

**MINUTES** of the **Policy Committee** Meeting held on Thursday 4 August 2016 at 6.30 p.m. in the Shire House Suite, Shire House, Bodmin.

**PRESENT:** Chairman, Councillor J Gammon, presiding; together with Councillors J R Gibbs, S H Kinsman, P L G Skea, R Solomons and K W Stubbs. Councillor A J Coppin was also in attendance but did not vote, not being a Member of this Committee.

**IN ATTENDANCE:** Mr S Facer (Town Clerk), Mrs A Banks (Responsible Finance Officer) and Miss L Hancock (Executive Assistant)

#### **CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:**

The Town Clerk advised that following the resignation of Councillor Jacob Lyne there would now be a need to advertise the vacancy in St. Leonard's Ward. He reported that he had contacted Cornwall Council to advertise this casual vacancy, a notice of which would be published on Tuesday 2 August 2016.

The Town Clerk further explained that electors have 14 statutory days (excluding Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday and Bank holidays) to request an election. If an election is requested then the usual electoral process will apply and be followed, with a by-election in due course.

If the Returning Officer receives fewer than ten written requests for an election by 22 August 2016 the Town Council will fill the vacancy by Co-option with the first available Full Council meeting being 15 September 2016.

Apologies were received from Councillors L G J Kennedy. Councillor P Hodges also gave apologies, although not a Member of this Committee he had hoped to attend.

#### **POL/2016/024      Declarations of Interest**

A declaration of interest was made by Councillor J Gammon in respect of Agenda Items 10 – Hire Charges for BTC Land and Buildings and Item 11 – Memorial Regulations.

#### **POL/2016/025      Dispensations**

The Town Clerk reported that as there are inevitably a number of Councillors involved with local community groups or originations accessing meeting rooms or utilising Council land for events there has been a need for a number of members to seek a dispensation in respect of item 10 on the agenda as without a dispensation being granted the number of persons unable to participate in this item of business would be so great that it would impede the transaction of business.

The Town Clerk reported that he had therefore authorised a dispensation for Councillors:

- Gammon;
- Gibbs;
- Skea; and

■ Solomons

Following discussion, it was agreed that this dispensation would be granted until the end of the calendar year. The Town Clerk advised that this dispensation period would seem to cover any necessary debate on this subject matter utilising the existing committee membership. The Town Clerk advised that a copy of these Minutes would be attached to the relevant Councillors dispensation form for future reference.

POL/2016/026

**Election of Vice-Chairman**

Councillor S H Kinsman was unanimously elected as Vice Chairman.

POL/2016/027

**PUBLIC REPRESENTATION SESSION**

There were no members of the public present.

POL/2016/028

**Minutes of the Policy Committee Meeting held on 14 April 2016**

These minutes had been before Council and were acknowledged as a true record.

**Matters Arising:**

**Page 1 – Chairman’s Announcements and Apologies** – Councillor S H Kinsman queried why she had been recorded as giving apologies for the meeting, when in fact she was in attendance. The Town Clerk apologised for this administrative error and advised that the Minutes would be amended accordingly.

**Page 3 - Item POL/2016/016 – Annual Report Targets** – The Town Clerk advised that the Annual Report would shortly be published and circulated to all Members. He advised that there were some photographs which were outstanding and once these were received the document would be finalised.

POL/2016/029

**Gifts & Hospitality - Town Clerk to report on the Register of Gifts and Hospitality for Councillors and Staff**

There were no matters to report in relation to this item.

POL/2016/030

**Grants Policy**

The Town Clerk advised that this policy had been prepared in light of a recommendation from the recent audit and following a grant by the council to Bodmin Town Football Club which match funded their FA / Football Foundation grant. This document should ensure a fair and consistent approach in dealing with grants into the future. The Town Clerk further advised that most Town and Parish Councils did not have this type of grants policy as they more commonly have a grants application process whereby small annual grants can be applied for by local community groups.

Following discussion it was agreed that the following amendments be made to the policy:

- Page 2 – Bullet Point 5 – replace ‘Organisations’ with ‘Beneficiaries’;
- Page 4 – first sentence - remove the comma after ‘project’;
- Page 4 – ensure all bullet points have semi colons for consistency;

Councillor R Solomons congratulated the Town Clerk on a good piece of work and commented that it would help to ensure that BTC is following a policy and consistent approach as recommended by the Auditor. The Town Clerk advised that the policy was a ‘live document’ and would therefore require review in light of practice.

Following discussion, it was **AGREED** to **RECOMMEND** that the Grants Policy be adopted subject to the minor amendments as set out above.

The Chairman thanked the Town Clerk for all his work in preparing this policy document.

POL/2016/031

### **Disposal of Council Land and Property Policy**

The Town Clerk advised that ‘Section 1. Introduction’ was a preamble which set out the background and explained the rationale behind the policy. He considered that BTC has a duty to look at its assets in smarter ways, particularly given the current financial pressures and the reducing Council Tax Support Grant.

The Town Clerk reported that the Policy had given careful consideration to all land, buildings and leases owned by the Council. He referred to Section 127 of the Local Government 1972 Act in which a leasehold of more than seven years can be considered as a disposal of an asset. However, there are a number of situations where less than the best price can be obtained for land or buildings and this was set out under section 7 – Disposal of Property – pages 5-7.

The Town Clerk further considered that disposals are not always based solely on market valuations but also may need to take into account ‘in kind’ contributions. He added that this policy was a ‘live document’ and would therefore require regular review as and when it is utilised.

The Chairman endorsed the policy and felt that the introduction provided a useful background and explained the rationale behind the development of the policy.

Councillor R Solomons congratulated the Town Clerk on a comprehensive piece of work and felt it was extremely thorough.

Councillor S H Kinsman queried whether most of the points included within the policy document were already covered by legislation. The Town Clerk responded stating that most of the points would be covered by legislation however it assists in clarifying the Council’s position and demonstrates that the Council has a framework in place and can apply a consistent approach to

any disposal. However, the Policy also recognised that there may be occasions where larger and more complex land / property transfers may require amendment to the policy whilst still acting in the spirit of the document. He further added that he was not aware of any other Town and Parish Councils would having a policy like this in place and that it should assist the Council forward..

Following discussion it was agreed that the following amendments be made to the policy:

- Page 3 – Point 3 (a) include ‘all or’ at the beginning of the sentence to read, ‘all or part of the site is vacant...’
- Page 3 – Point 3 (b) iii add a semi colon at the end of this line;
- Page 4 – top of page – Point 5 – add a full stop at the end of this line;
- Page 5 – rename section 7 ‘Disposal of Property’;
- Page 6 – Change the bullet points to (a), (b), (c) etc to ensure consistency throughout the document

Councillor J Gibbs commented that in practical terms selling the Council’s assets was a negative move as some properties could be turned into businesses. The Town Clerk advised that the Government’s view is that local authorities should be assessing its property with any underused or surplus land being sold with the proceeds used for other community benefit.

The Town Clerk advised that he and the Executive Assistant had recently produced an up to date list of all BTC Property and Land and advised that this would be circulated to all Members for their reference.

Following discussion, it was **AGREED** to **RECOMMEND** that the Disposal of Council Land and Property Policy be adopted subject to the minor amendments as set out above.

POL/2016/032

### **Hire Charges for BTC Land and Buildings**

The Chairman reiterated her Non-Disclosable interest in this item, in her role as Chairman of the Berryfields & District Community Centre.

The RFO advised that she had spent a considerable amount of time looking at the room hire bookings for the Shire House and she was shocked at the low usage of many of the rooms and the proportion of bookings at a discounted rate. She commented that these issues, coupled with the increasing costs of running the building meant that the future of the room bookings needed to be carefully considered.

The RFO advised that the Ground Floor of the Shire House could be sectioned off into office spaces which have a potential income of £12k per year. The Old Police Office also has a potential income of a further £5k per year.

The RFO considered the use of the rooms on the First Floor of the Shire House and reported that Room 1 had been used 25 times within the last 6 months, and of those uses, 18 had been free. She added that Room 2 has

not been in use as a room hire facility and Room 3 has been used only twice in the last 6 months.

The RFO reported that Charterwood had surveyed the building and estimated that an income of in excess of £30k per year could be generated from room hire and if it fell below £30k it would be more viable to move to long term rentals. She advised that there were lots of options to explore but suggested that renting out Rooms 1, 2 and 3 would mean there would be no small meeting rooms available, although these rooms were generally used by the Museum, Citizens Advice Bureau and BTC on a free of charge basis.

The RFO advised that the installation of the new heating system within the Shire House was another important consideration to bear in mind as it may be necessary to reduce rental rates in light of this work going on due to the disruption that it might cause unless a premium was paid for works to occur outside of core hours. Members considered that rather than offer reduced rates during the works, it would be better to wait until after the works are completed to get new hirers in.

The RFO also suggested that the Mayor's Lounge could be opened up to more bookings and could be refurbished to a more modern interior with conference room facilities included.

Councillor R Solomons supported the RFO's proposals and felt it was important to consider where the Council is going with regards to its room hire facilities. He commented that the Mayor's Lounge is the only room within the Shire House which reflects the period of the building and therefore should be retained in an appropriate style.

Councillor Solomons further added that the Council needed to adopt a more businesslike approach with some service provision such as meeting room hire and therefore should be trying to do more than break even. He endorsed the RFO's proposals to rent out Rooms 1, 2 and 3 as well as the Ground Floor Offices and added that the Council needs to carefully manage the free bookings.

Councillor K W Stubbs enquired about the timescales for the installation of the new heating system. The RFO advised that a report would be presented to Full Council but realistically it was likely that the works would not commence until March/April 2017 due to the likely disruption to the users of the building and the tender process via contract finder which added additional administrative burden. The RFO reiterated that it may be necessary to include weekend and evening works to reduce the impact of the works on the users of the building.

The RFO advised that the Shire Hall Meeting Room currently has a daily rate which is lower than the Dining Room morning rate. As these two rooms are of similar size and standard, the RFO proposed that the Shire Hall meeting room is more aligned with the Dining Room rates and split into sessions.

The RFO reported that there were few evening bookings generally and therefore proposed that at some point in the future, the Shire House Suite and Dining Room are only used for room bookings during the daytime with a view to reducing staffing costs. She added that as and when the other rooms within the Shire House are rented out, there will be a need for the Caretakers to be carrying out routine cleaning of these additional office areas.

The RFO commented that Room Hirers are currently required to complete a booking form stating which items they require for their booking i.e. coffee machines/flipcharts/projectors etc but she considered it would be more appropriate for all rooms to be kitted out with this equipment so that the Caretaker was not constantly moving these items from room to room and to give the facility a more professional feel.

The hire charge for the room would then incorporate any associated costs so that the hirer is paying a set fee with all supporting equipment in situ. It was noted that some bookings are made on behalf of others (trainers, lecturers etc) who on arrival then ask about items such as projectors, screens etc which may not have been pre-booked by their central office. Having equipment in situ would support the hirer and provide a better service. Coffee machines being the only item where a separate cost would apply.

The RFO suggested that the following organisations will now be required to pay the Reduced Users Rate currently CAB, St Petroc's Church, United Response, Dementia Friends, St Piran's Committee, Clothes Bank, CALC and the Camel Trail Partnership and this would be reviewed on an annual basis to ensure it is still current.

As agreed at the previous Policy Committee Meeting on 14 April 2016, Minute Reference POL/2016/017, free use would only be provided to the following organisations and would be reviewed on an annual basis:

- Bodmin Lions Senior Citizens Party (one-off annual event);
- Mayors of Cornwall meetings;
- Bodmin Relief in Need Charity;
- Beacon Management Advisory Group (as Cornwall Council was a joint landowner and partner of the Beacon LNR); and
- Bodmin Town Council meetings such as Committees, Sub-Committees and Working Party meetings etc to include Twinning and Bodmin Town Museum meetings

The RFO advised that Miller Commercial would be providing a Market Valuation for the Cells at the rear of the Shire Hall which are currently occupied by the Citizens Advice Bureau at no cost.

With reference to Council land, it was suggested that the following charges be applied per session with the same charging structure as the Council buildings with morning, afternoon and evening sessions:

- Mount Folly - £30
- Narisa Lawn - £30
- Priory Lawn - £45

It was also suggested that events such as Alstock held within the Priory Car Park section II be charged a daily rate of £150 per day plus VAT for use of the area and as there is a loss of car park income to accommodate events.

When considering the annual Fireworks Event, Members felt this event should be charged at £300 per day plus VAT as it involves use of the BTC Crib Hut, grassed areas in Priory Park, Priory Car Park section II and the bonfire leads to turf repair costs.

Following discussion, it was **AGREED** to **RECOMMEND** the following:

**Actions to take place with immediate effect:**

- Shire Hall Meeting Room bookings to come into line with the same booking slots as Shire House i.e. mornings and afternoons, with no evening or weekend bookings. This will apply to all new bookings and then from 1 January 2017;
- Due to the amount of time previously spent laundering linen (tablecloths), they would now only be available for Council use and no longer available to room hirers;
- The implementation of a £40 charge for use of the bar area, to ensure that the cleaning costs are recovered; and
- The Special Reduced Rate for room hire should still exist for Age Concern, Bodmin Lions and the National Blood Service.

**Actions to take effect from 1 April 2017 with written notice to hirers:**

- Carry out a review of charges to ensure that all equipment i.e. projector/flip charts etc is included within the hire price. This will save time in preparing the rooms for hire. The Facilities Administrator will need to ensure there are sufficient items for all rooms;
- The Shire Hall Meeting Room charges will be brought into line with the Dining Room;
- The Reduced Charity Rate will only be applicable for Local Charities and organisations based in Bodmin, not national charities;
- Include the Mayor's Lounge as one of the rooms available for hire, it will need to be decorated / refurbished in advance; and
- Include an hourly rate for the Vestibule as a flat daily rate currently applies. This room will also require redecorating in advance and the Safe will be relocated to the back room of the Main Kitchen.

**Long term aims for the Room Hire Facilities:**

- To rent out Rooms 1, 2 and 3 as office spaces. The RFO considered that it might be worth retaining Room 3 for an additional 12 months as a smaller room available for room hire, and to consider the usage. Rental Valuations from Miller Commercial will be sought;
- There will be no evening or weekend bookings accommodated once the rooms above have been let out, as the Caretaker will be carrying out cleaning of the offices. Previously the evening bookings have not proved to be cost effective;

- The rooms are primarily available for conference hire, and an additional charge would be made for an alternative use such as weddings or music events, in order that the costs associated with paying for Kestrel Guards to be present at these events can be covered; and
- There should be no dancing within the Shire House Complex as the rooms were carpeted for meeting room use. However, it was agreed to explore the possibility of hiring a dance floor for the Suite

POL/2016/033

### **Memorial Regulations**

The Chairman reiterated her Disclosable Pecuniary interest in this item, as she is an Exclusive Right Holder at Bodmin Cemetery.

The Town Clerk reported that the issue of Memorials had been discussed at the Properties Meeting on 28 July 2016 and in light of ongoing unauthorised works such as the installation of footstones and kerbing etc it was considered appropriate to review these regulations in greater depth.

The Town Clerk further advised that the Properties Committee considered that it might be time to revisit permission for kerbing and writing to Exclusive Right Holders where a range of unauthorised planting had taken place to advise that the Council is no longer able to maintain the grave given the abundance of items such as picket fencing, solar lights, windmills / wind chimes and flags.

The Town Clerk reported that these items significantly restrict access for mowing equipment and there have been previous instances where unauthorised planting etc has led to damage to these items and has subsequently been misconstrued as vandalism by the Council, when in reality the Council is only trying to maintain the area for all.

The Town Clerk explained that the process of dealing with unauthorised planting and items was not a simple one. It would require a number of steps to be taken, including:

- A comprehensive review of all plots to ensure that the information regarding unauthorised planting and items was up to date;
- Ensuring that the Council collates the information relating to the Exclusive Right Holders in order to be able to write to people where graves have unauthorised planting, wind chimes etc in situ;
- The Council would then need to advertise (on site and in local press) that it would be conducting this exercise and inform all Exclusive Right Holders;
- A specified period of time would need to be allocated to allow Exclusive Right Holders the opportunity to remove non-permitted items;
- If the items are not removed, they would need to be collected and boxed up with details of the grave they were removed from. The Exclusive Right Holder would then be contacted and asked to collect the items within set timescales;

- If the items were not collected within the specified time period, the Council would then need to dispose of these items.

Councillor R Solomons considered that this matter is extremely difficult to deal with as the Council is likely to be very heavily criticised and it is a highly emotive issue.

The Chairman considered that since the death of the Princess of Wales, the way in which people grieve has significantly changed.

The Town Clerk advised that the Council was taking steps to tackle the issues relating to the Cemetery, with the installation of the new gates (meaning there would no longer be any vehicular access at weekends) and new signage to be displayed on the new gates. He recommended that the Council review how things are progressing over the next few months and if there were no improvements it may be necessary to revisit this at a future meeting.

Following discussion it was agreed that the following amendments be made to the policy:

- Amend 2.13 to read:  
*'Shrubs, plants, bulbs and trees may not be planted without permission of the Council. The Council reserves the right to prune or remove, without notice, any tree or plant which becomes a hazard or a nuisance or interferes with the routine grass cutting and grounds maintenance of the site';*
- Add a new Point 2.14 to read:  
*'Wind chimes, wind mills, solar lights, soft toys, ornamental stone chippings, picket fences etc are not permitted and the Council reserves the right to remove, without notice, any of these items in order that the routine grass cutting and grounds maintenance work can be carried out and should such tributes restrict access to and encroach onto neighbouring graves.'*
- Amend the footers of the Policy with correct date.

Following discussion, it was **AGREED** to **RECOMMEND** that the Memorial Regulations be approved subject to the minor amendments as set out above.

POL/2016/034

### **Travellers Policy**

The Town Clerk advised that the Travellers Policy remains fit for purpose and having been tested recently by a Traveller visits to both the Beacon LNR and Priory Car Park, the procedure note works well.

He added that he had revisited the guidance by the ODPM & Home Office regarding unauthorised encampments and was pleased to say that this guide has not been superseded or updated.

Following discussion it was agreed that the following amendments be made to the policy:

- Page 1 – Paras 1 and 2 – there was some contradiction here so it was suggested that this section be reworded to ensure that the two paragraphs align;
- Page 2 – second bulleted list – remove the word ‘and’ after ‘Health needs’.

Following discussion, it was **AGREED** to **RECOMMEND** that the Travellers Policy be approved subject to the minor amendments as set out above.

POL/2016/035

### **Civic Funerals**

The Town Clerk advised that this protocol remained fit for purpose and commented that what it does not include is the inevitable dialogue that takes place between Officers and family members to ensure that the deceased wishes are respected, should the Council be notified of a funeral that would trigger this protocol.

Following discussion, it was **AGREED** that the Civic Funerals Protocol remains fit for purpose.

POL/2016/036

### **Any other urgent and relevant item, for information, that the Chairman considers appropriate**

There being no further items for consideration, the meeting was declared closed at 8.31 p.m.