

MINUTES ORDINARY MEETING POUNDSTOCK PARISH COUNCIL HELD ON THURSDAY 17 AUGUST 2023

An Ordinary meeting of Poundstock Parish Council was held on Thursday 17 August 2023 at 7.00 p.m. in the Gildhouse with Cllrs. Stephen Blake, Steve Haynes, Max Faulkner, Eric Harris, Pamela Idelson, Tom O’Sullivan and the Clerk present.

1. To receive apologies for absence: **339/23**
RESOLVED apologies with reasons for absence were received and accepted from Cllr. Michelle Carter and Jeremy Petherick.

2. To receive declarations of registered and non-registered disclosable pecuniary interests and non-registerable interests. **340/23**
Relating to any items appearing on the agenda: -
Cllr. Steve Haynes Agenda item 9(b) Old Parish Hall.
Cllr. Max Faulkner Agenda items PA23/06024 and PA23/05864.
Cllr. Pamela Idelson Agenda item PA23/06080.

3. Council to consider requests for dispensations from Members concerning items on the agenda.
RESOLVED to APPROVE dispensation request from Cllr. Max Faulkner in relation to PA23/05864. **341/23**

4. Public Participation - Matters raised by Members of the Public on an agenda item: **342/23**
A member of the public voiced concern about overnight parking at the Penhalt Viewpoint, Cornwall
Councillor Nicky Chopak advised that the site is being monitored.

5. To resolve that the Minutes of previous Full Council Meeting are an accurate record:
(a) Minutes Full Council: **RESOLVED** that the Minutes of the Ordinary Meeting held on 20 July 2023 were a true and accurate record and were signed by the Chair. No matters arising NOTED. **343/23**

6. Correspondence to discuss and resolve a course of action:
Correspondence received was reviewed –
(a) Letter of objection to AGAR 2022-23 - Solicitors to be advised. **344/23**

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

PA23/05864 - Store And Premises Coppathorne Poundstock Bude EX23 ODD Application for certificate of lawfulness for existing use in respect of use of land for agricultural construction and storage purpose - PA23/05864 (Case Officer - Joanna Dawe).
RESOLVED to OBJECT with the following comments (2-1)(3 abs) : **345/23**

Section 191 of the Town and Country Planning Act 1990 provides a mechanism by which an existing use of land, or some operational development, or some activity being carried out in breach of a planning condition, can be formally certified.

It enables an application to be made to ascertain that the existing use of land or buildings are lawful. S191(2) states that a use is lawful if no enforcement action can be taken in respect of it and it does not amount to a contravention of any of the requirements of any enforcement notice then in force.

The guidance goes on to advise that if a Local Planning Authority has no evidence itself or from any others to contradict what is said by the applicant there is no good reason to refuse the application provided the submission of evidence is precise and unambiguous.

The applicant's statement does not appear to be entirely accurate due to the error of omission. For example, she has not mentioned Hirst Environmental Services sewage/cesspit emptying tankers, which are stored overnight on site. This has been reported to Environmental Services in the past as it is a clear breach of the existing operator's licence. Nowhere in the statement is this misuse of the site mentioned.

The site is also linked by track, clearly visible in the supplied photographs, to a second nearby site (also owned by the applicant and operated by the same company). While the linked land is not part of this application, it is nevertheless a pertinent fact given the other site's recent history: both sites operate in tandem.

The Applicants' agents state that, "The evidence in this case is clear and unambiguous", but there is ambiguity in the omission of needed context, particularly about the use of the site and how it relates to a connected site. Therefore, there are grounds to question the certification of the use of this site as lawful.

** Cllr. Max Faulkner declared an interest and left the meeting.*

PA23/06024 - 3 Swelle Cottages Poundstock Bude Cornwall EX23 0DW 'Retrospective alterations to previously approved planning application PA12/09630 for construction of garage and store.' with variation of condition 3 of decision PA13/09168 dated 18/12/2013 - PA23/06024 (Case Officer - Paul Steen).

RESOLVED – To make no comment, unanimous.

346/23

*** Cllr. Max Faulkner returned to the meeting.*

PA23/06080 - Storage Building SE Of Trebarfoot Manor Poundstock Bude Cornwall EX23 0DH Prior Notification for agricultural machinery storage building - PA23/06080 (Case Officer - Helen Trebilcock).

Prior Notification Application - NOTED.

347/23

PA23/06045 – Land at Poppys Field Vicarage Lane Poundstock Bude Cornwall EX23 0AU Proposed agricultural building for the storage of machinery, livestock equipment and bee keeping equipment – PA23/06045 (Case Officer Paul Steen).

RESOLVED – To Support (4-0)(2 abs)

348/23

PA23/04788 - Whalesborough Farm Marhamchurch Bude Cornwall EX23 0JD The change of use of land from agriculture to ground mounted agri-voltaic solar array with associated infrastructure and landscaping – PA23/04788 (Case Officer Aimee Williams).

RESOLVED to make the following comments (4-1)(1 abs) - PPC objects to this proposal on the grounds that it detracts from the "public visual amenity" of the area due to its elevated position which will dominate the scenery for miles around. This is likely to have a negative impact on the local tourist industry which is a key part of the local area economy. While PPC recognises the need for green energy developments and does not object to this type of development in principle, in this case we feel that the detrimental impact on the area due to its elevated position negates any benefits. Therefore, we respectfully request that this planning application is denied.

349/23

(b) Planning Decisions – **NOTED** <https://www.poundstock-pc.gov.uk/planning-applications>

350/23

8. Finance to discuss and resolve a course of action with associated expenditure:

- (a) To note income, banking and investment statements – **NOTED.** **351/23**
- (b) To resolve to approve payment of outstanding accounts and note income as per schedule.
RESOLVED the schedule of payments be approved, unanimous. **352/23**
- (c) First Quarter Budget Analysis – Deferred. **353/23**
- (d) Two Councillors to carry out quarterly internal audits for 2023/24 - **RESOLVED Cllrs. Stephen Blake and Steve Haynes be appointed, unanimous.** **354/23**
- (e) Internal Audit 2022/23 – **RESOLVED to ACCEPT, unanimous.** **355/23**

9. Agenda items to discuss and resolve a course of action and associated expenditure:

- (a) To receive an update on the progress with Cornwall Council on the Widemouth Bay Toilets, and ongoing repairs to the building. TEAMS Meeting with Cornwall Council Officers and Solicitor, Cllr. Nicky Chopak, Cllrs. Stephen Blake and Steve Haynes and the Clerk was held following which revised Heads of Terms were received and circulated. Estimates to replace the windows and roof are being considered by Cornwall Council. Heads of Terms to be sent to the Council's Solicitors. **356/23**

** Cllr. Steve Haynes declared an interest and left the meeting.*

- (b) To receive an update on the sale of the Old Parish Hall – Confirmation has been received from the family to include the adjacent plot in the sale of the Old Parish Hall, subject to funds being used to build the new community centre. The auctioneers are working towards the auction date of 24th August 2023. **357/23**

*** Cllr. Steve Haynes returned to the meeting.*

- (c) To receive an update on the pre-app for the proposed Community Hall - Awaiting advice. **358/23**

** 20:12 Cllr. Pamela Idelson left the meeting.*

- (d) To consider requesting free parking for Councillors in the Widemouth Bay Car Park – **RESOLVED to write to Cornwall Council and ask for free parking for Councillors in Widemouth Bay car park, unanimous.** **359/23**

- (e) To consider a new laptop for the Council – **RESOLVED to purchase a new lap top, MacBook Air, with Apple Care Support extended warranty with 3 years support, lap top carry case at a cost of £1,927.00 (inc. vat), unanimous.** **360/23**

- (f) To consider engaging planning consultants to look at the sewage issues in Widemouth Bay – **RESOLVED to ask planning consultants for an estimate to investigate evidence of sewage problems in Widemouth Bay, unanimous.** **361/23**

- (g) CALC Training - Addressing Conflict between Employees and Members, including Code of Conduct Issues – **RESOLVED Clerk to attend training, unanimous.** **362/23**

10. To receive written reports and authorise any action: **363/23**

- (a) Poundstock Ward Member's Report – Generally, there are three planning enforcement officers working across the county. Planning enforcement are currently looking into issues raised in the area, no further report. There is some funding available for highways unspent from previous year which will be discussed at the next CAP meeting, Cllr. Chopak encouraged engagement. She is currently having discussions with Highways for a permanent Radar Detector to discourage speeding along Marine Drive.

(b) Chair's Report – Nothing further to report.

(c) Clerk's Report – No report received.

11. NDP Steering Group to receive reports and authorise any action and expenditure: - **364/23**

The first draft of the Neighbourhood Development Plan is underway.

12. Councils Representatives to receive reports from Outside Bodies: - No reports. **365/23**

13. Portfolio Reports to receive written reports and authorise any action and expenditure: -
No reports **366/23**

14. Items for Information: - None received. **367/23**

15. Notification of meeting and suggested items for the agenda: -
Date of next meeting 14 September 2023 then resume meetings fortnightly. **368/23**

16. Casual Vacancies – None received. **369/23**

17. PUBLIC BODIES (ADMISSION TO MEETINGS) Act 1960

During the meeting it may arise that publicity would be prejudicial to the public interest by reason of the confidential or special nature of the business to be transacted and the press and public will be instructed to withdraw. When this arises, the Chair will recommend to consider passing the following resolution; "to resolve that in view of the confidential or special nature of the business to be discussed, the public are excluded and instructed to withdraw." None received. **370/23**

18. Close the Meeting - The Chair closed the meeting at 20:32. **371/23**

Appendix A: SCHEDULE OF RECEIPTS & PAYMENTS MADE

EXPENDITURE

British Gas Business	Invoice 832040542 – Supply W-Bay Toilets 02/07-01/08/23	£171.37
All Points Accountancy	Invoice 110583 – Internal Audit 2023	£90.00
T.J. Davies Maintenance	Invoice 252- Cleaning Public Toilets in W-Bay	£1,620.00
EDF Energy	Invoice T28843607045 – Parish Hall Supply 23/06-21/07/23	£19.79
Bude Computers	Invoice 1653 Norton 360 License 1 year	£45.00
Gildhouse Committee	Invoice 201363 Hall Hire 06/07 & 20/07 & 17/08 & 14/09/23	£120.00
Staff Costs	Mth 5	£736.04
HMRC	PAYE/NIC Mth 5	£159.02

TOTAL EXPENDITURE 17/08/2023 **£2,961.22**

RECEIPTS

Arthur Bryant Funeral Services Memorial Application £100.00

TOTAL INCOME 17/08/2023 **£100.00**