

Minutes of the Reconvened Meeting of the 14 December 2017 meeting of the St Ives Town Council held in The Council Chamber, The Guildhall, St Ives on Thursday 11 January 2018 at 7.00 pm

PRESENT

Chairman – Councillor S Tanner  
Vice-Chairman – Councillor J Symons

COUNCILLORS

Andrewes T	Lait R
Chard C	Mitchell A
Garrod H	Nicholls C
Glanville R	Tanner J
Griffin J	Tulley R
Harris A	Williams T
Henry R	

OFFICERS

Town Clerk  
Facilities Manager

130. APOLOGIES FOR ABSENCE – were received from Councillor Hughes.

131. CHAIRMAN'S ANNOUNCEMENTS

None.

132. DECLARATIONS OF MEMBER/OFFICER INTERESTS

None.

133. REQUESTS FOR DISPENSATION

None.

134. BUDGET AND PRECEPT 2018/2019

The Chairman of the Finance & General Purposes Committee noted the information that had been circulated prior to the meeting, some of which had been circulated earlier that day. In view of the need to ensure that the budget was given full consideration, it was

RESOLVED – that this item be deferred to an adjourned meeting of the council to be held at 6.00pm on Thursday 18 January 2018.

135. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED – “That in accordance with the Public Bodies (Admissions to Meeting) Act 1960 (as extended by s.100 of the Local Government Act 1972), the press and the public be excluded from the meeting during the consideration of the following matters on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972 by virtue of the paragraph specified against the item.”

136. LEGAL NEGOTIATIONS FOR THE REDEVELOPMENT PROJECT AT PORTHMEOR CAR PARK PUBLIC CONVENIENCES (Paragraph 3)

The Town Clerk reported on the latest position with regard to efforts to conclude the legal negotiations to enable the demolition and redevelopment of the public toilets at Porthmeor car park. There was a need to close the gap on a matter related to indemnity cover and warranties, requiring agreement between the town council, the community group to carry out the redevelopment works and Cornwall Council as the owner of the freehold of the property.

During discussion, the various risks and benefits associated with each option were debated. The level of risk that the town council would be entering into if the course of action taken was to accept the LABC contract approach, was taken into account in the context of the parties involved, noting that although there was a potentially high risk to the council, the likelihood of this was extremely low.

It was acknowledged that officers had been working with the community group from the outset, endeavouring to bring the project to completion and with regard to the legal matters, the Town Clerk had been proactive in brokering discussions between the parties and the legal teams involved.

It was noted that Cornwall Council had agreed to sign up to the option based on the LABC policy and certification and that the preference was for the town council to also be a named beneficiary on the LABC policy, although it was not clear at this stage whether this would prove possible.

RESOLVED – that the town council’s wholehearted support was given to the community group carrying out the redevelopment project and that the option based on signing the lease, underlease and licence to alter documents, supported by the community group acquiring an LABC Policy be adopted. Note: it was agreed that the Town Clerk be instructed to continue to seek for the town council to be a named beneficiary on the LABC policy but that this would not be an essential prerequisite for the signing of the legal agreements set out above.

Meeting closed at 7.40 pm

Chairman