

## **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 A MEETING OF FOWEY TOWN COUNCIL HELD ON WEDNESDAY 20<sup>th</sup> OCTOBER 2010 AT FOWEY TOWN HALL**

**10/84 Present** The Deputy Mayor, Cllr Mrs A Boosey  
Councillors K Alexander, A Baker, Mrs R Finlay, Mrs S Gudmunson,  
N Mason, Mrs J Vincent and T Vincent

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

In the absence of the Mayor, the Deputy Mayor (Cllr Boosey) took the Chair for this meeting.

**10/85 Apologies**

Apologies were received and accepted from The Mayor Cllr J Berryman (representing FTC at the Guide Centenary), Cllr J Penprase (personal reasons), C Cllr Mrs S Bain, and PC David Lea

**10/86 Declaration of Interests**

- a. In items on the agenda.  
None
- b. Of gifts to a value in excess of £25.00.  
None

**10/87 Public Questions/Police Report/ Cllr Participation/ Police Report**

Police Report – full report attached at appendix 1.

On behalf of PC Lea, the Clerk reported 4 crimes and 23 incident logs in Fowey between 21<sup>st</sup> September and 19<sup>th</sup> October.

Public Questions

None.

**10/88 Minutes of Meeting of 29<sup>th</sup> September 2010**

It was proposed by Cllr Mrs Vincent, seconded Cllr Vincent and RESOLVED that the minutes be confirmed and signed by the Chairman

**10/89 Matters Arising not on the Agenda (for report only)**

10/73. It was noted that minute 08/74, when referring to the 40/40/20 split of profit from the TH/TQ complex, also recorded ‘whilst Cllrs agreed that these conditions were far from ideal it was considered that the transfer of the complex was so important for Fowey that FTC would have to agree them if there was no alternative way of securing the deal.’

**10/90 To receive and note the minutes, if any, of FTC Committees**

**Finance** – no report

**Planning** - minutes noted.

**FAC** – no report.

**Town Hall** – Cllr Gudmunsen reported that the window cills in the Hall were in need of attention. The minutes for 12<sup>th</sup> March were still outstanding.

**Environment** – no report.

**10/91 To receive the Mayors Report** – *report attached at appendix 2*

**10/92 To receive the Report from the Cornwall Councillor** – *report attached at appendix 3*

**10/93 To receive and consider reports from representatives of the Town Council on other bodies**

**Fowey Estuary Partnership** – no report.

**du Maurier** – no report.

**Forum** – no report.

**Community Network Panel** – no report.

**Cornwall Towns Association** – no report

**10/94 To receive the Town Clerks Report**

The Clerk reported that:

- Major works were scheduled to take place in the new year to replace gas pipes in the town. The work would necessitate road closures and severe disruption to traffic flow. The gas company had booked the Town Hall for a public meeting for the evening of 18<sup>th</sup> November explain its proposals.
- The Localism Bill, due to be before Parliament in October/November, would seek to abolish the whole Standards regime as contained in the Local Government Act 2000 (as amended). New Code of Conduct measures would then be put in place in respect of (among others) the registering of interests, the strengthening of the powers of the LG Ombudsman and the introduction of a new power for Councillors to vote on matters that they may have a predisposition to but have not predetermined.
- Cornwall Council was proposing to invite town and parish councils to take full responsibility for all salt bins in their area for 2011/2012 and beyond. This would include ownership, management and maintenance at the town/parish councils' cost. If the responsibility were not accepted the bins would be removed sometime after the winter of 2010/2011.
- Planning permission had been granted for the erection of 6 affordable dwellings with associated works at Langurtho Road

**10/95 Accounts for Approval**

Cllr Gudmunsen proposed, Cllr Vincent seconded and it was RESOLVED that accounts to the value of £1864.90 be approved. Copies of the Budget Tracking Report and the Current Assets Report had been circulated before the meeting. The Clerk reminded the Chairmen of both the Environment and the Town Hall Committees that 2011/2012 budgets needed to be submitted to the Finance Committee in the very near future.

**10/96 Correspondence**

The correspondence file was left 'on the table'

Item 2. The Clerk confirmed that the wording used in the letter sent in support of the aims stated in the CPRB leaflet had been exactly that contained in the FTC resolution (as amended from the original proposal from Cllr Baker).

#### **10/97 Resolutions from Councillors**

None.

#### **10/98 Allotments**

The Deputy Mayor reported that the Mayor and Cllr Bain had been investigating the possible transfer of the Fowey allotments to FTC. In respect of this an email had been received from Cornwall Council as follows: 'The Council would be prepared to look seriously at the possible transfer of the present area used for allotments and the adjoining area for use for allotments. The terms would be for agreement, but we would support a long lease. It would be necessary for the Town Council to present a case, but in this case this would not be long or complicated; it would need to show the Council has the funds to develop the site, the admin support to manage the allotments users agreements, and be in a position to carry the future repair and maintenance costs.' Cllr Baker noted that a lease would inhibit FTC in protecting the property for future generations and stated that there was nothing relevant in the Cornwall Council 'Corporate Asset Management Plan 2010' to suggest that transfers should be tied by a lease. He was also concerned that the acceptance of a lease could create a precedent and asked that Cllr Bain ascertain exactly what the Cornwall Council policy was. It was agreed that this should be an agenda item at the November meeting.

#### **10/99 Town Hall/Town Quay Complex**

The Clerk reported that she and the Mayor had met with the FTC solicitor to discuss the various aspects of the Land Registry searches. Although the situation was complicated, in the main the findings had served to confirm details already known by FTC. It had been agreed that a letter should be sent to Cornwall Councils requesting

- An indemnity from Cornwall Council for any breaches connected to the fact that the building is listed.
- Woodworm treatment be undertaken in the roof void.
- The significant water ingress by the front (Trafalgar Square) door be rectified
- Guidance on how FTC will continue to operate the winter car parking system after transfer, given that the quay area is publicly adopted highway and also designated for parking

Copies of all the relevant documentation were available for Cllrs attention.

Cllr Baker noted that the fire safety work undertaken by Restormel in the electric cupboard was below standard and should be redone to meet safety requirements.

#### **10/100 St Catherines Castle Lights**

Cllr Baker reported that he had received verbal agreement from English Heritage for the project to proceed. An invitation to tender for the work had been published in the Fowey News but, to date, only one expression of interest had been received.

#### **10/100 FTC Website**

Cllr Baker reported that Cornwall Council was continuing to have problems with the new Immediacy system and he and the Clerk were still unable to access the site. However, urgent items could now be posted by Matt Smith (Cornwall Council).

#### **10/101 Squires Field Play Area**

No update.

#### **10/102 Du Maurier Festival 2011/2012**

The Clerk reported that a meeting had been held with Cornwall Council representatives the previous Monday because the Mayor, the Deputy Mayor and herself had been very concerned about the financial implications for FTC in taking over the responsibility for the Festival. After taking advice from CALC/NALC it had become apparent that FTC would have to register for vat and from only this perspective this would change the town council administration significantly. Additionally, the increased financial activity in the FTC accounts would place FTC in a higher audit band with all its additional costs and requirements. Another significant worry was that Cornwall Council had claimed 'cultural exemption' from vat on ticket sales, which would not be available to FTC, which meant that 20% vat would have to be charged on ticket sales, a significant expense that had not featured in the 2010 Festival accounts. On the positive side, Cornwall Council was completely committed to making the new regime work and was working to put mechanisms in place to address FTC's concerns. Cllr Boosey assured the meeting that no financial commitments had yet been made; the situation was evolving daily and, hopefully, some acceptable solutions could be found. Meanwhile, the Du Maurier committee was working hard in planning the 2011 Festival and Task Groups were being formed to take on responsibility for certain key elements. There was a huge amount of enthusiasm and support for the event to be run by the town and the Chamber of Commerce was extremely supportive. Cllr Mason stated that FTC must employ a qualified accountant to advise the council and it was agreed that the Clerk should look into this if it proved to be necessary. Cllr Baker suggested that an accountant could be co-opted on to the Du Maurier Committee to provide financial forecasts and report back monthly to FTC.

#### **10/103 Access to Coombe and Pridmouth Beach**

Cllr Baker noted that the Mayor was investigating the options with regard to access to Pridmouth beach. Access to Coombe was deferred to allow Cllr Finlay to investigate the situation.

#### **10/104 Traffic Management in Fowey Town**

Cllr Boosey reported on the meeting set up by the Mayor to try to find solutions to the ever-worsening situation of traffic in the town during the summer months. She was pleased to report a positive meeting and said that, at last, there might be a will to address the problem. It had been agreed that the first issue to tackle was delivery drivers stopping in the middle of the street to unload and causing long hold-ups. The Mayor and herself (representing FTC) and the Forum representatives had considered that delivery times should be restricted between May/September between 10am and 4pm, but the Chamber representative, although supportive in principle, had considered that only July and August should be targeted and that 10am might be too early. However, he had agreed to speak to his fellow members and report back. If the scheme went ahead it would be necessary to apply for a TRO, which would cost in the region of £4,000 but for this to be granted it would need the general support of all concerned. An additional idea to change the priorities at Varco's Corner and direct traffic along Esplanade had also been discussed and this could be achieved under the same TRO. Cllr Bain had given her backing to both of the schemes and had offered some financial support from her limited budget.

#### **10/105 Questions under Standing Order 21**

Cllr Alexander reported that Robin Murtagh was setting up a 'Leisure Centre Steering Group' to promote the use of the Centre and had asked if FTC would elect a representative to sit on the Group. It was agreed that this would be an agenda item at the November meeting.

**Date of next meeting**

Planning – 17<sup>th</sup> November 2010

Council – 17<sup>th</sup> November 2010

**Meeting Closed**      8.50pm