

LUDGVAN PARISH COUNCIL

All members of the Council are hereby summoned to attend the Monthly Meeting of Ludgvan Parish Council to be held on Wednesday 10th October, 2018 in the Oasis Childcare Centre, Lower Quarter, Ludgvan commencing at 7pm.



M J Beveridge
Parish Clerk
05/10/2018

AGENDA:

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Public Participation Period (if required)	
1. <u>Apologies for absence</u>	
2. <u>Minutes of the Parish Council Meeting on Wednesday 12th September, 2018</u>	3-6
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4. <u>Dispensations</u>	
5. <u>Councillor Reports</u>	
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(b) Chairman's report	
(c) Other Councillors	
6. <u>Affordable Housing: Working Party</u>	
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<u>REPORTS FOR DECISION</u>	
7. <u>Cornwall Council – Planning Applications</u>	
To access planning applications go to: http://planning.cornwall.gov.uk/onlineapplications and enter PA number into search.	
(a) PA18/08382 - 1 Bowglas Close Ludgvan TR20 8HH – Proposed Dormer Extension to North Elevation and Ground Floor Extension to South Elevation with Balcony Over Location – Mr & Mrs Davie	
(b) PA18/08504 - Bowgyheere Farm Crowlas Penzance Cornwall TR20 8AA - Re-covering of roof – Agent: Savills Truro	
(c) PA18/08690 - 1 Greenbank Crowlas Penzance Cornwall TR20 8DX - Proposed first floor extension and attic conversion - Mr C Edwards	
(d) PA18/09063 - Long Lane Ludgvan TR20 8AH - Proposal Single storey extension Location Wisteria Cottage - Miss Heather Rogers	
(e) APPEAL re PA17/10394 - Treas Lew, Gilly Lane, Whitecross, TR20 8BZ – Seasonal roundhouse, self-contained with septic tank for holiday use – Mr N Clift – For further comment or to modify/withdraw previous ‘No objection’ response.	
8. <u>Clerk’s Report</u>	
(a) Casual Vacancy Update	
(b) Committee Membership under Standing Orders; Employment Committee and Account & Audit Working Party	
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9. <u>Finance Report</u>	
(a) Payment Schedule for approval	
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(c) Bank Reconciliations	
(d) Budget Monitoring Report	
10. <u>Neighbourhood Development Plan</u>	
(a) Informal Community Consultation	17
(b) Next steps	
11. <u>Exclusion of the Press & Public</u>	
Under Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, it is proposed that, because of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the business specified in the following item:	
Clerk’s Contract of Employment	
REPORTS FOR INFORMATION	
12. <u>Planning & Highways</u>	18
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LUDGVAN PARISH COUNCIL

Chairman:

Councillor Richard Sargeant

Clerk to the Council:

Joan Beveridge

The Old Mill,

Nancledra,

Penzance,

Cornwall TR20 8NA

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MINUTES OF THE MONTHLY MEETING OF THE PARISH COUNCIL HELD ON WEDNESDAY, 12th SEPTEMBER, 2018, IN THE LUDGVAN OASIS CHILD CARE CENTRE, LOWER QUARTER, LUDGVAN.

PRESENT: Councillors: R Sargeant (Chair); M Hollow; R. Mann; S Miucci; M Parker; C Price-Jones; M Squire & L Trudgeon.

IN ATTENDANCE: Joan Beveridge (Clerk); Cornwall Councillor Simon Elliott.

Public Participation Period

Local residents asked for footpath 43, a silver footpath, to be cleared to enable access. The Chair has had a word with the landowner and it has been cleared. Nearby footpath 42, a gold footpath, has had a gate put across it whilst the stile, beside it, has barbed wire at head height, discouraging access.

LPC 799 Apologies for absence

Apologies were received from Councillors D Osmand and D Badcock.

LPC 800 Minutes of the Parish Council Meeting on Wednesday 8th August, 2018

The minutes were approved as a true and correct record of the meetings and duly signed by the Chairman.

LPC 801 Declarations of interest in Items on the Agenda

Cllr. Trudgeon declared an interest in PA18/07053.

LPC 802 Dispensations

None.

LPC 803 Councillor Reports

(a) *Cornwall Councillor Simon Elliott:*

- (i) Status of boundary review discussed.
- (ii) Urging introduction of reduced speed limit on B3311 from 60 to 40 mph.
- (iii) Rospeath Garage, Crowlas – Speeding vehicles reported around this area.
- (iv) Recent exhibition of protection measures for Long Rock beach – First stage of long term plan with rock armour moving towards sand recharge. LPC's feedback on migrating birds taken on board. Cllr. Elliott providing picnic tables.

(b) Chair:

- (i) A30 layby – continuing problems with traders.
- (ii) St Paul’s cemetery – discussion on impact of the Three Cut Policy.
- (iii) Quarry – Discussion on ways to alleviate problems in Ludgvan caused by traffic.
- (iv) Nigel Honess has decided to stand down. A casual vacancy will be posted. Councillors expressed their thanks for his long and dedicated service.
- (v) The clerk has been in post for 6 months, mentioned at interview as the suggested probationary period. It was decided to hold an informal assessment meeting with the chair, vice-chair and clerk to discuss any queries or problems on the part of the clerk or the council, and with this in mind, the chair asked councillors to let him know in writing any matters that they wished to be raised at this meeting.

(c) Other Councillors:

- (i) Cllr. Trudgeon: Anemone Way, already well used, opens on 13th September.
- (ii) Cllr. Price-Jones: Discussion re car parking issues outside Ludgvan School.
- (iii) Cllr Price-Jones: 13 October Action Day.
- (iv) Cllr. Price-Jones: Gave report on his meeting with Cornwall Community Land Trust (CCLT) re affordable housing and the need for an updated Housing Needs Survey, for which a grant could be obtained. Next steps: 1. Update Survey, 2. Establish Working Party Terms of Reference and 3. A call for land. Council agreed that Cllr. Price-Jones should pursue this work to the next stage.

LPC 804 Cornwall Council – Planning Applications - For decision;

The Council's resolutions are shown in **BOLD** below:

Cllr. Trudgeon left the room:

- (a) **PA18/07053** - Land Rear To Louraine House, Crowlas, Cornwall TR20 8DS – Construction of 6 Dwelling Houses, Access Road, Landscaping, Community Gardens & Associated Works (Three Affordable) – Mrs L Trudgeon – **No objections**, provided all the tests required are undertaken and all queries from County Highways are satisfied. Council would request that the same criteria are applied to this site as have been applied to neighbouring sites.

Cllr. Trudgeon rejoined the meeting:

- (b) **PA18/07223** – Polpeor Villa, Wheal Kitty Road, Lelant Downs TR27 6NS – Erection of ancillary accommodation – Ms L Bree – **Objection** on the grounds that it is a new development in open countryside. A further objection was raised as Council has been led to believe that a large, recently capped mineshaft is located close to or beneath the proposed site.
- (c) **PA18/07785** – 6 Trethorns Court, Ludgvan TR20 8HE – Replace first floor balcony with first floor extension and Juliet balcony – Dr Nigel Haward & Mrs Jane Haward – **No objection**.

LPC 805 Clerks Report

The Clerk presented her reported and it was **RESOLVED that:**

- (a) **The External Auditors satisfactory report be duly noted.**

- (b) Allotments:
 - (i) Recommendations of the Working Party be integrated into the Allotment Rules and brought back to the October meeting, for approval.
 - (ii) Long Rock wall: **Council will replace the wall with a fence, subject to approval by the St Aubyn's Estates.**
 - (vi) Fees may need to be adjusted in future to provide a maintenance float and to recoup recent unexpected costs, such as the fence, over a sensible period, in accordance with Council agreed policy of keeping the allotments self-financing
- (c) The Clerk **would attend the Local Council Planning Conference at a cost of £12 on 4th October, 2018.**
- (d) The Local Landscape Character Assessment will now aim to start in January, 2019.
- (e) Defibrillator Training – **Clerk to contact the trainer and offer alternative venue.**

LPC 806 Finance Report

It was RESOLVED that:

Reports from now on will be provided at the beginning of Parish Council meetings in hard copy, for Councillors to study, rather than being included in Agendas. The Payment Schedule will continue to be appended to the minutes.

- (a) **the Payment Schedule totalling £3,129.35 (appended) be approved for payment and be duly signed by the Chairman.**
- (b) **receipts totalling £500.00 be noted;**
- (c) **the bank reconciliations be noted;**
- (d) **the budget monitoring report be noted.**

LPC 807 Neighbourhood Development Plan

The 1st Consultation Version of the Plan is now ready for approval at 19th September NDP Committee meeting before informal community consultation.

LPC 808 Town & Parish Conference for West Cornwall

Cllrs Mann, Price-Jones and Trudgeon were elected to attend with the Chair.

LPC 809 Planning & Highways

A report covering the first half of 2018/19 was appended.

LPC 810 Correspondence

- (i) Cornwall Air Ambulance – thank you for donation letter.
- (ii) Re Ashtown Farm – the Area Steward recommended no further action.
- (iii) Re Three cut policy – The September cut will be taking place soon.
- (iv) Long Rock flowerbeds – Cornwall Council will undertake maintenance.
- (v) Footpath 8/1 – New boardwalk structure will be put in place once funds become available.

Treasurers Account

Payments made between 01/09/2018 and 12/09/2018

Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Details
12/09/2018	Simon Rhodes	3170	1,063.30			4460	150	288.75	St Paul's cemetery maintenance
						4400	140	187.55	Amenity Area maintenance
						4460	160	404.25	Crowlas cemetery maintenance
						4410	140	57.75	Churchtown gardens maintenance
						4120	130	125.00	CH plot 38 clearance
12/09/2018	Savills (UK)	3171	350.00			4140	130	350.00	CH allotments rent
12/09/2018	PKF Littlejohn	3172	360.00		60.00	4110	100	300.00	External Audit
12/09/2018	Ludgvan Parish Church	3173	25.00			4020	200	25.00	Hire of Murley Hall
12/09/2018	M Joan Beveridge	3174	1,135.97			4000	100	1,038.63	Clerk's salary
						4070	100	18.00	Office costs
						4070	100	15.96	Telephone calls
						4060	100	61.43	Mileage
						4070	100	1.95	Stationery/PC
12/09/2018	HM Revenue & Customs	3175	141.16			4000	100	81.38	Clerk's PAYE
						4010	100	59.78	Clerk's NI
Total Payments:			3,075.43	0.00	60.00			3,015.43	

Direct Debit Payments made in August:

01/08/2018	South West Water	DD06	16.76			4130	130	16.76	CH allotments water April/July
17/08/2018	NEST Pension	DD07	27.83			4000	100	15.18	Employee contribution
						4030	100	12.65	Employer's contribution
20/08/2018	South West Water	DD08	9.33			4130	150	9.33	St Paul's Water
Total DD Payments:			53.92	0.00				53.92	

Grand Total Payments: 3,129.35 0.00 60.00 3,069.35

Signed by:
(Chair)

Dated: 12th September, 2018

Ludgvan Housing Working Party

Terms of Reference

10th October 2018

The Ludgvan Housing Working Party came together in response to the identification of unmet local housing need in the Ludgvan area and with the support of Cornwall Community Land Trust (CLT). The Working Party is an informal advisory body with a loose membership of local people. It will not hold assets, not commission any work, nor take on any liabilities.

Purpose: To assess, instigate, support and advise on efforts to address unmet need for affordable homes for local families in the Ludgvan area.

Aims: To offer a locally based sounding board and advisory group to Cornwall CLT and any other similarly constituted not for profit body working towards the purpose of the Working Party.

To assist and advise with efforts to assess the extent of unmet housing need in the local area.

To comment and advise on the most effective and appropriate methods of meeting the identified housing need.

To undertake any other actions to further the purpose of the Working Party.

Membership: Meetings and activities of the Working Party will be open to anyone who either lives in, works in or has established connections (through having lived and worked in, having family or other significant long-standing connection) in the Ludgvan area and who intends to make a constructive contribution to advance the purpose of the Working Party.

There will be no restriction on membership numbers. A circulation list of invitees will be kept but it is not the intention of the Working Party to maintain an accurate up to date 'membership' list as such.

Declarations: Attendees at all meetings and events will be asked to declare if they have any pecuniary or other interest in planning, development, affordable housing or any other of the interests of the Working Party.

Outside bodies: The Working Party may invite representatives from any outside body to its meetings and events.

Operation & responsibilities: For the time being Cornwall CLT will provide administrative assistance to the Working Party; including meeting records, actioning decisions taken and facilitating matters on behalf of the Working Party.

The Working Party may from time to time elect or appoint officers/convenors who can be delegated to act on its behalf between meetings.

Working Party Members will at all times respect legal requirements, confidentiality and laws relating to data protection etc.

The Working Party will meet as and when it is deemed appropriate.

Wednesday, 10th. October 2018

Invitation to the Stakeholder Forum - Sent on behalf of Robert Dorrien- Smith , Penzance Heliport

Penzance Heliport Ltd would like to invite a representative of LPC to join the Penzance Heliport Stakeholder Forum. The Terms of Reference have been agreed with Cornwall Council Officers (see below).

The first meeting is anticipated being at the end of October and thereafter meetings will be 6 monthly.

The Agenda of the first meeting will largely consider the fulfilment of the pre-construction planning conditions and the time table of construction, with later meetings shaped around stakeholders information requirements and the further planning conditions and monitoring conditions, and then into operational discussions.

Penzance Heliport Stakeholder Forum

The Penzance Heliport Stakeholder Forum will be a Multi – Agency body that meets on a 6 monthly basis. Penzance Heliport Limited will host and facilitate the meetings.

The Forum aims to provide an effective context for the discussion of all matters concerning the development and operation of the airport, which have an impact on users, customers of the Heliport and on people living and working in the surrounding communities.

The Forum will be established to ensure that all stakeholders for Penzance Heliport can meet in a non- adversarial and information exchanging format and to seek consensus, wherever possible, on the development of Penzance Heliport and ongoing operation of Penzance Heliport.

The Terms of Reference have been formed to recognise two general views that are sometimes seen as opposites. One view being that Penzance Heliport is economically and socially important for the people of Penzance and the Isles of Scilly. The other is that the Penzance Heliport will have an environmental impact on the area and that this needs to be managed and mitigated.

Members of the Forum

- Penzance Heliport Ltd
- Ludgvan Parish Council
- Penzance Town Council
- Gulval Village Community Association
- Cornwall Council

Each organisation will be limited to a single member with a deputy to cover absences.

Terms of Reference

The over arching purpose of the group, is to provide a non adversarial forum for stakeholders of Penzance Heliport, to discuss issues arising from the construction and operation of Penzance Heliport.

The Forum will discuss:

- Adherence to planning conditions
- Proposed new developments
- Monitoring information

Ways of Working

The Group will be chaired by the Chairman of Penzance Heliport Ltd, who will also provide the secretariat, organise meetings, provide meeting space, take minutes and circulate the Agenda.

The final agenda and any discussion papers will be issued 5 days before the meeting.

Topics for substantive discussion will be scoped out and agreed at the proceeding meeting, wherever possible.

Members are encouraged to participate fully in the discussion at Forum meetings, and to represent the views and experiences of all members.

Given the sensitive nature of some of the issues that might be discussed, the content of discussion will remain confidential.

Penzance Heliport will not regard any conclusions that the Forum reaches as being binding on the members or the organisations that they represent.

All arrangements for the Group's operation, including membership, will be reviewed annually.

Meeting Dates

The Forum will meet 6 monthly for approximately 2 hours. Members will be notified of meeting dates as far in advance as possible.

LUDGVAN PARISH COUNCIL

ALLOTMENT RULES

PREAMBLE:

Ludgvan Parish Council (the Council) operates two allotment sites, one in Long Rock and one at Church Hill in Ludgvan.

The Council charges an annual rent calculated to cover the costs of providing the sites which include rentals paid, water and maintenance charges. This is reviewed on an annual basis.

The Council also lays down a set of Rules that allotment holders (Tenants) must abide by. These rules are available on the Council's website and they are set out below.

The Rules will be regularly reviewed by the Council's Allotment Committee which will make recommendations to the Council if it thinks changes are necessary. We are always happy to listen to any suggestions from you that may make the experience of having an allotment a more enjoyable one.

WAITING LIST:

A waiting list is maintained by the Parish Clerk, and plots are allotted on a first come first served basis, however, precedence on the waiting list is given to those living in the parish and to those who do not already have a plot.

From 1st January 2015, Tenants will be limited to two plots, other than in exceptional circumstances. [Any Tenant who currently has more than two plots will not be required to give any up].

From 1 st January 2018, new Tenants will be required to pay a deposit, refundable on termination of their tenancy on condition their plot, when inspected, is found to be in good condition.

Tenancy agreements should be signed and returned no later than 6 weeks after initial offer.

TENANCY RULES:

These rules and regulations are set out and designed to ensure that you can enjoy and benefit from your plot. Please take the time to read and note the rules of your tenancy; if you fail to observe these conditions you may be at risk of losing your plot.

1. **Your TENANCY** is subject to the Allotments Acts 1908 to 1950 and to the following conditions:-
2. **Payment of rent and termination due to non-payment:**
 - a By signing the Tenancy Agreement you agree to pay the current annual rent by 1st January each year
 - b Invoices will be issued by the Council in December each year.
 - c The Council reviews the rents each year.
 - d New allotment holders are charged a pro rata lease payment when taking an allotment part way through a year.
 - e Failure to pay the rent within 14 days of the due date **may** lead to your Tenancy being terminated.
3. **Giving up your plot:**
 - a You can give notice that you intend to give up your plot at any time, without compensation. Should you decide to give up your plot you must immediately inform the Council, in writing, advising them of the date from which the plot will be vacated and ready for inspection. This will end your agreement for the plot.
 - b The Council will endeavour to re-lease your plot as soon as possible and should this be done successfully the Council will refund any remaining full month's rent (pro rata).

- c You must yield up the allotment at determination of the tenancy created by this agreement, and must ensure that the allotment is left in a tidy and strimmed-down condition. If the plot is not left in a tidy and strimmed-down condition, the Council reserves the right to recharge you the cost of so doing.
- d All property including sheds/greenhouses must be removed, unless there have been suitable negotiations regarding transfer with an incoming tenant.

4. Change of circumstances:

It is your responsibility to contact the Council to advise them of any changes in your personal circumstances i.e. change of address or illness/injury whereby you cannot attend your plot.

5. Subletting:

You must not sublet, assign or part with possession of the allotment or any part of it without the written consent of the Council.

6. Statutory Notices:

- a The Council will give notice to you as required under existing statutes.
- b The Council must issue a statutory notice, when there are changes to your rent or to terminate your agreement. Any Council Officer can sign the notice. The Council will serve notice in one of the following ways:-
 - To you in person.
 - In writing to the last address you have given on your records.
 - By registered post to the last known address.
 - By putting a notice in a prominent place on the plot/allotment site and/or the parish notice boards.
 - By putting a notice in the local newspaper.

7. Right of entry/Power to inspect:

- a You must observe all rules and regulations relating to the allotment site which have been or may be made by the Council in the future provided you have been notified.
- b Officers of the Council or any member of the Council or its Allotment Committee may when directed by the Council, enter, inspect and carry out maintenance work on your plot/allotment site without notice.
- c

If a lock is used on a plot gate, it must be a combination lock and the Clerk provided with the combination to ensure inspection access.
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- d If you are found to be in breach of any provision of the Agreement, you will be given two weeks to remedy the breach. Should this notice not be complied with, the Council may remedy the breach and the costs of doing so may be recovered by the Council.
- e The Council will undertake regular inspections.

8. Cultivation and care of your plot allotment/site:

- a The main requirement of your agreement is to keep the allotment in cultivation and maintain the soil in a good and fertile state at all times.
- b Plots must also be kept neat and tidy by removing litter and rubbish, controlling weeds regularly in order that they do not seed and cause problems for other plot holders.
- c

It is the responsibility of Tenants to make themselves familiar with the identification and safe disposal of invasive weeds, such as Ragwort which must be dug up and incinerated.
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- d These allotment plots are provided to be **USED/WORKED**.
- e If you cannot manage to cultivate your entire plot at once, it is acceptable, as a temporary measure, to mulch with polythene sheeting or organic mulch to keep weeds down.
- f **Cultivation = 75% at all times either in crop or condition to accept crop.**

9. Failure to maintain/cultivate your allotment:

- a If at any time you cannot cultivate, keep in neat and tidy condition and use the allotment for its purpose, it is your responsibility to inform the Council.

- b Failure to comply with the rules and regulations will result in the Council issuing you a letter advising you of the breaches and giving you two weeks for improvements to be made and asking if there are any mitigating circumstances to be made known to the Council.
- c If improvements are made or the reasons for noncompliance are approved by the Council, no further action will be taken.
- d Failure to comply with the above will result in a second letter being sent, the date of this letter being the start of one month's notice of termination of the lease.
- e If after the months' notice no improvements are made or mitigating circumstances given a third letter will terminate the lease and the plot will be re-allocated to the next person on the waiting list.
- f The Council reserves the right to levy a charge to recover any costs incurred to reinstate the allotment plot to good order i.e. strimmed-down and clear of rubbish for the next tenant.

10. Bringing compost and manure on to the site:

You may bring green waste such as hedge/grass clippings and weeds onto your plot for making into compost for use on your plot. Similarly you can bring in manure, however you must not bring onto the site more material than you can use and it must be cleared from any path or highway within 7 days of delivery. You must cover fresh manure and compost heaps with a tarpaulin, or similar to help lessen the problem of strong smells and flies.

11. Soils & Minerals:

You must not take away or sell soil, earth, sand or gravel from the allotment site.

12. Watering:

- a Water provided by way of stand pipes should be used sparingly and only for the watering of crops.
- b You are responsible for reporting water leaks/problems with taps to the Council.

13. Boundary Structures:

- a You must keep every hedge that forms part of the boundary of the allotment plot properly cut and trimmed, keep all ditches properly cleansed and maintained and keep in good repair any other fences, gates or sheds on the allotment plot and do your best endeavours to protect any other hedges, fences and gates of the allotment site.
- b Paths and ditches must be kept in good order and clear of obstruction at all times. On shared plots, you must give unobstructed and clear access to sharing tenants.
- c You must not use barbed or razor wire for a fence adjoining any path set out by the Council for the use of other allotment holders.
- d Fences or hedges may not be erected that are higher than 4 feet.
- e If maintenance is not properly carried out, the Council reserves the right to levy a charge to recover any costs incurred.

14. Structures & Storage on allotments:

- a Subject to approval by the Council, you may erect a shed (or sheds) as follows:

<ul style="list-style-type: none"> • Shed/s must take up no more than 64ft², eg 8x8 ft and be no more than 7 ft in height. • Sheds should be sited so as not to interfere with neighbours. • A water butt must be installed beside each shed.

- b These must be kept in good order and comply with existing Health and Safety provisions.
- c Cold frames and storage boxes are permitted.
- d Fruit cages are permitted.
- e Greenhouses structures should be kept in good order and comply with existing Health and Safety provisions.
- f Netting tunnels are permitted providing that they must not be allowed to fall into disrepair. The netting should be green, brown or black.
- g Polytunnels are allowed subject to approval by the Council.
- h Any building erected without the Council's consent may be removed by the Council without paying any compensation and the costs of removal may be recovered by the Council from you.

15. Rubbish:

- a There is no automatic right to rubbish clearance on the allotment site and all dumping whether vegetation waste or any other material is forbidden.
- b You must not deposit or allow anyone else to deposit rubbish anywhere on the allotment site. This includes the hedges, ditches and paths around the allotment site or on plots.
- c You must clear away from the plot and the site all rubbish and other waste generated and not to leave such waste matter on the plot or any part of the site.
- d Any illegal dumping of rubbish on the plots/allotment side must be reported to the Council.
- e Failing to comply with these conditions could have your lease terminated and be reported under existing legislation regarding the disposal of waste materials.

16. Bonfires:

- a You may have bonfires to burn diseased plants and material which is difficult to compost, but may not burn material that may harm the soil i.e. no paint, bitumen (roofing felt), plastics etc.
- b A bonfire must not be allowed to create a nuisance to other tenants or neighbours. Please think about the timing of your bonfire. Having a bonfire on a sunny bank holiday weekend is likely to cause more nuisance than at the end of a dull day in January.
- c The bonfire must be managed safely at all times and must be left in a safe condition when you leave the site.
- d Allotment holders with plots adjacent to poly-tunnels should take particular care.

17. Chemicals:

- a Chemicals must be used only in accordance with the manufacturer's guidelines and must not be allowed to stray onto other allotment plots. Dip tanks may not be used to rinse out containers that have held chemicals.
- b When using any sprays or fertilizers, you must:-
 - Take all reasonable care to ensure that adjoining hedges, trees and crops are not adversely affected and must make good or replant as necessary should any damage occur;
 - So far as is possible select and use chemicals, whether for spraying, seed dressing or for any other purpose, that will cause the least harm to members of the public, game birds and other wildlife, other than vermin or pests; and
 - Comply at all times with government regulations.
 - Ensure chemicals are safely stored.

18. Animals:

- a Dogs are permitted providing they are held on a leash.
- b You may not keep any livestock on the allotment, except hens (not cockerels), and then only with the Council's permission.
- c You will also be held entirely responsible for all costs associated with the control of vermin which may be due to the keeping of the hens.

19. Advertisements:

Should not be posted anywhere on the sites without the permission of the Council.

20. Nuisance:

You must not cause, under any circumstance, nuisance or annoyance to any other tenant or to the occupants of premises adjoining the allotment site, either through an action or through inaction, or through rude or bad behaviour, whether through carelessness, recklessness ignorance, and persistent or deliberate action.

21. Liability:

- a The Council shall accept no liability in respect of any claim whatsoever arising from personal injury to you or any third party and you agree to indemnify the Council in respect of any such claim made against it.

- b The Council shall accept no liability to you in respect of any damage to the allotment or theft of any item or structure placed on the allotment.

22. Determination: (the end of your tenancy)

a *Determination on death*

- This Tenancy shall determine on your death.
- Your surviving family may continue with the tenancy, with the written consent of the Council and on the signing of a new allotment agreement.

b *Determination on termination of the Council's interest*

- This Tenancy shall determine on the day on which the lease of the Council determines.

c *Determination by notice*

- This Tenancy may be determined by either party giving to the other 12 months previous notice in writing on or before the 6th day of April or on or after 29th day of September in any year. (This date must not be between 6 April and 29 September – Allotment Act 1992 s1. (1)(e).

d *Determination where allotment appropriated*

- This tenancy may be determined by re-entry by the Council at any time after giving 3 months' previous notice in writing to you on account of the allotment being required:
- For any purpose, other than use for agriculture, for which it has been appropriated under any statutory provision, or
- For building, mining or any other industrial purpose or for roads or sewers necessary in connection with any of those purposes.

e *Determination by re-entry on default*

This tenancy may be determined by re-entry by the Council at any time after giving one month's previous notice in writing to you:

- If the rent or any part of it is in arrears for not less than 40 days whether legally demanded or not;
- If it appears to the Council that there has been a breach of the Tenancy Rules on your part and provided that, if such breach is of the rules affecting the cultivation of the Allotment, at least 3 months have elapsed since the commencement of your tenancy; or
- If you become bankrupt or compound with your creditors.
- If your lease terminates for any reason you must remove all property, sheds, greenhouses, within 14 days. After this time you may be charged for their disposal.

The date of the letter to be sent by registered post will outline the failure to meet any of the above and will be the start of one month's notice of termination of lease. If the payment or improvements are made, or reasons for non-compliance, received in writing at the Parish Office and having been approved by the Council, no further action will be taken at that time. If no payment or improvements have been made at the end of the month's notice the lease will be terminated.

23. Notices:

- a Any notice required to be given by the Council to you may be signed on behalf of the Council by its Clerk and may be served on you either personally or by leaving it at your last known place of abode, or by registered letter, or letter sent by the recorded delivery service addressed to you at your last known place of abode, or by fixing the same in some conspicuous manner on the Allotment.
- b Any notice required to be given by you to the Council shall be sufficiently given if signed by you and sent in a prepaid post letter to the Clerk to the Council at the Council Offices. These regulations override any previous regulations and the Council reserve the right to make alterations to these regulations from time to time subject to you being sent 28 days prior notice to your last known address.

Ms J Beveridge
Clerk to Ludgvan Parish Council
The Old Mill
Nancledra
PENZANCE
TR20 8NA

My ref: GB/CT/cls
Date: 4 October 2018

Dear Ms Beveridge

Following Cabinet approval back in June, Cornwall Council is now in the delivery phase of implementing the Positive Parking Framework for Cornwall, one aim of which is to ensure that our car parking is managed in a way that stimulates economic and environmental growth throughout Cornwall.

Following the great success of last year's promotion, we would again like to enable the Towns and Parishes, within the areas that we operate pay and display car parks, to select a day within the Festive period when Cornwall Council will provide free car parking within our pay and display car parks in your area.

Our hope is that the free parking provision will support any events that you may have planned, lead to increased economic prosperity, and support local businesses within your area during the festive period.

If you feel that this will be beneficial in your area, or if you would like any further advice or assistance, please contact Ken Polmounter (Operations Manager- Parking) via email: ken.polmounter@cornwall.gov.uk **no later than Friday 16th November** in order to advise of your preferred date, so that the various operational changes can be made to enable the free parking provision.

Please be aware that the Parking Service will not be able to accommodate any requests received after the 16th November, due to the operational changes that are required, so please be sure to contact Ken before this date.

Yours sincerely



Cllr Geoff Brown
Cabinet Member - Transport
Tel: 01872 322579
Email: geoff.brown@cornwallcouncillors.org.uk

Konsel Kernow
Cornwall Council, New County Hall,
Truro, Cornwall TR1 3AY



Ludgvan Neighbourhood Plan Informal Consultation

Neighbourhood plans are important for people to make a statement of what makes their community special and how they envisage it moving forwards in future.

Ludgvan Parish has spent many hours discussing the issues, whether it be housing, including second homes, the environment, employment space or green spaces that are vital to respect.

The Parish is now moving to the consultation phase where the community can read the first draft plan and contribute to the discussion.

You can read the plan at: <http://www.ludgvan.org.uk/neighbourhood-planning.html> and paper copies will be placed in meeting places, such as churches and pubs around the parish.

It is Ludgvan's plan, so please try to take some time to read it and feedback your suggestions, by **12th November, 2018**.

It is very important that the whole community feels that it has contributed to the final document.

Please send feedback:

Via the Ludgvan website's contact page:

<http://www.ludgvan.org.uk/contact.php>

or by email to: clerk@ludgvan.org.uk

or by post to: The Old Mill, Nancledra, Penzance, TR20 8NA.

PLANNING & HIGHWAYS ITEMS FOR INFORMATION

Cornwall Council – Planning Decisions

	Details:	LPC:	CC:
PA18/06473 August 2018	Vinnik House, Lower Quarter, Ludgvan TR20 8EG – Construction of single storey garage and associated works – Mr L Capstick	Objection. The current proposed siting of the garage would require the removal of a mature tree. If the garage were to be re-sited to avoid the removal the tree, the Parish Council would then have no objection.	Approved 16 Aug 18
PA18/06347 August 2018	Rear Of 36 – 38 Polmor Road, Crowlas, TR20 8DW – Construction of 4 houses and retention of a block of garages (amended scheme) – Agent: Mr J Pender	Objection. There would be an increase of vehicles on an already overcrowded site. Council is still concerned about the risk of flooding to the cottages below the development and the potential loss of privacy of the cottages.	Approved 7 Sept 18
PA18/05506 August 2018	St Ives Holiday Village, Lelant, TR26 3HX – Replacement of 35 existing holiday units with 32 new lodges. – Dr Martyn Fowler	No objection, on the grounds that tree preservation has been considered a priority.	Approved 17 Sept 18
PA18/06313 August 2018	Land North Of Baldhu House, Baldhu Lane, Nancledra Cornwall – Erect agricultural wooden single storey shed to provide dry storage of fruit – Mr Joseph Beger	Objection. Council is not sure the access is safe or if the access has planning consent. Highways should be consulted for their opinion which should form part of consideration.	Approved 26 Sept 18
PA18/07223 September 2018	Polpeor Villa, Wheal Kitty Road, Lelant Downs TR27 6NS – Erection of ancillary accommodation – Ms L Bree	Objection on the grounds that it is a new development in open countryside. Council would further like to raise the concern that, we are led to believe, it is either on or close to a very large, fairly recently capped, mineshaft.	Refused 20 Sept 18

Planning Appeals:

PA17/049110 July 2017	Land at Gitchell Lane, Cockwells, TR20 9BX – Conversion, extension & associated works of existing historical dwelling – Mr L Miucci	Objection , site prone to flooding	Appeal dismissed
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Highways - Planned Roadworks:

Location: Station Road, Long Rock (Roundabout Garage, roundabout)
Timing: 15-26 October

Location: A30, Long Rock Bypass
Timing: 28-29 October - overnight eastbound and westbound lane closures for barrier works

Location: B3309, Castle Rd, Ludgvan & B3311, Badgers Cross to Nancledra
Timing: 30-31 October

NEIGHBOURHOOD WATCH ALERT RE COLD CALLER AND TV LICENSING REFUND SCAM

Following recent alert re Landscaper cold callers...

I have now received a report from a coordinator in St Ives advising of a young man cold calling on her in the evening at 8:00 pm. He said he was calling to see if it was possible to reduce the cost of the electricity and gas being paid by the resident. Calling at a different address he asked if he could come in to read their meter. Naturally, he was told no – certainly not at that time of night! While this young man may be representing a genuine company, it is not acceptable to cold call in the evening when it is dark. I would advise extreme caution if he should call on you. If he is suggesting reducing your services overheads, the chances are he would request your financial details. If by chance you do receive a call from him, if he presents identification, perhaps you could make a note of the company he is representing and let me have it so that it can be verified as genuine.

I have also received an Action Fraud Alert advising that there has been a sharp increase in reports about fake TV Licensing emails claiming to offer refunds. The links provided in the emails lead to phishing websites designed to steal personal and financial details.

Always question unsolicited requests for your personal details or financial information in case it is a scam. NEVER AUTOMATICALLY CLICK ON A LINK IN AN UNEXPECTED EMAIL OR TEXT.

Kindly circulate this alert to anyone you think may be vulnerable.

Many thanks for your support.

Devon and Cornwall Police