

SALTASH TOWN COUNCIL

Minutes of a Meeting of Saltash Town Council held in The Guildhall on Tuesday 15th July 2014 at 5.30pm

PRESENT: Councillors: J Dent (Chairman), R Austin, Mrs G Challen, G Ellison, M Gee, D Holley, Mrs. S Hooper MBE, A Killeya, W Phillips, D Yates

ALSO PRESENT: 2 Members of the public, R Lane - Town Clerk.

APOLOGIES: Councillors: R Bickford, J Brady, Mrs. H Frank, L Russell, J Shepherd.

HEALTH AND SAFETY ANNOUNCEMENTS

The Mayor informed those present of the actions required in the event of a fire or emergency.

135/14/15 RECORDING OF MEETINGS – PLEASE NOTIFY THE CHAIRMAN IF YOU ARE INTENDING TO RECORD THIS MEETING

136/14/15 DECLARATIONS OF INTEREST

- a. Declarations from Members of any registerable (5A of the Interim Code of Conduct) and/or non-registerable (5B) interests in matters to be considered at this meeting.
- b. Declarations from Members of Matters of Public Interest regarding matters to be considered at this meeting
- c. Dispensations required

Councillor	Agenda Item	Pecuniary/Non Pecuniary	Reason
Killeya	PA14/05045	Non Pecuniary	Husband of Chair of Governors of my major employer.
	PA14/05046	Non Pecuniary	Husband of Chair of Governors of my major employer.
Phillips	PA14/05457	Non Pecuniary	Friend of applicant
Yates	PA14/05045	Non Pecuniary	Chair of Governors for Saltash.net
	PA14/05046	Non Pecuniary	Chair of Governors for Saltash.net

137/14/15 **QUESTIONS FROM THE PUBLIC**

None

138/14/15 **PLANNING**

- a. It was noted that Cornwall Councillors will vote upon the information before them at this meeting but in the light of subsequent information received at Cornwall Council, Councillors may vote differently at that meeting.
- b. It was noted that in the event that the Cornwall Council officer wishes to recommend opposite to the Town Council's view they will contact the Town Council by email. In light of time constraints the Town Council will then hold an online poll of Councillors to determine whether to accept the officers' view or to ask for the application to be called into committee. The results of these polls will be read into the record at the next town council meeting. Members of the public may request, via the clerk, to be copied into any correspondence.
- c. Applications for consideration:

Prior to the following two applications Councillors Killeya and Yates declared interests and left the meeting.

PA14/05045

J Waghorn- **Tor House, Tor Hill**

Construction of a timber lean-to shed with space for smallholder agricultural plant (tractor, trailer, topper etc), workshop and associated garden storage.

Ward: West

Date received: 30.06.2014

It was **RESOLVED** to **RECOMMEND APPROVAL**

PA14/05046

J Waghorn- **Tor House, Tor Hill**

Listed Building Consent for the construction of a timber lean-to shed with space for smallholder agricultural plant (tractor, trailer, topper etc), workshop and associated garden storage.

Ward: West

Date received: 30.06.2014

It was **RESOLVED** to **RECOMMEND APPROVAL**

Councillors Killeya and Yates were invited and returned to the meeting.

PA14/05395

M Ansell – **134 North Road**

Lawful Development Certificate for existing use of property as 3 flats.

Ward: East

Date received: 27.06.2014

It was **RESOLVED** to **state that individual councillors have evidence that the property has been used as 3 flats for 10 years.**

Prior to the next application Councillor Phillips declared an interest and left the meeting.

PA14/05457

M Foster – **6 Leat View, Latchbrook**

First floor side extension above existing garage.

Ward: West

Date received: 04.07.2014

It was **RESOLVED** to **RECOMMEND APPROVAL**

Councillor Phillips was invited and returned to the meeting.

PA14/05511

Mr and Mrs N Dunne – **5 Uplands**

Extension to kitchen and living room to provide improved internal access within the property.

Ward: South

Date received: 27.06.2014

It was **RESOLVED** to **RECOMMEND APPROVAL**

PA14/05573

J Lidstone- **Riverside House, Forder**

Construction of rear kitchen extension and adjoining conservatory and associated rear dormer.

Ward: West

Date received: 07.07.2014

It was **RESOLVED** to **RECOMMEND APPROVAL**

PA14/05928

Dr K Willis - **Darton Cottages, 2 Thorn Lane**

Two storey side extension to existing semi-detached cottage.

Ward: West

Date received: 07.07.2014

It was **RESOLVED** to **RECOMMEND APPROVAL**

- d. Tree applications/notifications:
 - i. Applications
 - ii. Notifications

None

139/14/15 **CONSIDER THE PROTOCOL ON PRE APPLICATION MEETINGS FOR MAJOR DEVELOPMENTS. GUIDANCE FOR COUNCILLORS AND DEVELOPERS (DEFERRED FROM 17.06.2014)**

Members considered additional protocol items to be included as submitted by Councillor Killeya (copy attached).

Protocol on pre application meetings for major developments
Guidance for councillors and developers

Preamble

Saltash Town Council recognises that pre-application discussions play an important role in major planning applications, and welcomes the desire of many developers to consult both the council and the public more widely. However the council is also aware of the importance of public perception in planning and the critical need to avoid any appearance that the council is conducting secretive negotiations or colluding with developers.

Pre-determination

In all meetings with developers members are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion or leave them open to referral to the standards board. It is noted however that expressing a pre-disposition, for example of either 'welcome in principle' or 'concerns', is permissible.

Cornwall Councillors

It is understood that 'dual-hatted' Councillors may on occasion take part in meetings with developers in their capacity as Cornwall Councillors. In such cases councillors must be clear to distinguish, to both the developers and the public, their role as a Cornwall Councillor from that of a Town Councillor.

Individual members' discussions

Individual members may be approached by developers for informal discussions of possible future applications. Whilst it is left to the individual judgement of members whether to take part in such discussions, based on the nature and likely level of controversy of the application, they are advised:

- i. To carefully consider the public perception of such meetings.
- ii. To avoid any appearance of collusion in applications likely to cause controversy.
- iii. To avoid accepting hospitality in connection with such meetings.
- iv. To advise the Mayor, and where possible the council, of such meetings

Members must not purport to be representing the council at such meetings, unless expressly authorised to do so by the council.

Pre application briefings

1. The council is, in general, willing to hold meetings with developers prior to public consultation on the following two conditions:
 - i. Full public consultation is either already scheduled or firmly planned.
 - ii. The meeting is open to the public to attend and has been reasonably advertised.
These meetings should take place at the Guildhall as they are briefings to the council.
2. The general policy of the council is not to hold private meetings with developers.

Exceptions to the above two rules may be agreed if

- i. there is a necessary and compelling reason for a developer to receive an initial steer before deciding whether to progress. This may include a strong commercial sensitivity requiring private discussion, or significant pre-application cost requiring a steer before deciding whether to proceed with public consultation. Such meetings would be subject to agreement that if the developer did decide to proceed public consultation would be carried out) OR**
- ii. there is a strong public consensus in favour of the principle of development and such discussions are likely to focus around the details of draft proposals prior to submission.**

These exceptions do not negate the aspects of this protocol in relation to pre-determination or Cornwall Councillors.

Pre application public consultations

The council strongly encourages developers to carry out full public consultation before submitting plans for major developments, on the following basis:

- i. An accessible and convenient venue.
- ii. Sufficient publicity to likely interested parties, in good time.
- iii. Appropriate timings to allow as wide a range of people as possible to attend.
- iv. A genuinely open mind and willingness to adapt plans in response to feedback.

The council does not allow such consultations to be held at the Guildhall, due to potential public confusion as to the position of the town council as both 'host' and 'authority'.

In general members are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

Interpretation

This initial decision as to how these rules apply to a particular case shall be made by the Town Clerk in consultation with the Mayor, and emailed to councillors. Any councillor may then choose to submit a motion, proposed and seconded under Standing Orders, to discuss the matter at Full Council and consider departing from the initial decision.

It was **RESOLVED** that the revised protocol be approved and adopted.

140/14/15 PILLMERE – MAIN PLAY AREA (COUNCILLOR ELLISON)

Members considered a proposal that STC lease the play area from Cornwall Council to allow Pillmere Community Association in turn to sub lease the play area from STC to facilitate development funding and management of the play area by the Pillmere Community Association.

It was **RESOLVED** to support the proposal in principle for further detailed consideration subject to:

1. Cornwall Council confirmation it will retain responsibility for Health and Safety inspections and all repair, maintenance and equipment replacement costs.
2. Confirmation that Cornwall Council will cover all legal costs relating to the proposal.

141/14/15 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Pursuant to Section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960 and having regard to the confidential nature of the business to be discussed, it was **RESOLVED** that the press/public be excluded from the meeting for the following item of business.

142/14/15 CONSIDER ANY ITEMS REFERRED FROM THE MAIN PART OF THE AGENDA

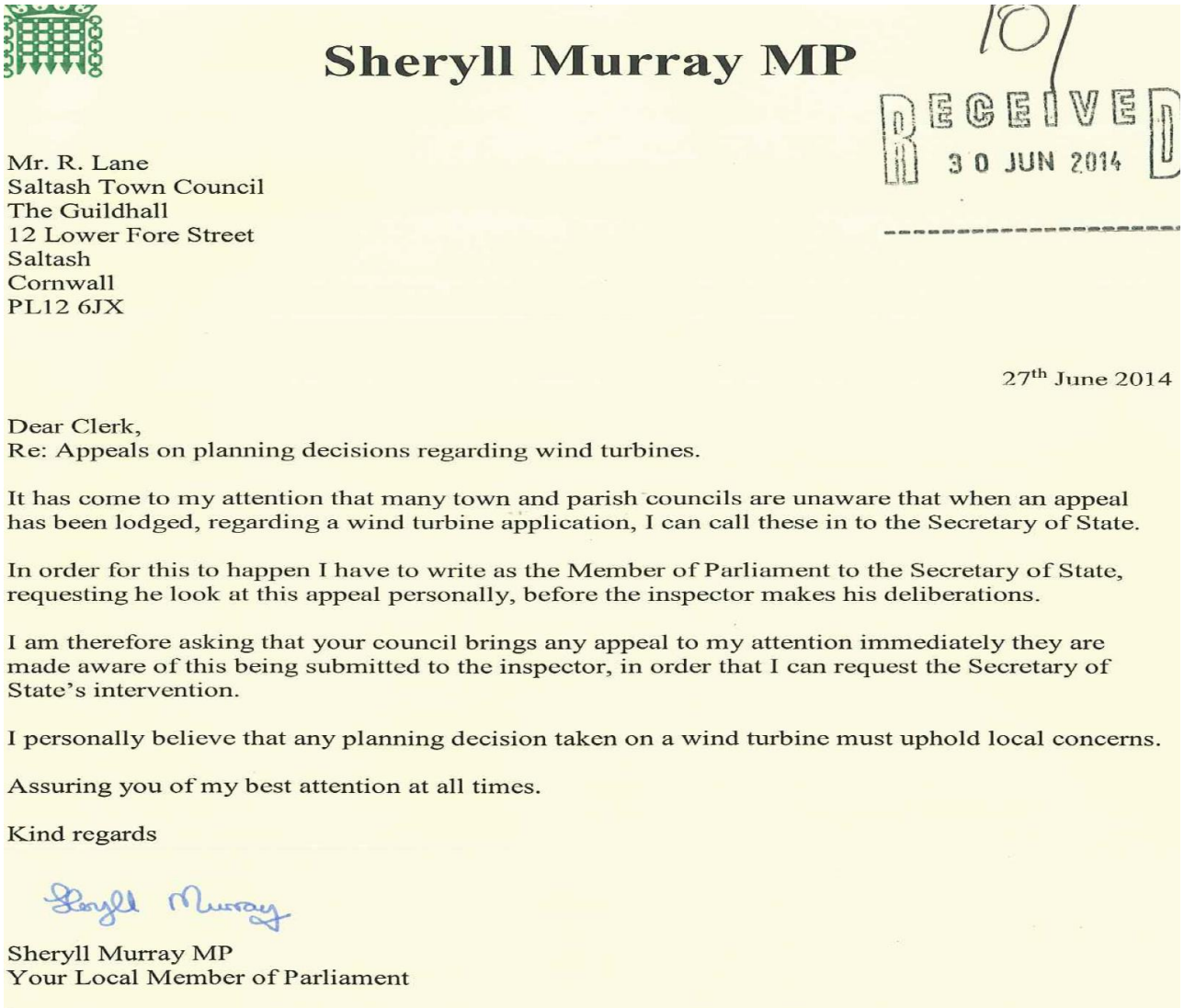
143/14/15 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

It was **RESOLVED** that the public and press be re-admitted to the Meeting.

144/14/15 URGENT NON-FINANCIAL ITEMS AT THE DISCRETION OF THE CHAIRMAN

Letter from Sheryll Murray MP – Appeals on planning decisions regarding Wind Turbines.

The Chairman read out a letter from Sheryll Murray MP (copy attached).



It was **RESOLVED** that:

1. The letter be emailed out to all members.
2. Request Calc determine the power used for the appeal process and if it also applies to other issues such as solar farms.
3. Request Calc send a briefing note out to parish and town councils on the subject.

145/14/15 **PRESS RELEASES AND FUTURE ARTICLES REQUIRED**

None

146/14/15 **DATE OF NEXT MEETING**

Thursday 7th August 2014 at 7.00pm
Tuesday 19th August 2014 at 5.30pm*
(*Planning only – if required)

147/14/15 **COMMON SEAL**

It was **RESOLVED** that the Common Seal of the Council be affixed to all Deeds and Documents necessary to give effect to the foregoing Acts and Proceedings.

Rising at 6.20 pm

Signed: _____
Chairman

Dated: 7th August 2014