

MINUTES OF A MEETING OF HELSTON TOWN COUNCIL
HELD IN THE GUILDHALL, HELSTON
ON THURSDAY 21ST NOVEMBER 2013 AT 7.15 PM

Councillors: J P Radford-Gaby (Town Mayor) in the Chair

R Williams	Miss J A Hornsby	L C W Harris
R J L Boase	J Martin	M Knight
Mrs F N E Boase	M Upton	Mrs N Roberts
M H Thomas	Mrs G A Geer	

Officers: Mr C Dawson (Town Clerk)
Miss P J Lavelle (Assistant to the Town Clerk)
Mr M Searle (Town Centre Regeneration Officer)

317. Declarations of Interest and Requests for Dispensations

a) Declarations of Interest

The Mayor and Councillor Upton declared an interest in item 8 of the Town Clerk's Report (Agenda item 18).

Councillors Upton, Mrs Geer and Mrs Roberts declared an interest in Agenda item 15.

Councillor Williams declared an interest in Account No. 348 on the Schedule of Accounts for Payment (Agenda item 19).

Councillors R J L Boase and Martin declared an interest in Account No. 325 on the Schedule of Accounts for Payment (Agenda item 19).

b) Requests from Members for Dispensations

The Town Clerk advised that a request for a dispensation had been received from Councillor Harris to allow him to speak and vote on matters relating to the Helston Rugby Club.

It was proposed by the Mayor, seconded by Councillor Miss Hornsby, and

RESOLVED – that the Town Council awarded Councillor Harris a dispensation for the term of the current Council to remain in meetings, speak and vote on matters relating to Helston Rugby Club.

318. Police Matters

The Mayor advised that apologies had been received from the Devon & Cornwall Constabulary and the Town Clerk read a report which included recent crime figures.

319. Reports from Local Cornwall Councillors and the Community Network Manager

a) Local Cornwall Councillors

The Town Clerk advised that apologies had been received from Cornwall Councillor Mrs Haycock who was attending another meeting.

Cornwall Councillor Wallis thanked the Town Council for its assistance with the Bulwark Play Area. He further advised that the Porthleven Road would be shut for approximately twelve weeks to allow repairs to be carried out. He advised that there was little that could be done about the time involved as it was specialised work which required specific equipment.

The Mayor advised that when he had passed the Bulwark Play Area earlier in the evening there had been approximately forty children playing there and thanked Councillor Wallis for all he had done towards the project.

Councillor Thomas requested an update regarding the Helston Community College 'C' block rebuild. Councillor Wallis advised that there was no update at present as Cornwall Council was still exploring the options which would not be finalised until they were put before Cabinet. In response to a question, he advised that it had been intended to go to Cabinet on 27th November but this had been postponed to ensure Cabinet Members had all the information. He confirmed that a refurbishment was one of the options being considered, but could not comment on whether this was a preferred option until he had seen all the information.

b) Community Network Manager

The Mayor advised that Mrs Hardy had provided a written report and requested that any questions be forwarded to the Town Clerk.

320. Public Participation

The Chairman of the Helston Business Improvement Partnership (HBIP) spoke in support of its funding applications for Christmas events advising that the insurance element was no longer required as it was included in the HBIP's current Policy.

A Trustee from the Epworth Hall spoke in support of a joint funding bid to advise that the Epworth Hall had received letters of support for the provision of disabled access and then outlined the project costs together with details of funding obtained and applied for.

A representative of Helston Rugby Club presented a funding bid and advised that he hoped that it could be considered.

A Trustee from the South Kerrier Heritage Trust spoke in support of the joint funding bid advising that, at the recent regeneration consultation, people had said Helston needed support now and needed something big to make people want to come to the town which he felt the application would do. He expressed the opinion that the investment was deliverable and would enable the groups to obtain match funding, sending the message that Helston Town Council was investing in the town.

A representative of the Cornubian Arts and Science Trust (CAST) spoke in support of the joint funding bid to express the opinion that it was a time for decision and leadership with the scarce resources available to be deployed well. She advised that CAST would make a grant multiply and confirmed that it would be difficult to fundraise if they could not demonstrate the Town Council's support by way of a financial contribution.

A member of the public queried the ownership of the canon outside of Helston Museum. He also expressed the opinion that the public realm funding should be used to provide amenities that would assist in bringing people into the town centre confirming that bus shelters were required in Coinagehall Street. Councillor R J L Boase advised that the canon was part of the Anson display which he believed was the property of RNAS Culdrose with the Museum acting as custodians. The Mayor advised that the Town Council was awaiting the outcome of a planning application to install two bus shelters in Coinagehall Street.

A member of the public expressed the opinion that, at the recent regeneration meeting, there had been a groundswell of opinion in favour of a 'cultural quarter'.

321. Minutes

On the proposition of Councillor Martin, seconded by Councillor Miss Hornsby, it was unanimously

RESOLVED – that the Minutes of the Town Council meeting held on the 17th October 2013 be approved and signed as a true record.

322. Minutes of the Play and Young People Committee

On the proposition of Councillor Upton, seconded by Councillor Thomas, it was unanimously

RESOLVED – that the Minutes of the Play and Young People Committee meeting held on the 4th November 2013, be received.

323. Minutes of the Planning Committee

On the proposition of Councillor Thomas, seconded by Councillor Knight, it was unanimously

RESOLVED – that the Minutes of the Planning Committee meeting held on the 7th November 2013, be received.

324. Minutes of the Policy, Finance & Resources Committee

On the proposition of Councillor Martin, seconded by Councillor Thomas, it was unanimously

RESOLVED – that the Minutes of the Policy, Finance & Resources Committee meeting held on the 12th November 2013, be received and the recommendation accepted.

325. Announcements

The Mayor advised that he was delighted to see the play equipment at the Bulwark Play Area passed into service. He also thanked those who had contributed towards the Mayor's Ball advising that just over £1400 had been raised towards his nominated Charities.

The Town Clerk advised that, in preparation for the opening of the Bulwark Play Area, a litter pick would take place at 2pm on the following Saturday. The Mayor confirmed that the official opening was taking place at noon on Saturday 30th November and as he was unfortunately unable to attend, the Deputy Mayor had agreed to take his place.

326. Exclusion of the Press and Public

Councillor Upton requested that the vote for the exclusion of the press and public be recorded.

There was no seconder for the proposal and therefore no vote.

The Mayor reminded Members that the exclusion of the press and public had been required to protect those who had expressed an interest in a joint community centre project and their details could not be mentioned in public session.

327. Re-allocation of the Proceeds from the Sale of 3 Penrose Road

Councillor Knight requested that the vote for this item be recorded.

Councillor Knight informed Members of detailed information on the costs and time scale of the Old Cattle Market building to illustrate the Town Plan Working Party's finding that the provision of a new community building was unlikely to be attainable in the short to medium term. She queried whether Members would be best serving the population of Helston by retaining the funding for a theoretical commitment which, based on the information she had provided, would not be feasible without a huge financial commitment and a lengthy time scale, or whether the funding should be used currently to benefit community groups with projects. Councillor Knight asked Members to use the same civic wisdom and courage referred to by John Passmore Edwards to clear the way for open debate by freeing up all of the proceeds from the sale of 3 Penrose Road for the use of community projects.

Councillor Mrs Roberts advised that this was a contentious issue and would not please everyone. She advised that she could see a need for a new community building but appreciated that the funding available would not be sufficient. Councillor Mrs Roberts expressed the opinion that if the proceeds were un-ringfenced, the allocation of the proceeds should be deferred to the next meeting to allow other groups to apply.

Following a brief debate it was proposed by Councillor Knight, seconded by Councillor Martin, and

RESOLVED – that the proceeds from the sale of 3 Penrose Road be un-ringfenced for use for community projects.

The Mayor and Councillors R J L Boase, Mrs Boase, Thomas, Miss Hornsby, Martin, Upton, Mrs Geer, Harris, Knight, and Mrs Roberts voted for the Motion.

Councillor Williams voted against the Motion.

Councillor Upton advised that whilst he had a dispensation he wished to withdraw whilst the following item was considered.

Councillors Upton, Mrs Geer and Mrs Roberts left the meeting at 7.57pm.

328. Proposal for Co-ordinated Development of Helston

Councillor Knight requested that the vote for this item be recorded.

Councillor Knight expressed the opinion that the proposal had been given a lot of thought by people who had a vast amount of experience of delivering community projects and the Town Council was being given an opportunity to support a project which would lead onto greater things. Councillor Knight asked Members to grant the proceeds from the sale of 3 Penrose Road to be shared equally among the three projects. She then expressed the opinion that if there were other organisations interested in the funding, they could have also written to the Council.

Councillor R J L Boase expressed the opinion that other organisations had not had an opportunity to submit an application for the funding and suggested that the item be deferred to the following month's meeting to allow other groups to apply. Councillor Miss Hornsby advised that she supported the organisations who had submitted the joint bid but expressed the opinion that to give them the funding without opening it out to other organisations would be unfair. She then expressed concern that a month would not give sufficient time and suggested that the item be deferred for two months.

The Town Clerk updated Members on the legal position to advise that the Town Council's Solicitor was unable to give legal advice on whether the application would conform with the Technical and Industrial Institutions Act 1892 and confirmed that as the Proper Officer he could not say it would be legal to give the funding to the organisations without Counsel's advice.

Councillor Knight advised that she believed the Town Council had paid a considerable sum for advice from Counsel and queried why it needed to spend more money. The Town Clerk confirmed that advice was required regarding how the 'institutions' were constituted and whether they complied with the Technical and Industrial Institutions Act 1892.

On the proposition of Councillor Knight, seconded by Councillor Mrs Boase, it was

RESOLVED – that Standing Order 1.14 be suspended to allow the representative from CAST to speak.

The representative from CAST advised that they had looked very carefully at all the legalities before purchasing 3 Penrose Road. She advised that they had researched how the money could be used and had set up a charity very close to the purposes required. She then questioned if a Community Centre would fall within the aims of the Act.

On the proposition of the Mayor, seconded by Councillor Miss Hornsby, it was

RESOLVED – that Standing Order 1.14 be resumed.

At the conclusion of the debate it was proposed by Councillor R J L Boase, seconded by Councillor Miss Hornsby, and

RESOLVED – that this item be deferred for two months to allow other community groups the opportunity to apply.

The Mayor and Councillors Williams, R J L Boase, Mrs Boase, Thomas, Miss Hornsby and Harris voted for the Motion.

Councillors Martin and Knight voted against the Motion.

329. Plaques for Council Assets

Councillor Upton advised that he had looked around the town and noticed that there were a number of different types of sign for Helston Town Council. He suggested that a stock of perspex or aluminium signs be purchased which could be placed on assets when the existing signs needed replacing, on new assets and given to recipients of grants. Following a brief debate it was proposed by Councillor Upton, seconded by Councillor Thomas, and unanimously

RESOLVED – that quotations be obtained for a stock of 3” plaques of the town crest.

The Town Clerk queried which budget was to be used for the plaques. Councillor Upton requested that an item be included in the draft 2014/15 budget.

330. Report of the Town Centre Regeneration Officer

The Town Centre Regeneration Officer summarised his report (circulated prior to the meeting) and highlighted the requirement for a nominated substitute for the Vice-Chair on the Public Realm Project Board. On the proposition of Councillor Knight, seconded by Councillor Thomas, it was

RESOLVED – that Councillor Upton be appointed as the nominated substitute for the Vice-Chair on the Public Realm Project Board.

The Town Centre Regeneration Officer advised that the following recommendations from the Town Plan Working Party were included within his report:

- That the current version of the Town Plan should be approved as an Interim Town Plan.
- That following approval, the Interim Town Plan should be publicised and posted in electronic form on the Council’s Facebook page.
- That hard copies of the Interim Town Plan should be made available to interested parties on request.
- That the final version of the Town Plan should be published in Spring 2014 allowing for priority actions to be incorporated from the public consultation on town centre improvements.

On the proposition of Councillor Knight, seconded by Councillor Miss Hornsby, it was

RESOLVED – that the recommendations from the Town Plan Working Party, as listed above, be accepted.

The Town Centre Regeneration Officer then updated Members regarding ‘Peacock’s’ Lane to advise that the owners of neighbouring land had produced a modern title plan which showed they did not have liability for the lane. He confirmed that he would still like to find out who was responsible for the lane but if this was not possible he hoped to persuade the adjacent landowners to contribute towards the repairs.

In response to a query regarding the map of the Section 106 Public Realm area, the Town Centre Regeneration Officer advised that he had requested a copy of the town map which he intended to mark up with the area, expressing the opinion that a pictorial map would be easier to understand.

331. Report of the Town Clerk

(1) Sale of Cars from Laybys

The Town Clerk advised that, as Councillor Mrs Haycock was not present at the meeting, he would forward the suggestion from a members of the public to her by e-mail. A brief debate ensued during which the Town Clerk was asked to investigate the requirements and costs for the Town Council to create a Byelaw.

(2) SLCC Practitioners' Conference

On the proposition of Councillor Miss Hornsby, seconded by Councillor Upton, it was unanimously

RESOLVED – that the Town Clerk be authorised to attend the SLCC Practitioners' Conference on Friday 28th February and Saturday 1st March 2014 at a cost of £315.00 plus travel expenses.

(3) Flood Plan Public Meeting

The Town Clerk advised that Councillor Williams was in constant contact with the Environment Agency regarding flood relief for Helston.

On the proposition of the Mayor, seconded by Councillor Miss Hornsby, it was

RESOLVED – that Councillor Williams be authorised to continue representing the Town Council on flood relief matters.

Councillor Williams requested that his abstention from the vote be recorded.

Councillor Martin offered his assistance to Councillor Williams if he required help at any time.

(4) Council Representative – Helston Welfare Trust

On the proposition of the Mayor, seconded by Councillor Upton, it was

RESOLVED – that Councillor Williams be re-appointed as a Town Council representative on the Board of the Helston Welfare Trust for a further term until December 2017.

(5) CAB Cornwall Annual General Meeting

This item was noted.

(6) Office Christmas Closure

Following a brief debate it was proposed by Councillor Upton, seconded by Councillor Miss Hornsby, and

RESOLVED – that the Council Offices close from 4pm on 23rd December and reopen on Thursday 2nd January 2014 with the four days taken as annual leave or TOIL.

(7) Helston Museum

On the proposition of Councillor Upton, seconded by Councillor Knight, it was
RESOLVED – that the budgeted sum of £1,000 be paid to the Helston Museum.

Councillor Mrs Boase requested that her abstention from the vote be recorded.

(8) Funding Applications

i) Helston Celebrates ... Christmas

The Town Clerk advised that the HBIP was seeking £795.00 in their funding application as the cost for insurance was no longer required. The Town Clerk further advised that the Charter covered the provision of a market on Saturdays and Mondays and not Fridays confirming that the Town Council was the Licensing Authority for Coinagehall Street and Cornwall Council was the Licensing Authority for Meneage Street.

Following a brief debate it was proposed by Councillor Knight, seconded by Councillor Martin, and

RESOLVED – that the Town Council:

- a) supported the application for ‘Helston Celebrates ... Christmas’ and awarded £795.00 for the project; and
- b) gave permission for the use of Coinagehall Street for a Street Market for the two events.

The Mayor declared an interest in the following item and left the meeting at 9.01pm.

Councillor Thomas took the Chair at 9.01pm.

ii) Helston Celebrates ... Winter Skate

The Town Clerk advised that the HBIP required £2,747.00 in their funding application following the removal of the insurance costs.

Following a detailed debate it was proposed by Councillor Miss Hornsby, seconded by Councillor Mrs Geer, and

RESOLVED – that the Town Council supported the application for ‘Helston Celebrates ... Winter Skate’ and awarded £2,747.00 for the project.

The Mayor returned to the meeting and resumed the Chair at 9.15pm.

332. Schedule of Accounts for Payment

On the proposition of Councillor Martin, seconded by Councillor Knight, it was unanimously

RESOLVED – that Account Nos. 292 - 353 excluding Account Nos. 325 and 348 as listed and set out as an Appendix to these Minutes, be certified for payment in the total sum of £43,520.30.

Councillors Williams, R J L Boase and Martin declared an interest and left the meeting at 9.19pm.

It was proposed by the Mayor, seconded by Councillor Miss Hornsby, and unanimously

RESOLVED – that Account Nos. 325 and 348 be certified for payment in the total sum of £141.95.

Councillors Williams, R J L Boase and Martin returned to the meeting at 9.20pm.

It was agreed that the cheques would be signed by Councillor Williams and Councillor Mrs Boase the following day.

333. Attendance at Meetings

In respect of the HBIP report provided by Councillor Miss Hornsby, Councillor Knight queried why there had been no reports prior to 15th October. Councillor Miss Hornsby confirmed that she had previously responded to Councillor Knight when she had raised her query by e-mail to herself and Councillor Martin. She then advised that when she was first appointed as a representative she was still working in education and had found it difficult to attend the meetings and when she could attend she initially did not feel she knew enough about what was happening to be able to provide a report. Councillor Martin advised that the reports on the HBIP were previously included in the Town Centre Manager's Report.

Councillor Thomas advised that he had not provided a report on the Youth Café meeting as it had been cancelled.

334. Items for the next Agenda

The Mayor advised that Members were required to contact the Town Clerk's office seven days prior to the following Full Council meeting to place items on the Agenda, but he recommended a minimum of ten days prior to the next meeting to give the Town Clerk's Office more time to comply with the three clear days legal requirement.

335. Exclusion of the Press and Public

On the proposition of the Mayor, seconded by Councillor Miss Hornsby, it was

RESOLVED – that pursuant to the provision of the Public Bodies (Admissions to meetings) Act 1960, the press and public be excluded from the Meeting for the following item of business by reason of the confidential nature of the business to be transacted.

336. Confidential Report of the Town Clerk

(1) Trengrouse Way Public Conveniences

Members considered a report by the Town Clerk regarding the refurbishment of the Trengrouse Way Public Conveniences and adjacent shelter and seat. Following a detailed debate it was proposed by Councillor Miss Hornsby, seconded by Councillor Thomas, that the Town Council:

- a) proceed with the refurbishment work to the Trengrouse Way public toilets at no cost to Helston Town Council; and
- b) proceed with the refurbishment work to the adjacent shelter and seat at a cost of £3,000.

An Amendment was proposed by Councillor Knight, seconded by Councillor Upton, that the Town Council:

- a) proceed with the refurbishment work to the Trengrouse Way public toilets at no cost to Helston Town Council; and
- b) proceed with the refurbishment work to the adjacent shelter and seat at a cost of £3,000 contingent on it being guaranteed that all work required was included within that price.

The Amendment was carried and became the Substantive Motion and it was unanimously

RESOLVED – that the Town Council:

- a) proceed with the refurbishment work to the Trengrouse Way public toilets at no cost to Helston Town Council; and
- b) proceed with the refurbishment work to the adjacent shelter and seat at a cost of £3,000 contingent on it being guaranteed that all work required was included within that price.

Meeting closed at 9.57pm

Confirmed

Town Mayor