

Planning & Licensing Committee: Annual Town Meeting Report 2023/4

A typically busy year for the Planning Committee with meetings every other week (fortunately Christmas was in the off week) which included what we call 'blue moon' months where we have three meetings in a month – last August and this March. I continue to be so grateful to the members of the Committee, and to our two substitutes, for ensuring the meetings are quorate through all extremes of weather and occasional illness.

And many thanks to Duncan McLeod and the Corporate Services team for keeping the show on the road.

In addition to meetings, the Committee has three working parties reporting to it, with members from across the Council taking part of which the following two are active

- Newquay Neighbourhood Plan – in the view of the working party, while there is always opportunity to polish wording, there is nothing significant that requires a major update of the plan. Particularly as we anticipate significant changes arising from the Levelling Up Act and the proposed rewrite of the Cornwall Local Plan
- Parking Working Party – TROs, Car Park charges and other parking issues. We commented at every opportunity but sadly not much notice was taken by Cornwall Council

For the year 2023-24 Committee have so far held 26 public meetings and hosted two presentations from Developers, as well as being generous to Developers in our public questions session – all of which have been open for the public to attend or view online. We welcome attendance at our meetings by members of the public both those in support or objecting to applications.

We are getting better with the mikes and welcome the online broadcasting of our meetings. We hear we are getting a following.

During the year 2023-24, so far, the Planning & Licensing Committee have been consulted by the Local Planning Authority (Cornwall Council) on 203 occasions, with applications ranging from the formalisation of an already established use, to larger schemes which could literally change the face of Newquay.

Of the 202 consultations considered, the Committee has responded as follows:

SUPPORTED	RAISED NO OBJECTION (where we request more conditions or reassurances)	OBJECTED
49 (circa 24.%)	75 (circa 27%)	79 (circa 39%)

Under Planning Law, **the Five-Day Protocol** is usually required because the Planning Officer has either:

- disagreed with our decision or
- because amendments have been made to an application following the comments made by ourselves, members of the public and other consultees.

Five Day Protocols are usually dealt with via email due to the short timescales involved. This year the Local Planning Authority have asked the Planning Committee to reconsider their decision on 27 separate occasions under the Five-Day Protocol process. The Committee's responses:

Agreed with the Officer	Agreed to Disagree	Disagreed with the Officer
10 (circa 37.%)	14 (circa 52%)	3 (circa 11%) (Including the Hotel Bristol)

Cornwall Council Central Sub-Area Planning Committee:

A quiet year for Newquay at the CC Planning Committee – but there are two major issues where liaison with Cornwall Council has been disappointing:

- Hotel Bristol/Narrowcliff. Cornwall Council have ignored our requests for review at the CC Central Sub-Area planning committee, instead having, after over a 6 month delay since the Town Council was consulted, made the decision to approve behind closed doors on March 8th. As I write, the Town Council is reviewing the prospects of a Judicial Review of the refusal to take the application to Committee; we remain convinced that with the clear breach of the NNP policies and no identifiable benefits that would not have occurred with an application that respected the development plan, the Committee would have supported our objection. We are taking legal advice and will act on that advice; there is no intention to take any action that would put the Council at risk.
- Whipsiderry Cliffs – we are told by Cornwall Council that there is no evidence that the works they approved on the cliff face was the cause of the disastrous falls on the cliffs at Whipsiderry that have taken the line of the cliff back beyond the worst case scenario anticipated for 120 years time. It is with real regret I have to report that Cornwall Council have refused to meet with the Town Council to discuss the obvious issues but we continue to push for a meeting. We do not wish to take independent action but it appears we may have no choice.

The Planning Inspectorate

The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England.

Since the 1st of April 2023 there have been four instances where Cornwall Council's decision to refuse a Newquay planning application has resulted in an appeal being lodged with the Planning Inspectorate. In these instances, the Town Council has submitted further representation, restating the case against the application. Three of these appeals have since been dismissed by the Inspector – the remaining one of these (relating to The Atlantic Hotel) is still to be determined.

Licensing Act 2003:

Not as frequent as planning applications, the Committee also considers licensing applications made under the Licensing Act 2003 – such applications typically seek permission for the retail supply of alcohol, the performance of regulated entertainment (live and recorded music), films and the provision of late-night refreshment. In cases where the committee considers the granting of such a permission may harm the town, a representation is made to the Licensing Authority (Cornwall Council) on behalf of the Town Council. Wherever possible we work hard with Applicants, CC Licensing and the Civilian Police Licensing Officer to ensure the retail supply of alcohol is delivered responsibly within the town.

This year the Committee deliberated on 14 applications made under the Licensing Act 2003. In response we have submitted representations on behalf of the Town Council on 4 occasions.

Joanna Kenny

12 March 2024