

6. TOWN CLERK'S REPORTS UPDATE MATTERS ARISING 26TH MAY 2020

None. Either completed or are on this agenda.

8. SOCIAL EMERGENCY FUND UPDATE AND APPLICATION – To consider the application from the Royal Voluntary Service – Cornwall Community Transport – Liskeard – Request for financial support – the sums of £500 and £750 being mentioned for 2 months or 3 months operating costs (see attached application).

Update – since the establishment of the Social Emergency Fund earlier in the year the following grants have been approved.

Social Emergency Fund Budget	£20,000
Liskeard Methodist Church	£250
St Martin's Church	£2,940
Real Junk Food Project – 1 st Application	£250
Liskeard School & Community College – 1 st Application	£1,000
Covid Facemask Group	£250
Hillfort School	£2,033
Real Junk Food Project – 2 nd Application	£1,300
Café Abundance	£500
St Martin's Church – 2 nd Application	£1,000
Lighthouse CIC	£700
Liskeard School & Community College – 2 nd Application	£2,000
Young People Cornwall EmpowHER	£350
Approved To Date	£12,573
Left to allocate	£7,427
Application at this Council requesting	£500 - £750
If approved the amount remaining would be:	£6,927 - £6,677

Application (as attached) Royal Voluntary Service – Cornwall Community Transport – Liskeard – Request for financial support – the sums of £500 and £750 being mentioned for 2 months or 3 months operating costs. The application indicates that they are approaching their landlord to request assistance.

Update – 22nd June 2020 – has been received from the applicant that the landlord has responded “They have offered us a three month rent only holiday, (so we would still have to pay insurance, services, utilities and telephone charges) subject to a 12-month repayment plan. Unfortunately, as we have not been able to operate since 23 March, we feel that this offer is not appropriate for us and would cause us more stress and worry as there is currently no change in relation to our face to face based service, so our re-opening date is unknown, and our finances are being used up without any income. We hope you can look upon our application sympathetically, otherwise we fear we will be forced to close.”

RECOMMENDATION: That the Council consider the request for financial support.

9. REOPENING OF THE TOWN CENTRE – To report on the meetings held on 10th June 2020 (attached 9.Notes 9.a.Action Plan) and 30th June 2020 (verbal update at the Council meeting on the meeting being held earlier in the day) – To give feedback on the survey results. (9bi Summary of Respondents, ii Car Respondents and iii. Walk Respondents) and discuss next steps.

Background – as part of the phased reopening of the town centre meetings are being held with interested parties including local business organisations and Cornwall Council. The intentions are to consider how best to approach the issue of the effective use of available space especially taking account of the 2 metres requirements for social distancing and the impact upon pedestrians and vehicles.

The notes of the first meeting held on 10th June 2020 are attached along with the action plan drawn up from ideas discussed at the meeting. A questionnaire of the public and business organisations was suggested. This would it was felt hopefully provide clearer guidance on the next steps. It was noted that in some instances several options were possible. In others, measures were being proposed by the public that were mutually exclusive.

Survey Monkey - The Survey Monkey questionnaire has now closed. A total of 393 were received. The breakdown of results is attached as a Summary of Respondents (9.b.i.) This is also supported by Respondents by Car (9.b.ii) and Walking Respondents (9.b.iii). There is not a clear winner on the traffic questions. Walkers came out more strongly in favour of the 20mph limit and shared space.

A further meeting with partners is scheduled for 11.00am 30th June 2020. The results of the survey will be discussed among other items. A report will be made verbally at the Town Council meeting.

RECOMMENDATION: That the Council agrees next steps on measures to help the town reopen safely.

10. CAR PARKING OPTIONS a) to consider requesting that car parks continue without charge during the initial period of reopening the High Street (further 3 months) OR b) to consider working with Cornwall Council and other local organisations to come up with a cost-neutral plan for car-parking charges.

Background – Earlier in the year, Cornwall Council carried out a parking charges consultation. Aspects of which were objected to by the Traders Association and the

Town Forum. The 17th February 2020 Planning Committee considered the Off-Street Parking consultation. The meeting was attended by members of the public who spoke in objection to the proposed changes. In addition, the committee received items of correspondence objecting to the measures.

There was also included a response from the Cornwall Council Cabinet Member for Transport Geoffrey Brown whose responsibilities includes car parks as below:

“That said we would be delighted to open discussions with the Town Council and Forum with a view to changes going forward, please contact Craig Taylor who can arrange such a meeting and supply all the parking data you would require in order to make an informed decision.”

Following discussion, the committee proposed it facilitate a meeting in spring/early summer, once requested information had been received, to include local stakeholders, to discuss ideas for a viable parking scheme which would meet all stakeholders needs. This has not proceeded due to lockdown conditions.

Update – at the 10th June 2020 meeting with the Chamber of Commerce and Traders Association and Cornwall Council. The request was also made that the suspension of the collection of car parking charges during the Covid19 pandemic be extended during the period of coming out of lockdown. An extension period of 3 months has been suggested in order to provide some focus to the issue.

Notes – the achievement of a cost neutral solution to on-going car parking charges has in the past proven notoriously difficult as reducing charges to placate one set of car park users can upset another group of car park users as an existing charge is increased or a new charge introduced. For example, previously the proposal to introduce post 4.00 pm car parking charges had been objected to strongly.

RECOMMENDATION: a). That the Council consider WHETHER to request that car parks continue without charge during the initial period of reopening the High Street (further 3 months) OR b). That the Council consider working with Cornwall Council and other local organisations to come up with a cost-neutral plan for car-parking charges.

11. COMMUNITY LEAD LOCAL DEVELOPMENT (CLLD) – Cattle Market Makers Project a) to note the advice of the Cornwall Association of Local Councils (CALC) and reaffirm the resolutions made on 12th May 2020 b) to consider and approve the Heads of Terms (with Cornwall Council) c) to consider and approve the draft Collaborative Agreement (with Cornwall Council) d) to consider and approve the draft Memorandum of Understanding (with Plymouth College of Art) e) to consider obtaining specialist VAT advice and opting to

tax. f) to receive feedback from the initial assessment of the application by the programme management and consider how to proceed on staffing.

a) to note the advice of the Cornwall Association of Local Councils (CALC) and reaffirm the resolutions made on 12th May 2020 – at the 12th May 2020 Special Council meeting, a series of votes were taken as indicated in the minutes which are attached. With respect of the Minute 585/19 as set out immediately below, the advice of Cornwall Association of Local Council (CALC) was requested regarding the votes not being with a proposer and seconder.

585/19 CLLD APPLICATION – CATTLE MARKET MAKERS PROJECT (VOTES BY ELEMENT)

The Mayor explained that a vote would be held for each aspect of the CLLD application. This was agreed.

Application Form – 9 Councillors voted to support, none voted against.

Spreadsheets – 9 Councillors voted to support, none voted against.

Draft Heads of Terms (as amended) – 8 Councillors voted to support, none voted against.

Equality and Diversity Policy – 10 Councillors voted to support, none voted against.

Cornwall Association of Local Councils (CALC) advice is that “If your members are concerned at the minute then I would recommend that you ratify the decision at the next meeting. The law only requires a proposer but standing orders add the need for a seconder.”

RECOMMENDATION: That the Council ratifies the decisions made at the 12th May 2020 Special Council meeting as set out above.

b) to consider and approve the Heads of Terms (with Cornwall Council)

Background – the draft Heads of Terms were considered and approved at the 12th May 2020 Special Council meeting. They were subsequently sent to Cornwall Council.

The Cornwall Council solicitor has included provision for a rent review. The Town Council view was maintained that it was not appropriate to review the rent review immediately after the funding package and we have asked for there not to be a rent

review. This view was considered and supported at the 8th June 2020 Mayor, Deputy Mayor and Chairs meeting.

Insurance – Cornwall Council have indicated that the property should be added to the corporate insurance portfolio.

Any further feedback from Cornwall Council will be reported to the Council meeting.

RECOMMENDATION: That the draft Heads of Terms is approved as the basis of the lease.

c) to consider and approve the draft Collaborative Agreement (with Cornwall Council)

Background – as was set out on the report to the 12th May 2020 Special Council, a set of supporting paperwork was being presented or was to be presented to the Town Council. This included a Collaboration Agreement. This is attached. It is an operational arrangement to supplement the lease. It covers a greater range of issues not least the bank rolling function. The document has been to the 8th June 2020 Mayor, Deputy Mayor and Chairs meeting. The point was raised as below. Clarification is being sought. It is understood that Covid19 qualifies as a pandemic. The response of Cornwall Council will be included once received.

“It was asked that we ascertain whether in 1.1 Force Majeure pandemic (included specifically Covid19)”

RECOMMENDATION: That the Collaboration Agreement is approved for the basis of joint working.

d) to consider and approve the draft Memorandum of Understanding (with Plymouth College of Art) – as indicated in the report to the 12th May 2020 Special Council meeting, the Memorandum of Understanding sets out the basis of partnership working with the Plymouth College of Art and is being presented to the Town Council for approval. The template as attached is an original Plymouth College of Art document has been drafted in the current format with input from Plymouth College of Art, Cornwall Council (Vicky Reece-Romain Culture Officer) and Liskeard Town Council (Town Clerk and Mayor). If approved it will add technical expertise and equipment that are not present locally. The College will have a stream of fee paying (albeit funded by the CLLD project not the individual themselves). This will initially help cover some of the operating costs. The local people becoming aware of the facilities and courses might well become sufficiently attracted to in the arts as a hobby with or as a career path through Plymouth College of Arts courses.

RECOMMENDATION: That the Town Council considers and approves the Memorandum of Understanding as the basis of future working with the Plymouth College of Art.

e) to consider obtaining specialist VAT advice and opting to tax.

Now that we have a draft lease agreement with Cornwall Council for the facility, it has been possible to seek specialist VAT advice from advisors experienced in local council VAT legislation.

Three estimates have been obtained as set out below, in addition, one of the responders has provided some free general advice as follows:

VAT Treatment of aspects of the project:

- Workspace – this will be a non-business supply for CC as they are charging a peppercorn rent, however as the TC is charging a market rent to tenants this will be an exempt business supply and therefore may prevent us from reclaiming VAT on related expenditure if we exceed the Council's overall £7,500 threshold for VAT relating to the supply of land and property – including VAT on expenditure related to the business aspect of the Public Hall and Guildhall.

It would be better to Opt to Tax. Although the tenants are unlikely to be VAT registered and able to reclaim, the market rent should be benchmarked as the total cost to the tenant, absorbing the VAT, so they are not adversely affected (other providers previously benchmarked all charge VAT).

- Fab Lab/shared space – this will be a business supply as people are paying to use the equipment within rather than the space itself. VAT must be added to the session charges and all related input VAT can be reclaimed e.g. on the purchase of the equipment. There could be some difficulties identifying which cost/part of costs relate to the workspace and which to the shared space e.g. utilities and maintenance.
- Business support – if we are not charging for this it will be a non-business supply and all input VAT can be reclaimed.
- ESF training - if we are not charging for this it will be a non-business supply and all input VAT can be reclaimed.

Estimates received:

Contractor A – London (signposted by a Truro based company recommended by the Learning Partnership (accountable body for Liskeard Together) and Judith Hann from CLLD) -provider of free advice

£1,700 + VAT (based on time charged at £280 per hour) – includes provision of the above information in writing, with added detail and calculations

Contractor B – Dartford (recommended by CC)

Estimate for this project is that it would take between 10 and 12 hours (hourly consultancy rate is £200 plus VAT per hour); they estimate that the maximum fee investment for this report would be between £2,000 and £2,400 plus VAT

Contractor C – Swindon (advert in SLCC publication)

Initial appraisal capped at £1,120 (plus £158.40 travel if visit in person which is preferred option if restrictions allow) plus VAT. Additional work charged at £80 (Director / £70 (consultant) per hour plus VAT

All contractors will require for review the CLLD application, heads of terms, lease and possibly the spreadsheets

Recommendation: to agree to Opt to Tax on the site, which based on the free advice received will enable a full reclaim of input VAT

f) to receive feedback from the initial assessment of the application by the programme management and consider how to proceed on staffing.

The CLLD management team have carried out an initial assessment of our application, which has identified the inclusion of time spent by the Town Clerk and RFO as ineligible to reclaim from the project. The project can only fund additional hours worked over and above those usually contracted. As both officers already work full time, they are unable to carry out a regular contracted commitment to additional hours on the project. The project can fund the hours included for the account's clerk, but these must be in addition to the usual hours worked for the Town Council.

An alternative proposal is now being developed, which increases the funded hours of the currently part time 18 hours per week project assistant to take on more responsibilities and further support the project manager. This will create further new employment. More details of the proposed new job roles will be required and are being worked on.

In addition, further information has been requested on areas such as delivery of the business support, and aspects of the ESF training.

RECOMMENDATION: That the Council notes the advice on eligibility for claiming staff time and endorse the approach of increasing the hours of the project assistant.

12. RECYCLING BINS – to receive the recommendation of the Working Party that the Town Council does not take over the recycling bins and monitors the impact of their removal on the situation.

Update – the Working Party delegated to make a decision on whether the Town Council should take over the operations of the recycling bins has received two additional pieces of information. These are that Looe Town Council and Saltash Town Council have both decided not to take over the operation of the recycling centres. Councillors might recall that there had initially been some thought that a contract offered locally by a couple of the South East Cornwall Town Council's might achieve some economies of scale.

Cornwall Council have confirmed that they are not able to offer an extension to the date by which Town and Parish Councils consideration might consider the issue of recycling centres. We have been instead asked to give date by which the response from the Town Council is given.

The original Cornwall Council letter explained that it provides a comprehensive kerbside collection, that only 1% of the Cornwall's recycling goes via the recycling banks. The banks service is an extra service that Cornwall Council has provided. It has also been established that there is widespread illegal use of recycling banks by businesses to dispose of their commercial waste. Businesses are legally required to pay for their waste collection and disposal services, through a registered commercial waste management company. The management of this illegally deposited commercial waste creates cost for Cornwall residents and leads to the banks getting full too quickly leading to material being left around the banks that can get scattered by the wind.

Conclusion The Working Party considered this at its 22nd June 2020 meeting.

RECOMMENDATION: That the Town Council does not take over the recycling bins and monitors the impact of their removal on the situation.

13. DOG / LITTER BIN – a) to consider the request that the Town Council agrees to the principal of funding of dog / litter bins b) to approve the request for dog / litter bin provision and servicing at the locations indicated.

Background – A request was sent to all councillors asking for suggested locations for additional dog poo bins. The suggested locations were Looe Mills/Moorswater and Bodgara/Lake Lane. The dog warden at Cornwall Council was also contacted for their feedback but to date none has been received. The cost of installing a new dog poo bin is IRO £300.00. The cost of servicing the bins is £5 per collection and this is undertaken by Biffa.

RECOMMENDATION: The Town Council CONSIDERS To the principal of funding dog / litter bins where a need has been clearly demonstrated. The

Town Council to CONSIDERS the request for dog bin provision and servicing at the locations indicated.

21. POLICY FOR CONTRACTS INVOLVING COUNCILLORS – to receive and approve the policy.

Background – it is proposed that this policy is added to the Council’s Financial Regulations under the Procurement section.

A number of councillors have local businesses. Their expertise is valuable to the Town Council and it may sometimes be appropriate for the Town Council to pay for goods and services from these businesses. However, it is important to ensure that there is no perception that being a town councillor gives them a commercial advantage. Payments to businesses owned by town councillors or members of their household will therefore only be made in the following circumstances:

1 After at least 3 quotations have been obtained and the decision is taken by a committee or full council with the relevant councillor declaring an interest and absent from the discussion.

2 (In the case of repeated purchase of small items) after the business has been approved as a supplier by a committee or full council with the relevant councillor declaring an interest and absent from the discussion. Subject to an annual limit of £500 and a single item job limit of £100.

3 In exceptional circumstances by a decision of the Mayor and Town Clerk which is reported back to the next Full Council meeting.

RECOMMENDATION: That the policy is adopted and incorporated into the Councils’ Financial Regulations

23. COVID19 STANDING ORDERS AND FINANCIAL REGULATIONS - to consider extending the amendments to Standing Orders and Financial Regulations granted 24th March 2020 Council Minute 537/19 A & F

Background – at the 24th March 2020 Council meeting a number of measures were agreed for the operation of the Council during the Covid19 period. The Standing Orders and Financial Regulations resolutions were for a period of 3 months with a requirement to review thereafter. Set out below is the original report. These resolutions were approved.

Standing Orders Note re: a below – The legislation refers to the “Town Clerk / Proper Officer” (Stephen Vinson) being given delegated authority. However, from a

Business Continuity perspective, to secure against the impact of possible illness and to take account of the division of responsibilities between staff it is recommended that the delegation be extended to the RFO/ Deputy Town Clerk (Yvette Hayward.) In the terms of area of work responsibility the Facilities Manager (Jacqui Orange) and TIC Manager (Vicky Cutts) would provide function specific support and decision making authority should both the Town Clerk and RFO / Deputy Town Clerk be ill.

a) Scheme of delegation / Business Continuity – “That the Council delegates authority to the Clerk (RFO / Deputy Town Clerk and Facilities Manager depending upon the area of service responsibility and availability through sickness) in consultation with the Mayor (Deputy Mayor and Chair or Vice Chair of the relevant service committee and availability through sickness) to take any actions necessary with associated expenditure to protect the interests of the community and ensure council business continuity during the period of the pandemic Coronavirus, informed by consultation with the members of the council”.

Financial Regulations

Note re: f below – The current Financial Regulations are 4.1 the Town Clerk or RFO may in consultation with the Mayor or Chair of the appropriate committee approve an item of expenditure £2,500. (Note - possible increase to £5,000) Intended for operating expenditure, perhaps equipment purchase.

Financial Regulation 4.5. In cases of extreme risk to the delivery of council services, the clerk, RFO or Facilities Manager may authorise revenue expenditure on behalf of the council which in their judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £7,500 (Note – possible increase to £15,000). The Clerk/RFO shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter. For example, this is intended to help authorise immediate works to a threatened Council building to hopefully avoid a higher bill by delayed decision making. Council may wish to adopt the new figures of £5,000 and £15,000 pending guidance further advice from Government.

**RECOMMENDATIONS: That the scheme of delegation / business continuity modifications to Standing Orders be retained for another 3 months.
That the amendments to the Financial Regulations as set out above be retained for another 3 months.**