

Luxulyan Parish Council **DRAFT** Minutes

Extraordinary Meeting, online via *Zoom*, **scheduled for 27 July**, took place on:  
THURSDAY, 30 July 2020, 11.30 am  
and adjourned until  
MONDAY, 3 August 2020, 1.00 pm

**PRESENT:**

Cllr Michaela Linfoot (Chair), Cllr Kay Baker, Cllr Michael Grindley, Cllr Bob Hatton, Cllr Sarah Kemp, Cllr Francis Payne.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson and no Members of the Public.

**ABSENT:**

Cllr Keith Bilston (Vice-chair), Cllr Margaret Higman, Cllr Michele Latham, Cllr Tina Windsor.

**NOTE ON JOINING THE MEETING AS MEMBERS OF THE PUBLIC:**

Members of the public must request online Meeting details in advance from the Clerk in order to join the meeting online. All participants that join the meeting start in the 'waiting room' and are admitted by the clerk as soon as possible.

**ABBREVIATIONS:**

Councillors are abbreviated with their initials; Luxulyan Parish Council (LPC), Cornwall Council (CC), Cornwall Assoc. of Local Councils (CALC), Footpath (FP), \*\*\* indicates the Consultee Comments submitted to the Planning Authority; the general points are proposed and decided by LPC; formal submission is delegated to the Clerk.

**MINUTES:**

*The meeting was originally called and the Agenda set for Monday, 27 July, but due to personal circumstances the meeting was postponed to Thursday, 30 July.  
The meeting began at 11.30 AM and the Chair welcomed all.*

*Cllr S Kemp joined the meeting at Item 20/59.D.viii and left the meeting before Item 20/60.*

20/55 Apologies

Apologies were received from MH, MLa, TW, KBi, Ward Member Cllr Sally-Anne Saunders.

20/56 Declarations of interest or requests for dispensation.

None.

20/57 Public Session

None.

20/58 Meetings and governance

The council **RESOLVED** that the minutes, as read, of the ONLINE meeting on 9<sup>th</sup> July 2020 held via *Zoom* were a true and correct record (proposed MG, 2nd FP). The Chair's signature will be obtained by post.

20/59 Considerations

A The council **RESOLVED** (proposed KBa, 2nd MG) to approve the general 'LPC Risk Assessment JUL20' with some adjustments for coronavirus measures. The Chair's signature will be obtained by post.

B	The council <b>RESOLVED</b> (proposed FP, 2nd MLi) to approve the review of all Covid-19 Risk Assessments every quarter at the beginning of each season in order to assess how risks could change with the weather: March, June, September, December.
C	<b>PUBLIC TOILETS.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd FP) that the clerk would make a new sign for the Toilets explaining that the toilets will not open until the cleaning contractor's risk assessment and procedures can be assessed. The clerk will contact the cleaning contractor to request this information. <b>ACTION: Clerk</b>
D	<b>RISK ASSESSMENTS.</b> The clerk distributed a risk assessment document "Covid-19 Risk Management for Each Asset of the Council" which was discussed item by item. The document with the following decisions will be ratified with the approval of these minutes.
i.	<b>PHYSICAL MEETINGS.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd FP) that the Covid-19 risk is high at physical meetings. Meetings will continue online.
ii.	<b>ONLINE MEETINGS.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd KBa) that meetings will continue to be held by Zoom, which is currently working well and members of the public are able to attend.
iii.	<b>SITE MEETINGS.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd FP) that site meetings that are outside and enable social distancing will may go ahead. Masks should be worn and each participant is responsible for their own hand hygiene.
iv.	<b>AUDIT PANEL MEETINGS.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd FP) that the Audit Panel may continue to hold online meetings via Zoom.
v.	<b>INTERNAL CONTROL CHECK.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd FP) that this will not go ahead yet and the decision will be assessed again in September. However, the council is kept up to date with a Bank Reconciliation, Budget Comparison and Cash Flow updated monthly.
vi.	<b>NEW BENCHES.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd KBi) that the three new benches will not be installed for the time being in order to minimise contamination.
vii.	<b>BUS SHELTERS.</b> The council <b>RESOLVED</b> (proposed MLi, 2nd KB) that each bus shelter will have a sign stating that the shelter is not sanitised and that each person should follow government guidelines about social distance and use of masks.

*Cllr Sarah Kemp joined the meeting.*

viii.	<b>PLAY AREA, PICNIC TABLES.</b> The council <b>RESOLVED</b> (proposed KBa, 2nd SK; the Chair abstained) that the picnic tables would be moved into the Playing Field at a proper distance from one another and signs would be affixed stating the they are not sanitised and must be used at your own risk.
ix.	<b>PLAY AREA, FIELD.</b> The council <b>RESOLVED</b> (proposed FP, 2nd BH; the Chair abstained) that hand sanitiser dispensers will be affixed to all gates and signs will be put up stating that the area is not sanitised and must be used at your own risk.
x.	<b>PLAY AREA, CHILDREN'S AREA.</b> The council <b>RESOLVED</b> (proposed SK, 2nd KBa; the Chair abstained) that it would not be possible to sanitise the play equipment efficiently. The public must use the facility at their own risk and a sign will be placed there explaining this.

xi. The council **RESOLVED** (proposed MLi, 2nd KBa) that hand sanitiser would be purchased by the council at a cost of approximately £25 per 5 litre container. The sanitiser and the dispensers will be kept in the cupboard of the Public Toilets.  
**ACTION: Clerk**

*Cllr Sarah Kemp left the meeting.*

20/60 Planning

A Applications for consultee comments.

i. Consultations for both Growth Areas were discussed briefly, and it was **AGREED** that Luxulyan is too far removed from these areas to contribute constructively. There was no proposal for consultee comments on the Launceston Southern Growth Area Concept Plan and there was no proposal for consultee comments on the Hayle Growth Area Concept Plan.

*The chair adjourned the meeting at 12.20 pm and it was agreed to resume on Monday, 3 August 2020 at 1.00 pm.*

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**Extraordinary Meeting (resumed), online via Zoom  
MONDAY, 3 August 2020, 1.00 pm**

**PRESENT:**

Cllr Francis Payne (Chair of this meeting), Cllr Michael Grindley, Cllr Margaret Higman, Cllr Sarah Kemp.

**ALSO PRESENT:**

Clerk to the Parish, Mrs Christine Wilson and no Members of the Public.

**ABSENT:**

Cllr Michaela Linfoot (Chair), Cllr Keith Bilston (Vice-chair), Cllr Kay Baker, Cllr Bob Hatton, Cllr Michele Latham.

**MINUTES:**

*The meeting began at 1.15 pm with the following items:*

1. In the absence of the Chair and Vice-chair, it was **RESOLVED** (proposed MG, 2nd SK) that Cllr F Payne would chair this meeting.
2. Apologies for absence were received from MLi, KBi, KB, BH, MLa and Ward Member Sally-Anne Saunders.
3. T Windsor informed the meeting that she has resigned from the council.
4. There were no declarations of interest.

*The Agenda of 27 July (which was postponed until 30 July, then adjourned to 3 August 2020) continued with Item 20/60.A.ii*

ii. **PA20/03153** | Outline application with some matters reserved for the construction of 5 dwellings | Land Off Beswetherick Field Luxulyan [NB: the application has been resubmitted for 5 affordable dwellings.]  
The council discussed the application and **RESOLVED** (proposed FP, 2nd OO) to submit the following consultee comments:  
\*\*\* Luxulyan Parish Council (LPC) reluctantly OBJECTS to the proposed development.

Further to its comments made in May 2020, Luxulyan is very pleased to see that the applicant has resubmitted the proposal linking the development to affordable properties. This now meets with the aims of the parish's Neighbourhood Development Plan and is in alignment with the covenant attached to this gifted land. The Council bases this objection on a number of reasons:

Firstly, LPC would like to see any development on this particular site to appear less imposing. Beswetherick Field is currently developed with sixteen dwellings, all of which form an impressive avenue to the right and left of its service road. These houses comply well with Policy Two of the Local Plan and give a good appearance to the principles of "Spatial Development" whilst making good use of the available land. LPC considers that the siting of a smaller four/five unit terrace at a full ninety degrees across the end of this avenue would not be beneficial to the overall spatial nature of the existing development. The original proposal was given consent for a terrace of three dwellings. This proposal would have left a much wider open area at both ends of the terrace, thus helping maintain an impression of openness. LPC feels that to fill the entire end of this avenue with a row of four/five terraced units would be overbearing to this open appearance.

Secondly, LPC understands that the national guidelines for housing space requirements are set out in a document from the Department for Communities and Local Government. "Technical housing standard, nationally described space standards". These standards have been adopted for use as guidelines by Cornwall Council and are referred to in policy 13 and in more detail in paragraph 2.81 of that section.

The space guidelines set out in this document give the following internal recommendations:

- 1) for a one bedroom, single storey flat: 39 square metres (if occupied by one person) and 50 square metres (if occupied by two people);
- 2) for a two bedroom, two storey house: 70 square metres (if occupied by 3 people) and 79 square metres (if occupied by 4 people)

The proposed application set outs that:

- 1) the internal size of the single storey, one bedroom are given 9.100 metres by 4.300 metres, which equates to the minimum of 39 square metres; and
- 2) the size of two storey, two bedroom houses is given as 7.300 metres by 4.05 metres, which equates to 59.13 square metres in total.

The Parish council has checked the drawings supplied by the applicant after printing off copies on A1 size paper using both scale rules and a vernier. Most of the dimensions given on the drawing are a good indication of sizes that will be achieved in the finished dwellings. But the drawings clearly state that the internal length and width of the single storey flat is 9.100 metres by 4.300 metres giving the required minimum area of 39 square metres.

However by careful use of a vernier on the drawings, the council wishes to contradict these given dimensions. It considers that the length given of 9.100 metres and the width given of 4.300 metres has been mistakenly entered. The council believes that the true internal length and width of the proposed flats are 8.4 metres by 4.2 metres, leading to an area of only 35.2 square metres.

This parish council considers that the proposed one bedroom flats do not comply with the minimum standard if occupied by one person, they both being about 3.8

square metres smaller than the minimum required. None of the two bedroom houses do either, they are some 10.00 square metres too small, if occupied by a maximum of 3 people.

The parish council has no alternative other than to ask that this proposal is refused as it considers that restricting the number of people who occupy these properties to be unfair to the basic rights of any person and would be impossible to police in the future. The single room flat must carry the right for at least 2 people to live in it and therefore needs to comply with the larger, 50 square metre requirement and the two bedroom houses must carry the right for the occupants to have more than one child and therefore needs to comply with the larger 79 square metre standard.

Thirdly, LPC has little confidence in the applicant, based on the history of this development which strongly suggests that the applicant will attempt to sell the site if consent is granted. (The previous consent given under PA15/05168 in 2016, was advertised by Rightmove in the following year for £160,000 and found no buyer) The latest accounts of Quay Developments Luxulyan Ltd, lodged with Companies House, would suggest that the company would have to raise a considerable sum of money in order to finance the completion of this development under the terms that it is suggesting in its various correspondence with the parish council and the planning department. And the Parish Council has little faith in the applicant being able to achieve a speedy and satisfactory conclusion to this development either by the sale of the plot or by self financed construction by Quay Developments Luxulyan Ltd.

Finally LPC would like to quote from the responses given by Cornwall Council's affordable housing team. This quote was given in response to a proposed appeal that Quay Developments Luxulyan Ltd lodged in 2015 (PA15/08298)(the appeal was later withdrawn):

Summary

"The affordable housing team do not support the proposal to vary the s106 planning obligation. Our reasons are set out below but in summary, the s106 terms are reasonable and continue to serve a useful purpose in meeting affordable housing need. Further the proposed amendments would not provide for the delivery of affordable housing in as effective manner. Proposing to deliver the three remaining homes in as much as a decade from the granting of planning consent is, in the council's view, unacceptable. The parish has a housing need which should be met now, not in 10 years from permission being granted. Finally, under the existing obligations, the council is able to complete the homes (and the outstanding works) with far greater certainty. The proposed amendments are therefore less satisfactory and provide less certainty that the obligations will be met"

LPC believes that these comments are as true today as they were when written in October 2015. At the time of writing, only one application for an affordable dwelling has been granted within the parish and that development is yet to be built.

In keeping with the terms of the covenant (copy sent by email), Luxulyan Community Land Trust and The Parish Council will start to investigate the possibilities of regaining possession of this plot in order to bring this unhappy situation to a positive conclusion for the sake of all concerned.

- iii. It was **RESOLVED** (proposed FP, 2<sup>nd</sup> MG) to approach Cornwall Land Community Trust and seek their advice on using the covenant to regain possession of the plots.

iv. It was **RESOLVED** (proposed FP, 2nd MG) to approach Cormac, or another suitable contractor, to obtain a quote for the “outstanding works” to the development’s access road, street lighting and any other outstanding works.

v. It was **RESOLVED** (proposed FP, 2nd MH) to form the Luxulyan Community Land Trust (LCLT) into a working body again.

20/61 Reports

None.

20/62 Correspondence

None.

20/63 Business for the next meeting

Putting all bus shelters on the council’s Asset List.

20/64 Second Public Session for feedback from the public

None.

20/65 Dates of next meetings.

A Ordinary Meeting 13 August 2020, 6.00 pm ONLINE via Zoom.

*The meeting closed at 1.55 pm and the Chair thanked everyone for attending.*

*Mrs C Wilson ~ Parish Clerk ~ 9 August 2020*

**SIGNED:**

**THESE ARE DRAFT MINUTES.**

Chair of meeting: \_\_\_\_\_ Date: \_\_\_\_\_