

LOOE TOWN COUNCIL

**MINUTES OF THE ENVIRONMENT AND PUBLIC PROTECTION
COMMITTEE MEETING**

held in the Council Chamber, The Guildhall, Fore Street, East Looe
on Wednesday 3rd April 2013 at 7.00pm

REPORT TO COUNCIL

PRESENT

Chairman – Cllr M Gregory
Cllrs D J Bryan, T Crane, E B Galipeau,
A Toms, Mrs M Powell and D Welch

OFFICERS

Assistant Town Clerk – Mrs Annette Keen

IN ATTENDANCE

Cllr Mrs E Hannaford
PC Helen Libby – Devon & Cornwall Constabulary
Mr T Deakin
Mr S Morton
Mr M Wilson
Ms K Bishop
Mr M Richards
Mr and Mrs Hall
Mr D Harvey
Mr D Powell
Mr and Mrs D Dear
Mr and Mrs Wilson
Various other members of the Public

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The Chairman thanked everyone for their attendance.

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59. APOLOGIES

Apologies for absence were received from Councillors J Dingle,
Mrs E Graham-Jones, C Rose and Mr Simon Townly, Looe Community Officer.

60. TO RECEIVE DECLARATIONS OF INTEREST

Councillor Galipeau declared an interest in any matter raised concerning East
Looe Town Trust.

Councillor Toms declared an interest in any matter raised concerning Cornwall Council, Looe Harbour Commission and Looe Development Trust.
Councillor Mrs Hannaford declared an interest in any matter raised concerning Cornwall Council.

61. TO RECEIVE QUESTIONS OR STATEMENTS FROM MEMBERS OF THE PUBLIC

There were no questions asked.

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The Chairman requested permission to alter the order of the Agenda to accommodate the members of the public present.
This was unanimously agreed.

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62. TO DISCUSS NOTICE OF MOTION RE CAMPER VANS (REFERRED FROM FULL COUNCIL)

The Chairman reported that a Notice of Motion had been brought forward by Councillor Galipeau to control camper vans parking overnight at Hannafore. Councillor Mrs Hannaford has been working with Cornwall Council and the residents of Hannafore.

Councillor Mrs Hannaford reported that she had held a meeting back in October 2012 and from that meeting five suggestions for possible ways forward were made:

1. Signage
2. Informal Advisory Notice
3. Traffic Regulation Order
4. Environmental Legislation
5. Byelaw

Councillor Mrs Hannaford asked PC Libby of their concern of using the Informal Advisory Notices. PC Libby stated that this was a concern from Looe Town Council's point of view as these people are not actually breaking any laws. Councillor Gregory stated that there is nothing unlawful if Looe Town Council put out these notices.

Councillor Mrs Hannaford read a letter she had received from Cornwall Council which stated that a byelaw could only be considered if other means of control such as a TRO (eg yellow lines) had been used first, Cornwall Council also felt that this was like a 'sledge hammer to crack a nut', she therefore stated that there needs to be a debate regarding a Traffic Regulation order.

The Chairman asked members of the public for their comments:

Mr Robin Davis – Island View Cafe had concerns about the effect on businesses at Hannafore if a TRO were put in place. Some of the businesses have no parking and rely on the parking at Hannafore.

Mr Dick Harvey is not concerned about parking at Hannaford, but the overnight sleeping and the fact that the public toilets are being left open at night at Hannaford is of concern.

The Chairman stated that we are due to take over responsibility of the public toilets next week so we can therefore arrange for them to be locked up at night. Councillor Mrs Hannaford asked PC Libby if we do obtain a Byelaw does this mean the police can enforce this.

PC Libby replied No, but this could be enforced by Looe Town Council.

Councillor Mrs Hannaford asked if the Looe Community Officer could patrol the area or would this put him in a difficult position.

PC Libby reiterated that they are not doing anything wrong.

The Chairman suggested that perhaps the Looe Community Officer could go and have a friendly word with the owners of the campervans outlining the issues that they are causing.

Councillor Galipeau stated that this problem has not changed for ten years and was in agreement with Councillor Hannaford that much needs to come out from a public debate. This Town Council should work with the Cornwall Councillor but Looe Town Council should undertake consultation with the residents on what they consider are the problems and the possible solutions. .

Councillor Galipeau feels that to be able to park freely on Marine Drive is one of the assets of our town.

Councillor Galipeau feels that the way forward is for the Town Council to take this on as an issue in their own right working with Cornwall Council. This current Council needs to get Looe Town Council to take this on as Looe Town Council business and take it forward after May.

Councillor Mrs Hannaford discussed Fistral Beach, Newquay. They have a restriction 12am – 8am and the Civil Enforcement Officers enforce this.

Councillor Toms commented that this raises a few questions if we do get a Byelaw then is the Looe Community Officer able to issue tickets?

Councillor Toms suggested that perhaps we should put an advert in the CALC newsletter to ask if other Councils wish to come on board to cut costs of the Byelaw.

Councillor Galipeau reported that the Civil Enforcement Officers do patrol so there would be some enforcement. Perhaps the Looe Community Officer could get involved with this.

Councillor Galipeau felt it would be more appropriate for Cornwall Council to send a round robin letter to all local parishes and Councils regarding this.

Councillor Toms stated that Cornwall Council car parks have a restriction for overnight camping 2300 hrs – 0800 hrs. This could make the situation at Hannaford worse.

Councillor Bryan asked whether the Looe Community Officer would be expected to put these Notices out in his own time or would be working extra hours.

Councillor Mrs Hannaford stated that she had a resident that was willing to put out these Informal Notices.

The Chairman stated that for any informal campaign we could enlist whoever we wanted but he doesn't have a problem with the Looe Community Officer doing this.

Councillor Galipeau suggested that Looe Town Council makes arrangements to distribute these Notices.

The Chairman proposed that Looe Town Council makes arrangements to continue with the campaign and that Looe Town Council take this on as an issue in their own right, seconded by Councillor Mrs Hannaford.

RESOLVED

Unanimously to accept this proposal.

63. TO DISCUSS THE TRAFFIC REGULATION ORDER REGARDING NORTH ROAD AND WEST ROAD

Councillor Welch declared a personal interest in North Road as he lives on North Road.

The Chairman outlined the procedure we had gone through for the Traffic Regulation Order and stated that there are a number of errors on the implementation of the Traffic Regulation Order by the contractors and they are coming back to address these issues.

The Chairman asked for members of the public to speak.

Ms Bishop thanked the Chairman and Committee for this opportunity. Ms Bishop expressed concern about the double yellow lines that have been placed on North Road. Blue badge holders are still permitted to park for 3 hours and this is causing obstruction. Obstructions for the emergency services have not been eliminated. Ms Bishop suggested marked parking bays and requested that this be reviewed.

Mr Powell queried the Traffic Regulation Order on West Road.

Councillor Gregory explained the changes on West Road.

Mr Wilson thanked the Chairman and Committee for this opportunity and stated that he was in support of the new restrictions on North Road. He has at times not been able to access his garage resulting in his wife not being able to get to work. He also has concerns with safety and congestion on the road.

Councillor Mrs Hannaford read two letters out received in support of North Road.

The Chairman read out an e-mail received from Mr Gallagher in support of the new proposal.

Councillor Mrs Hannaford read out a letter of objection with concerns on the impact of the new proposal on the businesses.

Councillor Gregory stated that we have two options leave as it is or go out to consultation, which will take time and have a cost implication.

We are not able to amend the current Traffic Regulation Order.

Ms Bishop stressed her concern of the blue badge holders still being permitted to park and cause obstruction.

PC Libby stated if they are causing an obstruction you can contact the police, blue badge holders are not exempt from causing an obstruction.

After further discussion the Chairman suggested that we give the new Traffic Regulation Order a try for a couple of months and see how it goes.

Councillor Galipeau agreed with Councillor Gregory's summary and agreed that to mark out parking bays would be far more complicated.

Councillor Mrs Powell reported that a couple of years ago there was a consultation held by Councillor Toms re parking permits, but there was no interest.

Councillor Gregory reported that this was the first time we had done a whole town Traffic Regulation Order and we have learnt from doing this.
Councillor Mrs Hannaford commented that good points had been raised regarding the public being the eyes and ears for the illegal parking in the town.
Councillor Mrs Hannaford also informed all that Joint Agency meetings are held approximately every six weeks.
PC Libby stated that the police are no longer able to enforce double yellow lines. It is now down to the Civil Enforcement Officers.
Councillor Gregory stated that until the Traffic Regulation Order is correct and in place it cannot be enforced. The police can deal with any obstructions that are reported.
The Chairman closed the discussions.
Members of the public left the meeting.
Mr T Deakin and Mr S Morton remained present at the meeting.

64. MATTERS ARISING FROM THE MINUTES OF THE MEETING OF 16th JANUARY 2013

The Chairman proposed that a note be added to the bottom of Minute No 53 as follows:

NOTE:-Councillor Toms was absent due to being hospitalised, Councillor Mrs Hannaford was absent due to the recent loss of her mother.

Councillor Bryan, seconded this proposal and it was:

RESOLVED

Unanimously to accept this proposal and add a NOTE to the bottom of Minute No 53.

65. CORRESPONDENCE

There was none.

66. TO RECEIVE A REPORT FROM LOOE COMMUNITY OFFICER

The Looe Community Officer had circulated his report to all members prior to this meeting as Appendix 'A'. The Looe Community Officer had given apologies for this meeting.

67. TO DISCUSS THE CAR PARK BARRIER QUOTE

The Chairman proposed to move this discussion to Part Two, seconded by Councillor Galipeau it was:

RESOLVED

Unanimously to move this discussion to Part Two.

68. TO DISCUSS DOG FOULING SIGNAGE AND DOG CONTROL ORDERS

A request had been received for us to take a look at Hannaford beach regarding dog control.

Councillor Galipeau stated that we need to be careful about the range of dog control order and to be clear on how we conduct it.

The Chairman proposed that we go out to consultation to the members of the public, to highlight the problems we are having at Hannaford beach. To be

conducted similar to how we conducted the Traffic Regulation Order with a public meeting, asking for their views on:

- Total Dog Ban
- Seasonal Ban
- Leave it as it is

This proposal was seconded by Councillor Mrs Powell.

RESOLVED

Unanimously to approve the proposal to go out to Consultation to the members of the public regarding a Dog Control Order.

The Chairman informed the Committee that Councillor Mrs Graham-Jones had suggested a competition for the school children to design a poster for dog fouling signage.

Councillor Mrs Hannaford reported that the Headteacher of Polperro Junior School had held a session highlighting the dog fouling issues to the children. The Chairman proposed that the Looe Community Officer visit the schools to talk to the children about dog fouling and the 'design a poster', seconded by Councillor Crane it was:

RESOLVED

Unanimously to approve this proposal.

69. TO DISCUSS LOOE COMMUNITY OFFICER HOURS TO OTHER ORGANISATIONS

Councillor Bryan proposed that this Agenda item be moved to Part Two, seconded by Councillor Gregory it was:

RESOLVED

Unanimously to move this discussion to Part Two.

Councillor Mrs Hannaford made comment that the dog fouling stencilling was disappearing and had received mixed views regarding the stencilling, but mostly good.

Councillor Gregory informed the Committee that the stencils are produced by biodegradable paint, the idea is for them to disappear.

PC Libby suggested that a different colour paint is used each time the stencil is renewed.

70. TO DISCUSS THE SEAGULL CULL QUOTE

The Chairman proposed that this discussion be moved to Part Two, seconded by Councillor Toms it was:

RESOLVED

Unanimously to move the discussions of the seagull cull quote to Part Two.

71. TO UPDATE ON BATHING WATER QUALITY DISCUSSIONS (REFERRED FROM FULL COUNCIL)

Councillor Toms reported that South West Water are proposing to put in a large tank underneath the doctors surgery car park. This will help the water quality and prevent spillages of sewage into the river.

Councillor Gregory asked Councillor Toms when this was to be done.

Councillor Toms replied either very soon or later in the year but the main bonus is that this is going to help the bathing water quality.

Councillor Galipeau stated that there are two adjoining items here:

Bathing water – East Looe Town Trust initiated the first meeting and we need to question whether Looe Town Council agreed to be a partner in these discussions. This will need a Multi-Agency Group set up to be able to go anywhere and to mainly recognise the work that is going on and the Looe Town Council take part in these discussions and that the Environment Committee go with it.

Councillor Toms suggested that a member of the Environment Committee from the next Council be included.

Councillor Bryan suggested that the best way forward was to create a regeneration group and the two meetings come together.

Councillor Galipeau stated that East Looe Town Trust called the initial meeting and felt that there was a strong view in the Trust that Looe Town Council should take the lead for both East and West Looe.

Councillor Toms agreed that the Environment Committee is the best place for these discussions and we need to get a grip on this for the businesses.

Councillor Gregory stated that it is good that the Environment Agency and Defra are involved.

Councillor Mrs Hannaford gave thanks to East Looe Town Trust in taking the initiative and stated that the Council should now be taking the lead on this, but we must include East Looe Town Trust and Looe Harbour Commission.

Councillor Bryan proposed that Looe Town Council take the lead on the bathing water quality, seconded by Councillor Gregory it was:

RESOLVED

Unanimously to approve this proposal

72. TO UPDATE ON DISCUSSIONS REGARDING FLOOD DEFENCES (REFERRED FROM FULL COUNCIL)

Councillor Toms informed the Committee that a meeting had been held at Looe Harbour Commission Offices with the Environment Agency and Defra to discuss future flood defences for Looe and he suggested that a Community Flood Plan be formulated.

Councillor Mrs Hannaford reported that Cornwall Council are looking at recent landslides and flooding.

PC Libby reported that the Environment Agency do have a Community Flood Plan for Looe.

Councillor Bryan proposed that both the flood defences and bathing water quality come under the same banner and include East Looe Town Trust, Looe Harbour Commission and appropriate outside Agencies, and that Looe Town Council take the lead, seconded by Councillor Gregory it was:

RESOLVED

Unanimously to accept this proposal.

Councillor Toms proposed that we have a sub-committee of this Committee to develop a Community Flood Plan for East and West Looe, seconded by Councillor Gregory it was:

RESOLVED

Unanimously to accept this proposal.

73. MATTERS FOR URGENT/FURTHER DISCUSSION AS DETERMINED BY THE CHAIRMAN

.1 Notion of Motion

Councillor Galipeau brought up the matter of the proposed Notice of Motion dated 6.1.13:-

“That Looe Town Council formally asks Cornwall Council to under-take engineering tests of both roads with reference to these observations and publish a report by way of public reassurance” An update of the original Notice of Motion dated 2.4.13 was circulated see Appendices ‘B’. The Chairman asked Cornwall Councillor for West Looe and Lansallos Mrs Hannaford for an update. Councillor Mrs Hannaford informed the Committee the current situation with Hannaford Road and gave an update on what she had done and stated that the land has been inspected at her request.

Councillor Mrs Hannaford read to the Committee a copy of a letter to Mr and Mrs Eaton, owners of the Round House to the Committee from Cornwall Council.

Councillor Gregory commented that from Councillor Galipeau’s point of view he has asked the Town Council to have these reports done. The Town Council is the point of contact for the community.

Councillor Galipeau requested that we could ask them to do these tests on Hannaford Road. Councillor Galipeau commented that having listened to Councillor Mrs Hannaford regarding Hannaford Lane, the points have been covered. Councillor Galipeau valued the work that had been carried out by Councillor Mrs Hannaford.

Councillor Gregory proposed that Cornwall Council be asked to provide details of engineering tests to Looe Town Council and if no tests have been undertaken we request that these are undertaken for the following:

- Hannaford Road
- Hannaford Lane
- Polperro Road (opposite the horse trough just above Mark Clark’s Garage)
- West Looe end of the Bridge
- North Road above Bass Hill
- Elm Tree Road
- Pendrim Road

Seconded by Councillor Crane this was:

RESOLVED

Unanimously to accept Councillor Gregory’s proposal to write to Cornwall Council.

2 Pennylands, West Looe

Councillor Mrs Powell and Councillor Crane left the meeting as they had a prejudicial interest in Pennylands.

Councillor Mrs Hannaford read out an e-mail to the Committee as attached Appendix 'C'.

Councillor Bryan informed the Committee that he had spoken with the Harbour Master regarding this.

Councillor Bryan proposed that this is tackled under advice from experts and would need full agreement from County that if we undertook the work required that this does not mean we accept any future responsibility of the site. The Council approach Looe Harbour Commission and West Looe Town Trust to share the cost and agree to view tenders and a joint agreement reached on who gets the contract for the work, seconded by Councillor Toms it was:

RESOLVED

Unanimously to accept this proposal.

Councillor Mrs Hannaford informed the Committee that she was meeting with Cornwall Council the next day and they may be able to take action if deemed to be 'in the public good'. Failing this we should go with our proposal.

Councillor Gregory suggested we write to Duchy Solicitors to ask if the Duchy own this land.

Councillor Toms stated that we need an urgent decision on this.

.3 Public Conveniences

Councillor Toms expressed concern regarding the condition of the public conveniences to be handed over to Looe Town Council and proposed that a letter be sent to Cornwall Council to ask them to address these issues, including the ongoing repairs to the church,

seconded by Councillor Gregory it was:

RESOLVED

Unanimously to accept this proposal.

NOTE: These issues have now been addressed.

The Chairman took the Meeting to Part Two and members of the public left the meeting. Councillor Mrs Hannaford left the meeting.

The Meeting closed at 9.30pm.

Looe Community Officer Report from 23rd November 2012 - 14th February 2013.

With the winter now drawing to a close I am again pleased to report on some real progress in Looe over the last few months. In all 786 proactive or reportable incidents have been either reported or have been addressed.

In early January the dog fouling initiative commenced with some anti dog-fouling stencils being placed around the town in key locations. This resulted in some great positive media coverage for both the town council and Looe. This has been a successful strategy and I have nothing but positive communication back. This I intend to roll out on a permanent basis identifying further trends in poor dog ownership. I am hoping with the publicity that individuals now continue to take ownership and any information regarding dog fouling will be reported directly to the office. I am again pleased to inform you that Fly posting has again reduced in Looe and we have had only 4 incidents of fly posting since November.

Fly tipping is still a concern in Looe although again dropping in trend with the key areas being the Back streets in East Looe and the Barbican sports field. Again any information received on illegal dumping of materials will be greatly received.

Work continues in conjunction with the probation service in Looe, with Looe now being regarded as a good place for community service to be carried out.

Further investigation has been carried out in regards to a corporate image in regards to street furniture and am pleased to announce we will be replacing a number of benches around the bridge end. Further investment will also be made on some new signs which will allow businesses to advertise in some key strategic positions in the town.

Fly Tips	Over 8
Fly Postings	Over 10 in Multiple locations 70% CC
Vehicle Checks	Over 6 Checked and relevant action taken including removal
Signposting	Over 35
Meetings	Over 20
Graffiti	0
Dog Watch	Over 30 watches in multiple locations and times
Litter Picks	Over 20 in multiple locations in East and West Looe
Truancy Checks	3 Amusement arcade
Public Events	0
Maintenance	Over 20 Key maintenance issues dealt with in the town
Problem Solving	Over 30 key town problems resolved
Words of Advice	Over 80 words of advice given to MOP including Flooding and Environmental matters.
Community Engagement	Over 300 residents and businesses communicated with in regards to floods, roadwork's, Christmas offers.
General Reporting	Over 50 actions of general reporting to CC and other agencies
Toilet Checks	Over 20
Animal Welfare	2 concerns for welfare
Customer Complaints	Over 25 complaints received from MOP regarding Fouling, littering, and general condition of Looe
Day Burners	1
Trading Standards	1
Patrols	Over 100
Public Correspondence	Over 10 leaflet distributions in Looe
School Watch	Over 10 at both junior and senior school
Project Work	Over 5 ongoing projects

NOTICE OF MOTION

That Looe Town Council engages directly with Cornwall Council to develop an Action Plan which will give reassurance to residents of Hannafore regarding:

1. the stability of Hannafore Lane and Hannafore Road;
2. that includes an effective contingency plan to maintain access to Hannafore by vehicles in the event of a serious landslip.
3. that the process be informed by the completion of an analysis of the social and economic costs of Hannafore being cut off by road.

Outline:

Hannafore Lane

Following the landslip below Rond Aneth (Round House) Cormac engineers/surveyors established that spring water was flowing through multiple fissures along the full length of the rear retaining wall; which also forms the east side of Hannafore Lane above. The scale of the flows from under the lane give me concern that fissures and voids may have been created beneath its surface, which could result in a road collapse?

[The course of a spring immediately above the lane has been a matter of conjecture, and was included in a study in respect of a planning application for Penjoden.[E2/09/00630/FUL]. An engineering report was commissioned from John Grimes Associates which will be relevant, as is the officer's report. Has subsequent engineering monitoring taken place on Hannafore Lane since 2009?

Hannafore Road

Two years ago the CC member for West Looe arranged a Highway engineer's site inspection of Hannafore Road at the top of Pennylands steps. A local resident, had pointed out that road water was disappearing down the drain, but not exiting the pipe into the harbour. A stream was flowing under the road retaining wall, and there was concern that if the road was being supported at this place by a rubble fill rather than an arch, voids could be created. Recent photographs show the pipe as dry, but below there is water spouting from the wall.

On 22 December, water *was* pouring into the harbour from the drain pipe when the flooding was at its peak, *but it dried up again after a couple of days, in spite of the fact that water was still going down the drain.* [Could this indicate a cistern effect, with a broken pipe acting as an overflow]? I mentioned this to the Cormac engineer on 22nd, but the Round House slippage was obviously the focus of attention. LTC will want to know the result of the inspection in 2011, and the monitoring which has taken place, along with the current level of risk, given the serious consequences of failure at this point.

Brian Galipeau, Cllr.

6-1-13

Photos can be viewed in the Office.

**Update of my Notice of Motion Dated 6.1.2013
Observed 2nd April.**

Hannfore Lane

A 2 yard long longitudinal crack has opened in the tarmac a couple

of yards north of the bollards. Outer surface dips slightly towards Hannafore Road below.

An eighteen inch longitudinal crack has opened in the tarmac between dog and litter bins on West side of the Lane. Both cracks more than ignition key depth.

The stability of Hannafore Lane above the Round House needs inspection in view of the observed heavy flows of water on 22nd December and questions about a 'lost' spring above the lane.

Hannafore Road

Water still runs into the drain above Pennylands steps. But comes out of the bottom of the harbour Wall; and not out of the drain pipe.

Multiple open cracks round an inspection cover allow ingress of surface water further up the hill . Ineffectively patched recently.

Motion Proposed:

That Looe Town council formally asks Cornwall council to undertake engineering tests of both roads with reference to these observations and publish a report by way of public reassurance

Appendix 'C'

Dear Anne

I am very concerned about the closure of Pennyland because of the unsafe structure above. I am grateful to the harbour for removing the tree in the first instance, but on inspection by Richard Hocking the Cornwall Council Geo technical engineer he deemed there to be loose stones that could cause a risk to pedestrians below..

The land is not registered to anyone at land registry.

Here is his assessment.

As requested, I took a quick look at the above site yesterday afternoon whilst in Looe. The collapsed tree has induced instability towards the top of the fractured rock mass. This has resulted in unstable blocks (up to approx. 200mm diameter) that are perched above the walkway, with the potential for imminent collapse. I would recommend that the path remains closed until such times as it can be inspected and fully assessed by a geotechnically competent person and any remedial action carried out.

I hope this is of assistance?

Richard Hocking

Soils & Materials Engineer

CORMAC Consultancy

CORMAC

This closure is not only forcing pedestrians into Hannaford Road but is also killing the businesses on Pennyland and must be opened as soon as possible.

I have therefore asked Steve Blatchford of Cornwall Council environment service to meet me on site to see what can be done from a public protection perspective. I am meeting him onsite at 4pm tomorrow afternoon.

He may be able to take action if deemed to be 'in the public good' This will become clearer tomorrow afternoon.

Failing this I understand that a quotation has been received for £5750 to clear the area of trees and stabilise the cliff. Should Cornwall Council not be able to undertake the works then I would suggest that Looe Harbour Commissioners, Looe Town Council and West Looe Town Trust come together to commission and pay for this work to be done. Of course approval for this expenditure would have to go through the normal round of meetings and may delay the process assuming they all agree. Therefore if Cornwall Council can undertake this work 'in the public good' then this would be preferable.

I would request that the Council coordinate contacting the other agencies to request a financial contribution should the latter option be required.

Once stabilised then I suggest the Town Council debate what the long term security of the area should be. We need to protect the public from risk of injury but equally the risk of sending people onto Hannaford Road with no pavements could be a greater risk as well as the loss of business in the area.

Kind regards

Edwina