

# Ludgvan Parish Council

## Minutes – 10 July 2024

**Minutes of the monthly meeting of Ludgvan Parish Council held on Wednesday 10 July 2024 at 6.45pm a the Murley Hall, Ludgvan.**

**Councillors present:** Cllrs: R Mann (Chairman), R Porter (Vice-Chair), L Brindley, M Malone-Lee, L Miucci, S Miucci, J Munday, S Oliver (until 9.00pm), C Price-Jones, *two vacancies*.

**In attendance:** Cornwall Councillor J Martin and 7 members of the public.

**Officer support:** Clerk/RFO

Minute No.	
LPC24.25.79	<p><b>To record absences and receive apologies for absence</b></p> <p>Councillors absent: Cllr Savill.</p> <p>Apologies received from: Cllr Savill. Noted.</p>
LPC24.25.80	<p><b><u>Declarations of Interest:</u></b></p> <p>Cllrs S Miucci and L Miucci each declared an interest in Minute 81 (dispensations), as applicants for a dispensation from the council, and withdrew from the meeting during consideration of this item.</p> <p>Cllrs S Miucci and L Miucci each declared an interest in Minute 90 e) - planning pre-application PA24/00689 PRE APP. Having been granted a dispensation on this item (see Minute 81), they each remained in the meeting and participated in the discussion but did not vote on this agenda item.</p>
LPC24.25.81	<p><b>To approve written requests for dispensation</b></p> <p>Cllrs S Miucci and L Miucci each declared an interest in this item and withdrew from the meeting during its consideration.</p> <p>Members considered the two requests for dispensation received from Cllr S Miucci and Cllr L Miucci who had each requested a dispensation to participate in discussions, but not to vote, on planning pre-application PA24/00689 PRE APP at this meeting and for a further four years if more planning applications are submitted for this site (Land adjacent to Tresaret, Whitecross, Penzance).</p> <p>Members also considered the Guidance on Awarding Dispensations issued by the Cornwall Association of Local Councils and the advice of the Clerk that if the purpose of granting a dispensation was not to ensure the meeting was quorate, or for reasons of public interest, that the other good reason for the decision should be given.</p> <p><b>Resolved</b> – to grant the dispensation as requested as it was considered to be appropriate to do so, and for the dispensation to be granted for a period of four years. The dispensation to permit Cllrs S Miucci and L Miucci to participate but not to vote on planning pre-application PA24/00689 PRE APP and more planning applications if submitted for the site: Land adjacent to Tresaret, Whitecross, Penzance.</p>

LPC24.25.82	<p><b>Public Speaking</b></p> <p>A speaker reported that local residents and the Long Rock Residents Association had raised funds through GoFundMe to fund swims for under 16s from the parish at the Jubilee Pool, Penzance for the summer 2024 season, and asked the parish council to spread the message that the scheme is up and running and to encourage people to take up the opportunity, also a request for the parish council to fund the scheme next year so that children could take up the opportunity from May and benefit from the scheme for longer.</p> <p>The agent for the applicants for Minute 90 a) and b) attended and spoke on behalf of the applicants. Background: the intention was to demolish an unsuitable and ugly building, permission had been refused on highways grounds. Appeal submitted, the highways element is thought to be incorrect. The assumption was that all current use would be tractors with height to aid visibility, but that is not the case, and so there will be no change to the traffic use.</p> <p>Another application had been submitted, if approved, the appeal will be withdrawn.</p> <p>The applicants have a local highways consultant – reports are online. No proposed increase in traffic. Should there be an increase, it will not be significant. There have been no objections from neighbours. Last time the parish council had no objections. The application would bring a building into housing use. The applicants would appreciate that the parish council give early notice of a request that if the planning officer recommendation is to refuse, then it be called to committee.</p>
LPC24.25.83	<p><b>Cornwall Councillor reports</b></p> <p>Cllr Martin reported that he would be attending the Cornwall Flood Forum next week at County Hall, with five issues to be brought to the Forum for advice, including the flooding at Long Rock.</p> <p>Also, the double yellow lines at Newtown Road, the Highways Manager has been asked to explore emergency measures, which may be temporary, to reduce the current hazards caused by car parking</p>
LPC24.25.84	<p><b><u><a href="#">Minutes of the meeting held on 12 June 2024</a></u></b></p> <p><b>Resolved</b> – that the minutes of the meetings of the council, as above, having been circulated, be taken as read, approved and signed by the Chairman as a true and accurate record of the meeting.</p>
LPC24.25.85	<p><b>Clerk’s update report</b> - No report.</p>
LPC24.25.86	<p><b>Committee meeting minutes</b> – <i>No committee meetings held.</i></p>
LPC24.25.87	<p><b>Reports from Councillors as representatives on outside bodies</b></p> <p>Cllrs S Miucci and L Miucci reported on recent meetings and discussion with National Highways regarding the need to enforce the licence agreement with the third party responsible for an area of ground at Whitecross, where the White Cross Monument, bench and post box are located.</p> <p>It was also raised that the vegetation around the Tregender Cross could also be cut back on a regular basis – to be an agenda item for the September meeting of the council.</p> <p>Councillors thanked Cllrs L Miucci and S Miucci for all the work carried out on this.</p>
LPC24.25.88	<p><b>To co-opt to vacancies on the council</b></p> <p>Two applications had been received for co-option to the Crowlas Ward, applications circulated before the meeting. The applicants each spoke to explain why they wished to become a parish councillor and answered Councillors’ questions.</p>

	<b>Resolved</b> – to co-opt Melika Malone-Lee and Clive Price-Jones as Ludgvan Parish Councillors, Crowlas Ward.								
LPC24.25.89	<b>To receive Declarations of Acceptance of Office, and written agreement to observe the Council’s Code of Conduct</b> Councillors Malone-Lee and Price-Jones each signed their Declaration of Acceptance of Office and written agreement to observe the Council’s Code of Conduct.								
LPC24.25.90	<b>Planning Applications</b>								
	a)	<p><a href="#">PA24/04231</a> – Bowls Barn, Castle Road, Ludgvan, Penzance TR20 8HD – Outline planning permission with some matters reserved: demolition of a building and construction of a dwelling/garage (access)</p> <p><b>Resolved</b> – to support the application. If the planning officer recommendation is to refuse the application, then the Parish Council requests that the application is referred to Planning Committee for decision.</p>							
	b)	<p>Planning Appeal: <a href="#">PA22/09836</a> – Bowls Barn, Castle Road, Ludgvan, Penzane – Outline application for construction of a dwelling/garage with all matters reserved except access. (Demolition of existing building).</p> <p><b>Noted</b> – no further comments to add.</p>							
	c)	<p><a href="#">PA24/03364</a> – Heliport, Retail Park, Longrock, Penzance TR18 3RG – Proposed diversion of existing foul drains to a new connection point.</p> <p><b>Resolved</b> – that the application is supported, noting that the Environment Agency has no objection.</p>							
	d)	<p><a href="#">PA24/04340</a> – Varfell Cottage, Varfell Lane, Long Rock, Penzance – Single storey extension with terrace over.</p> <p><b>Resolved</b> – to object to the application. The flat roof extension is contrary to the Ludgvan Design Statement.</p>							
	e)	<p><a href="#">PA24/00689 PRE APP</a> – Land adjacent to Tresaret, Whitecross, Penzance TR20 8BS – Pre-application advice for 5 no. dwellings with new access off A30</p> <p>It was noted that the dispensation granted earlier in the meeting to Cllrs L Miucci and S Miucci applied to this application. Cllrs L Miucci and S Miucci remained in the meeting and took part in the discussion, but did not participate in the vote.</p> <p><b>Resolved</b> – that the parish council objects to this application. There is no reference to the Ludgvan Neighbourhood Development Plan and Design Statement, no access onto the A30, it is queried whether the land is designated as domestic or agricultural.</p>							
	f)	<p><a href="#">PA24/04652</a> – Varfell Park, Storage Land, Long Rock TR20 8LD – Application for a Lawful Development Certificate for an existing use – land used as storage yard under Class B8.</p> <p>No comment, no evidence to offer.</p>							
LPC24.25.91	<p><b>Schedule of Payments –</b></p> <p><b>Resolved</b> - to approve the payments to be made, as set out in the schedule</p> <table border="1" data-bbox="300 1989 1461 2060"> <thead> <tr> <th>Payee</th> <th>Purpose</th> <th>Amount payable (inc VAT)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Payee	Purpose	Amount payable (inc VAT)			
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<i>To be paid by online bank payments:</i>		
E H Rich	Fixing of noticeboard, labour and materials	£236.17
Ludgvan Parish Church	Murley Hall Hire (12 June meeting)	£16.00
Simon Rhodes Garden and Grounds Care	Annual maintenance, first quarter.	£985.19
The National Allotments Society	Annual membership renewal	£66.00
Webmate	Domain renewal Ludgvan.org.uk 8/24 to 8/25	£10.20
Simon Rhodes Garden and Grounds Care	Strimming, Church Hill allotments	£90.00
Staff costs		£3,198.67
Louise Clifton	Reimburse clerk's expenses, June '24	£90.04

LPC24.25.92	<p><b>Bus shelters</b></p> <p><u>Renewal of bus shelter management contract</u></p> <p><b>Resolved</b> – that the contact with Fernbank be extended for a further 16 years, from the original 20 year contract.</p> <p><u>Castle Gate bus shelter – funding approval</u></p> <p>The Clerk updated that the quoted cost from Fernbank (Cornwall Council's preferred supplier) was for £9,920 plus VAT. A grant of £3,000 had been agreed by Cornwall Council and so the shortfall to be paid by the Parish Council is £6,920 and the VAT element which can then be reclaimed at a later date. The budget for 2024/25 includes a budget of £4,335 for bus shelters, and so £2,585 would need to be approved to be spent from either the General Reserve fund, or from the Community Infrastructure Levy fund.</p> <p>It was noted that planning permission would not be needed as shelters are considered a permitted development under planning legislation.</p> <p>Agreement had been received from the Highways Manager for the shelter to be located in the layby at Castle Gate.</p> <p><b>Resolved</b> – to contract Fernbank to supply and install a bus shelter in the layby at Castle Gate, to be funded by the grant received, the bus shelter budget for 2024.25 and funds from the Community Infrastructure Levy held by this Council.</p> <p><u>Replacement of Chy an Gweal bus shelter</u></p> <p><b>Noted</b> that the replacement bus shelter was expected to be provided after renewal of the bus shelter agreement with Fernbank.</p>
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LPC24.25.93	<p><b>Allotments</b></p> <p>Cllrs Olive and L Miucci reported on a recent visit to a resident who had complained that rats were thought to enter their garden from the Church Hill allotments.</p> <p>This matter was considered in the context of the site visit and previous experience at deterring rats from the site, including the views of allotment tenants at that time.</p>
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	<p>The Clerk had re-circulated advice on discouraging rats from the allotments to all tenants, and the advice was available at all times on the Parish Council’s website.</p> <p>It was noted that plot 50 had previously been very untidy and was now well maintained by new tenants. The hedge at plot 22 was overgrown and could be a rodent-friendly route, and so this would be raised with the tenant at plot 22. Bird feeding at plot 48 no longer took place as the tenant had given up this plot, which was due to be re-allocated.</p> <p><b>Agreed</b> – to continue on the basis of discouraging rats from the allotment site through encouraging tenants to manage their plots responsibly, and to continue to monitor the situation</p> <ul style="list-style-type: none"> <li>- Thefts from sheds at Church Hill Allotments <b>Noted</b></li> <li>- Plot inspections update - <b>Noted</b></li> <li>- Request for permission to have keep hens (Long Rock allotments) - <b>Not to permit</b></li> <li>- Palm Tree removal - <b>agreed that the tenant can remove the dead palm tree from their plot.</b></li> </ul>
LPC24.25.94	<p><b>Parish Boundary Signs</b></p> <p>Members made suggestions for parish boundary sign locations:</p> <ul style="list-style-type: none"> <li>Towednack boundary on B3311</li> <li>Heliport – by the Isles of Scilly car park</li> <li>Sainsburys – previously agreed</li> <li>Canonstown – on the A30, on the parish boundary</li> </ul> <p><b>Resolved</b> - to proceed with purchasing and installation of boundary signs at the above locations, to be provided by Cormac on the same basis as the sign at the Ludgvan/Madron boundary. Clerk to seek agreement from neighbouring parishes to share the cost of a double-sided boundary sign if possible.</p>
LPC24.25.95	<p><b>Joint working with Marazion Town Council</b> – no update.</p>
LPC24.25.96	<p><b>Notification from Cornwall Council relating to a property asset in Ludgvan Parish: St Ives Penderleath Common Grit Store (South)</b> <i>To consider the consultation and decide a response from the parish council, based on whether the parish council has a potential use for the land.</i></p> <p><b>Deferred to September meeting, to enable Cllrs to view the site.</b></p>
LPC24.25.97	<p><b>Update from the IT and Social Media Working Group</b> - <i>to receive the update (if any) from the working group and consider recommendations for improvements</i></p> <p>No update.</p> <p><b>Agreed</b> – that Cllr Oliver continues the contributions to Facebook.</p>
LPC24.25.98	<p><b>To consider moving from a .org.uk domain to a .gov.uk domain for website and emails</b></p> <p>After considering the report circulated prior to the meeting, it was <b>agreed in principle</b> to move forward with seeking quotes for the bundle option.</p>
LPC24.25.99	<p><b>Appointments to working groups</b> <i>To consider appointments to the existing vacancies on working groups, and to consider new working groups:</i></p>

	<ul style="list-style-type: none"> <li>- Community hall working group – <b>defer to September</b></li> <li>- Headstone checking working group (cemeteries) – <b>Appointed: Cllrs L Miucci, Oliver and Porter</b></li> <li>- Ludgvan Community Land Trust – <b>Appointed: Cllrs Porter and Price-Jones</b></li> </ul>
LPC24.25.100	<p><b>Arrangements for asset checks</b> <i>Appointed Councillors to carry out asset checks using the agreed checklist, and to report back to Council</i></p> <p><b>Agreed</b> that the asset checks would be carried out in August / September.</p>
LPC24.25.101	<p><b>Arrangements for interim audit, Councillor checks on internal controls</b> <i>To make arrangements for interim checks to be carried out by appointed Councillor</i></p> <p><b>Agreed</b> that Cllr audit checks would be arranged to be carried out in the Autumn, before budget setting.</p>
LPC24.25.102	<p><b>Training</b> <i>To consider requests and opportunities for training</i></p> <p><b>Resolved</b> – to approve Code of Conduct training for the two newly appointed parish councillors.</p>
LPC24.25.103	<p><b>Finance report and bank reconciliation</b> - <i>To consider and note the budget monitoring report and bank reconciliation.</i></p> <p>No report.</p>
LPC24.25.104	<p><b>Cornwall Council consultation: Review of Gambling Policy</b> <i>To decide whether to send a Parish Council response, and if so, to agree the wording of a response</i></p> <p><b>Agreed</b> – not to send a parish council response.</p>
LPC24.25.105	<p><b>Correspondence/communications</b></p> <ol style="list-style-type: none"> <li>1. Email from local resident – requesting free swims for children in Ludgvan Parish at the Jubilee Pool</li> </ol> <p>This item of correspondence was considered, also noting the update given during the public speaking period.</p> <p><b>Agreed</b> – to write to the Penzance Town Clerk to request a meeting be arranged at the end of the season with Jubilee Pool representatives and other parishes invited to join the scheme.</p> <p>Cllr Oliver left the meeting at this point.</p> <ol style="list-style-type: none"> <li>2. Cornwall Council – notification relating to a property asset in the parish: Castle an Dinas Fort and POS Scheduled Monument, Penzance <b>Noted</b></li> </ol>
LPC24.25.106	<p><b>Agenda items for a future meeting</b></p> <ol style="list-style-type: none"> <li>i. Any items deferred from this meeting</li> <li>ii. Review of Ludgvan Parish Council Business Plan</li> <li>iii. CIL – use of funds</li> <li>iv. Repair and renovation of the chapel building at Crowlas Cemetery – <i>to receive an update and agree on the next actions to take, including: Asbestos Management Plan; Funding application/s (National Lottery Heritage Fund)</i></li> <li>v. St Paul’s New Cemetery <ol style="list-style-type: none"> <li>a. To agree to start new second row, before the slope down to the bottom of the field (gets waterlogged in wet weather)</li> <li>b. To agree how to set out the cremated remains section</li> </ol> </li> </ol>

LPC24.25.107	<p><b>Exclusion of the press and public</b></p> <p><b>Resolved:</b> that in accordance with s.1(2) of the Public Bodies (Admission to Meetings) Act 1960, the Press and Public be excluded from the meeting during the consideration of the following business owing to the confidential nature of that business.</p>	
LPC24.25.108	<p><b>Insurance Cover</b></p> <p>Members noted that work was still underway to receive quotes from insurers for a three-year long term agreement.</p> <p><b>Resolved</b> – to delegate the awarding of the insurance contract to the Clerk in consultation with the Chair and Vice-Chair.</p>	
	Meeting closed at 9.18 pm	Signed by Chair: .....