

MINUTES of the **Properties Committee** Meeting held on Thursday 5 December 2013 at 6.30 p.m. in the Shire House Suite, Shire House, Bodmin.

PRESENT: Chairman, Councillor L G J Kennedy presiding; together with Councillors J Gammon, S J Horne, J M Lyne, R Solomons, S R Stephens and K W Stubbs. Councillors A J Coppin, J R Gibbs and P L G Skea were also present but did not vote, not being Members of this Committee.

IN ATTENDANCE: Mr S Facer (Deputy Chief Executive) and Mr P O'Callaghan (Town Clerk).

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES: There were no announcements and apologies had been received from Councillor J H Hartill.

PP/2013/078 **Public Representation Session** – there were no Members of the Public present.

PP/2013/079 **Declarations of Interest – Members to declare interests in respect of any item on the agenda**

Councillor R Solomons declared a Non-Registerable Interest in respect of item PP/2013/082(b) because he is a personal friend of the Administrator at Stillmoor surgery.

Councillors L G J Kennedy and S R Stephens declared Non-Registerable interests in respect of item PP/2013/082(e) because they have links with the Air Training Corps.

PP/2013/080 **Minutes of the Properties Committee Meeting held on Thursday 26 September 2013** – these Minutes had been before Council and were acknowledged as a true record.

Matters Arising:

Pages 3-5 – item PP/2013/065 – Mount Folly Access Barrier – The DCE advised that RTP Surveyors have been instructed to progress phase 2 of the feasibility work as detailed.

Page 6 – item PP/2013/067 – Mosquito Alarm – the DCE reported that the Mosquito Alarm has been installed and that it has been activated in line with the Council's risk assessment and protocol but with mixed results.

When activated some youths displace at protest whilst others seem content to remain in situ. Activation of the device has seen youths lashing out at the alarm cage and / or the doors and windows to the Suite. It is noted that interest in doors and windows does occur at times when the device is not activated. Staff have repeatedly reported instances to the Police and there was a recent incident where a small fire was started in the undercover area by the entrance to the Suite.

Although it appears that with the end of the summer the problems have abated and this problem might whilst there is an undercover area offering a meeting place from the weather.

The long term solution would therefore seem to be the removal of an undercover area by installing appropriate windows and a door creating a porch type area. As costs would be prohibitive there might be an opportunity to incorporate these costs into the Shire House roof refurbishment works albeit that a separate planning application would be needed and it would be necessary to ensure that the entrance to the Suite did not end up looking like a prison.

PP/2013/081 **Minutes of the BBMAG meeting held on Monday 30 September 2013**

These Minutes had been circulated and were noted.

The DCE advised that these Minutes had been produced by Terri Winchester (CORMAC) and are in line with the Town Council's desire to see the administrative and secretariat function discharged. Whilst this is not directly to the BBMAG group, it is a step in the right direction.

The DCE also advised that Cornwall Council's Countryside Service is again being restructured with staff being made aware of the outcome of that exercise by letter by 16 December 2013. This could, and probably will, have an impact on the BBMAG partnership going forward and he will report further as and when the outcome of restructuring is known.

PP/2013/082

Correspondence

- a) Letter from Mrs Dee Griffiths and Mrs Rose Angell thanking BTC for this year's floral displays (copy enclosed) – this letter of tanks was noted and it was **AGREED** that the Mayor would respond thanking Mrs Griffiths and Mrs Angell for taking the trouble to write and their kind comments.
- b) **Letter from Stillmoor House Medical Practice re Public Conveniences – Dennison Road Car Park** – this letter had been circulated with the agenda.

Noted that Councillor R Solomons declared a Non-Registerable Interest in respect of this item because he is a patient at Stillmoor surgery and left the room during the consideration and voting on this item.

The DCE advised that there had been a useful meeting regarding the possibility of forming a Community Interest Company to run the public toilets. Although the process for setting up the company looks straightforward it was difficult to see the community volunteers coming forward for a company only involved with public toilets. It was considered that it would be more useful to examine the possibility of a wider town centre interest group with the public toilets as part of that mix, and officers would explore that possibility at a forthcoming meeting of the Community Network Manager, and Guy Thomas, Town Centre Manager Specialist Cornwall Council and representatives of the Chamber of Commerce and Industry.

Following discussion, it was **AGREED** to **RECOMMEND** that the Council responds reiterating the reasons for closure and advising that there were no plans to reopen these toilets at present. It was also **AGREED** to **RECOMMEND** that the Council inquires as to whether the practice might like to take on the running of these toilets.

The Town Clerk advised that an e-mail had been received from Mr Hurn on the same topic, referring to the recent report on advertising and bus shelters and suggesting that the Council looks at advertising as a way of keeping sets of public toilets clean and looked after. The Committee could not see that advertising would raise the funding necessary to provide a toilet facility.

Councillor R Solomons rejoined the meeting following the consideration of this item.

- c) **Letter from Mrs C Al-Halaby – Bus Shelter at Dennison Road** – this letter had been circulated with the agenda.

It was **AGREED** to **RECOMMEND** that the Council responds advising that this bus shelter will be erected early in the New Year.

- d) **National Trust Recruitment Van – request to use Priory Car Park** – the DCE reported that an e-mail had been received from Dee Wadham, Offsite Recruiter for Mid and SE Cornwall Countryside Team of the National Trust, requesting permission to site a recruitment van on the area used by the ice cream van in Priory Car Park. The DCE had advised that it would not be practicable to use that area as it is leased to a local firm which has exclusivity. Given that this is effectively a commercial use of the car park, the DCE sought advice as to whether the Council would wish to levy a charge over and above the standard (pay and display) rate.

Following discussion, it was **AGREED** to **RECOMMEND** that a charge is levied at the normal bay rate (as displayed on the tariff board).

Noted that Councillor S J Horne requested that her name be recorded as voting against the above decision.

- e) **2533 Squadron Air Cadets – use of Coldharbour playing field.**

Noted that Councillors L G J Kennedy and S R Stephens declared Non-Registerable interests in respect of item PP/2013/082(e) because they have links with the ATC and left the room during the consideration and voting thereon.

In the absence of the Chairman and Vice-Chairman, the Mayor, Councillor K W Stubbs assumed the chair for this item.

This letter requesting use of Coldharbour playing field for sports and general fitness training was circulated at the meeting.

Following discussion, it was **AGREED** to **RECOMMEND** agreement to this request in principle subject to the ATC liaising with Bodmin Youth Football Club to ensure that this additional use can be accommodated without compromising the state of the pitch(es) and clashing with matches.

Councillors L G J Kennedy and S R Stephens rejoined the meeting following consideration of this item and Councillor L G J Kennedy reassumed the Chair.

PP/2013/083 **Bodmin Obelisk Inspection Report – Dawson Lightning Conductors**

This report had been circulated.

The DCE advised that the registered test for the Beacon at 10 ohms is satisfactory.

The DCE drew Members attention to the St. Lawrence Memorial Clock information at the bottom of the report.

Given the upcoming centenary and commemorations for WWI the Committee might be minded to programme in this weather vane work for the sum of £489.50 Nett and as quoted noting that works were last carried out some 45 years ago.

Should Committee want to proceed with this work there is an opportunity to reduce costs by utilising the vehicle mounted cherry picker when the Christmas Lights are taken down in early January 2014. There would however be a cost to reinstall the weather vane and I can advise that the day rate for a vehicle mounted cherry picker is £316.00 inclusive of VAT which we would need to hire.

Following discussion, it was **AGREED** to **RECOMMEND** that the Council proceeds with this work as detailed above.

PP/2013/084 **Zurich Play Area Inspections**

This report had been circulated with the agenda. The DCE advised that the all the remedial work had been completed with the exception of the work relating to the rocking horse in Priory Park which would be dealt as the next item.

This Inspection Report and the DCE's management response were noted.

PP/2013/085 **Priory Park Children's Play Area – Replacement Rocking Horse**

The report from the Projects Assistant had been circulated with the agenda.

The DCE advised that the recommendation from Officers is that rather than replace this item of play equipment, the necessary work is carried out to remove the remaining support structure of the Rocking Horse and that the area is reverted to grass.

Officers would not normally recommend this approach but consider that this option is the most prudent from a budget perspective and will ensure that the Council is in a better financial position to consider a new piece of multi use equipment at the Fair Park. Members might recall that the existing Multi-use equipment at the Fair Park was installed in the early to mid 1990s and is coming to the end of its useful life.

It is therefore recommended that the impact safety absorbing tiles are lifted and used for remedial repairs to other areas where safety surfacing is in need of replacement with the remaining tiles placed in storage for future use and to offset costs.

Following discussion, and in view of the current budgetary situation, it was **AGREED to RECOMMEND** that the Council does not replace the rocking horse at present, but proceeds to remove the remaining support structure and reinstate grass in that area. It was also **AGREED to RECOMMEND** that the impact safety absorbing tiles are lifted and used for remedial repairs to other areas where safety surfacing is in need of replacement with the remaining tiles placed in storage for future use and to offset costs.

PP/2013/086 **Amenity Tree Survey Service Level Agreement – DCE to report**

The DCE reported that given recent tree related concerns and from a risk management perspective Officers have sought a quotation from Cornwall Council to carry out a full tree safety inspection for the Council's tree stock via SLA.

This agreement covers the trees on the following sites managed by the Council and all sites were last inspected in Feb / March 2011:

Item Name	Last Inspection Date	Individual Cost
FAIR PARK, BODMIN	14-Feb-11	£190
HILLSIDE PARK, BODMIN	25-Feb-11	£275
KAY CRESCENT, BODMIN	25-Feb-11	£190
OLD CEMETERY, BODMIN	31-Mar-11	£670
PRIORY PARK, BODMIN	21-Mar-11	£670
ST LAWRENCE'S CHURCH CLOSED CHURCHYARD, BODMIN	14-Feb-11	£190
ST PETROCS CHURCH CLOSED CHURCHYARD, BODMIN	25-Feb-11	£190
		£2,375

The quotation from Colin Hawke, the Principal Forestry Officer, advises that the

cost for all the sites individually comes to £2,375.00 but that he is able to offer the discounted cost of £1,700.00 plus VAT for all the sites due to economies of scale.

Given that the cost of £1,700.00 is above the £1,500.00 threshold it triggers the need for three quotes to be obtained in line with the Council's Financial Regulations.

However, there are distinct benefits of maintaining this SLA with Cornwall Council. Should the Town Council decide to test the market and subsequently procure tree safety works with an alternative arboriculturalist based on lowest cost, there would still be a requirement to liaise with the Cornwall Council's Countryside Service for proposed tree works in Conservation Areas. Given that the Town Council's tree stock is predominantly located within the designated boundary of the Town Conservation Area (Priory Park, the Old Cemetery and St. Lawrence's Church); there are real advantages with maintaining the SLA with Cornwall Council as any recommended tree works falling out of their tree inspection works automatically receive the approval of Cornwall Council.

There is a slightly different mechanism for works to trees covered by a TPO which only affects trees in the St. Petroc's Churchyard and again, having the Forestry Officer's advice and guidance early on in the process is enormously beneficial to progressing works through the application route with the Planning & Regeneration Dept.

Cornwall Council will offer to provide the following services:

- Undertake and maintain tree inventories;
- An Annual safety inspection in conjunction with an inventory (this will include general tree/woodland management recommendations);
- Up-dating records;
- Management advice by phone;
- Bill of Works;
- General advice by phone;
- Hourly rate for additional work;
- Undertake emergency visits and advice (eg after storm damage)

It was noted that £3,000.00 had been allocated for professional fees relating to tree work in the 2013/14 budget.

The DCE recommended that the Council procures Cornwall Council for the total sum of £1,700.00 for the reasons as set out above as it offers best value and that Financial Regulations 11.1 (b) (ii) refers is suspended in respect of three quotations.

It was **AGREED** to **RECOMMEND** that Financial Regulation 11.1 (b) (ii) be suspended in respect of three quotations.

It was **AGREED** to **RECOMMEND** appointment of the County Forester's Department to carry out this Amenity Tree Survey work in the sum of £1,700.00 plus VAT as detailed above.

Financial Regulations were reinstated following this item.

PP/2013/087

Shire Hall External and Internal Works (copy Responsible Finance Officer report to follow) – DCE to report.

The DCE advised that the report from the RFO and extract from a report by Hutton and Rostron had been circulated earlier in the week (copies attached for information).

The DCE talked Members through the report and advised that the work will cover the detailed preparation of specifications of works; provided an estimate of the cost of the works required; obtaining quotations and pre-tender support; and instructing contractors and monitoring the work on site. It was noted that building work would be scheduled to commence in early August following a civic event planned to commemorate the centenary of the start of WW1.

Following discussion, it was **AGREED** to **RECOMMEND** that Hutton and Rostron be contracted to carry out the work as detailed in the report in the sum of £3,400.00 plus VAT and that these costs are funded from the Capital Fund of the Shire House Loan Fund which Council had previously agreed could be used to fund this project.

PP/2013/088 **Mount Folly – Cycle Racks**

The DCE advised that Councillor S J Horne and the Information Officer had met to consider ways of providing better facilities for visitors using cycles and was of the view that there was merit in providing more cycle racks on the Mount Folly. This would fit well with the proposals for improved cycle routes throughout the town and linking with the Camel Trail and the new cycle hub at Lanhydrock.

Following discussion, it was **AGREED** to **RECOMMEND** that provision for additional cycle racks is made in the budget and to agree locations in detail with the Conservation Officer and report to a future Properties Committee.

PP/2013/089 **St. Lawrence's Church New Toilet Facility – DCE to report**

The DCE reported that Mrs Cooper from the St. Lawrence's Church Council had made enquiries with him on 23 October 2013 regarding the proposal from the Church to provide a new toilet facility on the existing footprint on a like-for-like basis. Mrs Cooper confirmed that the toilet will not be bigger in size in terms of footprint.

The new facility will include a wider door and internal modifications to accommodate less abled users including grab rails. Access into the toilet will be via ramped access from the Westheath Avenue direction as opposed the current stepped access from the Dunmere Road direction.

Mrs Cooper reported that this facility is urgently needed and that she has a builder programmed once permission from the Town Council is received. Materials for construction will be environmentally friendly and not as per existing block design. Mrs Cooper advised that she had spoken with the Conservation Officer who has no issues from a Conservation Area / Listed Building Consent perspective.

In consultation with the Chairman of Properties and the Mayor I wrote to Mrs Cooper on 25 October outlining the Council's requirements i.e. that any new facility would conform to current Building Regulations, a copy specification together with Contractor Public Liability and Method Statements to be made available for inspection and that permission to proceed was based on the information so far provided that the Conservation Officer has been consulted and that she has no objection to the proposals from either a Listed Building or Conservation Area perspective.

A rider was also included to cover health and safety whilst contractors were on site and as works would be taking place in a churchyard with visiting relatives and next of kin that works are carried out sympathetically and with care and attention as there could well be interments taking place whilst this new toilet facility work is in progress.

In light of a follow up conversation with Mrs Cooper I then made contact with the Conservation Officer to gather further information. Mrs Cooper was now reporting that the new toilet facility would see a slight increase in footprint size so that the structure could include a cavity wall and a level of insulation which the existing facility does not afford.

The DCE provided the key / edited highlights from an e-mail response from the Conservation Officer (e-mail dated 27 November), which stated that *'this appears to be a really good scheme to improve the facilities at the Church. From a conservation point of view we would be happy to support the plans to provide a new toilet facility with the footprint being slightly increased so that the structure incorporates a cavity wall and includes insulation. We would not object to the existing structure either being refurbished or being demolished in its entirety and then being reconstructed, the latter probably making more sense given its basic construction and desire to increase the footprint. If a level access could be achieved without a ramp then this would be much better as not only would a ramp cost more but visually it would potentially look cluttered if railings or some kind of restraint has to be constructed.*

In terms of any consents then this is not clear cut. The existing toilet is clearly modern, if it predates 1948 then listed building consent would be required for the works, if it is later that this then from a conservation perspective then providing it doesn't impact upon the wall then no Listed Building Consent would be required. I am not a planner so cannot advise you as to whether planning permission is required so it would be prudent for you to check with Development Control as to their requirements but given the church does not have permitted Development rights I would have thought that planning permission is required. Clearly Building Regulations is a separate issue again.

I would suggest at this stage that it would be good if some very basic scaled drawings of the existing structure and what is proposed are prepared, through this everyone will have a clear idea of what is involved and the scale of the new structure can then be compared with the existing. These drawings could then be updated if any consents are required.

The DCE advised that he wrote again to Mrs Cooper on 4 December to note that the Town Council had not received a copy of any specification of works as previously requested and to update on the points made by the Conservation Officer (as précised above).

In line with the observations from the Conservation Officer the DCE recommended that the Church Council / Trustees makes contact with Cornwall Council's Development Control department from a planning perspective (to ascertain if a planning application or listed Building consent is required) as the St. Lawrence's Church does not have permitted development rights and until this had been addressed and clarified he would not be in a position to authorise any Contractor to start works onsite. The DCE reiterated that the Town Council would require copy documentation from the Planning Department to support any recommended way forward for its records.

The Committee supported the Church Council with this project as a new toilet facility would underpin the wider community use that is being delivered from the Church. Councillor A J Coppin recommended that the Church considers the use of a timber frame structure with insulation being included between the stud walls as this option might constrain the building to the existing footprint and deliver cost savings compared to a double block structure.

Following discussion, it was **AGREED** to **RECOMMEND** that the DCE writes to the St. Lawrence's Church Council to advise that the Properties Committee is of the

view that planning advice and guidance be sought given the preferred option to increase the size of the existing footprint to accommodate the new toilet, particularly as works are in a Conservation Area and within such close proximity to a Listed building and that any building complies with current planning building regulation requirements. It was further **AGREED** to **RECOMMEND** that the DCE includes in his response the information in line with Councillor Coppin's suggestion re use of timber frame as this might deliver a better degree of insulation and might reduce build costs for the Church.

PP/2013/090 **NCB Radio request for space – DCE to report**

The DCE advised that Daniel Sproull had e-mailed Councillor Phil Kerridge on 24 October to see whether the Council could offer any space for NCB Radio to base its studio as their current premises was looking vulnerable from a security of tenure perspective. NCB Radio requirements would be for a small space with access to electricity and broadband and whilst they would be happy to be more closely associated with BTC although they would need to maintain editorial independence.

Councillor Phil Kerridge responded to advise of the impending Shire House roof work and the space constraints and as Officers had decamped to the ground floor offices. Further, that the Council had recently agreed to support the Credit Union with use of some space.

Officers have not met with Daniel Sproull to explore any terms and conditions or rentals and there may well be some space available post roof refurbishment work. However, concerns from an Officers perspective would relate to any group looking for space at a discounted rental given their CIC status rather than occupation at a market rent. Given the operating and broadcasting times for NCB Radio there would undoubtedly be access requirements to the building outside of the core hours of the admin team and those covered by the Council's Caretaker.

Lease arrangements of office space in Shire House has, to date, been with other local authority supported / sponsored organisations and the Police.

The DCE requested a steer from Committee regarding whether the Council would want Officers to spend any time exploring use of BTC space with NCB Radio post roof works and any subsequent office relocation i.e. are Officers remaining on the bottom floor or relocating to the top floor as the ground floor area could provide either the museum and / or office space for rent albeit that he latter option would need some internal modifications to support that use.

Following Discussion, it was **AGREED** to **RECOMMEND** that the Council responds advising that there was nothing available at current time.

PP/2013/091 **Parks Department Gantt Chart** (copy enclosed);

The Gantt Chart had been circulated with the Agenda and was noted.

It was **AGREED** to **RECOMMEND** that the painting work on street furniture in Honey Street revert to Cornwall Council.

It was noted that there was a requirement to contact Park Leisure regarding the outdoor gym equipment at Berryfields as this repair work had been outstanding for some time.

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