

## **Boyton Parish Council**

### **Minutes of Meeting held on Monday 6 July 2015 at 7.30pm in the Parish Church Hall**

**Present:** Councillors: Jon Bennett, Graham Clarks, Mervyn Law(Chairman), Trisha Melzer, Jenny Smith, Bernard Strout, Ray Willis and Clerk, David Scott. Cornwall Councillor Adam Painter Adam Painter and five members of the public attended.

**1. Apologies:** Councillor Martin Stanbury(on holiday).

**2. Chairman's comments:**

- \* Mobile telephones to be switched off.
- \* Agenda order changes: Item 3: 4: 5: then Item 7: 6(2): 6 (1) and Item 8.
- \* Imperative that Boyton Parish Council continued to maintain its neutral stance over Mi-grid's Wind Turbine Project-Members warned that if they became involved in any way with a protest group such as BRAG then they risked not being able to vote on any future planning application involving Mi-Grid and being reported to Cornwall Council's Code of Conduct Monitoring Organisation-and possible suspension.

**3. Questions from the public (Standing Orders in abeyance ):**

- \* Ref Item 6 PA15/04969 Mr Jones questioned the need by the developer to route the cable via the sub station at East Curry which was believed to be at or near full capacity when it could be better fitted via Northmoor.

**4. Declarations of Pecuniary Interests (DPI's):** None.

**5. Disclosures of Interests:**

- \* Councillor Strout declared a non pecuniary interest with respect to Item 6 (1) in that he was a neighbour of the applicant. He left the room whilst this Item was debated and voted upon.

**6. Mi-grid's Wind Turbine Project-Update:**

- \* Approximately 60 letters (including 4 from other parishes), all of which objected to further wind turbines being constructed in Boyton, had been received- a reply would be made to each letter.
- \*Balloting (advice received via Cornwall Council's Legal Department): Quote' Boyton had the power to conduct a Parish Poll though it had to be requested by at least 10 members of the Parish. The subject matter of the poll had to be something which comes under the power of the Parish Council to deal with and the question has to be one that cannot be leading in anyway. In terms of cost; the Parish Council has to meet the cost of the poll (£2.5-£5k) which is administered by Cornwall Council. The cost would cover all staffing, materials and polling station (and any fees payable for the station itself) in Boyton being open for a set period of time on the polling day if for example several Parishes wished to hold a poll they would each need to vote for it, and bear their own costs, though there may be some savings on staff time. A poll takes some time to organise and the date of the determination of the application may be before the ballot. Finally, the decision the poll reached would not be legally binding on the Parish Council or Cornwall Council, so even if the ballot was *against* the turbines the application could still be *approved* by the planning authority' Unquote.

## 7. Planning:

\* *PA15/04969* Overhead Electricity Cable-Advised by Nigel Doyle (Head of Planning Eastern Section) this application was to be determined by The Secretary of State for Trade and Industry and Cornwall Council was a consultee and Boyton could make comments. As proposed by Councillor Clarke, seconded by Councillor Melzer and on a vote of 4 for and none against it was **Resolved** that the following comments be sent to Cornwall Council:

- i) That some of the cable run was to be underground and some overground was not understood- could it not be *all* run underground similar to that installed in nearby Whitstone which was all underground.
- ii) The cable run was via the sub station at East Curry, which is believed to be at or near full capacity, when it could be better to fit it via Northmoor.

\* *PA15/04704* Construction of 2 new two storey dwellings and 2 new semi-detached single storey dwellings on land opposite the Old Smithy for Mr L Ellacott. The application was seeking a reduction in the affordable housing requirement following the release of the written Ministerial Statement reducing the requirement for small scale developers for which affordable housing contribution should not be sought. As proposed by Councillor Smith, seconded by Councillor Willis and on a vote of 3 for and none against it was **Resolved** that the following comments be forwarded to Cornwall Council Case Officer, Davina Prichard: **i)** Research revealed that the Housing Register contained 11 applicants in the area on the waiting list for affordable accommodation of which 4 needed single bed units; 6 needed 2 bed units and 1 needed a 3 bed unit -in light of this council did not feel comfortable in arriving at a decision to reduce the availability of affordable homes in Boyton notwithstanding the Ministerial Statement which went on to state: 'These changes in National Planning Policy would not apply to rural exception sites which, subject to the local area demonstrating sufficient need, remain available to support the delivery of affordable homes for local people. However, affordable housing and tariff style contributions should not be sought in relation to residential annexes and extensions.' **ii)** Boyton had already supported this application with the affordable element included before the Nation Planning Policy had been changed-what had been agreed should be maintained. **iii)** The houses were substantially complete: on the original planning application it was part of the agreed terms on the S106 that 2 of the properties should be at affordable prices or rent because of the need for them in the parish. The Developer who was at the meeting stated the council should deal with the application having full regard for planning law as it stood now and quoted the Housing Department's statement on the CC website 'as the development was below 5 units the affordable element did not apply'. As proposed by Councillor Clarke and seconded by Councillor Melzer and following a majority vote (3-2), it was **Resolved** that this council supports the proposal with the caveat that the Affordable Housing Department makes the final decision on it.

## 8. Public Participation:

- \* The Parish Council were asked to investigate possible site where affordable homes could be built- an agenda item for next meeting.
- \* Because the Housing Register (HR) was constantly changing and details were confidential it was not considered the Parish Council could maintain its own HR.
- \* A breakdown of costs arising from conducting a ballot would be provided on receipt of any planning applications for the Wind Turbine Project.

There being no further business, the meeting closed at 8.36pm

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