



TORPOINT TOWN COUNCIL

MINUTES of a **VIRTUAL** meeting of the Development and Localism Committee held **via Zoom** on Thursday 3rd September 2020 at 7.00pm via the Zoom link:

<https://us02web.zoom.us/j/85163327309?pwd=ZFFQT0FNQVdGUldYQnVaYUV1V0J6dz09>

Meeting ID: **851 6332 7309**

Passcode: **888486**

Virtually PRESENT: - Councillor Miss R A Tanner BEM (Deputy Town Mayor) (Chairman), Councillors Mrs. C E Goodman (Town Mayor), Miss R C Baker, G J Davis, L E Keise, M G Spurling, C R Still, J Tivnan BEM plus the Town Clerk & RFO (Clerk) and the Community Hub and Library Development Manager in attendance.

	ACTION
<p>35-20D&L Apologies for absence Apologies for absence were submitted on behalf of Councillors Miss L J Hocking, Mrs. J M Martin and K J Moon.</p>	
<p>36-20D&L Declarations of Interest relating to items on the Agenda a) None.</p>	
<p>37-20D&L Library Update: - The Community Hub and Library Development Manager (CH&LDM) presented an informal update on the Library and Community Hub, as circulated:</p> <ul style="list-style-type: none"> ➤ <i>Reopening Update</i> - The footfall is increasing, 109 visited yesterday (Wednesday 2nd September), highlighting that confidence is building. The CH&LDM is working with local childminders to offer them the opportunity to have pre-arranged visits when the building is currently closed (Tuesday's and Thursday's). This will enable them to safely bring small numbers of children to use the newly refurbished outdoor area. ➤ <i>TINY Fun Palace</i> – The CH&LDM attended an online workshop hosted by Fun Palaces on Tuesday 1st September, the workshop provided plenty of ideas of how to deliver a TINY Fun Palace on the first weekend of October. Ideas included encouraging the community to work together in their street, or their back garden to undertake activities, or utilise the outside space at the Library and Community Hub. It is anticipated that a COVID secure TINY Fun Palace will be organised for Saturday 3rd October. ➤ <i>Mike Howells</i> – It is proposed to organise a celebration of Mike Howells life on Friday 11th or Friday 18th September, more details will follow. ➤ <i>Oral Hygiene</i> – CH&LDM met with an oral hygienist today, who would like to work with the Library and Community Hub to help promote oral hygiene, as there is the likelihood that during lockdown this has slipped. Free samples will be made available. ➤ <i>Home Library Service</i> – A meeting with the Cornwall Council and the Home Library Service was held today; following a local social media post, a volunteer has expressed an interest to support the Home Library Service, which is great news, as this service did not get up and running last year. <p>The Chairman thanked the CH&LDM for the informative report, highlighting the continued success of the Library and Community Hub since it was devolved from Cornwall Council. (The Library and Community Hub Manager left the meeting at this point.)</p>	
<p>38-20D&L Minutes of the previous meeting</p>	

It was **resolved** that the minutes of the Virtual Development and Localism Committee meeting held on Thursday 2nd July 2020 were taken as read, confirmed and will be signed by the Chairman in due course.

39-20D&L Matters arising from the minutes

a) Devolution of a programme of assets/services: -

Pursuant to minute 25-20D&L (a) the Clerk shared an update from the Solicitor, advising:

- The final leases with plans (as previously circulated) require approval by the Town Council. It is noted the Cambridge Recreation ground lease is still in 'tracked change' to show the alterations made. These alterations have been carried through on all of the leases although the others are not in tracked change format.
- Please pay specific attention to ALL the plans to ensure that they cover the precise areas that it is intended to lease.
- Please note that, whilst the term of each lease is for a period of 99 years, the 1954 Landlord and Tenant Act exclusion means that Cornwall Council will not be obliged to renew the leases at the end of the 99-year term (i.e the Council will not have a right of renewal).

Councillor G J Davis highlighted the anticipated funding agreement between Cornwall Council and the Town Council, will now include an amount to replace the missing tennis court fencing, although the specific amount is to be agreed with Cornwall Council. Members confirmed the information as noted from the Solicitor and then all leases and plans were individually reviewed. The Clerk had considered the documents prior to the meeting and the followed points were highlighted and/or discussed:

Borough Farm Play Area

- i) Agree precise area to lease.
- ii) Page 12 – 11.1 "To keep the Property (including the walling, fencing, hedges or other means of enclosure on all boundaries) in good repair and condition throughout the term."
- iii) Page 13 – 15.6 "As soon as the Tenant becomes aware of any defect in the Property, it shall give the Landlord notice of it. The Tenant shall indemnify the Landlord against any liability under the Defective Premises Act 1972 in relation to the Property by reason of any failure of the Tenant to comply with any of the tenant covenants in this lease.

Thanckes Park Play Area

- i) Agree precise area to lease.
- ii) Page 2 – Property replace "Tennis Courts with "Play Area."
- iii) Page 4 – 3. THE RIGHTS 3.1 (a) "The right to use the roads and paths shown hatched green on Plan 2 for the purposes of vehicular and pedestrian access to and egress from the Property" – *this is additional information to clarify access to the Property.*
- iv) Page 4 – 3.6 "Error." – *to be removed/updated.*
- v) Page 13 – 11.1 "To keep the Property (including the walling, fencing, hedges or other means of enclosure on all boundaries) in good repair and condition throughout the term."
- vi) Page 13 – 15.6 "As soon as the Tenant becomes aware of any defect in the Property, it shall give the Landlord notice of it. The Tenant shall indemnify the Landlord against any liability under the Defective Premises Act 1972 in relation to the Property by

reason of any failure of the Tenant to comply with any of the tenant covenants in this lease."

Chestnut Close Play Area

- i) Agree precise area to lease.
- ii) Page 1 – Property replace "Borough Farm" with "Chestnut Close."
- iii) Page 12 – 11.1 "To keep the Property (including the walling, fencing, hedges or other means of enclosure on all boundaries) in good repair and condition throughout the term."
- iv) Page 13 – 15.6 "As soon as the Tenant becomes aware of any defect in the Property, it shall give the Landlord notice of it. The Tenant shall indemnify the Landlord against any liability under the Defective Premises Act 1972 in relation to the Property by reason of any failure of the Tenant to comply with any of the tenant covenants in this lease."

Thanckes Park Tennis Courts

Following in-depth debate about the proposed area, including Councillor J Tivnan BEM highlighting the requirement to request a copy of the latest tree survey for some of the land in the *original* proposed site, it was decided to:

- i) Agree precise area to lease.
- ii) Page 4 – 3. THE RIGHTS 3.1 (a) "The right to use the roads and paths shown hatched green on Plan 2 for the purposes of vehicular and pedestrian access to and egress from the Property" – *this is additional information to clarify access to the Property.*
- iii) Page 4 – 3.6 "Error." – *to be removed/updated.*
- iv) Page 13 – 11.1 "To keep the Property (including the walling, fencing, hedges or other means of enclosure on all boundaries) in good repair and condition throughout the term."
- v) Page 13 – 11.2 "To keep the tennis courts and enclosure fencing at the Property clean, tidy and in good repair and condition but if they are no longer capable of being repaired, the Tenant shall resurface the areas or replace the fencing, whichever is appropriate."
- vi) Page 14 - 15.6 "As soon as the Tenant becomes aware of any defect in the Property, it shall give the Landlord notice of it. The Tenant shall indemnify the Landlord against any liability under the Defective Premises Act 1972 in relation to the Property by reason of any failure of the Tenant to comply with any of the tenant covenants in this lease."

Cambridge Field Recreation Ground

- i) Agree precise area to lease.
- ii) Page 1 – Permitted Use: "Use as a children's play area and public open space for the benefit of the residents and visitors of Torpoint and the hosting of the annual Torpoint Carnival once in each calendar year."
- iii) Page 11 – 11.1 "To keep the Property (including the walling, fencing, hedges or other means of enclosure on all boundaries) in good repair and condition throughout the term."
- iv) Page 12 – 13.2 "To ensure that any rubbish is regularly collected from the Property by the local authority or any other waste collecting organisation." *A fee will be payable by the Town Council to Cornwall Council to continue this service, until the end of their contract with BIFFA.*

- v) Page 13 – 15.6 “As soon as the Tenant becomes aware of any defect in the Property, it shall give the Landlord notice of it. The Tenant shall indemnify the Landlord against any liability under the Defective Premises Act 1972 in relation to the Property by reason of any failure of the Tenant to comply with any of the tenant covenants in this lease.” *Cornwall Council explained this clause remains in all leases.*
- vi) Page 15 – 22.1 USE “Not without consent of the Landlord, such consent not to be unreasonably withheld, to use the Property for any purpose other than for the Permitted Use.”
- vii) Page 15 22.2 USE “Not to hold any political meeting or sale by auction at the Property save that the Tenant may undertake activities once a year at the annual carnival for Torpoint.”

Members discussed the boundaries, highlighting the ‘dog bin’ which is within one of the boundary walls at Cambridge Field Recreation Ground. The Clerk clarified that should the Council wish to make any substantial improvements to any of the sites, then permission from Cornwall Council would need to be granted in ALL circumstances, with Councillor J Tivnan BEM affirming that any equipment would not be required to be replaced on a ‘like for like’ basis.

An explanation of the proposed financial arrangement with Cornwall Council is summarised as follows: -

Devolved Site	Detail	Cost £
Borough Park Play Park	Repairs & Improvements as agreed	7,000
Thanckes Park Play Park	Repairs & Improvements as agreed	7,000
Cambridge Field	Repairs & Improvements as agreed	7,000
Chestnut Play Park	Repairs & Improvements as agreed	7,000
Tennis Court - Dilapidated Hut	Repairs & Improvements or Remove as agreed	6,000
Tennis Court - Fencing	Replace as Agreed	4,000
Total Capital Charge from Cornwall Council to Torpoint TC		38,000

The Chairman proposed and Councillor J Tivnan BEM seconded the **recommendation** to authorise the Clerk to sign on behalf of the Town Council the final lease documents as agreed with corrections/amendments and plans for ***Borough Farm Play Area, Thanckes Park Play Area, Chestnut Close Play Area, Thanckes Park Tennis Courts and Cambridge Field Recreation Ground*** which are to be devolved from Cornwall Council. The Town Council accepts the financial implications of the legal undertaking and will enter into a one-off capital financial arrangement with Cornwall Council, who will provide the sum of £38,000 to repair, improve and replace as agreed. The Town Council accepts the recharge fee for rubbish collection, until Cornwall Council’s contract with BIFFA ceases.

The Clerk added a tour of sites was recently undertaken with a representative from Kompan, who offer a no obligation design service.

b) Adela Road: -

Pursuant to minute 25-20D&L (c) the Chairman explained the planned works to Adela Road were now complete, giving thanks to Cormac for successful work. Following a question posited

Council

on the lack of drainage at the improved site, it was highlighted that the recent rainstorm would have still 'run/drained off' to the Lawn, as it was a torrential rainstorm.

c) Plastic Free: -

Pursuant to minute 25-20D&L (d) the Mayor explained there is the danger of losing all the work already achieved and therefore will be planning to arrange a virtual steering group meeting near the end of September.

d) The re-opening of Fore Street: -

Pursuant to minute 25-20D&L (e) an update on the activities undertaken to support the safe re-opening of Fore Street, as a result of COVID-19 was given. The ERDF grant reclaim has been submitted to Cornwall Council and the funds are awaited. There has been a meeting with the Cormac Highways Manager to consider making an application to reduce the speed limit on Fore Street from 30MPH to 20MPH and his opinion acknowledged that the best route to consider this would be via the Highways Scheme. A second meeting of the Fore Street traders is being planned for Monday 14th September 2020, from 7.00pm, via Zoom and all Members, Fore Street traders and those in the vicinity of Fore Street are being invited to join. A flier will be hand delivered to the shops. Councillor J Tivnan BEM questioned whether all traders in the town would be invited to attend the meeting, highlighting that in his opinion all businesses should be included. Councillor G J Davis and the Chairman explained that this next meeting is a follow-up Fore Street traders' meeting as a result of working with Cornwall Council to safely re-open Fore Street, adding that in future other local traders could be invited to attend. Councillor Tivnan wished to record in the minutes that he disagreed with the decision to limit the invitation to the virtual meeting to Fore Street traders only. The Chairman highlighted ALL Councillors are supportive of all businesses in the town, however the purpose of this meeting was about the re-opening of Fore Street and a meeting would be held at a later date for all businesses. Councillor G J Davis proposed and the Mayor seconded the **recommendation** to make an expression of interest, to the Community Network Area Highways Scheme, to reduce the speed limit on Fore Street from 30MPH to 20MPH.

e) Vision project - Bringing colour to the town: -

Pursuant to minute 29-20D&L (a) (iii) the Chairman presented the design, as circulated, compiled by the Operations Manager and confirmed should the Council decide to proceed with this Vision project, the Cormac Highways Manager has given approval to go ahead. It is **recommended** to proceed with the purchase and installation of wooden planting boxes, soil, plants and equipment to water the boxes, affixed to the cement ledges in front of Harvey Street flats, as per the design provided.

f) Vision project - Swimming Pool Feasibility Study – tender documentation: -

Pursuant to minute 29-20D&L (a) (iii) the Clerk explained eleven organisations had been approached with the information needed to submit a tender. The deadline for tender submissions is midday Friday 11th September; inviting others to attend the Council offices to open the tender documentation, it was agreed for the Chairman and Mayor, accompanied by the Clerk to open the tender documents at 1.00pm on the 11th September. Following discussion, it is agreed to review the tender documents at the next meeting of this Committee, which will enable a full debate, prior to a decision being taken at the October Council meeting.

g) Cash for communities to kickstart low carbon projects (funding): -

Pursuant to minute 32-20D&L (d) Councillor C R Still, as Chairman of the Torpoint and Rame Active Community Network, advised an application for £100,000 is being drafted for submission, to seek additional funding for an all-weather pitch.

Mayor

Council

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Clrs
Tanner/
Goodman/
Clerk

Clerk

<p>h) Dropped kerbs/Fore Street pavements update: - Pursuant to minute 34-20D&L the Chairman explained having briefly met with the Cormac Highways Manager and Councillor G J Davis to review the opportunity to enable Fore Street pavements to be more wheelchair friendly. Councillor Davis detailed some brief ideas which had been discussed at the meeting, highlighting one idea might be to introduce 'islands' at the end of junctions, which would narrow the road, however these would be at a significant cost. Councillor Davis continued, the Community Network Area Highways Scheme could be a possible funding opportunity for any schemes, re-iterating the traders clearly state that the road should not be pedestrianised. The Chairman to arrange a follow up on this project, to include Councillors G J Davis and J Tivnan BEM.</p>	<p>Cllrs Tanner/ Davis & Tivnan</p>
<p>40-20D&L To consider the Council Business Risk Management a) Budget Monitoring – Finance Committee Responsibilities: - The Committee considered the June 2020 and July 2020 financial information (as circulated) and the items relevant to this Committee. b) DRAFT Timeline: - This is a work in progress and it is likely that the Cornwall Council best practice shared by Councillor G J Davis at the Finance and Personnel Committee meeting will be worked upon further.</p>	
<p>41-20D&L Items Referred to this Committee None.</p>	
<p>42-20D&L Policies referred to this Committee a) Development Plan Strategy: - Councillor G J Davis explained having completed half of the revised Development Plan Strategy document. b) Communications Policy 2020: - Councillor G J Davis was of the opinion that, referring to page 2, that 5. Method of Communication should be to "Manage the media effectively to promote <i>Torpoint and the Town Council</i>" and for 5.1 Media enquiries and press releases - that where Members lead on specific town projects and in consultation with the Town Mayor – Chairman – then Members should be identified and able to circulate appropriate effective media. It is therefore recommended to make these amendments to the Communications Policy 2020. i) Social Media Policy – accepted. ii) Dog Fouling Strategy – Councillor J Tivnan BEM suggested that as the evenings are starting to get darker earlier, a more proactive approach is needed to combat dog fouling in the town. It is suggested the Enforcement staff are more visible and social media is used to raise awareness of the Enforcement being undertaken.</p>	<p>Cllr Davis</p> <p>Council</p> <p>Clerk</p>
<p>43-20D&L Localism a) Vision Projects. i) Tamar River Links / Jetty Project: - Councillor G J Davis explained a more detailed update is expected at the next Community Network Area meeting. ii) Lower Fore Street Re-development / Charrette: - Discussions about how the Charrette could run as a virtual event are currently being considered. b) Neighbourhood Plan: - Councillor G J Davis explained a review of the Draft Site Assessment Report and maps was undertaken at the recent meeting. The evidence/knowledge base is continuing to be compiled.</p>	

44-20D&L Planning Applications: -

None.

45-20D&L Accounts for payment: -

Contact Name	Invoice Number	Total	Tax Total	Net	Description
Complete Weed Control	Inv SW-2970	1,480.80	246.80	1,234.00	2nd Weed Spray
CND Rock & Roll Beds & Upholstery	Inv 86	284.00	0.00	284.00	Staff uniforms
Cornwall Council - Garage	34190700166	72.55	12.09	60.46	Garage Rental 31.08.20 - 27.09.20
ITEC	339701	28.08	4.68	23.40	Print copies 16.07.20 - 18.08.20
Francis Thomas Mobile Servicing Limited	Inv 2638 & 2639	260.02	43.33	216.69	Parks Machinery Service

46-20D&L Correspondence: -

- a) Community Network Area – Highways Programmes Update – Cornwall Council: - Noted.
- b) Town and Parish Council - Highways and Environment Update – Cormac: - Noted.
- c) Planning & Sustainable Development Service Local Council Planning Conferences 2020 – Cornwall Council: - Noted, Mayor and Clerk to virtually attend.
- d) Runway Runaround is back for 2020 – dust off those Trainers – Cornwall Air Ambulance: - Noted.
- e) what3words – community sign up: - Chairman explained the benefits of the application and the correspondence was noted.

47-20D&L Date of next VIRTUAL meeting

Thursday 1st October 2020.

48-20D&L Any Business that has been disclosed to the Chairman and members prior to the meeting.

- The Clerk advised receipt of correspondence from Cornwall Council, including a Business & Planning Act 2020 application on behalf of the Halfway House, Polbathic Torpoint PL11 3EY – the correspondence is noted, as it is not within the Parish boundary.
- The Clerk suggested discussions about the possibility of a Christmas Lights switch-on event would need to be started as soon as possible, it is suggested a virtual meeting of the Torpoint Town Partnership is called by the Mayor.

Cllr
Goodman

Meeting closed at 8.52pm _____ Chairman