

LISKEARD TOWN COUNCIL

AT A MEETING of the **TOWN COUNCIL** held in the Council Chamber on Tuesday 25th June 2019 at 7.30 p.m. there were present:

The Mayor – Councillor Rachel Brooks – in the chair.

Deputy Mayor – Councillor Sandra Mitchell.

Councillors – David Ambler, Anna Clarke, Ian Goldsworthy, Sally Hawken, Tony Powell, Sue Shand, Julian Smith and Christina Whitty.

Town Clerk – Steve Vinson

Mayors Chaplain – Rebecca Bell

Members of the Public – Tony Clarke (Menheniot councillor), Nathan Pearce (Menheniot councillor), Sally Kendall (Menheniot councillor), James Kendall (Menheniot resident and farmer) and Trudi Kendall (Menheniot resident and farmer).

The Mayors Chaplain lead the council and members of the public in prayers. Everyone was informed as to fire regulations and that the meeting was being recorded.

28/19 APOLOGIES – Councillors Ian Barlow, Tyler Bennetts, Simon Cassidy, Jane Pascoe and Naomi Taylor.

29/19 DECLARATIONS OF INTERESTS, REGISTERABLE AND NON-REGISTERABLE –

Councillors Ambler and Smith in Agenda Item 17 Schedule of Payments and Councillor Whitty in Agenda Item 24 Accountable Body.

30/19 MAYOR'S REMARKS - The Mayor's engagements and work had included:

Mayor Making 22nd May 2019 and Civic Service 2nd June 2019 – The Mayor thanked councillors and staff for their attendance and support at these and other events. The public appeared pleased to remain after the service and meet with councillors.

Other Mayor Makings at Callington, St Austell and Saltash.

Carnival Week – Had been particularly busy with the Mayor attending 6 events including leading the parade of wheelbarrows. The Mayor and a number of councillors had also supported the first visit to Liskeard of the Cornwall Pride event.

Cattle Market – the Mayor and other councillors were involved with discussions including the funding for key elements of the regeneration work for the former cattle market.

Meetings with primary school heads – the Mayor and Deputy Mayor were meeting with heads to discuss participation in community events, the establishment of the Youth Council and the development work around the Cattle Market. Councillors should feed in any other issues to be raised.

31/19 TO RECEIVE AND ADOPT THE MINUTES OF THE FOLLOWING MEETINGS: – Subject to amending Minute 6/19, Councillor Whitty proposed, Councillor Powell seconded, and the Council **RESOLVED** to **ADOPT** the minutes of the Annual Meeting held on 25th April 2019. Councillor Whitty proposed, the Deputy Mayor seconded, and the Council **RESOLVED** to **ADOPT** the minutes of the Council meeting held on 30th April 2019. Councillor Whitty proposed, the Deputy Mayor seconded, and the Council **RESOLVED** to **ADOPT** the minutes of the Mayor Choosing meeting held on 22nd May 2019.

32/19 PUBLIC PARTICIPATION – Menheniot councillors Tony Clarke, Nathan Pearce and Sally Kendall indicated that they wished to speak regarding agenda item 8, the Community Governance Review.

Menheniot councillor Tony Clarke, wished to read out an email from a Liskeard Town Councillor and seek the views of the town council on its contents. Councillor Powell raised a point of order, that Code of Conduct complaints should be dealt with by a different process. Menheniot councillor Tony Clarke clarified that they were not seeking to make a Code of Conduct complaint. The Mayor indicated to Menheniot councillor Tony Clarke that the comments made in the email were not on behalf of the whole council and he should write to the council if he wished to pursue it.

The core of the Menheniot Parish Council position was:

- Menheniot Parish Council had conducted a parish wide survey of residents, which has not yet been published. The results showed that 92% of respondents did not wish the boundary to change. The parish council feels this, accords with their resolution in January 2019 not to support any change of the parish boundary. Hence, the views expressed by correspondence and in meetings that they had attended was they wanted Liskeard Town Council not to make a submission under the Community Governance Review.

The Mayor thanked the Menheniot councillors for their attendance and observations.

33/19 COMMITTEE MEETINGS – MINUTES:

a. PLANNING COMMITTEE HELD ON MONDAY 29TH APRIL 2019 – Councillor Powell proposed, Councillor Shand seconded and the Council **RESOLVED** to **NOTE** the minutes of the Planning Committee held on 29th April 2019.

b. COMMUNICATIONS & ENGAGEMENT COMMITTEE HELD ON MONDAY 13TH MAY 2019 – The Mayor proposed, Councillor Clark seconded, and the Council **RESOLVED** to **NOTE** the minutes of the Communications & Engagement Committee held on 13th May 2019.

c. FACILITIES COMMITTEE HELD ON TUESDAY 14TH MAY 2019 – Councillor Goldsworthy proposed, Councillor Smith seconded, and the Council **RESOLVED** to **NOTE** the minutes of the Facilities Committee held on 14th May 2019.

d. PLANNING COMMITTEE HELD ON MONDAY 20TH MAY 2019 – Councillor Powell proposed, Councillor Shand seconded and the Council **RESOLVED** to **NOTE** the minutes of the Planning Committee held on 20th May 2019.

e. FINANCE, ECONOMIC DEVELOPMENT & GENERAL PURPOSES COMMITTEE HELD ON TUESDAY 21ST MAY 2019 – Councillor Whitty proposed, the Mayor seconded, and the Council **RESOLVED** to **NOTE** the minutes of the Finance, Economic Development & General Purposes Committee held on 21st May 2019.

f. PLANNING COMMITTEE HELD ON MONDAY 10TH JUNE 2019 – Councillor Powell proposed, Councillor Whitty seconded, and the Council **RESOLVED** to **NOTE** the minutes of the Planning Committee held on 10th June 2019.

34/19 TOWN CLERK'S UPDATE – ITEMS FROM THE 30TH APRIL 2019 COUNCIL NOT ALREADY ON THE AGENDA – The information was noted.

35/19 COMMUNITY GOVERNANCE REVIEW – The Mayor and Town Clerk outlined the most recent developments including the meetings and discussions held and drew attention to the revised plans 8a.RevisedBoundaryReviewFull, 8b.RevisedDobwallsMoorswater, 8e.RevisedMenheniot and spreadsheet 8f.RevisedMenheniotproperities.

Dobwalls & Trewidland Parish Council 19th June 2019 – The Town Clerk had attended a further meeting with the parish council and members of the public. At which (the proposed plan 8b) had been discussed regarding the draft plans use of the railway line as the observable new parish boundary. It was felt the stream and existing Cornish hedge line at the rear of the Moorswater Industrial Estate provided a clear new parish boundary. Another benefit, it was said, would be to preserve an agricultural unit. The Dobwalls & Trewidland Parish Council took a formal vote to accept the proposal to revise the parish boundary, along the lines presented, subject to seeing the revised plan. The plan was circulated as 8b.RevisedDobwallsMoorswater. (The parish council confirmed that the plan 8b.RevisedDobwallsMoorswater was acceptable on 26th June 2019. Post meeting).

Menheniot Parish Council 24th June 2019 – The Mayor and Town Clerk attended a meeting with the Chair, Vice Chair and Parish Clerk. At the meeting, Menheniot Parish Council confirmed that they had already resolved in January 2019 not to support any change to the parish boundary. They felt that the parish wide survey of

residents had shown 92% support for a no change position and that they were not in a position to discuss or negotiate with the town council.

The town council indicated that their consultation letters had been sent to the 15 residential and business addresses, that were affected by the review proposals. 10 had not responded to the consultation. Of the 5 that responded, 4 objected and 1 supported. 3 of those that objected were located in the residential cluster at Tencreek Farm. They were also objecting to the separation of their farm from the majority of their farmland. The 1 that supported had indicated a need to follow as much as possible the inclusion of most, if not all, of the land within the agricultural unit. Consequently, they asked for their farming unit to be more completely included in the proposal to transfer to Liskeard including the land beyond the railway link to the boundary and the central piece of land at Island Shop.

The Mayor indicated that given the difference in views that it was probably best to agree to differ.

Town Council Consultation directly with Menheniot residents and businesses -

Subsequent to the meeting with Menheniot Parish Council further contact was undertaken with residents of Menheniot Parish affected by the Town Councils proposals.

Tencreek Farm – has been removed from the area to be transferred. This means that the 3 residential properties at Tencreek Farm remain with Menheniot Parish. It also means that the majority of the farming land held by that farm remains within the Menheniot Parish.

Bolitho Farm – the complete site has been restored including the land beyond the railway to the boundary of the Dobwalls & Trewidland Parish. The central plot at Island Shop has been restored. However, the adjacent residential properties will remain in Menheniot Parish. (see the attached 8e.RevisedMenheniot and spreadsheet 8f.RevisedMenheniotProperties)

The key arguments for moving the boundaries included:

- Buildings and facilities commonly considered to be part of Liskeard, like the Liskeard Tavern, Liskeard B&M and units on the Moorswater industrial estate are in fact in other parishes.
- Local planning, such as the recent Liskeard Neighbourhood Plan, cannot cover areas which are part of or next to the existing built up area.
- Although its Neighbourhood Plan, which was approved by 91.5% of those voting, is committed to supporting the vitality and viability of the Town Centre, Liskeard does not have an effective voice in planning decisions on the edge of

town because the premises are beyond or even on the parish boundary.

- Planning permission has been granted for a large housing development next to the built-up area, whose residents will look to Liskeard for services, but they would vote and pay their council tax in Menheniot.

Councillor Powell proposed, Councillor Ambler seconded, and the Council **RESOLVED** to submit to Cornwall Council a proposed new parish boundary as worked up with our neighbouring parish council Dobwalls & Trewidland. (8b.RevisedDobwallsMoorswater and 8c.RevisedDobwallsSouthern as attached)

Councillor Powell proposed, Councillor Smith seconded, and the Council **RESOLVED** to submit to Cornwall Council a proposed new parish boundary for Menheniot. (Plan 8e.RevisedMenheniot as attached).

36/19 ANNUAL INTERNAL AUDITORS REPORT 2018/2019 – The Town Clerk presented the Internal Auditors’ Report 2018/2019 and (Page 3 of the Annual Governance and Accounting Return 2018/2019 and explanatory notes), as tabled. On 24th June 2019, the Internal Auditor had indicated “No” to Statements E, I and M. Statement I had already been addressed as indicated in the tabled report. Subject to the receipt of a report addressing the other issues raised by the Internal Auditor being brought to the next meeting of the Finance, Economic Development & General Purposes Committee, Councillor Smith proposed, Councillor Powell seconded and the Council **RESOLVED** to accept the Annual Internal Auditor’s Report and agree to action statements E and M at the next meeting of the Finance, Economic Development & General Purposes Committee.

37/19 ANNUAL REVIEW OF RISK MANAGEMENT ARRANGEMENTS 2018/2019 (AS ATTACHED) - Councillor Powell proposed, Councillor Whitty seconded and the Council **RESOLVED** to maintain the existing actions and adopt the measures identified, referring to the Finance, Economic Development & General Purposes Committee to agree an order of prioritisation and a timetable for implementation.

38/19 ANNUAL GOVERNANCE STATEMENT 2018/2019 - All Councillors had been supplied with copies of the Annual Return 2018/2019. The Mayor read to Council each of the parts of the Annual Governance Statement 2018/2019, each statement was proposed and seconded as below and then approved by individual council vote.

Before responding, the Council noted the ‘except for’ matters from the 2017/2018 external auditors report which identified incorrect responses to the statements and considered each statement in the context for its own annual review of risk management and the comments of the internal auditor.

The Mayor proposed, Councillor Hawken seconded, and the Council **RESOLVED** that: - **Yes Part 1** – “We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements”.

Councillor Smith proposed, Councillor Clarke seconded, and the Council **RESOLVED** that: - **No Part 2** – “We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness”

The Council noted that the internal auditor had identified weaknesses in its internal controls, namely the management of debtors and reconciliation of some bank accounts, and therefore this statement had not been adequately fulfilled.

Councillor Hawken proposed, Councillor Smith seconded and the Council **RESOLVED** that: - **Yes Part 3** – “We took all reasonable steps to ensure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of this smaller authority to conduct its business or on its finances”.

The Mayor proposed, Councillor Shand seconded and the Council **RESOLVED** that: - **Yes Part 4** - “We provided proper opportunity during the year for the exercise of electors’ rights in accordance with the requirements of the Accounts and Audit Regulations.”

Councillor Powell proposed, Councillor Goldsworthy seconded and the Council **RESOLVED** that: - **Yes Part 5** – “We carried out an assessment of the risks facing this smaller authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required”.

Councillor Powell proposed, Councillor Clarke seconded, and the Council **RESOLVED** that: - **Yes - Part 6** – “We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.”

The Mayor proposed, Councillor Whitty seconded, and the Council **RESOLVED** that: - **Yes - Part 7** – “We took appropriate action on all matters raised in reports from internal and external audit.”

Councillor Hawken proposed, Councillor Whitty seconded and the Council **RESOLVED** that: - **Yes - Part 8** - “We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year end, have a financial impact on this smaller authority and, where appropriate have included them in the accounting statements.”

Councillor Smith proposed, Councillor Whitty seconded, and the Council **RESOLVED** that: - **No** - Part 9 – “Trust Funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets including financial reporting and if required independent examination or audit”

The Council noted that the internal auditor had identified weaknesses in its management of the trusts it administers, namely failure to update mandates and receive bank statements, and therefore this responsibility had not been fully discharged.

The Mayor signed and the Town Clerk witnessed and signed the Annual Governance Statement 2018/2019.

39/19 ACCOUNTING STATEMENTS 2018/2019 – Councillor Powell proposed, Councillor Hawken seconded, and the Council **RESOLVED** to approve the Accounting Statements 2018/2019.

Before responding, the Council noted the ‘except for’ matters from the 2017/2018 external auditors report which identified incorrect figures entered and checked the current statements to ensure the correct details had been brought forward in the statements presented.

The Mayor signed the Accounting Statements 2018/2019.

40/19 CLIMATE EMERGENCY WORKING GROUP – It was reported that the Plastic Free Liskeard group had recommended that their initiative be combined as part of the Climate Emergency Working Group. Following discussion, subject to changing the name to the Environment Working Group, to embrace other Liskeard based initiatives, the Mayor proposed, Councillor Hawken seconded, and the Council **RESOLVED** to set up an Environment Working Group. The councillor members of which would include Councillors Barlow, Cassidy, Clarke, Smith and Taylor.

41/19 CCTV UPGRADE - PROVISION OF A REPLACEMENT CCTV SYSTEM – Following discussion, Councillor Goldsworthy proposed, Councillor Shand seconded and the Council **RESOLVED** to support the proposed locations of the 6 CCTV cameras, acting as replacements for the old town centre system. It was considered that Cornwall Council should pay for the 2 additional cameras covering the cattle market and the entrance to the cattle market.

42/19 HIGH VISIBILITY VESTS – Following discussion, Councillor Powell proposed, Councillor Hawken seconded, and the Council **RESOLVED** to obtain high visibility vests for councillors who wanted them.

21.06 – The Mayor left the meeting at this point having provided an update on the project.

43/19 LYSKERRYS MAGAZINE UPDATE – Following discussion, Councillor Hawken proposed, Councillor Goldsworthy seconded and the Council **RESOLVED** to defer consideration of the report until August Council and to request more information on how the proposal was to be made more financially self-supporting, including the possibility of reducing the print run and using electronic means of information sharing. Also, to include the cost per edition of the former Town Crier publication.

21.20 – The Mayor returned to the meeting at his point.

44/19 SCHEDULE OF PAYMENTS – The Mayor proposed, Councillor Powell seconded, and the Council **RESOLVED** to approve the schedule of payments.

45/19 CORNWALL COUNCIL PLANNING DECISIONS – noted.

46/20 CORNWALL COUNCIL COUNCILLOR UPDATES – **Sally Hawken** –

Cattle Market Working Party – funding was in place to support an initial phase of demolition. This would include the former ATS site and properties at the rear of the site in which the new build office units would be located. The owners of adjacent properties would be contacted to inform them of start dates etc.

Maudlin Farm – some members of the public had expressed concern regarding the footpaths across the building site being closed during construction works. Given Health & Safety regulations, it was not possible to allow continued access during the construction period.

47/19 CORRESPONDENCE – 6th June 2019 – Climate Emergency draft Town Council template had been received. The St Just Town Council and Helston Town Council examples had also been supplied. Cornwall Council had also approved an update report on possible measures to undertaken by councils.

48/19 DATE OF THE NEXT MEETING – Tuesday 27th August 2019.

The Mayor proposed, Councillor Hawken seconded, and the Council **RESOLVED** to move into PART II.

49/19 PART II - PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Pursuant to Section 1(2) of the Public Bodies (admission to meetings) Act 1960 and having regard to the confidential nature of the business to be discussed, the Press and Public be excluded from the meeting for the following items of Business:

CCTV UPGRADE – NOMINATED CONTRACTOR – to approve a nominated contractor.

ACCOUNTABLE BODY STATUS JOINT PROJECT – to update on progress with joint working on a combined European Social Fund (E.S.F.) and European Regional Development Fund project.

PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

Pursuant to Section 1(2) of the Public Bodies (admission to meetings) Act 1960 and having regard to the confidential nature of the business to be discussed, the Press and Public were readmitted to the meeting.

50/19 – The Mayor proposed, Councillor Hawken seconded, and the Council **RESOLVED** to adopt the resolutions made in **PARTII** as set out below.

51/19 CCTV UPGRADE – NOMINATED CONTRACTOR – That given that it has not been possible to get like for like quotes, the town council **RESOLVES** to nominate SSE as the equipment supplier and Cornwall Council as the service provider for the new CCTV monitoring hub system.

52/19 ACCOUNTABLE BODY STATUS JOINT PROJECT - That the town council continues working with partners on a draft Expression of Interest which is to be brought to the 23rd July 2019 Finance, Economic Development & General Purposes Committee.