

MINUTES of the **Properties Committee** Meeting held on Thursday 27 September 2018 at 6.30 p.m. in the Shire House Suite, Shire House, Bodmin.

PRESENT: Chairman, L L Frost presiding; together with J P Cooper, P T Cooper, D A Henderson, A M Kerridge, S H Kinsman, K J Phillips and K W Stubbs.

IN ATTENDANCE: Mr S Facer (Town Clerk), Mr S Lebborn (Parks and Open Spaces Supervisor (POSS)), and Mrs B Briggs (Senior Administration Assistant).

CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES:

The Chairman had no announcements.

Apologies had been received from Councillor P Brown.

PP/2018/75 **Declarations of Interest – Members to declare interests in respect of any item on the agenda**

There were no declarations of interest to declare.

PP/2018/76 **Public Representation Session**

The member of the public present did not wish to speak.

PP/2018/77 **Minutes of the Properties Committee Meeting held on Thursday 28 June 2018**

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

Matters arising

Page 1/2 – PP/2018/53 – Correspondence – Bodmin Pre-School

The Town Clerk noted that he had written to Bodmin Pre-School on 29 June 2018 in line with this Minute and emphasised the need for any contractors to pay particular attention to Health & Safety given the close proximity of the children's play area and to also address any graffiti issues, should they arise, swiftly for obvious reasons and again given the close proximity to the play area.

Page 2 – PP/2018/54 – Hutton & Rostron

The Town Clerk advised that Hutton & Rostron had been onsite this week implementing the necessary works. The option to procure a desktop computer separately was explored but this would have required additional work by Hutton & Rostron to ensure that the appropriate hardware and software were in place at an estimated two extra visits to site. It had therefore been more cost effective to proceed with the quotation as set out in the report.

Page 6 – PP/2018/62 – Fencing at Lower Midway Road play area

The Town Clerk noted that TMS Ltd were onsite this week carrying out works.

Page 6/7 – PP/2018/63 – St. Petroc's Church steps

The Town Clerk updated Members that the Parks and Open Spaces Manager (POSM) had advised that the Church would not be making a contribution towards the cost of this work. In light of that response, the Parks Department would proceed as

set out in the Minute.

Page 7 – PP/2018/66 – Location for a new cemetery

The Town Clerk reported that work is progressing slowly on this item. He noted that some of the land in Cornwall Council ownership, which had previously been identified as a potential site, has been earmarked for strategic delivery given its proximity to the A30 and A38 and was therefore not available to the Town Council. Officers are now awaiting Cornwall Council to provide details of other areas of land that they would be open to discussing for this type of use. The Town Clerk would be able to report back to Committee once more information has been received.

PP/2018/78

Correspondence:

a) Email regarding memorials in New Cemetery

A copy of the email was circulated with the agenda.

The Town Clerk reported that this is an issue which has been raised a number of times over the years. In around 2002, some Councillors visited the cemetery to look at unauthorised items. At that time, other local councils attempting to resolve similar issues were portrayed in a negative light by the tabloid press. He noted that people have different ways of grieving and it is clearly a very sensitive subject which will need very careful handling.

The Town Clerk confirmed that the author's understanding of the Council's memorial regulations is correct, in that they stipulate which memorials are permitted and which additional items such as shrubs, wind chimes, solar lights etc are not permitted in order that routine grounds maintenance work can be carried out and to mitigate encroachment by these types of plantings onto neighbouring graves.

The Parks and Open Spaces Supervisor (POSS) commented that the placement of unauthorised items can pose problems with maintaining the graves since a mower can be restricted from accessing and navigating between the graves / rows which results in more strimming work for staff. Strimming close to graves does cause some concern for staff, as cutting too closely to graves adorned with tributes can raise safety issues as there are ornamental stone chippings, plastic and / or glass tributes being placed on a grave, and a risk of being accused of causing damage to these items. He noted that there appears to have been an increase in the placement of such objects over the past few months.

Another problem noted by the POSS was that some objects were being placed on the grave prior to settlement of the earth, meaning that the team were unable to top off the grave, leading to the ground being uneven. It was noted that best practice indicates that graves should be left to settle for a period of around 6 months so that appropriate topping off can take place. Finally, there was a problem with equipment access for digging new grave spaces, due to unauthorised objects encroaching into neighbouring plots. The Town Clerk advised that this usually relates to graves where unauthorised wooden picket fencing or other planting encroaches beyond the standard size of a grave space. This had led, on occasion, to the requirement to hire a subcontractor to use a mini-digger to dig graves as well as the impact of a reduction with the number of interments that can be achieved in a row given loss of space through unauthorised planting. It was noted that these problems predominantly related to the H section of the cemetery and included around 30-40 graves.

The Town Clerk outlined the process involved that could be used to remove unauthorised items emphasising the need to publicise any intention with notices onsite, media releases and by identifying and writing to all Exclusive Rights holders for each grave, and affording sufficient notice and an appropriate length of time for items to be removed from the grave plot in question. Should the items not be removed in the given timeframe, Officers would be required to photograph all items before removal and storage for a suitable period of time. It was noted that, even if following these procedures and acting in line with the memorial regulations (which are sent out with every grave purchase and displayed on a notice board at the cemetery site), the Council could be open to criticism. The Town Clerk emphasised that this would need careful consideration and planning before any steps were taken and it would take Council's unanimous support.

Members felt that children's graves in particular needed to be dealt with using the utmost consideration. However it was also noted that the person writing the email in question was obviously being caused some distress as well and it was very difficult to find a balance in consideration of such a sensitive issue. The Town Clerk noted that he is aware of other Councils experiencing similar issues and suggested that the Council could look to work together with other councils on a possible solution so that there was a consistent way of managing this issue with due care, consideration and sensitivity.

There was some discussion about the idea of placing a banner type notice on the gates of the cemetery alerting people to the fact that the Council was aware that there was an issue, and politely asking people to ensure any items placed on a grave were within the allocated space. The Town Clerk advised that this would still create grounds maintenance issues and can be seen by other plot holders as not conforming to the Council's Memorial Regulations and an attractant for others to follow suit.

It was queried as to how long it had been since the memorial regulations had been reviewed and it was suggested that they be taken to the next Policy Committee meeting. Some Members felt that, although the regulations should be adhered to where possible, there was perhaps a need to review them.

There was general consensus that there needed to be a proportionate solution to the issue to cause the least amount of distress to both the relatives of the graves in question but also to other visitors, such as the member of the public who had taken the time to write an email outlining their concerns.

As this item related to an item later on the agenda, the Chairman suspended discussion until item PP/2018/82(b), when a decision on this matter could be taken.

b) Request from Bodmin Youth Project for use of Fair Park for after-school football activities

A copy of the email was circulated with the agenda.

The Town Clerk noted that this publicly accessible space was not ordinarily used for organised games, and would require the organiser to hold the appropriate DBS checks and Public Liability Insurance and carry out risk assessments.

There was some discussion as to whether there was a risk of alienating youths who already use this area to play football and other games and it was felt that, should this use be granted, the organisers be encouraged to include children already using the space. It was noted that there was sufficient space for both to

happen concurrently. It was noted that Fair Park provided a suitable location as well as toilet facilities.

There then followed a discussion as to whether there was any other green space that could potentially be offered as an alternative in the longer term and should the project prove popular enough to require a larger area. Councillor J Cooper suggested Moor View as a potential site for the future, if necessary, with the appropriate consultation with residents as well as organisers.

It was noted that the request for use also mentioned use of the hard court area. There was discussion around the fact that this multi-use court was very popular and it would not be appropriate to take this amenity away from other users.

Following discussion, it was **AGREED** to **RECOMMEND** that Bodmin Youth Project be granted permission to use an area of the green space on Fair Park for football activities from 3.30-5.00 p.m. on Wednesdays, but that use of the multi-use hard court area not be used for their organised football / ball games.

It was further **AGREED** to **RECOMMEND** that the organisers be requested to engage with the youths already using the green space during the sessions.

It was further **AGREED** to **RECOMMEND** that the organisers be requested to provide the Council with feedback as to the ongoing success of the project.

c) Letter regarding Priory Park War Memorial

A copy of the letter was circulated with the agenda.

The Town Clerk reported that he had previously been able to discuss this matter with a former Town Clerk and had been advised that the memorial in Priory Car Park was a volunteer led project at the time and was created to mitigate the road safety concerns with crowds gathering outside the Old Library around Remembrance Day which required closure of the town's main shopping street. The Town Clerk understood that the volunteers had taken the names from the Old Library memorial for transcription onto the new memorial. This is likely to be where the transcription error outlined in the letter had occurred. The Town Clerk advised that the Council only has an enabling power to maintain a memorial as set out in the War Memorials (Local Authorities' Powers) Act 1923.

Having visited the memorial at the Old Library, the Town Clerk reported that the middle initial of the name in question was very hard to make out as it appeared to have sustained some weathering over the years and noted that this property was in Cornwall Council ownership.

The POSS reported that he is currently speaking with Drew Memorials who are looking at possible solutions but that this obviously had to be done with great care. It was noted that any corrections should not be added into the blank space on the memorial as this was for any potential future conflicts.

There then followed discussion as to how large a piece of work it would be to check, and potentially correct, any further errors on the memorial. The Town Clerk noted that this request could lead to further requests. The complication would be to check any new requests against enlistment records and to ensure that any person was a Bodmin resident which would take time to investigate and explore. The Town Clerk confirmed that there was no guidance from the government at the time and each community was free to operate memorials as they saw fit. The Town Clerk noted that there were a number of memorials

throughout the town. There was also the issue that errors were made when people enlisted, resulting in records being incorrect and not matching the names families' may believe should be reflected on the memorial. As such, any change would result in the requirement to check documentation against records that may not match, which could be a significant piece of work.

It was queried as to what the policy of the Commonwealth War Graves Commission was and it was felt that this policy should be consulted.

Following discussion, it was **AGREED** to **RECOMMEND** that the POSS would continue to explore the options surrounding correction of this entry with Drew Memorials and report back to a future meeting.

It was further **AGREED** to **RECOMMEND** that the Town Clerk would consult the Commonwealth War Graves Commission policy for guidance as to how to correctly address this, and any potential future, corrections.

The Town Clerk noted that he would send a holding letter back to the family member in question advising that further investigation was taking place, to include options for transcription rectification.

d) Email from Bodmin Lions Club regarding proposed additional signage to be installed under existing 'Welcome to Bodmin' signage

An email, with attached images, was circulated with the agenda.

The Town Clerk asked Members for an indication as to how they felt about additional signage on the entry to the town.

This prompted discussion as to whether, due to expansion of the town, the existing signs are no longer situated in the appropriate place, and the possibility should be explored as to whether they should be moved to reflect the growth of the town.

There then followed discussion as to whether sponsorship of a flowerbed, where a sign could be placed, may be more appropriate than additional signage on the existing sign as some Members felt that this could distract from the existing signage and the brand that Bodmin was currently working to build. It was also noted that other organisations may be prompted to make similar such requests.

Following discussion, it was **AGREED** to **RECOMMEND** that the location of the existing Welcome to Bodmin signs be reviewed and, once any new location had been agreed, Bodmin Lions Club be offered the opportunity to place signage in a location within the vicinity of, but not attached to, the Welcome to Bodmin signage, for example in a nearby sponsored flowerbed.

The Town Clerk noted that he would send a response to Bodmin Lions Club to advise them of this decision.

The Town Clerk then advised that there had been a further request from Bodmin Lions Club relating to a booking of the Shire House Suite for their Christmas Fayre on 24 November 2018 in that they were requesting use of the bar area for a social event after the main event, for Lions members and their families (not open to the public).

The Town Clerk noted that they were paying for use of the Suite and an additional late locking charge and had requested that the £40.00 plus VAT

charge for use of the bar be waived. He confirmed that they would have a personal licence holder operating the bar and that he would request that they operate within the constraints of the premises licence.

Following discussion, it was **AGREED** to **RECOMMEND** waiving the bar charge on this occasion.

e) Any item of correspondence that the Chairman considers appropriate

There were no further items of correspondence.

PP/2018/79

Contracts Finder procurement process

A report provided by the RFO was circulated with the agenda.

This document was noted.

PP/2018/80

Update on the current status of key Council projects:

a) Skate Park

A report by the POSM was circulated with the agenda.

The Town Clerk reported that the POSM has been looking at materials, with a recommendation in his report to use concrete.

The POSS passed around an example of the Skatelite material mentioned in the POSM's report. The POSS advised that he had been to visit a two year old site using this material and had found there to be issues of wear and tear occurring already which were not too dissimilar to the current BTC skate park and which related to impact damage at transition points.

Members noted that they would like to ensure engagement with the skaters who would be using the new park. The Chairman confirmed that it would be made explicit on Contracts Finder that any contractor engaged to construct the new skate park would be expected to do this as part of their remit and that a design is user led.

Following discussion, it was **AGREED** to **RECOMMEND** that the construction material for the new skate park should be concrete.

b) Site for new cemetery

As noted under item PP/2018/77 above, The Town Clerk reported that the area of land previously identified as preferable by the Council was not an option given its strategic value. However it was noted that Cornwall Council are looking into other sites which would be brought back to a future meeting.

c) Machinery Shed

The Town Clerk reported that this project was still progressing in terms of liaising with architects.

d) Fair Park Toilets

The Town Clerk reported that Officers were working with RTP to progress this project.

PP/2018/81

Priory Park lights

The POSS reported that these lights required repair due to water ingress shorting out the electrics. Due to their age and the condition of the original wiring, a complete rewire was recommended. Officers had sought three quotes, of which two had been received. It was also noted that, whilst this work was being done, it would be prudent to explore a conversion to energy efficient low wattage LED lights to provide longer term cost saving.

The POSS noted that this matter would be brought back to a future meeting when the third quote had been received.

Following discussion, it was **AGREED** to **RECOMMEND** the 'principle' of upgrade work and associated rewiring of the lights, to include conversion to energy efficient LED, is explored and that a report is brought to a future meeting.

PP/2018/82

Patching works

The Town Clerk reported that quotes had been sought to carry out patching works to the area to the east of the War Memorial at the bottom of the access road to Priory II Car Park (approximately 165m² to 167m²) as the area was in need of remedial work. He noted that it was Officers' intention to look to programme this work in during the week of the October half term, from 22 October.

The Town Clerk reported that the quotations, which included the necessary excavating and removal of loose material, together with key joints to flush finish with existing surfaces, have been received from the following firms:

- T Richards & Sons – £3,680.00 plus VAT – to include:
 - Supply and lay regulating coat of AC20 binder course to low area to take out depression and compact;
 - Supply and machine lay an average 50-60mm average depth SMA10 bitmac to the whole area;
 - Treat all weed growth;
 - Supply and spray K140 tack coat emulsion to bond new tarmac surface to old.
- D A Thomas & Sons Ltd – £3,300.00 plus VAT – to include:
 - Supply and lay bitumen tack coat;
 - Supply and lay 40mm of 10mm SMA bit-mac;
 - Top seal joints with pre-coated bitumen.
- James Thomas Ltd – £2,391.00 plus VAT – to include:
 - Plane off to 40mm;
 - Supply and lay AC14 binder course at 40mm;
 - Apply Bitukold to overband joints.

The Town Clerk noted that, for greater durability and for areas of intermittent high stress, Hot Rolled Asphalt (HRA) and Stone Mastic Asphalt (SMA) would be the appropriate choice although they carry a higher initial cost. In assessing quotes against the Asphalt Information Service information sheets, produced by the Mineral Products Association (the Trade Association for the aggregates, asphalt, cement, concrete dimension stone, lime mortar and silica sand industries) the recommended binder course for heavier usage areas, such as public car parks, is AC20. Surface courses can range from SMA 6 or 10 to AC 6 or 10, or HRA 30/14.

Given this information, the recommendation was to accept the quotation from T Richards and Sons as they have additionally noted the use of SMA 10 to an average depth of 50 to 60mm.

Following discussion, it was **AGREED** to **RECOMMEND** engaging the services of T Richards & Sons.

It was further **AGREED** to **RECOMMEND** giving the Town Clerk delegated authority to issue an official order to proceed with these works and to achieve resurfacing during the October half term which would minimise disruption to school car parking at peak times.

PP/2018/83

Cemeteries

a) Opening times

The POSS reported that correspondence had been received from a member of the public who wished to request that vehicular access to the New Cemetery be maintained during the evening and at weekends.

The Town Clerk noted that pedestrian access was available at all times, and that the stile previously in situ had been removed some years ago to achieve better access for less mobile visitors. The POSS reported that the main issues caused by leaving the gates open related to staff time for locking / unlocking and security issues relating to unauthorised installations (memorials and other monumental work) and risk of antisocial behaviour during unstaffed hours.

Following discussion, it was **AGREED** to **RECOMMEND** retaining the current opening times for vehicular access to the New Cemetery.

It was noted that special arrangements would certainly be considered should someone require access outside of standard gate opening hours i.e. a specific physical need.

Councillor D A Henderson votes against this decision.

b) Memorials

It was noted that this item related to item PP/2018/78(a).

The POSS reported that there was a need to start an inspection and schedule of all memorials. He had consulted with Drew Memorials who had quoted £5.00 per memorial, which he noted would be a significant cost based on the number requiring inspection. He noted that a second option was to train staff in memorial safety, which he acknowledged would have a cost, as well as staff time implications.

The POSS reported that he had walked through Section A of the New Cemetery and counted three graves which he felt required immediate attention. He noted that, within their memorial regulations, the Council reserves the right to lay down any memorials but that an alternative option, where appropriate, was to use a wooden stake and metal band to make safe the memorial as a temporary measure. It was noted that there are issues relating to the weight of some memorials which the Parks Team would not be able to address and that the services of Drew Memorials may be required to make safe some of the older memorials. It was also noted that it is the duty of the Exclusive Rights holder to

maintain a grave and, as such, attempts should be made to contact them in the first instance.

The POSS also noted that the laying down of memorial stones caused a maintenance issue in terms of access of equipment for mowing.

There followed a discussion around the format and frequency of an inspection with the POSS advising that Drew Memorials are part of the National Association of Memorial Masons, who operate a traffic light system whereby 'red' graves are identified as requiring immediate attention, and those requiring longer term attention should then undergo a six-monthly review. He noted that the initial inspection would be a significant piece of work as all graves would be inspected and recorded. The POSS felt that this piece of work, and the ongoing inspections, should be the responsibility of himself and the POSM, although members of the maintenance team would of course continue to report back on any issues they came across during their day-to-day work.

It was queried as to whether Cormac might have a department who offer this service, and the POSS indicated that he would investigate.

There then followed discussion around the need for the Council to have a record of every grave and the need to keep in contact with the holder of each grave, including a record of any guarantees provided when the memorials were installed. There was concern over the administrative costs of this exercise and it was acknowledged that this was a significant piece of work.

The Town Clerk noted that the first step would be to put notices up to inform visitors that an inspection was to be undertaken.

Following discussion, it was **AGREED to RECOMMEND** erecting a polite notice on the gates of the cemetery to advise that a safety inspection would be taking place and to request that the holder of each grave ensures that they are compliant with the Council's Memorial Regulations to highlight issues that can be created for grounds maintenance and other plot holders.

It was further **AGREED to RECOMMEND** that the Council's Memorial Regulations be taken to the next Policy Committee meeting for review.

It was further **AGREED to RECOMMEND** that the POSM obtain costs for training to allow the POSM / POSS to conduct in-house memorial inspections.

It was further **AGREED to RECOMMEND** that the POSM make enquiries with Cormac to establish whether they can provide a memorial inspection service and, if so, obtain a quote for works.

It was further **AGREED to RECOMMEND** that the FSPM Committee consider building a maintenance fund into the 2019/20 budget.

It was further **AGREED to RECOMMEND** that any memorials posing an immediate health and safety risk be made safe in accordance with available guidance.

The Town Clerk noted that he would respond to the author of the letter under item PP/2018/78(a) to advise that the Council would be undertaking works to address issues within the New Cemetery.

c) Health and safety review

This item had been covered in full under item PP/2018/83(b).

PP/2018/84 **Shire House flat roof repairs**

A report from the RFO was circulated with the agenda.

There was some discussion regarding the cost of this piece of work. The Town Clerk reiterated that there was a significant cost attached to the roof works and that all works had to be done to the required specifications by an IKO approved contractor. RTP were best placed to ensure these requirements were adhered to.

Following discussion, it was **AGREED** to **RECOMMEND** suspending Financial Regulation 11.1(b)(ii) – Expenditure requiring three quotations – on the basis that RTP have recently provided the most competitive quote for these works.

It was further **AGREED** to **RECOMMEND** engaging RTP to commence with these works.

Councillor J P Cooper abstained from voting on this item.

PP/2018/85 **Pony rides – proposed use of Priory Park**

A report by the POSM was circulated with the agenda.

The Town Clerk summarised that, whilst it was felt that this was an idea with merit, the Council's land is publicly accessible to pedestrians and dog walkers which would be in conflict to the proposed use. Officers also felt that the Council did not have any suitable land that would not incur damage during such use.

Following discussion, it was **AGREED** to **RECOMMEND** advising the member of the public that unfortunately the Council could not provide a suitable location for this proposed use of land.

PP/2018/86 **Coldharbour ballstop netting system**

A report by the POSM was circulated with the agenda.

The Town Clerk noted that, should this request be approved, it would be recommended that the Council advise Bodmin Youth Football Club (BYFC) that they would need to implement regular inspections of the posts and netting and to record a maintenance work log to mitigate any public liability claims that could arise in the future.

Following discussion, it was **AGREED** to **RECOMMEND** approving the request for BYFC to erect a ballstop netting system.

PP/2018/87 **Explore by Bike – proposed use of Priory II Car Park**

A report by the POSM was circulated with the agenda.

There was some discussion surrounding the most appropriate area of the car park to be used for this scheme, should it be approved. It was felt that Priory II Car Park would be most appropriate in consideration of the traffic through the section of the Car Park indicated in the example image on the report. It was appreciated that this site was slightly less visible but that signs could be put up to attract people through the car park, and that this would place Explore by Bike on the bike path and allow for

more economical parking for users in the long stay section.

It was noted that this request was from the same company who had previously approached the Council regarding a potential site near the start of the Camel Trail at Hillside Park. At that time, the owner was advised that he should contact Cornwall Council to obtain a licence. It was noted that his attempt to obtain a licence had been unsuccessful to date. Councillor J P Cooper, who had recently attended a meeting of the Camel Trail Partnership, outlined ongoing issues with obtaining licences from Cornwall Council in the Bodmin area.

Following discussion, it was **AGREED** to **RECOMMEND** agreeing to this proposal in principle, pending further discussions with Explore by Bike regarding location and hire charges.

It was further **AGREED** to **RECOMMEND** that a shipping container not be used and that any erected structure be visually complementary to the Park.

PP/2018/88

To note dates of 2019 Community Events

- a) Alstock – Saturday 27 July 2019
- b) Bodmin Carnival – Saturday 17 August 2019

These dates were noted.

PP/2018/89

Risk Management update

A copy of the report was circulated with the agenda.

This report was noted.

PP/2018/90

Bodmin Town Museum minutes from meeting held on 19 September 2017

A copy of the minutes was circulated with the agenda.

This document was noted.

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