councillors and four independents.

Following a further consultation due to take place between 25th January and 7th March 2015, the document will be referred back to the Examination in Public which is expected to resume in May.

14. 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:

- Schemes sent to the Asset and Design team

I have had it confirmed that two potential schemes have been referred to the above team for consideration. These are (i) improvements to the

drains through Fraddon and (ii) measures to deal with a problem of rising water coming up in the pavement to the east of Queens Garage.

- Speed checks

I have requested a number of speed checks around the Parish in order to up evidence to better assess local problems with speeding traffic. Three checks have been carried out at:

Chapelton, Summercourt
Newquay Road, St Columb Road
Sea View Terrace

The results are available on request.

- Accident at New Road to the west of Penhale

Prior to Christmas, I was contacted by residents about an accident outside their properties, when a visiting family member's car, parked in front of the rural terrace, was hit by a van. Thankfully no-one was hurt, but the car was written off and the wall to the front of one of the properties was knocked down.

A number of years ago, I did manage to get some slight improvements in terms of road markings and signage, but it has clearly been proved not to be adequate. This is the second car that has been written off since the improvements and there has also been a near-miss with a pedestrian in the locality.

I am making additional representations on this matter, along with Sea View Terrace to the south of Fraddon where residents have similar concerns.

- Requests for traffic schemes

I have reported before as to 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.

My proposed schemes included traffic calming measures at entrance points into the main built-up areas of the Parish and other key locations, measures relating to the expansion of Indian Queens Primary School (as set out in the School Travel Plan by Hyder Consulting), traffic management measures around the Co-op at St Columb Road, a pedestrian crossing at Summercourt crossroads, and a 20 mph speed limit by Summercourt Primary School.

I have been in regular contact with the officer leading on this project and it seems that none of the schemes I have put forward are being deemed worthy of prioritisation.

It would be helpful if St Enoder Parish Council were to write a letter to Cornwall Council in support of my representations.

15. Flooding / water run-off

Over the last two months, I have been contacted by residents about issues with water runoff and/or flooding. These have included locations such as the entrance to Gaverigan Manor Farm (over-flowing road ditch), Lindsay Fields, Fraddon (as noted above), St James View, Fraddon (water run-off from "village green" into properties), the Drang, Indian Queens (blocked drain), the A3058 south of Summercourt (flooded section of road), and east of St Dennis Junction (flooded section of road).

I have reported these incidents to the relevant staff at the unitary authority and I am continuing to follow-up on their responses.

16. Knotweed

I am continuing to put pressure on Cornwall Council to be more proactive in contacting landowners who are not dealing with knotweed on their land.

17. Local playgroups

I have been in regular contacts with both the Indian Queens Under-5s and the Wesley Pre-School. I am assisting the Indian Queens Under-5s with general advice and funding support, and I am also helping the Wesley Pre-School with guidance on their fundraising for their new building project.

18. Broadband coverage in Summercourt

I am also making representations on behalf of people in Summercourt who are not able access superfast broadband. The majority of the village is well-served from the west, but a small number of homes on the eastern side of the village, and the primary school, are unable to get a decent broadband service. This is because they are linked to the exchange in Fraddon, a significant distance away.

On Friday 22nd January 2015, I met with representatives of the Cornwall Development Company and British Telecom to raise the concerns of the School and their immediate neighbours. I will report back more fully in the near future.

19. Boundary Commission

Three representatives of the "Local Government Boundary Commission" visited Cornwall in late November 2015 and met with the leaders of the various political groups on the unitary authority. They told us that we had to commence a boundary review immediately; to review the number of councillors and agree new divisional boundaries for the 2017 council elections.

All members were aghast at the meeting, especially as the so-called "devolution deal" signed with government stated that a Boundary Review would not be commenced until after the 2017 elections.

However, Cornwall Council made representations and has now received a letter from the Local Government Boundary Committee which has agreed to extend the deadline for the upcoming Boundary Review.

This means that the review will now take place over a two year period and not be rushed through in the next twelve months. It also means that the 2017 elections will be fought on the existing boundaries.

The revised timetable for the review may be broadly summarised as follows:

- The consideration of council size (ie. the number of councillors) will take place in 2016 with the council's preferred option submitted to the Commission by 3rd March 2017. The final decision on this will be made by the Commission in May 2017.
- The consideration of divisional boundaries will be undertaken throughout 2017, with the target date for the consultation on the draft recommendations being 24th October – 19th December 2017.
- The target date for the publication of the final recommendations is presently 27th March 2018, with the order down to be laid in parliament in April 2018.
- The new boundaries would then be first used in the local elections planned for 2021.

20. 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.

21. Newsletter

I am presently working on a newsletter which I hope to deliver during the month of February. Any help with the distribution would be greatly appreciated.