

# **Cornwall Council report**

## **CLLr Dick Cole**

Time period: 25th April to 22nd May 2016

### **1. Council meetings**

I have attended a range of formal meetings at Cornwall Council over the last month. These included: Full Council (2), Economy and Culture Policy Advisory Committee (PAC), Constitution and Governance Committee, Electoral Review Panel, Group Leaders meeting (2) and the working group on Cornish national minority status.

As well as the meetings listed above, I have had numerous informal meetings with council officers and others to discuss a range of issues. In addition, there have been meetings relating to the planning issues at Higher Fraddon and the "Examination in Public" (EiP) into the Cornwall Local Plan.

### **2. Other meetings**

I have attended meetings of the South and East Cornwall Local Action Group, Indian Queens Pit Committee, and the St Piran Trust (which looks after St Piran's Oratory near Perranporth).

### **3. AD plant at Penare**

As reported in my last monthly report, Greener for Life went to appeal for "non-determination" on the "regularisation" application for the biogas plant at Higher Fraddon (PA15/03073). The company has also appealed the decision of Cornwall Council to refuse its related application (PA15/05220) to modify traffic movements to the site.

Greener for Life had requested that the appeals be heard by "written representations" only but, following representations by Cornwall Council and others, it will now be discussed at a hearing at which local people will be able to speak.

As requested by the Parish Council, I am working on a detailed statement for the appeals. The deadline for submission is 7th June.

On Monday 9th May, I attended a meeting of the Higher Fraddon Residents Forum with Nigel Doyle from Cornwall Council. This was held principally to explain to local residents about what had happened in the planning process, and inform them about the appeal. A representative of the pig farm was present, though Greener for Life did not attend as they had previously stated that did not wish to attend the existing Forum.

Three days later, on Thursday 12th May, I attended the first meeting of a new "Forum" set up by Greener for Life, which included representatives from their company, their contractors, the Environment Agency, Police

and the pig farm. Nigel Doyle was present on behalf of Cornwall Council, as was a single resident from the top of the lane who was supportive of the project. The Higher Fraddon Residents Action Group had been invited to send one representative to the meeting, but had declined because they questioned the legitimacy of the Forum.

#### **4. Matters of planning policy**

A significant part of my workload this month has related to the Examination in Public (EiP) into the proposed Cornwall Local Plan, which has been taking place at Newquay's Atlantic Hotel. The first week of proceedings took place in the week 16th–20th May, and I was present on four of the five days.

It is fair to say that the proceedings have been swamped by landowners, developers and their agents, each trying to get the Local Plan changed to suit their own development proposals. Overall, contributions from local communities have been much less prominent.

For example, early in the week, representatives of developers and landowners made all manner of apparently "evidenced" arguments as to why housing numbers (in general) should go up. These arguments included the need for affordable housing, but with breathtaking double-standards they then argued for lower affordable housing targets and the inevitable delivery of less local-needs housing.

Towards the end of the week, in an unedifying scramble, representatives of the developers began to contradict each other, arguing for more housing in certain local areas where they just happened to have available land.

As the Chairman of the Planning PAC, I was present to follow the debate because any specific changes to the document would be referred back to that committee in the near future.

My main contribution at the EiP was to oppose the inclusion of the so-called "eco-community" proposal, near Penwithick. And while I did this, in an act of shocking self-interest, Wainhomes argued a range of legalistic points against the principle of the development, pushing instead for a 1,300 property development near to St Austell.

The debate about affordable housing was overshadowed by the court decision which sided with central government on its "small sites affordable housing contributions policy." This means that it is likely that Cornwall Council will have no option other than to accept a "threshold of ten units," below which affordable housing could not be sought – except in certain designated rural areas where the threshold would be five. However, under such guidelines, St Enoder Parish is not deemed rural!

In more positive news, 83% voters in St Ives endorsed a Neighbourhood Plan for their town, which includes a policy to ensure that any new-build properties could not be sold as second homes.

This is of considerable significance for the development of Neighbourhood Plans in certain parts of Cornwall, but a firm of developers is seeking to challenge the democratically expressed views of the people of St Ives through a judicial review. And there have also been newspaper reports stating that central government ministers could "intervene to overturn the ban" on second homes which, I feel, would be an affront to democracy in Cornwall.

## **5. Full Council; 26th April**

Cornwall Council is to carry out a Governance Review, and the proposed way forward was presented to this meeting. I was one of the councillors who found the detail of the proposal to be inconsistent, and successfully argued that it should be referred to the Constitution and Governance Committee to be further scrutinised

This was done and a revised document was referred back to the Full Council meeting on 17th May.

## **6. Full Council; 17th May**

As well as the debate on the Governance Review (see above section), there was an additional debate following a motion tabled by me opposing the creation of a Devonwall parliamentary constituency. In particular, the motion referenced central government's unwillingness to act on the articles of the Framework Convention for the Protection of National Minorities.

A revised resolution had been worked up by a senior officer of the Council, in consultation with me. It had been further amended by members at a meeting of the Constitution and Governance Committee, and was agreed by an overwhelming majority.

It was as follows:

(a) Under the current provisions of the Parliamentary and Voting System Act 2011 ("the Act") it is inevitable that at least one parliamentary constituency will be created that cuts across Cornwall's historic boundary;

(b) the Act was passed prior to the Government's announcement on 24 April 2014 that the Cornish would be formally recognised as a national minority coming within the protective Articles of the Framework Convention for the Protection of National Minorities; and

(c) It is inconsistent with the spirit and intent of the said Framework Convention and its application to the protection of the Cornish that the implementation of the current parliamentary constituency review in accordance with the provisions of the Act would lead to the territorial integrity of Cornwall and its historic boundary being compromised.

Council therefore resolves:

- (1) to urge the Government to respect the spirit of the Framework Convention for the Protection of National Minorities and take all necessary steps to amend the Act prior to completion of the said parliamentary constituency review to specifically protect the parliamentary constituencies of Cornwall so that they remain fully within the boundaries of Cornwall;
- (2) to write to all the Members of Parliament for Cornwall to seek their urgent and active support for the proposed amendment as set out under paragraph (1) above; and
- (3) that the Leader seek an urgent meeting with the Boundary Commission for England to raise the fundamental constitutional issue of the integrity of Cornwall's boundary and the impact of the said Framework Convention that is critical to the effective implementation of the said parliamentary constituency review.

At this meeting, the elected members of the authority also voted to accept the findings of an independent panel into councillor allowances for the next council (ie. May 2017 onwards).

The report from the Independent Remuneration Panel stated that the evidence presented to them showed, on average, councillors took 31.5 hours per week to carry out their basic duties. They recommended that the basic allowance should therefore be £13,910 per annum, up from £12,250. The report also included changes to the SRAs (Special Responsibility Allowances) paid to certain councillors for taking on additional responsibilities, such as being a Cabinet Member or chairing a committee.

It is wrong that councillors have to agree their wages and over the last decade and consistently voted down proposals to increase "allowances." As someone who works full-time in my role as a public representative (on average 45 hours a week on council duties), I believe this issue should not be allowed to become a political football every three-four years.

I will confirm that I did vote to in favour of the recommendations of the Panel, but would add that I do not like the term "allowance" as I work full-time as an elected representative for St Enoder Parish and consider what I get paid to be my wages.

## **7. Bus services to Summercourt**

As reported in recent updates, FIRST Kernow will, next week, be reintroducing an hourly service between Summercourt and Truro.

The new timetables come into operation on Monday 30th May, and the service between Summercourt and Truro will operate Mondays to Saturdays (not including public holidays).

As next Monday is a bank holiday, the first buses will be coming through on Tuesday 31st May.

It is my intention to circulate a leaflet throughout Summercourt this week to keep people informed about the new bus times.

## **8. My newsletter**

Over the last month, I have also been out and about delivering copies of my latest newsletter. I haven't quite got everywhere yet and estimate there are about a hundred properties, mostly in the rural parts of St Eoder Parish, which have yet to receive the newsletter. I would also like to thank those people who have kindly helped with the deliveries.

It has certainly been nice to catch up with so many people and I have recorded a number of issues, which I have reported to the relevant officers at Cornwall Council. These include concerns about pot-holes, problems with footpaths, overgrown hedges, and speeding traffic.

## **9. Charity cricket game**

But it has not all been work. On the evening of Tuesday 17 May, I took part in the annual Cornwall Council charity cricket match between officers and councillors at Boscawen Park in Truro. It was an even match and, against the odds, for the second year running, the councillors came out on top, with Cllr Jim McKenna hitting the winning run with a single ball to spare.

I didn't disgrace myself with either my bowling or my fielding, and achieved a single with my batting before being caught by the wicketkeeper.

## **10. Inquiries**

In the last month, I have also helped numerous people with advice and guidance. Issues have included housing problems, benefit issues, various enforcement matters and more.