

MINUTES ORDINARY MEETING OF POUNDSTOCK PARISH COUNCIL ON TUESDAY 25 JANUARY 2022

An Ordinary Meeting of Poundstock Parish Council was held on Tuesday 25 January 2022 at 7.00 p.m. in Bangors Hall with Cllrs. Robert Gavin, Tom O’Sullivan, Stephen Blake, Max Faulkner, Brian Furse, Eric Harris, Pamela Idelson, Revd Ben Lillie and Gemma Watton present.

1. Apologies for absence: None. 001/22

2. Note Conclusion of the Election for 13 January 2022: 002/22

RECEIVED Declarations of Acceptance of Office, no requests for extension of time.

3. Declaration of Interest:

a) Items on the agenda: - None received. 003/22

4. Dispensations: None received. 004/22

5. Public Participation - Matters raised by Members of the Public on an agenda item: 005/22

A member of the public thanked the Council for the newly installed defibrillator in the telephone kiosk at Treskinnick Cross, he offered to clean, paint and make repairs to the kiosk with a local business agreeing to donate the paint and glass. The offer was graciously accepted by the Council thanking the resident for his community spirit.

6. Minutes of previous Council Meeting:

RESOLVED that the minutes of the Council meetings be approved: -

Minutes of Extraordinary Meeting held on 18 November 2021

Minutes of the Ordinary Meeting held on 30 November 2021

Minutes of the Extraordinary Meeting held on 21 December 2021

Proposed: Cllr. Tom O’Sullivan Seconded: Cllr. Brin Furse 6-0 (3 abs) **006/22**

7. Planning Applications:

a) Planning Applications to discuss and make a consultee comment on the following applications: -

PA21/12761 Land East of Longpark Drive Long Park Drive Widemouth Bay Bude Cornwall EX23 0AN Outline consent for the proposed siting of a new single dwelling with some matters reserved with variation of condition 3 in respect of decision PA17/04287 dated 11.09.17. - Real-X Developments Ltd - PA21/12761 (Case Officer - Helen Blacklock).

Following discussions, it was **RESOLVED** to **STRONGLY OBJECT** for the following reasons: -

Surface water should only go into the public sewer if there is no alternative. The Parish Council has not seen sufficient evidence to support the assertion that that there are no alternatives in this case.

Before surface water can drain into a sewer robust evidence discounting the discharge of surface water to ground via infiltration or to a watercourse, for all or part of the site, must be presented and accepted by both SWW and the Lead Local Flood Authority. We feel that this must be done before this application can be considered further by the Parish Council.

The Parish Council also wishes to see evidence that the neighbouring landowner will not allow drainage into the ditch, and their reasons for this position. The Parish Council finds it difficult to accept at

present that negotiations to find an agreement have been exhausted and would have expected some form of payment to have made the solution palatable to the neighbouring landowner.

It is also clear that no evidence has been provided regarding the long-term maintenance and management for the proposed drainage system.

The Parish Council wishes it noted that it has serious concerns regarding the drainage of this site at outline planning stage in 2016, and at every application to date. It was abundantly clear from a simple search of HM Land Registry that the ditch was not owned by the applicant and as such the applicant should not have seemingly assumed and relied on the hope that they would be able to drain into it. Had there been any concerns regarding ownership of ditches this could have quickly and simply been clarified by the applicant's solicitor at the outset of the development commencing and not some 6 years since the first application was submitted. This was not legally a complex issue.

Drainage designs should be undertaken holistically with other aspects of design in an integral manner. It should, therefore, be considered at the early stage of the design. Before construction work commenced drainage issues should have been resolved and permission obtained from the neighbouring landowner if this was relied upon as part of the proposed drainage system. If none was forthcoming, then this would have affected the feasibility of the development given the 'last resort' option of draining into the mains sewer.

To submit a 'last resort' drainage application when the properties have already been built, and indeed SSTC, appears to fly in the face of the planning system and somewhat forces the hand of decision makers.

Cornwall Council Lead Local Flood Authority made is absolutely clear in their comment submitted on 22 August 2017 (PA17/04287) that *'No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management and foul water treatment has been submitted to and approved in writing by the Local Planning Authority.'* This has clearly not been done in this case and we are at the position where the properties are nearing completion and yet no approval has been obtained from SWW, the LLFA and Cornwall Council. In the view of the PC this is unacceptable.

The Parish Council has been attempting to obtain information from SWW regarding the position regarding the sewage system in Widemouth Bay. It is clear from information obtained to date that there are significant concerns regarding the system. SWW themselves have stated *'we have experienced some issues with the associated rising mains and it is currently being assessed for suitable rehabilitation or replacement'*. It appears that 27 sewer overflows have taken place in 2021 compared with an average number per location for SWW of between 2-8. The Parish Council feels that until this has been resolved by SWW no further connections should be made to the mains sewer, especially when the connection relates to surface water which should only go into the mains sewer as a last resort.

The Parish Council therefore **STRONGLY OBJECTS** on the basis of insufficient evidence as set out above. Conditions 3 and 4 have not been complied with. The PC also objects to surface water going into the mains sewer given the serious and real concerns regarding the sewage station.

Proposed: Cllr. Gemma Watton Seconded: Cllr. Tom O'Sullivan unanimous **007/22**

PA21/12762 Edith Walk Long Park Drive Widemouth Bay Bude Cornwall EX23 0AN Outline application with some matters reserved for proposed residential development of 4no detached dwellings with variation of condition 4 in respect of decision PA16/00078 dated 21.06.16. - Real-X-Developments - PA21/12762 (Case Officer - Helen Blacklock).

Following discussions, it was **RESOLVED** to **STRONGLY OBJECT** for the following reasons: -

Surface water should only go into the public sewer if there is no alternative. The Parish Council has not seen sufficient evidence to support the assertion that that there are no alternatives in this case.

Before surface water can drain into a sewer robust evidence discounting the discharge of surface water to ground via infiltration or to a watercourse, for all or part of the site, must be presented and accepted by both SWW and the Lead Local Flood Authority. We feel that this must be done before this application can be considered further by the Parish Council.

The Parish Council also wishes to see evidence that the neighbouring landowner will not allow drainage into the ditch, and their reasons for this position. The Parish Council finds it difficult to accept at present that negotiations to find an agreement have been exhausted and would have expected some form of payment to have made the solution palatable to the neighbouring landowner.

It is also clear that no evidence has been provided regarding the long-term maintenance and management for the proposed drainage system.

The Parish Council wishes it noted that it has serious concerns regarding the drainage of this site at outline planning stage in 2016, and at every application to date. It was abundantly clear from a simple search of HM Land Registry that the ditch was not owned by the applicant and as such the applicant should not have seemingly assumed and relied on the hope that they would be able to drain into it. Had there been any concerns regarding ownership of ditches this could have quickly and simply been clarified by the applicant's solicitor at the outset of the development commencing and not some 6 years since the first application was submitted. This was not legally a complex issue.

Drainage designs should be undertaken holistically with other aspects of design in an integral manner. It should, therefore, be considered at the early stage of the design. Before construction work commenced drainage issues should have been resolved and permission obtained from the neighbouring landowner if this was relied upon as part of the proposed drainage system. If none was forthcoming, then this would have affected the feasibility of the development given the 'last resort' option of draining into the mains sewer.

To submit a 'last resort' drainage application when the properties have already been built, and indeed SSTC, appears to fly in the face of the planning system and somewhat forces the hand of decision makers.

Cornwall Council Lead Local Flood Authority made is absolutely clear in their comment submitted on 22 August 2017 (PA17/04287) that *'No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management and foul water treatment has been submitted to and approved in writing by the Local Planning Authority.'* This has clearly not been done in this case and we are at the position where the properties are nearing completion and yet no approval has been obtained from SWW, the LLFA and Cornwall Council. In the view of the PC this is unacceptable.

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The Parish Council therefore **STRONGLY OBJECTS** on the basis of insufficient evidence as set out above. Conditions 3 and 4 have not been complied with. The PC also objects to surface water going into the mains sewer given the serious and real concerns regarding the sewage station.

Proposed: Cllr. Gemma Watton Seconded: Cllr. Tom O'Sullivan unanimous **008/22**

PA21/12848 Rose Carrock Long Park Drive Widemouth Bay Bude EX23 0AN non-material amendment (NMA1) in relation to decision PA20/04128 dated 07.08.21 for addition to the area of first floor balcony, minor adjustment to roof pitch and eaves level, minor revisions to fenestration and reposition of a flue and minor internal arrangement revisions - PA21/12848 (Case Officer - Lorraine Lehan).

Following discussions, it was **RESOLVED** to make **NO OBJECTION**.

Proposed: Cllr. Tom O'Sullivan Seconded: Cllr. Gemma Watton unanimous **009/22**

PA21/05879 Land South of Penholme Long Park Drive Widemouth Bay Bude Cornwall Variation of conditions 1 (approved plans) and 2 (Landscaping) in respect of PA21/04448 dated 23/07/2019. (Reserved matters application following outline consent for proposed Residential Development of 4 no Detached Dwellings) – PA21/05879 (Case Officer – Helen Blacklock).

Following discussions, it was **RESOLVED** to **OBJECT** for the following reasons: -

The Parish Council feels that there appears to be a significant deviation from the original agreed plans and in particular is concerned to note the addition of an earth ramp to Dwelling 1 which does not appear on the plan now submitted.

The Parish Council is concerned to note the loss of hedges and mature trees that were meant to be retained as per previous conditions.

The Parish Council generally feels that the development conflicts with the surrounding properties and affects the visual and residential amenity generally.

Proposed: Cllr. Gemma Watton Seconded: Cllr. Tom O'Sullivan unanimous **010/22**

PA21/05880 Land East of Long Park Drive Long Park Drive Widemouth Bay Bude Cornwall EX23 0AN Variation of Condition 1 (approved plans) and 2 (landscaping) in respect of PA19/04456 dated 23/07/2019 Reserved matters application following outline consent for siting of new dwelling with some matters reserved – PA21/05880 (Case Officer Helen Blacklock).

Following discussions, it was **RESOLVED** to **OBJECT** for the following reasons: -

The Parish Council feels that there appears to be a significant deviation from the original agreed plans and in particular is concerned to note the addition of an earth ramp to Dwelling 1 which does not appear on the plan now submitted.

The Parish Council is concerned to note the loss of hedges and mature trees that were meant to be retained as per previous conditions.

The Parish Council generally feels that the development conflicts with the surrounding properties and affects the visual and residential amenity generally.

Proposed: Cllr. Gemma Watton Seconded: Cllr. Tom O'Sullivan unanimous **011/22**

PA21/11898 Newlands A39 Between Treskinnick Cross and Wainhouse Corner Poundstock Bude Proposed lambing shed including fodder and machinery storage – PA21/11898 (Richard White)

Following discussions, it was **RESOLVED** to make **NO OBJECTION**.

Proposed: Cllr. Tom O'Sullivan Seconded: Cllr. Gemma Watton unanimous **012/22**

b) Planning decisions available at <https://www.poundstock-pc.gov.uk/planning-applications> **013/22**

8. Finance:

Chairman _____

Dated _____

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a) Note Bank Balances and Bank Reconciliation as per schedule were accepted.
Proposed: Cllr. Robert Gavin Seconded: Cllr. Stephen Blake unanimous **014/22**

b) To authorise payments **RESOLVED** that the payments totalling £2,9748.85 as per schedule plus a late payment of £384.00 be made. **NOTED** advice was given by NALC/CALC on this matter.
Proposed: Cllr. Robert Gavin Seconded: Cllr. Stephen Blake unanimous **015/22**

c) Mandate Change to the current account and online services.
RESOLVED Cllr. Stephen Blake and Max Faulkner be signatories.
Proposed: Cllr. Robert Gavin Seconded: Cllr. Brian Furse unanimous **016/22**

d) Change of signatories for Investment accounts CCLA and Cornwall Council Call Account Facility.
RESOLVED Cllr. Stephen Blake and Eric Harris be signatories.
Proposed: Cllr. Robert Gavin Seconded: Cllr. Tom O’Sullivan unanimous **017/22**

9. Agenda items:

a) Defibrillator - Training date is being arranged. Following discussion, it was **RESOLVED** to complete the transfer of the former kiosk at Treskinnick Cross from Community Heartbeat Trust to Poundstock Parish Council and sign the agreement.
Proposed: Cllr. Robert Gavin Seconded: Cllr. Stephen Blake unanimous **018/22**

b) Bangors Hall Update – The Chairman confirmed Bangors Hall is now for sale on the open market via informal tender sealed bids to be received by 12 noon on 25 February 2022 with a price guide of £300,000 and in line with the Community Asset Register Registration the Council now needed to decide if it wanted to pursue the matter further. In accordance with Standing Order 27(a) it was proposed by Cllr. Tom O’Sullivan to suspend Standing Order 8(a) and (b) for further discussion pertaining to Bangors Hall, Cllr. Robert Gavin seconded with unanimous support. **019/22**

After discussion, it was **RESOLVED** that the Council does not pursue the purchase of Bangors Hall either on its own or with other parties.

Proposed: Cllr. Tom O’Sullivan Seconded: Cllr. Stephen Blake 5-0 (4 abs) **020/22**

Also, in view of the fact that the Parish Council is no longer interested in purchasing Bangors Hall Cllr. Tom O’Sullivan proposed that it would be appropriate to inform Cornwall Council that it is no longer considered to be an asset of community value and request that Cornwall Council rescind the listing, seconded by Cllr. Stephen Blake. 6-0 (3 abs) **021/22**

c) Community Hall Committee:

(i) In accordance with Standing Order 27(a) it was proposed by Cllr. Tom O’Sullivan to suspend Standing Order 8(a) and (b) for further discussion on a Community Hall Committee, Cllr. Stephen Blake seconded with unanimous support. **022/22**

Following discussions, it was **RESOLVED** to set up a Community Hall Committee.

Proposed: Cllr. Tom O’Sullivan Seconded: Cllr. Stephen Blake 6-0 (3 abs) **023/22**

(ii) Community Hall Committee Terms of Reference – Following discussions, it was **RESOLVED** that Cllrs. Tom O’Sullivan, Stephen Blake, Max Faulkner and Eric Harris with the Clerk prepare terms of reference to include what needs to be achieved by the Committee.

Proposed: Cllr. Robert Gavin Seconded: Cllr. Pamela Idelson unanimous **024/22**

d) Land at Treskinnick:

Cornwall Council has offered an area of land at Treskinnick Cross to the Council which was considered to be a potential site for a new community hall.

025/22

e) Widemouth Bay Car Park Levy:

An offer of a fixed £15k annual grant payment for the duration of the current administration was received from Cornwall Council on the basis that the Parish Council to work towards an alternate funding stream after the 4-year period has expired and is happy to proceed with the devolution of the public toilets.

Following discussions, it was **RESOLVED** to accept the grant offer as stated.

Proposed: Cllr. Robert Gavin

Seconded: Cllr. Revd. Ben Lillie

unanimous

026/22

f) Public Toilets Widemouth Bay:

Funding letter Offer of Grant, License to occupy and undertake works to undertake works at the public toilets in Widemouth Bay as identified on the plan from Cornwall Council and previously circulated was discussed at length. It was **RESOLVED** to accept the offer of £25k in total conditional upon the terms and conditions.

Proposed: Cllr. Robert Gavin

Seconded: Cllr. Revd. Ben Lillie

unanimous

027/22

g) Appoint Portfolio Holders:

(i) Cemetery and Closed Churchyard - **APPOINTED** Cllr. Eric Harris.

Proposed: Cllr. Robert Gavin

Seconded: Cllr. Max Faulkner

unanimous

028/22

(ii) Public Toilets, Beach and Car Park – **APPOINTED** Cllr. Max Faulkner to assist Lead Member Cllr. Revd. Ben Lillie.

Proposed: Cllr. Robert Gavin

Seconded: Cllr. Stephen Blake

unanimous

029/22

10. Reports:

a) Ward Member Report:

030/22

Cllr. Nicky Chopak spoke of the Queens Jubilee and her intention to give a donation of a tree to the parish as part of her Community Chest Fund. She spoke of redundancies bringing significant changes to the staff in Cornwall Council, today has it been confirmed that our Community Link Officer Helen Fincham is to remain in place. Health and Adult Social Care Committee funding is to be reduced by £15 million. Cornwall Council is to discuss the budget in March with most cuts being made by reductions in staff.

Cllr. Chopack offered to pay for 'Defibrillator Signage' on the kiosk at Treskinnick Cross from her Community Chest Fund. Children's play equipment has been donated to the Parish Council by the An-Mor Hotel and an offer to transport the equipment has been made from a local business.

Regarding the Making Space for Sand Funding, she is keen to set up a local working group. The new highways budget is more targeted, she suggested small highway improvements be considered.

b) Chairman's Report:

031/22

In his written report the Chairman reported a good turnout in the recent elections and welcomed Cllrs. Max Faulkner and Eric Harris to the Council. He spoke about the land at Treskinnick Cross and the suitability of the site for the new community hall.

c) Clerk's Report: No report.

032/22

11. Steering/Working Group Reports:

a) Neighbourhood Development Plan Steering Group. **033/22**
Data processing is just about complete and reports are being generated based on that data. The first draft of the Housing Needs Survey results has been received from Cornwall Council and are being discussed by the Steering Group before the final report is issued and circulated. A public event has been arranged at the Gildhouse on Saturday 12 March 2022 from 2-5 pm to make the results from the surveys available to the public; to discuss the aims and objectives which derived from these surveys and which will form the basis of the policies set out in the final document; to undertake further consultation and set out future achievements in the year ahead. Work is ongoing to update the NDP webpage with a brief update in The Poundstock Packet this month.

12. Portfolio Reports written reports received were circulated and **NOTED**. **034/22**
- Cemetery & Closed Churchyard - Nothing further to report.
 - Finance – Cllr. Stephen Blake continues to monitor finance and thanked the clerk.
 - Highways & Transport – Cllr. Brian Furse followed up on a resident’s concerns about the road surface at the junction of Coppathorne and was advised that the repairs made were temporary.
 - Planning – An incomplete response to the questions asked was received from South West Water, it was **RESOLVED** that Cllr. Watton follow up this matter.
Proposed: Cllr. Robert Gavin Seconded Cllr. Tom O’Sullivan unanimous **035/22**
NOTED the NDP to be updated when all the information has been received.
 - Police Advocate – Cllr. Robert Gavin was invited to attend a Focus Group for the Police and Crime Commissioners Office to discuss the Police Budget, whereby all recommendations are being considered. A number of Police Stations will now be opening an Enquiry Office for a more direct approach to the public. In order to Police the region adequately the budget will increase again this year, but this has been offset against a sum of money provided to all forces by the Government, Devon and Cornwall was allocated £19 million extra this year.
 - PROW’s – An incident on a PROW 533/22/3 was reported. A gate erected on a PROW 533/22/3 is being dealt with by Cornwall Council Senior Countryside Officer Chris Monk.
 - Widemouth Bay Toilets, Car Park and Beach – Nothing further to report.

13. Councils Representatives reports from Outside Bodies: **036/22**
Cllr. Tom O’Sullivan reported on the Bude Community Network Panel Meeting held on 6 December 2021, draft action notes have been circulated.

14. Correspondence Noted: None received. **037/22**

15. Items for Information: None received. **038/22**

16. Items for next Agenda: Community Hall, Invite Widemouth Task Force and Cornwall Countryside Officer Jolyon Sharpe to the next meeting. **039/22**

17. Notification of the next Ordinary Council Meeting: Ordinary Meeting 22 February 2022. **040/22**

18. Meeting Closed 21:40 **041/22**