

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 17th FEBRUARY 2010 AT FOWEY BRITISH LEGION (upper room)

09/193 Present

The Mayor Cllr Mrs A Boosey
The Deputy Mayor Cllr J Berryman
Councillors A Baker, Mrs R Finlay, N Mason,
J Penprase and T Vincent

In Attendance

The Town Clerk, Sally Vincent
1 member of the public (part)
1 member of the press

09/194 Apologies

Cllr Mrs J Vincent (committed to the Funnybone Theatre performance)
Cllr Mrs S Gudmunsen (unwell)

09/195 Declaration of Interests

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

09/196 Public Questions/Police Report/ Cllr Participation/ Police Report

No police report

A member of the Chamber of Commerce outlined his organizations concerns with regard to alterations of planning consent involving change of use which might reduce the number of visitors using Fowey and also the number of facilities in the town. He cited the Marina Hotel as a possible example if the hotel was converted into apartments and asked if the Chamber could be informed of any such applications. The Town Clerk assured Mr Biggs that all applications due to be considered by the council were included on the planning committee's agenda, which was published on the Town Hall notice board and on the website at least 3 clear days before the meeting. Any member of the public wishing to make representations about an application was encouraged to do so before members considered it. Cllr Baker added that there was also a link to Cornwall Council planning on the FTC website, which would give additional notice about any applications.

09/197 Minutes of Meeting of 20th January 2010

Proposed Cllr Mason, seconded Cllr Berryman and RESOLVED that the minutes be confirmed and signed by the Chairman.

09/198 Matters Arising not on the Agenda (for report only)

None.

09/199 To receive and note the minutes, if any, of FTC Committees

Planning - minutes noted.

FAC – no report.

Environment – no report.

Town Hall – minutes noted. Cllr Vincent agreed to provide details of the work required with regard to the redecoration of the Town Hall in order for the Town Clerk to invite applications for tender.

Finance – Cllr Mason reported that it had been suggested that FTC should request an increase in precept to support the Forum, which appeared to be in financial difficulty. Personally, he was not supportive of such a levy but he suggested that members might wish to consider a one-off donation to support the group until the end of the financial year. It was agreed that this should be an agenda item at the March meeting.

09/200 To receive the Mayors Report – report attached at appendix 1

09/201 To receive the Report from the Cornwall Councillor

No report.

09/202 To receive and consider reports from representatives of the Town Council on other bodies

Fowey Estuary Partnership – no report.

du Maurier – no report

Forum – The Mayor reported:

- The Forum had reworked its constitution, a requirement imposed by the Heritage Lottery grant before an application could be considered.
- The Forum was extremely short of money because Cornwall Council had not honoured the promised commitment to the community grant scheme, which had been in place before the transition to the new unitary authority.
- A renewable energy scheme was currently operating in transitional towns, with Ladock and Grampond as part of the first tranche. It was basically a method of looking at carbon footprints and energy savings on a town/village basis. A meeting would be held at the Community College on 1st March at 5pm with a presentation from Louise Rutherford, Project Manager for the Centre for Renewable Energy. Members were encouraged to attend.

Chamber of Commerce – no report

Community Network Panel – no report

Cornwall Towns Association – no report

09/203 To receive the Town Clerks Report

The Clerk reported that:

- She had been notified the previous day that FTC's application for 'Quality' status had been approved by the NALC scrutinising panel. Together with the Mayor, she would be attending the CALC AGM at Truro on 20th February to receive the award. Members expressed their pleasure at this successful outcome and Cllr Berryman proposed, The Mayor seconded and it was RESOLVED that formal thanks should be recorded in the minutes to the Town Clerk in recognition of the hard work she had put into the application.
- The Troy Players and the Funnybone Theatre had both applied in writing to use the Town Hall office during their current productions; permission had been granted.

- An email had been received from the new secretary of the Funnybone Theatre, apologising for any part the group may have played in the clash of bookings for the hall on 17th February. The Clerk confirmed that FTC had actually resolved in February 2009 to move its meeting to 15th February 2010 to accommodate the first night of the panto but that this had been overlooked - probably due to the passage of time - and offered her apologies to members for her part in the muddle.
- A copy of a letter written to Alan Dibb by the Chamber of Commerce in connection with the Fowey 2010 Christmas Market had been received. It had been noted that Mr Dibb intended to run a commercial Market at the Community College on the same weekend as the Chamber would be running the traditional Christmas Market and associated events in the town.
- Standing Orders had been amended at 37a. (in line with the resolution passed at the January meeting) to reflect the necessity for a formal disclaimer to be used by all Cllrs when writing to any publication in a private capacity, rather than at the direction of the council. The disclaimer read 'I write this article as a member of the public and not as a Town Councillor. The opinions expressed are in no way the official view of Fowey Town Council and neither should they be considered as an indication of Fowey Town Council policy.'
- Teresa Frost (Highways) had composed a draft letter that she considered should be sent out to all businesses in Fowey as a joint initiative by Cllr Bain, FTC and Highways setting out the position that will be taken this year with regards to A frames, tables and chairs and other obstructions on the highway. Members were in general support of this proposal but it was agreed that they would confirm this with the Town Clerk when they had had the opportunity to study the letter in more detail.

09/204 Accounts for Approval

Cllr Mason proposed, Cllr Vincent seconded and it was RESOLVED that accounts to the value of £2723.39 be approved. Copies of the Budget Tracking Report and the Current Assets Report had been circulated before the meeting.

09/205 Correspondence

The Clerk confirmed that she had been advised the recently imposed Alcohol Restriction Order covered the whole of the parish of Fowey.

09/206 Resolutions from Councillors

None.

09/207 Town Hall/Town Quay Complex

The Clerk reported that the transfer process was now back on track, with solicitors instructed on both sides. The previous day she had met with Peter Lobb (property services, Cornwall Council) who had provided more documentation and several actions had been agreed as listed below.

Documents/Actions Requested from Cornwall Council

1. Woodworm survey for the town hall building carried out about 20 years ago. This survey could not be located but Peter Lobb advised that this information would have little relevance 20 years on. However, the absence of any sign of frass, which should have been picked up in the more recent surveys/inspections indicates that woodworm is not an issue.
2. Survey on the wobbly floor at the rear of the hall. Survey scheduled for 24th February.

3. Rectification of any defects identified in the survey undertaken in July 2009 by H2OK. Peter Lobb agreed to follow up. Peter Lobb agreed to speak to Adam Birchell about the later survey commissioned by Richard Welch as no trace can be found at Cornwall Council. The Town Clerk agreed to supply the document if Cllr Mrs Vincent is able to locate it.
4. Copy of a wiring survey of the hall that had been undertaken shortly before July 2009. Supplied. The rating of the wiring in the hall will be upgraded and a written report provided.
5. Essential safety work to the void above the electric cupboard. Peter Lobb will follow up. This will also be investigated on 24th February in conjunction with the survey on the floor.
6. Up to date plans of both the hall and the quay. Plans of the Hall supplied.
7. Documentation about the asbestos in the aquarium. Supplied.
8. Certification in respect of the gas boiler in the hall and assurance that it meets H & S requirements. Certification supplied. Peter Lobb agreed to investigate the legal requirement in respect of an external cut-off switch.
9. Copies of the Restormel/Cornwall Council H & S and risk assessment documents in respect of both the quay and the hall building (inc. museum, aquarium, toilets, stores etc). Fire Risk documentation in respect of Town Hall dated October 2006 supplied. Peter Lobb agreed to check that all the identified actions have been addressed and report back. He also advised that, whilst the owner of the property is responsible for producing a Fire Risk Assessment, the tenant is usually responsible for implementation – may be specified in the terms of the lease. Peter Lobb confirmed that visual Health & Safety checks would have been carried out on both the hall and quay and agreed to supply any relevant paperwork.
10. Copy of the 2009 Licence granted to Mr Billingsley for the use of the quay in connection with his restaurants, Food for Thought and Waterfront. Peter Lobb agreed to supply.
11. It was also agreed that the wet wall inside the door to Trafalgar Square would be investigated on 24th February.

Cllrs identified two other areas where clarification was necessary and the Town Clerk urged members to contact her with any other issues in order for her to raise them with Cornwall Council/Stephens & Scown.

1. Details of any requirements/documentation in connection with Legionnaires Disease
2. Confirmation that the holes in the Town Quay wall had been successfully repaired.

Members noted that professional advice would be needed in relation to the asbestos in the ceiling of the aquarium.

The Town Clerk had prepared a document on the current position as she understood it, which was distributed to all members. Following Cllr Baker's request for an updating of the business plan she had included sections on finance and management, but the Clerk emphasised that the management section was based on her thoughts only and was simply intended as a baseline for discussion.

09/208 St Catherines Castle Lights

Cllr Baker reported that the lighting specialist had supplied figures for LED lights and solar panels; it was now necessary to liaise with English Heritage for permission to site the panel/s.

09/209 'What Fowey Means to You' Murals

On behalf of Cllr Mrs Vincent, the Clerk reported that Cllr Mrs Vincent had confirmed with Captain Mike Sutherland that FTC required a board and that she would collect it when it was ready. Cllr Mrs Vincent had yet to prepare the sketch but had assured the Clerk that it would be ready for the March meeting. Paint would be required and Cllr Mrs Vincent had requested funding in the region of £10 - £15 for this and also additional funding for plastic lettering. Members were concerned that no sketch would be available until March and, after discussion, it was agreed that a design needed to be agreed before the end of February in order for the board to be ready on time. This could be done on an informal basis as soon as Cllr Mrs Vincent had a design ready. Cllrs also understood that paint was available for the project at the library free of charge. Cllr Vincent undertook to pass this information on to Cllr Mrs Vincent.

09/210 FTC Website

Cllr Baker reported that the situation was unchanged.

09/211 Squires Field Play Area

Cllr Penprase reported that, according to the Cornwall Council website, Playbuilder (back to nature play) funding had been secured although he had still to receive official confirmation. The next step would be to go out to consultation, particularly with the schools. Cllr Finlay offered to assist with this exercise. Cllr Penprase confirmed that the consultation stage would take about 2 months and then the project would go out to tender.

09/212 Fowey Royal Charter

The Mayor referred members to the letter received from Communities & Local Government and asked if Cllrs wished to pursue the matter further. Cllr Baker queried why FTC should want the Restormel document when surely the 1913 Fowey Charter was the relevant one. The Mayor pointed out that the letter appeared to say that the 1913 Charter had lapsed and the Clerk confirmed that this was also what she had been told when she had spoken to Steve Foster at Cornwall Council; the document held by Cornwall Council was the Charter granted to St Austell with Fowey Borough Council and it appeared it was not possible for Fowey to apply for a new Charter. The Clerk also reported that she had spoken to the St Austell Town Clerk who had agreed to include the transfer of the Restormel document to FTC as an agenda item at St Austell's next meeting if FTC wished. After discussion it was proposed by Cllr Mason, seconded Cllr Finlay and RESOLVED that the Clerk should apply to St Austell Town Council for the transfer of the St Austell with Fowey Charter.

09/213 Questions under Standing Order 21

None.

It was proposed by Cllr Berryman, seconded Cllr Mason RESOLVED that members of the press and public should be excluded under section 1(2) of the Press & Public Bodies (Admission to Meetings) Act 1960 because of the confidential nature of the business to be transacted in connection with transfer of Town Hall/Town Quay