

## **DRAFT MINUTES**

**At a future meeting the council will consider the accuracy of these minutes, so they may be subject to change. Please check the minutes to that meeting to confirm whether or not they have been amended**

### **MINUTES OF AN EXTRAORDINARY MEETING OF FOWEY TOWN COUNCIL HELD ON WEDNESDAY 14<sup>th</sup> AUGUST 2019 AT 2.30pm IN FOWEY ROYAL BRITISH LEGION**

**19/58 Present** The Mayor Cllr Mrs R Finlay,  
The Deputy Mayor Cllr J Berryman  
Councillors Mrs F Day, P Fassam, P Hughes, S Griffin, Mrs L Simms,  
Mrs C Woodside

**In Attendance** The Town Clerk, Sally Vincent  
2 members of the public

**19/59 Apologies** Mrs R Cooke, Cornwall Cllr A Virr

#### **19/60 Declaration of Interests**

- α. Pecuniary – None.
- β. Non Registerable – Cllr Fassam registered a non registerable interest in any business concerning the Webb Street car park.
- χ. Dispensations – The Town Clerk had extended a dispensation to Cllr Finlay to participate in any discussion pertaining to the Fowey allotments. The Town Clerk had extended a dispensation to Cllr Fassam to participate in any discussion pertaining to the Fowey allotments.

Cllr Fassam left the meeting

#### **19/61 Public Participation & Questions**

The owners of a property adjacent to Webb Street car park referred members to an email they had sent to the council in which they alleged that the binstores were restricting access to their property. They were intending to pursue this issue and considered that better enforcement was needed by FTC to clear the car park of waste bins altogether. Although they agreed that everybody's aim was to tidy up the town they considered that FTC's business plan in licensing the bins was flawed, £100 per annum was insufficient and a cleaning schedule for the car park was required. The Town Clerk confirmed that the cost of hiring a bin was only fixed for one year and it had been set low to encourage businesses to cooperate; members were completely at liberty to increase the cost in 2020 if they wished to. The Town Clerk also confirmed that she had already spoken to FTC's handyman about cleaning the car park and he would be doing this, subject to approval from members later in the meeting. Cllr Berryman queried why the couple were now complaining about the binstores when they had verbally consented to them on 17<sup>th</sup> July, providing FTC moved the double binstore to the back wall and replaced it with a single one. What had changed? The response was that they had agreed reluctantly and before they realized FTC had powers of enforcement.

Cllr Fassam returned to the meeting.

**19/62 Minutes of the Meeting held on 17<sup>th</sup> July 2019**

It was proposed by Cllr Simms, seconded Cllr Day and RESOLVED that the minutes be confirmed and signed by the Chairman.

**19/63 Matters Arising not on the Agenda (for report only)**

None

**19/64 To receive and note the minutes, if any, of FTC Committees**

**Planning** – noted.

**Town Hall** – no report

**Environment** – no report

**Finance** – no report.

**19/65 To receive Reports from Representatives on other bodies**

No reports

**19/66 To receive the Mayors Report**

The Mayor gave the following report

**Fowey Hospital;** I had a meeting last week with Cllr Virr to discuss Fowey Hospital and where we are with the proposals put forward by CEO Phil Confue for a Fowey Hospital Nursing Home. Alternative sites within Fowey have been asked for as the current site may well be too small to provide an economically viable Nursing Home.

**Lunch in a Bag scheme;** I was invited last Wednesday to see how this scheme worked.

This all started when Pat Jane, who works at Fowey Primary School as a kitchen assistant went to a Squire Fields Community Centre Committee meeting last year to express a concern for the children who might be at a disadvantage during the long summer holidays. Pat felt that she would like to provide a free packed lunch a few days a week to help local families. Helping to set this scheme up is Julie Day who is able to pick up the bulk purchase from wholesalers as well as help with the organisation of the families involved.

Mrs Sicolo, head teacher at Fowey Primary School was happy to help and kindly sent out letters with reply slips for the people who were interested in taking part. Last year the Lunch in a bag scheme provided over 100 packed lunches over the summer holidays in 2018.

The funding has come from various Fowey based businesses, Chamber of Commerce, St Blazey COOP and some local donations from private individuals. SFCC allowed them to use the community centre as our base and collection point. This year they are providing 30 meals a day for three days a week the lunches are free however the cost per bag is approximately £2.50.

When I went last Wednesday, it was pasty day – the individual bags had a small pasty, a healthy biscuit, crisps, a drink and a piece of fruit. The children were very happy with their lunches and parents were at pains to thank Pat and Julie. I was also asked by Pat and Julie to give their thanks to the TC for their support of this scheme.

**19/67 To receive the Town Clerks report**

The Town Clerk reported

- There had again been some vandalism at the TQ toilets but repairs had been carried out.
- She had received more complaints about the unacceptable state of the main car park toilets, which she had passed on to CC via Cllr Virr.
- John Truscott had reinstated the damaged bollard in Squires Field permit parking area

- Russell Maclaren would yellow hatch the entrance to the free parking area at Squires Field the following day
- Kier would be carrying out repairs to the SW Water pumps overnight on 14<sup>th</sup> and 15<sup>th</sup> August. The fault could well have been the cause of the recent incidences of the ‘Fowey Pong.’
- She had again chased S W Water to the overdue rental for the pump room and also the transfer of the surface area of the outer quay
- She had continued to work to enforce the removal of the unauthorized bins in the Webb Street car park and to issue licenses to adjacent and opposite traders for binstores. This exercise was unfortunately taking a great deal of her time and also that of the Mayor and Deputy Mayor.
- The seagull problem on the quay appeared to be worsening, despite the erection of bunting which had helped during the summer of 2018. Members agreed that this should be investigated again.
- A response was required to the proposal from Cormac for the realignment of the disabled spaces in Trafalgar Square, which would mean the loss of the ‘open’ 30 minute parking space, before the scheme went out to consultation. The Mayor proposed, Cllr Berryman seconded and it was RESOLVED that the Town Clerk should respond indicating FTC’s support.

### **19/68 To receive the Cornwall Councillors report**

Cllr Virr had supplied the following report

- Place Road I am pleased to report that work is nearing final completion. The work looks to have been carried out to a high standard. Cornwall Council have committed to finishing the work by the end of this week in time for Regatta week.
- Webb Street Bins I have been supporting the work of FTC in resolving the concerns raised over the bins. I have met with local businesses to discuss solutions. I am keen to continue supporting FTC to resolve the issue and support them in realising any enforcement actions necessary.
- Fowey Hospital I met up with the CEO of Cornwall Partnership Trust this month to hear progress on the plans for an NHS Nursing Home in Fowey. Currently we are reviewing alternative sites that might be available in Fowey to ensure the business case has properly considered all the options available.
- Fowey Library I am working with Cornwall Council and FTC to find a home for a Micro-Library in Fowey. We are currently exploring the possibility of the Community Centre at Squires Field hosting the library.
- Fowey Main Car Park I met up with the lead council officer for car parks and two of his engineers at the Main Car Park two weeks ago to raise my concerns.
  - 1) Why the delay in completing the installation? This has been caused by protracted legal agreements with the owners of the garages at the top of the car park. Initially they had planned to make a new entrance from Windmill Road, but the owners would not agree to this. Now they are offering electronic permits to allow free access in and out of the car park. This has been delayed by, according to the council, some unhelpful demands by the owners in the legal agreements. I was assured this is at a final stage of negotiation.
  - 2) Coaches are struggling to enter the car park. The engineers explained that the entrance to the car park had been computer modelled for 12 metre and 15 metre wheel-based coaches. I understand 15 metres is the largest size permitted across Europe. Most of the coaches are around 13.5 metres. The modelling demonstrated easy passage for 12 metres, but a tight

squeeze for 15 metres. I strongly argued that the council should move the barriers back by a 0.5 metre to make the passage of coaches easier. This will incur additional cost, including the moving a lamppost back. They have gone away to cost this adaptation.

It seems that the delays might actually work to our advantage in adjusting the access for coaches before the work is complete, rather than trying to persuade the council to return to the site after all the expensive electronic barriers had been fully installed. But I full accept the delay is frustrating.

- **Footpath Improvements** I am pleased to report that the damaged bridge on the Saints Way that I reported in the vicinity of Tregaminion Farm has been repaired.
- **Noise from Old School Studio** I have been working with local residents to raise concerns regarding unacceptable noise from the hot tub area outside the property overlooking Daglands Road. I have been in regular contact with the company owning the property and have insisted that they suspend the use of the hot tub and encourage their guests to use all the many attractions that Fowey has instead.

The Mayor noted that she had been invited by a local resident to witness the noise herself at 11.30pm one evening and she considered it to be completely unacceptable in a residential area.

- **St Fimbarrus Road Vegetation** I have met up with local residents, members of Fowey in Bloom and Cornwall Council's Community Partnership Officer, to find a way ahead for the rather neglected triangle of land between St Fimbarrus Road and Pike's Hill. The plan is to request some limited works from Cormac to remove a couple of tired firs, before the residents plant their own shrubs and flowers.

Cllr Day noted that she had been advised that the delay was because Cornwall Council was currently unable to agree if responsibility for this area rests with environment or highways

#### **19/60 Accounts for Approval**

It was proposed by Cllr Berryman, seconded Cllr Hughes and RESOLVED that accounts to the value of £7, 933.51 be approved.

#### **19/61 Correspondence**

Emails had been circulated and correspondence was left 'on the table' for Cllrs attention.

#### **19/62 Resolutions from Councillors**

The Mayor tabled her resolution that the closing date for applications for co-option onto FTC be extended to 31<sup>st</sup> August 2019. This was seconded by Cllr Griffin and RESOLVED

#### **19/63 Commercial Waste in Fowey**

The Mayor reported that commercial waste bins had appeared in Market Street over the last couple of months and also started appearing near to the Gents toilets in Market Street.

Commercial bins are also present outside the back of The Ship. She considered that commercial waste in Fowey must be managed effectively by CC and it was also something the FTC Planning Committee must be vigilant of when dealing with change of use applications. Together with the Town Clerk, she had met with Cllr Virr on Tuesday 6<sup>th</sup> August and discussed at some length the issues of businesses using the public highway to store their bins, as well as the Webb Street situation. It was noted that there are numerous businesses who are dealing with their waste effectively and all business owners must take responsibility for their own waste material. The conclusion of the meeting was that a meeting of all interested parties was needed – business owners, Cornwall Council, Fowey Chamber, FTC – to identify a better way of

dealing with the increasing waste problem in the town. Cllr Griffin agreed that businesses must take responsibility and confirmed that when his own business had been refurbished provision had been made to store their waste inside the premises, which included the installation of a lift. Cllr Fassam considered that the internal provision for the storage of waste could be a planning condition but noted that domestic waste could also pose a significant problem when the new collection regime came into force. All agreed that a stakeholder meeting was necessary as soon as the town quietened down after the summer season

#### **19/64 Squires Field**

Cllr Berryman proposed, Cllr Hughes seconded and it was RESOLVED that the continuation of the licence between FTC and asparking services, now trading under a new name, be endorsed and enforcement be introduced in Squires Field permit parking area.

#### **19/65 Town Criers Robes**

The Mayor reported that, together with the Town Clerk, Cllr Day, Cllr Griffin and the new Town Crier Alan Giles she had met with Michael of Michaels Robes and a possible design for the regalia had been agreed. The Town Clerk reported that she had chased Michael to try to get some initial designs/prices for the meeting and these had just arrived. Michael had also supplied details of an outlet which would supply a Cornish waistcoat at a significantly lower cost than a bespoke one. Members agreed that the design was appropriate and, although expressing some concern about the cost, agreed that the role of Town Crier was very important for the town and it was justifiable. It was also noted that the two previous town criers had given 30 years service to Fowey and it was hoped that Alan would be able to do likewise. Cllr Day then proposed, Cllr Fassam seconded and it was RESOLVED that the quote from Michaels should be accepted apart from the supply of the waistcoat, which should be purchased from the alternate source.

#### **19/66 Community Network Highways Scheme**

The Mayor explained that there is funding awarded to all CNP's under the Highways Scheme to fund local schemes in our Network area, (£50,000 for four years – a total of £200,000).

At the last CNP panel members had expressed the wish to have the opportunity to discuss with their own councils the following proposals;

1. Highways Scheme monies to be allocated for the purchase of MSAS (Mobile Speed Activation Signs) as a solution to the speeding issues which were raised last year. (Town & Parish Councils can choose to buy their own, however if the Highways Scheme funds are to be used the CC supplier must be used).

2. The £50,000 is split via the five CC Wards of:

Lostwithiel (includes parishes of Lanlivery, Lostwithiel, Bocconoc, Broadoak, St Winnow & St Veep)

Fowey & Tywardreath (St Sampson, Fowey & part of Tywardreath & Par)

Par & St Blazey Gate (Part of St Blaise, part of Tywardreath & Par)

Bugle (part of) (Luxulyan Parish)

St Blazey (Part of St Blaise & part of Tywardreath & Par)

Subject to further discussions in relation to;

Major schemes – where a collective approach supports the aim of the CNP

Unspent remaining amount, being disbursed to the CNP collective funds.

The principle is to be agreed annually

After discussion it was proposed by Cllr Berryman, seconded Cllr Fassam and RESOLVED that the Mayor should advise the upcoming extraordinary meeting of the CNP that FTC was not

supportive of the funds being used to purchase mobile speed activation signs and considered that the money should be split between the Wards, with £10,000.00 allocated to each Ward.

### **19/67 Fowey Library**

Following the failure of FTC's offer for the former Barclays Bank building the council was sadly no longer in a position to provide suitable premises for a micro library, which was a great loss for the town. However, SFCC had already undertaken to provide a Click & Collect service and Cllr Virr had advised the Mayor and Town Clerk that he understood they were now prepared to accept responsibility for a micro library, which would be available when the centre was open. Cllr Woodside considered that a better option may be to put a portacabin on Squires Field and for FTC to provide the facility. This view was shared by Cllr Berryman, although he considered that a bespoke cabin would be more suitable and could be purchased at a reasonable cost. Members were generally in agreement that it would be preferable for the service to be provided by FTC but concerns were raised as to how this could be delivered in the short term. After further discussion Cllr Hughes proposed, Cllr Berryman seconded and it was RESOLVED that FTC should support the hosting of the micro library by SFCC in the short term if they were prepared to accept responsibility but with a view to working with them to identify an alternative solution in the future.

Cllr Fassam left the meeting

### **19/68 Webb Street Binstore Provision**

The Town Clerk had put together a timeline of the situation as follows but invited members to amend/add to it as they saw fit as she accepted that it may not be a complete record..  
*FTC recognised the need to tidy up the Webb Street car park area.TH/TQ Committee agreed to follow up the provision of binstores in October 2018*  
*The TH/TQ Committee did not progress the initiative and it was picked up by the Finance Committee on 11<sup>th</sup> February 2019. The owners of an adjoining property attended the meeting and noted that, in their opinion, the rubbish situation was worsening*  
*It was agreed at the meeting that priority for binstores should be available to businesses adjacent and opposite the car park. A licence fee was agreed as £100.00 per binstore, restricted to one per business.*  
*The Town Clerk was instructed to contact all the bin owners and tell them to remove their bins or apply for a licence*  
*Responsibility for sourcing suitable binstores was passed back to the TH/TQ Committee by the Finance Committee.*  
*The Town Clerk advised owners of waste bins to remove them or apply for a licence. (recorded at minute 18/155)*  
*At the TH/TQ meeting on 19<sup>th</sup> February 2019 it was RESOLVED that the Committee would obtain quotes for binstores .....prior to the March Full Council meeting*  
*The TH/TQ Committee did not meet, nor were quotes available at the March meeting so the action was followed up by the Town Clerk under delegated powers as more unauthorised bins were appearing and complaints from the adjacent property owners were increasing.*  
*Complaints continued and the Town Clerk continued to try to enforce the removal of bins.*  
*In June the Mayor and Town Clerk put notices on the unauthorised bins ordering their immediate removal. Allocation of licenses began to eligible people (recorded at minute 19/22)*  
*Fitzroys was due to open and three large binstores and 3 small ones suddenly appeared in the car park without permission. The Mayor and Town Clerk were on site and, as Chairman of the council, the Mayor used her authority and decided to take a realistic view of the situation and*

*work with the business so they were advised that they must remove 2 of the large bins and one of the smaller ones. The alternative would have been that all the bins were left on site, creating a bigger problem.*

*The four new binstores were allocated and licensed. Fitzroys agreed to supply their own larger binstore outside their door to accommodate one large bin.*

*Dialogue continued with the Cornish Bakery and Lazy Jacks who were still refusing to remove their unlicensed bins.*

*The Deputy Mayor and Town Clerk removed some unlicensed bins from the site.*

*There was verbal agreement on 17<sup>th</sup> July 2019 prior to the town council meeting with the adjacent property owners that a new double binstore sited next to the original binstores would be moved to the back wall and replaced with a single binstore.*

*There was agreement at the FTC meeting on 17<sup>th</sup> July 2019 that a further single binstore be purchased and sited as agreed.*

*Three further binstores were licensed*

*Two breaches of the licence – Haverners fish & chip shop left oilcans in the car park. The Town Clerk contacted the Brewery on both occasions and action was taken immediately and apologies given.*

*The Mayor, Deputy Mayor and Town Clerk removed the Cornish Bakery bins from the site and put them outside the shop. Staff returned them to Webb Street. The Town Clerk contacted the Head Office and ordered the immediate removal of the bins.*

*Two pallets were removed from the site by the Mayor, Deputy Mayor and Town Clerk. Stored at 10, Green Lane*

*Mayor & Town Clerk advised Fitzroys that they must put a lid on their large bin immediately*

*The owner of Lazy Jacks undertook to remove her bin during w/b 4<sup>th</sup> August 2019*

*A complaint was received from residents of Bull Hill about the bins being returned to the Cornish Bakery*

*Cornish Bakery agreed to remove their bins from Webb Street car park on 8<sup>th</sup> August 2019 but requested a meeting (AV to involve CC). Meeting subsequently fixed for 15<sup>th</sup> August.*

*The Cornish Bakery bins were removed from the car park.*

*Lazy Jacks confirmed bin would be removed on 9<sup>th</sup> August 2019 Lazy Jacks failed to remove their bin as promised but confirmed it would be removed on 13<sup>th</sup> August*

*New single binstore erected in the agreed position on 13<sup>th</sup> August.*

*The large Lazy Jacks bin was removed on 13<sup>th</sup> August 2019.*

*A small red bin appeared in the car park on 14<sup>th</sup> August 2019, ownership currently unknown.*

*A further pallet was removed from the site by the Deputy Mayor on 14<sup>th</sup> August and stored at 10, Green Lane.*

The Mayor stated that she accepted that the current provision of binstores was perhaps not a perfect solution and FTC would continue to work towards a different option but she considered that the area was now looking considerably better than it had for several years. In her view FTC had worked very hard under difficult circumstances to improve the situation and she reminded the meeting that the town council comprised of nine volunteers and one part time Town Clerk. In an ideal world the council would employ more staff to deal with the ever increasing workload resulting from devolution of services and assets from Cornwall Council but the reality was that FTC did not have the infrastructure in place, nor the money to provide it at present. Cllr Woodside noted that the area had looked untidy for many years but could be improved with a coat of paint on adjacent property walls. Cllr Berryman proposed, Cllr Simms seconded and it was RESOLVED that responsibility for keeping the areas swept should be added to the FTC handyman's duties. Cllr Griffin stated that he hoped that everybody could work together; everybody wanted a tidy town and there must be a solution, it just needed to be found.

**19/69 Questions/Reports from Members (taken at the discretion of the Mayor)**

None

*It was proposed by Cllr Berryman, seconded Cllr Simms and RESOLVED that the Press and Public be excluded in accordance with the Local Government Act 1972, as amended, on the grounds that the consideration of the next agenda item would be likely to involve the disclosure of exempt information of the following description – legal sensitivity*

**Date of Next Meeting**

Planning – 18<sup>th</sup> September 2019

Council – 18<sup>th</sup> September 2019