

Mullion Parish Council Meeting held on **Tuesday 20 September 2011** at 7.00pm at The Schoolroom, Methodist Chapel, Mullion

Councillors Present

R Curnow	C Rule
Mrs S Ireland	P Wilkins
J T Lang (Chairman)	R Willey
Mrs C Rule (Vice Chairman)	

Sixteen members of the public were also in attendance.

The Chairman advised everyone present of the fire procedures.

1. Public Session

The owner of the property Little Polbream, Trevitho Lane requested that an item be put on the next agenda with regard to the Planning Enforcement complaint submitted by the Parish Council to Cornwall Council regarding Trevitho Farm.

Mr A Bostock spoke in relation to Mullion Meadows and advised the meeting that he would not be removing his objection to the Footpath Diversion Order until a legally binding document was in place to ensure that the Offer of Dedication for the additional sections of footpath was enforceable.

2. Police Report

PCSO Julia Berry had submitted her apologies to the Clerk earlier that day. The Chairman advised the meeting of the Police Report, as attached to these minutes. The Chairman also advised of the new Police non-emergency number, 101. This replaced the 08452 777 444 number and could be used if a crime had already happened, to give information about a crime or to speak with a local officer.

3. Absence

Apologies for absence were submitted on behalf of Councillors A Gilbert and C Williams.

Councillor D Williams joined the meeting.

4. Minutes

It was proposed by Councillor C Rule, seconded by Councillor R Curnow and **RESOLVED** that the minutes of the Extraordinary Parish Council Meeting held on Tuesday 06 September be approved as a true record and be duly signed by the Chairman.

5. Declarations of Interest

None received.

6. Planning

Following consideration by Councillors of Planning Applications received from Cornwall Council, the following recommendations were made.

PA11/07122 – BT Openreach - The Old Chapel, Lender Lane - Installation of modular cabinet

No comments had been received on this application which was required to bring broadband into the village.

It was proposed by Councillor R Curnow, seconded by Councillor P Wilkins and RESOLVED to support the planning application.

PA11/06982 - Mr Nigel Jones – Artisan, Elm Terrace, Churchtown - Extension of time for change of use of premises from use class A1 (shop) to use class A3 (coffee shop)

No comments had been received on this application which was for an extension of time for a change of use previously granted.

It was proposed by Councillor D Williams, seconded by Councillor R Willey and RESOLVED to support the planning application.

PA11/07067 - Mr & Mrs M Holmes - Woodland Rise, Garro Lane - Erection of first floor balcony

No comments had been received on this application.

It was proposed by Councillor R Curnow, seconded by Councillor Mrs C Rule and RESOLVED to support the planning application.

PA11/06915 – BT Wayleaves Office – Adj. To entrance to Meres Valley, Lender Lane – Placement of replacement telecommunications equipment storage

No comments had been received on this application which was required to bring broadband into the village.

It was proposed by Councillor D Wilkins, seconded by Councillor C Rule and RESOLVED to support the planning application.

The following Planning Decisions had been received from Cornwall Council.

PA11/05867 - Mr P Heyden - Mullion Parish Church - Construction of extension to provide disabled toilet and meeting room - Approved

PA11/06229 – Mr & Mrs Ellery – Angrouse Farm – Erection of stables and formation of sand school - Approved

The Chairman advised the meeting that having received a late planning application, an Extraordinary Meeting of the Parish Council would be held on Tuesday 4 October 2011 in the Parish Rooms, Mullion School.

Informal alternative proposals had been submitted to the Parish Council and Cornwall Council by Dr Dreier for the renovation of Trematon, Polurrian Cliffs. A formal planning application was expected in due course.

An amended planning application was also expected in the future for the erection of four close care bungalows at Poldhu Nursing Home. Planning permission had already been granted for five close care bungalows, and this application would seek to reduce the amount of units to four.

7. Report from Cornwall Councillor Mrs C Rule

Councillor Mrs C Rule confirmed that the proposed decrease in subsidies paid to bus companies for concessionary fares had been deferred until 2012. An in depth study into the subsidies would now be investigated by Cornwall Council, following a cut in Government funding. She stated that Cornwall Council currently paid almost double the national subsidy rates to bus companies in Cornwall.

The consultation for RCH Treliske to be granted Foundation Trust Status was now open. Residents were asked to visit www.rcht.nhs.uk/FT to respond if they wished to take part in the consultation.

The Cornwall and Isles of Scilly Primary Care Trust had now been confirmed and Steve Moore had been appointed as the Chief Executive.

8. Chairman and Clerk Comments

Following comments made in the Public Session, the Chairman assured the meeting that the Parish Council was an open and transparent organisation that always intended to address the needs and concerns of the Parish and its residents.

It was also brought to the attention of the Parish Council that a Local Government Ombudsman Inquiry had taken place in relation to Paradise Farm, Trevitho Lane.

9. Public Rights of Way

Councillor R Willey had met with Natural England and the Countryside Officer for Cornwall Council regarding the eroded footpath at Mullion Cove. Various options were being looked at by the organisations, including the installation of steps and the diversion of the path.

Councillor R Willey advised the meeting that there were nine benches located on Mullion Cove Hotel land leading from the Cove to the Hotel. Some had plaques, but the contact details for the persons responsible for the benches were not known. Three of the benches were in a bad condition and the Clerk was asked to contact Mullion Cove Hotel, as they were all located on their land.

The Clerk had been contacted regarding the removal of the footpath sign on Footpath 16. It was alleged that the sign located opposite the Old Inn and pointing towards the Millennium Gardens had been removed in an attempt to stop dog walkers use the path. The Clerk had contacted the Countryside Officer and was asked to make PCSO Berry aware of the problem.

Councillor Mrs C Rule updated the meeting in relation to the Footpath Diversion Order for Footpath 37 at Mullion Meadows. She had met the owner of Mullion Meadows, Mr Raftery, along with his agent, Councillor R Willey and the Chairman of the Parish Council to discuss the objections raised to the Footpath Diversion Order. A letter and signed map had been received from Mr Raftery dated 26 August 2011 which Councillor Mrs C Rule read to the meeting. The letter was offering the dedication of two additional pieces of footpath. One section would run from the main entrance of Mullion Meadows to the small gate at the top of the steps, and the second section would run diagonally across the copse, instead of around the edge, as proposed on the Footpath Diversion Order. It was the view of the Legal Department at Cornwall Council, that the offer of dedication in the letter was not acceptable as an Offer of Dedication. The Applicant was asked to complete an Offer of Dedication Form which was issued by the Environment Service. Mr Raftery duly completed the form and sent it to Cornwall Council, dated 6 September 2011.

The Countryside Access Team Leader had forwarded this Offer of Dedication information to the objectors of the Footpath Diversion Order advising them that the Order would be sent to the Secretary of State on 24 September 2011 due to outstanding objections on the Order. As a result of the new information, objectors were given the opportunity to withdraw their objections if they wished during that time. Councillor Mrs C Rule confirmed that she had withdrawn her objection following the Offer of Dedication by Mr Raftery.

An email from the Countryside Access Team Leader advised that *"In principle, Cornwall Council accepts the offer of dedication, subject to a condition that the 2011 Order is confirmed as made. Cornwall Council will need to enter in to an Agreement with Mr Raftery to formalise the dedication and we will be preparing a draft Agreement for this purpose on the understanding that the 2011 Order is confirmed by the Secretary of State"*.

Concerns were raised regarding the legality of the Offer of Dedication, and the possibility of the Offer being withdrawn at any time. With regard to the longevity of the dedicated paths, it was confirmed that the two additional sections would be added to the Definitive Map as a Public Right of Way. The route was already being used by pedestrians.

The Parish Council then agreed that enough information was available to be able to take a vote on the possibility of withdrawing the Parish Council's objection to the Footpath Diversion Order.

Councillor D Williams was asked if he wished to make a declaration of interest by a member of the public. He declined to declare an interest or to sign the Register.

It was then proposed by Councillor R Curnow, seconded by Councillor R Willey and RESOLVED to withdraw the Parish Council's objection against the Footpath Diversion Order following the Offer of Dedication of the additional sections of footpath by the owner of Mullion Meadows. It was felt that the additional path from the front of the complex to the top of the steps removed the need to use the steps that exited onto the highway, which was of original concern to the Parish Council.

Two Councillors voted against the proposal and Councillor D Williams abstained from the vote.

10. Public Open Spaces

Two thank you letters had been received from members of the public following the installation of new play equipment in St Mellans Park.

Following numerous complaints of dogs being in the Park, it was suggested that signs be erected to restrict access to dogs in the park. Councillors were not sure if there was a public right of way through the park, and if there was, the signs would need to ask dog walkers to keep their dogs on leads and on the footpath at all times. It was agreed to refer to the Definitive Map before preparing signs to be installed at each entrance of the Park.

Complaints had been received from residents regarding overgrown Footpath 30 leading from Carey Park to the Village. Councillor R Willey would investigate the problem and liaise with the Clerk with regard to any necessary action required.

Mullion in Bloom had advised the Clerk that they had been awarded the Silver Gilt by RHS Britain in Bloom for a second year running. A presentation evening would take place on Thursday 13 October in the Mounts Bay Inn at 7.30. Everyone was invited to attend. It was agreed that the Clerk would send a letter of congratulations to Mullion in Bloom.

11. Highways Issues

Councillor Mrs C Rule and the Clerk were requested to chase the painting of white lines in the parking bays and the results of the traffic census with the Highways Department.

A member of the public asked if it would be possible to install yellow lines around the newly installed raised triangle at Poldhu Cove. He was advised that the road fell within the Gunwalloe Parish.

12. Cemetery Issues

Concern was raised over the cemetery regulations currently in place, and the item was to be left on the agenda until further research had taken place.

With regard to the installation of a memorial stone in the cemetery, it was agreed to allow such a memorial as presented in picture form by the Clerk. The memorial would be made of black granite and would be divided into thirty squares, each being purchasable directly from the stone mason who was awarded the contract. The following regulations would also need to be adhered to:-

- The name of the deceased being inscribed on the memorial stone should not be recognised elsewhere in Mullion Cemetery;
- A local connection should be established and agreed by the Burial Board;
- Only one square would be allowed for each individual being remembered;
- The font, size and colour of the lettering would be identical for each individual memorial;
- Memorial squares would be inscribed in order of being purchased and could not be pre-purchased.

It was proposed by the Chairman, seconded by Councillor Mrs C Rule and unanimously RESOLVED to instruct the Clerk to have the memorial stone erected in the Cemetery. It was further agreed to ensure that the Parish Council's costs were covered in the sale of squares, and to use the Stonemason who had submitted the cheapest tender for the work.

Councillor D Williams left the meeting.

13. Amenity Monies

No issues were raised under this item.

14. Seagull nuisance

The Clerk had undertaken extensive research into seagull nuisance and had contacted Cornwall Council, a housing association and a seaside Town Council. Various methods were suggested to deter the seagulls which included a van with loudspeakers playing seagull distress noises, flying a hawk, egg pricking, gull proofing nesting and perching sites and putting signs in key positions. The Clerk was asked to position signs in the village asking residents and visitors not to feed the seagulls. It was also hoped that the problem might be covered in the local press as a newspaper reporter was present at the meeting.

15. LGA 1972, Section 137 Requests for Funding

No requests had been received.

16. Finance and Accounts

It was then proposed by Councillor Mrs C Rule, seconded by the Chairman and RESOLVED to confirm the accounts and to pay the invoices.

17. Other correspondence received

The following correspondence had been received:-

- The next Community Network Panel Meeting would take place on Wednesday 26 October 2011 at 7pm in the Ceremony Room, Isaac House, Helston.
- A funding opportunity was available from the Village SOS programme and the BIG Lottery Fund to kick start rural community enterprises. More information could be obtained from the Community Network Manager or by visiting www.villagesos.org.uk/competition.

The Chairman closed the meeting at 8.30pm.

Signed:

Chairman

Dated: