

TOWN CLERK'S REPORTS – 26TH JUNE 2018 – COUNCIL MEETING

7. TOWN CLERK'S UPDATE – Items from the 24th April 2018 Council meeting not already on the agenda.

Minute 625/17 Library Building and Library Service – outstanding elements from the minute are that the Council's concern's regarding the stakeholder consultation and the timetable have been passed to RIO and Cornwall Council. RIO have commissioned Sarah Pym to undertake a stakeholder survey and present the findings. Sarah Pym has been introduced to the working group including Councillors Clarke and Smith and the Town Clerk. There was a willingness to engage with any stakeholder that was felt to be relevant (Liskeard U3A, AddAction, the Old Cornwall Society, Stuart House + Walkers Welcome) were mentioned at the meeting along with the Lyskerrys Youth group and the Liskerret Centre.

Timetable – RIO estimate the capital project cost to be £550,000. They indicated that they had been invited to submit an Expression of Interest (E.O.I.) for a £250,000 grant from the Department of Communities and Local Government (D.C.L.G.). This is for European Regional Development Fund (E.R.D.F.) grant. They have been informed by DCLG that the EOI should be worked up into a formal full application for grant. A decision should be forthcoming in October 2018. RIO have indicated that this is the same approval timetable indicated in their application for £300,000 from the Arts Council.

Minute 629/17 Liskeard Together Bid – The Council has supported the assessment process being undertaken by the Department of Communities and Local Government (DCLG) and Department of Works and Pensions (DWP) on the joint bid. The Town Council has supplied a revised letter of support reflecting the issues raised by the DCLG. The majority of the points raised have been dealt with Cornwall Housing, ECCABI and the Cornwall and Isles of Scilly Learning and Skills Partnership (the accountable body for the bid).

8. LOCAL GOVERNMENT BOUNDARY COMMISSION (LGBC) CONSULTATION PROPOSALS – to receive and consider a). the proposals regarding the post 2021 Cornwall Council Liskeard Divisions b). the proposals for the Town Council wards.

Background – The Town Council sent its proposals regarding the Cornwall Council divisions post 2021 to the LGBC. The LGBC has issued for consultation its proposals which are attached.

Comments on LGBC proposal – St Pinnock Parish Council at the 11th June 2018 Community Network Panel expressed concern that they had been placed with Lostwithel rather than Liskeard. They felt that their much closer proximity to Liskeard and the role of Liskeard as a service and employment centre warranted their inclusion with Liskeard.

13th June 2018 – there was a joint Looe Town Council and Liskeard Town Council meeting. Views were expressed that residents of Looe almost as far south as the Looe bridge would be in Liskeard South, rather than a more appropriate Looe division. That the residents of Trewidland village and parish immediately abutting

Liskeard would be placed into Looe East division. An exchange of parishes was suggested as reflected in the attached proposal. This proposal has been shown to Cornwall Council. It is suggested that modifications as developed be sent to the other Parishes and Town affected to obtain their views. The details of the changes are:

- Take from Liskeard South ELR Lanreath Parish 491 and put it into Lostwithiel.
- Add to Liskeard South EPK St Pinnock Parish 616 from Lostwithiel.
- Take out of Liskeard South EDE Duloe Parish 618 – add it to Looe East.
- Take out of Looe East – EDT2 Trewidland Parish and add to Liskeard South

LGBC Proposals – Liskeard Town Council - Town Wards – The LGBC have proposed changes to most Town Council town ward boundaries. The current and the LGBC proposed Town Council wards are outlined below and in the attached map.

- Current Town Council Liskeard North Ward – Polling District EXN – 1,937 electors – 5 Town Councillors
- Current Town Council Liskeard East Ward – Polling Districts EXE1 – 1,115 electors and EXE2 – 2,676 electors – 5 Town Councillors
- Current Town Council Liskeard West – Polling District EXW – 2,199 electors – 5 Town Councillors
- LGBC Proposed Town Council Central Liskeard Ward – Polling Districts EXN 1,937 electors and EXE2 – 2,676 electors – Proposed 10 Town Councillors
- LGBC Proposed Town Council Liskeard South Ward – Polling Districts EXE1 1,115 electors and EXW – 2,199 electors – Proposed 5 Town Councillors.

Given the change to the Cornwall Council post 2021 divisions, there would appear to be some benefit to making the future Town Council wards reflect this, noting that there is no change in the number of Town Councils overall. The LGBC are accepting comments on their proposals until 17th September 2018.

RECOMMENDATIONS: That the revised proposals for the Cornwall Council post 2021 division be circulated to the other Parishes and Town affected. That the Council support LGBC propose Town Council wards.

9. ANNUAL INTERNAL AUDITOR REPORT 2017/2018 – to receive and note the completion of the Annual Internal Auditor Report 2017/2018 on (page 3 of the Annual Governance and Accountability Return (A.G.A.R.)).

Background – The consideration and approval at this meeting of the Annual Governance and Accountability Return (A.G.A.R.) is a three stage process. Firstly, the Internal Auditor has examined the Council in respect of the Internal Control Objectives outlined on page 3 of the Annual Return. He was signed to indicate that the Council has adequate controls.

RECOMMENDATION: That the Annual Internal Auditors' Report 2017/2018 is received and noted.

10. ANNUAL GOVERNANCE STATEMENT 2017/2018 – to approve each of the nine Statements of the Annual Governance Statement (Section 1 – Page 4).

Background – The second stage following, the noting by Council of the Annual Internal Auditors' Report 2017/2018 on page 3 of the Annual Governance and Accountability Return (A.G.A.R.). The Council then needs to approve all nine of the statements in Section 1 – Page 4 which will require individual Councillors, to propose and second and the Council to agree to all nine items.

RECOMMENDATION: to approve by separate resolutions each of the nine Statements of the Annual Governance Statement (Section 1 – Page 4 of the Annual Return).

11. ACCOUNTING STATEMENTS 2017/2018 – to receive and approve the Accounting Statements for 2017/2018 (Section 2 – page 5).

Background – the final stage is for the Council to approve the Accounting Statements 2017/2018 as a single item. These are signed and dated by the Mayor and the Town Clerk and Responsible Financial Officer. The Annual Governance and Accountability Return (A.G.A.R.) 2017/2018 are then sent to the external auditor. The deadline for the receipt of the completed AGAR 2017/2018 is 30th June 2018.

RECOMMENDATION: - to receive and approve the Accounting Statements for 2017/2018 (Section 2 – Page 5).

12. WESTBOURNE GARDENS 10 YEAR MANAGEMENT AGREEMENT (MINUTE 229/17 29TH AUGUST 2017 COUNCIL) – to receive and approve the agreement.

Background – The Town Council resolution was acted upon 1st September 2017 when the comments including those of the solicitor advising the Council were sent to Cornwall Council. On 22nd May 2018, the response from Cornwall Council was received and circulated by e-mail to Town Councillors, the Facilities Manager and the Town Council's solicitor. The comments of the Solicitor are in full below:

- **Clause 2.1.3 – this will mean that the Council's decision is not open to challenge.***
- Clause 3.10.3 – this still refers to conditions which suggests that there are formal rules and regulations relating to this. I suggest that the following wording replaced the wording in the Agreement: "including an obligation on the Hirers to ensure that it does not create a nuisance to the local residents."
- Clause 3 19 – I think you need to add in "or such email address as the Cornwall Council shall notify to the Liskeard Town Council" just in case this changes.
- Clause 3.17 – the amendment appears to be acceptable.
- **Clause 3.20 – this means again you are not able to challenge the costs.***
- Clause 5.1 – noted
- Clause 7.3 – noted

- Clause 15.1 – I think rather than deleting the clause it should state that the Council shall not assign this Agreement or any part thereof so that the Agreement is always with the Council.
- Clause 20 – noted.

Consideration of the points raised – The Chair of the Facilities Committee, Facilities Manager and Town Clerk/Responsible Financial Officer have looked at the points. The majority are noted and accepted for inclusion. Two points are marked in bold and marked with an asterix. These are relevant in the following way.

* 2.1.3 (which gives the Town Council just 30 days to remedy breaches in the performance of its obligations, to the satisfaction of Cornwall Council).

*3.20 (which gives Cornwall Council the right to recover costs if the Town Council does not meet its obligations).

Cornwall Council retains responsibility for the walls, trees and footpaths – these are the elements of the Gardens that are the most expensive to repair and maintain. Carrying out works on these elements would normally require going out to tender etc. that would delay the completion of works longer than 30 days.

Liskeard Town Council’s obligations under the agreement would extend to elements such as grass cutting and litter picking. Grass cutting contracts typically cover a variable number of cuts per year. This being dependent on the environmental factors that increase the need for cuts. It also permits the Council to ask for cuts in advance of events and hence has flexibility built into the contract. For these reasons, it is not felt that responding within 30 days is an issue. Nor is costs given our limited obligations to low cost activities such as grass cutting and litter picking.

Next Steps – it is felt that the agreement be modified taking account of the points raised above (without the including the solicitors’ observations on 2.1.3 and 3.20.

RECOMMENDATION: That the Town Council approves the agreement.

13. SAFEGURADING POLICY (MINUTE 531/17 27TH FEBRUARY 2018 COUNCIL)

– to receive and approve the revised Safeguarding Policy.

Background – the 27th February 2018 Council meeting, considered a report on the adoption of a draft Safeguarding Policy. It confirmed that Erin Beswetherick be the Designated Safeguarding Officer (D.S.O.). The Council decided that the draft policy be further developed and brought back to Council for approval. The draft policy is attached in two parts. The Policy document itself and an addendum on Recognising Abuse. Note that the Westbourne Gardens 10 Year Management Agreement with Cornwall Council requires the Town Council to have adequate Safeguarding measures in place.

RECOMMENDATION: That the Safeguarding Policy is adopted.

14. PUBLIC HALL REFURBISHMENT PROJECT – to receive the tender information and consider approval.

Background – the Facilities Committee have been working on a project to refurbish elements of the Public Hall. Tenders were received back from three companies and opened at a meeting on 13th June. The meeting was attended by the Deputy Mayor and Councillors Goldsworthy and Smith, the Facilities Manager, the architect and the Town Clerk/RFO.

One tender was significantly over the other two which were within £10,000 of each other. The were differentials in regards the proposed number of weeks that parts of the Public Hall would be closed varying from 10 weeks to 16 weeks.

It was agreed that for the two lowest tenders, the architect being asked to obtain further information regarding:

1. A more detailed breakdown of the costs.
2. An indication as to the robustness of the timescales.
3. An indication of the possible items that could be removed to reduce the total scheme cost.

The architect was asked to obtain the information for a meeting on 22nd June at which it might be considered and reviewed before going to Council.

The information obtained by the architect and the discussions at the 22nd June meeting will be reported to 26th June Council meeting. It might be that a decision is required at the 26th June meeting or it is possible that a special meeting of Council might need to be called in the first week of July should the circumstances require it.

If the works are undertaken in the summer and autumn of this year during a quite period of the year, then a timely decision might be needed.

RECOMMENDATION: - to receive and the tender information and consider approval.