

Minutes of the Extraordinary Parish Council Meeting for St Dominic Parish Council held on Wednesday 7th August in St Dominic Parish hall commencing at 6.15pm

Present: Councillors S Brady (Chairman), G Wilkins (Vice Chair), D Greene, J Totterdell, J Wenmoth, E Behennah, D Potter and D Fry

In attendance: L Coles, Parish Clerk, and J Flashman, Cornwall Council Councillor

There were 15 members of the public present.

Item No		Action By
1	Apologies. Apologies were received and accepted from Cllr G Walker.	
2	Declarations of Interest a) Agenda Items. Cllr Wenmoth declared an Interest in Item 6 a) Planning PA19/05788. Cllr G Wilkins, Cllr D Greene, and Cllr D Fry declared an Interest in Item 5, Community Shop. b) Gifts. None declared	
3	Consideration of Written Requests for Dispensation. None received	
4	Recreation Ground ROSPA Report. Cllr Brady said that she had perused the report and there are three items that need immediate attention, the Cableway, the Multiplay in the field and the Multiplay in the area by the school, which has a poor surface and the quote for replacement of which is £7500. A forward plan needs to be put in place for dealing with the necessary repairs/maintenance. It was suggested that the Cableway is taken out of commission until it has been inspected by a company with a view to replacing the uprights. The Clerk will get quotes and report back to the Parish Council at the next meeting. Discussion followed. The Clerk will ask Barry the Handyman to take the Cableway out of service. It was agreed that there is time to look at the surface by the Multiplay near the school because this has been noted as low risk. A schedule of work will be produced for the next meeting. The Clerk will put a notice in the Newsletter about the Cableway being out of commission.	Clerk Clerk Clerk Clerk
5	Community Shop. Cllr Greene, Cllr Wilkins and Cllr Fry left the room. The Chair of the shop committee spoke to the meeting. The committee is still exploring issues around utilities and set up costs and sites for the container. There was no budget to hand because this is a moveable feast but it is felt that to set up the utilities, if the container is sited at the Parish Hall car park, would cost in the region of £10k to £15k. An application for funding has been submitted to the Halton Solar Panel Fund, £5000 for the purchase of the container and costs, such as membership of the Plunkett Foundation. The committee would be looking to the Parish Council to fund a sum towards the utilities. Cllr Brady outlined the risks to the Parish Council of loaning money without a tangible asset to sell if the project does not succeed. It was agreed to defer any decision until the meeting in September when a Business Plan, Budget and details of other funding applied for will be to hand. Cllrs Greene, Fry and Wilkins returned to the meeting.	
6	Planning a) To discuss planning applications received before the Agenda was published: Cllr Wenmoth left the room. PA19/05788 Land North of Radland Cross, St Dominick, PL12 6TR. Certificate of Lawfulness for an existing use as a vehicle hard standing yard. The Chairman outlined	

	<p>the details of the planning application and read out letters of objection that had been handed to the Clerk (personal details redacted). A member of the public has looked at the vehicle licences for this post code and can find no reference to this site. The 2004 licence that was granted, states Watergate Cottage as the operating centre. Cllr Potter declared an interest and left the meeting at this point. The Chairman asked the applicant for clarification of the licences and address of the operating site. The site has expanded over the last 10 years. The Applicant said that the site has been used for 10 years for parking lorries, the number of which has increased over this period of time. The Google Earth pictures were discussed at length as were the operating licences. It was RESOLVED that the Parish Council will send in the evidence of lack of use for the declared purpose for 10 years, and the photographic evidence to the Planning Officer, proposed by Cllr Wilkins, seconded by Cllr Totterdell with all in favour. (Appendix 1 to these Minutes)</p> <p>Cllr J Wenmoth and Cllr D Potter returned to the meeting.</p> <p>b) To discuss planning applications received after the Agenda was finalised. None received.</p>	Clerk
7	<p>Correspondence</p> <p>a) Letter re dog attack in St Dominick. Cllr Potter handed the Clerk a letter from a resident regarding the attack on her dog by two others. The Chairman read the letter out. It was agreed that this is not a matter for the Parish Council but for the police, who it is understood have put some measures in place against the two attacking dogs. The Clerk will reply to the correspondent on behalf of the Parish Council.</p> <p>Cllrs Greene, Fry and Wilkins left the meeting.</p> <p>Cllr Flashman reported that there had been a meeting at Vogus Lane today and a block to prevent off-roaders is to be put in with a key being given to local residents. He also spoke about dog issues in the countryside; Mike Eastwood, Cornwall Council, will be sending an email to the Clerk. Cllr Flashman said that the arms of the sign at Ashton are still missing and he is investigating this. Maintenance of the highways in the Parish is ongoing. The defibrillator at the Who'd Have Thought It Inn could not be accessed in a recent emergency. When SWAST was telephoned it was said that this defibrillator was not registered with them! The Clerk will write to the current maintenance service provider, AED Locator UK, and ask why there was a problem, also about servicing under the present contract. The Clerk will also ask the Publican why the equipment is not registered and also ask if it can be relocated to the Parish Hall.</p>	Clerk Clerk Clerk
8	Items for the next agenda. None brought forward.	
9	Date and time of next meeting. The next meeting of the Parish Council will be on Wednesday 4 th September 2019, commencing at 7.00pm.	

There being no further business to discuss the Chairman closed the meeting at 7.40pm

Signed.....Chairman
Date.....

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www.stdominicpc.org.uk

APPENDIX 1

PA19/05788

At its recent Extraordinary Meeting of the 7th August 2019 it was resolved that the Parish Council wishes the points specified below to be considered, following strong public written representation, and documentary evidence provided, which refutes the uninterrupted use of the site as a vehicle hard standing for 10 continuous years.

- 1) **The area indicated has not been continuously used for the claimed usage for the claimed 10 year period.** Reference to Google Earth imagery from late 2009 (Fig 1) shows that the area in use was substantially different and smaller from that now claimed. Superimposing the supplied Location and Block Plan onto this diagram shows a very apparent disparity in claimed area (Fig 2, see detail, Fig 3). This is consistent with personal observations made by members of the public and supplied documentary evidence supports. Therefore the application appears to be inexact and incorrect.
- 2) **The area claimed has not been continuously used for vehicle hard standing for more than several years (not 10 years as claimed by the applicant).** The agricultural use appears to have ceased several years ago as highlighted on the site plan provided. The lane running from the entrance parallel from the hedge runs to a dedicated agricultural building, as confirmed by the site visit of St Dominic Parish Councillors. The laying down of tarmac skelpings to prepare an actual vehicle hard standing did not take place until 2018/2019 which is evident from comparison of the Google Earth photographs, Fig 4, Fig 5, and Fig 6.
- 3) **Operating Licenses.** A comprehensive search going back to 2004 on Gov.UK substantiates numerous applications and revisions for operating licenses for various members of the Wenmoth family. The total search extracted five operating centres listed including Watergate Cottage which is some 289m (317 yards) by road from the Radland Cross Site applied for in this application. Radland Cross is a separate parcel of land according to the Cornwall Council definitive map. Watergate Cottage itself has a dedicated Haulage/Hard Standing Yard approximately 10 to 20 yards across the lane from it and includes stacked porta cabin offices and various appropriate business equipment. Local knowledge strongly supports that this area (Watergate Cottage) has been used at least since 2004. The other four extracted operating centres make no reference to Radland Cross, these being for Bake Farm, Tamar Ridge Farm, The Beeches and Bake Sawmill. All referenced from the following link: <https://www.vehicle-operator-licensing.servic.gov.uk> . As part of the submission the applicant has only supplied evidence of a newspaper notification of an application for a Goods Vehicle Operator's Licence (circa 2004) with Watergate Cottage as the operating centre.
- 4) **PA19/05788:- Site Visit 3pm Tuesday 06.08.2019, St Dominic Parish Councillors and applicants.** An arranged, informal site visit was made on 6th August 2019 by three St Dominic Parish Councillors. The applicant Gareth Wenmoth, his brother A Wenmoth, and his mother Julie Wenmoth (a St Dominic Parish Councillor) were also present. The applicant explained that recent site extension and surface upgrading had been undertaken to firm up the surface and widen the site to make it easier to drive straight onto it and avoid manoeuvring on the junction/entrance. Gareth Wenmoth when asked stated they had an O licence (operator's licence) for 10 vehicles and said any more and he doubted the site would be suitable as it had reached operating capacity. A walk of the site by all present confirmed that, though not fenced, the area on the submitted site plan outlined in red represented the area currently in use. Walking the site Gareth Wenmoth pointed to a substantial stack of stored wood on the ground in the top right hand corner (a glance appeared to indicate roof trusses or building sections), he referred to it as houses. The field shelter visible in the top left hand corner was not part of the site, we were advised it was Mr Wenmoth senior's for his sheep. Standing near the site entrance the applicant was asked about the track/road that runs across the site from the gateway and along the hedge – this is clearly marked on the site plan and indicates it leads to an agricultural building outside of the marked site area. The assembled councillors were advised that this led to the dedicated agricultural area beyond.

Photographs as separate pdf.