

MINUTES of the Meeting of **Bodmin Town Council** held on Thursday 21 September 2017 at 6.30 p.m. in the Shire House Suite, Shire House, Bodmin

PRESENT: The Mayor, Councillor S H Kinsman, presiding, together with Councillors, J A Bassett, P Brown, J P Cooper, P T Cooper, A J Coppin (arrived 7.20 p.m. from Item C/2017/165), L L Frost, J Gammon, J R Gibbs, D Henderson (left meeting at 7.20 p.m. due to ill health), A M Kerridge, K J Phillips, L F Sanders, P L G Skea and K W Stubbs.

IN ATTENDANCE: Mr S Facer (Town Clerk), Mrs A Banks (Responsible Finance Officer) Mr R Davies (Parks and Open Spaces Manager) (left meeting at 8.40 p.m. after Item C/2017/173) and Mr D Kinnair (Executive Support Officer (ESO)).

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES

The Mayor outlined the format of the Meeting for the Members of the Public present and the Members and Officers introduced themselves and, in the case of Members, stated which Political Party they were under the banner of/or had affiliations with.

The Mayor further explained the recording of Meetings guidelines which had been tabled at the Meeting.

Apologies were received from Councillor E M Ahearn.

The Town Clerk stated that at a meeting of Full Council on 20 July 2017, there were statements made by Officers, including himself, regarding a firm of local Solicitors. This was due to the office not being in full knowledge of the facts. The Town Clerk expressed his regret that that happened and has conveyed his sincere apologies in a personal meeting with the Solicitor concerned, which the Town Clerk was pleased to say had been accepted.

The Town Clerk advised that he would be making no further comment.

C/2017/163

Declarations of Interest

Councillor L L Frost declared a Non-registerable interest in Item C/2017/168(b) as his father is a Member of the Bodmin Fireworks Joint Committee.

Councillor A J Coppin declared a Disclosable Pecuniary Interest in Item C/2017/173(b) as he is an employee of West End Motors Limited.

Councillor L L Frost and Councillor P Brown declared Non-registerable interests in Item C/2017/179(a) as Councillor Frost is a coach at Bodmin Youth Football Club and Councillor Brown is a Committee Member of Bodmin Rugby Club.

Councillor J A Bassett declared a Disclosable Pecuniary Interest in Item C/2017/184 as her spouse is the Solicitor acting on behalf of the buyer of the Mount Folly toilet block.

C/2017/164

Public representation session

There were fifteen members of the public present.

Mr Colin Bell enquired as to any action being taken regarding Dennison Road toilets, which the Mayor responded to advise that no decision had been made as yet.

Mrs Anne Spetch enquired if a 'surplus test' would be applied in relation to the potential loss of the open space at Hillside Park.

The Mayor responded to advise that this was not known as yet but that the Council had received further legal advice today (21 September 2017) which will be looked at and then reported to the relevant Committee and/or Full Council.

Councillor J P Cooper commented that a surplus test should be carried out as part of the Council's Disposals Policy.

Ms Sarah Horne enquired if the sale of the Public Rooms to Merlin Cinemas had been completed.

The Town Clerk responded to advise that an exchange of contracts had taken place and hoped that it would be completed in the near future.

Mrs Nicki Cooper enquired as to the reported length of the proposed lease with Bodmin Jail for the car park at Hillside Park being 24 years when legislation states that it should only be for 7 years. The Town Clerk responded to advise that S.127 of the Local Government Act 1972 provided that a council may dispose of land in any manner they wish and that land should not be disposed of otherwise by way of a short tenancy (7 years or less) unless the Council obtains the best consideration that can be reasonably obtained.

Mrs Cooper reported that the Air Ambulance uses Hillside Park to land quite frequently and urged Members to take this into consideration during their ongoing deliberations.

Mr Rowan Marriott enquired if the lease for the land at Hillside Park reflected the 80,000 cars per year that would park there as per the Jail's estimates. The Mayor responded to advise that this had not been fully negotiated as yet but that the Council had agreed in principle to lease the land in line with the planning permission obtained by the Jail developers.

Ms Sarah Horne congratulated the Council on the bunting erected for the Celebrate Bodmin event taking place this weekend and enquired with the Members present if they were attending. Councillors answered in the affirmative or negative depending on their individual circumstances.

Mr Colin Bell thanked the Mayor for attending the first junior park-run in the County on what was an extremely inclement day. The Members thanked him and Ms Horne for organising this event and gave a round of applause.

The remainder of the Public Representation session was taken up with various comments by local residents regarding the Bodmin Growth Deal and new road scheme which heavily criticised both the process and safety aspects of the scheme with either first hand or anecdotal evidence of near-misses on the road lay-out.

Following this discussion, it was agreed that Councillor P Brown's report, currently at Agenda Item C/2017/175 be brought forward.

Councillor Brown stated that he would like to air the concerns of many in the town concerning the roadworks carried out under the Bodmin Growth Deal during the last 12 months. His proposal to the Full Council is for a discussion around "whether we should undertake a formal review into what's been carried out, to consider the benefits offered, and the way the works were implemented. Any such meeting in my opinion should involve a range of stakeholders including our county councillors, Cornwall Council, Cormac, the emergency services and public transport providers, with further representation albeit limited, from local

businesses and residents.”

As much as he would like to see this as a public meeting, he personally did not feel the time is right given the scheme hasn't been properly opened yet and needs time. However, he saw that as an option for the future if we don't receive assurance from Cornwall Council that the public will be given full access to as much information as possible from the traffic studies using ANPR cameras; along with the air pollution monitoring being carried out. After all, this scheme has been sold to us as a solution to Bodmin's air quality issues and as a catalyst for change for Bodmin.

Councillor Brown quoted: The 'Building a Better Bodmin' scheme is a series of road improvements in the centre of Bodmin, ranging from minor highway changes to new junctions. The project aims to improve traffic flows, make it safer for people walking and cycling in the area and provide a catalyst for the regeneration of the town centre.

While he fully acknowledged the council's efforts in trying to improve Bodmin, it was his opinion that the town will receive very little gain from the disruption we've had to contend with, let alone the cost of it all, and view it as not much more than papering over the cracks for many of the following reasons.

1. The outcome is a fragmented cycle route that does very little to encourage, let alone facilitate a safe cycling environment. e.g. 2 ways for cyclists in a one-way streets?
2. A road layout that is far more dangerous for pedestrians now, than ever before.
3. Works often carried out in what appears to be a haphazard manner that has often been difficult for residents to put up with. A flurry of activity prior to the show.
4. A road junction at Harleigh Road that offers no improvement whatsoever in the eyes of most of those who have commented to me. With countless issues concerning the Traffic Lights during a construction phase that seemed to take forever and was delivered months overdue.
5. Obviously, expensive planters that were provided with no prior consultation as to who was going to be responsible for their ongoing upkeep.
6. Genuine concerns about the safety of the road surface at Church Square.
7. Traffic disruption has been far worse since Dennison Road fully opened. Cormac's planning for scheme 5 (Dennison Road etc.), advised that Mount Folly was to be sorted out within that same time frame? Why were the works moved to coincide with peak holiday season when everyone in Cornwall knows what to expect in terms of traffic in Bodmin on wet days? At the very least why did Turf Street remain open given this was the cause of virtually all of the congestion? Especially given that the town had been used to not using Turf Street for 9 months why was this option not used.
8. Many feel the queuing is worse now west bound because of the loss of the two lanes to one (right turn lane up onto Dennison Road)?
9. Non-existent Signage a well-known issue with a scheme opened in June. 15 weeks ago? (NOW 21) I only hope we don't see holes being dug to accommodate them.

10. Confusion now reigns supreme where the old roundabout at Church Square along with the junction outside Topps Tiles for Berrycombe Road. These are now classed "as unmarked junction".

Rule 146 of the Highway Code states: in side roads and country lanes look out for unmarked junctions where nobody has priority.

On the subject of pedestrian safety and unmarked junctions, Councillor Brown came across a Research paper from Plymouth University commissioned by Cornwall Council titled: Older Road Users.¹ Again I quote "Car occupant collisions occur mostly on rural roads, however, pedestrian collisions occur mostly on urban roads. All three road user groups are involved in a high number of collisions at junctions, particularly stag and T junctions."

11. Dennison Road- Berrycombe Road - Pool Street
As detailed above this has left people totally confused as to what and how we treat them. However, here on our circle thing that's not a roundabout, we have the same paved layout as for the crossing points on Dennison Road? at the edge of the circle that is not a roundabout, which will clearly be a blind spot for motorists turning left into Berrycombe Road; that also just happens to right outside Burnards Court, a retirement home.

12. The lack of markings at the Pool Street Berrycombe Road junction is utterly confusing given the layout and width of the road at that point.

13. The lack of markings at the junctions from Dennison Road with Rhind Street and Castle Street. Where a fellow councillor maintains that they no longer have to wait for someone to press the button on the old crossing in order to get out

14. Pedestrian Crossing along Dennison Road, WHAT WOULD HAVE BEEN WRONG with ZEBRA CROSSINGS? A tried and tested method that allows people to cross the road without signals!

15. We are advised that parking outside St. Petrocs will be limited to 2 hours, was this discussed and approved with BTC?

16. The Bus Stops at Church Square?

17. Last but not least Councillor Brown really would like someone to offer him an intelligent explanation as to exactly what are the alleged catalysts for change for Bodmin at completion.

A further discussion ensued where it was stated that Cornwall Council were in the middle of a four stage safety audit of the new road scheme and would also be monitoring the pollution levels with the AQMA.

Following discussion it was **AGREED** that, in the first instance, Officers would contact Cornwall Council in order to obtain the results of any safety audit, lessons learnt and pollution tests that were being carried out, which could then lead to a request for a review with representatives of the public, emergency services, Cornwall Council, Cormac, public transport and any interested disability groups in attendance that the Town Council could facilitate.

The Mayor added to this resolution that she would write to Cornwall Council with a list of questions that had been collated from tonight's discussions and present the answers to a future Full Council Meeting once received.

The Mayor thanked the Members of the Public in attendance for their

contributions.

C/2017/165

To consider and, if approved, adopt the Minutes of the Full Council Meeting held on 20 July 2017.

The minutes of the Full Council meeting held on 20 July 2017 were approved and passed for signing.

Matters Arising:

Page 1 – C/2017/113 – Public representation session – a further meeting with representatives of the Walker Lines Gymnasium has been arranged for Friday 22 September to progress discussions.

Page 4 – C/2017/114 – RAF 100 – the Town Clerk advised that an initial meeting with RAFA and the RAF was held on 29 August and the next meeting is being held on Tuesday 10 October. It has been agreed that there will be a Church Service on 8 April and that the Town Council will send out 'save the date' information to invited guests once an invitation list is provided by RAFA.

Page 4 – C/2017/115 – intoBodmin – the Mayor and Town Clerk met with Mr Irwin on 2 August and had a very productive meeting. Since then, Officers understand that a third party is working with Mr Irwin and that the former Bodmin library building could be secured to progress the intoBodmin vision for that as a community space.

Page 7 – C/2017/123 – Electoral Review – The Town Clerk reported that Members may recall the letter which was sent to the Boundary Commission and circulated to Councillors dated 4 August in line with Council's instruction that Cornwall Council has 99 Elected Members.

Since then there has been news that the cross-county constituency between Cornwall and Devon will not traverse the River Tamar between Plymouth and Saltash as the river presents a significant boundary between the two counties.

However, there will be adjustments with the proposed new constituency named Bideford, Bude and Launceston where the county will be traversed in the north of both counties as it is considered that that is the most appropriate point for the Cornwall / Devon cross county constituency.

The other changes will be to enlarge the St. Ives constituency to incorporate the entirety of St. Ives Bay and the town of Hayle. Given the small electorate of the existing Camborne and Redruth constituency, exacerbated by moving Hayle to St. Ives, the proposal is to enlarge along the south coast to include the towns of Falmouth and Penryn – that will lead to a proposed name change of Falmouth and Camborne.

Given the knock-on-effects, as Falmouth will be lost from the current Falmouth / Truro consistency, it is proposed that Newquay is included in a constituency that continues to cross the county from the north to the south coast – hence the proposal for Truro / Newquay.

To replace Newquay from the existing St. Austell and Newquay constituency, it is proposed that nine wards from the existing north Cornwall constituency including the towns of Bodmin and Wadebridge – the proposal is the creation of Bodmin & St. Austell constituency.

With South East Cornwall the proposal is to extend that area to include the wards of Altarnun and Stoke Climsland. There is no proposal to change the name.

The Town Clerk confirmed that he would circulate copy documents to all Councillors although this information is accessible on the Boundary Commission website. As and when there is the next consultation phase this can be itemised on the agenda for further discussion.

Page 8/9 – C/2017/125 – the Town Clerk advised that Kestrell Guards were engaged for a month worth of patrols at Hillside Park and whilst they did report seeing some young people drinking in the area they only felt the need to engage once with a request for persons to move along. As it is the end of the summer and as there were no reports of significant issues at the time of visits, we have cancelled any further patrol work in that area.

Page 11 – C/2017/128 – Bodmin Celebration Event – The event programme is now available via the Council's website and Facebook page which promises a good weekend of events and hopefully the weather is kind.

Page 17 – Questions to the Mayor – the Town Clerk advised that planning consent was granted to Merlin Cinemas at the Cornwall Council planning meeting held on 14 August – decision issued date 16 August 2017.

With regards the request to look at an appraisal of costs to withdraw from the Merlin Cinema contract, the advice from the Council's Solicitors was that it would be a costly exercise for the Council to go down this route as there would be both financial penalty implications in terms of claims that would be brought against the Council in withdrawing and breaking from the contract and failing to comply with its legal obligations.

Secondly, and perhaps more significantly, there would be reputational cost and damage to the Council. The Solicitor advises that in her 17 years of legal practice she has never encountered in the commercial sector in Cornwall someone deliberately breaking a contract. The view from the Solicitor is that to do so would mean that the Council would be seen as an unreliable body to do business with and it would have a great deal of problems entering into further contracts as it would not be trusted with – this could lead on to a number of problems around future contracts as it would not be trusted to go through with its contractual obligations. There would of course be a lot of adverse publicity leading to further reputational harm given unethical behaviour by the Council in withdrawing from a contractual commitment it has made. The Solicitors strong advice would be that it would not be in the Council's best interest to pursue this course.

In order for the Solicitor to provide more detailed information on a chapter and verse nature it would involve costs of around £460 plus VAT. To date the Town Clerk had not been requested by the Council to authorise or incur that expenditure.

C/2017/166

To consider and, if approved, adopt the Minutes of the Special Council Meetings held on 27 July 2017 and 24 August 2017.

The minutes of the Special Council meeting held on 27 July 2017 were approved and passed for signing.

The minutes of the Special Council meeting held on 24 August 2017 were approved and passed for signing.

C/2017/167

To consider and, if approved, adopt the Minutes of the Planning Committee Meetings held on 2 August 2017, 16 August 2017, 6 September 2017 and 20

September.

Minutes of the Planning Committee meeting held on 2 August 2017.

The minutes of the Planning Committee meeting held on 2 August were approved and passed for signing.

Minutes of the Planning Committee meeting held on 16 August 2017.

The minutes of the Planning Committee meeting held on 16 August were approved and passed for signing.

Minutes of the Planning Committee meeting held on 6 September 2017.

The minutes of the Planning Committee meeting held on 6 September were approved and passed for signing.

Minutes of the Planning Committee meeting held on 20 September 2017.

The minutes of the Planning Committee meeting held on 20 September were approved and passed for signing.

C/2017/168

Correspondence:

a) E-mail from Historic England Listing Coordinator – War Memorials in connection with Duke of Cornwall’s Light Infantry War Memorial, Castle Canyke Road

A copy of this e-mail dated 27 July 2017 was circulated with the Agenda.

The Town Clerk reported that Members may recall that this letter follows on from the initial e-mail dated 8 May and his subsequent response of 11 May which the Council endorsed at its Adjourned Meeting held on 25 May. Council will now note that the Duke of Cornwall’s Light Infantry War Memorial has been amended on the list of buildings of special architectural or historic interest – the memorial has been listed as Grade II*.

This information was noted by the Committee.

b) E-mail from Mr Peter Melmoth on behalf of the Bodmin Fireworks Joint Committee

Councillor L L Frost reiterated his non-registerable interest in this item and left the Meeting during the discussion and voting thereon.

A copy of this email was circulated with the Agenda.

The Town Clerk reported that the only observation that Officers would make is that in determining a charge for use of the Priory Park, it was set with not only the potential impact on loss of car park income through closure of the long-stay parking area adjacent the football club, but also in recognition of the reinstatement works and turf needed to address the area where the bonfire is sited.

Following discussion, it was **AGREED** that the Council should only re-charge the re-instatement costs associated with the bonfire and the staff costs associated with working outside of core hours. The maximum

charge for reinstatement of the bonfire area should be £300.00. The Council considered that there would be no impact to car park revenue for Sunday 5 November 2017 and that the Council's Working Party could consider a future charging structure for events.

c) **Letter from Alison Hernandez, Police and Crime Commissioner dated 21 August 2017**

This letter was circulated with the Agenda and was noted.

It was noted that Ms Hernandez would be attending the Community Network Panel Meeting scheduled on 11 October 2017.

Following discussion, it was **AGREED** to invite Ms Hernandez to a BTC Full Council Meeting at a mutually convenient time and date.

d) **Any other important item of correspondence which the Mayor considers appropriate.**

The Town Clerk reported that there is an item that the Mayor has asked that the copy e-mail dated 26 July is circulated to all Councillors from a member of the public in connection with the way in which the Council meeting on 20 July was managed and he believed that this e-mail was copied to all Councillors by the member of the public at the time.

This email and information was noted.

C/2017/169

To consider and, if approved, adopt the Minutes of the Finance, Staffing and Performance Management Committee Meeting held on 17 August 2017

The minutes of the Finance, Staffing and Performance Management Committee meeting held on 17 August were approved and passed for signing.

Matters Arising:-

Page 5 – FSPM/2017/77 – Risk Management – the Town Clerk noted that the recommendation in this Minute refers to a CCTV briefing be arranged to explain the judicial system process from criminal act through to conviction and requested if it would be helpful for the Police to provide that information by way of e-mail or letter or would Members prefer to organise a follow-on informal meeting to discuss this and general police issues in the town.

Following discussion, it was **AGREED** that this briefing should form part of the next informal Police meeting.

As a matter of accuracy, the Mayor confirmed that she had not attend a legal service event with the Town Clerk at Cornwall Council and an amendment would be made on Page 4 of the Minutes.

C/2017/170

To consider and, if approved, adopt the Minutes of the Policy Committee Meeting held on 7 September 2017

The minutes of the Policy Committee meeting held on 7 September were approved and passed for signing.

As a matter of accuracy on Page 8 of the Minutes, Councillor K J Phillips wished it to be recorded that she had asked the Chairman of the Policy Committee three

times if she could join the working party set up to review hire charges and was told no. It was **AGREED** that a suitably worded amendment be placed in the Minutes to this effect but with the membership of the working party remaining as agreed.

The Town Clerk reported that with the ratification of these Minutes, subject to the minor change above, the Council has adopted the Cycle to Work Scheme.

C/2017/171

To consider and, if approved, adopt the Minutes of the Promotions Committee Meeting held on 3 August 2017

The minutes of the Promotions Committee meeting held on 3 August were approved and passed for signing.

C/2017/172

To adopt the revised Standing Orders

The Town Clerk reported that these revised Standing Orders have stood adjourned without discussion since the last Full Council meeting held on 20 July (Minute No C/2017/129 refers) and assumed Council will now adopt them, in line with Standing Order 70.

Following discussion, it was **AGREED** to adopt the revised Standing Orders as set out.

C/2017/173

Parks Department Replacement Machinery – to include:

a) Grave Shoring Equipment – Parks and Open Spaces Manager to report

A report from the Parks and Open Spaces Manager was circulated with the Agenda.

Following discussion, it was **AGREED** that the Council purchase mechanical excavation shoring equipment from Teleshore UK at a cost of £3,188.00 plus VAT and carriage.

b) Tipper Truck - Parks and Open Spaces Manager to report

Councillor A J Coppin reiterated his Disclosable Pecuniary interest in this item and left the Meeting during the discussion and voting thereon.

A report from the Parks and Open Spaces Manager was circulated with the Agenda.

Following discussion, it was **AGREED** that the Council purchase a Peugeot Boxer 335 from Hawkins Motors for a total cost of £21,450.00 plus VAT.

c) Tractor - Parks and Open Spaces Manager to report

A report from the Parks and Open Spaces Manager was circulated with the Agenda.

Following discussion, it was **AGREED** that the Council support the purchase of a John Deere 4066R replacement tractor for a total cost of £24,999.00 plus VAT from Mason Kings, but as other quotes were received over the £25,000 limit to trigger the Contract Finder threshold, this make and model should be placed on Contracts Finder for the

statutory time in order for the Council to achieve best value.

C/2017/174 **Minutes of the Larger Local Councils Committee Meeting (Cornwall Association of Local Councils) held on 26 July 2017**

A copy of these Minutes were circulated with the Agenda and were noted.

C/2017/175 **Bodmin Growth Deal – Councillor P Brown to report**

This matter was discussed in the Public Representation session of the Meeting (Item C/2017/164 refers)

C/2017/176 **Calendar of Council and Committee Meetings for 2018**

A draft copy of the Calendar of Council and Committee Meetings for 2018 was circulated with the Agenda.

The Town Clerk requested that before Members discuss or note the council calendar for 2018, he had an update with regards this current calendar year which affects the Finance Committee meeting scheduled for 21 December 2017.

In order to be able to process final payments before the Christmas break, Officers propose to move this Committee meeting forward to the 14 December.

We will of course amend the current calendar displayed on the Council's website to reflect this change.

Both this change and the calendar for 2018 were noted.

C/2017/177 **Properties Committee Chairman, to include:**

- a) **To note that Councillor K W Stubbs has written to the Mayor to relinquish the role and responsibility as Chairman of the Council's Properties Committee** – this information was noted with the Council giving a vote of thanks to Councillor Stubbs for all his hard work and dedication as Chairman of the Properties Committee.
- b) **To note that the first item of business at the Properties Committee meeting scheduled for 28 September 2017 will be to appoint a Chairman** – this information was noted.

C/2017/178 **To appoint a Bodmin Town Council representative to the West Cornwall CCTV Group**

Following discussion, it was **AGREED** that Councillor P L G Skea be appointed as the BTC representative to the West Cornwall CCTV Group.

C/2017/179 **Hillside Park, to include:**

- a) **Email reply from Bodmin Jail Development Planning Case Officer in relation to s.106 contributions**

Councillors P Brown and L Frost reiterated their Non-Registerable Interests in this item and left the Meeting during the discussion and any voting thereon.

A copy of the email from Bodmin Jail Development Planning Case Officer in relation to s.106 contributions was circulated with the Agenda and was noted.

b) To consider any written comments / objections following the Council's public notice in respect of an intention to grant a 24 year lease of the open space land

The Town Clerk stated that Members will note that the 10 written comments received in line with the Council's Notice have been circulated.

The Town Clerk confirmed that they were all received prior to the 9.00 a.m. deadline of Monday 18 September. It was noted that there were 6 objections, 3 in support and 1 generic response concerning the roads.

The Solicitor acting on behalf of Webb Ellis / Bodmin Jail has also asked that Members be reminded that Bodmin Jail have received hundreds of letters of support following their exhibition and consultation exercise carried out earlier in the year.

The Solicitor had also e-mailed the Town Clerk today as he would like the Council to be aware that *'the Bodmin Jail proprietors have now entered into the Section 106 Agreements which will result in financial contributions for the betterment of the town.'*

The Town Clerk advised that legal requirements as enshrined in s127 of the LGA 1972 is that the Council should give proper consideration to any objections and arrive at a reasonable conclusion.

c) To appoint and populate, if appropriate, a negotiating team to progress Heads of Terms discussions with representatives of Webb Ellis Estates

The Town Clerk confirmed that the team of the Mayor, Chair of Properties, Chair of FSPM, together with Councillor Brown and Councillor P Cooper was appointed at the Special Council meeting of 27 July 2017. However, that team, whilst having never met, is now potentially 2 members light as it was populated with the then Chairman of the Properties Committee – and Members will note that a new Chairman will be appointed by the Properties Committee on 28 September and Councillor Brown who has e-mailed the Town Clerk to raise a potential disclosable pecuniary interest in matters relating to Bodmin Jail as his business may enter into a supplier relationship with any building contractor. That would of course be a matter for Councillor Brown to determine under the Code of Conduct.

Council may therefore want to appoint 2 new Members to progress discussions with the Jail.

Councillor P Brown confirmed that at this juncture he did not have an interests to declare and felt it appropriate to remain as a member of the negotiating team.

As the Properties Committee Chairman will not be appointed until 28 September, you may want to appoint that post plus one other.

Following discussion, it was **AGREED** that the negotiating team to progress Heads of Terms discussions with representatives of Webb Ellis Estates will comprise of the Mayor, Chair of FSPM, Chair of Properties, once appointed on 28 September 2017, Councillor P Brown and Councillor P T Cooper.

C/2017/180

Request from IntoBodmin to use Bodmin Town Crest as part of any town branding initiative – Town Clerk to report;

The Town Clerk reported that Council will probably be aware of the work currently being carried out by intoBodmin about what the community considers Bodmin to be and as part of that process a potential branding exercise. As part of that work, intoBodmin has requested use of the town crest and the Town Clerk assumed this request will be met favourably and that Council will ask him to make a high resolution copy available.

Following discussion, it was **AGREED** for the Town Clerk to make a high resolution copy of the town crest available to representatives of IntoBodmin.

C/2017/181

Request from Mr D Rowland to book a £1.00 per ride Fair at Fair Park during the October 2017 half-term – proposed dates Saturday 21st - Saturday 28th October 2017

The Town Clerk reported that the Council had received a request from Mr Rowland regarding a £1.00 October half term Fair. Whilst the Council has accommodated Fairs during September in the past, Council may consider that the ground conditions are less than favourable for an October half term Fair and to politely decline this request.

Following discussion, it was **AGREED** that this request be politely declined due to the less than favourable ground conditions.

C/2017/182

Caterers List – RFO to report;

The RFO reported that Age Concern have booked the suite on Monday 25 September 2017 for a Vintage summer tea party for the less able members that were unable to attend the headland in the summer, and in the past they have been allowed to use the Council's tablecloths which they have professionally laundered. It has only been picked up that this should no longer be taking place, but as this event is at such short notice the RFO advised them that she would ask Council if this arrangement would be sanctioned on this last occasion.

Following discussion, it was **AGREED** that the use of the tablecloths be endorsed as a one-off concession due to the short notice of the booking.

C/2017/183

Legal Services – item deferred from Full Council on 20 July 2017 (item C/2017/124 refers) and Finance, Staffing and Performance Management Committee meeting held on 17 August 2017 (Item FSPM/2017/75 refers);

The RFO reported that following a request from Councillor J Cooper, Officers have requested fee proposals from solicitors in the surrounding areas with the results that were tabled at the meeting.

For information and as previously reported to the FSPM meeting on 17 August 2017, the Council considered its legal services a number of years ago and looked into retainers and service agreements. The Council felt that it was beneficial to use one firm outside of Bodmin for the following reasons, namely Stephens and Scown;

- No conflicts of interests, independence and objective

- They are like a one-stop-shop in that they have a large pool of expertise/resources (property/planning/litigation etc) which they are able to use with each case giving them an advantage over smaller firms.
- They use Para-Legal's and Trainee solicitors for research purposes with no charges attached to them.
- Due to the size of the company they are able to turn things around quickly, which is essential in litigation cases and therefore are not affected by annual leave or sickness.

A firm outside of Bodmin has the benefit of there being no conflicts of interest.

C/2017/184

Following discussion, it was **AGREED** that Officers would review each request for legal services on its own merits based on the complexity of the work and the time limit that it was required and utilise the legal service providers accordingly based on the services that they can provide in order to achieve best value (to include financial considerations) for the Council.

Former Mount Folly Toilet building – to authorise 2 Members to sign the Transfer Deed to complete on the sale of this property;

Councillor J A Bassett reiterated her Disclosable Pecuniary Interest in this Item and left the Meeting during the discussion and voting thereon.

The Town Clerk advised that the Council's Solicitors have informed that the buyer is in a position to proceed and that funds are with their solicitor. To that end, the Town Clerk sought Council's authority for 2 Members (suggested the Mayor and one other Member) to sign the transfer deed document and for the Town Clerk to sign the contract document.

C/2017/185

Following discussion, it was **AGREED** to authorise Councillor S Kinsman and Councillor L Frost to sign the transfer deed document and the Town Clerk to sign the Contract document as set out.

Risk Management Update – RFO to report.

The report detailing the corporate and project risks for review by Full Council were circulated with the Agenda and were noted.

The RFO confirmed that the most up to date document has been circulated and we have laminated the scoring matrixes for Members ease of use with a request that they be returned following the meeting.

With regards to the contents, the RFO detailed the following:-

1-B, we will be arranging the next meeting with Roger Gates to follow on from the very successful meeting on 14 September as soon as possible.

1-C & 1-D, these have been arranged for 23 November 2017

1-E, this has been arranged for 3 October 2017

A meeting request has been sent to the relevant working party members and we are awaiting one response.

C/2017/186

To consider and, if appropriate, pass for payment the Schedule of Accounts for September 2017

The Schedule of Accounts for September 2017 was approved and passed for signing from payment ref 4300000292 to 4300000346 and cheque numbers 0000124069 to 0000124073 in the sum of £95,846.80.

C/2017/187

Questions to the Mayor

Councillor J Gammon enquired with the Mayor if she felt it was acceptable that a Member of the Council had allegedly recorded meetings and more importantly had allegedly transcribed a part of a Meeting and passed that transcript to a member of the public, which caused issues for the Council and its Officers.

The Mayor responded to advise that she did not consider it acceptable and that was why the recording of meetings policy was circulated.

Councillor P Brown agreed and admitted to recording the recent Members update meeting regarding the Bodmin Growth Deal on 14 September.

Councillor K J Phillips stated that on one occasion and one occasion only she had recorded part of a Policy Committee Meeting as she could not always remember the intricacies and nuances of a discussion, and further stated that this was not covert nor was any transcription made or passed on.

Councillor P T Cooper commented that perhaps all meetings should be recorded, which the Town Clerk responded to advise would create Freedom of Information and Data Protection problems and challenges (i.e. an audio recording vs minutes) and require changes to a number of policy documents.

Councillor A J Coppin considered that recording part of meetings could prove dangerous as comments and suggestions could be taken out of context.

Councillor A M Kerridge was firmly of the opinion that this was a matter of openness, transparency, trust and respect for your fellow Members and Officers and that unless a recording was overt and agreed by all parties present should not be entertained.

Following this discussion, Councillor's Bassett and Phillips reminded Members of the Volunteer Networking Event which was taking place in the Shire House Suite on 2 November 2017 in which all were welcome and encouraged to attend.

Due to the confidential nature of the next business it was **RESOLVED** to go into Committee. Please see separate page.