



GWENNAP PARISH COUNCIL

Email: clerk@gwennap-parish.net Web: www.gwennap-parish.net

MINUTES OF THE VIRTUAL MEETING OF GWENNAP PARISH COUNCIL HELD ON WEDNESDAY 14TH April 2021

In attendance:

Cllr Richard Williams (Chair)
Cllr Greg Foxwell (Vice Chair)
Cllr Andi Freeman
Cllr Jan Hallett

63/21 APOLOGIES – to receive, note and accept apologies:

There were no apologies as all Councillors were present.

Cllr Dave Lanyon had given notice of his resignation with immediate effect the day before so was not in attendance.

64/21 DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS (DPI) AND ANY OTHER SIGNIFICANT INTERESTS (OSI) – to receive & note (if any):

There were none.

The Chair began the meeting with expressing his condolences, on behalf of the Parish Council, to the Royal family on the death of His Royal Highness, Prince Philip, Duke of Edinburgh. Messages of condolence had been put up on the Parish website and the Parish Council's Facebook page and had also been sent to the Lord Lieutenant of Cornwall.

80/21 The Chair brought forward the Agenda item concerning complaints made against Cllr Lanyon, as members of the public had attended the meeting to learn the outcome.

The background to this matter is contained in the Censure Statement which is set out in full below. The Chair advised the meeting that the first decision for the Parish Council was to determine whether to accept the findings of the Monitoring Officer contained in his Assessment Report. If that was the case then it would follow that former Councillor Lanyon must be censured as the Monitoring Officer had recommended this in the event that former Councillor Lanyon failed to apologise to either Cornwall Councillor Mark Kaczmarek and former Chair of the Parish Council, Sue Patton.



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It was agreed that there were no grounds not to agree with an independent and objective report into former Councillor Lanyon's conduct and it was, therefore, MOVED by Cllr Foxwell, SECONDED by Cllr Freeman and AGREED that the findings and recommendation of Cornwall Council Assessment Decision Notice CCNO32/20/21 be accepted and adopted.

In view of that decision, the Chair proceeded to read out the draft Censure Statement that had been prepared in advance of the meeting.

It was MOVED by Cllr Freeman, SECONDED by Cllr Foxwell and AGREED that the draft Censure Statement be approved.

The Chair then read out the approved Censure Statement in full.

CENSURE STATEMENT

At a meeting of Gwennap Parish Council ('the Parish Council') held on 14 April 2021, the Parish Council resolved to accept and adopt the findings and recommendation of the Assessment Decision Notice CCNO32/20/21 ('the Notice') issued by the Corporate and Information Governance Manager of Cornwall Council on behalf of the Monitoring Officer and dated 16 March 2021.

The Notice sets out that Councillor Lanyon acted in breach of the Parish Council's Code of Conduct ('the Code') in the following respects:

- (i) That, contrary to paragraph 2.1 of the Code, Councillor Lanyon failed to treat others with respect in that he argued with Cornwall Councillor Kaczmarek about the existence and/or seriousness of covid 19 when the latter's brother was seriously ill in hospital with the disease; and*
- (ii) That, contrary to paragraph 2.1 of the Code, Councillor Lanyon failed to treat others with respect in that he called for the former Chair of the Parish Council, Sue Patton, to be 'judged by (her) peers' in respect of a complaint he had against her which had already been fully and properly investigated by the Monitoring Officer of Cornwall Council and been found not to have any justification or basis whatsoever. This was not fair or acceptable conduct.*



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- (iii) *That, contrary to paragraph 2.10 of the Code, as a result of the said breaches, he has brought his office into disrepute.*
- (iv) *That, contrary to paragraph 2.5 of the Code, as a result of the said breaches, he has failed to promote and maintain high standards of conduct.*

In respect of the said breaches of the Code, the Notice required Councillor Lanyon to either appeal against the findings within 14 days or to apologise to both Cornwall Councillor Kaczmarek and former Parish Council Chair, Sue Patton, within 28 days of the date of the Notice. That period expired yesterday and Councillor Lanyon has failed either to appeal against the findings or to apologise to either individual.

Having resolved to accept the findings and recommendation of the Notice, the Parish Council hereby formally censures Councillor Lanyon in respect of his said conduct. In doing so the Parish Council makes the following observations:

- It is noted with regret that this is the second time in 14 months that Councillor Lanyon has been formally censured by the Parish Council following investigations into his conduct.*
- The Parish Council's reputation has been adversely impacted by Councillor Lanyon's conduct which has had a consequential impact on the Parish Council's work and its ability to attract people who may seek to serve as Parish Councillors.*
- The Parish Council disassociates itself from the statements and conduct of Councillor Lanyon in respect of both Cornwall Councillor Kaczmarek and former Parish Council Chair, Sue Patton, who have both served this Parish with integrity and distinction.*

This Censure Statement will be published on the Parish Council's website and Facebook page.

14 April 2021

65/21 OPEN FORUM: for residents of the Parish to make representations to the Council:

A member of public, James Datsun, spoke about the merits of his planning application PA21/02163.



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66/21 CORNWALL COUNCILLOR: to receive Cornwall Cllr Kaczmarek's report.

The following is the text of Cllr Kaczmarek's formal report:

Reports of attempted dog thefts have been a real concern for many. Especially shocking was the incident at Trelawney Estate Frogpool. I have reported all of the concerns to the police and put out on the local Facebook pages that people must report anyone they believe is acting suspiciously to the police. I have spoken with the police inspector requesting additional police patrols for the Mining Villages.

Fly Tipping has been a real issue again and I have reported several locations to Cornwall Council who have cleared the fly tips.

The Household Waste Recycling Centre at United Downs has been extremely busy and there have been problems again with queuing on the road . All Cornwall Council's HWRCs are very busy because of the covid restrictions on the sites, Cornwall Council have extended the evening opening hours from 4pm to 6pm every Wednesday .

With the level of Covid 19 infections reducing, it is very welcoming to see the strict restrictions relaxing and the vaccination programme in full swing. However, it is especially important that we do not drop our guard.

This is my last report to you as the Cornwall Councillor for Carharrack Gwennap and St Day. The new electoral divisions have presented me with an extremely difficult decision to make. I just wished that Gwennap could have remained with Carharrack and St Day .

I have loved every moment of representing this parish and have made many friends over the years .

I will, if elected for my new Electoral Division, work very closely with the newly elected Cornwall Councillor for the Lanner, Stithians and Gwennap Division. I am only across the border.

Thank you all for your support over the 8 years of being your Cornwall Councillor for Gwennap Parish.

Kind regards

Mark



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On behalf of the whole Parish, the Chair warmly thanked Cllr Kaczmarek for all he had done for the Parish Council and the residents over the past 8 years. He was a regular attender at Parish Council meetings and he had been a strong advocate of the Parish and its concerns.

67/21 MINUTES OF A VIRTUAL COUNCIL MEETING (Thursday 18th March 2021)– to confirm accuracy and approve:

It was MOVED by the Chair, SECONDED by Cllr Foxwell and AGREED that the minutes of the meeting of Thursday 18 March 2021 be approved as a true and accurate record.

68/21 MATTERS ARISING FROM THE MINUTES (not on the agenda, for report only)

There were no matters arising that were not covered on the Agenda.

69/21 CORRESPONDENCE (not on the agenda and for report only, if any)

- Mountain biking on Wheal Maid – A site meeting was arranged for Monday 26th April at 2pm to review the concerns expressed by a resident about damage caused by mountain bikers.
- Youth Group – Although the funding for youth provision has yet to be identified in the accounts, it was agreed that the scheduled sessions should go ahead pending resolution of the account enquiries.
- Dog theft – The Chair had supported the representations made to the Police about this serious concern by Cornwall Councillor Kaczmarek. It was noted that any further concerns need to be reported to the Police.
- Gwennap Traffic Group – It was noted that, following discussions with the convenor of the Traffic Group, it had been agreed that a Parish Council representative was not required on the Group and that the convenor will report to the Parish Council any concerns they would wish to be taken up with Cornwall Council. The Convenor was thanked for her efforts on behalf of the Parish.



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- Skate Park – A resident had asked whether it would be possible to have a skate park provided on the Richard Jory Playing Fields adjacent to the main gates. It was noted that there wasn't funding for this type of development. There had also been a request for provision for toddlers. It was agreed that, if funding opportunities present themselves, there would be consideration of all options and there would be full consultation with the local community.

70/21 PLANNING – to consider the following planning applications:

Application PA21/02163

Proposal Replacement stable, store and tractor shed and alterations to existing entrance gates

Location Paynters Barn Race Hill Bissoe Truro

Applicant Mr James Datson

Grid Ref 176801 / 41380

It was MOVED by Cllr Hallett, SECONDED by Cllr Foxwell and AGREED that there be no objection to this application.

Application PA21/01503

Proposal Demolition of existing garage and erection of extension to the side of the dwelling.

Location Meadowside Sunny Corner Cusgarne Truro

Applicant Mr And Mrs Lee

Grid Ref 175333 / 40960

It was MOVED by Cllr Freeman, SECONDED by Cllr Hallett and AGREED that there be no objection to this application.

Application

PA21/00468

Planning application for change of use to a glamping unit, Treguth, Little Beside.

It was formally noted that, due to the urgency of this matter and following representations from the Cornwall Council Planning Service, it had been agreed on email that there be no further objections to this application. Information had been provided to Councillors which had addressed the concerns which had been raised at the previous meeting.

Decisions



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24.03.2021 PA21/00423 APPROVED

Applicant: Andrea Freeman

Location: Gilly Vean Farm Gwennap Redruth Cornwall TR16 6BN

Proposal: Construction of 2 new holiday lets

Parish : Gwennap

Ward : Carharrack, Gwennap And St Day Electoral Division

24.03.2021 PA21/00798 APPROVED

Applicant: Mr Trevor Bailey

Location: Holly Tree Farm Fernsplatt Bissoe Truro Cornwall

Proposal: Proposed kitchen and dining room extension

Parish : Gwennap

Ward : Carharrack, Gwennap And St Day Electoral Division

22.03.2021 PA21/02353 APPROVED

Applicant: South Crofty Ltd

Location: Site 1 PC Tonkin Recorvery Site 2 Lasermaster Ltd Site 3 Cornwall

Council Land Site 4 Tregarlands Farm Site 5 United Downs Farm

Proposal: Submission by South Crofty Ltd as formal notification to the Mineral

Planning Authority (MPA) to carry out a programme of exploration drilling on land in the United Downs area, Gwennap - under the provisions of Part 17 Class K of the Town and Country Planning (General permitted Development) (England) Order 2015

Parish : Gwennap

Ward : Carharrack, Gwennap And St Day Electoral Division

71/21 HIGHWAYS AND PUBLIC RIGHTS OF WAY – to report issues, note updates and discuss highways' priorities and liaison with Cornwall Council:

- Extra Bins for Parish and locations – Although there is evidence that there may not be enough poo bins across the Parish, it is too early to say that more should be provided. The situation will be further monitored over the coming weeks. The appointment of a new litter picker should help alleviate the situation.
- Litter Picking throughout the Parish – One of the Parish litter pickers has resigned from their position. It was confirmed that any persons wishing to help the Parish out with litter picking should contact the Clerk on clerk@gwennap-parish.net



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- 72/21 RICHARD JORY PLAYING FIELD – to report issues, note updates and discuss any actions required:
- Container purchase – There was a review of the current position regarding Containers. It was agreed that a 20 foot Container should be placed at the end of the car park. There are 3 potential options. It was **MOVED** by the Chair, **SECONDED** by Cllr Foxwell and **AGREED** that the decision on which Container to purchase be delegated to the Clerk in consultation with the Chair and Vice-Chair.
- 73/21 PARISH ROOMS – to discuss and agree:
- In view of the legal position and the desire to return to some form of normality, it was agreed that the next meeting of the Parish Council on 18 May would take place, subject to appropriate social distancing, at the Parish Rooms. The Clerk will carry out measurements to ensure safety of the public who may attend.
- 74/21 WHEAL MAID – to discuss and agree
- As noted above, there will be a site meeting to review the situation around Mountain Biking on 26th April.
 - There will be a special closed meeting of the Parish Council to discuss the future of Wheal Maid on 2 June.
 - A quotation for the erection of a barrier at the Twelveheads end of the site has been requested.
- 75/21 REPRESENTATION OF THE PARISH COUNCIL AT OUTSIDE MEETINGS – to receive feedback on meetings attended since the last Parish Council meeting:
- On 13 April, the Chair had attended the Community Network Panel for the area. There had been encouraging news presented about the reducing spread of infection of the corona virus. The retiring Chair of Lanner Parish Council presented an update report on the Mining Villages.
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- Earlier today, the Chair had attended a seminar presented by Cornwall Community Land Trust on financing community-led housing initiatives.

76/21 FINANCE – to include finance report and note income received and payments for approval:

Payments for approval:

	<u>£</u>
Wheal Jane Services	148.00
HMRC PAYE	17.95
Staff Payments	1093.07

Total payments for approval at meeting of Gwennap Parish Council on
19/11/20 1,259.02

It was **MOVED** by the Chair, **SECONDED** by Cllr Hallett and **AGREED** that the payments set out in the Finance Pack circulated to Councillors, be approved.

The Clerk reported that the finance report which had been circulated prior to the meeting was the draft end of year income and expenditure. He commented that the end of year accounts were adrift (positively) by about £900. He had spent time going over the last year's transactions and, despite correcting some inaccuracies, he was unable to balance the end of year accounts. The Chair thanked the Clerk for his efforts to try to balance the accounts. The Clerk asked if a former Clerk could review the figures as an independent check before they were submitted to the external auditor. It was **MOVED** by the Chair, **SECONDED** by Cllr Foxwell and **AGREED** that: (1) the draft end of year accounts be approved subject to an independent check by a former Clerk; and (2) the appointment of the former Clerk for the independent check be delegated to the Clerk in consultation with the Chair and Vice-Chair.

77/21 Frogpool Burial Ground –

A quotation has been requested for filling the potholes in the entrance area of the Burial Ground.



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78/21 Newsletter

The Chair advised that it was hoped to publish the next Newsletter on or around the end of this month. The Clerk had received the template and would circulate a draft to all Councillors. There was still room for additional articles.

79/21 Social media

Cllr Williams and Cllr Freeman are now administrators on the Parish Facebook page and are regularly publishing information.

80/21 ANY OTHER URGENT BUSINESS – at the Chairs discretion to discuss any other urgent business not available to include on the agenda at the time of its publication.

There was none.

81/21 FUTURE AGENDA ITEMS/MATTERS TO CARRY FORWARD – matters to be included as an agenda item at the next meeting:

These were duly noted.

At the conclusion of the meeting, the Chair took the opportunity of thanking Cllr Hallett for her loyal service to the Parish Council over the last 4 years. She has been a great supporter of Environmental initiatives, in particular and he hoped that she would continue to support the Parish Council in taking these initiatives forward.

It was **MOVED** by the Chair, **SECONDED** by Cllr Freeman and **AGREED** that Cllr Hallett be formally thanked for her service to the Parish Council.

It was also noted that Cllr Lanyon had completed 30 years service for the Parish Council and he too was thanked for all the positive things he has done on behalf of residents.

As it was the last meeting prior to the elections on 6 May, the Chair wanted to thank Cllrs Foxwell and Freeman for the support they had given him over the past few months.



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82/22

CLOSED SESSION - EXCLUSION OF THE PRESS AND PUBLIC – to discuss any matters of a confidential nature. The press and public will be excluded from this part of the meeting.

There was none.

DRAFT