

MINUTES OF THE COUNCIL MEETING
HELD ON THURSDAY 7 JUNE 2007

Present: Cllr P La Broy - Mayor

Cllrs J Blatchford, J Bryson, P Dolphin, L Emo, W B Garvie, K Harris,
T Macey (arrived 7.08pm), L Moores, P Moores, F Partridge, H F Partridge,
H Phillips, R Rowland (arrived 7.08pm), L Sharratt, N Tucker,
R L Willoughby (arrived 7.05pm)

Town Clerk – Mrs C Kett

C/71/07

To receive and accept apologies for absence

Cllr E Greenwold

The Mayor stated that he wished to thank all those who had assisted him during his first few weeks in office, particularly the Town Clerk, fellow councillors and all the other Council workers. He stressed the need for all to work as a team

Cllr Tucker requested exemption from Standing Order 11.2 and this was permitted by the Mayor

C/72/07

Members Declaration of Interests

Individual members declared a personal interest in all items on the agenda
Cllr P Dolphin (as a member of NCDC) declared a personal and prejudicial interest in C/76/07 (i) and (ii) and C/85/07

Cllr L Moores (as an adjacent land owner) declared a personal and prejudicial interest in C/76/07 (ii) and C/77/07 (i)

Cllr L Sharratt (as a Director of BATB) declared a personal and prejudicial interest in C/76/07 (i)

C/73/07

Sgt L Hughes, Bude Community Beat Sergeant to discuss with BSTC the ongoing damage to BSTC property and consideration of the means by which this can be combated

Sgt Hughes was not present so the meeting proceeded to the next item

C/74/07

Minutes:

- (i) **To receive, confirm and sign the minutes of the Council meeting held on 17 May 2007**

C/58/07 – add between paragraph 2 and 3: “Cllr Sharratt asked the Town Clerk for advice on whether she should stay. The Town Clerk indicated this item was an open discussion but it was for individual councillors to decide if they had a prejudicial interest and whether they should stay or leave the room”

Resolved: That with the above addition the minutes are a true and accurate record and they should be signed by the Mayor

Cllr F Partridge requested that it be minuted that he had abstained upon the vote taken regarding this addition to the minutes

- (ii) **Report by Town Clerk on any matters arising from the minutes**
None

C/75/07

To receive & consider reports and minutes of the following committee meetings (acting under delegated authority) and adoption of any recommendations contained therein:

- (i) **Planning Committee 24 May 2007**

Resolved: That the minutes and report be adopted by the Council

- (ii) **Environmental Services & Highways Committee 24 May 2007**
Resolved: That the adoption of the minutes be deferred until after their accuracy had been considered by the committee i.e. 2 August 2007
- (iii) **Properties Committee 31 May 2007**
As these minutes contain exempt information their adoption was deferred until after C/88/07
- (iv) **Recreation Committee 31 May 2007**
As these minutes contain exempt information their adoption was deferred until after C/88/07
- (v) **Planning Committee 7 June 2007 (tabled)**
The procedure regarding recommendations/resolutions was queried. It was agreed that the Chairman of the Planning Committee would discuss this further with the Town Clerk
Resolved: That the minutes and report be adopted by the Council
Resolved: That the Recommendations contained in PL/62/07 (1) – (4) be adopted by the Council
Discussion then followed regarding the discussion which had taken place following the planning correspondence in PL/63/07. Cllrs F Partridge and H Partridge reiterated their personal and prejudicial interest in this matter and left the room. The discussion continued. It was felt that this discussion had taken place following the closure of the meeting

Cllrs F Partridge and H Partridge were invited back into the room

PL/62/07: (5) 2007/01074 & (6) 2007/01075 Discussion then followed regarding the Recommendations. These Recommendations were not adopted

Resolved: That the Town Council has no objection to the proposed development in 2007/01074 and 2007/01075

Sgt Hughes had arrived so the meeting returned to agenda item **C/73/07: Sgt L Hughes, Bude Community Beat Sergeant to discuss with BSTC the ongoing damage to BSTC property and consideration of the means by which this can be combated**

Sgt Hughes apologised for arriving late. He then detailed the number of logged crimes in the Castle Grounds area and the number of foot patrols in the same area. He urged all present to call '999' if they witnessed an incident in progress. Discussion then followed regarding the provision BSTC had made for security of The Castle and its grounds. Various measures were suggested to try and combat the incidence of damage to the property. The external CCTV system was then discussed in some detail and reference was made to the maintenance of the current cameras, the quality of the images, replacement of the camera on Shalder Hill and the legal obligations of the Council. Members then raised questions and made observations on the matters raised by Sgt Hughes including the enforcement of the Dispersal Order, the internal security of The Castle, the potential for a 'central control and monitoring station', the cost of replacement external cameras. The suggestion was made that BSTC may consider

replacement of the Shalder Hill camera if the police reconsidered the issue of ownership of the system – BSTC having previously offered that the police be given ownership of the system providing it also took over the role of Data Controller. Sgt Hughes stated that the police did not wish to have ownership of the system or act as Data Controller.

Resolved: That a meeting of the Police Liaison Sub-Committee be convened to discuss with Sgt Hughes the future of the CCTV system

The Mayor thanked Sgt Hughes for his attendance and the Deputy Mayor thanked him for arranging the additional patrols of The Castle grounds which, he felt, had proved most effective. Sgt Hughes then left the meeting

C/76/07

Planning Applications: to consider the following planning applications which have been referred to the full Council by the Planning Committee
Cllrs P Dolphin and L Sharratt left the room (as per their previously declared personal and prejudicial interests in the following item)

(i) **2007/00565: NCDC – New stone & render extension at Bude Visitor Centre**

BSTC was in receipt of the most recent report relating to this application from the Environment Agency. Detailed discussion followed

Resolved: That the Town Council request a site meeting so that on site the Planning Committee (NCDC) can consider the orientation of the proposed extension in relation to the flood defence measures and also the visual impact of the proposed development on the Conservation Area

Cllr L Sharratt was invited back into the room

Cllr L Moores left the room (as per her previously declared personal and prejudicial interest in the following item)

(ii) **2007/00846: NCDC – Revision to scheme approved under decision notice 2007/00032 to detach building from Lower Wharf Centre, The Bark House, Lower Wharf, Bude**

Discussion followed

Resolved: That the Town Council has no objection to the proposed development

Cllrs P Moores and R Willoughby requested that it be minuted that they had abstained from voting on the above resolution

Cllrs P Dolphin was invited back into the room

Cllr P Moores (as an adjacent land owner) declared a personal and prejudicial interest in the following item and left the room

C/77/07

Correspondence Received: for information

(i) **The Planning Inspectorate: County of Cornwall (Rear of Granville Terrace, Bude) Modification Order 2005 – the addition of a public footpath to the Definitive Map. Confirmation of the Order so as to modify the width of the proposed footpath variable between 1 metre and 3.6 metres**

Discussion followed

Resolved: That this matter be referred to the appropriate committee (Recreation) for further discussion of the measures possible to alleviate the potential problems created by this addition to the Definitive Map

Cllrs L Moores and P Moores were invited back into the room

(ii) NCDC: Town Councillors Training 19 July 2007 7pm, Parkhouse Centre

The Town Clerk had issued a memo notifying of a change to the '2007 Schedule of Meetings' as this training session clashed with a meeting of the FS&GP Committee – the latter having been rescheduled to Tuesday 24 July 2007; it had also proved necessary to change the date of the next Recreation Committee meeting from 12 July 2007 to Tuesday 10 July 2007.

Resolved: That the above changes to the '2007 Schedule of Meetings' be agreed

The Town Clerk agreed to notify councillors of alternative dates and venues where this training was also being provided

Correspondence Received after the agenda was compiled:

- (iii) **CCC – One Cornwall** – report of meetings with parish/town councils in Community Network Areas and response to Prof Chisholm's critique of 'One Cornwall One Council'. Noted

Resolved: That Standing Orders be suspended

C/78/07

Electors questions/observations concerning the business of the Council

An elector expressed her concerns regarding the uncertain future of the use of land at the Higher Wharf

Cllr R Willoughby (as the owner of land in this vicinity) declared a personal and prejudicial interest and left the room

The elector had prepared a briefing paper which she distributed to members present. Discussion followed. The Town Clerk (who had had prior notification that the elector would be raising this matter) informed those present that this item would be placed on the agenda for discussion at the next Heritage and Culture Committee meeting as it fell within the Terms of Reference of that Committee (no. 3)

Cllr R Willoughby was invited back into the room

C/79/07

CCC issues relevant to BSTC

None were present

C/80/07

NCDC issues relevant to BSTC

Cllr N Pearce (NCDC) had tendered his apologies for non-attendance
Cllr P Dolphin (NCDC) was asked questions regarding several matters including (i) the cost of the questionnaire about the proposed unitary authority which had been sent to a sample of residents in the area and (ii) the discharge of untreated sewage into the sea and the standards for obtaining 'Blue Flag' status and the process of ultra violet treatment of sewage and whether BSTC should take this matter up with SWW

Resolved: That Standing Orders be resumed

C/81/07

Questions from members

Matters raised included:

- (i) two letters sent by a member to the Mayor
- (ii) statements made publicly by a new member prior to his election to BSTC
- (iii) the concerns of the 'Concerned Residents' on BSTC

Discussion followed

C/82/07

Appointment of members of Committee and delegates to outside bodies:

- (i) **Heritage & Culture Committee – indication by Cllr P Moores that he does not wish to serve on H&C Committee (as per S/O 18.2) and appointment of Cllr R Rowland to fill the vacant seat on this committee**

The Deputy Mayor indicated that, as per Standing Orders, he was willing to relinquish his ex-officio membership of the H&C Committee so that Cllr Rowland (who had listed the H&C Committee as a first choice) could continue to sit on this committee

Resolved: That Cllr R Rowland be appointed as a member of the Heritage & Culture Committee for the ensuing year

- (ii) **Bude Foyer Group**

Resolved: That Cllr L Emo be elected as the BSTC delegate to this group

- (iii) **East Cornwall Rural Transport Partnership**

Resolved: That Cllr H Phillips be elected as the BSTC delegate to this group

- (iv) **Neetside Community Project**

Vacant

C/83/07

Local Authorities (Model Code of Conduct) Order 2007 (SI 1159): to consider the adoption of the Model Code of Conduct including paragraph 12(2)

Resolved: That BSTC adopts The Local Authorities (Model Code of Conduct) Order 2007 including the sections which are not mandatory; viz paras 7, 10(2)(c)(i) and (ii), 11 and 12(2) of the revised Code

Cllr P Dolphin left the room (as per their previously declared personal and prejudicial interests in the following item)

C/84/07

St Michael and All Angels Parish Church, Budehaven: receipt of 'Closure Order' from the Privy Council – consideration of BSTC policy regarding the Closure Order and anticipated action of the PCC

The Town Clerk provided the background to this item and informed of the timescale within which the Council was required to act – the consequence of not acting being that the responsibility for the maintenance of the Churchyard would, by default, fall to BSTC. Discussion followed

Resolved: That this item be referred to the FS&GP Committee; the Town Clerk to report to the committee upon the correspondence between NCDC and BSTC and the level of financial commitment likely to be involved

C/85/07

Proposed Licence – Land at Ergue-Gaberic Way: consideration and approval of licence between BSTC (land owner) and NCDC (licencee) for the installation and maintenance of services and conducting media to be undertaken by a contractor appointed by the licencee

Resolved: That the Town Council approve the licence with NCDC with the fee payable for the licence of £100 (parity with that charged by NCDC for licences)

Cllr La Broy requested that his vote against be minuted

Cllr Dolphin was invited back into the room

C/86/07

Accounts 2006/2007: Consideration and approval of the ‘Statement of Accounts’ and ‘Annual Governance Statement’ for the Annual Return for the year ended 31 March 2007 draft copies supplied to all Cllrs

The Mayor invited the Chairman of the Finance, Staffing & General Purposes Committee to take this item. Copies of the Annual Return and Financial Statements to 31 March 2007 had previously been circulated to councillors

Resolved: That, it being 10pm, the meeting proceed to the close of business (Standing Order 1.4)

Detailed discussion followed relating to all sections of the Annual Return, particularly Section 2 (Annual Governance Statement) and Section 4 (Annual Internal Audit Report)

Resolved: That the Council response is ‘Yes’ to sub-section numbers 1 – 6 and sub-section 8; that the Council response is ‘No’ to sub-section 7 - the Town Clerk (having taken legal advice) to provide to the external auditor the explanation for the ‘no’ response given

Cllrs Bryson, La Broy and Sharratt requested that their abstention be minuted

Cllr Sharratt left the meeting at 10.25pm and Cllr L Moores left shortly afterwards

C/87/07

Financial Report:

- (i) **Schedule of payment made at 7 June 2007**
Resolved: That all payments made (£20,038.91) be approved
- (ii) **Schedule of payments to be made at 31 May 2007**
Resolved: That all payments to be made at 31 May 2007 (£10,693.86)
- (iii) **Schedule of additional payment to be made at 7 June 2007**
Resolved: That all additional payments to be made at 7 June (£94,075.17) be approved

Cllr Blatchford left the meeting at 10.40pm

C/88/07

Resolved: ‘That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw. The following items contain matters which involve the likely disclosure of exempt information as defined in the identified paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972’

The following minutes contain ‘exempt’ information and are currently confidential and only available to cllrs

MINUTES OF THE COUNCIL MEETING
HELD ON THURSDAY 7 JUNE 2007 (CONT)

The following minutes contain 'exempt' information and are currently confidential and only available to cllrs

C/89/07

Resolved: 'That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw. The following items contain matters which involve the likely disclosure of exempt information as defined in the identified paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972'

The Mayor closed the meeting at 11.00pm

Signed:Dated:.....